



# Minutes

**Ordinary Council Meeting held Thursday 23 June 2022**

**Council Chambers, 15 Adam Street, Nannup**

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## MINUTES - Thursday 23 June 2022

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

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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:

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#### 2.1 ATTENDANCE

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

Public Gallery
Rita Stallard, Anne Stewart, Warren Smith, Isabel Green, Jim Green, Jean Ross.

#### 2.2 APOLOGIES

Nil.

### 3. PUBLIC QUESTION TIME:

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#### Rita Stallard – East Nannup Road

- Q 1 Has the Nannup hospital been “reclassified” and if so will this impact its status as a hospital with an emergency department?
- A 1 The CEO has been in contact with WA Country Health Services and will provide the contact details to you.
- Q 2 The tennis court gate height is not accessible for wheelchairs, can this be remedied?
- A 2 The Manager Infrastructure will investigate to see what remedies can be done.

Q 3 What was the cost of the Shire of Nannup’s participation in the State on a Plate television promotion and the benefit of the photos?

A 3 The approximate cost to participate was \$4,000.

#### **Anne Stewart – Cross Street**

Q 1 When are the Danjangerup Cottages going to be refurbished?

A 1 The CEO will make contact with Alliance Housing and ask them to get in contact with you regarding the renovation timeframes.

#### **Warren Smith – Thomas Road**

Q 1 Is the Shire investigating the feasibility of establishing a retirement village for Nannup?

A 1 Council at its [April 2022 Ordinary Meeting of Council](#) endorsed the commencement of a feasibility study for senior housing precinct in the area bounded by Warren Road, Cross Street, Walter Street and Adam Street.

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

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Nil.

#### **5. CONFIRMATION OF MINUTES:**

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*5.1 and 5.2 were passed via en bloc resolution.*

#### **COUNCIL RESOLUTION 22085**

<b>MOVED CR HANSEN</b>	<b>SECONDED CR LONGMORE</b>
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#### **5.1 Ordinary Council Meeting – 28 April 2022**

***That the Minutes from the Ordinary Meeting of Council held 28 April 2022 be confirmed as a true and correct record (attachment 5.1).***

#### **5.2 Ordinary Council Meeting – 26 May 2022**

***That the Minutes from the Ordinary Meeting of Council held 26 May 2022 be confirmed as a true and correct record (attachment 5.2).***

***CARRIED (8/0)***

**COUNCIL RESOLUTION 22086****MOVED CR BUCKLAND****SECONDED CR BROWN****5.3 Local Drug Action Group – 7 April 2022**

***That the Minutes from the Local Drug Action Group held 7 April 2022 be received (attachment 5.3).***

**CARRIED (8/0)****COUNCIL RESOLUTION 22087****MOVED CR HANSEN****SECONDED CR BUCKLAND****5.4 Warren Blackwood Alliance of Councils – 7 June 2022**

***That the Minutes from the Warren Blackwood Alliance of Councils held 7 June 2022 be received (attachment 5.4).***

**CARRIED (8/0)****COUNCIL RESOLUTION 22088****MOVED CR BROWN****SECONDED CR BUCKLAND****5.5 Local Emergency Management Committee – 4 May 2022**

***That the Minutes from the Local Emergency Management Committee held 4 May 2022 be received (attachment 5.5).***

**CARRIED (8/0)****6. ANNOUNCEMENTS FROM PRESIDING MEMBER:**

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Nil.

**7. DISCLOSURE OF INTEREST:**

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

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

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

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

David Taylor, Chief Executive Officer declared a financial interest in 13.1 Confidential Item – Chief Executive Officer Annual Performance Appraisal and Employment Contract Renewal – Selection of Consultant.

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

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Nil.

## 9. PRESENTATIONS:

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### 9.1 PETITIONS

Nil.

### 9.2 PRESENTATIONS

Nil.

### 9.3 DEPUTATIONS

Nil.

