

Minutes

Ordinary Council Meeting held Thursday 24 February 2022

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MINUTES ORDINARY COUNCIL MEETING 24 FEBRUARY 2022
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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS/ ACKNOWLEDGEMENT OF COUNTRY:

The Shire President declared the meeting open at 4:30pm and welcomed the public gallery.

The 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

<i>Councillors</i>	<i>Staff</i>
Cr Tony Dean (Shire President)	David Taylor – Chief Executive Officer
Cr Vicki Hansen(Deputy Shire President)	Jonathan Jones – Manager Infrastructure
Cr Cheryle Brown	Kellie Jenkins – Manger Corporate Services/Deputy Chief Executive Officer
Cr Chris Buckland	Jane Buckland – Development Services Coordinator
Cr Patricia Fraser	Sarah Dean – Governance Officer
Cr Ian Gibb	
Cr Charles Gilbert	
Cr Bob Longmore	

<i>Public Gallery</i>
Rita Stallard, Derek McNutt, Isabel Green, Jim Green, Michael Loveland, Davina Gibb, Wayne Leece.

2.2 APOLOGIES

Nil.

3. PUBLIC QUESTION TIME:

3.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

3.2 PUBLIC QUESTION TIME

Mrs Rita Stallard – East Nannup Road, Nannup

Q.1 – Has any work commenced on the Town Hall stage to make it accessible for all people?

A. 1 – CEO responded that the stage had not been made accessible but will be looked at in future budget considerations as a task to be completed.

Q. 2 – Is there an update on the aged care services in Nannup?

A. 2 – The Shire President responded that the CEO had been compiling information regarding aged care services in Nannup and staff would ensure Mrs Stallard is given a copy of this document.

Q 3 – Would the Shire consider repainting the railway shed?

A. 3 – Shire President responded that the shed Mrs Stallard refers to is not actually the original railway shed; it has a more recent history. Locating the original shed should be investigated; perhaps with the Nannup Historical Society.

Q 4 – Is there going to be a shelter structure erected over the “boiler” that has been installed at the Lions Park (corner of Kearney Street and Warren Road)? In addition, a plaque with the history of the item on it would be good.

A. 4 – Shire President responded that this is an activity that could be considered for future works.

Q 5 – What authority do the people at the community markets have to check vaccination status of attendees?

A. 5 – Chief Executive Officer responded that as the markets are held on church property it is their prerogative to check vaccinations if people wish to have a market stall there; in the interests of public health.

Q. 6 – Could I be provided with a new electors meeting procedure?

A. 6 – CEO responded that he would provide Mrs Stallard with a hard copy.

Q. 7 – What are the considerations and implications that have been given to the issue of people purchasing land specifically so that sub division could not occur around them but then it does?

A. 7 – Shire President responded that local government do not have any authority over approval of sub divisions. The Shire is asked to comment on proposed sub divisions but the ultimate authority to approve or disapprove subdivision applications lies with the Department of Planning, Lands & Heritage. Having said this; local government entities have Local Planning Schemes and subdivisions that don't fit within the broad town planning scheme are generally not approved.

Michael Loveland – Grange Road, Nannup

Q.1 – Who has authority to make decisions regarding the dividing fence between my property and the adjoining Uniting Church property?

A. 1 – Shire President responded that local government have no authority over dividing fence issues and Mr Loveland should direct his enquiries to the Uniting Church office in Busselton.

Derek Mc Nutt – Walter Street, Nannup

Q.1 – I am here today in my capacity as President of the Nannup Historical Society. I understand that funds were allocated in the current budget for repairs to be undertaken at the Old Roads Board Building that houses the historical society archives. I have previously requested a commencement date for these repairs so planning can commence to move the archives for the duration of the work. To date I have not received a response. When will works commence?

A. 1 – Manager Infrastructure responded that the repairs are proving to be more complicated than initially thought and planning was still underway. Mr McNutt was invited to meet with the Manager Infrastructure at a date that suited him to discuss the matter further.

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

4.1 APPROVED LEAVE OF ABSENCE

Nil.

4.2 APPLICATION FOR A LEAVE OF ABSENCE

Nil.

5. CONFIRMATION OF MINUTES:

5.1 Ordinary Council Meeting – 20 January 2022

COUNCIL RESOLUTION 22014

MOVED: CR GIBB	SECONDED:CR BUCKLAND
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That the Minutes from the Ordinary Meeting of Council held 20 January 2022 be confirmed as a true and correct record (attachment 5.1).

CARRIED (8/0)

5.2 Local Drug Action Group Committee – 10 February 2022

COUNCIL RESOLUTION 22015

MOVED: CR HANSEN	SECONDED:CR BROWN
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That the Minutes from the Local Drug Action Group committee meeting held 10 February 2022 be received (attachment 5.2).

CARRIED (8/0)

6. ANNOUNCEMENTS FROM PRESIDING MEMBER:

Nil.

7. DISCLOSURE OF INTEREST:

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.

Cr Ian Gibb declared an Impartiality Interest in item 11.6 – Nannup Chamber of Commerce & Industry Donation Request, as he is the President of the NCCI committee.

Cr Ian Gibb declared an Impartiality Interest in item 13.1 – Alleged Breach of Code of Conduct against Cr Ian Gibb as he is the subject of the complaint.

Cr Cheryle Brown declared an Impartiality Interest in item 11.8 – Local Drug Action Group Strategic Plan as she is a committee member.

Cr Vicki Hansen declared an Impartiality Interest in item 11.8 – Local Drug Action Group Strategic Plan as she is a committee member.

Cr Vicki Hansen declared an Impartiality Interest in item 11.9 – Review of Community Grant Policy as she is a committee member of the RSL that benefits from community grants.

Cr Christopher Buckland declared an Impartiality Interest in item 13.1 Alleged Breach of Conduct against Cr Ian Gibb as he is related to one of the complainants.

Cr Tony Dean declared an Impartiality Interest in item 14.1 – Alleged Breach of Conduct against Cr Ian Gibb as he is a complainant.

To view the Shire of Nannup Declaration Register please see the website [here](#).

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

Nil.

9. PRESENTATIONS:

9.1 PETITIONS

Nil.

