



Minutes

Ordinary Council Meeting held Thursday 28 April 2022

Council Chambers, 15 Adam Street, Nannup

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MINUTES
Thursday 28 April 2022

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	

Public Gallery

Isabel Green, Jim Green, Dr Garry Middle.

2.2 APOLOGIES

Nil.

3. PUBLIC QUESTION TIME:

Nil.

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

4.1 APPROVED LEAVE OF ABSENCE

Nil.

4.2 APPLICATION FOR A LEAVE OF ABSENCE

Nil.

5. CONFIRMATION OF MINUTES:

5.1 Ordinary Council Meeting – 24 March 2022

COUNCIL RESOLUTION 22063

MOVED CR BUCKLAND

SECONDED CR LONGMORE

That the Minutes from the Ordinary Meeting of Council held 24 March 2022 be confirmed as a true and correct record (attachment 5.1), with amendments to minor errors.

CARRIED (8/0)

5.2 Special Electors Meeting – 31 March 2022

COUNCIL RESOLUTION 22064

MOVED CR BUCKLAND

SECONDED CR FRASER

That the Minutes from the Special Electors Meeting held 31 March 2022 be confirmed as a true and correct record (attachment 5.2) with amendments to minor errors.

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 Gilbert declared an impartiality interest in agenda item 11.3 - 2022 Making Smoking History Forest Rally Sponsorship Agreement.

Cr Brown declared in impartiality interest in agenda item 11.5 Shire of Nannup Emergency Management Arrangements.

Cr Gilbert declared in impartiality interest in agenda item 11.6 Consideration of Motions from Shire of Nannup Special Electors Meeting.

Cr Gilbert declared a proximity interest in agenda item 11.10 – Seniors Housing in Nannup.

The Shire of Nannup Declaration Register is on our 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

Nil.

10. REPORTS BY MEMBERS ATTENDING COMMITTEES:

Meeting	Date	Councillor
Warren Blackwood Alliance of Councils	5 April	Dean, Hansen
Local Drug Action Group	7 April	Brown, Hansen
Bush Fire Advisory Committee	29 March	Brown, Fraser
Nannup Chamber Commerce & Industry	6 April	Gibb
Western Australian Local Government Association – State Council	30 March	Dean
South West Development Commission	7 April	Dean

11. REPORTS OF OFFICERS:

AGENDA NUMBER & SUBJECT:	11.1 – Public Health Plan 2022 - 2027
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	N/A
FILE REFERENCE:	HLT27
AUTHOR:	Jane Buckland – Development Services Coordinator
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	8 April 2022
ATTACHMENT:	11.1.1 – <i>Shire of Nannup Public Health Plan 2022-2027</i>

BACKGROUND:

In 2016, the *Public Health Act 2016* (the Act) was introduced to provide a modern, flexible and risk-based approach to public health regulation in WA. Under the Act, all local governments are required to develop a Public Health Plan.

The purpose of public health planning is to connect the public health priorities of state and local government and to ensure that resources are efficiently targeting the areas of greater public health need. Public health planning aims to be a proactive approach to achieve long-term health and wellbeing outcomes.

The Shire commenced the public health planning process in December 2019 and appointed a consultant to progress the development of the Public Health Plan (the Plan) in May 2020.

Community consultation was undertaken via a Health & Well-Being Survey which was available on the Shire of Nannup website for the period July 2021 to mid-September 2021. The survey was promoted to the community via the Nannup Telegraph and the Shire’s Facebook page, with respondents encouraged to complete the survey online. Hard copies were also made available for collection at the Shire office.

At the close of the survey a total of 33 responses had been received across all demographics and a draft report was provided for Council’s information. Based on the results of that survey the Plan has now been finalised with several potential future actions incorporated into the Plan.

COMMENT:

The Shire is committed to improving the health and wellbeing of its community. This is the first public health plan of many to follow that will require Council to consider the needs of the community when planning for better public health outcomes.

While public health is the responsibility of everyone in the community, this plan focuses on the need to address present shortcomings to improve the health of every person.

Council will need to provide leadership to improve public health outcomes by:

- Leading the community by advocacy, to provide better public health planning;
- Having a whole of council approach;
- Encouraging partnerships with other agencies for health planning; and elected members encouraging and mentoring to promote healthy lifestyles.