## 10. REPORTS BY MEMBERS ATTENDING COMMITTEES:

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Meeting	Date	Councillor
Warren Blackwood Alliance of Councils (WBAC)	7 June	Dean, Hansen
WBAC Climate Change Impact Reference Group	7 June	Hansen
WBAC Tourism Sub-Committee	7 June	Hansen
Local Drug Action Group Committee	9 June	Hansen
WBAC Climate Change Impact Reference Group	17 June	Hansen



**11. REPORTS OF OFFICERS:**

AGENDA NUMBER & SUBJECT:	11.1 – Delegated Planning Decisions for May 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:	7 June 2022
DATE OF REPORT:	7 June 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 May 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 May 2022, three (3) development applications were determined under delegated authority. The table below shows the number and value of development applications determined under both delegated authority and by Council for May 2022 compared to May 2021:

	<b>May 2021</b>	<b>May 2022</b>
<b>Delegated Decisions</b>	5 (\$76,000)	3 (\$133,170)
<b>Council Decisions</b>	0	0
<b>Total</b>	<b>5 (\$76,000)</b>	<b>3 (\$133,170)</b>

100% of all delegated development approvals 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 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

**RECOMMENDATION:**

That Council receives the report on Delegated Development Approvals for May 2022 as per Attachment 11.1.1.

***COUNCIL RESOLUTION 22089******MOVED CR BUCKLAND******SECONDED CR BROWN***

***That Council receives the report on Delegated Development Approvals for May 2022 as per Attachment 11.1.1.***

***CARRIED (8/0)***

AGENDA NUMBER & SUBJECT:	11.2 – Payment of Accounts – April 2022
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 8
AUTHOR:	Kellie Jenkins – Manager of Corporate Services & Deputy Chief Executive Officer
REPORTING OFFICER:	Kellie Jenkins – Manager of Corporate Services & Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	None
PREVIOUS MEETING REFERENCE:	None
DATE OF REPORT	16 June 2022
ATTACHMENT:	11.2.1 – Payment of Accounts – April 2022

**BACKGROUND:**

To advise Council of payments made from the municipal fund or trust fund for the period 1 April to 30 April 2022.

**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	14653 to 14737	\$1,634,834.62
Accounts paid by cheque	20563 to 20566	\$1,147.21
Accounts paid by Direct Debit	11558.1 to 11640.17	\$58,934.97
<i>Sub Total Municipal Account</i>		<u>\$1,694,916.80</u>

**Trust Account**

Accounts paid by EFT	Nil	\$0.00
<i>Sub Total Trust Account</i>		<u>\$0.00</u>
<b>Total Payments</b>		<b><u>\$1,694,916.80</u></b>

**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 totally \$1,694,916.80 for the period 1 April 2022 to 30 April 2022 as per Attachment 11.2.1.

***COUNCIL RESOLUTION 22090***

***MOVED CR HANSEN***

***SECONDED CR LONGMORE***

***That Council endorse the payment of accounts totally \$1,694,916.80 for the period 1 April 2022 to 30 April 2022 as per Attachment 11.2.1.***

***CARRIED (8/0)***

AGENDA NUMBER & SUBJECT:	11.3 – Financial Activity Statement – April 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:	16 June 2022
ATTACHMENTS:	11.3.1 – Financial Activity Statement – April 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 April 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 per Attachment 11.3.1.

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 30 April 2022 as per Attachment 11.3.1.

**COUNCIL RESOLUTION 22091**

<b><i>MOVED CR BROWN</i></b>	<b><i>SECONDED CR HANSEN</i></b>
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***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 2022 as per Attachment 11.3.1.***

***CARRIED (8/0)***

AGENDA NUMBER & SUBJECT:	11.4 – Shire of Nannup Emergency Management Arrangements
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	
AUTHOR:	Louise Stokes, Recovery Officer
REPORTING OFFICER:	David Taylor, Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	15 April 2022
ATTACHMENTS:	11.4.1 - Shire of Nannup Emergency Management Arrangements Part A 11.4.2 - 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.

The Local Emergency Management Arrangements are a legislative requirement of Council, governed under section 38 of the *Emergency Management Act 2005*.

These plans have been developed through community consultation of key stakeholder organisations and individuals and were endorsed by the Local Emergency Management Committee (LEMC) on the 3<sup>rd</sup> March 2022.

### **COMMENT:**

Local Governments in Western Australia play a significant role in emergency management. Both Commonwealth and State Government policy identify Local Government as a key player in community disaster resilience, preparedness and response. Local Government also have statutory obligations for recovery following an emergency affecting their community. Local Governments are the closest level of government to their communities and have access to specialised knowledge about the environment and demographic features of their communities. These plans guide the management of incidents, particularly important if the Hazard Management Authority (HMA) is made up of personnel who are not residents of Nannup.

The contacts that were previously in all plans have been consolidated into Plan B – Contacts and Resources, enabling this document to be revised and updated as they occur (working document) and does not require adoption by Council.



In summary,

Local Emergency Management Arrangement

Plan A - is the inclusion of dam break, earthquake and human epidemic.