9.2 PRESENTATIONS

Nil.

9.3 DEPUTATIONS

Tracey Hodgkins; representative from Little House Republic made a deputation regarding 11.2 – Development Application for Nature-based Caravan Park.

10. REPORTS BY MEMBERS ATTENDING COMMITTEES:

Councillor	Meeting	Date
Fraser	Lower Blackwood Land Conservation District Committee	8 February
Brown	Local Drug Action Group Committee	10 February
Buckland, Hansen	Australia Day Advisory Committee	2 February
Dean, Hansen	Warren Blackwood Alliance of Councils	24 January
Dean	South West Zone WALGA	18 February

11. REPORTS OF OFFICERS:

AGENDA NUMBER & SUBJECT:	11.1 – Delegated Planning Decisions for December 2021 & January 2022
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:	1 February 2022
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.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 December 2021 & January 2022 is presented in Attachment 11.1.1.

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 December 2021 & January 2022, six (6) 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 December 2021 & January 2022 compared to December 2020 & January 2021:

	December 2020 & January 2021	December 2021 & January 2022
Delegated Decisions	3 (\$171,000)	6 (\$2,525,450)
Council Decisions	0	0
Total	3 (\$171,000)	6 (\$2,525,450)

100% of all approvals issued in the month of December & January 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.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council receives the report on Delegated Development Approvals for December 2021 & January 2022 as per Attachment 11.1.

COUNCIL RESOLUTION 22016**MOVED: CR HANSEN****SECONDED: CR LONGMORE**

That Council receives the report on Delegated Development Approvals for December 2021 & January 2022 as per Attachment 11.1.

CARRIED (8/0)

AGENDA NUMBER & SUBJECT:	11.2 – Development Application for Nature-Based Caravan Park
LOCATION/ADDRESS:	Lots 14, 372, 499, 704 & 4402 Milyeannup Coast Road & Woodarburrup Road, Scott River East
NAME OF APPLICANT:	Little House Republic
FILE REFERENCE:	A586 & A1527
AUTHOR:	Steve Thompson – Consultant Planner
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Edge Planning & Property receive payment for planning advice to the Shire and declare a Financial Interest (section 5.70 of the Local Government Act 1995)
DATE OF REPORT:	2 February 2022
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENT:	11.2.1 - Location map 11.2.2 - Original plans and extract of information from applicant 11.2.3 - Bushfire Management Plan (version 1.3) 11.2.4 - Submissions 11.2.5 - Bushfire Consultant response 11.2.6 - Planning framework: extract of key documents

BACKGROUND:

Little House Republic has lodged a Development Application for a nature-based caravan park consisting of 11 'little houses' (caravans) to be located at Lots 14, 372, 499, 704 and 4402 Milyeannup Coast Road and Woodarburrup Road, Scott River East. Proposed vehicular access will traverse Lots 14 and 4402.

The application site is shown in Attachment 11.2.1. The site is located approximately 50 kilometres south-west of the Nannup townsite and the five titles have a combined area of approximately 1015 hectares. The majority of the site contains native vegetation. The site contains dwellings and various sheds. The site is bordered by the Southern Ocean and Crown Land to the south and private property to the west, north and east. The cleared portions of the site are predominantly used as a beef cattle operation.

The first section of Woodarburrup Road adjoining the application site is sealed, while Milyeannup Coast Road adjoining the application site is unsealed.

Attachment 11.2.2 provides an extract of details submitted by the applicant. Further details provided by the applicant and the project team can be forwarded to Councillors. The plans propose a nature-based caravan park consisting of 11 'little houses' (caravans). The 'little houses' are on wheels that can be moved. The applicant proposes the 'little houses' will be positioned around the operational farm, each with their own water tank, parking space and self-contained facilities.

The applicant's vision for the property is to establish a boutique off-grid, eco-friendly short stay accommodation which will be a premium destination for intrastate, interstate, and international visitors to escape the urban bustle and reconnect with nature. The proposed development is intended to complement the agricultural aspects of the property.

A Bushfire Management Plan (BMP) and Bushfire Emergency Evacuation Plan (BEEP) have been prepared by Bushfire Prone Planning. An extract of the latest BMP is provided in Attachment 11.2.3.

Consultation

The Shire administration undertook consultation through inviting public comment on the Development Application for a period of 42 days by writing to adjoining/nearby landowners, the Department of Fire and Emergency Services (DFES), Department of Biodiversity, Conservation and Attractions (DBCA), Department of Water and Environmental Regulation (DWER), Department of Primary Industries and Regional Development (DPIRD and other stakeholders, placing details on the Shire website and having details available at the Shire office.

The Shire received 4 submissions on the Development Application as outlined in Attachment 11.2.4. In summary:

- J & C Grugeon raise no objections to the proposal but provided comments and advice;
- DPIRD raised issues with addressing biosecurity;
- DWER raise issues relating to environmental and water resource values with potential clearing impacts needing particular attention;
- DFES does not support the application due to non-compliance with the requirements of *State Planning Policy 3.7 Planning in Bushfire Prone Areas*.

In response to the DFES submission, Bushfire Prone Planning's advice is set out in Attachment 11.2.5.

Planning framework

The property is zoned 'Coastal Landscape' in the *Shire of Nannup Local Planning Scheme No. 3 (LPS3)*.

A 'Caravan Park' is an 'A' use in the Coastal Landscape Zone as set out in the LPS3 Zoning Table meaning the Council has the legal power under LPS3 to approve the Development Application after first giving special notice in accordance with Clause 64 of the Deemed Provisions.

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

Other key planning documents related to the proposal include the draft *Local Planning Scheme No.4 (LPS4)*, *Local Planning Policy LPP12 Tourist Accommodation in Rural Areas*, and *Local Planning Policy LPP13 Car Parking and Vehicular Access*.

The *Guidelines for Planning in Bushfire Prone Areas* outline that the proposed short-stay use is a 'vulnerable land use'. Vulnerable uses are developments 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 proposed 'little houses' are within a bush fire prone area of Western Australia as designated by the Fire and Emergency Services Commissioner. An extract of the submitted Bushfire Management Plan, from Bushfire Prone Planning, is provided in Attachment 11.2.3.

