



Agenda

**Council Meeting to be held
on Thursday 31 March 2016
Commencing at 4.15pm**

A g e n d a

- 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**
- 2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**
(previously approved)
- 3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
- 4. PUBLIC QUESTION TIME**
- 5. APPLICATIONS FOR LEAVE OF ABSENCE**
- 6. PETITIONS/DEPUTATIONS/PRESENTATIONS**

Ms Rachael McIntyre, Community Affairs Manager with NBN Co., will be in attendance at 4.15pm to present to Council the process of implementation of Broadband in the Shire of Nannup.

7. DECLARATIONS OF INTEREST

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

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

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 25 February 2016 be confirmed as a true and correct record.

9. MINUTES OF COUNCIL COMMITTEES

9.1 Warren Blackwood Alliance of Councils

That the Minutes of the Warren Blackwood Alliance of Councils Board meeting held on Tuesday 16 February 2016 be received.

9.2 Warren Blackwood Alliance of Councils

That the Minutes of the Warren Blackwood Alliance of Councils Board meeting held on Tuesday 23 February 2016 be received.

9.3 WALGA South West Zone

That the Minutes of the WALGA South West Zone meeting held on Friday 26 February 2016 be received.

9.4 Business Initiative Group Nannup

That the Minutes of the BIGN meeting held on Thursday 25 February 2016 be received.

9.5 Local Emergency Management Advisory Committee (LEMAC)

That the Minutes of the LEMAC meeting held on Wednesday 3 February 2016 be received.

10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

11. REPORTS BY MEMBERS ATTENDING COMMITTEES

12. REPORTS OF OFFICERS

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

13.1 OFFICERS

13.2 ELECTED MEMBERS

**14. MEETING CLOSED TO THE PUBLIC
(Confidential Items)**

14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

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DEPARTMENT

**14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE
PUBLIC**

- 15. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS
BEEN GIVEN**
- 16. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**
- 17. CLOSURE OF MEETING**

CEO DEPARTMENT

AGENDA NUMBER:	12.1
SUBJECT:	Former Quannup Pastoral Lease – Grant of Licence
LOCATION/ADDRESS:	Part of Lot 13335
NAME OF APPLICANT:	Department of Lands
FILE REFERENCE:	ADM 38A
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	8 March 2016

BACKGROUND:

At the January 2016 Ordinary meeting of Council a draft copy of the Grant of Licence prepared by the Department of Lands for the former Quannup Pastoral Lease land was presented to Council for consideration.

At the above meeting Council resolved the following with regards to the proposed Grant of Licence:-

16005 STEER/GILBERT

That prior to Council committing to the Department of Land Licence Agreement for the Quannup land, a workshop be held in early February 2016 to discuss the full ramifications and commitments that Council would be required to undertake to promote/advance potential development of the land.
CARRIED (8/0)

A Councillor/staff workshop was conducted on Friday, 12 February at which Mr Ron Pumphrey, Manager Case Management for the South West and Great Southern Regions with the Department of Lands, attended to provide Council with information pertaining to the draft Grant of Licence and other matters regarding the Quannup land.

COMMENT:

At the above Workshop Council indicated to Mr Pumphrey that the proposed 3 year Licence with a further 3 year option was not considered appropriate and that a 5 year Licence with an additional 5 year option was preferred by Council as it would allow adequate time in which to plan for the future development of the site.

Obviously Council would be required to show some progress towards potential development within the first 5 years of the Grant of Licence or otherwise the 5 year option may not be exercised by the Department of Lands.

Should Council accept the Grant of Licence on the 5 plus 5 year tenure, it is suggested that Council develops a Working Group of Councillors and staff to investigate options for the future development of the land, with the Working Group reporting periodically to Council on its progress. Options for feasibility studies on future development options could include potential partnerships with developers however, further consideration would need to be given in this regard.

Whilst the Quannup land has significant opportunities for tourism development and would be beneficial to the growth of tourism in the Shire of Nannup, consideration needs to be given to potential costs that could be incurred by Council over the planning period. Acknowledging that such costs are not known at this stage, it is something that must be taken into consideration.

STATUTORY ENVIRONMENT: Nil

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS:

Nil – The Grant of Licence is provided on a Peppercorn rental

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Strategic Plan 2013-2023 – Strategy 3.2 Planning and Building – Develop the South Coast Access and Recreation Opportunities.

RECOMMENDATION:

That Council advises the Department of Lands that it is prepared to accept the Grant of Licence for the Quannup land subject to the following:-

1. That the Grant of Licence be granted for 5 years with the option of renewal for a further 5 year period.
2. Subject to the Department of Lands being agreeable to the requested tenure period and the Grant of Licence being issued, Council establishes a Working Party consisting of Councillors and staff, including the ability to co-opt other members from time to time that Council deems appropriate, to progress future planning of the Quannup land.

VOTING REQUIREMENTS: Simple Majority

AGENDA NUMBER:	12.2
SUBJECT:	Public Hearing
LOCATION/ADDRESS:	
NAME OF APPLICANT:	Western Australian Local Government Grants Commission (WA LGGC)
FILE REFERENCE:	FNC 6
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	14 March 2016

BACKGROUND:

Dr Chris Berry, A/Manager Executive Support of the WA LGGC has written to advise Council that the Commission is planning to visit the Shire of Nannup for the purpose of a public hearing in accordance with section 11(2)(c) of the *Local Government (Financial Assistance) Act 1995*.

Dr Berry has advised that the hearing has been scheduled to commence at 2.00pm on Wednesday, 20 April 2016 and will take approximately 2 hours.

Commission Members attending the hearing will be:-

- Mr Linton Reynolds (Chairman)
- Mr Ian Carpenter (Commissioner)
- Mayor Carol Adams (Commissioner)
- Mr Paul Omodei (Commissioner)
- Dr Chris Berry (A/Manager Executive Support)

Dr Berry advises that the Commission looks forward to its visit as well as responding to any submission should Council choose to make one.

COMMENT:

The *Local Government (Financial Assistance) Act 1995* is a Commonwealth Act of Parliament and relates to the requirement of State Local Government Grants Commission's conducting public hearings.

Section 11(2)(c) of the above Act states the following:-

11 Allocation among local governing bodies—section 9 payments

- (2) A State is not entitled to payment of an amount under section 9 in respect of a year unless
- (a) there is a Local Government Grants Commission of the State; and
 - (b) the Commission has made recommendations with respect to the allocation of the amount among local governing bodies in the State; and
 - (c) the Commission:
 - (i) held public hearings (whether or not it also held private hearings) in connection with the recommendations; and
 - (ii) permitted or required local governing bodies in the State or associations of those bodies to make submissions to it in connection with the recommendations.

Council can prepare and present a formal submission to the WA LGGC however, Council is limited in its application for changes to disability factors associated with the allocation of annual Financial Assistance Grants and therefore on this occasion it is not considered warranted to present a formal submission to the Commission.

STATUTORY ENVIRONMENT:

Section 11(2)(c) of the *Local Government (Financial Assistance) Act 1995*.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Annual allocation of Financial Assistance Grants by the WA LGGC.

STRATEGIC IMPLICATIONS:

Nil

RECOMMENDATION:

That Council notes the advice from the Western Australian Local Government Grants Commission that it will be conducting a Grants Commission Public Hearing on Wednesday, 20 April 2016 at the Shire of Nannup and that the Hearing be advertised through the local media.

VOTING REQUIREMENTS: Simple Majority

AGENDA NUMBER:	12.3
SUBJECT:	New Requirements for Disclosure of Gifts and Contributions to Travel
LOCATION/ADDRESS:	
NAME OF APPLICANT:	Department of Local Government and Communities
FILE REFERENCE:	ADM 5
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	14 March 2016
ATTACHMENT:	Special Governance Bulletin – March 2016 Edition

BACKGROUND:

Ms Jennifer Matthews, Director General of the Department of Local Government and Communities, has written to Council to advise that the *City of Perth Act 2016* received Royal Assent on 3 March 2016 and amends the gift and contributions to travel provisions within the *Local Government Act 1995*. Associated amendments have also been made to the following:-

- The *Local Government (Administration) Regulations 1996*, and
- The *Local Government (Rules of Conduct) Regulations 2007*.

COMMENT:

As of 4 March 2016, the Act requires relevant persons (Councillors and designated employees) who accept a gift worth more than \$200 to disclose this gift, in writing to the CEO within 10 days of receipt. This replaces the previous process of disclosing these in the annual return. All contributions to travel over \$200 must also be disclosed as do multiple gifts or contributions from the same donor where the total value is over \$200.

The threshold for disclosures remains the same as do other disclosures required under the Act for the annual return.

A new section of the Act, 5.89A, now requires the CEO to keep a register of gifts and contributions to travel in the form prescribed and the CEO is to make the register available for public inspection and to publish it on the local government's official website.

The Department has advised that there are transitional provisions relating to the above Regulations and these have been provided as an attachment to the Agenda document for Councillors information.

STATUTORY ENVIRONMENT:

City of Perth Act 2016, Local Government (Administration) Regulations 1996 and Local Government (Rules of Conduct) Regulations 2007.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Strategic Plan 2013-2023 – Our Council Leadership
- Strategy 6.1 Provide a Stable, Consistent and honest Government

RECOMMENDATION:

That Council notes the new requirements for Disclosure of Gifts and Contributions to Travel as per the introduction of the *City of Perth Act 2016* and associated amendments to the *Local Government (Administration) Regulations 1996* and *Local Government (Rules of Conduct) Regulations 2007*.

VOTING REQUIREMENTS: Simple Majority

AGENDA NUMBER:	12.4
SUBJECT:	Annual Performance Appraisal – Chief Executive Officer
LOCATION/ADDRESS:	
NAME OF APPLICANT:	Peter Clarke
FILE REFERENCE:	Personal File
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	14 March 2016

BACKGROUND:

In accordance with Section 5.38 of the *Local Government Act 1995* and the Chief Executive Officer's Contract of Employment, it is a requirement for Council to undertake an annual Performance Appraisal.

The CEO completes the first year of his 3 year Contract of Employment on Thursday, 3 March 2016.

COMMENT:

At the February 2016 Ordinary Meeting Council resolved the following:-

16020 GILBERT/STEER

That Council conducts an annual review of the CEO's performance in accordance with Section 5.38 of the Local Government Act 1995 and Clause 4 of the CEO's Contract of Employment and for this to be undertaken prior to the March 2016 Ordinary Meeting to allow an appropriate Report to be presented to Council on the Review process.

CARRIED (8/0)

Council had scheduled the Review to be conducted at 1.00pm on 31 March 2016, just prior to the Council meeting.

The CEO had prepared a report to Council in accordance with Clause 4.1 of the Contract which addressed the Performance Criteria as outlined in the Contract of Employment and this was forwarded to Councillors on 17 March 2016 for their perusal.

As per the CEO's Report to the February 2016 Ordinary meeting,

4.4 Procedure

A performance review conducted under this Clause 4 shall take the format of the following procedure:

- (a) as soon as practicable after receipt of notice pursuant to Clause 4.2, the Officer will prepare a report assessing the Officer's own performance of the Officer's obligations under this document measured against the Performance Criteria;
- (b) the Officer will present his report to the Council, and be available for interview;
- (c) ***within one month of the conclusion of the performance review the Council shall prepare a report, in consultation with the Officer, to be signed by both the Council and the Officer, with such a report to include:***
 - (i) ***any conclusions about the Officer's performance during the period the subject of the performance review;***
 - (ii) ***any proposal by either party to vary the Performance Criteria as a consequence of the performance review and any comments by the Officer on any such proposal;***
 - (iii) ***any directions or recommendation made to the Officer in relation to future performance by the Officer or the Officer's obligations under this document; and***
 - (iv) ***details of the extent, if any, to which the Officer disagrees with any statement in the report.***

STATUTORY ENVIRONMENT:

Section 5.38 of the *Local Government Act 1995* relating to annual reviews of certain employees' performances states the following:-

The performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of the employment.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Nil

RECOMMENDATION:

That Council authorises the Shire President to prepare a report for signing by both the Shire President and CEO based on the outcomes of the Review process undertaken by Council on 31 March 2016 and being in accordance with Clause 4.4 of the CEO's Contract of Employment.

VOTING REQUIREMENTS: Simple Majority

AGENDA NUMBER:	12.5
SUBJECT:	Call for Motions – 2016 National General Assembly of Local Government
LOCATION/ADDRESS:	
NAME OF APPLICANT:	Australian Local Government Association
FILE REFERENCE:	FNC 6
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	14 March 2016

BACKGROUND:

Mayor Troy Pickard, President of the Australian Local Government Association (ALGA), writes to advise that the National General Assembly (NGA) of Local Government to be held at the National Convention Centre in Canberra between 19 and 22 June is an opportunity for councils to identify and discuss national issues of priority for the sector and to agree on possible steps which could be taken to address these issues.

Mayor Pickard advises that every council has the opportunity to raise relevant issues for debate at the NGA and he invited Council to participate in the 2016 NGA by submitting a motion for consideration.

COMMENT:

To be eligible for inclusion in the NGA Business Papers, motions must follow the principles set out by the ALGA Board, namely

1. Be relevant to the work of local government nationally;
2. Be consistent with the theme of the NGA;
3. Complement or build on the policy objectives of the state and territory local government associations;
4. Propose a clear action and outcome; and
5. Not be advanced on behalf of external third parties which may seek to use the NGA to apply pressure to Board members, to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, the local government sector.

Motions are required to be submitted no later than 22 April 2016.

STATUTORY ENVIRONMENT: Nil

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS: Nil

RECOMMENDATION:

That Council notes ALGA's call for Motions for consideration at the 2016 National General Assembly of Local Government in June 2016 and that should Council wish to submit same, it notes the deadline for motions to be submitted by 22 April 2016.

VOTING REQUIREMENTS: Simple Majority.

AGENDA NUMBER:	12.6
SUBJECT:	Dog Exercise Area – Nannup Town Site
LOCATION/ADDRESS:	Public Transport Authority Leased Land
NAME OF APPLICANT:	Mrs Valerie Tanner on behalf of "Friends of Nannup Foreshore Group"
FILE REFERENCE:	ADM 16
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	21 March 2016

BACKGROUND:

Mrs Tanner writes on behalf of the "Friends of Nannup Foreshore Group" who for the past 6 years have been heavily involved in weeding, cleaning up and re-vegetating the area that the Public Transport Authority (PTA) has leased to the Shire of Nannup.

Mrs Tanner advises that the Group is not overly enthusiastic about having to share this area with dogs off leads however, they are willing to trial it for 12 months to see if it is amicable to all parties. Following this period, the Group respectfully requests Council to re-visit its ruling on the Designated Dog Exercise area.

COMMENT:

Representatives of the "Friends of Nannup Foreshore Group" met with the CEO following Council's decision to allocate the PTA land as a designated dog exercise area to express their concerns that dogs will and have knocked over stakes on newly planted seedlings which has made it difficult to identify the new seedlings when clearing works are being undertaken.

The "Group" enquired as to whether the decision of Council in allocating the dog exercise areas was final and whilst the CEO indicated that it was, Council could re-visit this at any stage on the proviso that it engaged in public consultation as per the *Dog Act 1976* relating to designated exercise areas.

The CEO had suggested that a letter to the above effect would then enable Council to review the current area and possibly consider other options at that time.

STATUTORY ENVIRONMENT:

Dog Act 1976

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Strategic Plan 2013-2023 – Our Council Leadership

▣ Strategy 6.1 Lead, Listen, Advocate, Represent and Provide.

RECOMMENDATION:

That Council advises the “Friends of Nannup Foreshore Group” that it is prepared to review Dog Exercise areas in the Nannup town following the expiration period of 12 months of operation of the allocated Public Transport Authority land.

VOTING REQUIREMENTS: Simple Majority.

AGENDA NUMBER:	12.7
SUBJECT:	Request to Waive Hire Fees
LOCATION/ADDRESS:	Nannup Oval and Recreation Centre
NAME OF APPLICANT:	Ms Felicity Machar – Nannup Auskick Coordinator
FILE REFERENCE:	ADM 6
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	22 March 2016

BACKGROUND:

Ms Machar writes to Council as Coordinator of the proposed Nannup Auskick that she is endeavouring to start for the local children in Nannup. Ms Machar advises that she, together with other parents, have been trying to encourage young children to play football in Nannup to cut back families having to travel to Busselton or Manjimup for their children's sport.

Ms Machar advises that the Nannup Auskick will be run on the basis of not-for-profit and relying heavily on volunteers and support from the local community. The proposed times for conducting the Auskick program would be 9.30am to 10.30am on Sunday mornings starting from Sunday, 8 May until Sunday, 18 September 2016.

Ms Machar advises that to establish the Auskick program in Nannup she is formally requesting that Council waives hire fees for the sports oval and occasional use of the Recreation Centre Hall (extreme wet weather use only) for the above time slots. In keeping playing fees and insurance costs to a minimum for local families, the only way they can run the program is for Council to waive the fees.