Plan B – Contacts and Resource have been consolidated and is a working document.

Recovery Plan – no changes

#### **STATUTORY ENVIRONMENT:**

Section 38 of the *Emergency Management Act 2005*

#### **POLICY IMPLICATIONS:**

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

#### **FINANCIAL IMPLICATIONS:**

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

A reserve account and annual budget allocation has been established to cover any costs that cannot be recouped from either State Government or the HMA.

#### **STRATEGIC IMPLICATIONS:**

Extract from *Shire of Nannup Community Strategic Plan 2017-2027*

##### *1.1 Our Community*

*All of Us / Who we are*

*We will retain pride in being a small but friendly town that is a welcoming place to live and full of wonderful people:*

*Educate and enforce health, emergency management and planning regulations, whilst continuing our Community Development work*

#### **VOTING REQUIREMENTS:**

Simple Majority.

**OFFICER RECOMMENDATION:**

That Council endorse the revised;

1. Shire of Nannup Local Emergency Management Arrangements Plan A 2022; and
2. Shire of Nannup Recovery Plan 2022.

**COUNCIL RESOLUTION 22092****MOVED CR LONGMORE****SECONDED CR BROWN**

*That Council endorse the revised;*

- 1. Shire of Nannup Local Emergency Management Arrangements Plan A 2022; and*
- 2. Shire of Nannup Recovery Plan 2022.*

**CARRIED (8/0)**

AGENDA NUMBER & SUBJECT:	11.5 – Proposed - Differential Rating Endorsement of Advertising
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	RAT 1
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	16 June 2022
ATTACHMENTS:	11.5.1 – Differential Rating Proposal 2022/2023 Statement of Objectives and Reasons

### **BACKGROUND:**

Local governments impose rates on the properties within their district to raise revenue to fund the services and facilities provided to residents and visitors.

The quantum of rates payable is determined by three factors: the method of valuation of the land, the valuation of the land and improvements, and the rate in the dollar applied to that valuation by the local government.

Land is rated according to its unimproved value for land used predominantly for rural purposes or gross rental value for land used predominantly for non-rural purposes. The Valuer General values the land in accordance with the provisions of the *Valuation of Land Act 1978*. The local government sets a rate in the dollar which is applied to this valuation to give the rates liability for each property.

A local government may impose a single general rate which applies to all of the properties in the unimproved value or gross rental value category. Alternatively the local government can distinguish between land in either category on the basis of its zoning, use or whether it is vacant land (or other characteristic set out in regulations), or a combination of these factors, and apply a differential general rate to each.

Each differential rating category has a minimum payment that is applied to ensure those properties with a lower rate in the dollar calculation make a fair and equitable contribution to the Shire's rate revenue. A minimum payment is levied when calculating a rate liability by using the rate in the dollar multiplied by a properties valuation it is equal to or less than the minimum payment.

Example – UV General Property

Rate in the Dollar	0.004529
Valuation	\$200,000
Rate Liability	\$905.80
Minimum Payment	\$1,050
Charge on Rates Notice	\$1,050

The purpose of the imposition of a differential general rate is generally to ensure that every landowner makes a reasonable contribution to the rate burden.

**COMMENT:**

The Council has been considering the implementation of a differential rating system across all rateable properties for the past 12 months with the purpose being to fairly and equitably spread the rate burden required for services, initiatives and facilities provided.

Discussions revealed the following differential rating categories were as follows;

Gross Rental Valuation (GRV) Differential CategoriesGRV General (including GRV General, GRV Special Rural, GRV Rural Tourism)

The objective of this category is to apply a differential general rate and minimum payment to land zoned or used or held for residential/rural residential purposes and to ensure that all ratepayers make a reasonable contribution towards the services and facilities provided and maintained by the Shire for the benefit of residents. This category is to act as the Shire's benchmark differential rate and minimum payment by which all other GRV rated properties are assessed.

The reason for this rate is to ensure that all ratepayers make a reasonable contribution towards the ongoing maintenance and provision of works, services and facilities throughout the Shire.

The rate in the dollar increase is 6.0% a minimum rate increase of 6.0% for this category. Please note that variations will occur between individual properties as it is directly linked to the unique valuations attributed to those properties.

### GRV Short Term

The objective of this category is to apply a differential rate and minimum payment to land used or held for short-term accommodation purposes. This includes lodging houses, bed and breakfasts, self-contained accommodation, caravan and camping grounds. It is to ensure that all ratepayers make a reasonable contribution towards the overall services and facilities provided and maintained by the Shire for the benefit of residents and visitors.

