



# **Agenda**

**Ordinary Council Meeting Thursday 26 June 2025**

**4.30 pm in Council Chambers, Nannup**

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## Risk Management:

The Shire of Nannup considers risk management to be an essential management function in its operations. It recognises that the risk management responsibility for managing specific risks lies with the person who has the responsibility for the function, service or activity that gives rise to that risk.

## Assessing Risk:

| Shire Nannup Consequence Guide |                                         |                               |                                                                 |                                                            |                                                        |                                                        |                                                    |
|--------------------------------|-----------------------------------------|-------------------------------|-----------------------------------------------------------------|------------------------------------------------------------|--------------------------------------------------------|--------------------------------------------------------|----------------------------------------------------|
| Rating Level                   | Health                                  | Financial                     | Reputational                                                    | Compliance                                                 | Service disruption                                     | Assets                                                 | Environment                                        |
| <b>Low<br/>(Minor)</b>         | First Aid Injury                        | Less than \$5,000             | Unsubstantiated<br>No real impact                               | Negligible statutory impact                                | Little disruption                                      | Inconsequential Damage                                 | Contained and minimal                              |
| <b>Medium<br/>(Moderate)</b>   | Lost Time Injury<br><30 days            | \$25,001<br>to \$100,000      | Substantial public embarrassment moderate news profile          | Short term but significant regulatory imposts              | Temporary interruption and additional resources needed | Localised damage requiring external sources to rectify | Contained reversible impact with external agencies |
| <b>High (Major – Extreme)</b>  | Lost time injury >30 days or a fatality | \$100,001<br>To<br>\$500,000+ | Substantiated prolong public embarrassment with widespread news | Non-Compliance resulting in litigation or criminal charges | Prolonged interruption greater than 1 month+           | Excessive damage to complete loss of asset.            | Uncontained irreversible impact                    |

| Shire Nannup Likelihood Guide |                       |                                                      |                            |
|-------------------------------|-----------------------|------------------------------------------------------|----------------------------|
| Level                         | Rating                | Description                                          | Frequency                  |
| 5                             | <b>Almost Certain</b> | The event is expected to occur in most circumstances | More than once per year    |
| 4                             | <b>Likely</b>         | The event will probably occur in most circumstances  | At least once per year     |
| 3                             | <b>Possible</b>       | The event should occur sat sometimes                 | At Least three per year    |
| 2                             | <b>Unlikely</b>       | The event could occur at some time                   | At least once in 10 years  |
| 1                             | <b>Rare</b>           | The event may occur in exceptional circumstances     | Less than once in 15 years |

| Shire Nannup Risk Matrix |            |            |              |
|--------------------------|------------|------------|--------------|
| Likelihood \ Consequence | Low (1)    | Medium (2) | High (3)     |
| 5 – Almost Certain       | Medium (5) | High (10)  | Extreme (15) |
| 4 – Likely               | Medium (4) | High (8)   | High (12)    |
| 3 – Possible             | Low (3)    | Medium (6) | High (9)     |
| 2 – Unlikely             | Low (2)    | Medium (4) | Medium (6)   |
| 1 – Rare                 | Low (1)    | Low (2)    | Medium (3)   |

| Shire Nannup Acceptance Criteria Guide |                           |                                                                                                                                                                                             |                                      |
|----------------------------------------|---------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| Rating Level                           | Description               | Criteria                                                                                                                                                                                    | Responsibility                       |
| <b>Low<br/>(Minor)</b>                 | <b>Acceptable</b>         | Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring                                                                                      | Operations Managers and Coordinators |
| <b>Medium<br/>(Moderate)</b>           | <b>Attention Required</b> | Risk Acceptable with excellent controls, managed by senior staff subject to regular (1-3 Month) monitoring                                                                                  | Manager Corporate Services/CEO       |
| <b>High (Major – Extreme)</b>          | <b>Unacceptable</b>       | Risk only acceptable with excellent controls and all treatment plans to be explored and implemented where possible, managed by highest level authority and subject to continuous monitoring | CEO and Council                      |

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## A G E N D A

### **1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS/ACKNOWLEDGMENT OF COUNTRY:**

The Shire President is to declare the meeting open and welcome the public gallery.

The Shire President to acknowledge the traditional custodians of the land, the Wardandi and Bibbulmun people, paying respects to Elders past, present, and emerging.

#### **Audio Recording**

The Presiding Member to advise that the meeting is being audio recorded in accordance with the Local Government Act 1995 and will be published on the Shire's website within 14 days.

Members of the public are reminded that no other visual or audio recording of this meeting by any other means is allowed without the permission of the chairperson.

### **2. ATTENDANCE/APOLOGIES:**

#### **2.1 ATTENDANCE**

|                        |                     |
|------------------------|---------------------|
| Shire President        | Anthony (Tony) Dean |
| Deputy Shire President | Vicki Hansen        |
| Councillor             | Lynette Curtis      |
| Councillor             | Patricia Fraser     |
| Councillor             | Cheryle Brown       |
| Councillor             | Timothy Sly         |
| Councillor             | Ian Gibb            |

|                                      |                |
|--------------------------------------|----------------|
| Chief Executive Officer              | David Taylor   |
| Executive Manager Corporate Services | Kim Dolzadelli |
| Development Services Coordinator     | Jane Buckland  |
| Executive Support Officer            | Lisa Atkinson  |

#### **2.2 APOLOGIES**

Executive Manager Works and Services    Damon Lukins

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**3. PUBLIC QUESTION TIME:**

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**PREVIOUS QUESTIONS TAKEN ON NOTICE**

**Rita Stallard, East Nannup Road**

**Question**

Are you aware that the tree trunk sizes shown on the supplied maps appear inaccurate, with regional girths being two, three, or four times larger than stated, and supposedly dead trees having green leaves on their branches?

**Response**

Following review and investigations by the Executive Manager of Works and Services, the tree trunk sizes appear broadly consistent with those shown on the supplied plans. However, the Shire acknowledges that some minor inaccuracies may be present, particularly in relation to tree trunk and canopy dimensions, and we understand that on-ground observations can sometimes reveal such variations. It is important to note that the tree locations on the plans are accurate. The survey was not conducted with the intent to misrepresent data in a way that would favour the proposed project.

Ordinarily, should any discrepancies be significant enough to influence planning outcomes, the Executive Manager of Works and Services would recommend further clarification or reassessment by the surveying contractor. However, in this instance, the trees in question have been assessed on site, and it has been determined that any variances are minor and do not affect the scope of the proposed clearing.

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**4. MEMBERS ON LEAVE OF ABSENCE AND APPLICATIONS FOR LEAVE OF ABSENCE:**

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**4.1 APPROVED LEAVE OF ABSENCE:**

Nil.

**4.2 APPLICATION FOR A LEAVE OF ABSENCE:**

Nil.

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**5. CONFIRMATION OF MINUTES:**

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**5.1 Bush Fire Advisory Committee Meeting – 5 May 2025****EXECUTIVE RECOMMENDATION:**

That the minutes from the Bush Fire Advisory Committee Meeting held on 5 May 2025 be received. (Attachment 5.1).

**5.2 Local Emergency Management Committee Meeting – 7 May 2025****EXECUTIVE RECOMMENDATION:**

That the minutes from the Local Emergency Management Committee Meeting held on 7 May 2025 be received. (Attachment 5.2).

**5.3 Shire of Nannup Ordinary Council Meeting – 22 May 2025****EXECUTIVE RECOMMENDATION:**

That the minutes from the Shire of Nannup Ordinary Council Meeting held on 22 May 2025 be confirmed as a true and correct copy (Attachment 5.3).

**5.4 Warren Blackwood Alliance of Councils Climate Alliance Reference Group (CARG) Meeting – 30 May 2025****EXECUTIVE RECOMMENDATION:**

That the minutes from the Warren Blackwood Alliance of Councils Climate Alliance Reference Group (CARG) Meeting held on 30 May 2025 be received. (Attachment 5.4).

**5.5 Warren Blackwood Alliance of Councils Board Meeting – 3 June 2025****EXECUTIVE RECOMMENDATION:**

That the minutes from the Warren Blackwood Alliance of Councils Board Meeting held on 3 June 2025 be received (Attachment 5.5).

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**6. ANNOUNCEMENTS FROM PRESIDING MEMBER:**

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Nil.

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**7. DISCLOSURE OF INTEREST:**

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Division 6: Sub-Division 1 of the *Local Government Act 1995*. Care should be taken by all Councillors to ensure that a financial/impartiality interest is declared and that they refrain from voting on any matter, which is considered to come within the ambit of the Act.

Where a member has disclosed a financial or proximity interest in an item, they must leave the Chamber for consideration of that item.

Where a member has disclosed an impartiality interest in an item, they may remain in the Chamber. The member is required to bring an independent mind to the item and decide impartially on behalf of the Shire of Nannup and its community.

The Shire of Nannup Disclosure of Interest Register is on our website [here](#).

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**8. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN:**

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Nil.

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**9. PRESENTATIONS/DEPUTATIONS/PETITIONS:**

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Nil.

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**10. REPORTS BY MEMBERS ATTENDING COMMITTEES:**

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## 11. REPORTS OF OFFICERS:

|                             |                                                                                                                       |
|-----------------------------|-----------------------------------------------------------------------------------------------------------------------|
| AGENDA NUMBER & SUBJECT:    | 11.1 - Council Member, Committee Member and Candidate Code of Conduct Complaint Handling Policy and Minor Breach Form |
| LOCATION/ADDRESS:           | Shire of Nannup                                                                                                       |
| NAME OF APPLICANT:          | N/A                                                                                                                   |
| FILE REFERENCE:             | ADM 13                                                                                                                |
| AUTHOR:                     | Nicky Barker - Governance Officer                                                                                     |
| REPORTING OFFICER:          | David Taylor - Chief Executive Officer                                                                                |
| DISCLOSURE OF INTEREST:     | Nil                                                                                                                   |
| DATE OF REPORT:             | 5 June 2025                                                                                                           |
| PREVIOUS MEETING REFERENCE: | 21 February 2021 (Item 12.4, Resolution # 21014)                                                                      |
| ATTACHMENT                  | 11.1.1 – Division 3 Complaint Policy<br>11.1.2 – Minor Breach Form<br>11.1.3 – Minor Breach Delegation                |

### ISSUE:

To consider -

1. the adoption of a Council Members, Committee Members and Candidates Code of Conduct Complaint Handling Policy (the Policy) to support allegations of a breach of Division 3 of the *Local Government (Model Code of Conduct) Regulations 2021* (the Regulations);
2. a revised Division 3 Complaint Form; and
3. the appointment of an alternate Complaints Officer to receive Complaints under the Regulations in the absence of the Chief Executive Officer (the current appointed Complaints Officer) or where a conflict exists.

### BACKGROUND:

The enactment of the *Local Government (Model Code of Conduct) Regulations 2021* (Regulations) required all local governments to prepare and adopt a code of conduct incorporating the model code as prescribed by Regulations. The model code provides a high-level process requiring local government councils to make a finding on complaints relating to behaviour (Division 3 of the Regulations).

At its Ordinary Council Meeting on 20 April 2021, Council adopted a Council Members, Committee Members and Candidate Code of Conduct (the Code) incorporating the provisions of the model code, appointed the Chief Executive Officer (CEO) as the Shire's Complaints Officer and adopted a Breach Complaints Form.

Council's resolution reads as follows -

*"12.4 That Council:*

1. *Adopt the Model Code of Conduct as contained within the Local Government (Model Code of Conduct) Regulations 2021 as the Shire model, applicable to Council Members, Committee Members and Candidates;*
2. *Request the CEO to publish the adopted Code of Conduct on the Shire of Nannup website;*

3. *Authorise the Chief Executive Officer as complaints officer;*
4. *Approve the Complaint form as presented;*
5. *Delegate to the Chief Executive Officer the power to appoint one or more persons to receive complaints and withdrawals of complaints."*

**COMMENT:**

***Council Complaint Determination***

The State Government considers that Complaints are for a Council to determine and to self-regulate their own Council Members' behaviour, especially considering that these complaints are low level Council Member and Committee Member behavioural issues.

