



Minutes

Ordinary Council Meeting held Thursday 22 June 2023

4.30 pm in Council Chambers, 15 Adam Street, Nannup

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MINUTES

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS/ACKNOWLEDGEMENT OF COUNTRY:

Shire President opened the meeting at 4.30 pm and welcomed the public gallery.

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

2. ATTENDANCE/APOLOGIES:

2.1 ATTENDANCE

Councillors	Officers
Cr Tony Dean (Shire President)	David Taylor – Chief Executive Officer
Cr Vicki Hansen (Deputy President)	Kellie Jenkins – Deputy CEO/Manager Corporate Services
Cr Brown	Jonathan Jones – Manager Infrastructure
Cr Patricia Fraser	Sarah Dean – Governance, Risk & Assurance Officer
Cr Ian Gibb	
Cr Charles Gilbert	
Cr Bob Longmore	

Public Gallery
Wayne Leece.

2.2 APOLOGIES

Nil.

3. PUBLIC QUESTION TIME:

Nil.

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

4.1 APPROVED LEAVE OF ABSENCE:

Cr Buckland is on an approved leave of absence for 22 June 2023 Ordinary Council Meeting.

4.2 APPLICATION FOR A LEAVE OF ABSENCE:

Nil

5. CONFIRMATION OF MINUTES:

5.1 Ordinary Council Meeting – 25 May 2023

EXECUTIVE RECOMMENDATION:

That the Minutes from the Ordinary Meeting of Council held 25 May 2023 be confirmed as a true and correct record (attachment 5.1).

COUNCIL RESOLUTION 23085

MOVED: CR BROWN

SECONDED: CR HANSEN

That the Minutes from the Ordinary Meeting of Council held 25 May 2023 be confirmed as a true and correct record (attachment 5.1); with corrections to the date of the approved leave of absence and agenda item presentations related to.

CARRIED (7/0)

5.2 Special Council Meeting – 1 June 2023

EXECUTIVE RECOMMENDATION:

That the Minutes from the Special Meeting of Council held 1 June 2023 be confirmed as a true and correct record (attachment 5.2).

COUNCIL RESOLUTION 23086

MOVED: CR HANSEN

SECONDED: CR LONGMORE

That the Minutes from the Special Meeting of Council held 1 June 2023 be confirmed as a true and correct record (attachment 5.2).

CARRIED (7/0)

5.3 Special Council Meeting – 14 June 2023

EXECUTIVE RECOMMENDATION:

That the Minutes from the Special Meeting of Council held 14 June 2023 be confirmed as a true and correct record (attachment 5.3).

COUNCIL RESOLUTION 23087

MOVED: CR HANSEN

SECONDED: CR FRASER

That the Minutes from the Special Meeting of Council held 14 June 2023 be confirmed as a true and correct record (attachment 5.3).

CARRIED (7/0)

6. ANNOUNCEMENTS FROM PRESIDING MEMBER:

Nil.

7. DISCLOSURE OF INTEREST:

Nil.

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

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

Nil.

9. PRESENTATIONS/DEPUTATIONS/PETITIONS:

Nil.

10. REPORTS BY MEMBERS ATTENDING COMMITTEES:

Meeting	Date	Councillor
Local Drug Action Group	14 June	Hansen
Warren Blackwood Alliance of Councils (WBAC)	6 June	Dean, Hansen
WBAC Climate Change Impact Reference Group	9 June	Dean, Hansen
Lower Blackwood Land Conservation District Committee	13 June	Fraser

11. REPORTS OF OFFICERS:

AGENDA NUMBER & SUBJECT:	11.1 - Delegated Planning Decisions for May 2023
LOCATION/ADDRESS:	Various
NAME OF APPLICANT:	Various
FILE REFERENCE:	TPL18
AUTHOR:	Erin Gower – Development Services Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	1 June 2023
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENT:	11.1.1 – 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 on a monthly basis 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 2023 is presented in Attachment 11.1.1.

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 2023, one (1) development application was 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 2023 compared to May 2022:

	May 2022	May 2023
Delegated Decisions	3 (\$133,170)	1 (\$500)
Council Decisions	0	1 (\$2,000)
Total	3 (\$133,170)	2 (\$2,500)

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.