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 Strategic Community Plan 2017 – 2027* identifies tourism as one of the strategic drivers, it seeks to attract more people to the district and it supports a diversified economic base.

Attachment 11.2.6 sets out the relevant planning framework with extracts from relevant documents.

COMMENT:

A) Overview

Following an assessment of the Development Application against the planning framework, submissions and information provided by the applicant, the Development Application is considered to be generally consistent with LPS3, strategies and policies.

It is recommended that Council conditionally approve the Development Application given:

- It is overall consistent with the planning framework;
- It supports diversifying and growing the local economy, supporting job creation and supports tourism;
- The nature-based caravan park is well separated from on-site and off-site agricultural operations (although it is noted access on the application is near on-site agricultural operations);

- Subject to addressing clearing impacts, there are expected to be manageable environmental impacts given wastewater disposal systems are required to comply with Shire and Department of Health requirements;
- There are no objections from other Shire officers/units;
- Bushfire Prone Planning confirm that the application addresses the Position Statement for *Tourism Land Uses in Bushfire Prone Areas*; and
- Development conditions can assist to control the use and management of the development.

B) *Key issues*

While noting the above, the key issues with the application are outlined below.

Bushfire Risks & Emergency Management

This is considered to be the major issue given the site's location. Short stay accommodation (nature-based caravan park) is a vulnerable land use and there are times when there will be approximately 22 visitors on the property. There are significant 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's advice and subject to implementation and on-going review of the BMP and BEEP, it appears that associated risks can be managed.

Bushfire Prone Planning, through their BMP and BEEP, consider the application addresses State Planning requirements (refer to Attachment 11.2.5).

The BMP sets out that clearing is required to achieve BAL-29 around the proposed 'little houses'.

The application contains two access ways on part of the site.

Practically, the nature-based caravan park may be required to temporarily close in severe bushfire risk conditions or in the event of a bushfire emergency in the area.

Clearing of Native Vegetation

Based on the proposed 'little house' locations, there will be a requirement for some clearing to achieve BAL-29. Given the applicant's project vision, the clearing to achieve BAL-29 would appear to be inconsistent with the proposed environmental credentials of the proposal.

It would be helpful if the BMP clarified the extent (and total area) of the vegetation proposed to be cleared and the values of the native vegetation. Portions of the site are classified as an 'environmentally sensitive area' in the Clearing Regulations. Based on DWER's advice, the applicant needs to separately obtain a clearing permit from DWER.

At the detailed design stage, every effort should be made to locate the 'little houses' which limit the clearing of native vegetation.

Vehicle access and safety

As outlined in 'Background', the first section of Woodarburrup Road adjoining the application site is sealed, while Milyeannup Coast Road adjoining the application site is unsealed.

The proposed development will increase traffic volumes. The applicant has not provided an estimate of traffic impacts. As a guide, the proposed development is expected to result in an increase of approximately 30 vehicle movements per day. This is based on an assumption of an average of 4 trips per vehicle per day (2 in and 2 out) and a 70% caravan occupancy rate.

While noting the actual figure may differ, the level of traffic from the proposed eleven 'little houses' can be accommodated on adjoining roads. Accordingly, the Shire administration considers the sealed section of Woodarburrup Road and the unsealed section of Milyeannup Coast 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 20 Developer and Subdivider Contributions* sets the local planning guidance.

Based on Council policy, the officer recommendation includes a condition requiring the applicant to drain and seal the crossover onto Woodarburrup Road for a length of 6 metres. The crossover onto the unsealed Milyeannup Coast Road needs to be suitably constructed (to an unsealed standard) and drained.

Servicing

Each proposed 'little house' has its own waterless composting toilet, grey water disposal system and rainwater tank.

On-going Management

The responsibility for appropriate on-going management rests with the landowner/manager to ensure that visitors are responsible and do not create inappropriate impacts, including noise and trespass, to adjoining/nearby properties. This will be assisted with the caretaker residing on-site. 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.

The Management Plan will address matters including:

- Outlining the approach to maximise the safety and security of guests and visitors including to dams;
- Addressing the responsibility for guest/visitor behaviour and management measures to be implemented to minimise adverse impact on the amenity of the locality;
- Considering and addressing impacts from guests/visitors including amplified music and other noise;
- The need to be a good neighbour and address guest/visitor behaviour including trespass, noise and litter;

- Restricting and/or managing pets and addressing biosecurity;
- Not lighting any outside fires during periods of restricted and prohibited burning and bushfire warnings of any level;
- Adhering 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;
- Fire equipment to be provided on site;
- Acknowledging that the property is situated in a rural area where agricultural land uses and land management should be expected and tolerated; and
- Recognising existing farming operations have a 'right to farm' without interruption or undue impact from the nature-based caravan park.

Coastal Management Plan

Sub-clause 3.13.5.6 of LPS3 is outlined in Attachment 11.2.6. Based on the location of the nature-based caravan park, it is suggested this application does not trigger the request to prepare a coastal management plan.

Draft LPS4

The Council is required to give due consideration to draft LPS4 (refer to the extract in Attachment 11.2.6). It is noted that the proposal site is proposed to be zoned as 'Environmental Conservation' where a caravan park is an 'X' (not permitted use). While the Council needs to give due consideration to draft LPS4, current LPS3 enables the submitted development application to be assessed on its merits.

Recent discussions with officers from the Department of Planning, Lands and Heritage (DPLH) on draft LPS4 have raised the potential to add 'nature-based caravan park' to LPS4 (as a separate use to 'caravan park'). Should the DPLH agree, which is later approved by the Minister for Planning, it would be expected that nature-based caravan parks could be considered on their merits in rural areas including the Environmental Conservation zone.

C) Conclusion

Based on the above and the information provided by the applicant, 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, LPS3 and draft LPS4.

Subject to the Council's decision, the applicant separately needs to obtain an On-site Wastewater Approval and a Caravan and Camping Ground Licence, 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.

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

FINANCIAL IMPLICATIONS:

Nil.