COMMENT:

It is commendable that Ms Machar and others are endeavouring to get the Auskick program running in Nannup for local children to participate in. Auskick is a very successful program and caters for both boys and girls in learning Australian Rules Football, but more importantly, learning a team sport and remaining physically active. Retaining young children in Nannup to participate in sport is also a positive initiative which in turn reduces travelling for sporting activities.

The requested use of the Nannup Oval is 1 hour per week and Council does not have an hourly usage on its Fees and Charges Schedule. Fees for the Oval Usage are as follows:-

- \$65.00/day
- \$500.00 seasonal fee.

The Recreation Centre Hall hire fees are:-

- \$24.00/hour

Other sporting groups using the Recreation Centre Hall are required to pay the appropriate fees and charges and it would be setting an unwanted precedent to waive these fees. The Auskick participants would only use the Hall on extreme weather days and therefore a \$24/hour fee should not be a huge imposition on the organisers and users costs.

In respect to the Nannup Oval, the use of the playing fields for only 1 hour does not warrant a \$65/day fee and therefore, Council could allow use of the Oval for this period without a fee being imposed. This free usage for what is only a minimal period would show Councils support for the implementation of the Auskick program in Nannup.

STATUTORY ENVIRONMENT: Nil

POLICY IMPLICATIONS:

Policy BLD 1 – Relating to Use/Hire of Community Facilities:

"Council will charge all hirers of its facilities as per its list of fees and charges which is reviewed annually in line with the budget."

Should a "not for profit" community group/organisation seek the waiving of any fees and charges imposed for use/hire of a community facility, an application in writing is to be submitted and presented to Council for consideration".

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Strategic Plan 2013-2023 – Our Community Leadership - Strategy 5.1 Support Existing and Emerging Community Groups.

RECOMMENDATION:

That Council advises Ms Felicity Machar, Nannup Auskick Coordinator, that Council is prepared to allow the use of the Nannup Oval free of charge to assist in the development of the Auskick program in Nannup however, fees for the use of the Nannup Recreation Centre Hall will be required to be paid at the rate of \$24.00/hour based on Council's Fees and Charges Schedule.

VOTING REQUIREMENTS: Simple Majority.

COMMUNITY & DEVELOPMENT SERVICES

AGENDA NUMBER:	12.8
SUBJECT:	Advice of Lodgement of Exploration Licences
LOCATION/ADDRESS:	Carlotta Area
NAME OF APPLICANT:	Lithium Australia NL
FILE REFERENCE:	TPL 15
AUTHOR:	Jane Buckland – Development Services Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	
DATE OF REPORT:	10 March 2016
ATTACHMENT:	12.8.1 - Correspondence and application details 12.8.2 – Location map

BACKGROUND:

Lithium Australia NL have lodged applications for two adjoining exploration licences, E70/4823 and E70/4824, to the Department of Mines and Petroleum, a large portion of which are located in the Carlotta area of the Shire of Nannup.

COMMENT:

Under the Mining Act any works within a gazetted townsite or within 2 kilometres of the boundary of a gazetted townsite require comment from the Local Government. In the case of these applications any proposed drilling operations will be well outside the Nannup townsite however there may be proposed drilling operations along road reserves within the exploration licence areas. Some of the abovementioned roads, including Coronation Road, Gold Gully Road, Graphite Road, Mt Leewin Loop Road, Sears Road and Stallard Road, are controlled by the Shire and some are forestry roads.

The Shire expects that should the applicant wish to enter private property within the exploration licence area that it will notify and liaise with property owners directly as per the requirements of the Mining Act.

It is suggested that Council should grant approval to the applicant to carry out any necessary roadside drilling based on the following general conditions:

1. That dust suppression is carried out so that others are not adversely affected;

2. That any saline ground water found is contained by pumping it into a water trailer and disposed of through normal mining practices under the terms of the company's mining conditions;
3. Any ground water that escapes onto the ground around the drill site is to be banded so that it does not spread;
4. All containers used for soil samples, including plastic bags, are to be removed from the site and disposed of in a suitable manner;
5. All rubbish is to be disposed of at the nearest local landfill site in the appropriate manner;
6. A firefighting unit with a minimum capacity of 1,000L is to be available at all times, and drilling is to cease if a total fire and harvest ban is called;
7. No drill holes are to extend under any public roadways. Drilling being carried out is not to interfere with road drainage and must be beyond the batter line (this is to minimise damage to capped drill holes during maintenance grading);
8. Safety signs are to be erected in accordance with Australian Standards to warn both mining staff, contractors, site visitors and the general public;
9. All drill holes are to be capped as soon as possible/practical after drilling;
10. If working within 100m of a residence, all noise generated is to be limited in accordance with the *Environmental Protection (Noise) Regulations 1997*, in particular when working between 7:00pm and 7:00am;
11. A traffic management plan is required to be submitted to and approved by the Shire of Nannup; and
12. The proposed drilling work is advertised in the local "Nannup Telegraph" prior to any work commencing to notify the general public of this work; the applicants are to discuss and obtain approval to access private property prior to the company or its contractors accessing this land.

The Manager Infrastructure is aware of this application and has raised no issues in regards to the possibility of any drilling along Coronation Road, Gold Gully Road, Graphite Road, Mt Leewin Loop Road, Sears Road and Stallard Road.

STATUTORY ENVIRONMENT: Compliance with the *Environmental Protection (Noise) Regulations 1997*, and the *Environmental Protection Act 1986*.

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS: Nil

RECOMMENDATION:

That Council advises Lithium Australia NL that it has no objection to the application for Exploration Licences E70/4823 and E70/4824 in the Carlotta area of the Shire of Nannup subject to the following conditions being adhered to:

1. That dust suppression is carried out so that others are not adversely affected;
2. That any saline ground water found is contained by pumping it into a water trailer and disposed of through normal mining practices under the terms of the company's mining conditions;
3. Any ground water that escapes onto the ground around the drill site is to be bunded so that it does not spread;
4. All containers used for soil samples, including plastic bags, are to be removed from the site and disposed of in a suitable manner;
5. All rubbish is to be disposed of at the nearest local landfill site in the appropriate manner;
6. A firefighting unit with a minimum capacity of 1,000L is to be available at all times, and drilling is to cease if a total fire and harvest ban is called;
7. No drill holes are to extend under any public roadways. Drilling being carried out is not to interfere with road drainage and must be beyond the batter line (this is to minimise damage to capped drill holes during maintenance grading);
8. Safety signs are to be erected in accordance with Australian Standards to warn both mining staff, contractors, site visitors and the general public;
9. All drill holes are to be capped as soon as possible/practical after drilling;
10. If working within 100m of a residence, all noise generated is to be limited in accordance with the *Environmental Protection (Noise) Regulations 1997*, in particular when working between 7:00pm and 7:00am;

11. A traffic management plan is required to be submitted to and approved by the Shire of Nannup; and
12. The proposed drilling work is advertised in the local "Nannup Telegraph" prior to any work commencing to notify the general public of this work; the applicants are to discuss and obtain approval to access private property prior to the company or its contractors accessing this land.

VOTING REQUIREMENTS: Simple Majority

AGENDA NUMBER:	12.9
SUBJECT:	Development Application for industry-extractive (shale)
LOCATION/ADDRESS:	Lot 12 on Plan 23245 Cundinup-Dudinyillup Road, Cundinup
NAME OF APPLICANT:	Prime Earthmoving Busselton for Gerald & Cheryle Brown
FILE REFERENCE:	A1378
AUTHOR:	Steve Thompson - Consultant Planner
REPORTING OFFICER:	Peter Clarke - 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)
PREVIOUS MEETING REFERENCE:	Nil
DATE OF REPORT:	23 March 2016
ATTACHMENTS:	12.9.1 Information from applicant 12.9.2 Location plan 12.9.3 Submissions 12.9.4 Applicant response to key submission issues

BACKGROUND:

The applicant has lodged a Development Application for an extractive industry of shale (generally boulder sized quartz with a coarse sand matrix). Information submitted by the applicant is provided in Attachment 12.9.1 which include a Development and Operations Plan by Greg Harewood (Environmental Management Consultant). This contains management plans for noise, dust, dieback, drainage and rehabilitation.

The application seeks approval to extract shale for an area of approximately 5.8 hectares with an estimated resource of 87,000m³. The average thickness of the shale resource is estimated to be 1.5 metres and the maximum thickness is estimated to be 3 metres.

The location of the application site is shown in Attachment 12.9.2 which is approximately 13 kilometres north-east of Nannup.

The site is 170.68 hectares in area, the extraction area is cleared, the site is in part designated as a bushfire prone area, and the property is zoned 'Agriculture Priority 2' in the *Shire of Nannup Local Planning Scheme No. 3* (LPS3). As set out in the LPS3 Zoning Table, 'Industry - Extractive' is an 'A' use in the Agriculture Priority 2 Zone. This means a Development Application can legally be applied for and the local government is able to determine the application following advertising.

The Shire administration invited public comment on the Development Application for a 6 week period by writing to 7 adjoining/nearby landowners and 15 other stakeholders, placing a public notice in the Busselton-Dunsborough Times, placing a sign on site, placing details on the Shire website and having details at the Shire office. The Shire received 13 submissions on the Development Application which are outlined in Attachment 12.9.3. The main issues raised in the submissions relate to road maintenance, safety of road users, managing surface water runoff and environmental management.

In accordance with standard practice, the Shire administration provided the applicant with copies of the submissions in order to address concerns and issues where possible. Attachment 12.9.4 outlines the applicant's response to key submission issues.

COMMENT:

A) Overview

It is recommended that Council approve the Development Application subject to conditions. This follows assessment against LPS3, the Local Planning Strategy, relevant State Government documents, considering the views of the submitters and information provided by the applicant. It is noted, for instance, that:

- no clearing of native vegetation is proposed;
- the extraction area is setback from watercourses;
- no blasting is proposed;
- there are suitable buffers to off-site dwellings; and
- shale resources are important to the district and region.

It is suggested that if the operation is suitably managed and planning conditions are met, that environmental considerations, site restoration and impact on the Shire road system can be appropriately addressed. While noting this, there are various issues associated with the industry-extractive use and associated vehicular access which should be considered by the Council in determining the Development Application. Some of these issues are outlined below and other issues are outlined in Attachment 12.9.3.

B) Traffic impacts and road maintenance

There were a number of submissions relating to traffic impacts and road maintenance. Some of the issues include a need to widen the creek crossing, installing safety rails at the creek crossing, the need for fencing adjoining the Cundinup-Dudinyillup Road, the appropriateness of the cattle grid, the need to prioritise right of way for cattle trucks and ensuring ratepayers are not out of pocket for damages to local roads. The applicant's response to key matters in

Attachment 12.9.4 is noted including that there are other users of Cundinup-Dudinyillup Road.

The applicant outlines the main haulage route is Cundinup-Dudinyillup Road, Cundinup South Road and Vasse Highway. A variety of trucks will transport the shale including 6 wheelers, semi tippers and road trains ('B' trains). The Development and Operations Plan outlines there will, on average, be 8 to 10 truck movements a day (4 to 5 trips going out and 4 to 5 return trips a day). Page 7 states 'the maximum number of truck movements expected would be around 30 per day (i.e. 15 truck loads) during periods of maximum demand.' The applicant's supplementary advice (Attachment 12.9.4) in part states 'There will be periods of weeks, even months when there will be absolutely no truck traffic into or from the shale pit.'

Cundinup-Dudinyillup Road is unsealed and narrow. The latest traffic vehicle count on Cundinup-Dudinyillup Road revealed an average of approximately 18 vehicles per day with approximately 14% of those vehicles being trucks. The proposed traffic generation from the shale pit, on occasions, is expected see a relatively large increase in heavy haulage traffic on Cundinup-Dudinyillup Road.

There will be on-going impacts on Cundinup-Dudinyillup Road over the life of the extractive – industry operation. If improvements are required for safety or other reasons, the Council should now consider how this will be funded and/or maintained. This could be from Council funds, an upfront financial contribution from the applicant, on-going maintenance from the applicant, a partnership between the Shire and the applicant, or a combination of the above.

Council's *Local Planning Policy No. 20 - Developer and Subdivider Contributions* provides for the Council to seek developer contributions for road upgrading (widening and reinstatement) or maintenance, if the Council determines that its current standard is insufficient to cater for the expected volume and type of vehicles. The Policy sets out contributions will typically be sought for industry-extractive applications where traffic volumes and impacts are expected as a result of the proposed use.

Given the above, the Shire administration recommends various conditions and advice be included with the approval relating to traffic impacts and road maintenance. For instance:

- requiring the applicant to install three passing bays on Cundinup-Dudinyillup Road;
- requiring the applicant to appropriately maintain and grade Cundinup-Dudinyillup Road, between the site's entry and Cundinup South Road during the approval period;

- requiring a road maintenance bond of \$5,000 for the repair and maintenance of Cundinup-Dudinyillup Road damaged by vehicles associated with the shale pit;
- upgrading the vehicular crossover;
- installing and maintaining road signs along transport routes warning other road users of trucks entering and using the public road system;
- a maximum speed of 40 kilometres per hour for heavy vehicles on Cundinup-Dudinyillup Road;
- the need to prioritise right of way for cattle trucks; and
- minimising the potential for conflict between heavy haulage vehicles and school buses.

It is suggested the above represents an equitable approach given the level of proposed development and its associated impacts compared to existing traffic levels. In comparison to haulage associated with tree harvesting a particular block, the expected heavy haulage traffic with carting shale will be over a considerably longer period.

C) Length of development approval

The applicant estimates the project life will be 5 years. It is recommended that the development approval be issued for a period of 5 years rather than an 'opened ended' approval period. It is suggested this provides certainty for the applicant, along with the opportunity for the Council and the Shire administration to review the effectiveness of the operation and associated impacts. The applicant can reapply to extend the industry-extractive use.

D) On-going management and safety

The applicant will need to address on-going management and safety. This includes restricting access to unauthorised persons through fencing, gates and signage.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005 and LPS3. The Shire has no guidelines or local laws on extractive industries. Extractive industry operators are bound to comply with various levels of State Government legislation. Additionally, self-auditing of operations and review of environmental monitoring is paramount.

POLICY IMPLICATIONS.

Various Local Planning Policies are relevant in assessing the Development Application including *Local Planning Policy No. 20 - Developer and Subdivider Contributions*. 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.

There are also various State Planning Policies relevant to the application including *Environment and Natural Resources Policy*, *Basic Raw Materials*, and *State Industrial Buffer Policy*. Other publications include the WAPC *Basic Raw Materials Applicants' Manual* and the Environmental Protection Authority (EPA) *Guidance Statement No. 3 Separation Distances between Industrial and Sensitive Land Uses*. The EPA guidance recommends a generic buffer distance for sand/limestone extraction (where there are no grinding or milling works) of 300 – 500 metres from 'sensitive' uses (e.g. dwellings) depending on the operation size.

FINANCIAL IMPLICATIONS:

The key financial implication is the standard of roads used for haulage purposes and clarifying who pays for required upgrading and maintenance. A suggested approach to clarifying who is responsible for upgrading and maintenance is set out in this report.

STRATEGIC IMPLICATIONS:

Shale is an important resource within the district and region.

RECOMMENDATION:

That Council approve the Development Application for an industry-extractive use (shale pit) at Lot 12 on Plan 23245 Cundinup-Dudinyillup Road, Cundinup, subject to the following conditions:

General

1. The development hereby approved must be carried out in accordance with the plans and documentation submitted with the application, addressing all conditions, or otherwise amended by the local government and shown on the approved plan and these shall not be altered and/or modified without the prior knowledge and written consent of the local government.
2. This development approval is valid until 30 June 2021 after which date the use shall cease unless prior to that date a new Development Application has been submitted to and approved by the local government for the continuation of the use for an extended period.

Pit operation

3. Operation of the pit shall be restricted to the hours of 7.00am-7.00pm Monday to Friday, 7.00am-1.00pm Saturday. No operation at all on Sundays or Public

Holidays.

4. No excavation slope, with the exception of the working face, is to exceed a ratio of 1 measure vertical to 3 horizontal.
5. When not in use, the excavation face shall be graded to a maximum of 1 measure vertical to 3 horizontal.

Road upgrading and maintenance

6. The applicant is to install three passing bays on Cundinup-Dudinyillup Road, 6 metres wide in appropriate locations, to the satisfaction of the local government prior to the commencement of operations.
7. The applicant to appropriately maintain Cundinup-Dudinyillup Road, between the site's entry and Cundinup South Road during the course of the approval to the satisfaction of local government.
8. A road maintenance bond of \$5,000 is to be paid to local government prior to the commencement of operations to ensure Cundinup-Dudinyillup Road is maintained to a satisfactory standard. The bond amount is to be maintained at \$5000 for extraordinary expenses incurred by the local government for the immediate repair and maintenance of Cundinup-Dudinyillup Road damaged by vehicles associated with the development.
9. The vehicular crossover between the subject land and Cundinup-Dudinyillup Road is to be located, designed, constructed, and drained to the satisfaction of the local government prior to the commencement of operations.