STRATEGIC IMPLICATIONS:

Nil

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council receives the report on Delegated Development Approvals for May 2023 as per Attachment 11.1.1.

COUNCIL RESOLUTION 23088

MOVED: CR GILBERT

SECONDED: CR BROWN

That Council receives the report on Delegated Development Approvals for May 2023 as per Attachment 11.1.1.

CARRIED (7/0)

AGENDA NUMBER & SUBJECT:	11.2 - WALGA Annual General Meeting – Voting Delegate Nominations
LOCATION/ADDRESS:	Not Applicable
NAME OF APPLICANT:	Western Australian Local Government Association
FILE REFERENCE:	DEP 14
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	14 June 2023

BACKGROUND:

WALGA writes to advise that all Member Councils are entitled to be represented by two (2) voting delegates at the Annual General meeting of WALGA to be held at the Crown Towers Perth on **Monday, 18 September 2023**.

WALGA is therefore seeking the names of the voting delegates together with proxy voting delegates.

COMMENT:

This is a standing annual agenda item seeking voting delegated in writing. Only registered delegates and proxy registered delegates will be permitted to exercise voting entitlements on behalf of Member Councils. Delegates may be Elected Members or the Chief Executive Officer if there are not enough Elected Members attending the Annual General Meeting.

STATUTORY ENVIRONMENT:

Nil

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Nil

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council nominates the Shire President and _____ as its Voting Delegates to the Western Australia Local Government Association Annual General meeting to be on Monday 18 September 2023 with _____ and _____ being appointed as the proxy delegates.

COUNCIL RESOLUTION 23089

MOVED: CR BROWN

SECONDED: CR HANSEN

That Standing Orders be suspended.

CARRIED (7/0)

COUNCIL RESOLUTION 23090

MOVED: CR BROWN

SECONDED: CR HANSEN

That Standing Orders be resumed.

CARRIED (7/0)

COUNCIL RESOLUTION 23091

MOVED: CR BROWN

SECONDED: CR GIBB

That Council nominates the Shire President Cr Tony Dean and Deputy President Cr Vicki Hansen as its Voting Delegates to the Western Australia Local Government Association Annual General meeting to be on Monday 18 September 2023; with Cr Cheryle Brown and Cr Ian Gibb being appointed as the proxy delegates.

CARRIED (7/0)

AGENDA NUMBER & SUBJECT:	11.3 – Financial Activity Statement – April 2023
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	FNC 15
AUTHOR:	Robin Lorkiewicz – Finance Coordinator
REPORTING OFFICER:	Kellie Jenkins – Manager Corporate Services/Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	12 June 2023
ATTACHMENTS:	11.3.1 – Financial Activity Statement – April 2023

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 30 April 2023 present the financial performance of the Shire for the 2022/23 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 Attachment 11.3.1.

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

STRATEGIC IMPLICATIONS:

Nil.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council, in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, receives the Financial Activity Statement for the period ending 30 April 2023 as per Attachment 11.3.1.

COUNCIL RESOLUTION 23092

MOVED: CR LONGMORE

SECONDED: CR BROWN

That Council, in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996, receives the Financial Activity Statement for the period ending 30 April 2023 as per Attachment 11.3.1.

CARRIED (7/0)

AGENDA NUMBER & SUBJECT	11.4 - Payment of Accounts – April 2023
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 8
AUTHOR:	Robin Lorkiewicz – Finance Coordinator
REPORTING OFFICER:	Kellie Jenkins – Manager of Corporate Services & Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	None
PREVIOUS MEETING REFERENCE:	None
DATE OF REPORT	12 June 2023
ATTACHMENT:	11.4.1 – Payment of Accounts – April 2023

BACKGROUND:

To advise Council of payments made from the municipal fund or trust fund for the period 1 April 2023 to 30 April 2023.

COMMENT:

If Council would like to ask questions about the payment of accounts, prior notice of these questions will enable officers to provide detailed explanation in response at the Council meeting.

Municipal Account

Accounts paid by EFT	15688 to 15785	\$280,473.76
Accounts paid by cheque	-	\$0.00
Accounts paid by Direct Debit	12261.1 to 12409.1	\$57,590.12
<i>Sub Total Municipal Account</i>		<u>\$338,063.88</u>

Trust Account

Accounts paid by EFT	-	\$0.00
<i>Sub Total Trust Account</i>		<u>\$0.00</u>
Total Payments		<u>\$338,063.88</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 meeting of the Council to which the list is to be presented.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

As indicated in Payment of Accounts.