STRATEGIC IMPLICATIONS:

The proposed nature-based caravan park (11 'little houses') is overall 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 2017-2027*.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council approve the Development Application for a nature-based caravan park comprising 11 'little houses' at Lots 14, 372, 499, 704 and 4402 Milyeannup Coast Road and Woodarburrup Road, Scott River East, 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 Attachment 11.2.2, 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. 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 the local government on demand.
4. An adequate on-site potable water supply is provided in accordance with the *Australian Drinking Water Guidelines 2004* prior to commencement of the development.
5. A Bushfire Management Plan is to be approved by the local government and then implemented prior to commencement of the development including the provision of two x 50,000 litre tanks (at property entrance and between the 2nd and 3rd cabin clusters). Following this, measures and recommendations in the approved Bushfire Management Plan are to be maintained to the satisfaction of the local government.
6. A Bushfire Emergency Evacuation 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 Evacuation Plan are to be maintained to the satisfaction of the local government.
7. 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.
8. The applicant shall not erect any advertising or signage at the site without the prior approval of the local government.
9. The crossover between the property boundary and Woodarburrup Road is designed, sealed to a minimum length of 6 metres and drained at the applicant's cost, while the crossover to Milyeannup Coast Road is to be designed, constructed (unsealed standard) and drained to the satisfaction of the local government prior to commencement of the development.
10. The caretaker lives on the application site.
11. 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.

Advice

- A) The applicant is advised that this Development Approval is not a Building Permit. A Building Permit may be required to be obtained before the commencement of any site and/or building works.
- B) In relation to Condition 4, 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.
- C) In relation to Conditions 5 and 6, these plans should be regularly reviewed to ensure they comply with best practice to assist in managing bushfire risk.
- D) In relation to Condition 7, the Management Plan will address matters including:
- Addressing the responsibility for guest/visitor behaviour and management measures to be implemented to minimise adverse impact on the amenity of the locality;
 - Outlining the approach to maximise the safety and security of guests and visitors including to dam(s);
 - Seeking the operation to be a good neighbour and be considerate including noise, litter and the approach to reducing fire risks;
 - Considering and addressing impacts from guests/visitors including amplified music and other noise;
 - Addressing trespass and litter;
 - Restricting and/or managing pets and addressing biosecurity;
 - Not lighting any outside fires during periods of restricted and prohibited burning and bushfire warnings of any level;
 - Adhering 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;
 - Acknowledging that the property is situated in a rural area where agricultural land uses and land management should be expected and tolerated; and
 - Recognising existing farming operations have a 'right to farm' without interruption.
- E) The applicant should ensure that guests (and as relevant their pets) are considerate of neighbours at all times. In particular, activities should be especially low in volume between 8.00pm and 8.00am and are to comply with the *Environmental Protection (Noise) Regulations 1997*.
- F) The applicant is advised that the approved development must comply with the *Caravan Park and Camping Ground Regulations 1995*, including the requirement to obtain an annual licence for the camping ground, and the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*.

- G) The applicant is advised that the approved development must comply with other statutory requirements including the *Public Health Act 2016*, *Health (Miscellaneous Provisions) Act 1911* and the *Shire of Nannup Health Local Laws*.
- H) In relation to Condition 8, some signs are exempt from development approval while other signs require a Development Application to the Shire. Please contact the Shire for further details.
- I) The applicant is to retain appropriate Public Liability Insurance to cover the entire area the subject of this approval to the satisfaction of the local government.
- J) 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. Additionally, any proposal to upgrade access to the coast on the application site may require the preparation and implementation of a Coastal Management Plan.
- K) There is a separate requirement to gain a clearing permit from the Department of Water and Environmental Regulation. It is also noted that parts of the application site are classified as an 'environmentally sensitive area' in the Clearing Regulations.
- L) Part 14 of the *Planning and Development Act 2005* provides the right to apply to the State Administrative Tribunal for review of some planning decisions and the applicant may wish to take professional advice to determine whether or not such a right exists in the present instance. The *State Administrative Tribunal Rules 2004* require that any such applications for review be lodged with the Tribunal.

COUNCIL RESOLUTION 22017

MOVED: CR BUCKLAND

SECONDED: CR HANSEN

That Council approve the Development Application for a nature-based caravan park comprising 11 'little houses' at Lots 14, 372, 499, 704 and 4402 Milyeannup Coast Road and Woodarburrup Road, Scott River East, 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 Attachment 11.2.2, addressing all conditions, or otherwise amended by the local government and shown on the approved plans and***

3. *these shall not be altered and/or modified without the prior knowledge and written consent of the local government.*
4. *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 the local government on demand.*
5. *An adequate on-site potable water supply is provided in accordance with the Australian Drinking Water Guidelines 2004 prior to commencement of the development.*
6. *A Bushfire Management Plan is to be approved by the local government and then implemented prior to commencement of the development including the provision of two x 50,000 litre tanks (at property entrance and between the 2nd and 3rd cabin clusters). Following this, measures and recommendations in the approved Bushfire Management Plan are to be maintained to the satisfaction of the local government.*
7. *A Bushfire Emergency Evacuation 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 Evacuation Plan are to be maintained to the satisfaction of the local government.*
8. *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.*
9. *The applicant shall not erect any advertising or signage at the site without the prior approval of the local government.*
10. *The crossover between the property boundary and Woodarburrup Road is designed, sealed to a minimum length of 6 metres and drained at the applicant's cost, while the crossover to Milyeannup Coast Road is to be designed, constructed (unsealed standard) and drained to the satisfaction of the local government prior to commencement of the development.*
11. *The caretaker lives on the application site.*
12. *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.*