This is further reinforced by the fact that Council adopts the Code as Council's statement of its minimum standard of conduct expected by its members.

***Policy***

The WALGA *Local Government Regulation Amendments 2021* Guidance Notes recommend that once a Council has adopted a Code based on the Model Code of Conduct Regulations, authorised persons to be the Complaints Officer and adopted a format for receiving Complaints, it should also adopt a procedure detailing how it will manage Code of Conduct Behaviour Complaints. The Guidance Notes recommended that the procedure be adopted as a Council Policy linked to the Code. Adoption as a Policy ensures the process is publicly transparent and accountable and periodically reviewed.

To support this process a draft policy is proposed that includes a procedure for appointing or procuring a Complaints Administrator. The Shire's authorised Complaints Officers will still receive Complaints, and in the case of Division 3 Behavioural Complaints will instigate the Policy requirements. Division 4 Complaints will be submitted to the Departmental Standards Panel as required by the Regulations.

The Policy will ensure that the Complaint process is undertaken in a consistent, fair and equitable manner, ensuring that decisions are made on facts and evidence (that being the details provided in the Complaint Form and the information provided by the Respondent). The Complaints Officer and Complaints Administrator have no investigatory powers and will make a recommendation to the Council based on the 'Balance of Probabilities'.

***Complaints Officer Authorisation***

Clause 11 of the Model Code of Conduct provides that Local Governments may authorise "1 or more persons" to receive complaints. Council delegated this function to the CEO at its meeting of 20 April 2021, however a formal instrument of delegation was not included in the Shire's Delegated Authority Register at that time. The Council has subsequently adopted a new Register that does not include this delegation. To rectify this omission, an instrument of delegation is included as part of this report and will need to be formally adopted by an absolute majority of Council.

***Complaint Form***

In addition, a revised Division 3 Complaint Form is provided for consideration and adoption. The new proposed format will assist Complainants identify the specific sections of the Code that involve the alleged breach.

**STATUTORY ENVIRONMENT:**

*Local Government Act 1995*

*Local Government (Model Code of Conduct (Regulations) 2021*

**POLICY IMPLICATIONS:**

The Complaints Officer and Complaints Administrator will, with the assistance of an adopted policy position relating to the procedure to manage complaints, be in a good position to administer Complaints and make recommendations to Council.

**FINANCIAL IMPLICATIONS:**

There may be associated costs if a third party were to be contracted to administer Complaints and undertake mediation.

**RISK MANAGEMENT MATRIX:**

The Shire, through its adopted Risk Management Framework, has identified a number of risk areas that need to be assessed and where necessary treated, like, but not limited to:

|                                 |                            |
|---------------------------------|----------------------------|
| Audit risks                     | Financial and credit risks |
| Operational risks               | Technological and IT risks |
| Compliance and regulatory risks | Environmental risks        |
| Legal risks                     | Strategic risks            |

Officers have undertaken a Risk Assessment which is presented below.

| <b>Risk</b>                                                                                                      | <b>Likelihood</b> | <b>Consequence</b>                              | <b>Risk Rating</b> | <b>Risk Description</b>                                                                                                                                            | <b>Mitigation/Controls</b>                                                                                               |
|------------------------------------------------------------------------------------------------------------------|-------------------|-------------------------------------------------|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| Failure to adopt a formal complaint handling policy may result in inconsistent or unfair handling of complaints. | Possible (3)      | Medium (2) – Reputational and Compliance impact | Medium             | Inconsistent complaint handling could lead to reputational damage and potential non-compliance with the Local Government (Model Code of Conduct) Regulations 2021. | Adoption of a formal policy and complaint form; delegation of authority to CEO; appointment of Complaints Administrator. |
| Lack of delegation to CEO may delay                                                                              | Unlikely (2)      | Medium (2) – Operational and                    | Medium             | Delays in processing complaints could reduce                                                                                                                       | Formal delegation to CEO to appoint alternate Complaints Officers.                                                       |

|                                                                          |              |                                          |        |                                                                                                      |                                                                   |
|--------------------------------------------------------------------------|--------------|------------------------------------------|--------|------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| complaint handling in the CEO's absence or in conflict situations.       |              | Compliance impact                        |        | trust in the process and hinder timely resolution.                                                   |                                                                   |
| Absence of a clear procedure may lead to legal or procedural challenges. | Possible (3) | Medium (2) – Legal and Compliance impact | Medium | Without a clear policy, decisions may be challenged, leading to legal exposure or procedural delays. | Adoption of a transparent, Council-endorsed policy and procedure. |
| Potential cost implications if third-party mediation is required.        | Rare (1)     | Low (1) – Financial impact               | Low    | Engaging external parties may incur unplanned costs.                                                 | Budget planning and use of internal resources where possible.     |

#### **STRATEGIC IMPLICATIONS:**

Our Shire - We listen to our community, are transparent, and act with integrity

#### **VOTING REQUIREMENTS:**

Absolute Majority

#### **OFFICER RECOMMENDATION:**

That Council:

1. ADOPT the Council Member, Committee Member and Candidate Code of Conduct Complaint Handling Policy shown at Attachment 11.1.1;
2. ADOPT the Council Member, Committee Members and Candidate Complaint About an Alleged Breach Form shown at Attachment 11.1.2; and
3. DELEGATE, BY ABSOLUTE MAJORITY to the Chief Executive Officer the power to appoint one or more persons to receive Complaints and withdrawals of Complaints in relation to the Council Members, Committee Members and Candidate Code of Conduct.

|                             |                                                                                    |
|-----------------------------|------------------------------------------------------------------------------------|
| AGENDA NUMBER & SUBJECT:    | 11.2 – CEO KPI 5 – Report to Council WA Trail Town Status                          |
| LOCATION/ADDRESS:           | Shire of Nannup                                                                    |
| NAME OF APPLICANT:          | David Taylor – Chief Executive Officer                                             |
| FILE REFERENCE:             | Employee File                                                                      |
| AUTHOR:                     | David Taylor - Chief Executive Officer                                             |
| REPORTING OFFICER:          | David Taylor - Chief Executive Officer                                             |
| DISCLOSURE OF INTEREST:     | Nil                                                                                |
| DATE OF REPORT:             | 19 June 2025                                                                       |
| PREVIOUS MEETING REFERENCE: | Nil                                                                                |
| ATTACHMENT                  | 11.2.1 – WA Trail Town Application<br>11.2.2 – Confirmation of Application Receipt |

### **BACKGROUND:**

Council at its 27 February 2025 Ordinary Meeting endorsed the new set of Key Performance Indicators (KPI) for the Chief Executive Officer.

KPI 5 – Prepare a report to Council providing details on the requirements and timeframes to achieve WA Trail Town Stats.

The background to this KPI is to support the Nannup Trail Town project that the Shire has been working on since 2018. Since the commencement of the project, the Shire has completed the following major elements –

- Tank 7 Mountain Bike Park.
- Ngoolark Jump Park.
- Marinko Tomas Park Upgrade – Nature Playground and Flying Fox.
- Nannup being identified as the Munda Biddi Halfway Town, including bike lockers and wayfinding.
- Small Business Development and Support Program.
- Nannup Investment Prospectus.
- Nannup Marketing Blueprint.
- Trail Town Merchandise Platform (website).
- Native Forest Mountain Bike Park (due for completion June 2026).
- Southern Traffic Bridges Pedestrian Crossings (due for completion June 2026).
- More events and growth in events.

### **COMMENT:**

As part of the Trail Town project, the Shire has had in its sights to become an accredited WA Trail Town.

Trails tourism is fast becoming one of the most popular ways for visitors to experience a region.

In response to this, Trails WA (TW), in conjunction with the Department of Biodiversity, Conservation and Attractions (DBCA), has created a Trail Town Accreditation program that helps regions and towns to build their capacity as a trail's destination.

The accreditation process is a consultative one that requires a number of in-depth assessments and reviews. This includes:

- A capacity audit - which determines the level of community engagement in trails tourism, strategic governance, trail management processes, availability of attractions and accommodation.
- An inventory assessment - to understand the cultural, aesthetic, access, activities, amenities and trail infrastructure gaps and opportunities available in the region.
- A review of planning, community engagement, marketing strategies.

Currently Dwellingup and Collie are two accredited Trail Towns in WA.

The TW website's instructions to becoming an Accredited Trail Town is to make contact with the TW team. Link - [Accreditation - Trails WA](#).

On March 26, 2025, the Shire and the TW team met to discuss the requirements, timeframes, and processes needed for Nannup to become an accredited Trail Town.

The Shire submitted the Trail Town Application on the 30 May 2025 with confirmation receipt received the same day.

#### **STATUTORY ENVIRONMENT:**

Nil.

#### **POLICY IMPLICATIONS:**

Nil.

#### **FINANCIAL IMPLICATIONS:**

Nil.

#### **RISK MANAGEMENT MATRIX:**

The Shire, through its adopted Risk Management Framework, has identified a number of risk areas that need to be assessed and where necessary treated, like, but not limited to:

|                                 |                            |
|---------------------------------|----------------------------|
| Audit risks                     | Financial and credit risks |
| Operational risks               | Technological and IT risks |
| Compliance and regulatory risks | Environmental risks        |
| Legal risks                     | Strategic risks            |
|                                 |                            |

Officers have undertaken a Risk Assessment which is shown below:

| <b>Risk Description</b>                                   | <b>Likelihood</b> | <b>Consequence</b> | <b>Risk Rating</b> | <b>Mitigation Strategies</b>                                       |
|-----------------------------------------------------------|-------------------|--------------------|--------------------|--------------------------------------------------------------------|
| Inadequate funding for trail maintenance and development  | Possible          | Moderate           | Medium             | Seek additional funding sources and partnerships                   |
| Environmental impact on trails                            | Likely            | Major              | High               | Implement environmental protection measures and regular monitoring |
| Safety hazards for trail users                            | Unlikely          | Severe             | Medium             | Conduct regular safety inspections and provide clear signage       |
| Negative impact on local wildlife                         | Possible          | Moderate           | Medium             | Collaborate with environmental experts to minimize impact          |
| Insufficient promotion and marketing of trail town status | Possible          | Minor              | Low                | Develop comprehensive marketing strategy                           |

**STRATEGIC IMPLICATIONS:**

Nil.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That Council receive the Attachment 11.2.1 - WA Trail Town Application relating to Key Performance Indicator 5 that was submitted on the 20 May 2025 and agree that this KPI has been met.

|                             |                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AGENDA NUMBER & SUBJECT:    | 11.3– CEO KPI 8 – Report on Permanent CBD WIFI                                                                                                                                                                                                                                                                                                                          |
| LOCATION/ADDRESS:           | Shire of Nannup                                                                                                                                                                                                                                                                                                                                                         |
| NAME OF APPLICANT:          | David Taylor – Chief Executive Officer                                                                                                                                                                                                                                                                                                                                  |
| FILE REFERENCE:             | Employee File                                                                                                                                                                                                                                                                                                                                                           |
| AUTHOR:                     | David Taylor - Chief Executive Officer                                                                                                                                                                                                                                                                                                                                  |
| REPORTING OFFICER:          | David Taylor - Chief Executive Officer                                                                                                                                                                                                                                                                                                                                  |
| DISCLOSURE OF INTEREST:     | Nil                                                                                                                                                                                                                                                                                                                                                                     |
| DATE OF REPORT:             | 19 June 2025                                                                                                                                                                                                                                                                                                                                                            |
| PREVIOUS MEETING REFERENCE: | Nil                                                                                                                                                                                                                                                                                                                                                                     |
| ATTACHMENT                  | <p>11.3.1 – Confidential Attachment – Younifi Community WIFI Proposal – Temporary Setup</p> <p>11.3.2 – Confidential Attachment – Younifi Proposal Nannup Disaster Resilience Funding</p> <p>11.3.3 – Confidential Attachment – Nannup Emergency Telecommunications Business Case</p> <p>11.3.4 – Confidential Attachment - Disaster Resilience Funding Application</p> |

**\*\* Please note that the attachments for this item have been made confidential as they all contain commercial in confidence information\*\***

#### **BACKGROUND:**

The Nannup is experiencing unreliable telecommunications in Nannup townsite. Nannup townsite is currently serviced by one Telstra mobile tower that is regularly experiencing its capacity limit. The Nannup population has been growing rapidly since the COVID-19 pandemic. The charm and character of the town, combined with the ability to work from home, have enabled many individuals to relocate to Nannup. The serene beauty and close-knit community offer an attractive lifestyle, drawing new residents seeking to escape the high cost of living in the capital city and coastal areas.