The strategies contained in the Plan are intended to mirror work already underway. The Shire is well-known for the promotion of tourism and recreational pursuits, and living in harmony with the natural environment and practising sustainability.

The Plan requires Council to:

- Ensure that its citizens are afforded protection from disease;
- Minimise harm;
- Promote active healthy lifestyles;
- Provide a healthy and sustainable community; and
- Provide a safe environment.

It is recommended that Council adopt the *Shire of Nannup Public Health Plan 2022-2027* as presented in attachment 11.1.1.

STATUTORY ENVIRONMENT:

The Shire has developed the Public Health Plan with consideration given to the requirements in the Act and the core principles of the Strategic Community Plan 2021-2036. According to the Act, local health plans are to align with the objectives of the *State Health Plan for Western Australia 2019-2024*, be evidence-based, and establish objectives and priorities for the promotion, improvement and protection of public health in the local government district.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

A total of \$10,000 was budgeted for the preparation of the Public Health Plan with no additional costs incurred to date. Implementation of the Community & Public Health Outcomes will require future spending.

The Public Health Plan will be required to be reviewed annually and replaced every five years.

STRATEGIC IMPLICATIONS:*Strategic Community Plan 2021-2036*

Our Health – Improving the health outcomes of all people living in our community.

- 5.1. Protection from Disease: Planning a COVID safe and health outcome.
- 5.2. Minimise Harm: Prevent harm from unsafe use of alcohol, drugs, solvents and tobacco.
- 5.3. Active and Healthy Lifestyles: Adequate recreation facilities and healthy affordable food choices.
- 5.4. A Healthy and Sustainable Community: Access to relevant health serves for all demographics.
- 5.5. A Safe Environment: Environmental health protection to reduce risks to health.

VOTING REQUIREMENTS:

Simple Majority

RECOMMENDATION:

That Council endorses the final Shire of Nannup Public Health Plan 2022 – 2027 as provided in attachment 11.1.1.

COUNCIL RESOLUTION 22065

MOVED CR HANSEN	SECONDED CR BROWN
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That Council endorses the final Shire of Nannup Public Health Plan 2022 – 2027 as provided in attachment 11.1.1.

CARRIED (8/0)

AGENDA NUMBER & SUBJECT:	11.2 – Delegated Planning Decisions for March 2022
LOCATION/ADDRESS:	Various
NAME OF APPLICANT:	Various
FILE REFERENCE:	TPL18
AUTHOR:	Jane Buckland – Development Services Coordinator
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	5 April 2022
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENT:	11.2.1 – 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 March 2022 is presented in attachment 11.2.1.

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 March 2022, nine (9) 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 March 2022 compared to March 2021:

	March 2021	March 2022
Delegated Decisions	5 (\$152,000)	9 (\$1,211,209)
Council Decisions	0	1 (\$300,000)
Total	5 (\$152,000)	10 (\$1,511,209)

100% of all delegated development approvals in the month of March were completed within the statutory timeframes of either 60 or 90 days. One application was not determined within its 90 day timeframe due to the need for the application to be determined by Council.

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 March 2022 as per attachment 11.2.1.

COUNCIL RESOLUTION 22066

MOVED CR BUCKLAND

SECONDED CR HANSEN

That Council receives the report on Delegated Development Approvals for March 2022 as per attachment 11.2.1.

CARRIED (8/0)

AGENDA NUMBER & SUBJECT:	11.3 - 2022 Making Smoking History Forest Rally Sponsorship Agreement
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	ASS14
AUTHOR:	Nicole Botica – Economic and Community Development Coordinator
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	1 April 2022
ATTACHMENTS:	11.3.1 - Letter to Chief Executive Officer 11.3.2 - 2022 Forrest Rally Service Park

BACKGROUND:

The Forest Rally organisers have undertaken pre-planning for the 2022 event which will be hosted 20 to 22 May 2022. The Rally organisers wish to use the Recreation Centre and Community Room as their main Head Quarters.

The rally is Round 2 of the Motorsport Australia Australian Rally Championship® and WA Rally Championship. It is expected the event will attract 1200 people including officials and service crew as well as media. The Rally will feature in a 60-minute recap television show on 7mate and 7plus.

COMMENT:

The value of the Making Smoking History Forest Rally in respect to economic and promotional benefits to the broader community is acknowledged. Over the past 20 years the rally promotes the Shire of Nannup on all publications as part of the promotion of the rally.

