



Agenda

Council Meeting to be held
on Thursday 28 November 2019
Commencing at 4.30pm

PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

Any statement, comment or decision made at a Council meeting regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity who has an application before the Shire of Nannup must obtain, and should only rely on, written notice of the Shire of Nannup's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done at a Council meeting.

Any advice provided by an employee of the Shire of Nannup on the operation of a written law, or the performance of a function by the Shire of Nannup, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the Shire of Nannup. Any advice on a matter of law, or anything sought to be relied upon as a representation by the Shire of Nannup should be sought in writing and should make clear the purpose of the request. Any plans or documents in Agendas and Minutes may be subject to copyright.

Agenda

1. DECLARATION OF OPENING/ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS/ANNOUNCEMENT OF VISITORS

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE
(previously approved)

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4. PUBLIC QUESTION TIME

5. APPLICATIONS FOR LEAVE OF ABSENCE

Cr Hansen has applied in writing for a Leave of Absence from the February Ordinary Meeting of Council.

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

7. DECLARATIONS OF INTEREST

The Shire President will read out any declarations received relating to financial, proximity or impartiality interests and ask for any further declarations to be made.

Members should make any declarations at the start of the meeting but may declare an interest before the resolution of any agenda item.

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

8.1 Shire of Nannup October Special Council Meeting

That the Minutes of the Special Council Meeting of the Shire of Nannup held in Council Chambers on 21 October 2019 be confirmed as a true and correct record.

8.2 Shire of Nannup October Ordinary Council Meeting

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 24 October 2019 be confirmed as a true and correct record.

9. MINUTES OF COUNCIL COMMITTEES

9.1 Local Drug Action Group

That the Minutes of the Local Drug Action Group Committee meeting held 22 October 2019 be received.

9.2 Bush Fire Advisory Committee

That the Minutes of the Bush Fire Advisory Committee meeting held 4 November 2019 be received.

9.3 Local Emergency Management Committee

That the Minutes of the Local Emergency Management Committee meeting held 6 November 2019 be received.

10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

11. REPORTS BY MEMBERS ATTENDING COMMITTEES

12. REPORTS OF OFFICERS

Agenda No.	Description	Page No.
CEO DEPARTMENT		
12.1	Delegated Planning Decisions for October 2019	5
12.2	Shire of Nannup Emergency Management Arrangements	8
FINANCE & ADMINISTRATION		
12.3	Monthly Accounts for Payment – October 2019	9
12.4	Budget Monitoring – October 2019	11

LATE ITEM

12.5 Tourism Committee – Terms of Reference 13

13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

13.1 OFFICERS

13.2 ELECTED MEMBERS

14. MEETING CLOSED TO THE PUBLIC

(Confidential Items)

14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Agenda No.	Description	Page No.
14.1	Chief Executive Officer – Annual Performance Appraisal	13
14.1A	Acting Chief Executive Officer	14

14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

15. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

16. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

17. CLOSURE OF MEETING

CEO DEPARTMENT

AGENDA NUMBER:	12.1
SUBJECT:	Delegated Planning Decisions for October 2019
LOCATION/ADDRESS:	Various
NAME OF APPLICANT:	Various
FILE REFERENCE:	TPL18
AUTHOR:	Jane Buckland – Development Services Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	8 November 2019
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENT:	12.1.1 – 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 Application for Development Approval that meet the requirements of both Local Planning Scheme No.3 (LPS3) 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 October 2019 is presented in Attachment 12.1.1.

COMMENT:

As shown in the attachment, each application has been advertised in accordance with LPS3 and Council's adopted Local Planning Policy *LPP5 Consultation* as detailed in the Policy Implications section of this report.

During October 2019, 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 October 2019 compared to October 2018:

Shire of Nannup
Ordinary Council Meeting Agenda: 28 November 2019

	October 2018	October 2019
Delegated Decisions	2 (\$15,000)	1 (\$70,000)
Council Decisions	1 (\$35,000)	0
Total	3 (\$50,000)	1 (\$70,000)

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

STATUTORY ENVIRONMENT:

Planning and Development Act 2005, Local Government Act 1995 and LPS3.

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 LPS3 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.

RECOMMENDATION:

That Council receives the report on Delegated Development Approvals for October 2019 as per Attachment 12.1.1.

VOTING REQUIREMENTS:

Simple Majority.