Nannup has fast become a tourism and events hotspot with major events increasing the population by 10-fold (from over 1,000 to over 10,000 people), with thousands of people staying overnight in temporary camping on the Golf Course for instance during the Nannup Music Festival. If a major bushfire or other emergency were to occur during a peak tourism period or during a major event, communications, including evacuation orders, would not effectively reach these visitors or residents. The consequences could be disastrous. Telecommunications infrastructure must be improved, given the lack of capability during peak visitor periods and the unique position and bushfire risk Nannup faces.

Telecommunications in Nannup townsite, are currently supported by a single Telstra mobile tower. This mobile tower is an omni style tower and when a large congregation of people occur in a single location, the entire capacity of the tower is directed at that location at the sacrifice of signal being delivered to the remaining areas. These congregations, usually occurring during events and the towers capacity is still overwhelmed during these times and therefore leaving Nannup (both residents and visitors) with no mobile coverage at all.

This limited infrastructure struggles to meet the growing demands of the increasing population, particularly during major events and peak tourism seasons, when there is an influx of people into the town. In light of these challenges, there is a critical need for a robust and reliable telecommunications solution to ensure the safety and connectivity of Nannup's community, especially in times of disaster such as bushfires.

**COMMENT:**

This has been an ongoing and growing issue for years in Nannup and in the Southwest of WA whereby communications infrastructure has not kept up with population and tourism growth.

The CEO maintains direct communication with Telstra regarding telecommunications issues and raising awareness of the risks Nannup is facing. One thing that is impacting mobile tower upgrades significantly is the over the years the Federal Government Telecommunications Funding has reduced, therefore meaning that Telstra is not installing as many new towers (or upgrades). Historically annual funding used to cover 100 towers whereas now Telstra are lucky to achieve 5-10 towers. The WA Regional General Manager for Telstra has advised that Telstra have upgrade works scheduled for the Nannup tower to be performed in financial year 2026.

The CEO met with Telstra CEO, Vicky Brady plus a number of Telstra senior members as part of a round table discussion on the issues being faced. The message from that group was that the challenges the communication industry is facing are extreme, there are more devices per person, those devices are demanding higher amounts of data and the population is growing which creates the perfect recipe for network failures. Satellite Direct to Device is estimated to be only five years away from becoming commercial, which will mean people with a line of site to the sky (like a Starlink device) will be able to achieve signal. This will be a significant game changer to the industry, but until then it appears the region will remain in a holding pattern with continually increasing demands on existing capacity. Vicky Brady stressed that the Satellite Direct to Device will be a gamechanger, but it isn't a single stop solution and the solution needs to be a multi-facet approach – a mixture mobile towers, satellite direct to device, public WIFI systems, Fibre to Premise, Wireless solutions and so on.

Current telecommunications infrastructure planning is only based on population data and does not take into account other factors such as tourism visitation (driven and promoted by the State Government), increasing use by residents to transact their daily lives and the increasing reliance business and industry have on these services as they evolve to meet current and future requirements to remain competitive, means that reliable communications is no longer a luxury, it is a necessity.

The Shire cannot control the Government or Telstra and continues to raise the concerns on behalf of the Nannup community. Events are causing telecommunication congestion and failures in Nannup townsite, particularly when those events are large and/or cause people congregation in focused locations e.g. Nannup Music Festival. The Telstra tower in these instances experiences system overload and then the Nannup Community and its visitors are at a high risk, particularly in the event of an emergency or medical emergency.

As a result, the Shire has partnered with Younifi, a specialty telecommunications business, this partnership conducted a WIFI trial at the 2025 Nannup Music Festival. The trial was originally designed to cover both the Brockman Street Festival Precinct and the Nannup Recreation Camping Precinct but due to budget constraints could only be done on the Brockman Street Precinct. The outcome was that this provided some relief but given only one of the congestion areas was covered by the trial WIFI, the Nannup mobile network still experienced disruptions. This was able to be determined due to times of the day and how the associated crowds moved.

Younifi prepared a temporary public WIFI solution to assist providing relief when large crowds are present in Nannup during events. The proposal includes covering 3 areas, including Brockman Street Festival Precinct, Town Centre and Recreation and Camping Precinct as shown below with a permanent setup being in the same locations utilising permanent equipment.



The Shire has recently submitted a grant application under the Disaster Resilience Grant Program to fund a designed solution that can effectively ensure connectivity for the significant influx of people into Nannup during peak periods. The solution includes:

1. **Providing fixed emergency communications to the Nannup Recreation Centre (identified evacuation centre and temporary campground during major events).**
2. **Providing fixed emergency communications along Brockman Street (major events precinct).**
3. **A large, multi-technology trailer to provide a mobile primary communications command centre during an emergency (that could be deployed around Nannup or to other smaller villages in the Shire).**

An illustration of these can be found in Confidential Attachment 11.3.2 – Younifi Proposal Nannup Disaster Resilience Funding.

The application total cost is \$437,101 of which the Shire of Nannup would contribute \$95,420. A detailed funding application and supporting attachments can be found at Confidential Attachment 11.3.2 – Younifi Proposal Nannup Disaster Resilience Funding and Confidential Attachment 11.3.4 – Disaster Resilience Funding Application. The outcome of this grant application is expected to be announced in September 2025.

This solution would provide event loading resilience to Nannup by providing public WIFI in areas of high congregation therefore reducing the load on the Telstra tower in Nannup townsite. This will keep the community safer during high demand periods such as events and holiday periods and will also provide a multi-purpose trailer for deployment in any area of the Shire to assist with emergency response or other events.

#### **STATUTORY ENVIRONMENT:**

Local Government Act 1995, Section 3.57 “Tenders for providing goods or Services”  
Local Government (Functions and General) Regulations 1996

**POLICY IMPLICATIONS:**

Nil.

**FINANCIAL IMPLICATIONS:**

Nil at this point as Council are only receiving this report.

Future Considerations

If the Disaster Resilience Funding Grant is successful, staff will seek a decision from Council too accept the grant and at that point commit \$95,420 from the Strategic Initiative Reserve. The Shire will undertake a procurement tender process before any contractors are awarded the works.

The Business Case shows that maintenance costs of the system are based on 0.5%, an industry benchmark for this type of equipment, bringing maintenance costs to an estimate of \$1,228 per year.

The Business Case shows that operational costs of the system are based on a High Data Starlink subscription over two locations, with a combined annual operating cost estimate of \$2,592 per year.

Repairs are a consideration whereby equipment may be damaged by lightning or storms, this equipment will be insured for these events.

It is anticipated that the WIFI system will be turned on for Events and that a Fee and Charge will be setup for the use of the equipment and that it will be a requirement as part of obtaining an event permit.

**RISK MANAGEMENT MATRIX:**

The Shire, through its adopted Risk Management Framework, has identified a number of risk areas that need to be assessed and where necessary treated, like, but not limited to:

|                                 |                            |
|---------------------------------|----------------------------|
| Audit risks                     | Financial and credit risks |
| Operational risks               | Technological and IT risks |
| Compliance and regulatory risks | Environmental risks        |
| Legal risks                     | Strategic risks            |

Officers have undertaken a Risk Assessment which is shown below:

| Risk                                                | Likelihood     | Consequence | Risk Rating | Description                                                                                                      | Mitigation Strategies                                               |
|-----------------------------------------------------|----------------|-------------|-------------|------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| Overwhelmed Telstra mobile tower during peak events | Almost Certain | Major       | Extreme     | The existing Telstra mobile tower may become overwhelmed during large events, leading to communication failures. | Implement permanent public WIFI and fixed emergency communications. |
| Insufficient federal funding for                    | Likely         | Moderate    | High        | Federal funding for telecommunications has decreased,                                                            | Seek alternative funding sources and grants.                        |

|                                                                         |          |              |         |                                                                                         |                                                                                            |
|-------------------------------------------------------------------------|----------|--------------|---------|-----------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| telecommunications upgrades                                             |          |              |         | limiting Telstra's ability to upgrade towers.                                           |                                                                                            |
| Emergency communication failures during bushfires                       | Possible | Catastrophic | Extreme | Inability to communicate effectively during emergencies such as bushfires.              | Deploy multi-technology mobile trailer for emergency response.                             |
| Budget constraints limiting WIFI coverage                               | Possible | Moderate     | Medium  | Budget constraints may limit the extent of public WIFI coverage.                        | Optimize budget allocation and seek additional funding.                                    |
| Population growth and tourism not factored into infrastructure planning | Unlikely | Minor        | Low     | Population growth and tourism are not adequately factored into infrastructure planning. | Regularly update infrastructure plans to account for population growth and tourism trends. |

#### STRATEGIC IMPLICATIONS:

Nil.

#### VOTING REQUIREMENTS:

Simple Majority

#### OFFICER RECOMMENDATION:

That Council –

1. Receive this report on a Permanent CBD WIFI solution in Nannup.
2. Receive the Disaster Resilience Funding Application.
3. Note that should the funding application be successful a Public Tender process is required to be undertaken.
4. Note that should the funding application be successful the Shire will need to contribute an amount of \$95,420 to the project.
5. Note that Key Performance Indicator 8 – Report on Public CBD WIFI has now been met.

|                             |                                                                                                                               |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| AGENDA NUMBER & SUBJECT:    | 11.4– Letter from Cycling Eventures Pty Ltd – UCI Gravel World Championships                                                  |
| LOCATION/ADDRESS:           | Shire of Nannup                                                                                                               |
| NAME OF APPLICANT:          | David Taylor – Chief Executive Officer                                                                                        |
| FILE REFERENCE:             | ADM6                                                                                                                          |
| AUTHOR:                     | David Taylor - Chief Executive Officer                                                                                        |
| REPORTING OFFICER:          | David Taylor - Chief Executive Officer                                                                                        |
| DISCLOSURE OF INTEREST:     | Nil                                                                                                                           |
| DATE OF REPORT:             | 19 June 2025                                                                                                                  |
| PREVIOUS MEETING REFERENCE: | Nil                                                                                                                           |
| ATTACHMENT                  | 11.4.1 – Letter from Cycling Eventures Pty Ltd<br>11.4.2 – Draft Letter of No Objection – 2026 UCI Gravel World Championships |

### BACKGROUND:

Nannup will be hosting the 2026 UCI Gravel World Championships. The international level event is set to attract approximately 20,000 visitors and televise to over 130 countries.

Cycling Eventures Pty Ltd is the entity responsible for delivering this World Championship race in Nannup.

Cycling Eventures were successful in receiving funding from Tourism Western Australia to successfully operate the World Championship Event.

On the 8 May 2025, the Shire received the following letter requesting a Letter of No Objection from the relevant landholders as one of their funding conditions related to the Tourism Western Australia funding. The contents of the letter of request in Attachment 11.4.1 are –

*“I am writing to request and obtain a Letter of No Objection from the Shire of Nannup for the 2026 UCI Gravel World Championships.*

*On October 10-11, 2026, we will host the UCI Gravel World Championships from Nannup. We seek official permission from the Shire of Nannup to locate and operate our Race Village from Foreshore Park and Brockman Street, and our Event Campground from the Recreation Centre Precinct.*

*The WA Government is a major sponsor of the 2026 UCI Gravel World Championships, through Tourism WA’s Regional Events Program. One of the ‘Conditions Precedent’ of our funding agreement with Tourism WA is that we obtain a Letter of No Objection from all relevant landholders. Over the page you will find a template letter of no objection that we have provided, if required. We kindly ask that such a Letter of No Objection be provided to us by the Shire of Nannup.*

*As always, we are deeply grateful to you and the Shire of Nannup for all your support over the years as we have built SEVEN Gravel Race into an event of world-class quality, worthy of a UCI World Championships.”*

**COMMENT:**

Since the announcement that this Championship is being hosted in Nannup, the Shire has been highly supportive and is keen to see the event a success given the international profile it can provide Nannup.