The plan is to utilise the Recreation Precinct as the rally activation zone, where all the rally vehicles, service vehicles will be in one central location. This will mean minimal impact to the roads and traffic in Nannup.

The Rally organisers are requesting sponsorship from the Shire of Nannup to include free use of the requested facilities over the weekend.

1. Use the Nannup Recreation and Community Centre as the Rally HQ and Service Park. This would entail.
 - a) The Community Meeting Room as the Rally Head Quarters from Wednesday 18 May to Sunday 22 May, and will require the use of the Internet and be able to set up a Radio Antenna.

- b) Option to set up Media in the Sports Hall.
 - c) The surrounding roads and the hockey ground to be used as the Service Park, allowing trucks to be parked on the road from Tuesday 17th May.
 - d) Crew to access the showers at the recreation centre.
2. The booking of the Shire of Nannup grader to repair the Folly Plantation roads on Monday 23 May 2022 or as close to that date as possible.

STATUTORY ENVIRONMENT:

Nil

POLICY IMPLICATIONS:

FNC 3 – Community Groups and Donations

FINANCIAL IMPLICATIONS:

The booking fee for five-day hire of the facilities equates to \$1,156 and includes:

Community Meeting Room:	\$116 p/day ~ \$464
Recreation Centre:	\$141 p/day ~ \$564
Hockey Oval:	No fee associated
Recreation Change Rooms:	\$32 p/day ~ \$128

STRATEGIC IMPLICATIONS:

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

Our Community

1.1 Who we are

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

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council –

1. Support the 2022 Making Smoking History Forest Rally through a waiver of fees for the Community Meeting Room, Recreation Centre, Hockey oval, and Recreation Change Rooms to the value of \$1,156.
2. Authorise the Shire of Nannup Chief Executive Officer to negotiate a sponsorship agreement with the Forest Rally organisers for future events.

COUNCIL RESOLUTION 22067

MOVED CR BROWN	SECONDED CR GIBB
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That Council –

- 1. Support the 2022 Making Smoking History Forest Rally through a waiver of fees for the Community Meeting Room, Recreation Centre, Hockey oval, and Recreation Change Rooms to the value of \$1,156.***
- 2. Authorise the Shire of Nannup Chief Executive Officer to negotiate a sponsorship agreement with the Forest Rally organisers for future events.***

CARRIED (8/0)

AGENDA NUMBER & SUBJECT:	11.4 –Shire of Nannup Adverse Event Plan
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	WLF5
AUTHOR:	Nicole Botica – Economic & Community Development Coordinator
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	6 April 2022
ATTACHMENT:	11.4.1 - Shire of Nannup Adverse Event Plan

BACKGROUND:

In January 2020, the Shire of Nannup became a recipient of the Drought Communities Programme. A condition of this funding was that eligible Councils must prepare and submit an Adverse Event Plan with their final project report.

The Adverse Event Plan must meet the needs of the community, and give consideration to the following:

- Natural resource management (i.e. managing water supply, ground cover, trees, erosion, biodiversity)
- Economic diversification and community resilience (i.e. infrastructure planning, tourism investment, diversifying local industries, capacity building for local leadership)
- Communication and coordination (i.e. how to let people know what’s available – now, and in the future; how do you communicate in hard times and for recovery).

COMMENT:

The Shire of Nannup Adverse Event Plan was developed in consultation with executive officers, ranger services and the community emergency services Officer.

The purpose of this Plan is to establish a framework to provide guidance on mitigation and preparedness for periods of adverse conditions within the Shire of Nannup. The plan aims to build local leadership and community capacity to increase preparedness and resilience in adverse events, and to aid in communication in recovery.

The Adverse Event Plan is designed to be read in conjunction with the Shire of Nannup Emergency Management Arrangements Part B (Contacts) and Part D (Recovery).

STATUTORY ENVIRONMENT:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

This plan has been funded through the Drought Communities Program.

STRATEGIC IMPLICATIONS:

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

3.1 Our Shire

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

We will strive to make decisions and deliver outcomes that are in the best interest of the majority of the community.

VOTING REQUIREMENTS:

Simple Majority

RECOMMENDATIONS:

That Council endorse the Shire of Nannup Adverse Event Plan as attached.

COUNCIL RESOLUTION 22068

MOVED CR BROWN	SECONDED CR LONGMORE
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That Council endorse the Shire of Nannup Adverse Event Plan as attached.