Safety of road users

10. The applicant shall install and maintain road signs along transport routes warning other road users of trucks entering and using the public road system. Signs are to be to specification of the local government in locations approved in writing by the local government.

Safety on site

11. The site shall be fenced, gated and sign-posted against unauthorised entry, and such features shall thereafter be permanently maintained to the satisfaction of the local government.

Environmental management

12. The applicant shall implement the submitted Noise Management Plan to the satisfaction of the local government.

13. The applicant shall implement the submitted Dust Management Plan to the satisfaction of the local government.
14. The applicant shall implement the submitted Dieback Management Plan to the satisfaction of the local government.
15. No extraction activities are to occur within 10 metres of any native tree crown drip zone.
16. Any major environmental incident shall be immediately reported to the local government and will require remediation to the local government's acceptance prior to further shale extraction.

Stormwater management

17. The applicant shall implement the submitted Drainage Management Plan, including retaining all run-off within the extraction area, to the satisfaction of the local government.

Rehabilitation

18. The applicant shall implement the submitted Rehabilitation Management Plan to the satisfaction of the local government.
19. The excavation site is to be rehabilitated in accordance with the approved Rehabilitation Plan to the satisfaction of the local government prior to 30 June 2021.

Advice

- A) In relation to Condition 7, this will include a system of notification, inspection and post-development repair of the Cundinup-Dudinyillup Road to the satisfaction of the local government.
- B) In relation to Condition 9, any gates should be off-set to ensure trucks are not blocking the Cundinup-Dudinyillup Road when entering the site.
- C) The applicant should liaise with school bus operators to establish a traffic schedule to avoid potential conflict with school bus operations.
- D) The applicant should ensure that its heavy vehicle operators drive responsibly on Cundinup-Dudinyillup Road, with a maximum speed of 40 kilometres per hour, and drive responsibly on other roads in the Shire of Nannup. There is a requirement to ensure that cattle trucks are given right of way.

- E) No native vegetation shall be removed as part of this extraction operation, unless permitted by a clearing licence or permit issued by the Department of Environment Regulation.
- F) Weeds should be appropriately controlled in accordance with Department of Agriculture and Food guidelines. This in part should address the management of declared weeds under the *Biosecurity and Agriculture Management Act 2007* and the *Biosecurity and Agriculture Management Regulations 2013*.
- G) The extraction should not intercept the groundwater table and dewatering of the extraction area is not permitted without approval of the local government. Measures should be taken to prevent spillage or disposal of machinery fuel, oil or grease products into the ground.
- H) The applicant is encouraged to prepare a Works Safety Plan prior to the commencement of operations which is then appropriately implemented.
- I) The applicant should retain appropriate Public Liability Insurance to cover the entire area the subject of this approval.
- J) The site is in part designated as a bushfire prone area. The applicant should take all practical steps to minimise the risk of bushfires and provide a fire fighting unit.
- K) There is a separate requirement to gain a Restricted Access Vehicles permit prior to operations commencing.
- L) The applicant is encouraged to approach the landowner to install fencing adjoining the Cundinup-Dudinyillup Road.
- M) If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

VOTING REQUIREMENTS: Simple Majority

FINANCE & ADMINISTRATION

AGENDA NUMBER:	12.10
SUBJECT:	Budget Monitoring – February 2016
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 8
AUTHOR:	Robin Prime – Corporate Services Officer
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT:	31 March 2016
ATTACHMENTS:	12.10.1 – Financial Statements for the period ending 29 February 2016 12.10.2 – Table Showing Detailed Variances for February 2016

BACKGROUND:

Local Government (Financial Management) Regulation 34(1) requires that Council report monthly on the financial activity from all the various operating and capital divisions. Council has adopted a variance threshold of 10% or \$5,000, whichever is the greater on which to report. The statutory statements are appended at Attachment 12.10.1.

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

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

COMMENT:

As part of Council's statutory compliance an annual review of the financial budget has now been completed. Trends were identified and reported on and these will continue to be monitored throughout the year with only new variances reported each month. No new variances were identified within this period and it is still officers opinion that a nil surplus/deficit will be the closing position as at June 30 2016.

Attachment 12.10.2 provides detailed breakdowns of income and expenditure incurred within the period 1 July 2015 and 29 February 2016 and the associated annual budgets. These are broken down into four columns. The annual budget within the schedule, the budgeted year to date figures, actual spend to date and variance between budgeted year to date and actual.

STATUTORY ENVIRONMENT:

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

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS: Nil.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

It is recommended that the Monthly Financial Statements for the period ending 29 February 2016 be received.

VOTING REQUIREMENTS: Simple Majority

AGENDA NUMBER:	12.11
SUBJECT:	Budget Review 2015/16
LOCATION/ADDRESS:	Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	FNC 3
AUTHOR:	Tracie Bishop – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT:	3 March 2016

SUMMARY:

As per the Financial Management Regulations 1996 Section 33A a review of a Local Governments annual budget must be completed between 1 January and 31 March each year. The bulk of this review was completed at the end of January 2016 with a review of current spending trends and estimated end of year positions brought to the February Council meeting. Left from this report however was the revised surplus brought forward for this financial year. The following item allows the Shire of Nannup to reach compliance within this area.

COMMENT:

The Financial Management Regulations 1996 require that the net current assets at the start of the financial year be shown within the annual budget. If this figure is unknown at the time of preparation then an estimation figure should be used and once the audit of the previous financial year finalised any variance between the budget estimation and the audited actual calculation must be addressed within the budget review. Below is a copy of the net current asset position as shown within the Annual Report. Differences between the budgeted inclusion and the final position are the result of various end-of-year processes not having been completed prior to the budget being raised.

CALCULATION OF DISTRIBUTABLE SURPLUS

SURPLUS for RATE SETTING STATEMENT		\$ 645,221
Current Assets & Liabilities Added Back for RSS		
Current Loan	\$ 14,560.00	
Current Proportion of Long Term Borrowing	-\$ 76,933.00	
		<u>-\$ 62,373.00</u>
GROSS SURPLUS		<u>\$ 582,848.00</u>
LESS		
Restricted Income as per Note 2(c)	-\$ 102,045.30	
YAC & YCN	-\$ 16,250.00	
Withholding tax	-\$ 19.00	
GST Payable	-\$ 14.00	
PAYG Tax Payable	\$ 40,469.00	
ADD		
Current Proportion of LSL	\$ 228,935.00	
GROSS DISTRIBUTABLE SURPLUS		<u>\$ 733,923.70</u>
LESS INCOME/EXPENDITURE C/F:		
Committed expenditure in following year	\$	
Pre-payments included in unrestricted cash	-\$ 700,580.00	
		<u>-\$ 700,580.00</u>
Uncommitted Surplus carried fwd		<u>\$ 33,343.70</u>

Notes:

Restricted Income - Note 2C refers to grants carried forward
Prepayments refers to Financial Assistance Grants & Road & VBFB/SES Operating Grants received as prepayments 30/6/15

At the end of the 2014/15 financial year once restricted cash, unspent grants, prepayments and committed expenditure have been excluded, the uncommitted surplus that is shown above of \$33,343. This amount was used as per Council Resolution 9139 to cover the deficit carried forward from the previous year. This resolution is shown below:

9139 LORKIEWICZ/SLATER

That Council amend the 2014/15 budget as follows:

2) Any surplus arising in 2014/15 will first be used to offset the deficit carried forward from the 2013/14 financial year.

**CARRIED 8/0
BY ABSOLUTE MAJORITY**

STATUTORY ENVIRONMENT:

Sub-section 2A of the Regulations requires the Council to:

- (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.

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS:

That the budget raised for the 2015/16 financial year remains consistent with current spending and it is anticipated that the end of year position will be a balanced as per initial budget.

STRATEGIC IMPLICATIONS: None

RECOMMENDATION:

That Council endorses all variances shown within this report as part of the annual Budget Review for the 2015/16 financial year required to remain compliant with statutory obligations.

VOTING REQUIREMENTS: Absolute Majority.

AGENDA NUMBER:	12.12
SUBJECT:	Donnelly River Huts inclusion on Rate Base
LOCATION/ADDRESS:	Donnelly River
NAME OF APPLICANT:	Tracie Bishop
FILE REFERENCE:	RAT 9
AUTHOR:	Tracie Bishop – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	21 March 2016
ATTACHMENTS:	12.12.1 – Map of leases – LDR Huts Master Plan 12.12.2 – Letter from Civic Legal

BACKGROUND:

Land abutting the Donnelly River within the D'Entrecasteaux National Park has historically been used as a holiday destination by families who have built short stay accommodation on this Department of Parks and Wildlife (DPaW) Reserve. Up until 2013 this accommodation had no legal tenancy and basically was allowed purely with the tolerance of the State Government. Within the 2012/13 financial year the State Government agreed that if the properties were brought up to the applicable health and building codes currently in force then a 21 year lease would be granted with an option for an additional 21 years at the end of this period.

Fast forward to 2016 and these properties now have been brought up to the required building and health standards and leases have been issued or are in the process of being issued for the 43 properties. Of these properties 33 are within the Shire of Nannup boundaries and the remaining 10 are in the Shire of Manjimup.

COMMENT:

Now that formalised lease agreements have been signed between hut owners and the Department of Parks and Wildlife the land that previously was classed as non-rateable land becomes rateable land as per the Local Government Act 1995 (The Act). Section 6.26 of The Act provides that:

6.26. Rateable land

- (1) Except as provided in this section *all land within a district is rateable land.*
- (2) The following land is not rateable land —

- (a) land which is the property of the Crown and —
 - (i) is being used or held for a public purpose; or
 - (ii) is unoccupied, except —
 - (I) where any person is, under paragraph (e) of the definition of **owner** in section 1.4, the owner of the land other than by reason of that person being the holder of a prospecting licence held under the *Mining Act 1978* in respect of land the area of which does not exceed 10 ha or a miscellaneous licence held under that Act; or
 - (II) where and to the extent and manner in which a person mentioned in paragraph (f) of the definition of **owner** in section 1.4 occupies or makes use of the land;
- and
- (b) land in the district of a local government while it is owned by the local government and is used for the purposes of that local government other than for purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the local government; and
- (c) land in a district while it is owned by a regional local government and is used for the purposes of that regional local government other than for the purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the regional local government; and
- (d) land used or held exclusively by a religious body as a place of public worship or in relation to that worship, a place of residence of a minister of religion, a convent, nunnery or monastery, or occupied exclusively by a religious brotherhood or sisterhood; and
- (e) land used exclusively by a religious body as a school for the religious instruction of children; and
- (f) land used exclusively as a non-government school within the meaning of the *School Education Act 1999*; and
- (g) land used exclusively for charitable purposes; and
- (h) land vested in trustees for agricultural or horticultural show purposes; and
- (i) land owned by Co-operative Bulk Handling Limited or leased from the Crown or a statutory authority (within the meaning of that term in the *Financial Management Act 2006*) by that co-operative and used solely for the storage of grain where that co-operative has agreed in writing to make a contribution to the local government; and

- (j) land which is exempt from rates under any other written law; and
- (k) land which is declared by the Minister to be exempt from rates.

As these huts are primarily used for private residences with the option to either privately or commercially lease then all paragraphs other than (b), (j) and (k) are not applicable.

Of the sections of *The Act* that remain,

- Section (b) does not apply as the land is not owned by the local government;
- Section (j) will not apply as a search by Civic Legal found that there were no written laws that would exempt land from being rated; and
- Section (k) does not apply as no evidence can be found whereby the minister has excluded this portion of land from being 'rateable' land.

Further the lease agreement signed makes reference to the Lessee having an obligation to pay Rates & Taxes to the relevant Authority before those Rates & Taxes become overdue.

Overall there does not appear to be any legal reason for these properties to now be excluded from the rate base and it is officer recommendation that for the entirety of the lease agreements these properties be rated.

With this in mind, contact has been made with DPaW for details of the leases and the names and addresses of lessees supplied. This information has now been forwarded to The Valuer General for values to be raised on these properties with the assumption being that as at the 2016/17 financial year rates will be issued to these lessees.

As mentioned earlier within this item, contact has been made with Civic Legal to determine that raising rates on these properties would not contravene The Act and their response is included within the attachments. Contact was also made with the Department of Local Government and Communities to ensure that there were no objections from their department with these rates being raised and with the Valuer General. From all of these contacts no objections were raised.

It is therefore the intention of officers to include these 33 properties from 1 July 2016 until the expiry of these leases either in 2037 or if the full 42 year term granted in 2058 unless Council objects and wishes these properties to remain non-rateable. In preparation for this letters have been sent out to all lessees advising them of the actions the Shire of Nannup is intending to take and the reasoning behind.

Financially what this represents to this organisation is an increase in the rate base of \$34,254 per annum based around the current minimum rates for an

Unimproved Property. Based on current minimum rates the following projections can be made:

	Minimum rate 2015/16 - UV	Result
33 huts at minimum rate	\$1039	\$34,254
Current 21 year lease agreement	\$34,254	\$719,334
Further 21 year option	\$719,334	\$1,438,668

Actual revenue received by the Shire of Nannup will not increase from this inclusion rather the rate burden will now be shared with these properties and so the annual rate increases per property will be lower than if these properties were not included.

STATUTORY ENVIRONMENT: Section 6.28 of the Local Government Act 1995

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS:

The financial implication of the officers' recommendation is an increase in the rate base for the Shire of Nannup for up to 42 years which will equate to lower rates being raised per assessment.

STRATEGIC IMPLICATIONS:

Strategic Community Plan - 6.1

Be an exemplar of sustainability – Balance our environment, social and financial requirements.

RECOMMENDATION:

That the 33 leased properties forming part of the D'Entrecasteaux National Park Reserve number 36996 identified as being within the Shire of Nannup boundaries be included within the rateable properties from 1 July 2016 up until notification from the Department of Parks and Wildlife that the leases have expired.

VOTING REQUIREMENTS: Simple Majority

AGENDA NUMBER:	12.13
SUBJECT:	Policy Changes – FNC 2
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Tracie Bishop
FILE REFERENCE:	FNC 15
AUTHOR:	Tracie Bishop – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	21 March 2016
ATTACHMENT:	12.13.1 – Draft Amended Policy FNC2 – Depreciation of Fixed Assets.

BACKGROUND:

Our current policy relating to the level of depreciation applicable to the various asset types does not reflect the information contained within our Annual Statement at Note 1 which is in line with the Australian Accounting Standards on Fair Values – AASB 13.

COMMENT:

While depreciation is a non cash item and as such does not impact too heavily on the annual expenses of the organisation, the implication of applying more depreciation than required can be that the ratios included within our Annual Report are shown in a more severe light than they need to be. One of the adverse ratios shown within the Annual Report would have been adjusted if depreciation rates applied reflected those shown within Note 1.

STATUTORY ENVIRONMENT: AASB 13 – Fair Value Measurement.

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS:

Deprecation rates applied to various classes reflect those within AASB 13 and the Annual Report.

STRATEGIC IMPLICATIONS: Nil

RECOMMENDATION:

That Councils policy FNC 2 be adjusted to correctly reflect the rates of depreciation in line with the Australian Accounting Standards at AASB13 currently reflected in our Annual Reports.

VOTING REQUIREMENTS: Simple Majority

AGENDA NUMBER:	12.14
SUBJECT:	Monthly Accounts for Payment - February 2016
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 8
AUTHOR:	Tracie Bishop – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT:	21 March 2016
ATTACHMENTS:	12.14.1 – Accounts for Payment – February 2016 12.14.2 – Credit Card Transactions – December 2015 – January 2016

BACKGROUND:

The Accounts for Payment for the Nannup Shire Municipal Account fund and Trust Account fund to 29 February 2016 as detailed hereunder and noted on the attached schedule are submitted to Council.

COMMENT:

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

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

Municipal Account

Accounts paid by EFT	8012 - 8129	\$363,6152.48
Accounts paid by cheque	19974 - 19996	\$513,272.91
Accounts paid by Direct Debit	DD9514.1 to DD9534.1	\$6,794.80
Sub Total Municipal Account		<u>\$278,982.45</u>

Trust Account

Accounts paid by EFT		\$0.00
Accounts Paid by cheque	22795	<u>\$41,500.00</u>
SubTotal Trust Account		<u>\$41,500.00</u>
Total Payments		<u>\$925,183.19</u>

STATUTORY ENVIRONMENT: LG (Financial Management) Regulation 13

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS: As indicated in Schedule of Accounts for Payment.

STRATEGIC IMPLICATIONS: None.

RECOMMENDATION:

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$925,183.19 in the attached schedule be endorsed.