Advice

- A) *The applicant is advised that this Development Approval is not a Building Permit. A Building Permit may be required to be obtained before the commencement of any site and/or building works.*
- B) *In relation to Condition 4, 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.*
- C) *In relation to Conditions 5 and 6, these plans should be regularly reviewed to ensure they comply with best practice to assist in managing bushfire risk.*
- D) *In relation to Condition 7, the Management Plan will address matters including:*
- *Addressing the responsibility for guest/visitor behaviour and management measures to be implemented to minimise adverse impact on the amenity of the locality;*
 - *Outlining the approach to maximise the safety and security of guests and visitors including to dam(s);*
 - *Seeking the operation to be a good neighbour and be considerate including noise, litter and the approach to reducing fire risks;*
 - *Considering and addressing impacts from guests/visitors including amplified music and other noise;*
 - *Addressing trespass and litter;*
 - *Restricting and/or managing pets and addressing biosecurity;*
 - *Not lighting any outside fires during periods of restricted and prohibited burning and bushfire warnings of any level;*
 - *Adhering 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;*
 - *Acknowledging that the property is situated in a rural area where agricultural land uses and land management should be expected and tolerated; and*
 - *Recognising existing farming operations have a 'right to farm' without interruption.*
- E) *The applicant should ensure that guests (and as relevant their pets) are considerate of neighbours at all times. In particular, activities should be especially low in volume between 8.00pm and 8.00am and are to comply with the Environmental Protection (Noise) Regulations 1997.*
- F) *The applicant is advised that the approved development must comply with the Caravan Park and Camping Ground Regulations 1995, including the requirement to obtain an*

annual licence for the camping ground, and the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974.

- G) *The applicant is advised that the approved development must comply with other statutory requirements including the Public Health Act 2016, Health (Miscellaneous Provisions) Act 1911 and the Shire of Nannup Health Local Laws.***
- H) *In relation to Condition 8, some signs are exempt from development approval while other signs require a Development Application to the Shire. Please contact the Shire for further details.***
- I) *The applicant is to retain appropriate Public Liability Insurance to cover the entire area the subject of this approval to the satisfaction of the local government.***
- J) *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. Additionally, any proposal to upgrade access to the coast on the application site may require the preparation and implementation of a Coastal Management Plan.***
- K) *There is a separate requirement to gain a clearing permit from the Department of Water and Environmental Regulation. It is also noted that parts of the application site are classified as an 'environmentally sensitive area' in the Clearing Regulations.***
- L) *Part 14 of the Planning and Development Act 2005 provides the right to apply to the State Administrative Tribunal for review of some planning decisions and the applicant may wish to take professional advice to determine whether or not such a right exists in the present instance. The State Administrative Tribunal Rules 2004 require that any such applications for review be lodged with the Tribunal.***

CARRIED (8/0)

AGENDA NUMBER & SUBJECT:	11.3 – Accept Local Roads & Community Infrastructure Program Phase 3 Funding
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	FNC 6
AUTHOR:	Nicole Botica – Economic & Community Development Coordinator
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	14 February 2022
ATTACHMENT:	11.3.1 - Local Roads and Community Infrastructure Work Schedule 11.3.2 - WA – Shire of Nannup –LRCI 3 Grant Agreement 11.3.3 - MS21-002306 – Joint Letter – Deputy Prime Minister and Assistant Minister to the Deputy Prime Minister

BACKGROUND:

On 19 May 2021 the Federal Government of Australia offered the Shire of Nannup a grant under the Local Roads and Community Infrastructure (LRCI) Program – Phase 3 for an amount of \$687,234, excluding GST.

Given the longer construction period, it has been encouraged to identify priority projects to that are shovel ready to provide economic stimulus and benefits to communities. In October 2021 the Deputy Prime Minister approved the Program Guidelines for Phase 3 of the Local Roads and Community Infrastructure Program.

Mr Rick Wilson MP, Member for O’Connor, will be visiting Nannup in March, 2022 to walk through the projects within this Work Schedule. The LRCI Program aims to assist a community-led recovery from COVID-19 by supporting local jobs, firms, and procurement. The purpose is to ensure stimulus funding flows into local communities. The program is administered by the Department of Infrastructure, Transport, Regional Development and Communications.

COMMENT:

The Grant Agreement has been received and the Work Schedule is attached. The funds will be distributed towards the following projects;

1. Tank 7 MTB Park – upgrade of shuttle road network

2. Flying Fox from Skate park precinct to Nature Playground
3. General Parking – expansion for CBD
4. Entry & Exit Upgrade - Higgins Street
5. Airport Bore and Tank
6. Rubbish Tip Power

STATUTORY ENVIRONMENT:

6.15. Local government's ability to receive revenue and income

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

The LRCIF Phase 3 amount covers the total project expenditure.

STRATEGIC IMPLICATIONS:

Our Economy

Sustainability is the key to Nannup's future

- We will have a sustainable, innovative and equitable economy
- Working together to attract people to our town

VOTING REQUIREMENTS:

Simple majority.

OFFICER RECOMMENDATIONS:

That Council accept the \$687,234 funding offered through the Local Roads and Community Infrastructure Program within the 2021 / 2022 and 2022/ 2023 financial budget.

COUNCIL RESOLUTION 22018***MOVED: CR GIBB******SECONDED: CR HANSEN***

That Council accept the \$687,234 funding offered through the Local Roads and Community Infrastructure Program within the 2021 / 2022 and 2022/ 2023 financial budget.

CARRIED (8/0)

AGENDA NUMBER & SUBJECT:	11.4 – Accept the Community Storage Shed Memorandum of Understanding
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	ASS 5
AUTHOR:	Nicole Botica – Economic & Community Development Coordinator
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	15 February, 2022
ATTACHMENT:	11.4.1 - Community Shed MOU

BACKGROUND:

The Community Storage Sheds are located on Kearney Street on the Depot Site and a Memorandum of Understanding (MOU) has been in place since 1 July 2014. This expired on 30 June 2019.

In January 2020, the Nannup Shire Council approved annual contribution change to \$300 + GST; this was implemented for 1 July 2020. This fee is to cover the maintenance, building insurance, annual ant and termite inspections, baiting program for vermin, power, cleaning gutters and repairing/replacing keys and locks. The Community Bus, Community Hire Storage and Nannup Local Drug Action Group (LDAG) shed are exempt from fees.

A new MOU has been developed with the Community Shed users and reflects the amendment to the annual contribution. The MOU clearly defines the process for hire outside the agreement with the regular users and identifies the arrangements and responsibilities for the user groups.

The Shire of Nannup owns the facility and the tenants include, Nannup Music Club, Nannup Garden Village and the Nannup Arts Council who share the space is the Nannup Garden Village. There is a shed allocated for the Community Bus as well as a shed space housing hire equipment available to the broader community.