The Shire of Nannup is proud to support the hosting of the 2026 UCI Gravel World Championships in Nannup, an internationally significant event expected to attract approximately 20,000 visitors and be broadcast to over 130 countries. This presents an exceptional opportunity to showcase Nannup on the global stage and deliver substantial economic, tourism, and community benefits.

Since the announcement of Nannup as the host location, the Shire has demonstrated strong and ongoing support for the event. This includes the commitment to send two Shire officers to Leuven, Brussels to gain firsthand insight into the operational and logistical requirements of hosting a UCI World Championship event. Additionally, the Shire is actively working to provide a streamlined event approval process to ensure the successful delivery of the Championships.

Cycling Eventures Pty Ltd, the event delivery partner, has secured funding from Tourism Western Australia through the Regional Events Program. As part of the funding conditions, Cycling Eventures has formally requested a Letter of No Objection from the Shire of Nannup to use Foreshore Park and Brockman Street for the Race Village, and the Recreation Centre Precinct for the Event Campground.

The Shire has been in regular and constructive dialogue with Cycling Eventures over the past 12 months, building on a strong collaborative relationship established through the successful delivery of the SEVEN Gravel Race. The Shire acknowledges the professionalism and commitment of Cycling Eventures in elevating this event to world-class status.

In addition to logistical and operational support, the Shire also supports the stakeholder engagement process and the development of a Nannup Event Ready Business Case. This initiative will help ensure that local businesses, community groups, and service providers are well-prepared to maximise the opportunities presented by the Championships, and that the legacy of the event delivers long-term benefits for the Nannup community.

Given the strategic importance of this event to the Shire and the broader South West region, it is recommended that Council formally supports the request and issues a Letter of No Objection to Cycling Eventures Pty Ltd.

**STATUTORY ENVIRONMENT:**

Nil.

**POLICY IMPLICATIONS:**

Nil.

**FINANCIAL IMPLICATIONS:**

Nil.

**RISK MANAGEMENT MATRIX:**

The Shire, through its adopted Risk Management Framework, has identified a number of risk areas that need to be assessed and where necessary treated, like, but not limited to:

|                                 |                                   |
|---------------------------------|-----------------------------------|
| Audit risks                     | Financial and credit risks        |
| Operational risks               | Technological and IT risks        |
| Compliance and regulatory risks | Environmental risks               |
| Legal risks                     | Strategic risks                   |
| Political risks                 | Sustainability and security risks |

Officers have undertaken a Risk Assessment which is presented below.

| <b>Risk</b>                                                                      | <b>Likelihood</b> | <b>Consequence</b>                                | <b>Risk Rating</b> | <b>Risk Description</b>                                                                                   | <b>Mitigation/Controls</b>                                                                                          |
|----------------------------------------------------------------------------------|-------------------|---------------------------------------------------|--------------------|-----------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| Potential reputational risk if the event causes disruption or is poorly managed. | Unlikely (2)      | Medium (2) – Reputational impact                  | Medium             | As the event is high-profile and televised internationally, any issues could reflect poorly on the Shire. | Ongoing collaboration with Cycling Eventures; clear communication and planning; Shire oversight of event logistics. |
| Environmental impact from large-scale event (e.g., waste, traffic, land use).    | Possible (3)      | Medium (2) – Environmental and Operational impact | Medium             | Hosting 20,000 visitors could strain local infrastructure and natural areas.                              | Event management plan to include environmental controls; coordination with relevant agencies.                       |
| Legal or liability exposure if event-related incidents occur on Shire land.      | Rare (1)          | High (3) – Legal impact                           | Medium             | Injuries or incidents could result in claims against the Shire.                                           | Ensure appropriate insurance and indemnity clauses in agreements; risk assessments by event organisers.             |
| Community disruption due to road closures, noise, or access restrictions.        | Possible (3)      | Low (1) – Operational impact                      | Low                | Residents may be inconvenienced during the event.                                                         | Community engagement and advance notice; traffic and noise management plans.                                        |

**STRATEGIC IMPLICATIONS:**

Nil.

**VOTING REQUIREMENT:**

Simple Majority.

**OFFICER RECOMMENDATION:**

That Council endorse the CEO to sign the attached letter to Cycling Eventures Pty Ltd at Attachment 11.4.2.

|                             |                                                                                                                                                                         |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| :AGENDA NUMBER & SUBJECT:   | 11.5 – Bush Fire Risk Management Plan                                                                                                                                   |
| LOCATION/ADDRESS:           | Shire of Nannup                                                                                                                                                         |
| NAME OF APPLICANT:          | N/A                                                                                                                                                                     |
| FILE REFERENCE:             | FRC 29                                                                                                                                                                  |
| AUTHOR:                     | Geoff Allam – Community Emergency Services Manager                                                                                                                      |
| REPORTING OFFICER:          | David Taylor – Chief Executive Officer                                                                                                                                  |
| DISCLOSURE OF INTEREST:     | Nil                                                                                                                                                                     |
| DATE OF REPORT:             | 12 June 2025                                                                                                                                                            |
| PREVIOUS MEETING REFERENCE: | Nil                                                                                                                                                                     |
| ATTACHMENTS:                | 11.5.1 – Shire of Nannup Bushfire Risk Management Plan 2025 -2027<br>11.5.2 – Bushfire Risk Management Plan Approval Letter from the office of Bushfire Risk Management |

### BACKGROUND:

The previous Bushfire Risk Management (BRM) Plan (2017–2022) was scheduled for review in 2022 but was delayed due to changes in personnel responsible for updating and implementing the new plan.

This BRM Plan 2025-2027 see Attachment 11.5.1 provides contextual information to inform a structured approach to identifying, assessing, prioritising, monitoring and treating bushfire risk. BRM Plans are developed for local governments with significant bushfire risk.

The BRM Plan is informed by consultation and communication with land and asset managers that has occurred throughout its development to ensure an informed and collaborative approach to managing bushfire risk.

An endorsed BRM Plan is a prerequisite for the shire to be eligible to access Mitigation Activity Funding (MAF), which is provided by Department of Fire and Emergency Services (DFES) and has been instrumental in enabling the Shire to mitigate bushfire risk within its reserves. Since 2017/2018 financial year, the Shire has been awarded over \$1.1 million through the MAF to perform mitigation works throughout the Shire.

The BRM plan has been prepared with due consideration of the requirements stated in the *Guidelines for Preparing a Bushfire Risk Management Plan* (the Guidelines) published by the Office of Bushfire Risk Management (OBRM) including the principles described in *ISO 31000:2018 Risk Management*.

The Shire of Nannup BRM Plan will contribute to achieving the objective of the BRM program by:

- Guiding and coordinating a cross-tenure, multi-stakeholder approach to BRM planning.
- Facilitating the effective use of the financial and physical resources available for BRM activities.
- Supporting integration between risk owners, strategic objectives and tactical outcomes.
- Documenting processes used to monitor and review the implementation of treatments to ensure risk is managed to an acceptable level.

The Shire of Nannup BRM Plan was endorsed by OBRM on the 10 June 2025 see Attachment 11.5.2

**COMMENT:**

The BMR Plan 2025-2027 and the MAF have enabled the Shire to better manage reserves that it is responsible for. The management of these reserves has reduced bushfire risk throughout the Shire, while focussing on protecting both public and private assets whilst appropriately managing environmental considerations.

The endorsed BMR Plan 2025-2027 from OBRM, provides an established approach whilst ensuring that the Shire maintains an awareness of the bushfire risk that exists within its tenure. The endorsed plan also enables the Shire to access funding to assist in managing the risk that exists within its reserves.

Any changes to the OBRM endorsed Shire of Nannup BMR Plan 2025-2027, will require the BRM Plan to be re endorsed by the OBRM.

**STATUTORY ENVIRONMENT:**

*Bush Fires Act 1954*

*Emergency Management Act 2005*

**POLICY IMPLICATIONS:**

Nil

**FINANCIAL IMPLICATIONS:**

Treatments identified on Shire tenure and reserves for the MAF 2025/2026 R1 application report is currently being reviewed. The mitigation works are valued at \$127,346.00. The agreement with DFES, stands at 50% paid at beginning of financial year, prior to commencement of mitigation works and remaining 50% paid at end of financial year when works are to be completed.

To support the MAF program and mitigation works, the Shire shares equally the costs associated with the position of Bushfire Risk Mitigation Coordinator (BRMO). This is shared between 3 other Shires, Boyup Brook, Bridgetown-Greenbushes and Donnybrook-Balingup. The BRMO Grant Agreement is currently under review between the relevant Shires.

**RISK MANAGEMENT MATRIX:**

The Shire, through its adopted Risk Management Framework, has identified a number of risk areas that need to be assessed and where necessary treated, like, but not limited to:

|                                 |                                   |
|---------------------------------|-----------------------------------|
| Audit risks                     | Financial and credit risks        |
| Operational risks               | Technological and IT risks        |
| Compliance and regulatory risks | Environmental risks               |
| Legal risks                     | Strategic risks                   |
| Political risks                 | Sustainability and security risks |

Officers have undertaken a Risk Assessment which is shown below.

| <b>Risk</b>                                                                                                   | <b>Likelihood</b> | <b>Consequence</b>                                 | <b>Risk Rating</b> | <b>Risk Description</b>                                                                              | <b>Mitigation/Controls</b>                                                        |
|---------------------------------------------------------------------------------------------------------------|-------------------|----------------------------------------------------|--------------------|------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| Failure to endorse the BRM Plan may result in ineligibility for Mitigation Activity Funding (MAF).            | Possible (3)      | High (3) – Financial and Strategic impact          | High               | Without an endorsed plan, the Shire cannot access MAF, limiting its ability to manage bushfire risk. | Endorsement of the BRM Plan 2025–2027; ongoing compliance with OBRM guidelines.   |
| Delays in implementing mitigation works due to funding or coordination issues.                                | Possible (3)      | Medium (2) – Operational impact                    | Medium             | Delays could increase bushfire risk and reduce community safety.                                     | Timely submission of MAF applications; coordination with BRMO and partner Shires. |
| Environmental or community backlash from mitigation activities (e.g., prescribed burns, vegetation clearing). | Unlikely (2)      | Medium (2) – Reputational and Environmental impact | Medium             | Some treatments may be controversial or misunderstood by the public.                                 | Community engagement and education; adherence to environmental guidelines.        |
| Changes to the endorsed BRM Plan without re-endorsement may invalidate funding eligibility.                   | Rare (1)          | Medium (2) – Compliance impact                     | Low                | Unauthorised changes could breach OBRM requirements.                                                 | Ensure any changes are formally re-endorsed by OBRM.                              |

#### **STRATEGIC IMPLICATIONS:**

Strategic Community Plan 2021-2036 – Our Natural Environment 4.1 - Our Sanctuary – Protect, manage and enhance our natural assets

Corporate Business Plan 2022-2038 – Our Natural Environment 4.1.2.5 – Continue to engage with Department of Fire and Emergency Services to access Mitigation Activity Fund Grants Program to actively manage bushfire risk.