VOTING REQUIREMENTS: Simple majority

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

13.1 OFFICERS

13.2 ELECTED MEMBERS

**14. MEETING CLOSED TO THE PUBLIC
(Confidential Items)**

14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

**14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE
PUBLIC**

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

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

17. CLOSURE OF MEETING



Agenda Attachments

Item	Attach	Title
8	1	Minutes of the Ordinary Council Meeting of the Shire of Nannup
9.1		Minutes of the Warren Blackwood Alliance of Councils Board meeting 16/02/2016
9.2		Minutes of the Warren Blackwood Alliance of Councils Board meeting 23/02/2016
9.3		Minutes of the WALGA South West Zone
9.4		Minutes of the BIGN
9.5		Local Emergency Management Advisory Committee (LEMAC)
12.3	1	Special Governance Bulletin – March 2016 Edition
12.8	1	Correspondence and application details
	2	Location map
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12.10	1	Financial Statements for the period ending 29 February 2016
	2	Table Showing Detailed Variances for February 2016
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Minutes

Council Meeting held Thursday 25 February 2016

CONFIRMATION OF MINUTES

These minutes comprising pages 1 – 39 were confirmed by
Council on 31 March 2016 as a true and accurate record.

.....
Tony Dean

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Minutes

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 4:15pm

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

ATTENDANCE:

Shire President: Cr A Dean

Deputy Shire President: Cr R Mellema

Councillors: C Gilbert, R Longmore, N Steer, A Slater, C Stevenson and P Fraser

Peter Clarke – Chief Executive Officer

Chris Wade – Manager Infrastructure

Tracie Bishop – Manager Corporate Services

APOLOGIES:

Nil

LEAVE OF ABSENCE:

Nil

VISITORS: Mr Len Gilchrist, Mrs Rita Stallard

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE. Nil

4. PUBLIC QUESTION TIME:

Public question time commenced at: 4:16pm.

Mr Len Gilchrist

Q1: Can Councillors individually sign a letter either agreeing or disagreeing with my statement made at the January 2016 Council meeting?

Shire President responded:

A1. It would be up to the individual Councillors but in my opinion – No.

Q2: Why not?

Shire President responded:

A2. No explanation is required for that question.

Mrs Rita Stallard

Q3. Can you please advise what the name of the new building that has just finished construction at the Recreation Precinct is?

Shire President responded:

A3. The Nannup Recreation & Community Centre.

Q4. What is the proposed use of this building?

Shire President responded:

A4. There are many uses that this facility can be utilised for. Be it sporting or leisure. It will be up to the individual users to decide this. The commercial kitchen will appeal for some users, the function area to others.

Q5. What is the hiring cost of using this facility?

Shire President responded:

A5. The cost is relative to that of the Town Hall.

Q6. The existing Recreation Centre has a hole between the wall and the roof as a result of the construction of this new facility. Can you please advise when this fault will be fixed?

Chief Executive Officer responded:

A6. I am unaware of this fault but am happy to meet with you on-site to inspect and remedy the solution.

Q7. Has all of the asbestos identified under the floor of the existing building been removed?

Manager for Infrastructure responded:

A7. Yes.

Q8. As part of the renovations to the actual recreation hall fixed louvres were installed to increase air flow. These louvres appear to be fixed and as a result when the weather is cooler make the hall very cold. Can these be adjusted to suit climate conditions?

Manager of Infrastructure responded:

A8. The louvres are fixed and cannot be adjusted. This was part of the original drawings completed by the architects employed. To remove and install adjustable louvres would be a considerable expense and would need to be included within budget considerations going forward.

Q9. Why was this model installed as opposed to moveable louvres?

Manager for Infrastructure responded:

A9. As mentioned above, it was part of the original drawing and was decided by the architects and previous management.

Q10. There have been a number of post-dated building approvals requested for buildings completed in the past. Was the current building approval process relevant for these works when they were constructed?

Shire President:

A10. Following your query prior to the meeting information has been obtained and yes, approvals were required. The Local Government Act of 1960 Part XV Section 373 and 374 required Building approvals being obtained prior to works being completed. A copy of this information can be provided to you at a later date if required.

Q11. At the last Council meeting it was decided that no dogs would be allowed on the golf course unless on a lead. Is this as a result of dog fights?

Shire President:

A11. No. It is more as a result of owners not having 100% control of dogs when off the lead and not being aware of where the dogs are relieving themselves. This can result in golfers being impacted when they then access these areas.

Q12. If the problem is ensuring that owners pick up after their animals would it be possible for bins to be provided for this purpose?

Shire President responded:

A12. No, the issue is not that responsible owners will pick up after their dogs it is more that if a dog is off the lead there is the opportunity for the dog to relieve themselves without the owner being aware.

Q13. Is it possible for dogs to have access to the nature reserves surrounding the golf course as an alternative?

Shire President responded:

A13. No, golfers often unintentionally hit into these reserves so the above concerns raised would remain.

Q14. On market days dogs often cause problems as a result of being on long leads and having the opportunity to become tangled with people. This is dangerous and could cause injury. Is it possible for the Ranger to show a presence on these days and make owners more responsible?

Shire President responded:

A14. Not aware of restrictions relating to length of leads but this matter will be investigated and acted upon.

Public Question Time finished at 4:35pm

5. APPLICATIONS FOR LEAVE OF ABSENCE
Nil

6. PETITIONS/DEPUTATIONS/PRESENTATIONS
Nil

7. DECLARATIONS OF INTEREST

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

16017 STEVENSON/SLATER

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 28 January 2016 be confirmed as a true and correct record.

CARRIED (8/0)

16018 STEER/LONGMORE

That the Minutes of the Annual Electors Meeting held on Thursday 18 February 2016 be confirmed as a true and correct record.

CARRIED (8/0)

9. MINUTES OF COUNCIL & OTHER COMMITTEES

16019 MELLEMA/STEVENSON

9.1 Bush Fires Advisory Committee

That the Minutes of the Bush Fires Advisory Committee meeting held on Monday 1 February 2016 be received.

9.2 Audit Advisory Committee

That the Minutes of the Shire of Nannup Audit Advisory Committee held in Council Chambers on Thursday 18 February 2016 be confirmed as a true and correct record.

CARRIED (8/0)

10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION
Nil

11. REPORTS BY MEMBERS ATTENDING COMMITTEES

Date	Meeting	Councillor
01/02/16	Bushfire Advisory Committee	Cr Mellema, Cr Stevenson, Cr Fraser
02/02/2016	Land Conservation District Committee – Dairy Farm Tour	Cr Longmore
03/02/2016	Local Emergency Management Committee	Cr Dean, Cr Longmore
05/02/2016	WALGA Biodiversity Group	Cr Longmore, Cr Fraser
10/02/2016	Blackwood Basin Group	Cr Longmore
11/02/2016	Warren Blackwood Alliance of Councils	Cr Dean
16/02/2016	SWGLMA	Cr Longmore
16/02/2016	LCDC General Meeting	Cr Longmore
18/2/2016	Audit Advisory Committee Meeting	Cr Dean, Cr Mellema, Cr Slater, Cr Steer, Cr Gilbert, Cr Fraser, Cr Stevenson, Cr Longmore
18/02/2016	Annual Electors Meeting	Cr Dean, Cr Mellema, Cr Slater, Cr Steer, Cr Gilbert, Cr Fraser, Cr Stevenson, Cr Longmore
23/02/2016	Warren Blackwood Alliance of Councils	Cr Dean, Cr Longmore

12. REPORTS OF OFFICERS

AGENDA NUMBER:	12.1
SUBJECT:	Annual Performance Appraisal – Chief Executive Officer
LOCATION/ADDRESS:	
NAME OF APPLICANT:	Peter Clarke
FILE REFERENCE:	Personal File
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	15 February 2016

BACKGROUND:

In accordance with Section 5.38 of the *Local Government Act 1995* and the Chief Executive Officer's Contract of Employment, it is a requirement for Council to undertake an annual Performance Appraisal.

The CEO completes the first year of his 3 year Contract of Employment on Thursday, 3 March 2016.

COMMENT:

Clause 4 of the Contract of Employment states the processes for the conduct of the Appraisal which is detailed below:-

Clause 4.1 Adherence to Performance Criteria

The Officer agrees with the Council that the Officer must, in performing the Officer's obligations under this agreement, use every reasonable endeavour to achieve the agreed Performance Criteria Indicators as detailed in Annexure 2 of the Contract.

4.2 Performance Reviews

The Officer's performance pursuant to this Agreement will be reviewed by the Council annually during the term and more frequently if the Council or the Officer perceives that there is a need to do so. The Council must give the Officer at least 14 days notice in writing that a performance review is to be conducted.

4.3 Conduct of Performance Review

Any performance review will be conducted by the Council itself or on behalf by an independent facilitator mutually agreed between the Council and the Officer.

4.4 Procedure

A performance review conducted under this Clause 4 shall take the format of the following procedure:

- (a) as soon as practicable after receipt of notice pursuant to Clause 4.2, the Officer will prepare a report assessing the Officer's own performance of the Officer's obligations under this document measured against the Performance Criteria;
- (b) the Officer will present his report to the Council, and be available for interview;
- (c) within one month of the conclusion of the performance review the Council shall prepare a report, in consultation with the Officer, to be signed by both the Council and the Officer, with such a report to include:
 - (i) any conclusions about the Officer's performance during the period the subject of the performance review;
 - (ii) any proposal by either party to vary the Performance Criteria as a consequence of the performance review and any comments by the Officer on any such proposal;
 - (iii) any directions or recommendation made to the Officer in relation to future performance by the Officer of the Officer's obligations under this document; and
 - (iv) details of the extent, if any, to which the Officer disagrees with any statement in the report.

The CEO has prepared a report to Council in accordance with Clause 4.1 of the Contract and will forward same to Councillors prior to the Performance Review being conducted.

STATUTORY ENVIRONMENT:

Section 5.38 of the *Local Government Act 1995* relating to annual reviews of certain employees' performances states the following:-

The performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of the employment.

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS: Nil

RECOMMENDATION:

That Council conducts an annual review of the CEO's performance in accordance with Section 5.38 of the *Local Government Act 1995* and Clause 4 of the CEO's Contract of Employment and for this to be undertaken prior to the March 2016 Ordinary Meeting to allow an appropriate Report to be presented to Council on the Review process.

VOTING REQUIREMENTS: Simple Majority

16020 GILBERT/STEER

That Council conducts an annual review of the CEO's performance in accordance with Section 5.38 of the Local Government Act 1995 and Clause 4 of the CEO's Contract of Employment and for this to be undertaken prior to the March 2016 Ordinary Meeting to allow an appropriate Report to be presented to Council on the Review process.

CARRIED (8/0)

AGENDA NUMBER:	12.2
SUBJECT:	Compliance Audit Return 2015
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Department of Local Government and Communities
FILE REFERENCE:	ADM 14
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	15 February 2016
ATTACHMENT:	12.2.1 - 2015 Annual Compliance Audit Return

BACKGROUND:

Council is required by section 14 of the Local Government Audit Regulations 1996 to complete a Compliance Audit Return each year covering the period 1 January to 31 December. The Compliance Audit Return is to be:

1. Presented to Council at a meeting of the Council.
2. Adopted by the Council.
3. The adoption recorded in the minutes of the meeting at which it is adopted.
4. Signed by the Shire President and Chief Executive Officer and returned to the Department of Local Government with a copy of the Council minutes of the meeting at which it was received.
5. Submitted to the Department for Local Government by 31 March each year.

The Return must also be reviewed by the Audit Committee prior to its adoption by Council.

COMMENT:

The Annual Compliance Audit Return contains 87 questions of which:

- 56 were complied with;
- 31 were not applicable to the Shire of Nannup during the year under review.

There were no areas of non-compliance detected.

As per the *Local Government Audit Regulations 1996*, the Return was submitted to the Audit Advisory Committee meeting for review, which was held on Thursday, 18 February 2016.

STATUTORY ENVIRONMENT:

Section 14 of the *Local Government Audit Regulations 1996*

- (3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.
- (3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —
 - (a) presented to the council at a meeting of the council; and
 - (b) adopted by the council; and
 - (c) recorded in the minutes of the meeting at which it is adopted.

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS: Nil

RECOMMENDATION:

That Council adopts the Local Government Compliance Audit Report for the Shire of Nannup for the period 1 January 2015 to the 31 December 2015, and authorises the Shire President and CEO to sign and submit the report to the Department of Local Government as required.

VOTING REQUIREMENTS: Absolute Majority.

16021 MELLEMA/LONGMORE

That Council adopts the Local Government Compliance Audit Report for the Shire of Nannup for the period 1 January 2015 to the 31 December 2015, and authorises the Shire President and CEO to sign and submit the report to the Department of Local Government as required.

CARRIED BY ABSOLUTE MAJORITY (8/0)

AGENDA NUMBER:	12.3
SUBJECT:	Nannup Music Festival - Annual Funding Assistance Request
LOCATION/ADDRESS:	
NAME OF APPLICANT:	Nannup Music Club Inc.
FILE REFERENCE:	
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	15 February 2016

BACKGROUND:

Ms Deanne Shade, Chairperson of the Nannup Music Club Inc., writes to Council as a follow-up to the Club's Expression of Interest for the old Kindergarten building and recent discussions with the Shire President and CEO regarding the Club's current budget situation.

Ms Shade advises that the Music Festival provides substantial income revenue for the town and community members. Feedback from local businesses indicates that over the Festival weekend business is magnified substantially. Local accommodation is booked out well in advance, hospitality businesses are extremely busy and the cultural opportunities on offer for all ages are a much needed experience for the local community. The Music Club and Festival also bring about opportunities for employment and volunteering experience for locals.

Ms Shade indicates that pending the decision of Council regarding their EOI for the Kindergarten building, the Club acknowledges that regardless of the outcome, they will be expected to honour the current rental agreement and understand this is an important revenue stream for the Shire.

Ms Shade advises that in order for the Nannup Music Festival to remain viable, the Club is requesting more in-kind and monetary support from the Shire of Nannup. Current financial forecasts indicate that the Club will make no profit for the 2016 Festival with the Club being forced to eat into their savings which may result in the Festival no longer continuing into the future.

The Nannup Music Club trusts that Council considers the funding proposals for the benefit of the community and its members and hopes that the Club will continue to work closely with Council to achieve the best possible outcomes for all concerned.

COMMENT:

The Nannup Music Club has advised that they would like Council to consider the following in relation to ongoing support:-

- Continuation of the \$20,000 financial contribution;
- The Music Club honouring the agreement to pay \$12,000 rent for their existing premises; and
- The remaining \$18,800* in costs normally paid to the Shire of Nannup be provided by way of in-kind support.

The Nannup Music Club has provided the following breakdown of their costs paid to the Shire of Nannup associated with the conduct of the Festival:-

Nannup Shire – Costs for Nannup Music Festival:

1. Venue Hire	\$ 1000*
2. Support Costs	\$17800*
3. Camping Licence	\$ 100
	\$18900

Admin Shire Expenses:

1. Rent	\$11000
2. Shed Rent	\$ 500
3. Shed Donation	\$ 500
	\$12000

Camping:

1. Hire of Rec Centre	\$ 500
2. Camping Fees	\$ 91
3. Camping fees	\$ 550
	\$ 1141

Paid to Shire Total: \$ 32041 without GST

The Nannup Music Club Inc., has advised that the ability to source grant funds has diminished considerably since the inception of the Festival. The following grant funds that the Club originally received no longer exist:-

- Healthways **\$5,000** (was between \$15,000 and \$25,000 in 2013)
- Festival Australia **\$10,000**
- National Program for Excellence in Arts **\$10,000**
- Department of Culture and Arts **\$27,000**
- Australia Council **\$50,000**

The above totals **\$102,000** of funding that can no longer be sourced due to Governments withdrawing these programs or changing criteria.

The Club was successful however in obtaining a **\$5,000** every year for 4 years via a New Country Arts grant program.

The Club has also indicated that they are not the only Festival facing difficulty in the above regard and it has also been advised that the Bridgetown Blues and Fairbridge Festivals are also under threat due to a lack of grant funding.

The Music Club increased their ticket prices for the 2016 event which has helped them balance things slightly but they are eating into their reserve funds. The Club has advised that the increase in ticket prices will cover the 2016 Festival and whilst the Club will look at fundraising after the 2016 Festival, it will not cover future events. The Club has advised that they will continue to apply for any grant funding opportunities but they are limited.

The Nannup Music Festival is a major event on Nannup's annual calendar and attracts many visitors to the Shire and benefits the local economy significantly. To see such an established and successful event struggle financially through no fault of the Music Club is concerning.

The following proposal put forward by the Club to assist it in staging Festivals beyond 2016 does mean that Council will forego \$17,800 in annual income but this could be considered as a small contribution in order to keep the Festival viable.

- Continuation of the \$20,000 financial contribution;
- The Music Club honouring the agreement to pay \$12,000 rent for their existing premises; and
- The remaining \$18,800 in costs normally paid to the Shire of Nannup be provided by way of in-kind support.

Council will commence its 2016/2017 Budget planning in late March/early April 2016 and it should know whether it could accommodate covering the request for in-kind works during this process. Until then, it is suggested that Council acknowledges the request received and advises the Nannup Music Club accordingly.

STATUTORY ENVIRONMENT: Nil

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS:
Subject to 2016/2017 Budget deliberations.

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Strategic Plan 2013-2023 – Our Community Leadership - Strategy 5.1, Lead, Listen, Advocate, Represent and Provide and Support Existing and Emerging Community Groups.