CARRIED (8/0)

AGENDA NUMBER & SUBJECT:	11.5 – 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:	11.5.1 - Shire of Nannup Emergency Management Arrangements Part A 11.5.2 - Shire of Nannup Emergency Management Arrangements Part B 11.5.3 - Shire of Nannup Recovery Plan

BACKGROUND:

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

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 3rd 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 condensed into Plan B, enabling this document to be revised quarterly.

Other principal changes include:

Plan A:

- Inclusion of dam break, earthquake and human epidemic.

Plan B:

- Inclusion of veterinarian services, professional shooters, animal welfare organisations,
- Update of key personnel and contact details, and
- Inclusion of local contractors and heavy haulage equipment.

There are no changes to Plan C; therefore, it has not been included in this agenda item.

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 Shire of Nannup Local Emergency Management Arrangements:

- Part A: Emergency Management Arrangements
- Part B: Contacts
- Part D: Recovery Plan

<i>MOVED CR BUCKLAND</i>

<i>SECONDED CR BROWN</i>

MOTION LAPSED

COUNCIL RESOLUTION 22069

<i>MOVED CR FRASER</i>

<i>SECONDED CR LONGMORE</i>

That the motion lie on the table.

CARRIED (8/0)

AGENDA NUMBER & SUBJECT:	11.6 – Consideration of Motions from Special Electors Meeting 31 March 2022
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup Electors
FILE REFERENCE:	ADM16
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	17 April 2022
ATTACHMENTS:	Nil

BACKGROUND:

A Special Meeting of Electors was held on the 31st March 2022 at Foreshore Park Amphitheatre after the Shire received a petition from more than 5% of the electors of Nannup requesting a meeting be held to discuss;

“community concerns in relation to the vaccination mandates and request that a vote be taken at the meeting to oppose vaccination mandates and declare the Shire of Nannup a Pro Choice community. The request also asks that the Shire of Nannup to advise the Premier and State Parliament of the community concerns in relation to existing mandates; and request that they refrain from imposing further mandates as well as removing all existing mandates currently in place.”

The meeting was held on the 31st March 2022 of which 7 motions were submitted by members of the community for consideration at the meeting.

The meeting was well attended with the attendance sheet recording 197 people.

Of the seven (7) motions tabled, six (6) were defeated by a show of hands and one (1) motion was passed. That passed motion was the following;

“Shire of Nannup continues to adhere to the Western Australian State Government’s COVID-19 vaccination mandates”.

The Minutes of that meeting are included within this agenda under agenda item number 5.2.

COMMENT:

Based on its health advice, the WA State Government introduced COVID-19 mandated policies for vaccination requirements, mask requirements and the like for certain workforces and participating in certain activities within Western Australia.

It is acknowledged that there are divisive views within the community and Western Australia as a whole when it comes to COVID-19 and the associated mandates. However, it is important to remember that local government is not the legislating body in relation to COVID-19 mandates and concerned residents are best to address their concerns directly to the State Government.

Local governments, including the Shire of Nannup have been required to adhere to the State Government Directions (mandates) or risk committing an offence and being fined by the State Government.

The Shire has implemented all State Government mandates where required on its facilities and functions and will continue to do so until they are no longer required by the State Government.

STATUTORY ENVIRONMENT:

Local Government Act 1995 Section 5.28 – Electors Special Meeting

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

The costs associated to hold this event were approximately \$5,000.

STRATEGIC IMPLICATIONS:

Extract from Strategic Community Plan 2021 – 2036

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

VOTING REQUIREMENTS:

Simple majority

OFFICER RECOMMENDATION:

That Council;

1. Notes the results of the Special Meeting of Electors held on 31 March 2022.
2. Thank all those that attended, submitted motions and were involved in the meeting.
3. Notes that any elector has the right to direct any concerns they have about State Government Vaccination Mandates or COVID-19 Directions to the WA State Government who have full jurisdiction over the mandates imposed.