STRATEGIC IMPLICATIONS:

Nil

VOTING REQUIREMENTS:

Simple majority

OFFICER RECOMMENDATION:

That Council endorse the payment of accounts totalling \$338,063.88 for the period 1 April 2023 to 30 April 2023 as per Attachment 11.4.1.

COUNCIL RESOLUTION 23093

MOVED: CR FRASER

SECONDED: CR BROWN

That Council endorse the payment of accounts totalling \$338,063.88 for the period 1 April 2023 to 30 April 2023 as per Attachment 11.4.1.

CARRIED (7/0)

AGENDA NUMBER & SUBJECT	11.5 - Establishment of Sustainability Advisory Committee
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	ADM 18
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCE:	Nil
DATE OF REPORT	15 June 2023
ATTACHMENT:	Nil

BACKGROUND:

The Shire of Nannup is an part of the Warren Blackwood Alliance (WBAC) Subregional Climate Change Action Plan and is an active member on the Climate Change Action Plan Implementation Reference Group (CCAPIRG).

To support these initiative, it is recommended that the Shire of Nannup create a Sustainability Advisory Committee that includes both Councillors, Staff and members of the public.

The primary role of a Sustainability Advisory Committee is developing a leadership role in the community and recommending to Council potential introduction of incentives, initiatives and recommendations which can be introduced into the operations of the Shire, policy setting process, strategic planning and similar to :-

1. Reduce the impacts on the natural environment
2. Reduce the impacts on the climate
3. Initiate sustainable management of resource

COMMENT:

It is proposed that the Committee is made up of two (2) elected members and a maximum of six (6) community members. Appointing community members will involve a public advertising process and selection will be based on the applicant’s demonstrated experience and expertise in the area of sustainability.

STATUTORY ENVIRONMENT:

Local Government Act 1995, clauses 5.8, 5.9(2)(d) through to 5.25.

Committees established under Section 5.9 of the Local Government Act 1995 are required to have their members appointed by an absolute majority vote.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Extract from the Shire of Nannup Strategic Community Plan 2021 – 2036

4.3 Our Sustainable Future

We will continue to ensure that our built environments exist in harmony with our natural landscapes.

Warren Blackwood Alliance Subregional Climate Change Action Plan.

Climate Change Action Plan Implementation Reference Group (CCAPIRG)

VOTING REQUIREMENTS:

Absolute majority

OFFICER RECOMMENDATION:

That Council;

1. Endorse commencing the establishment of a Sustainability Advisory Committee and;
2. Publicly advertise the six (6) community member positions on the Sustainability Advisory Committee for a period of 4 weeks and;
3. Selection of community members for the six (6) positions will be determined and appointed by Council on their demonstrated experience and expertise in the area of sustainability and;

4. Instruct the Chief Executive Officer to draft a Terms of Reference for the Committee and;
5. All of the above to be tabled at the August 2023 Ordinary Council Meeting for Committee members appointment for both Councillors and community members.

COUNCIL RESOLUTION 23094

MOVED: CR HANSEN

SECONDED: CR DEAN

That Council;

1. ***Endorse commencing the establishment of a Sustainability Advisory Committee and;***
2. ***Publicly advertise the six (6) community member positions on the Sustainability Advisory Committee for a period of 4 weeks and;***
3. ***Selection of community members for the six (6) positions will be determined and appointed by Council on their demonstrated experience and expertise in the area of sustainability and;***
4. ***Instruct the Chief Executive Officer to draft a Terms of Reference for the Committee and;***
5. ***All of the above to be tabled at the August 2023 Ordinary Council Meeting for Committee members appointment for both Councillors and community members.***

CARRIED BY ABSOLUTE MAJORITY (7/0)

12 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:

Nil

13. MEETING MAY BE CLOSED:

Nil.

14. CLOSURE OF MEETING:

Shire President declared the meeting closed at 4.52 pm.

The next Ordinary Council Meeting will be held Thursday 27 July 2023 in Council Chambers, commencing at 4.30 pm.