#### **VOTING REQUIREMENTS:**

Simple Majority

#### **OFFICER RECOMMENDATION:**

That Council endorse the Shire of Nannup Bushfire Risk Management Plan 2025-2027 at Attachment 11.5.1.

|                             |                                                       |
|-----------------------------|-------------------------------------------------------|
| AGENDA NUMBER & SUBJECT:    | 11.6– Delegated Planning Decisions for May 2025       |
| LOCATION/ADDRESS:           | Various                                               |
| NAME OF APPLICANT:          | Various                                               |
| FILE REFERENCE:             | TPL18                                                 |
| AUTHOR:                     | Erin Gower – Development Services Officer             |
| REPORTING OFFICER:          | Kim Dolzadelli – Executive Manager Corporate Services |
| DISCLOSURE OF INTEREST:     | Nil                                                   |
| DATE OF REPORT:             | 3 June 2025                                           |
| PREVIOUS MEETING REFERENCE: | Nil                                                   |
| ATTACHMENTS:                | 11.6.1 – Register of Delegated Development Approvals  |

### BACKGROUND:

To ensure the efficient and timely processing of planning related applications, Council delegates authority to the Chief Executive Officer to conditionally approve Applications for Development Approval that meet the requirements of both Local Planning Scheme No.4 (LPS4) and adopted Council policy.

Delegated planning decisions are reported to Council monthly to ensure that Council has an appropriate level of oversight on the use of this delegation. A Register of Delegated Development Approvals, detailing those decisions made under delegated authority in May 2025 is presented in Attachment 11.6.1.

### COMMENT:

As shown in the attachment, each application has been advertised in accordance with LPS4 and Council's adopted Local Planning Policy *LPP5 Consultation* as detailed in the Policy Implications section of this report.

During May 2025, three (3) development applications were determined under delegated authority. The table below shows the number and value of development applications determined under both delegated authority and by Council for May 2024 compared to May 2025:

|                            | May 2024               | May 2025             |
|----------------------------|------------------------|----------------------|
| <b>Delegated Decisions</b> | 4 (\$1,843,000)        | 7 (\$797,846)        |
| <b>Council Decisions</b>   | 0 (\$0)                | 1 (\$100,000)        |
| <b>Total</b>               | <b>4 (\$1,843,000)</b> | <b>8 (\$897,846)</b> |

100% of all approvals issued in the month of May were completed within the statutory timeframes of either 60 or 90 days.

### STATUTORY ENVIRONMENT:

*Planning and Development Act 2005, Local Government Act 1995* and LPS4.

Regulation 19 of the *Local Government (Administration) Regulations 1996* requires that a written record of each delegated decision is kept.

### POLICY IMPLICATIONS:

Applications for Development Approval must be assessed against the requirements of LPS4 and Local Planning Policies adopted by Council. These Policies include Local Planning Policy *LPP5 Consultation* which details the level and scope of advertising required for Applications for Development Approval.

Each application processed under delegated authority has been processed and advertised and has been determined to be consistent with the requirements of all adopted Local Planning Policies.

### FINANCIAL IMPLICATIONS:

The required planning fees have been paid for all applications for Development Approval processed under delegated authority.

### RISK MANAGEMENT MATRIX:

The Shire, through its adopted Risk Management Framework, has identified a number of risk areas that need to be assessed and where necessary treated, like, but not limited to

|                                 |                                   |
|---------------------------------|-----------------------------------|
| Audit risks                     | Financial and credit risks        |
| Operational risks               | Technological and IT risks        |
| Compliance and regulatory risks | Environmental risks               |
| Legal risks                     | Strategic risks                   |
| Political risks                 | Sustainability and security risks |

Officers have undertaken a Risk Assessment which is shown below.

| Risk                                                                                                                    | Likelihood   | Consequence                                     | Risk Rating | Risk Description                                                                                                      | Mitigation/Controls                                                                                     |
|-------------------------------------------------------------------------------------------------------------------------|--------------|-------------------------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| Inadequate oversight of delegated planning decisions may lead to non-compliant approvals.                               | Unlikely (2) | Medium (2) – Compliance and Reputational impact | Medium      | If decisions are not properly monitored, there is a risk of inconsistency with planning policies or legal challenges. | Monthly reporting to Council; adherence to LPS4 and Local Planning Policies; internal review processes. |
| Failure to advertise applications in accordance with policy may result in community dissatisfaction or legal challenge. | Rare (1)     | Medium (2) – Legal and Reputational impact      | Low         | Lack of proper consultation could undermine public trust or lead to appeals.                                          | Compliance with LPP5 Consultation policy; documentation of advertising procedures.                      |

|                                                                                                  |              |                                |        |                                                                          |                                                                   |
|--------------------------------------------------------------------------------------------------|--------------|--------------------------------|--------|--------------------------------------------------------------------------|-------------------------------------------------------------------|
| Delays in processing applications could affect development timelines and stakeholder confidence. | Possible (3) | Low (1) – Operational impact   | Low    | Delays may discourage investment or frustrate applicants.                | Monitoring of statutory timeframes; efficient internal workflows. |
| Misinterpretation of planning policies by delegated officers.                                    | Unlikely (2) | Medium (2) – Compliance impact | Medium | Incorrect application of policy could result in inappropriate approvals. | Staff training; peer review of decisions; clear policy guidance.  |

**VOTING REQUIREMENT:**

Simple Majority

**OFFICER RECOMMENDATION:**

That Council receives the report on Delegated Development Approvals for May 2025 as per Attachment 11.6.1.

|                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AGENDA NUMBER & SUBJECT:    | 11.7 – Development Application for a camping ground/caravan park (20 camping/caravan sites) ablution block, camp kitchen, café, rural produce store and new signage.                                                                                                                                                                                                                                                                                                                                                          |
| LOCATION/ADDRESS:           | Lot 4027 on DP137676 (No.354) Barrabup Road, Nannup                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| NAME OF APPLICANT:          | Lynette & Kieran Curtis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| FILE REFERENCE:             | A82                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| AUTHOR:                     | Steve Thompson – Consultant Planner                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| REPORTING OFFICER:          | Kim Dolzadelli – Executive Manager Corporate Services                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| DISCLOSURE OF INTEREST:     | Edge Planning & Property receive a payment for planning advice to the Shire and declare a Financial Interest (section 5.70 OF THE Local Government Act 1995)                                                                                                                                                                                                                                                                                                                                                                  |
| DATE OF REPORT:             | 17 June 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| PREVIOUS MEETING REFERENCE: | Nil                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| ATTACHMENTS:                | 11.7.1 – Location Map<br>11.7.2 – Original Plans and Information from Applicant<br>11.7.3 – Site map outlining proposed caravan & camping area<br>11.7.4 – Submissions<br>11.7.5 – Applicants response to submissions and Bushfire Prone Planning response to DFES comments<br>11.7.6 – Bushfire Management Plan V2<br>11.7.7 – Extract of Zoning Map for Locality<br>11.7.8 - Local planning framework: extract of key documents<br>11.7.9 – Extract from Planning and Development (Local Planning Schemes) Regulations 2015 |

## BACKGROUND:

The application site, Lot 4027 (No. 354) Barrabup Road, is located approximately 2.7 kilometres directly west of the Nannup townsite (Attachment 11.7.1). The site is bordered by State Forest to the west and north, Vacant Crown Land to the north-east, Rural zoned private property to the east and Barrabup Road to the south.

The site is 16.21 hectares in area, the northern section contains native vegetation, the southern section is largely cleared, and contains a dwelling, a number of chalets, a function centre, outbuildings and a large dam. The property has operated as short-term holiday accommodation for decades (Loose Goose Chalets) and has an approved function centre licenced for 150 persons.

A Development Application has been lodged for a camping ground/caravan park (comprising 20 camping/caravan sites), ablution block, camp kitchen, café, rural produce store and new signage (see Attachments 11.7.2 and 11.7.3). Attachment 11.7.2 outlines the original details provided by the applicant, which were the plans subject to public consultation. This includes an extract of the Bushfire Management Plan (BMP) and Bushfire Emergency Plan (BEP) prepared by Bushfire Prone Planning.

## **Consultation**

The Shire administration undertook consultation through inviting public comment on the Development Application for a period of 42 days by writing to 13 adjoining/nearby landowners and various agencies/stakeholders, placing details on the Shire website and having details available at the Shire office.

The Shire received 6 submissions on the Development Application along with advice from Shire officers as set out in Attachment 11.7.4. Three submitters including Department of Fire and Emergency Services, raised issues and concerns, the Department of Biodiversity Conservation and Attractions provided advice, and there were two private submissions in support (one of these raised matters relating to sustainability). Shire officers raised no objections, with the Shire's Environment Health Officer providing extensive advice.

The key matters raised through the submissions include:

- Bushfire risks and the need to enhance the secondary access between Barrabup Road and Mowen Road (via Gracillis Road);
- Greater risk of emergency management incidents along with constraints in evacuating guests;
- Increased security risk to nearby properties;
- Safety of guests, particularly children, who may stray into dams on both the subject property and adjoining properties;
- Environmental impacts including clearing of native vegetation, impacts on a range of fauna, dieback risks, noise and associated amenity impacts;
- Traffic and safety impacts on Barrabup Road; and
- A need for appropriate servicing including water supply, on-site sewage disposal and waste management.

## **Revised plans and updated information**

In accordance with established practice, the Shire administration has liaised with the applicant since the receipt of submissions. The applicant has provided their response to the issues raised as set out in Attachment 11.7.5. Additionally, Bushfire Prone Planning have responded to the DFES submission. Attachment 11.7.6 sets out the updated BMP.

## **Planning framework**

Attachment 11.7.7 provides an extract of the Shire of Nannup Local Planning Scheme No. 4 (LPS4) map for the locality. The application site is zoned 'Rural'. In comparison, most of the land on the west of the Blackwood River in the locality is zoned 'Rural Residential'.

Attachment 11.7.8 sets out an extract of key planning documents relevant to this Development Application. Key local planning documents related to the proposal include LPS4, Shire of Nannup Local Planning Strategy and Local Planning Policy 9 Tourism Land Uses and Short-Term Accommodation.

'Camping ground' and 'caravan park' are an 'A' use in the Rural Zone as set out in the LPS4 Zoning Table. This means the Council has the legal power under LPS4 to approve the Development Application after first giving special notice in accordance with Clause 64 of the Deemed Provisions (seeking community and stakeholder comment). A 'rural produce store' and 'restaurant/café' are a 'D' (discretionary) use in the Rural zone.

The Shire of Nannup Local Planning Strategy states in Section 5.4 Tourism that its aims are to:

- a) Encourage the development of a wide range of tourist and recreation facilities, tourist accommodation and activities for visitors in appropriate locations within and near the Nannup townsite and in the rural areas of the Shire that appropriately address bushfire planning, environmental assets, landscape qualities and compatibility with adjoining land uses; and
- b) Encourage the establishment of businesses, which attract and promote the Nannup townsite and the Shire as a tourist destination.

The Shire of Nannup Community Strategic Plan 2021-2036 identifies tourism as one of the strategic drivers, it seeks to attract more people to the district and it supports a diversified economic base.

The application and the site are subject to a range of State planning, environmental, bushfire and servicing policies and documents. This includes State Planning Policy 3.7 Bushfire (SPP3.7), Planning for Bushfire Guidelines and the Government Sewerage Policy. In summary, the documents require effective natural resource management, addressing risk/safety and seeking to diversify the local economy including through supporting tourism.

The Planning for Bushfire Guidelines outline that the proposed camping ground is a 'vulnerable land use'. This includes uses, such as short stay accommodation or tourist development uses that involve people who are unaware of their surroundings, who may require assistance or direction in the event of a bushfire, and people who may be less able to respond in a bushfire emergency.

The majority of the property is located within a bush fire prone area as designated by the Fire and Emergency Services Commissioner.

Attachment 11.7.9 is an extract from the Planning and Development (Local Planning Schemes) Regulations 2015 which sets out matters to be considered by local government in assessing a Development Application.

#### **COMMENT:**

##### **A) Overview**

Following an assessment of the Development Application against the planning framework, the submissions and information provided by the applicant, the Development Application is considered to be generally consistent with LPS4, strategies and policies. It is also considered that the proposed uses and development are appropriate for the application site.