COUNCIL RESOLUTION 22070

<i>MOVED CR GILBERT</i>	<i>SECONDED CR BUCKLAND</i>
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That Council;

- 1. Notes the results of the Special Meeting of Electors held on 31 March 2022.***
- 2. Thank all those that attended, submitted motions and were involved in the meeting.***
- 3. Notes that any elector has the right to direct any concerns they have about State Government Vaccination Mandates or COVID-19 Directions to the WA State Government who have full jurisdiction over the mandates imposed.***
- 4. Congratulate staff on their involvement in setting up and running the Special Electors Meeting.***
- 5. Forward to relevant Ministers the results of the Special Electors Meeting motions.***

CARRIED (8/0)

AGENDA NUMBER & SUBJECT:	11.7 – Mid Year Budget Review for the period ended 28 February 2022
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	FNC 3
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:	19 April 2022
ATTACHMENTS:	11.7.1 – Budget Review Report for the period ended 28 February 2022

BACKGROUND:

Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, states:

“(1) Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.

(2A) The review of an annual budget for a financial year must –

- (a) consider the local government’s financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
- (b) consider the local government’s financial position as at the date of the review; and*
- (c) review the outcomes for the end of that financial year that are forecast in the budget.*

(2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.

(3) A council is to consider a review submitted to it and is to determine whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

**Absolute majority required.*

(4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.”

COMMENT:

The budget review has been prepared to include information required by the *Local Government Act 1995, Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards.

Direct consultation has occurred with the Chief Executive Officer and Managers.

The attached document shows a line by line comprehensive list of all amendments being sought with commentary.

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996, Regulation 33A.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

The 2021/22 adopted Budget provided for a balanced position. Assuming Council accepts the Officers recommendation to amend the budget as per the attached summary, the net impact on the end of year position will result in a balanced position.

STRATEGIC IMPLICATIONS:

Nil.

VOTING REQUIREMENTS:

Absolute Majority.

OFFICER RECOMMENDATION:

1. That Council, in accordance with Regulation 33A of the Local Government (Financial Management) Regulations 1996, receives the Budget Review Report for the period ended 28 February 2022, attached as attachment 11.7.1.
2. That Council approve amendments to the 2021/22 Budget as detailed in attachment 11.7.1.

COUNCIL RESOLUTION 22071**MOVED CR HANSEN****SECONDED CR BROWN**

- 1. That Council, in accordance with Regulation 33A of the Local Government (Financial Management) Regulations 1996, receives the Budget Review Report for the period ended 28 February 2022, attached as attachment 11.7.1.**
- 2. That Council approve amendments to the 2021/22 Budget as detailed in attachment 11.7.1.**

CARRIED (8/0)

AGENDA NUMBER & SUBJECT:	11.8 – Financial Activity Statement – February 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:	5 April 2022
ATTACHMENTS:	11.8.1 – Financial Activity Statement - February 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 February 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 11.8.1.

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 28 February 2022, attached as 11.8.1.

COUNCIL RESOLUTION 22072

MOVED CR LONGMORE	SECONDED CR BUCKLAND
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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 28 February 2022, attached as 11.8.1.

CARRIED (8/0)

AGENDA NUMBER & SUBJECT:	11.9 - Payment of Accounts – January and February 2022
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
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	17 April 2022
ATTACHMENT:	11.9.1 – Payment of Accounts – January and February 2022

BACKGROUND:

To advise Council of payments made from the municipal fund or trust fund for the period 1 January to 28 February 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	14377 to 14553	\$417,808.14
Accounts paid by cheque	20534 to 20554	\$17,993.72
Accounts paid by Direct Debit	11439.1 to 11532.1	\$94,177.36
<i>Sub Total Municipal Account</i>		<u>\$529,979.22</u>

Trust Account

Accounts paid by EFT	14409 & 144108	\$490.65
<i>Sub Total Trust Account</i>		<u>\$490.65</u>
Total Payments		<u><u>\$530,469.87</u></u>

STATUTORY ENVIRONMENT:

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

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

As indicated in Payment of Accounts.

STRATEGIC IMPLICATIONS:

Nil.

VOTING REQUIREMENTS:

Simple majority

OFFICER RECOMMENDATION:

That Council endorse the payment of accounts totalling \$530,469.87 for the period 1 January 2022 to 28 February 2022, as in the attached schedule(s).

COUNCIL RESOLUTION 22073

MOVED CR GIBB	SECONDED CR BROWN
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That Council endorse the payment of accounts totalling \$530,469.87 for the period 1 January 2022 to 28 February 2022, as in the attached schedule(s).

CARRIED (8/0)

Cr Gilbert left the meeting room at 5.24pm as he declared a proximity interest in the following item; he is the owner of property adjacent to the proposed study area in the agenda item 11.10 – Seniors Housing in Nannup.