COMMENT:

The Memorandum of Understanding reflects the user group roles and responsibilities and covers the arrangement from 1 January 2022 to 30 June 2025. The management of the Shed is via the committee with an arrangement made with the Nannup Men's Shed to be the coordinators of the Community Shed shared goods and equipment and will manage all of the hire requests. This includes checking in and out hireable equipment and ensure it is returned in the condition it was hired out in.

STATUTORY ENVIRONMENT:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Shire of Nannup pays the maintenance, building insurance, annual ant and termite inspections, baiting program for vermin, power, cleaning gutters and repairing/replacing keys and locks regardless who users it. Having the Memorandum of Understanding exists means the charge is \$300 + GST per user equates to \$900 + GST in income to offset those costs.

STRATEGIC IMPLICATIONS:

Extract from the 2021-2036 Nannup Community Strategic Plan

“Our Shire

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

- *We will support our community groups and encourage them to work together”*

VOTING REQUIREMENTS:

Simple majority.

OFFICER RECOMMENDATION:

That Council:

1. Endorse the Memorandum of Understanding for the Community Storage Shed; and
2. Authorise the Chief Executive Officer to sign the agreement.

COUNCIL RESOLUTION 22019

MOVED: CR HANSEN

SECONDED: CR BROWN

That Council:

- 1. Endorse the Memorandum of Understanding for the Community Storage Shed; and***
- 2. Authorise the Chief Executive Officer to sign the agreement.***

CARRIED (8/0)

AGENDA NUMBER & SUBJECT:	11.5 – Financial Activity Statement – January 2022
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	FNC 15
AUTHOR:	Kellie Jenkins – Manager Corporate Services/Deputy Chief Executive Officer
REPORTING OFFICER:	Kellie Jenkins – Manager Corporate Services/Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	18 February 2022
ATTACHMENTS:	11.5.1 – Financial Activity Statement - January 2022

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 January 2022 present the financial performance of the Shire for the 2021/22 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 attachment 11.5.1.

The document attached includes Statements of Financial Activity by Program, and Nature or Type, Notes to the financial statements, an explanation of material variances as well as a summary of bank account balances, loan repayments, and reserve account status.

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 31 January 2022, attached as Attachment 11.5.1.

COUNCIL RESOLUTION 22020

MOVED: CR HANSEN

SECONDED: CR BUCKLAND

That Council, in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996, receives the Financial Activity Statement for the period ending 31 January 2022, attached as Attachment 11.5.1.

CARRIED (8/0)

AGENDA NUMBER & SUBJECT:	11.6 – Nannup Chamber of Commerce & Industry – Donation Request
LOCATION/ADDRESS:	Nannup
NAME OF APPLICANT:	Nannup Chamber of Commerce and Industry (NCCI)
FILE REFERENCE:	FNC 9
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	8 February 2022
ATTACHMENTS:	Nil

BACKGROUND:

The Nannup Chamber of Commerce and Industry (NCCI) has written to the Chief Executive Officer requesting the Shire to make a \$1,000 – \$3,000 contribution to a portable community sound system (PA system) as part of the NCCI grant application to Lotterywest.

This request would normally be included within the Community Grants Program; however, the timing of the required commitment does not align to the current grant application timeline.

COMMENT:

At the Christmas Carols event held in December 2021 organised by the NCCI it became apparent the need to have an upgraded sound system. The sound system being used during that event was not able to provide adequate volume and clarity for the people attending.

Further clarification with NCCI representatives has confirmed that the community sound system will be available for community groups and not-for-profit organisations in Nannup, however, private events such as weddings will attract a charge if requested.

The Shire will be able to utilise the sound system for its events and functions if need be; at no cost.

The sound system would be managed and maintained by the NCCI and when used will be setup and dismantled by NCCI members.

NCCI have advised the total cost of the sound system is \$13,000 excluding GST.

STATUTORY ENVIRONMENT:

Nil

POLICY IMPLICATIONS:

FNC 3 – Community Group Grants and Donations – Policy Part 4 extract;

“4. All requests for donations outside of community grant budget deliberations shall be included in the next available agenda, which will include a report from staff detailing the availability and source of funds from Council's budget if recommended for approval.

5. Council at its discretion shall approve or not approve donations outside of community grant budget deliberations.”

FINANCIAL IMPLICATIONS:

\$3,000 Contribution towards the project if they are successful with the Lotterywest Grant Application.

STRATEGIC IMPLICATIONS:

Extract from the Strategic Community Plan 2021 – 2036

Our Shire

5.2 Working Together – we will support our community groups and encourage them to work together.

VOTING REQUIREMENTS:

Simple majority.

OFFICER RECOMMENDATION:

That Council;

1. Approve a financial contribution of \$3,000 to the Nannup Chamber of Commerce and Industry towards their Lotterywest Grant Application for a community sound system, and;
2. This financial contribution to be paid to Nannup Chamber of Commerce and Industry upon the success of the grant application.

MOVED: CR LONGMORE	SECONDED:CR GIBB
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That Council;

- 1. Approve a financial contribution of \$3,000 to the Nannup Chamber of Commerce and Industry towards their Lotterywest Grant Application for a community sound system, and;***
- 2. This financial contribution to be paid to Nannup Chamber of Commerce and Industry upon the success of the grant application.***

MOTION LAPSED

Procedural Motion

COUNCIL RESOLUTION 22021

MOVED: CR BUCKLAND	SECONDED:CR FRASER
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That the item lie on the table

CARRIED (6/2)

VOTED FOR MOTION: Cr Dean, Cr Hansen, Cr Buckland, Cr Brown, Cr Fraser, Cr Gilbert.

VOTED AGAINST MOTION: Cr Gibb, Cr Longmore.

AGENDA NUMBER & SUBJECT:	11.7 – Financial Activity Statement – December 2021
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	FNC 15
AUTHOR:	Kellie Jenkins – Manager Corporate Services/Deputy Chief Executive Officer
REPORTING OFFICER:	Kellie Jenkins – Manager Corporate Services/Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	9 February 2022
ATTACHMENTS:	11.7.1 – Financial Activity Statement - December 2021

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 December 2021 present the financial performance of the Shire for the 2021/22 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 attachment 11.4.1.