It is recommended that Council conditionally approve the Development Application (based on the plans in Attachments 11.7.2 and 11.7.3 given:

- It is overall consistent with the planning framework;
- It supports diversifying and growing the local economy, supporting job creation and supports tourism;
- The camping ground/caravan park is well separated from off-site agricultural operations;
- No or limited clearing of native vegetation is proposed;
- There are expected to be manageable environmental impacts given the land subject to the proposed development is cleared and wastewater disposal systems are required to comply with Shire and Department of Health requirements;
- It is a modest sized camping/caravan park;

- Increased traffic can be accommodated on local roads;
- There are no objections from other Shire officers/units;
- Bushfire Prone Planning confirm that the application addresses SPP 3.7 and Planning for Bushfire Guidelines;
- Development conditions can assist to control the use and management of the development; and
- There is a need for the landowner/applicant to obtain various other approvals including a licence under the Caravan Park and Camping Grounds Act 1995.

#### B) Key Issues

While noting the above, there are various issues associated with the proposed development, which should be considered by the Council in determining the Development Application. Some of these issues are outlined below including:

- Bushfire risks and the need to enhance the secondary access between Barrabup Road and Mowen Road (via Gracillis Road);
- Greater risk of emergency management incidents along with constraints in evacuating guests;
- Environmental impacts including clearing of native vegetation, impacts on a range of fauna, dieback risks, noise and associated amenity impacts;
- Amenity;
- Traffic and safety impacts on Barrabup Road;
- A need for appropriate servicing including water supply, on-site sewage disposal and waste management;
- Visual impact; and
- Effective governance/management of the facility that is sustained.

#### **Bushfire and emergency management**

Tourist development is a vulnerable land use. There are considerable risks to visitors and guests staying at the property who may be unfamiliar with the area and unaware that bushfire poses a significant risk to people and properties in the area.

While noting this, based on Bushfire Prone Planning advice and subject to implementation and on-going review of the BMP and BEP, it appears that associated risks can be managed. Bushfire Prone Planning, through their BMP and BEP and response to the DFES comments, consider the application addresses State planning requirements (refer to Attachment 11.7.2 and 11.7.5).

Having onsite management (the owner/manager) assists to lower bushfire risks.

Should Council approve the Development Application, there is a need for the applicant to implement recommendations in the BMP and BEEP.

Practically, the camping ground/caravan park may be required to temporarily close in severe bushfire risk conditions or in the event of a bushfire emergency in the area.

There is a need for the Shire to continue to work with DBCA and other agencies to finalise the appropriate tenure and upgrading of Gracillis Road. The need for enhancing secondary access between Barrabup Road and Mowen Road is set out in the Local Planning Strategy and assists to lower bushfire risks, facilitate economic development and support job creation.

### **Environmental impact**

As outlined above, there are expected to be manageable environmental impacts given the land subject to the proposed development is cleared and wastewater disposal systems are required to comply with Shire and Department of Health requirements. The applicant sets out that no clearing of native vegetation is proposed. It is expected there will be a need for trimming some trees and the clearing of bracken.

### **Amenity and noise impacts**

It is noted that holiday accommodation and the function centre have operated from the site for decades. The development has been effectively managed to control off-site impacts. Subject to proposed camping/caravan sites being setback at least 20 metres from the eastern boundary, to comply with LPS4 setbacks for the Rural zone, it is suggested that impacts of proposed development can also be effectively managed.

In relation to noise impacts, the existing and proposed development are required to address the Environmental Protection (Noise) Regulations 1997. The Environmental Protection (Noise) Regulations 1997 apply to the site (and throughout Western Australia). Should written complaints on noise be received in the future, the Shire will separately investigate.

### **Vehicle access and safety**

Barrabup Road is a local road under the control of the Shire and is sealed.

The Shire's Manager Infrastructure raised no objection to impacts on Barrabup Road. The proposed development is expected to result in a manageable increase in traffic.

One submission raised issues relating to increased traffic from the proposed development and Barrabup Road not being safe and not able to accommodate additional traffic associated with the proposed development.

The proposed development will increase traffic volumes. Noting the extent of existing development (chalets and function centre), it is expected the caravan/camping could result in an increase of approximately 53 vehicle movements per day. This is based on an assumption of an occupancy of 66% for the 20 camping/caravan sites and an average of 4 trips per vehicle per day (2 in and 2 out). It is more difficult to determine the traffic generation for the café as there are a number of variables at this stage.

While noting the above, the level of traffic from the proposed development can be accommodated on Barrabup Road. The impact of the proposed development on local roads is expected to be overall manageable. Accordingly, the Shire administration considers that Barrabup Road adjoining the site to be suitable and that no developer contribution is required for this Development Application. Should the applicant propose additional development, this may trigger the need for upgrading local roads by the applicant. Council's Local Planning Policy 14 Developer and Subdivider Contributions sets the local planning guidance.

The officer recommendation includes a condition requiring the applicant to drain and seal the crossover, in accordance with Council Policy, for a length of 10 metres.

All parking is required to be suitably constructed and drained.

## **Servicing**

The development is not connected to a reticulated sewerage system and therefore the proposed on-site wastewater disposal systems will need to be located and designed to address human health and environmental considerations. There is sufficient space and overall site conditions to address the Government Sewerage Policy.

As there is also no reticulated water supply, the applicant will need to ensure a potable water supply is available at all times in accordance with Australian drinking water standards.

## **Visual impact**

It is suggested there will be minimal visual impacts given the proposed camping ground/caravan park is a considerable distance from Barrabup Road with camp/caravan sites likely to only have filtered views due to existing vegetation. There are opportunities for appropriate replanting near Barrabup Road.

It is suggested the applicant undertake appropriate replanting on or near the eastern boundary near the camping/caravan sites (subject to not increasing bushfire risks).

## **On-going management**

The development has been effectively managed for decades. Effective on-going management is a critical issue. It is suggested the planning consideration relates to effective management including being a 'good neighbour'. The responsibility for appropriate on-going management rests with the operator to ensure that the development does not create inappropriate impacts.

Various development conditions are recommended to minimise land use impacts and encourage appropriate neighbourly relations. This includes the requirement to prepare and gain approval for an appropriate Management Plan. There is a separate requirement to gain a licence associated with the Caravan Parks and Camping Grounds Act 1995.

It is suggested that the Management Plan, amongst other matters, should:

- Address the responsibility of guest/visitor behaviour and management measures to be implemented to minimise adverse impact on the amenity of the locality;
- Consider and address impacts from guests/visitors including amplified music and other noise;
- Outline the approach to maximise the safety and security of guests and visitors;
- Seek the operation to be a good neighbour and be considerate including noise, litter, trespass and the approach to reducing fire risks;
- Highlight the requirement to not enter adjoining or nearby freehold land;
- Restrict and/or manage pets and address biosecurity;
- Not light any outside fires during periods of restricted and prohibited burning and bushfire warnings of any level;
- Adhere to all fire risk regulations with terms and conditions stipulating that no candles, sparklers, fireworks, flame-based décor or open fires are to be used during the restricted fire season; and
- Fire equipment to be provided on site.

### C) Conclusion

Based on the above, it is recommended that Council approve the Development Application subject to conditions. The Council could alternatively choose to defer making a decision on the matter and seek additional information or it may determine to refuse the Development Application.

### STATUTORY ENVIRONMENT:

Planning and Development Act 2005, Planning and Development (Local Planning Schemes) Regulations 2015, LPS4 and Caravan Parks and Camping Grounds Act 1995.

Subject to the Council's decision, the applicant separately needs to obtain a Building Permit, On-site Wastewater Approval, gain a licence under the Caravan Parks and Camping Grounds Act 1995 and meet additional requirements.

### POLICY IMPLICATIONS:

Local Planning Policies are relevant in assessing the Development Application. Local Planning Policies are non-statutory documents which are designed to provide guidance to assist the Council in its decision making. Accordingly, the Council is not bound by the policies but is required to have regard to the policies in determining the Development Application. Relevant policies include LPP9 Tourism Land Uses and Short-Term Accommodation.

Additionally, there are various State Planning Policies which are relevant in assessing the Development Application including SPP 3.7 Bushfire.

### FINANCIAL IMPLICATIONS:

The applicant has paid the Development Application fee. The applicant has a right of review to the State Administrative Tribunal to review the Council's decision. If this occurred, the Shire would have associated costs.

### RISK MANAGEMENT MATRIX:

The Shire, through its adopted Risk Management Framework, has identified a number of risk areas that need to be assessed and where necessary treated, like, but not limited to

|                                 |                                   |
|---------------------------------|-----------------------------------|
| Audit risks                     | Financial and credit risks        |
| Operational risks               | Technological and IT risks        |
| Compliance and regulatory risks | Environmental risks               |
| Legal risks                     | Strategic risks                   |
| Political risks                 | Sustainability and security risks |

Officers have undertaken a Risk Assessment which is shown below.

| <b>Risk</b>                                                                          | <b>Likelihood</b> | <b>Consequence</b>                          | <b>Risk Rating</b> | <b>Risk Description</b>                                                                    | <b>Mitigation/Controls</b>                                                                                                                   |
|--------------------------------------------------------------------------------------|-------------------|---------------------------------------------|--------------------|--------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| Bushfire risk to guests and property due to location in bushfire-prone area.         | Possible (3)      | High (3) – Safety and Compliance impact     | High               | Guests may be unfamiliar with bushfire risks, increasing vulnerability during emergencies. | Implementation of Bushfire Management and Emergency Plans; on-site management; compliance with SPP 3.7 and Planning for Bushfire Guidelines. |
| Environmental impact from development (e.g., vegetation clearing, fauna disruption). | Unlikely (2)      | Medium (2) – Environmental impact           | Medium             | Potential for habitat disruption and dieback if not managed.                               | No clearing of remnant vegetation; compliance with environmental regulations; trimming only where necessary.                                 |
| Inadequate servicing (water, wastewater, waste) may affect health and environment.   | Possible (3)      | Medium (2) – Health and Operational impact  | Medium             | Poor servicing could lead to contamination or service failure.                             | Conditions requiring potable water, wastewater systems, and a Waste Management Plan.                                                         |
| Amenity and noise impacts on nearby residents.                                       | Possible (3)      | Low (1) – Reputational and Community impact | Low                | Noise or guest behavior may disturb neighbours.                                            | Management Plan required; noise restrictions; guest behavior protocols.                                                                      |

#### **STRATEGIC IMPLICATIONS:**

The proposed development is considered consistent with aims of the Local Planning Strategy and is important to the development of tourism in the Shire of Nannup. The development has the potential to draw additional visitors to the Shire which supports local businesses and employment which is consistent with the Shire of Nannup Community Strategic Plan 2021-2036.

#### **VOTING REQUIREMENT:**

**RECOMMENDATION:**

That Council approve the Development Application for a camping ground/caravan park (20 camping/caravan sites), ablution block, camp kitchen, café, rural produce store and new signage at Lot 4027 on Deposited Plan 137676 (No. 354) Barrabup Road, Nannup subject to the following conditions:

1. This approval shall expire if the development hereby approved has not been substantially commenced within a period of two (2) years from the date hereof, or within any extension of that time (requested in writing prior to the approval expiring) that may be granted by the local government. Where the Development Approval has lapsed, no further development is to be carried out.
2. The development hereby approved is to be carried out in accordance with the plans and documentation set out in Attachments 11.7.2 and 11.7.3, addressing all conditions, or otherwise amended by the local government and shown on the approved plans and these shall not be altered and/or modified without the prior knowledge and written consent of the local government.
3. The approval includes proposed signage located within the boundaries of Lot 4027 Barrabup Road only and does not include off-site signage.
4. There are to be a maximum number of 20 camping and/or caravan sites which are setback a minimum of 20 metres from the eastern property boundary.
5. The landowner (or manager/caretaker) is to live on the application site while the camping grounds/caravan park are operational.
6. The applicant is to submit and gain local government approval for a Management Plan, prior to commencement of the development, which addresses the responsibility for the behaviour of guests/visitors and the management measures to be implemented to minimise adverse impacts on the amenity of the locality.
7. Other than the owner/caretaker, no person is permitted to stay on the property for a period of more than 3 months in any 12-month period. In this regard, the owner/caretaker is to maintain a register of guests and the duration of their occupation to the satisfaction of the local government. The register shall be made available for perusal by Shire officers on demand.
8. A Bushfire Management Plan is to be approved by the local government and then implemented prior to commencement of the development. Following this, measures and recommendations in the approved Bushfire Management Plan are to be maintained to the satisfaction of the local government.
9. A Bushfire Emergency Plan is to be approved by the local government and then implemented prior to commencement of the development. Following this, measures in the approved Bushfire Emergency Plan are to be maintained to the satisfaction of the local government.
10. The provision of details prior to occupation as to how stormwater will be addressed for the proposed development (including stormwater from roofs, car parking and other areas) to the satisfaction of the local government. The stormwater facilities provided in accordance with this condition shall be permanently maintained in an operative condition to the satisfaction of the local government.
11. An adequate on-site potable water supply is provided in accordance with the Australian Drinking Water Guidelines 2004 prior to commencement of the development.
12. A waste water disposal system approved by the local government and/or the Department of Health is installed prior to commencement of the development.