AGENDA NUMBER & SUBJECT:	11.10 – Seniors Housing in Nannup
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	David Taylor – Chief Executive Officer
FILE REFERENCE:	A1040
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	19 April 2022
ATTACHMENTS:	Nil

BACKGROUND:

The purpose of this report is to seek Council approval to fund a master plan and detail design of a seniors housing precinct in Nannup.

Nannup does not have any dedicated seniors housing. The only similar related housing is the very limited number of high care beds at the Nannup Hospital and the low cost social housing at Danjangerup Cottages.

There is a need for dedicated senior housing accommodation in Nannup whereby people can transition from their larger homes to a smaller easy care accommodation without having to leave Nannup. Currently residents after this change have no choice but to leave Nannup for communities that have these types of housing.

COMMENT:

Senior housing accommodation is needed desperately within Nannup, currently there are no suitable offerings available which means that those needing the accommodation are moving away from Nannup.

Danjangerup Cottages

Currently there are the Danjangerup cottages which are a low cost housing program, which is different to dedicated seniors housing. People entering these properties are asset tested and are primarily related to welfare benefits. That being said, the majority of its occupants are still senior citizens. These cottages were built in partnership between the Housing Authority and a local volunteer Committee. This Committee then managed the facility on behalf of the Housing Authority for many years. In 2017 management of these cottages was transferred to Alliance Housing and the saved funds built up over the years by the Committee were

transferred to the Shire of Nannup for future preservation of the existing cottages and for constructing additional cottages.

In November 2019, Council made a decision for the CEO to investigate the feasibility of regaining the management of Danjangerup Cottages from the current Bunbury based housing collective. The basis of this was due to the Shire receiving many complaints from the residents on the lack of maintenance, garden services and the like from Alliance Housing. The CEO investigated these complaints with Alliance Housing to understand their perspective. The centre of these complaints came down to poor communication between the cottage residents and Alliance Housing. The CEO worked with Alliance Housing and the residents to improve these communications along with recalibrating the expectations from all parties. It appears that this relationship has improved as no further complaints have been received for over 6 months.

In March 2022, Council were advised by Alliance Housing had been successful in a Social Housing Economic Recovery Package (SHERP) application where they were granted around \$1 million dollars to do major refurbishment works at the existing cottages to bring them up to standard.

Local Government role in Seniors Housing

Day to day operating of seniors housing facilities is not a core businesses of local government. Our role is to be an enabler whereby we can identify land opportunities, obtain the required approvals, apply for funding and construct the facility, but ultimately it would be best for us to partner with a provider who then operates the day to day operations.

Enquiries have been made with surrounding local governments to determine if they operate their own seniors housing/aged care/low cost housing facilities. Many had constructed their own facilities but did not run the day to day operations by partnering with another entity (private business/government housing) to do so.

An example is Tuia Lodge Frail Aged Facility in Donnybrook, where it was historically run by the local government and in recent years they have entered into an agreement with a private provider to run the facility.

Another example is Cherry Glades in Manjimup whereby the Shire of Manjimup partnered with the Department of Communities to deliver a seniors housing development. With the support of external funding they were able to deliver Stage 1A whereby 6 x 3 bed 2 bath and 3 x 2 bed 2 bath dwellings were constructed. Entry to these dwellings people need to meet social housing income and asset eligibility limits. There is also a co-ownership scheme where residents can purchase a 65% equity share of the dwelling with the remainder retained by the Department of Communities.

Going Forward – senior housing in Nannup

There is demand for senior housing in Nannup for both the independent seniors housing and aged care housing.

Informal conversations with Nannup residents indicates that there is a demand for both of these types of housing.

Previous discussions have identified the area bounded by Warren Road, Cross Street, Walter Street and Adam Street illustrated below in *Figure 1* as a potential senior housing precinct.



Figure 1 – potential senior housing precinct

It is proposed that Council commence planning for seniors housing in Nannup with funds to be allocated from the Strategic Initiatives Reserve to perform the following in relation to the area within *Figure 1*;

1. Survey the community to identify the type of senior housing required.
2. Undertake feasibility study, including;
 - a. Hold discussions with private landowners of within the proposed precinct to determine their appetite for getting involved (i.e. developing their land).
 - b. Understanding available services (water, power, sewer, etc.) and their restrictions.
 - c. Understand constraints with zoning and what is needed to overcome these constraints where possible.
 - d. Understand general site constraints.
 - e. Provide preliminary costings to get the site ready to commence housing construction.