The document attached includes Statements of Financial Activity by Program, and Nature or Type, Notes to the financial statements, an explanation of material variances as well as a summary of bank account balances, loan repayments, and reserve account status.

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 31 December 2021, attached as Attachment 11.7.1.

COUNCIL RESOLUTION 22022

MOVED: CR HANSEN

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 31 December 2021, attached as Attachment 11.7.1.

CARRIED (8/0)

AGENDA NUMBER & SUBJECT:	11.8 - Local Drug Action Group (LDAG) Strategic Plan
LOCATION/ADDRESS:	15 Adam Street, Nannup.
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	ASS 15
AUTHOR:	Annie Crutchlow - LDAG Project Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	16 February 2022
ATTACHMENTS:	11.8.1 – Local Drug Action Group Strategic Plan - DRAFT

BACKGROUND:

The Nannup Local Drug Action Group (LDAG) was established in 2003 in conjunction with the Youth Advisory Council, supported by Council's Community Development Officer. LDAG has traditionally had a youth focus in Nannup, supporting young people to participate in skills development, youth leadership, and school holiday programs. In 2016, the Nannup LDAG applied and was successful in also being recognised as a Local Drug Action Team (LDAT), the National equivalent of the LDAG. Funding was received to commence implementing the Strategic Plan, and a Project Officer was appointed.

The Nannup LDAG has representation from the Nannup Police, Nannup District High School, Shire of Nannup, St Johns Ambulance Service, Nannup Health Service, Roadwise, St John of God Community Alcohol and Drug Service South West, Nannup Community Resource Centre, and local community members.

COMMENT:

The Nannup LDAG Strategic Plan is reviewed every 5 years. The updated version was tabled at the latest Nannup LDAG Committee meeting on the 10 February 2022 and accepted unanimously. The changes made in the current Strategic Plan were removing redundant items and activities; for example the Community Kitchen.

STATUTORY ENVIRONMENT:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Initiatives within the plan are based on receiving external grant funding and associated office time.

STRATEGIC IMPLICATIONS:

Strategic Community Plan 2021-2036

Our Community:

We are a unique town that role models sustainability, friendliness, and we take the time to celebrate our heritage and festivals.

- We will retain our pride in being a small, friendly town that is a nice place to live and full of wonderful people
- We role model self-sufficiency and sustainability as a community
- We respect and value our aged
- Our youth are important and we will focus our energy to give them reasons to stay in Nannup (or come back).

VOTING REQUIREMENTS:

Simple Majority.

OFFICER RECOMMENDATION:

That Council endorses the Nannup Local Drug Action Group's Strategic Plan 2021-2024 as attached at 11.8.1.

COUNCIL RESOLUTION 22023

MOVED: CR HANSEN

SECONDED: CR BROWN

That Council endorses the Nannup Local Drug Action Group's Strategic Plan 2021-2024 as attached at 11.8.1.

CARRIED (8/0)

AGENDA NUMBER & SUBJECT:	11.9 – Review of Community Grant Policy (FNC 3)
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	FNC 3 & ADM 9
AUTHOR:	Nicole Botica – Economic & Community Development Coordinator
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	16 February, 2022
ATTACHMENT:	11.9.1 - Community Grant and Donations Policy

BACKGROUND:

The Shire of Nannup has been implementing the Shire Community Grant Program since before 2007. Traditionally the program has been open once a year and numerous requests for sponsorship or donations by community groups occur outside of the program assessment timeframe.

Feedback from the many organisations supported through the program indicates that the application process can be onerous on smaller groups looking for seed funding, and often opportunities for submissions are limited as the program occurs only once a year.

COMMENT:

To support the community development projects within the Shire of Nannup and reduce administration, two rounds of Community Grants will be made available. Applications will be open for submission in March and September of each year.

The Shire Policy FNC 3, Community Grant and Donations has been amended to reflect the changes to the Community Grant program.

STATUTORY ENVIRONMENT:

Local Government Act section 6.23. Powers of receivers

POLICY IMPLICATIONS:

FNC 3 Community Grant and Donations

FINANCIAL IMPLICATIONS:

The total funding pool for the program has increased to \$25,000 with \$15,000 allocated for projects in Round 1 and \$10,000 for Round 2. Where applicable any surplus funds from Round 1 will be made available for projects in Round 2.

STRATEGIC IMPLICATIONS:

Extract from the Nannup Strategic Community Plan 2021 - 2036

"Our Community

We role model sustainability, friendliness, and we are proud of and engage with our heritage, festivals and events.

- *We will retain our pride in being a small, unique and friendly town that is vibrant and engaging place to live"*

VOTING REQUIREMENTS:

Simple majority.

OFFICER RECOMMENDATIONS:

That Council;

1. Approve the funding allocation for Community Grant program to be \$25,000 a year, Round 1 allocation of \$15,000 and Round 2 allocation of \$10,000; and
2. Accept the updated Community Grant and Donation Policy FNC 3.

COUNCIL RESOLUTION 22024**MOVED: CR HANSEN****SECONDED:CR FRASER**

Cr Hansen moved an amendment; that a third point be added to the Officer Recommendation and it reads as follows:

3. That community grant recipients complete their project within a given time frame, submit a formal acquittal document; including financial report, photographic evidence of completion of project and public recognition of the Shire of Nannup contribution. This acquittal process will apply to grants of \$501 and above (medium and large grant).

CARRIED (8/0)

This amendment to the original motion then became the substantive motion.

COUNCIL RESOLUTION 22025**MOVED: CR BUCKLAND****SECONDED:CR FRASER**

That Council;

1. Approve the funding allocation for Community Grant program to be \$25,000 a year, Round 1 allocation of \$15,000 and Round 2 allocation of \$10,000; and

2. Accept the updated Community Grant and Donation Policy FNC 3.

3. That community grant recipients complete their project within a given time frame, submit a formal acquittal document; including financial report, photographic evidence of completion of project and public recognition of the Shire of Nannup contribution. This acquittal process will apply to grants of \$501 and above (medium and large grant).