AGENDA NUMBER:	12.2
SUBJECT:	Shire of Nannup Emergency Management Arrangements
LOCATION/ADDRESS:	
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	
AUTHOR:	Louise Stokes – Recovery Coordinator
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	
DATE OF REPORT:	18 November 2019
ATTACHMENTS:	12.2.1 - Shire of Nannup Emergency Management Arrangements 12.2.2 - Shire of Nannup Plan B Arrangements 12.2.3 - Shire of Nannup Recovery Plan

BACKGROUND:

It is a function of local government to ensure Local Emergency Management Arrangements are prepared and maintained for its district. The term Local Emergency Management Arrangements refers to the collection of all emergency management documentation, systems and processes, agreements and memorandums of understanding which affect the local government district. The arrangements are the overarching document and associated sub-plans that the local government is responsible for developing, maintaining and testing.

A copy of the plans must be lodged with the District Emergency Management Committee and the State Emergency Management Committee. In 2019 the State Emergency Management Committee released new guidelines for the Emergency Management Arrangements which required a full review of the Council's Local Emergency Management Arrangements.

COMMENT:

This review was completed in October 2019. The review was conducted in consultation with members of the Local Emergency Management Committee (LEMC), Nannup District High School, Donnelly River Village, Nannup Caravan Park, Nannup Community Resource Centre, the Equine Evacuation group and the residents of Danjangerup Cottages.

The LEMC endorsed the plans in principle at their November meeting.

The guidelines from the State Emergency Management Committee are prescriptive and meet the requirements of State government. To meet the needs of the local government (action lists and templates) appendixes have been added for practical use. A number of sub-plans (response and evacuation) have been amalgamated to reduce duplication and all contact details listed in Plan B so that these can be reviewed quarterly at each LEMC meeting.

STATUTORY ENVIRONMENT:

State government requirement with plans to be lodged with District Emergency Management Committee and the State Emergency Management Committee for approval.

POLICY IMPLICATIONS:

The Emergency Management plans outline policy and Memorandum of Understanding implications for local government.

FINANCIAL IMPLICATIONS:

Local government is responsible for recovery in emergencies and is a partner to the SW Emergency Management Memorandum of Understanding.

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Strategic Plan 2017-2027 – Our Community - Strategy 1.1 All of us/Who we are: Promote a safe, connected and healthy town.

RECOMMENDATION:

That Council accept and endorse the:

1. Shire of Nannup Emergency Management Arrangements
2. Shire of Nannup Plan B and;
3. Shire of Nannup Recovery Plan

VOTING REQUIREMENTS:

Simple Majority

Shire of Nannup
Ordinary Council Meeting Agenda: 28 November 2019

AGENDA NUMBER:	12.3
SUBJECT:	Monthly Accounts for Payment - October 2019
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 8
AUTHOR:	Robin Lorkiewicz- Corporate Services Officer
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
PREVIOUS MEETING REFERENCE:	None
DATE OF REPORT	14 November 2019
ATTACHMENTS:	12.3.1 – Accounts for Payment – October 2019

BACKGROUND:

The Accounts for Payment for the Nannup Shire Municipal Account fund and Trust Account fund from 1 October 2019 to 31 October 2019 as detailed hereunder and noted on the attached schedule, are submitted to Council.

COMMENT:

If Councillors have questions about individual payments prior notice of these questions will enable officers to provide properly researched responses at the Council meeting.

There is currently one corporate credit card in use. A breakdown of this expenditure in the monthly financial report is required to comply with financial regulations. This breakdown is included within the attachments.

Municipal Account

Accounts paid by EFT	11975 – 12076	227,411.29
Accounts paid by cheque	20414 – 20423	3,472.60
Accounts paid by Direct Debit	DD10600.1 – DD10619.14	54,964.815
<i>Sub Total Municipal Account</i>		\$285,848.70

Trust Account

Accounts paid by EFT	12077 – 12078, 12030	368.15
Accounts Paid by cheque		0.00
<i>Sub Total Trust Account</i>		\$368.15

Total Payments		\$286,216.85
-----------------------	--	---------------------

STATUTORY ENVIRONMENT:

LG (Financial Management) Regulation 13

POLICY IMPLICATIONS:

None.

FINANCIAL IMPLICATIONS:

As indicated in Schedule of Accounts for Payment.

STRATEGIC IMPLICATIONS:

None.

RECOMMENDATION:

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$286,216.85 1 October 2019 to 31 October 2019 in the attached schedule(s) be endorsed.

VOTING REQUIREMENTS:

Simple Majority.