3. Undertake concept design planning to illustrate the layout and yield potential of the development and associated costings.

STATUTORY ENVIRONMENT:

Local Government Act 1995

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Up to \$50,000 to be funded from the Strategic Initiative Reserve.

The current balance of this reserve is \$309,674

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.

COUNCIL RESOLUTION 22074

MOVED CR GIBB	SECONDED CR DEAN
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That standing orders be suspended to allow discussion.

CARRIED (8/0)

COUNCIL RESOLUTION 22075

MOVED CR LONGMORE	SECONDED CR BUCKLAND
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That standing orders be resumed.

CARRIED (8/0)

Standing Orders resumed at 5.39pm.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council;

1. Approve \$50,000 to prepare a feasibility study and concept design plan for senior housing in Nannup at the location bounded by Warren Rd, Cross St, Walter Rd and Adam St; and
2. The \$50,000 is funded from the Strategic Initiative Reserve and included within the 2021/2022 financial year.
3. No longer pursue taking over management of the Danjangerup Cottages and instead adopt an enabler role and work at expanding the senior housing options as stated in parts 1 and 2 of this recommendation.

COUNCIL RESOLUTION 22076

MOVED CR HANSEN

SECONDED CR BUCKLAND

That Council;

- 1. Approve \$50,000 to prepare a feasibility study and concept design plan for senior housing in Nannup at the location bounded by Warren Rd, Cross St, Walter Rd and Adam St; and***
- 2. The \$50,000 is funded from the Strategic Initiative Reserve and included within the 2021/2022 financial year.***
- 3. No longer pursue taking over management of the Danjangerup Cottages and instead adopt an enabler role and work at expanding the senior housing options as stated in parts 1 and 2 of this recommendation.***

CARRIED (8/0)

Cr Gilbert re-joined the meeting at 5.40pm.

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

Simple Majority

COUNCILLOR MOTION:**CR GIBB*****That Council;***

- 1. Instruct the Chief Executive Officer to complete an internal feasibility study on Council owned land known as the cemetery block. The study will help to identify ability to subdivide, the number of blocks that the site could yield, the sales achievability, the approximate cost to develop, the ability to attract a developer to complete the subdivision, alternatively that council complete the sub development.***
- 2. Chief Executive Officer report back to Council at the 15th December 2022 meeting of Council.***

BACKGROUND TO MOTION: CR GIBB

This parcel of land is presently reserved for the possibility of a land swap with the Department of Biodiversity, Conservation and Attractions (DBCA) to provide green title to the caravan park site. The motion that provides this land swap status should be set aside or not acted on until this feasibility is carried out. The property would provide prime residential/building blocks when Nannup is desperate for housing. The property is out of the flood plain, close to schools, close to work locations, close to recreation facilities, and would provide considerable economic activity to every level of the economy in Nannup plus to the Shire of Nannup thus making excellent use of a Council owned asset.

CHIEF EXECUTIVE OFFICER COMMENT:

The area of land within this motion is illustrated at *Figure 1* which is located behind the Nannup cemetery. Currently there are 12 large undeveloped green titled blocks within this development area that were established some years ago. It is unknown why they have not been developed but most likely due to the costs involved with establishing roads and services.

Developing the block in their current form would require the construction of the road network within plus the extension of Dunnet Road and Monaghan Street to adhere to Department of Planning policies. Biodiversity studies and Environmental Protection Authority clearing permits would also need to be achieved before commencing any works.

In order to increase the viability of the project, block sizes should also be reconsidered, however, this will significantly increase the time it takes to achieve a saleable asset.