RECOMMENDATION:

That Council:-

1. Acknowledges the request received from the Nannup Music Club Inc., seeking Council support in providing in-kind works as opposed to charging for same for the conduct of the annual Nannup Music Festival and advises that consideration will be given in the 2016/2017 Budget deliberations for this level of financial support however, no guarantees can be given at this stage.
2. The Nannup Music Club submits its total Balance Sheet at the conclusion of the 2016 Festival in order that Council can assess its current financial position with the view to consideration of additional financial support for the 2017 event.

VOTING REQUIREMENTS: Simple Majority

16022 MELLEMA/STEER

That Council:-

1. *Acknowledges the request received from the Nannup Music Club Inc., seeking Council support in providing in-kind works as opposed to charging for same for the conduct of the annual Nannup Music Festival and advises that consideration will be given in the 2016/2017 Budget deliberations for this level of financial support however, no guarantees can be given at this stage.*
2. *The Nannup Music Club submits its total Balance Sheet at the conclusion of the 2016 Festival in order that Council can assess its current financial position with the view to consideration of additional financial support for the 2017 event.*

CARRIED (8/0)

AGENDA NUMBER:	12.4
SUBJECT:	Proposed Dog Exercise Areas
LOCATION/ADDRESS:	Nannup Town Site
NAME OF APPLICANT:	
FILE REFERENCE:	
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	
DATE OF REPORT:	15 February 2016

BACKGROUND:

At the January 2016 Ordinary meeting of Council the following was resolved in respect to proposed Dog Exercise areas.

16007 GILBERT/SLATER

That following consideration of the submissions received in respect into proposed Designated Dog Exercise Areas within the Nannup town site, Council identifies the following land to be "Specified Areas" for the purpose of exercising dogs off the lead in accordance with Section 3(A) of the Dog Act 1976:-

- *"The Public Transport Authority of WA land leased to the Shire of Nannup that commences 60 metres south of the Foreshore Park toilets and which runs parallel to the River terminating at the old Railway Shed; and*
- *"Reserve 42287 being the Old Girl Guides Hall area vested in Council for the purpose of Recreation".*

In relation to the Specified PTA Area, this is to remain in force until the termination/renewal of the Lease in 2024. In allocating the Specified Areas, Council advertises same in the local "Telegraph" newspaper and erects appropriate signage at various locations along the route

AMENDMENT TO THE AMENDMENT:

MELLEMA/LONGMORE

That the intent of the Amendment be supported however in relation to "Reserve 42287" being supported as a Specified Area, this matter lay on the table until further consultation is undertaken with landholders in the vicinity of the Reserve.

COMMENT:

Following the January Ordinary meeting the CEO contacted Councillors on Monday, 1 February to advise that Reserve 42287 was located outside of the Nannup town site boundary and as the *Dog Act 1976* does not provide for

Specified Areas that fall outside of a town site boundary, Reserve 42287 can be utilised for this purpose.

STATUTORY ENVIRONMENT:

Section 31 of the *Dog Act 1976* Relation to Control of Dogs in Certain Public Places

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Strategic Plan 2013-2023 – Our Community Leadership - Strategy 5.1, Lead, Listen, Advocate, Represent and Provide

RECOMMENDATION:

That as Reserve 42287 is located outside of the Nannup town site boundary, it does not apply to Specified Areas in accordance with the *Dog Act 1976* and therefore, the following Designated Dog Exercise Area in the Nannup town site nominated at the January 2016 Ordinary meeting be reconfirmed as follows:-

“The Public Transport Authority of WA land leased to the Shire of Nannup that commences 60 metres south of the Foreshore Park toilets and which runs parallel to the River terminating at the old Railway Shed”.

VOTING REQUIREMENTS: Simple Majority

PROCEDURAL MOTION

SLATER/

That this matter lay on the table for further investigation.

THE MOTION LAPSED FOR THE WANT OF A SECONDER

16023 GILBERT/MELLEMA

“The Public Transport Authority of WA land leased to the Shire of Nannup that commences on the southern edge of the service road approximately 60 metres south of the Foreshore Park toilets and which runs parallel to the River terminating at the northern border of Ford Way”.

CARRIED (7/1)

Cr Stevenson voted against the motion

AGENDA NUMBER:	12.5
SUBJECT:	Nannup Kindergarten Building – Expressions of Interest (EOI) for Proposed Usage
LOCATION/ADDRESS:	Reserve 29142 “Civic Centre Purposes” - Adam Street, Nannup
NAME OF APPLICANT:	N/A
FILE REFERENCE:	ADM 35
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	16 February 2016

BACKGROUND:

At the January 2016 Ordinary Council meeting the EOI's received for use of the vacated Nannup Kindergarten Building were presented to Council. Based on a number of factors relating to the proposed usage of the three applicants, the following was resolved by Council.

16011 DEAN/MELLEMA

That Council authorises the CEO to further negotiate with the Nannup Music Club, the Nannup Men's Shed Group and Ms Evans regarding their particular EOI's to determine the type of infrastructure proposed to be erected on site and intended modifications to the building to ascertain whether this meets local Heritage and Planning requirements. Following these negotiations, the CEO is to report back to Council on his findings in order for a decision to be made on the future use of the building.

CARRIED (8/0)

COMMENT:

During the course of the month the CEO has met with the three applicants to discuss their EOI's.

- **Mrs Rosemary Evans – Proposed Life Skills Centre**

Whilst Mrs Evans would like to pursue a Life Skills Centre in the future, she indicated that the timing is not right and many other factors/investigations need to be undertaken and therefore, indicated that she would not be pursuing the use of the Kindergarten Building.

- ***Nannup Music Club – Proposed Alternate Offices***

The Music Club advised that the main reason that they were seeking alternative premises was related to storage and the lack of it at their current location. The Music Club did advise that if other options could be found for storage of their equipment etc., they would re-consider their EOI.

In discussions with the Manager for Infrastructure it has been agreed that if the Music Club sourced a sea-container for storage it could be located at the Shire Depot on the proviso that it would be for storage of the Club's equipment from year to year and there would not be continual access to the container.

Based on the above agreement, the Music Club will remain at their current location, which in the opinion of the CEO is the preferred option as the Club has a higher profile in this location.

- ***Nannup Men's Shed – Proposed Interim Base for Men Shed Activities***

The CEO met with representatives of the Nannup Men's Shed to discuss their EOI. The Men's Shed formed in December 2014 and have been searching for a suitable premises but unfortunately nothing suitable has been found, or costs have prohibited possible options.

The Men's Shed consider that the old Kindergarten Building would be suitable for their operations in the short term until suitable premises are obtained. It would also provide them with a base to strengthen their membership and undertake community activities and promote Men's health. The CEO did stress that normal Men's Shed activities would be limited at this site as the building's facilities are somewhat limited in this regard.

The CEO raised possible rental arrangements however, only being a fledgling organisation and with minimal finances, the Men's Shed would be seeking a peppercorn rental on the premises.

STATUTORY ENVIRONMENT:

Section 3.58 of the *Local Government Act*, relating to leasing premises and Section 30(2)(b) of the *Local Government (Functions and General) Regulations 1996* relating to exemptions to disposal of property.

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS:

Annual revenue for rental of the premises would be lost as the Men's Shed are seeking a Peppercorn rental.

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Strategic Plan 2013-2023 – Our Community Leadership - Strategy 5.1, Lead, Listen, Advocate, Represent and Provide and Support Existing and Emerging Community Groups.

RECOMMENDATION:

That based on the negotiations with those that submitted Expressions of Interest for use of the old Kindergarten Building, and the withdrawal of two of the Interests, Council grants use of the facility to the Nannup Men's Shed for a period of 24 months at a Peppercorn rental and that an Occupancy Agreement be prepared to set parameters regarding use of the building.

VOTING REQUIREMENTS: Simple Majority

16024 LONGMORE/MELLEMA

That based on the negotiations with those that submitted Expressions of Interest for use of the old Kindergarten Building, and the withdrawal of two of the Interests, Council grants use of the facility to the Nannup Men's Shed for a period of 24 months at a Peppercorn rental and that an Occupancy Agreement be prepared to set parameters regarding use of the building.

CARRIED (8/0)

AGENDA NUMBER:	12.6
SUBJECT:	Busselton-Margaret River Airport (BMRA) – Request for Letter of Support
LOCATION/ADDRESS:	
NAME OF APPLICANT:	City of Busselton
FILE REFERENCE:	ADM 32
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	16 February 2016

BACKGROUND:

The Director of Community and Commercial Services with the City of Busselton has written to Council to advise that the City is preparing an application to the National Stronger Regions Fund (NSRF) – Round 3 to further develop BMRA airside infrastructure to enable international freight services to South East Asia. While the focus of this application is for international air freight services it is expected, in turn, to encourage international Regular Passenger Transport (RPT) services in the medium term.

The City advises that in support of the application, it is working with the South West Development Commission and regional producers to quantify the level of supply to support a sustainable regular service. The City is also working with air freight services providers to further explore such opportunities in anticipation that a level of support can be provided to the City's application.

To ensure a robust application the City would like to include confirmation of support from a range of key stakeholders across business, industry and government. Therefore the Director seeks Council assistance by returning a letter of support for a regular international freight service at the BMRA.

COMMENT:

Applications for Round 3 of the NSRF close in mid-March and the City of Busselton would appreciate a letter of support prior to closure.

It is considered that regular international freight services at the BMRA, particularly to South East Asia would be advantageous to business and industry in the South West region and could open up additional industry if the regular service was available.

STATUTORY ENVIRONMENT: Nil

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Strategic Plan 2013-2023 – Our Economy - Strategy 2.1, Encourage and Support more Industry, Businesses and Employment.

RECOMMENDATION:

That Council provides a letter of support to the City of Busselton for their funding application to the National Stronger Regions Fund to further develop the Busselton-Margaret River Airport airside infrastructure to enable international freight services to South East Asia.

VOTING REQUIREMENTS: Simple Majority

16025 SLATER/MELLEMA

That Council provides a letter of support to the City of Busselton for their funding application to the National Stronger Regions Fund to further develop the Busselton-Margaret River Airport airside infrastructure to enable international freight services to South East Asia.

CARRIED (8/0)

AGENDA NUMBER:	12.7
SUBJECT:	Budget Review 2015/16
LOCATION/ADDRESS:	Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	FNC 3
AUTHOR:	Tracie Bishop – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT:	14 February 2015
Attachments:	12.7.1 – Budget Amendments 12.7.2 – Nannup Recreation Centre Reconciliation to 31 January 2016 12.7.3 – Main Street Upgrade Reconciliation to 31 January 2016

SUMMARY:

As per the Financial Management Regulations 1996 Section 33A a review of a Local Governments annual budget must be completed between 1 January and 31 March each year. The following item allows the Shire of Nannup to reach compliance within this area.

There are some variances expected from the original estimates of the Budget which was adopted at the June 2015 Ordinary Council Meeting. These are largely as a result of timely and prudent savings by officers. Although there are overspends identified and shown within Attachment 12.7.1, these are covered by identified underspends also shown within the same attachment.

Based on the current financial information that is available it is anticipated that for the 2015/16 financial year the Shire of Nannup may finish this year as initially reported within the Financial Budget adopted at the June 2015 meeting.

COMMENT:

The statutory requirement for the budgetary review is relatively limited and simply requires the Council to evaluate the likely position at the end of the current financial year. The information supplied below attempts to identify where variances are expected to occur as a result of current movements of spending and revenue streams.

Anticipated Outturn for 2015/16

Councillors will see from the budget monitoring reported within the February 2016 Council meeting that as at 31 January 2016 it is expected that there will be nil movement overall to the budget as a result of over and underspends identified. This is the product of careful monitoring within all areas which will see the outturn for the year predicted to meet expectations. Movements of note within the schedules are shown below:

Capital Income/Reserve Contributions

1. Expenditure on the Recreation Centre has resulted in funding required exceeding income identified. As per previous Council resolutions, these overspends will now require an Asset Management Contribution to cover the remaining costs. Shown at Attachment 12.7.2 is the total cost for the project with the final costing for the project within the 2015/16 financial year being \$1,205,344. Total income for the 2015/16 year for this project was \$1,045,884. This has resulted in an overspend of \$159,460.

As per Council Resolution 9268 below from the October 2015, this overspend was previously reported and the following resolution carried:

9268 DEAN/GILBERT

That Council:

1. *Receives the September 2015 progress report for the Nannup Recreation and Community Precinct Project.*
2. *Endorses the transfer of up to \$159,500.00+GST from the Asset Management Reserve account, for the Nannup Recreation Centre Project.*

Request the Chief Executive Officer to provide the Council with a detailed report and exact amount to be transferred once the final amount is known.

CARRIED BY ABSOLUTE MAJORITY 5/2

2. Plant Reserve contribution – Within the 2015/16 budget there was an allocation from this reserve to cover the three identified pieces of plant due for replacement. Once quotes were received the contribution required to fund the changeover from old to new has reduced resulting in a \$47,500 reduction required. However as this is a direct contribution for replacement there is no effect shown within the budget, only within the balance of the Plant reserve account.
3. Mowen Road Income – At the time of budget preparations this income was not known. Overall the impact on the budget for 2015/16 will be a nil effect

with all monies received being spent within the period. Total grant income received \$150,000.

Capital Expenditure

1. Caravan Park Upgrade – As part of the agreement reached in the leasing out process of the caravan park the Shire of Nannup agreed to fund various capital works to bring the Caravan Park up to regulation. This agreement required a contribution of \$20,000 to be forwarded to the lessees from the Shire of Nannup. At the October 2015 Ordinary Meeting of Council it was proposed:

The inclusion of \$20,000 in the 2015/16 budget of unauthorised expenditure:

- \$17,000 from anticipated savings due to staff reductions
- \$3,000 from Main Street Reserve.

Resolution 9300 from that meeting resolved:

9300 LONGMORE/GILBERT

That as per Recommendation 9121 from the January 2015 Council Meeting the amount of \$20,000 be paid to the lessees of the Caravan Park to cover costs associated with the building of the ablution block and removal of the asbestos shed.

This unforeseen budgeted amount will be taken into consideration as part of the budget review in February 2016.

CARRIED 8/0

No reserve funding will be required.

2. Administration Door upgrade – Grant funding of \$39,773 was sourced through WALGA within this year for installation of electronic doors at the Shire of Nannup offices. This funding is to assist residents to easily access facilities and services located within the building. Total cost of replacing the doors required a Shire of Nannup contribution of 5,000. Council resolved at the November 2015 to approve the grant and therefore make the contribution required.

9319 STEER/MELLEMA

That Council endorse the actions of the Chief Executive Officer in accepting the Community Infrastructure Program grant of \$43,750.00 from the Western Australian Local Government Authority.

That Council contributes \$5,000.00 towards this project from the Asset Management Reserve.

CARRIED BY ABSOLUTE MAJORITY 7/0

3. Purchase of laneway – Arrangements are now well underway for the purchase of the laneway namely Lot 66 –Linking Walter Street to Adam Street. As per Resolution 16009 at the January meeting the total cost for this variation to the budget is estimated to be \$1,000 plus works in kind.

16009 SLATER/STEER

That Council agrees to undertake in-kind works at the Nannup Catholic Church site by undertaking the scope of works for improved access and construction of a designated gravel parking area to facilitate the transfer of Lot 66 from the Catholic Church to the Shire of Nannup. Council also agrees to reasonable and proper costs of and incidental to the preparation and conveyance of the laneway to the Shire including stamp duty, and any other fees or charges associated with the transfer of land.

CARRIED (8/0)

4. Recreation Centre Upgrade – The cost of this project and the further contribution required is shown within the Capital Income section of this Agenda item.
5. Refurbishment of the Community Space – This project was run in tandem with the Recreation Centre upgrade. As a result of the Sportsman's club vacating this room the opportunity to refurbish and create a valuable meeting space was realised. Total cost of these works which have included a new kitchenette being installed, ceilings, doors and carpets replaced air-conditioning installed, new ramps built into the sporting facility and a general clean up throughout the whole recreation centre. This has resulted in an unbudgeted \$50,000 being spent. These costs are covered as a result of savings within the budget in other areas.
6. Transport - Mowen Road – Grant income has been sourced for final works to this road. Implications to the budget are nil as all works completed are covered by grant income received.
7. Main Street Upgrade – Stage one of this project has now been completed under budget. There are a few outstanding items to be completed and accounted for one of which is a disputed transaction for hire of traffic management. Quotes were obtained prior to engagement and used as the basis for budgeting within this area however a change of staff within the traffic management organisation has resulted in additional costs being added to our account. These costs are not seen as credible and so are being disputed. Further meetings between all parties will hopefully resolve this dispute. Attachment 12.7.3 shows a breakdown of spending on this project to date as well as anticipated final position of a surplus of between

66,655 and \$26,655 depending on the outcome from the disputed transactions. This can be held within the remaining Main Street reserve for stage two of this project.