The reasons for this rate is in order to maintain fairness and equity with the funding of tourism development, marketing and event related projects throughout the district.

The rate in the dollar increase is 12.5% a minimum rate increase of 12.5% for this category. Please note that variations will occur between individual properties as it is directly linked to the unique valuations attributed to those properties.

### GRV Industrial

The objective of this category is to apply a differential rate and minimum payment to land zoned or used or held for Industrial purposes and to ensure that all ratepayers make a reasonable contribution towards the services and facilities provided and maintained by the Shire for the benefit of residents.

The reason for this rate is in order to assist with the funding contribution towards the ongoing maintenance and provision of works and services within the Shire.

The rate in the dollar increase is 12.5% a minimum rate increase of 12.5% for this category. Please note that variations will occur between individual properties as it is directly linked to the unique valuations attributed to those properties.

### Unimproved Valuation (UV) Differential Categories

#### UV General

The objective of this category is to apply a base differential general rate to land zoned or used or held typically for bona-fide farming and to ensure that all ratepayers make a reasonable contribution towards the services and facilities provided and maintained by the Shire for the benefit of residents. This category is to act as the Shire's benchmark differential rate by which all other UV rated properties are assessed.

The reason for this rate is to ensure that all ratepayers make a reasonable contribution towards the ongoing maintenance and provision of works, services and facilities throughout the Shire.

The rate in the dollar increase is 11% a minimum rate decrease of -11% for this category. Please note that variations will occur between individual properties as it is directly linked to the unique valuations attributed to those properties. The minimum rate was required to be decreased in order to comply with the *Local Government Act 1995* stating that a minimum rate is not permitted to apply to more than 50% of properties within the category.

### UV Plantations

The objective of this category is to apply a base differential general rate to land used or held typically for plantations purposes and to ensure that all ratepayers make a reasonable contribution towards the services and facilities provided and maintained by the Shire for the benefit of residents.

The reason for this rate is to ensure that all ratepayers make a fair and reasonable contribution towards the ongoing maintenance and provision of works and services, particularly roadworks maintenance and renewal throughout the Shire.

The rate in the dollar increase is 17.5% a minimum rate increase of 17.5% for this category. Please note that variations will occur between individual properties as it is directly linked to the unique valuations attributed to those properties.

### **STATUTORY ENVIRONMENT:**

*Local Government Act 1995 Section 6.33*

*Local Government (Financial Management) Regulations 1996*

### **POLICY IMPLICATIONS:**

Nil

### **FINANCIAL IMPLICATIONS:**

The implementation of the proposed differential rating proposal will create an overall revenue increase of approximately \$137,340 or 7.37% when compared to the previous financial year.

**STRATEGIC IMPLICATIONS:**

Extract from *Strategic Community Plan 2021 – 2036*

*Our Community*

*1.2 Our Aged*

*We respect and value our aged, and we seek to ensure they are supported.*

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That Council;

1. Endorse the attached the Differential Rating Proposal 2022/2023 Statement of Objectives and Reasons for public advertising; and
2. Any submissions received from ratepayers and electors relating to Part 1 will be considered at the end of the advertising period.

**COUNCIL RESOLUTION 22093**

<b>MOVED CR BUCKLAND</b>	<b>SECONDED CR HANSEN</b>
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***That Council;***

- 1. Endorse the attached the Differential Rating Proposal 2022/2023 Statement of Objectives and Reasons for public advertising; and***
- 2. Any submissions received from ratepayers and electors relating to Part 1 will be considered at the end of the advertising period.***

***CARRIED (8/0)***

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

Simple Majority

**COUNCILLOR MOTION: CR IAN GIBB**

That Council provide a 50% rates concession on the annual rates applied to the 33 properties known as the Lower Donnelly River Huts.

***COUNCIL RESOLUTION 22094******MOVED CR GIBB******SECONDED CR GILBERT***

***That Council provide a 50% rates concession on the annual rates applied to the 33 properties known as the Lower Donnelly River Huts.***

***NOT CARRIED (1/7)******Voted for motion: Cr Gibb***

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

**BACKGROUND TO MOTION: CR GIBB**

The 33 hut owners have a very unique situation with these properties. It is important to understand to access these properties you enter from a combination of Main Roads controlled and Department of Biodiversity, Conservation and Attractions (DBCA) road infrastructure. When you arrive at the boat ramp you then traveling on DBCA managed river with boats being governed the Department of Transport. You then hop off the boat and you have arrived at the individual properties known as the Donnelly River Huts. It is unjust to not recognise the rates being charged for these properties when the Shire of Nannup cannot deliver the same level of services that all other ratepayers of Nannup have access to. It is accepted that a decision by these rate payers to not avail themselves of some services when available to them is their decision. It should also be recognised that the Shire of Nannup in the main cannot deliver services either. Waste Management and the Emergency Services Levy will remain applied. This motion supports the Strategic Community Plan 2021-2036 in its *Values of 'Honesty in our dealings and integrity in our actions'*.