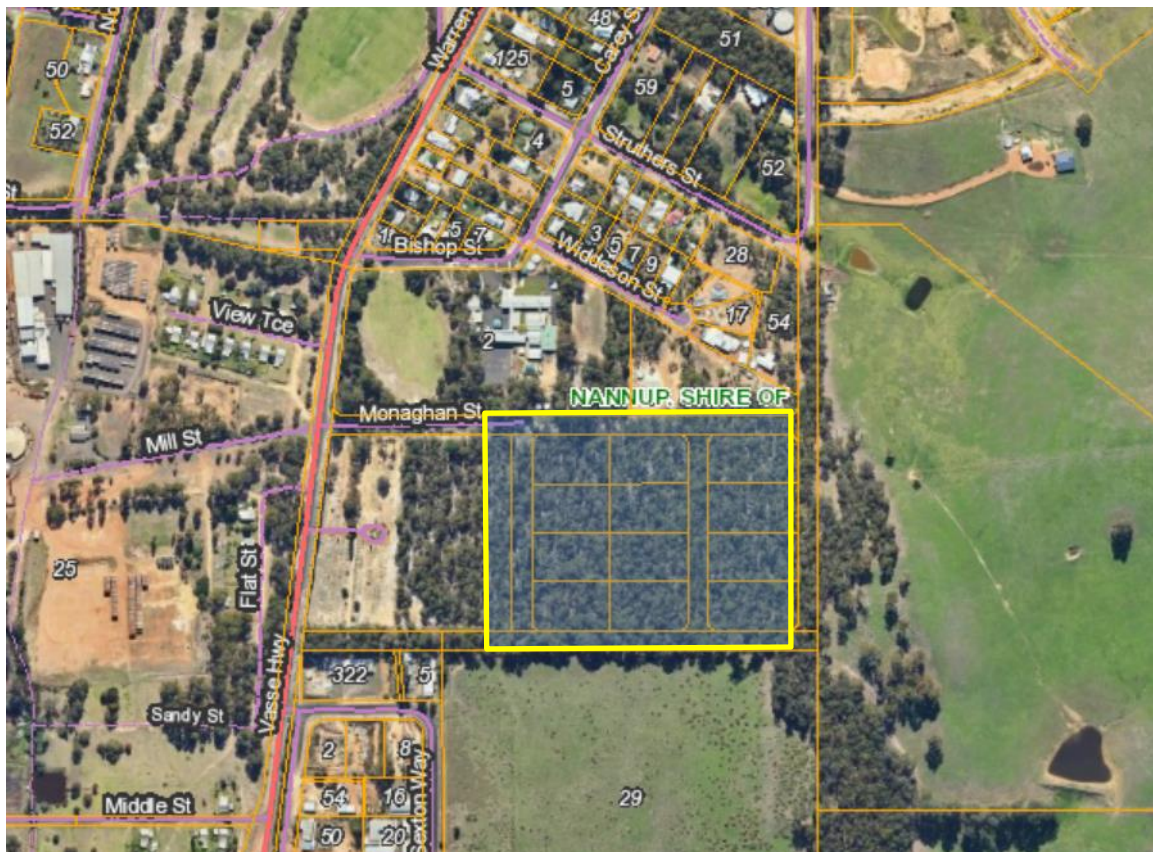


Figure 1 – Development Site Location

Statutory Environment

The following statutory documents are relevant to this motion;

- Planning and Development Act 1995
- State Government Planning Policies
- Environmental Protection Act 1986 (and Amendment Act 2020)
- Shire of Nannup Planning Strategy
- Shire of Nannup Planning Scheme 3 (and future Scheme 4)

Policy Implications

The Shire of Nannup Town Planning documents mentioned in ‘Statutory Environment’ will be considered as part of a feasibility and will impact the block yield potential.

These documents can always be applied for amended but there is a process to follow and the timeframes can take some time (years).

Financial Implications

Council need to make a fund allocation to this feasibility study at minimum to undertake service pickups, surveying, professional advice for clearing regulations and design.

It is believed that an allocation of \$10,000 should be added to the motion and funded from the strategic initiative reserve.

Strategic Implication

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

Our Economy

2.1 The Big Picture

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

Our Built Environment

3.2 Our Amenity

We will develop the amenity and housing in line with the existing character of the town.

3.3 Planning and Building

We will provide quality planning outcome for community benefit through quality consultation.

COUNCIL RESOLUTION 22077

MOVED CR GIBB	SECONDED CR DEAN
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That Council;

1. Instruct the Chief Executive Officer to complete an internal feasibility study on Council owned land known as the cemetery block. The study will help to identify ability to subdivide, the number of blocks that the site could yield, the sales achievability, the approximate cost to develop, the ability to attract a developer to complete the subdivision, alternatively that council complete the sub development.

2. Chief Executive Officer report back to Council at the 15th December 2022 meeting of Council.

CARRIED (7/1)

Cr Fraser voted against the motion.

13. MEETING MAY BE CLOSED:

Nil.

14. CLOSURE OF MEETING:

The Shire President declared the meeting closed at 5.55pm.