13. The applicant prepares a Waste Management Plan to the satisfaction of the local government to ensure that recycling and rubbish are effectively removed from the site to the satisfaction of the local government. The applicant to then appropriately implement the approved Waste Management Plan on an on-going basis to the satisfaction of the local government.
14. The car parking spaces, access ways and vehicle manoeuvring areas are to be designed and constructed to minimise dust and drained prior to occupation. The operator shall appropriately control dust for these areas on an on-going basis to the satisfaction of the local government.
15. The vehicular crossover is to be located, designed, constructed, sealed (for at least 10 metres) and drained at the proponent's expense to the satisfaction of the local government prior to occupation.
16. Any lighting device shall be positioned and shielded so as not to cause any direct, reflected or incidental light beyond the property boundaries. In particular lighting should be designed in accordance with AS 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting.
17. The landowner meets the costs of adding a notification (section 70A or a memorial) to all Certificate of Titles associated with the approval setting out that the property is within a bushfire prone area to satisfaction of the local government, prior to commencement of the development.
18. No clearing of remnant native vegetation.
19. The development or use of the land shall not cause or permit to cause the escape of dust, smoke, fumes or odours in such quantity or of such nature as to unreasonably impact on the amenity of the locality.
20. Prior to the construction and fit out of the approved food premises, detailed plans and specifications of all internal fixtures, finishes and fittings must be submitted to the local government for assessment.
21. The proponent is to ensure that noise levels from the camping area/caravan park are considerate of adjoining properties and are to be especially low in volume between 7.00pm and 7.00am.

#### **Advice**

- A) The applicant is advised that this Development Approval is not a Building Permit. A Building Permit must be formally applied for and obtained before the commencement of any site and/or development works.
- B) In relation to Condition 3, only the signs indicated as Sign 1, Sign 2, Sign 4 and Sign 5 in Attachment 11.7.2 are included in this approval and must be located within the property boundaries. All other directional signs will require the submission of a separate application to the local government.
- C) In relation to Condition 6, the Management Plan is to:
  - i) Address the responsibility for clients/visitor behaviour and management measures to be implemented to minimise adverse impact on the amenity of the locality;
  - ii) Outline the approach to maximise the safety and security of guest and visitors;
  - iii) Seek the operation to be a good neighbour and be considerate including noise, litter and the approach to reducing fire risks;
  - iv) Consider and address impacts from guests/visitors including amplified music and other noise;

- v) Address trespass and litter;
  - vi) Restrict and/or manage pets and address biosecurity;
  - vii) Not light any outside fires during periods of restricted and prohibited burning and bushfire warnings of any level; and
  - viii) Adhere to all fire risk regulations with terms and conditions stipulating that no candles, sparklers, flame-based décor or open fires are to be used during the restricted fire season.
- D) In relation to Conditions 8 and 9, these plans should be regularly reviewed to ensure they comply with best practice to assist in managing bushfire risk.
- E) In relation to Condition 11, the local government may require water samples to be taken and independently analysed. Should the local government be required to arrange the testing, it will be at the cost of the landowner/operator.
- F) In relation to Condition 14, the applicant is encouraged to review the requirement to provide a water truck or a water tank on a trailer, if ground conditions are dry, to suppress dust on the driveway and in carparks.
- G) In relation to Condition 21:
- i) Noise emissions resulting from the development or use of the land shall not exceed the assigned levels in the Environmental Protection (Noise) Regulations 1997, and shall not unreasonably interfere with the health, welfare and amenity of an occupier of another premises;
  - ii) Noise from the construction site before 7.00am hours or after 7.00pm on any day, or at any time on Sundays and public holidays, should not exceed the assigned levels prescribed in the Environmental Protection (Noise) Regulations 1997; and
  - iii) The operator/manager should be on-site for all functions.
- H) The applicant is advised that the approved development must comply with:
- i) The Caravan Parks and Camping Grounds Act 1995 and the Caravan Park and Camping Ground Regulations 1995, including the requirement to obtain an annual licence for the camping ground/caravan park;
  - ii) The Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974;
  - iii) The Food Act 2008 and the Food Standards Australia New Zealand Code; and
  - iv) Other statutory requirements including the Public Health Act 2016, Health (Miscellaneous Provisions) Act 1911 and the Shire of Nannup Health Local Laws.
- I) An application for the grant or renewal of Licence for a Caravan Park and Camping Ground is required with a plan of the proposed facility showing:
- i) The sites, and where applicable, denoting the types of sites;
  - ii) The buildings;
  - iii) The roads and paths;
  - iv) The drainage and wastewater disposal systems; and
  - v) The location of fire hoses, fire hydrants and extinguishers.
- J) The applicant is encouraged to appropriately fence the dam along with retaining appropriate Public Liability Insurance to cover the entire area the subject of this approval to the satisfaction of the local government.
- K) Further development and/or intensification of development on the property, which creates increased traffic, may result in a need for a proportional developer contribution for road upgrading as part of a future Development Application.

- L) If the applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.

|                             |                                                       |
|-----------------------------|-------------------------------------------------------|
| AGENDA NUMBER & SUBJECT:    | 11.8– Payment of Accounts – May 2025                  |
| LOCATION/ADDRESS:           | Shire of Nannup                                       |
| NAME OF APPLICANT:          | N/A                                                   |
| FILE REFERENCE:             | FNC 8                                                 |
| AUTHOR:                     | Robin Lorkiewicz – Finance Coordinator                |
| REPORTING OFFICER:          | Kim Dolzadelli – Executive Manager Corporate Services |
| DISCLOSURE OF INTEREST:     | Nil                                                   |
| DATE OF REPORT:             | 13 June 2025                                          |
| PREVIOUS MEETING REFERENCE: | Nil                                                   |
| ATTACHMENTS:                | 11.8.1 – Payment of Accounts – May 2025               |

**BACKGROUND:**

To advise Council of payments made for the period 1 May to 30 April 2025.

**COMMENT:**

Payments of \$939,901.93 as detailed in the payment of accounts listing for the period 1 May to 31 May 2025 as per Attachment 11.8.1 have been approved under delegated authority.

**Municipal Account**

|                                    |                   |                     |
|------------------------------------|-------------------|---------------------|
| Accounts paid by EFT               | 18469- 18608      | \$812,549.13        |
| Accounts paid by cheque            | 20648             | \$1,100.00          |
| Accounts paid by Direct Debit      | 13837.3 – 14116.1 | \$126,252.80        |
| <i>Sub Total Municipal Account</i> |                   | <u>\$939,901.93</u> |

**Trust Account**

|                                |   |                            |
|--------------------------------|---|----------------------------|
| Accounts paid by EFT           | - | \$0.00                     |
| <i>Sub Total Trust Account</i> |   | <u>\$0.00</u>              |
| <b>Total Payments</b>          |   | <u><b>\$939,901.93</b></u> |

**STATUTORY ENVIRONMENT:**

Regulation 13(2) of the *Local Government (Financial Management) Regulations 1996*, requires a local government to prepare a list of accounts approved for payment under delegated authority showing the payee's name; the amount of the payment; and sufficient information to identify the transaction, and the date of the payment; this list is to be presented to council at the next ordinary meeting of the Council after the list is prepared.

Regulation 13A of the *Local Government (Financial Management) Regulations 1996*, requires a local government to prepare a list of payments made using the purchasing cards showing the payee's name; the amount of the payment; and sufficient information to identify the transaction and the date of the payment; this list is to be presented to council at the next ordinary meeting of the Council after the list is prepared.

**POLICY IMPLICATIONS:**

Nil.

**FINANCIAL IMPLICATIONS:**

As indicated in Payment of Accounts.

**RISK MANAGEMENT MATRIX:**

The Shire, through its adopted Risk Management Framework, has identified a number of risk areas that need to be assessed and where necessary treated, like, but not limited to:

|                                 |                                   |
|---------------------------------|-----------------------------------|
| Audit risks                     | Financial and credit risks        |
| Operational risks               | Technological and IT risks        |
| Compliance and regulatory risks | Environmental risks               |
| Legal risks                     | Strategic risks                   |
| Political risks                 | Sustainability and security risks |

Officers have undertaken a Risk Assessment which is shown below:

| <b>Risk</b>             | <b>Likelihood</b> | <b>Consequence</b> | <b>Risk Rating</b> | <b>Description</b>                                                   | <b>Mitigation Strategies</b>                                                 |
|-------------------------|-------------------|--------------------|--------------------|----------------------------------------------------------------------|------------------------------------------------------------------------------|
| Financial mismanagement | Possible          | Major              | High               | Risk of financial mismanagement due to errors in payment processing. | Implement strict financial controls and regular audits.                      |
| Fraudulent transactions | Unlikely          | Severe             | Medium             | Risk of fraudulent transactions being processed.                     | Enhance security measures and conduct thorough background checks on vendors. |
| Delayed payments        | Likely            | Moderate           | Medium             | Risk of delayed payments affecting vendor relationships.             | Streamline payment processes and set clear payment timelines.                |
| Compliance issues       | Possible          | Moderate           | Medium             | Risk of non-compliance with financial regulations.                   | Regularly review and update compliance policies.                             |

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|                 |          |       |        |                                                        |                                                       |
|-----------------|----------|-------|--------|--------------------------------------------------------|-------------------------------------------------------|
| System failures | Unlikely | Major | Medium | Risk of system failures disrupting payment processing. | Maintain robust IT infrastructure and backup systems. |
|-----------------|----------|-------|--------|--------------------------------------------------------|-------------------------------------------------------|

**STRATEGIC IMPLICATIONS:**

Nil.

**VOTING REQUIREMENT:**

Simple Majority.

**OFFICER RECOMMENDATION:**

That Council notes the payment of accounts totalling \$939,901.93 for the period 1 May to 31 May 2025 as per Attachment 11.8.1.

|                            |                                                       |
|----------------------------|-------------------------------------------------------|
| AGENDA NUMBER & SUBJECT:   | 11.9 – Financial Activity Statements – May 2025       |
| LOCATION/ADDRESS:          | Shire of Nannup                                       |
| NAME OF APPLICANT:         | Shire of Nannup                                       |
| FILE REFERENCE:            | FNC 15                                                |
| AUTHOR:                    | Robin Lorkiewicz – Finance Coordinator                |
| REPORTING OFFICER:         | Kim Dolzadelli – Executive Manager Corporate Services |
| DISCLOSURE OF INTEREST:    | Nil                                                   |
| DATE OF REPORT:            | 13 June 2025                                          |
| PREVIOUS MEETING REFERENCE | Nil                                                   |
| ATTACHMENTS:               | 11.9.1 – Financial Activity Statement – May 2025      |

#### **BACKGROUND:**

The financial statements are presented to Council in accordance with the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, stipulate that a Local Government is to prepare each month a statement of financial activity reporting on the sources and applications of funds.

Section 6.4 of the *Local Government Act 1995* requires that financial reports be prepared and presented in the manner and form prescribed in the *Local Government (Financial Management) Regulations*.