Operating Income:

1. General Purpose - Decreases in this schedule are expected with reductions in Department of Transport transactions by \$5,000, possibly as a result of people utilising the internet option of payment. Decreases in investment income of 50,000 is also expected. This decrease in interest revenue is attributed to lower amounts of grant funding held and lowering interest rates overall.
2. Governance – Hire fees for the Shirley Humble room are not expected to meet expectations. At this point in time they are only at 10% of estimation. Given that the total income realised from this area of revenue is only \$500 per annum this is not expected to be of great consequence.
3. Law & Order – Animal registrations are expected to differ from budget expectations. Dog registrations have already exceeded expectations with an additional \$2,500 expected from this area. Cat registrations however are lower with the outcome expected to be reduced revenue of \$700.

The Community Emergency Services Officer position is expected to have a variation this financial year. The current financial arrangement is a 70:30 split between DFES and the Shire of Nannup as opposed to the historical split of 80:20. Looking at expenses for this financial year this will result in a decrease in income from DFES of \$2,800.

Ranger Infringement's issued – This will exceed budgeted revenue. It is as a result of more dog related issues this year requiring court appearances. Total excess revenue expected will be \$1,500 over budget.

4. Health – This year a general licence fee was introduced within this schedule. Additional Income is expected to be over budget by \$6,000.
5. Education and Welfare – The Seniors grant included within the 15/16 budget has not been sourced. Loss of revenue from this area is \$2,000 under budget.
6. Housing – Rental income for the year is lower than expectation as a result of staff houses remaining unrented for a period of the year. All properties are now fully leased. Total loss of earning is expected to be \$8,000.
7. Community Amenities – All variations within this schedule have resulted in increased income and relate to waste management. Overall an increase of \$6,400.
8. Economic Services – As previously reported the income received as part of the lease agreement of the caravan park is higher than anticipated. Overall an increase of \$3,000.
9. Recreation & Culture – Community Sheds income of \$600.

10. Transport – Sale of materials has resulted in an increase of \$1,000.

Operating Expenses:

1. Governance – There has been both over and underspends within this area. Overspends relate to donations to fire affected areas as per Council resolution 16006 shown below:

16006 FRASER/MELLEMA

That Council donates \$1,000 each to the Shires of Esperance, Waroona and Harvey to assist them in the recovery phase following the recent devastating bush fires and that to compensate for the overspend on the 2015/2016 Budgeted amount for donations, this be addressed during the 2015/2016 Budget Review.

CARRIED BY ABSOLUTE MAJORITY (8/0)

Further overspends are expected as a result of a requirement to complete a financial management review; A higher reliance on external support for IT related issues incurred this year will require an additional \$5,000 contribution and increased costs associated with postage, advertising and vehicle costs may see a \$6,000 overspend.

Underspends have been noted and are expected with employee costs as a direct result of the restructure currently being trialled expected to yield a \$10,000 saving, and by the community strategic plan being a desktop only exercise this year saving \$4,000.

2. Law & Order – Savings are expected with the maintenance of the firebreaks by \$5,000 overspends are noted with equipment purchases for the new ranger position \$6,000.
3. Health – A small overspend with water testing.
4. Education & Welfare – There is a significant saving of \$20,000 expected as a result of not replacing the youth officer which is offset to a portion by an overspend within the heritage trail expenditure \$3,200.
5. Community Amenities – The largest saving at this stage of the financial year is anticipated as a result of less reliance on Town Planning consultancy with savings expected of \$60,000. Savings are also expected within the cemetery operations \$5,000.
6. Recreation & Culture – Spending to our Parks & Gardens are less than expected with savings of \$16,000 anticipated and as previously noted there is an overspend to maintenance at the Old Roads Building by \$4,000.
7. Transport – Savings are expected within maintenance at the Depot to the sum of \$3,000.

Long Term Financial Position

The Long Term Financial Plan (LTFP) was formally adopted by Council at the June 2013 Council meeting. Identified within this document was the fact that despite the Shire of Nannup having a history of prudent financial management and of making difficult decisions when the need arises, this stability is being threatened by a projected reduction in capital grants that are supporting ongoing revenue expenditure.

The predominance of capital grant income as a main contributor to overall council income has reduced with the completion of capital projects since the initial LTFP was prepared. This reduction in capital grants continues to put pressure on the other income streams, the most significant of which remains the rate income as the balancing point between expenditure and shortfall. The reason for this pressure and the resulting shortfall experienced that remains after capital projects are finished is that fixed overheads and other operational costs remain, regardless of current work projects being operational or capital, and these costs must now be borne from other sources i.e. rate income. Built into budgets going forward has been an increase in the level of overheads assigned to both wages and plant and this increase in overheads requires funding from the rate income. Within the 2016/17 budget it is anticipated that the level of overheads required will remain constant and will therefore not require additional rate income over and above those already in place. However should the shortfall be significant there is still the option to use funds held within the Rates Equalisation Reserve.

A full review of the Long Term Financial Plan will be completed within the coming weeks and reported back to Council within the budgetary process for 2016/17.

Asset Management Plan

The Asset Management Plan (AMP) was formally adopted by Council at the June 2013 Council meeting. Within this document it was acknowledged that the replacement value of all Council owned buildings is \$17,378,000. This figure will be revised over the coming months to reflect valuations currently being arranged to take place within March/April this year. As per statutory requirements, all assets need to be revalued within a three year period. The majority of our land and buildings were last revalued within the 2014/15 financial year. The AMP is currently in the process of being updated to reflect these new valuations. Within the current financial year a revaluation will be completed on our roads networks.

Based on the current AMP, over the next ten years the costs associated with maintenance and repairs to these assets is estimated to be \$1,811,343. This will require an annual revenue contribution of \$181,134. Due to the level of capital expenditure that was identified within this period, for this year that contribution was lowered to \$130,000.

Sustainability of Reserves

The Council maintains a number of reserves to meet recurrent capital expenditure requirements and other liabilities, such as long service leave. The budgeted position of these reserves is as follows prior to the budget review:

Reserve	Opening Bal 1.7.15 \$	Budgeted Additions \$	Budgeted Payments \$	Variations To Reserve Funds \$	Closing Bal 30.6.16 \$
Long Service Leave	189,395	27,400	(19,500)		216,795
Plant	506,991	112,300	(292,000)		327,291
Recreation Centre	151,080		(151,080)		0
Office Equipment	50,669	15,100			65,769
Main Street Upgrade	956,416	4,500	(832,000)	26,655	155,571
Land Fill Site	41,140	10,200			51,340
Gravel Pit	20,000	20,000			40,000
Emergency Management	53,298				53,298
Aged Housing	21,322				21,322
Asset Management	420,020	132,500	(20,000)	(164,460)	368,060
Rate Equalization	100,000	2,500	(50,000)		52,500
Total	2,510,331	324,500	(1,295,080)	(137,804)	1,351,946

The above table is reflective of additions and payments agreed as part of the budgetary process completed in June 2015. Dependent on Council resolution at today's meeting these amounts may change marginally. Overall, Council's reserve funds represent a strong and sustainable position going forward.

Risks

The Council's immediate financial position is relatively strong but this must be considered in the light of limited information on future expenditure needs and the impact that these would have on the rate liability.

The initial work on the Long Term Financial Plan will need to be revisited and updated to address this issue. This will be reported to Council at the March meeting.

The impact from Council's decision to lease out the running of the Brockman Street and Riversbend caravan parks has resulted in a decrease in risk associated with the expenditure of this facility. The lease agreement is based around a 20 year lease with income being 5% of estimated turnover each year due July 1. This

will then be compared to audited statements at the close of each year and adjustments made where necessary. Based on the fact that expenditure for this facility has now been dramatically reduced to cover only insurance this change in the running of this facility reduces the risk dramatically.

Other risks identified at last year's budget review have been mitigated and the underlying financial position remains strong.

Conclusions

Despite the numerous variations shown within this budget review there is no expected variance between the actual and the estimated outturn for 2015/16.

Once the budget is amended to include the unanticipated spending shown on Attachment 12.7.1, based on the performance in the first six months of 2015/16 it is projected that the budgetary position predicted will remain.

The Long Term Financial Plan will be updated and refined to inform the 2016/17 budget and to comply with the requirements of the Integrated Planning Framework within the near future. And the Asset Management Plan will be revised to reflect current trends identified within the revaluation.

The overall reserve position is strong and supports Council's decision to ensure that it is in a good position to address potential capital projects identified by the community.

The work to complete the 2016/17 budget will commence within the following period and Officers anticipate that with the inclusion of the various workshops arranged over the coming months that Council will be in a position to make an informed decision relating to the budget by the June 2016 Council meeting. This will enable officers to implement the budget and raise rates at the beginning of the 2016/17 financial year. This should place Council in a strong financial position moving forward.

STATUTORY ENVIRONMENT:

Sub-section 2A of the Regulations requires the Council to:

- (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.

POLICY IMPLICATIONS: None

FINANCIAL IMPLICATIONS: That the budget raised for the 2015/16 financial year remains consistent with current spending and it is anticipated that the end of year position will be a balanced as per initial budget.

STRATEGIC IMPLICATIONS: None

Cr Longmore and the CEO left the meeting at 5:27pm

RECOMMENDATION:

That Council endorses all variances shown within this report and attachments as part of the annual Budget Review for the 2015/16 financial year required to remain compliant with statutory obligations.

VOTING REQUIREMENTS: Absolute Majority.

Cr Longmore and the CEO returned to the meeting at 5:30pm

16026 GILBERT/FRASER

That Council endorses all variances shown within this report and attachments as part of the annual Budget Review for the 2015/16 financial year required to remain compliant with statutory obligations.

CARRIED BY ABSOLUTE MAJORITY (8/0)

AGENDA NUMBER:	12.8
SUBJECT:	Budget Monitoring – January 2016
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 8
AUTHOR:	Tracie Bishop – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT:	15 February 2016
ATTACHMENTS:	12.8.1 – Financial Statements for the period ending 31 January 2016 12.8.2 – Table Showing Detailed Variances for January 2016

BACKGROUND:

Local Government (Financial Management) Regulation 34(1) requires that Council report monthly on the financial activity from all the various operating and capital divisions. Council has adopted a variance threshold of 10% or \$5,000, whichever is the greater on which to report. The statutory statements are appended at Attachment 12.8.1.

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

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

COMMENT:

As part of Council's statutory compliance an annual review of the financial budget has now been completed and is contained as a separate item within the agenda. These trends will continue to be monitored throughout the year with only new variances reported each month. For detailed explanations about these variances please refer to Agenda Item 12.7 – Budget Review.

Attachment 12.8.2 provides detailed breakdowns of income and expenditure incurred within the period 1 July 2015 and 31 January 2016 and the associated annual budgets. These are broken down into four columns. The annual budget

within the schedule, the budgeted year to date figures, actual spend to date and variance between budgeted year to date and actual.

STATUTORY ENVIRONMENT:

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

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS: Nil.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

It is recommended that the Monthly Financial Statements for the periods ending 31 January 2016 be received.

VOTING REQUIREMENTS: Simple Majority

16027 STEVENSON/FRASER

It is recommended that the Monthly Financial Statements for the periods ending 31 January 2016 be received.

CARRIED (8/0)

AGENDA NUMBER:	12.9
SUBJECT:	Budget Workshop Timetable 2016
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 3
AUTHOR:	Tracie Bishop – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
PREVIOUS MEETING REFERENCE:	None
DATE OF REPORT:	16 February 2016

BACKGROUND:

Section 5.2 of the Local Government Act 1995 stipulates that no later than 31 August each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt by absolute majority in the form and manner prescribed a budget for its municipal fund for the financial year.

As part of our obligation to produce an operating budget that will allow Council to meet financial needs for the upcoming year, workshops between Officers and Councillors are conducted. Through this process we are able to look at the areas of concern for Councillors and works anticipated by Officers as well as ensuring that necessary costings have been identified and included in the budget going forward.

COMMENT:

The timetable for compiling the 2016/17 budget is set out below. Last year's timetable completed was considered exhaustive in ensuring that Councillors are up to speed with the processes completed in order to arrive at the end figure required to be raised from rates. For the 2016/17 year it is therefore proposed to decrease the number of workshops required. The actual timetable is shown below however should additional workshops be required these can be built in to the timetable on an 'as needs' basis. It is anticipated that the complete budget process including the Rate in the Dollar workshops should be completed by the end of May to allow the adoption of the financial budget for the 2016/17 year to be included within the June 2016 Ordinary meeting of Council.

Councillors are also encouraged to come in and see Officers if they have any areas of concern or have questions relating to the budget process overall.

**Shire of Nannup
Ordinary Council Meeting Minutes: 25 February 2016**

Financial Workshop Schedule 2016/17 Year		
Activity	Date	Description
LTFP Presentation	31/03/2016	First Presentation to Councillors, broad overview of LTFP implications. This workshop will be held within the information session preceeding Council Meeting.
First Officer Workshop	8/03/2016	
Second Officer Workshop	15/03/2016	
Road Inspection	23/03/2016	
First Formal Councillor Base Budget Workshop	5/04/2016	First workshop for Councillors allowing Councillors to go over budget considerations put forward from officers.
Second Formal Councillor Base Budget Workshop	19/04/2016	2nd budget following on from queries raised within 1st workshop.
First Rate in the Dollar Workshop - Councillor level	3/05/2016	It is anticipated that budget considerations will have been finalised ready for Council meeting in June and this meeting will be looking at the preferred Rate in the Dollar options for the 2016/17 year.
Second Rate in Dollar workshop - Councillor Level	17/05/2016	If required second Rate in Dollar workshop
Rate in Dollar and Budget for 2016/17 brought to Council - Special Meeting of Council	16/06/2016	
Formal Statements- 2016/17 budget	23/06/2016	

Councillor Workshops/Roadtrips

Officer Workshops

Council Meetings

STATUTORY ENVIRONMENT: Local Government Act 1995 Part 6

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS: 2016/17 Budget

STRATEGIC IMPLICATIONS: This budget (once completed) will form the basis for the Long Term Financial Plan.

RECOMMENDATION:

That the timetable for the budget workshops be noted and diarised for the upcoming period.

VOTING REQUIREMENTS: Simple Majority

16028 LONGMORE/STEVENSON

That the timetable for the budget workshops be noted and diarised for the upcoming period.

CARRIED (8/0)

AGENDA NUMBER:	12.10
SUBJECT:	Monthly Accounts for Payment - January 2016
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 8
AUTHOR:	Tracie Bishop – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
PREVIOUS MEETING REFERENCE:	None
DATE OF REPORT:	16 February 2016
ATTACHMENTS:	12.10.1 – Accounts for Payment – January 2016 12.10.2 – Credit Card Transactions – Dec 2015 & Jan 2016

BACKGROUND:

The Accounts for Payment for the Nannup Shire Municipal Account fund and Trust Account fund to 31 January 2016 as detailed hereunder and noted on the attached schedule, are submitted to Council.

COMMENT:

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

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

Municipal Account

Accounts paid by EFT	7946 - 8011	\$261,942.80
Accounts paid by cheque	19955 - 19973	\$8,515.65
Accounts paid by Direct Debit	DD9499-1 to DD9499-7	\$8,524.00

Sub Total Municipal Account	<u>\$278,982.45</u>
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Trust Account

Accounts paid by EFT	\$0.00
Accounts Paid by cheque	<u>\$0.00</u>
SubTotal Trust Account	<u>\$0.00</u>
Total Payments	<u>\$278,982.45</u>

STATUTORY ENVIRONMENT: LG (Financial Management) Regulation 13

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS: As indicated in Schedule of Accounts for Payment.

STRATEGIC IMPLICATIONS: None.

RECOMMENDATION:

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$278,982.45 in the attached schedule be endorsed.

VOTING REQUIREMENTS: Simple Majority

16029 GILBERT/MELLEMA

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$278,982.45 in the attached schedule be endorsed.

CARRIED (8/0)

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

13.1 OFFICERS

Nil

13.2 ELECTED MEMBERS

Nil

**14. MEETING CLOSED TO THE PUBLIC
(Confidential Items)**

14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

**14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE
PUBLIC**

Nil

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

Nil

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

Nil

17. CLOSURE OF MEETING

There being no further business to discuss the Shire President declared the meeting closed at 5.39pm.



MINUTES
WARREN BLACKWOOD ALLIANCE OF COUNCILS BOARD MEETING
TUESDAY 16 FEBRUARY 2016
HOST: SHIRE OF MANJIMUP

Note due to the vacancy of the Executive Officer Position an abridged agenda was presented to the meeting.

Meeting Opened – 5.30pm (as Cr Pratico wasn't in attendance Cr DeCampo assumed the Chair)

Attendance

Cr A Pratico, Chair (5.43pm onwards)
C W DeCampo (Chair 5.30-5.43pm)
Cr D Bavich
Cr T Dean
Cr J Nicholas
Mr A Campbell
Mr P Clarke
Mr T Clynch

Apology

Cr R Longmore

Guests

Ms E Denniss

Presentation

Elizabeth Denniss from the Shire of Bridgetown-Greenbushes provided an update on the regional trails project.