CARRIED (8/0)

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:

AGENDA NUMBER & SUBJECT:	12.1 – Allocation of Proceeds of Sale of 63 Carey Street and 82 Wilson Street to fund 60 powered sites at the Nannup Caravan Park
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Cr Ian Gibb
FILE REFERENCE:	ADM 18
AUTHOR:	Cr Ian Gibb
REPORTING OFFICER:	Nil
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	16 February 2022
ATTACHMENTS:	Nil

BACKGROUND:

Council endorsed a decision in December 2020 to instruct the Chief Executive Officer to sell the two vacant block of land at 63 Carey Street, Nannup and 82 Wilson Street, Nannup.

Council at its Special Meeting held on the 16th February 2022 endorsed to accept an Offer and Acceptance of the 63 Carey Street, Nannup vacant land for a sale price of \$115,000.

The 82 Wilson Street property has been advertised at \$89,000.

I note upon the sale of both properties the Council will receive Rates, ESL and Waste Management fees in the order of approximately \$2792.00 per annum.

The sale of these two properties should provide Council with net proceeds estimated of \$170,000 and the purpose of this item is for Council to consider what to do next with these proceeds.

COMMENT:

During the Forum Meeting dated 16th December Local Roads Community Infrastructure Fund (LRCIF) Phase 3, Councillors had an opportunity to contribute to a Matrix and prioritise projects listed in the LRCIF list of projects for consideration.

One project was to provide an additional 60 powered Caravan sites to the Nannup Caravan Park, which is vested in the Shire and leased to a third party under a 21year lease with an option of a further 21 years.

Within the prioritisation matrix, the project was prioritised as the second highest project at one stage in the evaluation process.

There has been hesitation in the past for Council to invest in the caravan park because it is not owned by the Shire of Nannup. I ask Councillors to focus on the Return on Investment (ROI) for the project as there is currently a 21 year plus 21 years lease cycle in place. This ROI is both in the context directly to the Shire and the Nannup economy as whole.

Under the lease, the Shire receives a % of the gross revenue that the caravan park makes, therefore the higher the return the caravan park makes the higher the return Shire is also making.

If the Council were to invest \$150,000.00 into the Nannup Caravan Park, 60 additional Sites will be occupied for 34 additional nights each per annum.

Caravan Park Lease Income increase

60 sites x 34 additional stays = 2,040 additional stays.

2,040 stays x \$49/stay = \$99,960 additional caravan park income

\$99,960 x 7% Lease Fee = \$6,997 additional Shire revenue

Return on Investment against \$150,000 is 4.66%.

Nannup Economy Return

Southwest Development Corporation (SWDC) Modelling tells us that an overnight stay will bring economic activity of \$178.00 per day/night per person.

The Caravan Park Lessee advises that the average stay is 2.5 persons per night in each powered site. The Caravan Park Tariff is \$49.00 per night.

2.5-person x \$178/person/night + \$49 caravan park tariff = \$494 / site economic input.

\$494/ site economic input x 2,040 additional stays = \$1,007,750 economic input per annum.

As this is an average daily spend one could believe that Nannup could retain 75% of the additional spend which calculates to \$755,820 per annum.

To support this item I have made enquiry and sought information from the following;

- Southwest Development Commission
- Tourism Western Australia
- Manager Corporate Services Shire of Nannup
- Caravan Park Lessee

STATUTORY ENVIRONMENT:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Direct return to the Shire of Nannup with increased lease return is 4.66% ROI.

The additional input into the Nannup economy is \$755,820.

Shire received additional rate revenue.

The details of these financial benefits are earlier in this item.

STRATEGIC IMPLICATIONS:

Strategic Community Plan 2021-2036

2.1 The Big Picture tells us.

We will grow our economy in ways that add value to our community and create diverse opportunities to our residents

VOTING REQUIREMENTS:

Simple Majority

RECOMMENDATION:

That Council support this motion to commit the net proceeds from the sales of 63 Carey Street, Nannup and 82 Wilson Street, Nannup to fund an additional 60 powered sites at the Nannup Caravan Park to a maximum project value of \$150,000.

MOVED: CR GIBB	SECONDED:CR BROWN
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That Council support this motion to commit the net proceeds from the sales of 63 Carey Street, Nannup and 82 Wilson Street, Nannup to fund an additional 60 powered sites at the Nannup Caravan Park to a maximum project value of \$150,000.

MOTION LOST (1/7)

Voted for motion: Cr Gibb

Voted against motion: Cr Dean, Cr Hansen, Cr Longmore, Cr Buckland, Cr Brown, Cr Fraser, Cr Gilbert.

Cr Gilbert moved an amendment to the original motion:

MOVED: CR GILBERT	SECONDED:CR LONGMORE
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That Council commit the net proceeds from the sales of 63 Carey Street, Nannup and 82 Wilson Street, Nannup to fund an additional 60 powered sites at the Nannup Caravan Park to a maximum project value of \$150,000 subject to the development of a comprehensive plan, including electrical services to the Foreshore Park and other funding sources.

MOTION LOST (0/8)

13. MEETING MAY BE CLOSED:

13.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED:

Procedural Motion:

COUNCIL RESOLUTION 22026

MOVED: CR BROWN	SECONDED:CR BUCKLAND
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That the meeting move behind closed doors.

CARRIED (8/0)

The meeting moved behind closed doors at 6.07 pm.

CONFIDENTIAL ITEM	
AGENDA NUMBER & SUBJECT:	13.1 – Alleged Breach of Code of Conduct against Cr Ian Gibb
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	ADM 13
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	17 February 2022
ATTACHMENTS:	13.1.1 – Complaint Form from Jane Buckland 13.1.2 – Complaint Form from Cr Tony Dean 13.1.3 – Cr Ian Gibb Response 13.1.4 – Cr Ian Gibb additional response

CONFIDENTIAL ITEM	
AGENDA NUMBER & SUBJECT	Offer and Acceptance for 82 Wilson Street, Nannup WA
LOCATION/ADDRESS:	Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	15 February 2022
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Written Valuation Ray White 2. Landgate Unimproved Value Report 3. Real Estate Listing 4. Offer and Acceptance

13.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC:

Nil.

14. CLOSURE OF MEETING:

The Shire President declared the meeting closed at 6.55 pm.