**CHIEF EXECUTIVE OFFICER COMMENT:**

The area of land within this motion is illustrated at *Figure 1* and *Figure 2* which is located at the very south eastern portion of the Shire of Nannup is known as the Lower Donnelly River Huts.

These huts were originally established and constructed illegally via squatting on State Government lands. In 2012 the Forest Management Plan acknowledged the rights of these hut to remain rather and were not required to be demolished. At this point the huts were granted an initial license with DBCA that required them to upgrade these huts to comply with the Building Code. Once they achieved these upgrades, the hut owners and DBCA then progressed the establishment of a lease agreement for 21 years plus a 21 year option that came into effect in 2017.

The establishment of this lease gave the Shire of Nannup the right to apply rates to these properties and the Shire of Nannup did so accordingly. The hut owners challenged this decision at the State Administrative Tribunal (SAT) of which the SAT ruled that the Shire of Nannup had the right to rate the hut owners. Since the establishment of the lease a handful of the huts have been sold for an unconfirmed value.

There are many properties within the Shire of Nannup that have a perceived reduced level of service due to their properties access not via local government roads. Nonetheless these properties still have access to all of the public services and facilities that are offered by the Shire of Nannup such as general access to town amenities, waste management facility and so on. If people choose not to use services/facilities does not mean they are entitled to a rates reduction (concession). That being said it is acknowledged that these huts have a perceived unique situation as no other properties are accessed via State Government infrastructure and a river system.

The accumulative rates for the 33 huts is the minimum rate plus the waste levy and emergency services levy. The rates portion for

	2021/22	2022/2023 (proposed in Differential Rating)
Rates Minimum	\$1,190	\$1,050
Accumulative (33)	\$39,270	\$34,650