1. Appointment of New Executive Officer – Recommendation from Selection Panel

Date of Report – 15 February 2016

Author – Mr Tim Clynych, CEO, Shire of Bridgetown-Greenbushes

On 2 December 2015 Louise Kingston tendered her resignation from the position of Executive Officer.

The Chair, Cr Tony Pratico requested the three local government CEOs meet to determine the approach for filling of the vacant position. The CEOs agreed to continue the position as a contractor position at its current contract hourly rate (\$49.50 GST inclusive) and hours (average of 15.2 hours per week) and that the position be advertised locally.

The position was advertised in the Manjimup Bridgetown Times on 16 December 2015.

Nine applications were received by the closing date. Shortlisting was undertaken by the three CEOs and four candidates were selected for interview.

Interviews were held on Friday 5th February 2016. Andrew Campbell was unavailable so the interview panel was Tim Clynych and Peter Clarke.

The selection panel determined that Katie Drummond was the preferred candidate and the position of Executive Officer has been offered to Katie subject to Board endorsement.

Katie is currently employed (part-time, 30 hours per week) by the Shires of Manjimup and Nannup as the Warren Blackwood Region Club Development Officer. She has been working in that position since November 2014. Previous to that Katie worked as an office manager for a large pastoral company in the Northern Territory and in fundraising/event management positions in the UK. She has qualifications in agriculture, events management, book keeping, fundraising and music. She is currently studying towards a Diploma of Management.

The selection panel unanimously selected Katie as its preferred candidate on the basis of her strong administrative, communication and project management skills/experience.

A commencement date will be negotiated.

RECOMMENDATION

That the Board endorses the decision of the selection panel to offer the position of Executive Officer to Katie Drummond.

BOARD RESOLUTION

Moved Cr DeCampo, Seconded Cr Nicholas

That the Board endorses the decision of the selection panel to offer the position of Executive Officer to Katie Drummond. **CARRIED**

In discussion the following was determined:

- The three CEOs would meet with Ms Drummond to carry out an induction into the position.
- No medical or police clearance was required by Ms Drummond as she was already employed by the Shire of Manjimup.
- The Warren Blackwood Alliance of Councils will meet the cost of professional indemnity insurance.

5.43pm – Cr Pratico arrived at the meeting and assumed the Chair from Cr Decampo

2. Draft Strategic Plan for WBaC to Replace existing Strategic Plan

Date of Report – 15 February 2016

Author – Mr Peter Clarke, CEO, Shire of Nannup

At previous meetings of the Alliance the former Executive Officer provided progress reports on the process to review the WBAC Strategic Plan. This included using the expertise of Charles Jenkinson from RDA South West and meetings with the three member local government CEOs.

Since the resignation of the former Executive Officer the three CEOs have met twice to finalise the draft Strategic Plan. A final draft Strategic Plan has been completed and a copy is attached at the end of the meeting agenda.

Rather than seek adoption of the Strategic Plan at the February meeting it is proposed to simply table the Plan for discussion at this meeting. Members can then review the document in the following two months prior to it being considered for formal adoption at the April meeting.

BOARD RESOLUTION

Moved Cr DeCampo, Seconded Cr Dean

That members review the contents of the draft Strategic Plan and provide comments back to the Executive Officer by Friday 18 March 2016. **CARRIED**

3. Consideration of a Consultant to undertake the “Production of a strategy to deliver a Sustainable Tourism Model for the Warren Blackwood Region”

Date of Report – 15 February 2016

Author – Mr Andrew Campbell, CEO, Shire of Manjimup

Background

The Warren Blackwood Alliance of Councils (WBAC) allocated expenditure of \$38,500 (GST inc.) in 2016/17 for the purpose of engaging a consultant to determine whether a Local Tourism Organisation was a viable and productive approach to regional tourism within the WBAC district. \$5,000 of funding has been received from the South West Development Commission (SWDC) as a contribution to the project.

At the meeting held 1 December 2015, WBAC agreed for a Request for Quotation (RFQ) be prepared and distributed to applicable consultants for consideration. In response the author, in consultation with WBAC members and WBAC member Chief Executive Officers (CEO), produced a final RFQ for distribution. In consultation with SWDC, an email group of ten prospective consultants were identified and the RFQ was circulated between that group on 22 December 2015.

The deadline for the RFQ was set for 8 February 2016 to account for the common shut down at that time of the year. Additionally WBAC rescheduled their meeting planned for 2 February 2016 to 16 February 2016 to enable an assessment of consultants' submissions to occur by the CEO's and a recommendation be put forward to the WBAC meeting for consideration and award of the project. The project is scheduled for full completion by 30 June 2016.

Comment

Four RFQ's were received by the 8 February 2016 deadline including three Western Australian based consultancies and one New South Wales based consultancy.

On 12 February 2016 the CEO's met in Nannup and undertook an individual assessment of the submissions received. The RFQ prescribed both compliance criteria and qualitative criteria that formed the basis of assessment and the table following depicts the averaged assessment by the three CEO's for each submission received.

Company								
	A	B	C	D	E	F	G	Total
Edge Tourism and Marketing (Bunbury, WA)	Yes	20.33	21.67	16.67	8.00	8.33	7.33	82.33
John Stanley and Associates (Nannup, WA)	Yes	17.00	14.67	11.00	4.67	8.67	7.33	63.34
Marketrade (Fremantle, WA)	Yes	23.00	23.33	18.00	8.67	9.33	7.33	89.66
TRC (Jindabyne, NSW)	Yes	21.66	20.33	18.00	7.66	9.66	7.00	84.31

- A. Compliance criteria met – Yes/No**
- B. Experience in successfully completing similar projects – 25%**
- C. Proposed methodology – 25%**
- D. Ability to meet requirements of the request – 20%**
- E. Communications – 10%**
- F. Timeframe to Complete Request – 10%**
- G. Price – 10%**

It was considered during the assessment that all four consultants would have the capability of adequately undertaking the project however only three of the four submissions adequately addressed both the compliance criteria and qualitative criteria. On this basis John Stanley and Associates did not rank as highly and were effectively excluded from further consideration.

Of the remaining three RFQ's little separated submissions with the general consensus that the methodology and broad experience in similar projects of the Marketrade submission were slightly ahead of the submissions from TRC and Edge Tourism and Marketing. Weighing further into discussion was the submission from TRC raised some concern that the effectiveness of their proposal may be diminished with the consultancy based in New South Wales. Irrespective, all of the individual CEO assessments scored Marketrade as the leading consultancy for the project. With little to distinguish between the consultants, it is recommended that the highest average assessment score is accepted by WBAC.

RECOMMENDATION

That the Warren Blackwood Alliance of Councils award Request for Quotation 01-2016 "Production of a strategy to deliver a sustainable tourism model for the Warren-Blackwood Region" for a sum of \$38,440 (GST inc.) to Marketrade of 78 Solomon St, Fremantle WA 6160.

BOARD RESOLUTION

Moved Cr DeCampo, Seconded Cr Dean

That consideration of this item be deferred to a special meeting to be held on Tuesday 23 February 2016 in order to allow reference checks of Marketrade and Edge Tourism and Marketing.

CARRIED

4. Other Business (raised by members without notice at the meeting)

Nil

5. Next meeting

Special Meeting – Tuesday 23 February 2016 (Shire of Manjimup)

Ordinary Meeting – Tuesday 5 April 2016 (Shire of Bridgetown-Greenbushes)

6. Closure

Meeting Closed – 6.48pm



**MINUTES
SPECIAL MEETING
WARREN BLACKWOOD ALLIANCE OF COUNCILS BOARD MEETING
5.30PM, TUESDAY 23 FEBRUARY 2016
HOST: SHIRE OF MANJIMUP**

Meeting Opened: 5.30pm

As Cr Pratico wasn't in attendance Cr DeCampo assumed the Chair

Attendance:

Cr Wade DeCampo
Cr Bob Longmore
Cr Dean Bavich
Cr John Nicholas
Cr Tony Dean

Tim Clynych
Andrew Campbell
Peter Clarke
Katie Drummond

Apologies:

Cr Tony Pratico
Billy Wellstead - SWDC

Cr DeCampo welcome Katie Drummond to the WBAC as the new Executive Officer, Katie met with the 3 CEO's on the 22.02.16 to carry out an induction into the position.

1. Selection of Consultant to Prepare a Strategy to Deliver a Sustainable Tourism Model for the Warren-Blackwood Region

At the previous WBAC meeting, held on 16 February, consideration of the consultant was deferred to this special meeting in order to allow reference checks of Markettrade and Edge Tourism and Marketing.

The Chairman requested reports from the CEO's with regards to reference checks: Messrs Campbell, Clarke and Clynych reported to Board Members of the processes that they had undertaken in obtaining reference checks on the preferred Consultants.

BOARD RESOLUTION

Moved Cr Dean, Seconded Cr Longmore

That the Board endorses Edge Tourism and Marketing to be contracted to produce a strategy to deliver a sustainable tourism model for the Warren-Blackwood region.

CARRIED

Action: A. Campbell to arrange for instrument of agreement to be drawn up which is to be signed by Katie and Cr DeCampo.

2. New Banking/Financial Arrangements after Appointment of New Executive Officer

Katie requested to change the one signature of the WBAC bank account from Louise to herself and to add Andrew, Peter & Tim. We will also sign up for internet banking so payments can be processed online.

Katie requested that the current MYOB be upgraded from version 1 to the latest edition; the current system is on a CD and the new system will allow for everything to be stored on the cloud, this will cost approximately \$40 per month.

The committee requested that in future the financial reports are made easier to read and that future proposals are shown with their financial and statutory implementations on the WBAC.

Katie reported that the current bank balance is \$68,243.77

NO RESOLUTION REQUIRED

3. Draft Strategic Plan – Reaffirmation of Process

Comments to Katie by Friday 18th March.

4. Next Ordinary Meeting:

Tuesday 5 April 2016 at the Shire of Bridgetown-Greenbushes

5. Meeting Closed: 6pm



WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

SOUTH WEST ZONE

MINUTES

DATE Friday 26 February

COMMENCING AT 9.00 am

VENUE Shire of Bridgetown- Greenbushes 1 Steere St Bridgetown

PROGRAM	9.00 am	Opening & Host Presentation
	9.05 am	Business as per agenda
	10.00 am	Morning Tea
	10.15 am	Meeting resumes
	11.00 am	Presentations
	12.00 am	Lunch

AGENDA FORMAT

The agenda is sent in two parts. The first, being the Zone Agenda, the second the State Council Agenda in PDF format.

The State Council Agenda was emailed separately to members

Handouts relating to the presentation on Native Title have been emailed separately.

E R Fisher
Executive Officer

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1. Opening

The Zone President opened the meeting at 9.00 am and welcome all present.

1a Announcements

Members are requested to forward their signed agreement to the MOU for Support in Emergencies to the Executive Officer to enable a compilation of the signed documents to be provided to each Council.

2. Attendance & Apologies

The following attendance is recorded:

Local Government	Delgate		CEO	
Shire of Augusta – Margaret River	Cr I Earl	Present	Mr. G Evershed Mr J Louw	Apology
Shire of Boyup Brook	Cr G Aird	Present	Mr. A Lamb	Present
Shire of Bridgetown-Greenbushes	Cr T Pratico Cr J Nicholls	Present	Mr. T Clynch	Present
City of Bunbury	Cr M Steck Cr W Giles	Present Present		
City of Busselton	Cr G Henley	Present	Ms L Rich	Present
Shire of Capel	Cr M Scott	Present	Mr. P Sheedy	Present
Shire of Collie	Cr W Sanford	Present	Mr. D Blurton	Present
Shire of Dardanup	Cr M Bennett	Present	Mr. M Chester Mr L Botica	Apology Present
Shire of Donnybrook-Balingup	Cr A Logiudici	Present	Mr. J Attwood	Apology
Shire of Harvey	Cr T Jackson Cr P Beech	Apology	Mr. M Parker	Present
Shire of Manjimup	Cr W De Campo	Present	Mr. A Campbell	Present
Shire of Nannup	Cr T Dean	Present	Mr P Clarke	Present
Executive Officer			Mr. E Fisher	Present

3. Visitors:

WALGA:

Mr Tony Brown, Executive Manager Governance and Organisational Services

Other Guests

DPC

Angela Elder, Manager of the Department of the Premier and Cabinet's South West Settlement Implementation Unit - presenting on the South West Native Title Settlement – Key Elements

Sandra Flanagan, South West Settlement Project Manager within the Department of Lands – presenting on the process by which unallocated crown lands and unmanaged reserves will be selected for transfer to the Noongars as part of the Noongar Land Base Strategy under the South West Settlement (this process involves direct consultation with local Government)

Celinda Adair, Senior Project Officer

Claire Egan Policy Officer – South West Settlement
Land, Approvals and Native Title Unit,
Department of the Premier & Cabinet

4. Presentations:

4.1 Host Council Presentation

Host shires are invited to provide a 15-20 minute presentation on current events affecting their local government area or to arrange an inspection of new or significant facilities of interest to members.

Presentations 4.2, 4.3 and will be held at the conclusion of Zone business commencing approximately 11am.

4.2 Native Title Briefing – The EO was asked to arrange a briefing on the then Recent Native Title Settlement for the SW and the implications for Local Governments (SWLSC / Dept Premier & Cabinet) (Shire of Manjimup item)

The following response has been received from the Department. Natalie Contos (0427 322 927)

Our unit within the WA Department of the Premier and Cabinet (DPC) is responsible for overseeing the implementation of the South West Native Title Settlement, which was recently agreed between the State and six Noongar native title claim groups across the South West of WA. I've attached some fact sheets maps of the area for your information. Further detail can be found on our website at:

<https://www.dpc.wa.gov.au/lantu/Claims/Pages/SouthWestSettlement.aspx>.

We are keen to offer briefings on the South West Settlement to all of the Local Governments within the South West Settlement area. The briefing consists of a presentation by our team on key elements of the South West Settlement, and a presentation by a Department of Lands representative on the specific process by which particular lands will be selected for transfer to the Noongars as part of the Settlement (a process which will involve consultation with local Government).

A number of PDFs have been distributed by Email including a map of the effected areas

4.3 Land Equity Legal (Mr. Marcus Holmes) will not be presenting a briefing on options for member councils to consider in regard to managing the roll out of the settlement of the native title issues and the liaison with other parties to ensure local government interests are represented. The EO has advised Mr. Holmes that due to the length of the presentation by DPC this would not be possible.

Mr. Holmes has submitted the following letter for the information of the members.

A presentation can be arranged to a future meeting



LAND EQUITY LEGAL

Native Title, Mining & Environmental Lawyers

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29 January 2016

Helen Westcott
Executive Officer
Great Eastern Country Zone
WALGA

Bruce Wittber
Executive Officer
Central Country Zone
WALGA

By Email

Dear Helen and Bruce,

Implications of the South West Native Title Settlement for Local Government-Legal Work Brief

I refer to our meeting on 13 January 2016 regarding the above.

I confirm your request that I set out a Legal Work Brief proposal for you and Councils to consider at upcoming Executive Committee meetings and then Zone meetings.

You have advised that the Great Eastern Country Zone is considering my offer of assistance and on 31 August 2015 resolved:

That the Great Eastern Country Zone meet with Mr Marcus Holmes of Land Equity Legal to develop a working brief to consider the possible effects on Councils of the south west native title settlement across the Great Eastern Country Zone.

I set out below a summary of the key settlement steps and key issues for local government, the suggested scope of work for a brief, a suggested instructions mechanism and a legal costs proposal.

Key settlement steps and key issues for local government

The ILUA is now been signed by the 6 Noongar groups and the State Government. It needs to be registered by the National Native Title Tribunal and is expected to be fully operational by about mid- 2016.

The State is liaising with local governments to consult with them about any competing land needs or other views on the proposed land grants to be made to a Noongar land trust. That land comprises surplus Government lands, unallocated Crown land, unvested reserves and Aboriginal Lands Trust lands.

The State is also granting Crown land access licences to Noongars to legally enable them to enter onto certain categories of Crown lands to conduct traditional activities such as camping and ceremonies.

The Aboriginal heritage procedures in the ILUA are now operational and the Government strongly recommends that local government consider entering into the Noongar Standard Heritage Agreement (attached as part of the ILUA) or making suitable alternative arrangements with the relevant Aboriginal Corporations that are to be set up.

Key issues for local government are:

- Competing land needs;
- land use planning and management obligations and issues;
- rateability (or not) of the new Noongar land grants;
- cultural heritage places and sites management (and avoidance of prosecution for damage to such places);
- risk management issues around use of Noongar lands and Noongar land access rights; and
- ways to provide assistance, services, opportunities, cross-cultural exchanges, reconciliation initiatives to and with the Noongar community (through the good government obligation in the *Local Government Act*).