The requirement is for a Statement of Financial Activity with a report detailing material variances. The Financial Report presented includes this as well as other statements and supplementary information.

#### **COMMENT:**

The Financial Statements for the period ending 31 May 2025 present the financial performance of the Shire for the 2024/25 financial year and compare year to date expenditure and revenue against the corresponding year to date budget.

Attached for consideration is the completed Monthly Financial Report as per Attachments 11.9.1.

The document attached includes Statement of Financial Activity by Nature or Type, Notes to the financial statements and an explanation of material variances.

#### **STATUTORY ENVIRONMENT:**

Local Government Act 1995, Section 6.4.

Local Government (Financial Management) Regulations 1996, Regulation 34.

#### **POLICY IMPLICATIONS:**

Nil.

#### **FINANCIAL IMPLICATIONS:**

Nil.

**RISK MANAGEMENT MATRIX:**

The Shire, through its adopted Risk Management Framework, has identified a number of risk areas that need to be assessed and where necessary treated, like, but not limited to:

|                                 |                                   |
|---------------------------------|-----------------------------------|
| Audit risks                     | Financial and credit risks        |
| Operational risks               | Technological and IT risks        |
| Compliance and regulatory risks | Environmental risks               |
| Legal risks                     | Strategic risks                   |
| Political risks                 | Sustainability and security risks |

Officers have undertaken a Risk Assessment which is shown below:

| <b>Risk</b>             | <b>Likelihood</b> | <b>Consequence</b> | <b>Risk Rating</b> | <b>Description</b>                                                   | <b>Mitigation Strategies</b>                                                 |
|-------------------------|-------------------|--------------------|--------------------|----------------------------------------------------------------------|------------------------------------------------------------------------------|
| Financial mismanagement | Possible          | Major              | High               | Risk of financial mismanagement due to errors in payment processing. | Implement strict financial controls and regular audits.                      |
| Fraudulent transactions | Unlikely          | Severe             | Medium             | Risk of fraudulent transactions being processed.                     | Enhance security measures and conduct thorough background checks on vendors. |
| Delayed payments        | Likely            | Moderate           | Medium             | Risk of delayed payments affecting vendor relationships.             | Streamline payment processes and set clear payment timelines.                |
| Compliance issues       | Possible          | Moderate           | Medium             | Risk of non-compliance with financial regulations.                   | Regularly review and update compliance policies.                             |
| System failures         | Unlikely          | Major              | Medium             | Risk of system failures disrupting payment processing.               | Maintain robust IT infrastructure and backup systems.                        |

**STRATEGIC IMPLICATIONS:**

Nil.

**VOTING REQUIREMENT:**

Simple Majority.

**OFFICER RECOMMENDATION:**

That Council, in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, receives the Financial Activity Statements for the period ending 31 May 2025 as per Attachment 11.9.1.

|                            |                                                     |
|----------------------------|-----------------------------------------------------|
| AGENDA NUMBER & SUBJECT:   | 11.10– Stock Grid Policy                            |
| LOCATION/ADDRESS:          | Shire of Nannup                                     |
| NAME OF APPLICANT:         | Shire of Nannup                                     |
| FILE REFERENCE:            | ADM9A                                               |
| AUTHOR:                    | Damon Lukins – Executive Manager Works and Services |
| REPORTING OFFICER:         | Damon Lukins – Executive Manager Works and Services |
| DISCLOSURE OF INTEREST:    | Nil                                                 |
| DATE OF REPORT:            | 17 June 2025                                        |
| PREVIOUS MEETING REFERENCE | Nil                                                 |
| ATTACHMENTS:               | 11.10.1 – Stock Grid Policy                         |

### **BACKGROUND:**

In Western Australia, the installation and maintenance of cattle grids and fencing on public roads are primarily governed by local government authorities under the *Local Government Act 1995*. These provisions aim to balance the safety and efficiency of the road network with the operational needs of adjoining landowners.

Within the Shire of Nannup, an informal arrangement has existed for several years allowing landowners to install cattle grids on low-vehicular traffic rural public roads, subject to Shire approval. These grids have often been used as an alternative to boundary fencing, particularly in remote or sparsely populated areas. While this approach has been generally accepted in the past, it is now presenting increasing challenges.

Many of the existing cattle grids are aging and do not comply with current engineering or safety standards. A number of these installations have deteriorated to the point where full replacement is necessary due to compromised structural integrity. Compounding the issue, population growth in the district has led to increased road usage, intensifying concerns about livestock straying onto public roads.

A recent incident on Cundinup Dudinyilup Road brought these issues into sharp focus. A cattle truck collided with a cow on the road, resulting in significant vehicle damage and an unresolved dispute between the truck owner and the livestock owner. The Shire has been drawn into the matter, highlighting the ambiguity surrounding liability and oversight in such cases.

This situation underscores the need for a formal review of the Shire’s policy and procedures regarding cattle grids and livestock control on public roads. A clearer regulatory framework, supported by updated standards and improved enforcement mechanisms, would help reduce risk, clarify responsibilities, and protect all road users.

### **COMMENT:**

To address the increasing concerns associated with livestock on public roads, the Executive Manager of Works and Services supports a move towards fencing all road reserves where livestock containment is required. This approach would provide a more consistent and safe solution, reduce liability risks, and ensure compliance with current standards.

One of the primary counterarguments to fencing road reserves is the perceived fire risk, particularly where dense vegetation exists. However, the Shire maintains that many of the relevant road reserves have minimal vegetative cover and would therefore not present a significant fire hazard. These areas are typically low-risk and could be readily maintained to mitigate any potential threat.

It is acknowledged that in some instances, a landowner's property is bisected by a constructed road reserve, creating practical challenges in farm management. Regularly opening and closing gates to move between paddocks can be inefficient and burdensome for landowners. In such cases, and where there is mutual agreement between adjacent landowners using the road, the Shire supports the continued use of cattle grids as a practical alternative, provided they meet current safety and structural standards.

To provide clarity and consistency in the application of these principles, the Executive Manager of Works and Services recommends that a formal Council policy be adopted. This policy would outline clear guidelines for:

- When and where fencing is required along road reserves;
- Circumstances under which cattle grids may be permitted;
- Standards for cattle grid installation and maintenance;
- Landowner responsibilities; and
- Shire approval processes.

Implementing such a policy will help eliminate ambiguity, improve road safety, and support sustainable land management practices across the Shire.

#### **STATUTORY ENVIRONMENT:**

Local Government Act 1995 Schedule 9.1

#### **POLICY IMPLICATIONS:**

New Cattle Grid Policy

#### **FINANCIAL IMPLICATIONS:**

Nil.

#### **RISK MANAGEMENT MATRIX:**

The Shire, through its adopted Risk Management Framework, has identified a number of risk areas that need to be assessed and where necessary treated, like, but not limited to:

|                                 |                                   |
|---------------------------------|-----------------------------------|
| Audit risks                     | Financial and credit risks        |
| Operational risks               | Technological and IT risks        |
| Compliance and regulatory risks | Environmental risks               |
| Legal risks                     | Strategic risks                   |
| Political risks                 | Sustainability and security risks |

Officers have undertaken a Risk Assessment which is shown below.

| <b>Risk</b>                                                                                      | <b>Likelihood</b> | <b>Consequence</b>                           | <b>Risk Rating</b> | <b>Risk Description</b>                                                                                | <b>Mitigation/Controls</b>                                                                                   |
|--------------------------------------------------------------------------------------------------|-------------------|----------------------------------------------|--------------------|--------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| Livestock straying onto public roads due to inadequate fencing or failing cattle grids.          | Possible (3)      | High (3) – Safety and Legal impact           | High               | Risk of vehicle collisions with livestock, leading to injury, property damage, and liability disputes. | Adoption of formal Stock Grid Policy; enforcement of fencing and grid standards; regular inspections.        |
| Liability ambiguity in the event of accidents involving livestock on roads.                      | Possible (3)      | Medium (2) – Legal and Financial impact      | Medium             | Without clear policy, the Shire may be drawn into legal disputes.                                      | Clear delineation of landowner responsibilities in the new policy.                                           |
| Resistance from landowners to new fencing requirements due to cost or operational inconvenience. | Likely (4)        | Medium (2) – Community Relations impact      | High               | Pushback may delay implementation or lead to non-compliance.                                           | Stakeholder engagement; allowance for cattle grids in specific cases; phased implementation.                 |
| Fire risk concerns from fencing in vegetated road reserves.                                      | Unlikely (2)      | Medium (2) – Environmental and Safety impact | Medium             | Perceived increase in fire hazard due to fencing.                                                      | Site-specific assessments; maintenance of low-vegetation areas; communication of risk mitigation strategies. |

#### **STRATEGIC IMPLICATIONS:**

Nil.

#### **VOTING REQUIREMENTS**

Simple Majority

#### **OFFICER RECOMMENDATION:**

That Council endorse the Cattle Grid Policy at Attachment 11.10.1.

**12 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:**

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Nil.

**13. MEETING MAY BE CLOSED:**

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Nil.

**14. CLOSURE OF MEETING:**

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**Attachments**

| Item    | Attachment | Title                                                                                               |
|---------|------------|-----------------------------------------------------------------------------------------------------|
| 5.1     | 1          | Bush Fire Advisory Committee – 5 May 2025                                                           |
| 5.2     | 1          | Local Emergency Management Committee – 7 May 2025                                                   |
| 5.3     | 1          | Shire of Nannup Ordinary Council Meeting – 22 May 2025                                              |
| 5.4     | 1          | Warren Blackwood Alliance of Councils Climate Alliance Reference Group (CARG) Meeting – 30 May 2025 |
| 5.5     | 1          | Warren Blackwood Alliance of Councils Board Meeting – 3 June 2025                                   |
| 11.1.1  | 1          | Division 3 Complaint Policy                                                                         |
| 11.1.2  | 1          | Minor Breach Form                                                                                   |
| 11.1.3  | 1          | Minor Breach Delegation                                                                             |
| 11.2.1  | 1          | WA Trail Town Application                                                                           |
| 11.2.2  | 1          | Confirmation of Application Receipt                                                                 |
| 11.3.1  | 1          | Confidential Attachment – Younifi Community WIFI Proposal – Temporary Setup                         |
| 11.3.2  | 1          | Confidential Attachment – Younifi Proposal Nannup Disaster Resilience Funding                       |
| 11.3.3  | 1          | Confidential Attachment – Nannup Emergency Telecommunications Business Case                         |
| 11.3.4  | 1          | Confidential Attachment – Disaster Resilience Funding Application                                   |
| 11.4.1  | 1          | Letter from Cycling Eventures Pty Ltd                                                               |
| 11.4.2  | 1          | Draft Letter of No Objection – 2026 UCI Gravel World Championships                                  |
| 11.5.1  | 1          | Shire of Nannup Bushfire Risk Management Plan 2025 -2027                                            |
| 11.5.2  | 1          | Bush Fire Risk Management Plan Approval Letter from the office of Bushfire Risk Management          |
| 11.6.1  | 1          | Register of Delegated Development Approvals                                                         |
| 11.7.1  | 1          | Location Map                                                                                        |
| 11.7.2  | 1          | Original Plans and information from the applicant                                                   |
| 11.7.3  | 1          | Site Map Outlining proposed caravan and Camping Area                                                |
| 11.7.4  | 1          | Submissions                                                                                         |
| 11.7.5  | 1          | Applications response to submissions and Bushfire Prone Planning response to DFES comments          |
| 11.7.6  | 1          | Bushfire Management Plan V2                                                                         |
| 11.7.7  | 1          | Extract of zoning map for locality                                                                  |
| 11.7.8  | 1          | Local Planning Framework: extract of key documents                                                  |
| 11.7.9  | 1          | Extract from Planning and Development (Local Planning Scheme) Regulations 2015                      |
| 11.8.1  | 1          | Payment of Accounts- May 2025                                                                       |
| 11.9.1  | 1          | Financial Activity Statements – May 2025                                                            |
| 11.10.1 | 1          | Stock Grid Policy                                                                                   |