AGENDA NUMBER:	12.4
SUBJECT:	Budget Monitoring – October 2019
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 15
AUTHOR:	Robin Lorkiewicz – Corporate Services Officer
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	14 November 2019
ATTACHMENTS:	12.4.1 – Financial Statements for the period ending 31 October 2019

BACKGROUND:

Local Government (Financial Management) Regulation 34(1) requires that Council report monthly on the financial activity from all the various operating and capital divisions. Council has adopted a variance threshold of 10% or \$30,000, whichever is the greater on which to report. The statutory statements are appended at Attachment 12.4.1.

Whilst this has resulted in all variances of 10% being identified and reported, it only focuses attention on the performance to the month in question and not the likely outturn at the end of the year.

Monthly reporting draws on the flexibility allowed in the Financial Management Regulations to draw attention to likely under and overspends at the end of the year.

COMMENT:

Please refer to the attachment, Financial Statements for periods ending 31 October 2019 for a detailed analysis of our end of year position, Note 2.

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulation 34(1)(a).

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

The attached financial statements detail financial outcomes for 2019/20.

STRATEGIC IMPLICATIONS:

Nil.

RECOMMENDATION:

Monthly Financial Statements for the period ending 31 October 2019 be received.

VOTING REQUIREMENTS:

Simple Majority.

AGENDA NUMBER:	12.5
SUBJECT:	Tourism Committee – Terms of Reference
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	David Taylor – Chief Executive Officer
FILE REFERENCE:	
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	27 November 2019
ATTACHMENT:	12.5.1 - Tourism Committee – Terms of Reference

BACKGROUND:

The Shire advertised an Expression of Interest for the provision of visitor servicing in Nannup in September/October this year, with no responses being received. The current visitor service agreement expired on the 31 October 2019 and the delivery of visitor servicing reverted to the Shire of Nannup.

COMMENT:

Council were updated in the situation in the November Forum session. The Shire has partnered with the Community Resource Centre for an initial 4 months to deliver current visitor servicing. This will provide some time to establish a Tourism Committee, review the current visitor servicing tools (website, brochures and the like) and plan the direction forward for visitors and tourism in Nannup.

The attached Terms of Reference provides the focus and governance procedures associated with the establishment of the Tourism Committee as a Committee of Council under the Local Government Act 1995.

STATUTORY ENVIRONMENT:

Local Government Act 1995

POLICY IMPLICATIONS:

The Committee is to comply with Council's policies.

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Nannup Strategic Community Plan

Our Economy

2.2 Tourism / Recreation – Support tourism providers and promote our district.

RECOMMENDATION:

That Council;

1. Endorse the establishment of the Tourism Committee as a Committee of Council under the Local Government Act 1995.
2. Endorse the Terms of Reference associated with (1) above.

VOTING REQUIREMENTS:

Simple Majority.

13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

13.1 OFFICERS
Nil

13.2 ELECTED MEMBERS
Nil

14. MEETING CLOSED TO THE PUBLIC
(Confidential Items)

14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

AGENDA NUMBER:	14.1
SUBJECT:	Chief Executive Officer - Annual Performance Appraisal
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	David Taylor
FILE REFERENCE:	Employee File
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Financial Interest - David Taylor – Chief Executive Officer

The Chief Executive Officer declares a Financial Interest as this item relates to employment contract.

AGENDA NUMBER:	14.1A
SUBJECT:	Acting Chief Executive Officer
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	David Taylor
FILE REFERENCE:	Employee File
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Financial Interest - David Taylor – Chief Executive Officer
DATE OF REPORT	15 November 2019

The Chief Executive Officer declares a Financial Interest as this item relates to employment contract.

Manager Corporate Services declares a Financial Interest in this item.

14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

15. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

That this Council instruct the Chief Executive Officer to investigate the feasibility of regaining the management of Danjangerup Cottages from the current Bunbury based housing collective.

16. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

17. CLOSURE OF MEETING.



Attachments

Item	Attach	Title
8.1		Special Meeting of Council Minutes – 21 October
8.2		Ordinary Meeting of Council Minutes – 24 October
9.1		Local Drug Action Group Committee Meeting Minutes
9.2		Bush Fire Advisory Committee Meeting Minutes
9.3		Local Emergency Management Committee Meeting Minutes
12.1	1	Register of Delegated Development Approvals
12.2	1	Shire of Nannup Emergency Management Arrangements
	2	Shire of Nannup Plan B Arrangements
	3	Shire of Nannup Recovery Plan
12.3	1	Accounts for Payment – October 2019
12.4	1	Financial Statements for the period ending 31 October 2019
12.5	1	Tourism Committee – Terms of Reference