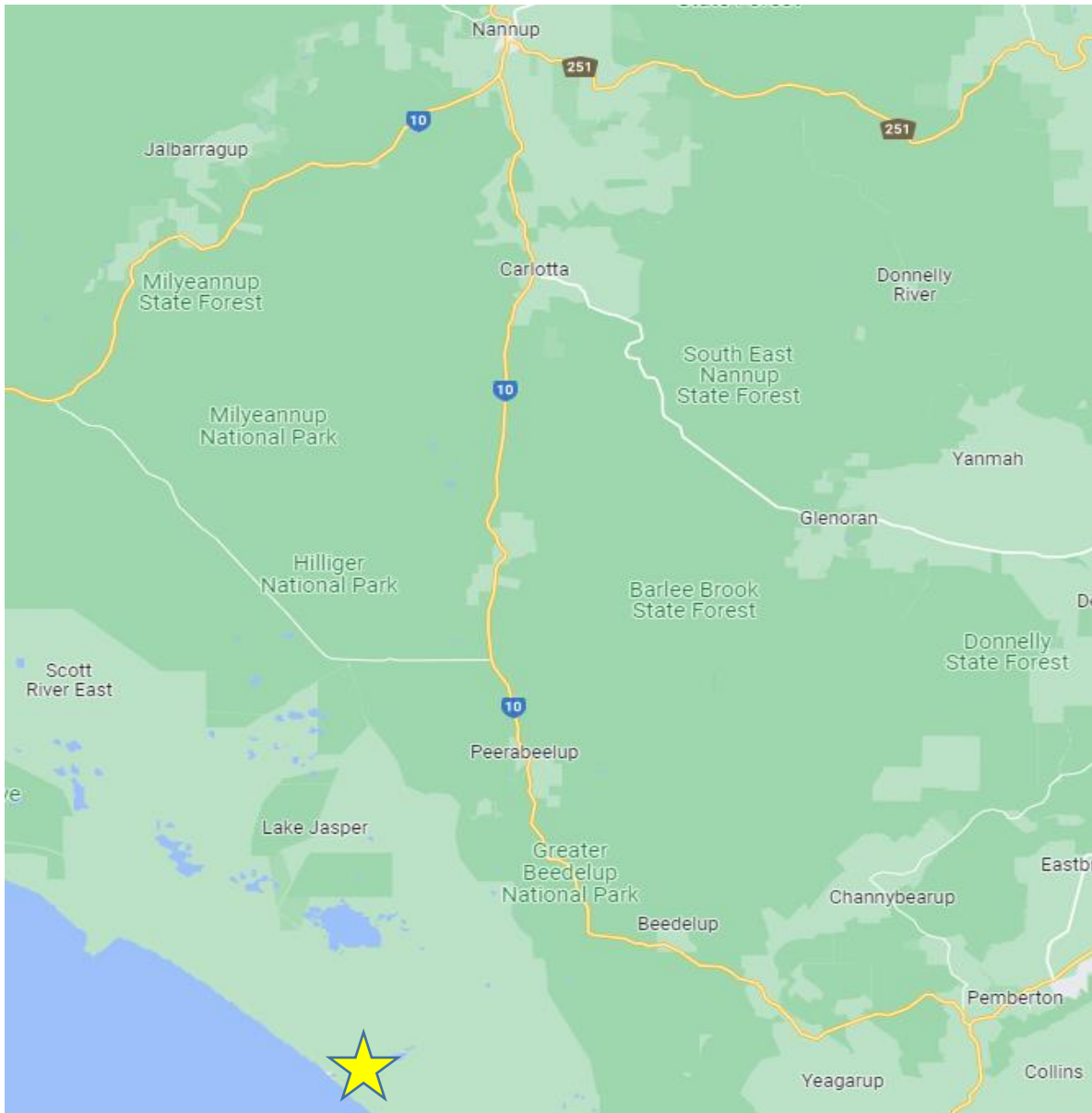


Figure 1 – Site Location



*Figure 2 – Zoomed Location*

### **Statutory Environment**

Local Government rights to apply rates under the Local Government Act 1995.

### **Policy Implications**

Nil

### **Financial Implications**

The accumulative rates for the 33 huts is the minimum rate plus the waste levy and emergency services levy. The rates portion for

	2021/22	2022/2023 (proposed in Differential Rating)
Rates Minimum	\$1,190	\$1,050
Accumulative (33)	\$39,270	\$34,650
50% Reduction		-\$17,325

Futures years lost revenue will be in alignment with the relative increases of that year.

### **Strategic Implication**

Extract from the *Shire of Nannup Strategic Community Plan 2021 - 2036*

*Our Shire*

#### *5.1 Listen*

*We will listen to, engage and partner with our community leaders and groups, including the Traditional Owners, the Wardandi and Bibbulmun people.*

#### *5.3 Lead, Listen, Advocate, Represent and Provide*

*We will communicate the plans and decisions of the Shire with our residents, and seek input and insight from all our diverse groups.*

### **13. MEETING MAY BE CLOSED:**

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#### **13.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED:**

##### **COUNCIL RESOLUTION 22095**

<b>MOVED CR BROWN</b>	<b>SECONDED CR GIBB</b>
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***That the meeting be closed to the public***

**CARRIED (8/0)**

***The meeting was closed to the public at 5.21pm.***

##### **COUNCIL RESOLUTION 22096**

<b>MOVED CR BROWN</b>	<b>SECONDED CR FRASER</b>
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***That Standing Orders be suspended.***

**CARRIED (8/0)**

***Standing Orders were suspended at 5.22pm.***

AGENDA NUMBER & SUBJECT:	13.1 - Confidential Item – Chief Executive Officer Annual Performance Appraisal and Employment Contract Renewal – Selection of Consultant
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	CEO Employment File
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	16 June 2022
ATTACHMENTS:	13.1.1 – Letter from Chief Executive Officer 13.1.2 – Quotation – Hammond Woodhouse Advisory 13.1.3 – Quotation – Strategic Leadership Consulting

**COUNCIL RESOLUTION 22098**

<b>MOVED CR BROWN</b>	<b>SECONDED CR FRASER</b>
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*That Standing Orders be resumed.*

**CARRIED (8/0)**

**COUNCIL RESOLUTION 22099**

<b>MOVED CR BUCKLAND</b>	<b>SECONDED CR GIBB</b>
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*That the meeting be re-opened to the public.*

**CARRIED (8/0)**

*The meeting was reopened to the public at 5.37pm.*

**14. CLOSURE OF MEETING:**

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The Shire President declared the meeting closed at 5.38 pm.