Suggested scope of work for a Brief

Areas for legal assistance include:

1. Settlement overview and advice letter to the Zone(s) on features of the Settlement and its impacts on local government and some options;
2. Assist the Zone(s) and/or particular member Councils to negotiate with the State Government on the Noongar land package and Crown land access licences;
3. Development of a local government model of heritage agreement (perhaps a Zone(s) wide model or variants tailored to particular Councils' requirements and circumstances?);
4. Set up Zone member meetings with the State, South West Aboriginal Land and Sea Council and the relevant new Noongar Regional Corporations to discuss the Settlement and local governments' role(s)/implications/options;
5. Review and seek Zone(s) input on State's proposed legislation and by-laws (implications for local government-this has some urgency as such laws are currently being progressed by the State); and
6. Particular Settlement-related advices to member Councils.

Suggested instructions mechanism

As we discussed, you would be the key day-to-day instructor, with the Executive Committees of the Zones. It may be that if the Central Country Zone and other South West Zones decide

to participate using my assistance, a joint inter-Zone committee made up of nominees from the Executive Committees or other Zone personnel and yourselves could operate as a regional instructor. Where individual Councils seek my assistance, the CEO of that Council would be my instructor. I am amenable to any of the above or variants. The key requirement is ease of instruction giving and taking so that I can operate efficiently and expeditiously for the client.

Legal Costs Proposal

I am prepared to accept the minimum hourly rate as set by the WA Legal Costs Committee under the *Legal Profession Act* in the *Legal Profession (Solicitors Costs) Reports*. This is varied each year and my rate would vary accordingly. The current hourly rate is \$484 inclusive of GST. Under the Report, fees incurred for travel are half that rate and capped at 8 hours per day. Disbursements are charged at cost. I propose monthly billing on 14 day payment terms. It may be that member Councils each contribute to a portion of an annual costs estimate that is budgeted for and taken up by the Zone(s) to pay me as costs are incurred during the year. A costs agreement is required to set out these arrangements, signed by my firm and yourselves for the Zone(s).

Do please let me know if I can give you additional information before you confer with the Executive Committees and the Zones. I am happy to come and meet the Committees and/or the Zones to discuss the Brief. As I mentioned at the January meeting, provided we first enter into a costs agreement, I am then prepared to accrue fees and disbursements until the start of the next financial year 1 July 2016 when they would be paid.

Finally, as discussed, I will be updating the other South West area Zones with the object of also assisting them.

Yours sincerely,



Marcus Holmes
Principal
Land Equity Legal

Copy to Robert Dew, Executive Officer, Avon-Midland Country Zone

6. Confirmation of Previous Minutes

Moved	Cr M Bennett	Seconded	Cr G Henley	Carried
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MOTION:

The minutes of the meeting held at the Shire of Boyup Brook on 27th November 2015 be confirmed as a true and correct record of the meeting

7. Business Arising

Nil

8 Reports

8.1 Report by State Council Delegate

- Verbal update provided
- Rate Capping and DFES supplementary motions referred to WALGA
- Tony Brown responded that these matters were being addressed by WALGA
- Cr W Sanford advised that he would be contesting election for State President's position next week
- Cr M Scott wished him success on behalf of the Zone.

8.2 State Presidents Report March 2016

Elected Member Training

Whilst WALGA has opposed mandatory elected member training, we remain committed to improving and enhancing training opportunities. In this regard WALGA will be developing an Induction Guide and a model Elected Member Training & Development Policy

If mandatory training is pursued by the government, our position is that it;

- Should only apply to new elected members;
- Be based on the elected member skillset defined in the WALGA diploma;
- Should recognise prior learning;

- Should be undertaken within 12 months;
- Should apply penalties for non-compliance to fees and allowances payable to elected members.

Rate Capping

State Council has adopted a position formally opposing rate capping, based around arguments that LG is a legitimate sphere of government with publicly accountable rate setting processes that are informed by sound and integrated asset management policies and processes, and recognising that constraints on non-LG revenue streams are outside of LGs control.

We believe that the case against rate capping, particularly the long term impacts of artificially constrained rating levels as demonstrated in NSW, is one that can be successfully prosecuted, however, price for this is likely to be higher levels of transparency and analysis of LG budgets and rating.

This will manifest itself in things like the comparative data website being developed by the DLG&C and the likely requirement for reporting against new or varied financial and economic ratio's, such as occurs in NZ.

State Election

We are developing an election platform to inform our advocacy in the lead in to the 2017 State Election. The focus is likely to be on the first 100 days, detailing bids for policy and funding commitments which can be delivered in the "honeymoon period" of the next government.

Input from Zones would be welcomed on priorities for consideration as part of the platform.

State Budget

We have lodged our State Budget Submission with the governments, detailing a range of key investments necessary to improve the sector and enhance local communities across a range of programs grouped around the themes of Community, Environment and Infrastructure.

The Premier has acknowledged the submission with the qualification that the State is in "difficult financial circumstances", suggesting that new funding for LGs is unlikely.

The submission is currently with the Treasurer for consideration.

Census of WA Local Government Elected Members

The survey is being conducted by staff at the University of WA and represents a research "first" for Australia that will help raise awareness of the contributions and qualities that local government representatives in Western Australia bring to democracy and good governance in the local government sector. The Census surveys were mailed to local government CEOs on the 9th February and CEOs have been asked to administer the survey at a February or March council meeting or pre-meeting. WALGA hopes to update the survey every two years so this first one is very important in establishing benchmarks for the future.

Building Issues

A recent meeting of notable building industry executives and bureaucrats discussed a range of issues that were prevalent in the sector, including the continuing debate about the variance in cross-over specification requirements between local Governments.

In an attempt to diminish this issue within the broader debate on approvals reform, WALGA is looking to run a project to identify and define the common cross-over types and develop appropriate standardised specifications which could be adopted by all Local Governments.

If we can get commonality across the sector on this issue it will serve to remove a major source of complaint by builders and enable us to refocus the debate around Local Government's reform priorities.

Local Government Transparency

The media continues to maintain a strong interest in the transparency of decision making within the sector and I have met with and spoken to many journalists and commentators in promoting what the sector currently does to ensure that the public can analyse its decisions and ensure sector accountability.

At the same time I am also encouraging Local Governments to do more in this space – to be proactive in developing new mechanisms, policies and procedures which enhance the transparency of their decisions.

It is always preferable to manage our own destinies by being proactive, than waiting for other spheres of government to use blunt legislative or regulatory instruments to compel the sector to act.

PRESIDENT'S CONTACTS

During the December - March period, contacts that have occurred or are scheduled to take place prior to the March State Council meeting are as follows:

State Government Relations:

- Hon Terry Redman MLA; Minister for Regional Development; Lands
- Hon Tony Simpson MLA, Minister for Local Government\Mr John Gelavis, Executive Director\Mr Dean O'Rourke, President, Housing Industry Association

Local Government Relations

- Mr Kim Papalia, WA Road Safety Commissioner
- Mayor Trevor Vaughan, Mr Anthony Vuleta, CEO, Town of Victoria Park,
- Mayor Barry Sammels, Mr Andrew Hammond, CEO, City of Rockingham
- Mayor Jock Barker, Mr Stephen Goode, CEO, Town of Claremont
- Mayor Patrick Ng, Ms Lyn Russell, CEO, City of Canning
- Mayor Henry Zelones, Mr Ray Tame, CEO, City of Armadale,
- Mayor Logan Howlett, Mr Don Green, CEO, City of Cockburn
- Mayor Ron Norris, Mr Kevin Poynton, CEO, Town of Mosman Park
- Mayor Olwen Searle, Mr Ian Cowie CEO, City of Gosnells
- Mayor Heather Henderson, Mr Don Burnett, CEO, City of Subiaco
- Mayor Maria Vergone, Mr Mark Newman CEO, City of Mandurah
- Mayor Carol Adams, Ms Joanne Abbiss, CEO, City of Kwinana
- President Maree Reid, Mr Dean Unsworth, CEO, Shire of Murray
- President Mick Bennett, Mr Stuart Eaton, ACEO, Shire of Dardanup
- President Wayne Sanford, Mr Bret Lowcock ACEO, Shire of Collie
- President Kerry White, Mr Neil Hartley, CEO, Shire of Ashburton
- Lord Mayor's Distress Relief Fund Board
- Ms Esme Bowen, President, RAC
- State Road Funds to Local Government Advisory Committee

- Local Government Grain Freight Group
- Transport & Roads Forum
- Dr the Hon Mohammad Anwar Husnood, Minister for Local Government of Mauritius
- LGISWA Board Meeting
- Finance & Services Committee
- Local Government House Trust

Conferences / Workshops / Public Relations

- International Day of People with Disability Lunch
- Civic Reception for Mr Ron Yuryevich
- Childrens Environment & Health Local Government Policy Report Card Project Awards
- Minister Simpson/WALGA President Lunch – City of Fremantle
- Australia Day Council Backyard Barbie at Government House

Zone meetings

South Metro

Central Metro

8.3 Annual Program of Topics for Discussion by Councils

A number of approaches have been made to address the Zone meetings and these are listed in the table. The number application received generally exceeds the capacity to accommodate the issues.

Meeting	Original Program	Current Program
February	Law and Order	Native Title Presentation DPC
Friday 22 April 2015 City of Bunbury <u>Note amendment</u>	Development	NBN Briefing
Friday 24 June 2015 City of Busselton	Planning	Economic Development
Friday 26th August Shire of Capel		Seeking an indication from members of interests
Friday 25th November Shire of Collie		Seeking an indication from members of interests

8.5 Garage Sale Trail

The following information has been provided by Avi Melniker WA Development Manager Garage Sale Trail further to the presentation to the Zone last year

WHAT IS GARAGE SALE TRAIL?

Garage Sale Trail is a four-month waste education program culminating in a national Garage Sale Day held every October. Supported by WALGA and subsidized by the Waste Authority, the program has been called a champion of The Reuse Movement and is all about sustainability, community building, commerce, and fun. Currently in its sixth year running nationally (fourth year in Western Australia), this year's Garage Sale Trail day will take place on Saturday, 22 October 2016.

WHO PARTICIPATES?

The 2015 campaign was the biggest and best yet and for the first time the program was also adopted by three councils in the UK. We work with multiple departments of LGA on the program including Waste, Sustainability, Marketing/PR, Community Development, Economic Development, as well as Councillors and Mayors.

Across the country, Garage Sale Trail has been supported by:

164 Councils
7 State / Territory Governments
The Federal Government

In Western Australia, **22 metro and regional councils participated** last year, representing more than 50% of the population. This included South West Country Zone councils: **Shire of Augusta-Margaret River AND City of Busselton**, both of whom had very successful Garage Sale Trail programs last year and can speak with you about it in more depth.

Media has also embraced Garage Sale Trail and strong partnerships are now in place with News Limited, Fairfax, Community Newspaper Group and APN, with a media reach of over 40 million people nationally.

WHAT WERE THE OUTCOMES FOR 2015?

Items Listed for Sale - **3.7 million items**

Participation **350,000+ people** participated including residents, schools, businesses, and community groups

Number of garage Sales/stalls - **13,191** across Australia

Community engagement - **22** new local community connections per seller

Fundraising by community groups - **30%** of participants fund raise for a cause

Happy participants - **91%** of community participants think it is a good thing for Councils to support

Happy council partners - **89%** of supporting Councils would recommend Garage Sale Trail to another Council

Awards – the program was nominated in **3 State Government Community and Sustainability Awards, including the 2015 Infinity Award in Western Australia.**

WATCH A SHORT VIDEO HERE: www.youtube.com/watch?v=HFtS1HiaMBU

WHAT COUNCILS HAVE TO SAY: www.youtube.com/watch?v=Zip1h9P39fA

HOW DOES MY COUNCIL GET INVOLVED?:

You are cordially invited to attend a participatory information session held on Tuesday, 22 March in Perth CBD (location TBC). There will also be an information session held via Webinar on Wednesday, 23 March for regional councils- details TBC.

9. State Council Agenda

Please note the Agenda is available on the WALGA website at -

<http://walga.asn.au/MemberResources/StateCouncilDocuments/AgendasampMinutes/2016.aspx>.

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MOVED

THAT the recommendations with the exception of items 5.8 be endorsed

Moved	Cr. T Pratico	Seconded	Cr M Bennett	Carried
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ITEM	TITLE	ACTION/PROPOSAL
5.8	WALGA Constitution Review	

Recommendation:

1 (f) only recommends to change the selection of all forum members. The background on pages 102-104 refers to the important point of the Executive Committee and the chance to review. This is lost and not reflected in the recommendations (even though the report suggests that the majority of respondents opposed it)

9.2 Agenda Items for amendment 5.8

MOTION

Moved	Cr W Sanford	Seconded	Cr M Bennett	Carried
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THAT:

That clause 33 be amended to read

(ii) That the WALGA Governance Manager undertakes research into alternative executive/corporate structure models for the governance of the association and report back with preferred scenarios to the State Council for consideration.

Any preferred/alternative models to examine –

- 1. The positive and negative contingencies likely to result from formation of a new executive structure of the State Council,***
- 2. The cost/benefit analysis of any alternative executive structure***

- 3. *Roles and responsibilities, including relationships between executive, zones and members.***

9.3 Local Government Comparative Website

MOTION

Moved	Cr M Scott	Seconded	Cr A Logudici	Carried
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THAT:

- 1. The SWZ requests WALGA to advocate to DLGC for consultation on information to be incorporated on the Local Government Comparative website before implementation***
- 2. Requests that implementation be deferred for a 12 month period to June 2017***

10 Zone Status Report for February 2016

Zone	Agenda Item	Zone Resolution	WALGA Response	Up-date	WALGA Contact
Sth West C	2015 November 27 Zone Agenda Item 9.3 Asset Valuations and Depreciation	<p>THAT: WALGA be requested to lobby the Minister for Local Government and the Department of Local Government and Communities (DLGC) to initiate a standardised approach to the way asset valuation and depreciation expense is applied across the WA Local Government sector. This includes but is not limited to the following:</p> <p>A common methodology or framework being established to consistently identify and determine "fair value" of Local Government assets;</p> <p>A common methodology or framework being established to determine consistently how and at what rate various asset types are depreciated; and</p> <p>A review of the way asset ratios are applied by the Department of Local Government and Communities as an indicator of current and future viability.</p>	<p>WALGA staff are liaising with the DLGC in respect to a standardised approach for asset valuation and depreciation.</p> <p>The Zone will be kept informed as this issue progresses.</p>	February 2016	<p>Tony Brown Executive Manager Governance and Organisational Services tbrown@walga.asn.au 9213 2051</p>

Sth West C	2015 November 27 State Council Agenda Item 5.1 Local Government Rating	That WALGA be advised the Zone strongly opposes the introduction of Compulsory Competitive Tendering (CCP) were it ever to be considered	<p>The Zone's position is noted and accords with WALGA's policy position.</p> <p>The Association is not aware of any plans for CCP to be introduced.</p> <p>STATE COUNCIL RESOLUTION DECEMBER 2015</p> <p>That WALGA:</p> <ol style="list-style-type: none"> 1. Endorse the attached "Rate Setting: Policy Statement" expressing opposition to rate capping or any externally imposed limit on Local Government's capacity to raise revenue as appropriately determined by the Council. 2. Advocate to the Minister for Local Government to: <ol style="list-style-type: none"> a. Amend the Local Government Act to clarify that Independent Living Units should only be exempt from rates where they qualify under the Commonwealth Aged Care Act 1997; and, b. Either <ol style="list-style-type: none"> i. Amend the charitable organisations section of the Local Government Act 1995 	February 2016	<p>Tim Lane Manager Strategy and Reform tlane@walga.asn.au 9213 2029</p>
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Sth West C	2015 November 27 Zone Agenda Item 8.9 Volunteer Bush Fire Brigades – Training Pathways – DFES	That the South West Zone of WA Local Government Association:- Require the Executive Officer write to the WA Local Government Association to request that State Council: a) Seek feedback from all rural Local Governments in Western Australia to assess if this is a state wide issue that is impacting on volunteer bush fire brigades; and b) Refer this matter to the Fire	to eliminate exemptions for commercial (non-charitable) business activities of charitable organisations; or, ii. Establish a compensatory fund for Local Governments, similar to the pensioner discount provisions, if the State Government believes charitable organisations should remain exempt from payment of Local Government rates.	DFES is establishing a new Training Pathways Advisory Committee which will include 6 Local Government Volunteer representatives. WALGA is also researching the issue of training availability and competencies for input to the Waroona Inquiry. The Association is also awaiting further information from the Zone.	February 2016	Jodie Holbrook Policy Manager Community 9213 2044 jholbrook@walga.asn.au
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Sth West C	2015 June 26 Zone Agenda Item 8.7 SAI Global – Australian Standards – Subscription Costs	and Emergency Services Commissioner to have the training for structural fires placed further down or removed from the list of prerequisites so that volunteer bush fire fighters can receive the training that they need to be effective and safe bush fire fighters, with the possibility of developing their skills as structural fire fighters later on in their careers if that is their choice.	That the South West Zone of WALGA request the most cost effective solution for Local Governments to maintain up to date Australian Standards that apply to the activities that Local Governments are required to administer, apply to the organisation and advice given to contractors and the community.	WALGA's Procurement team is currently investigating this issue and findings will be reported back to the sector in due course.	February 2016	ECONOMIST C/- Wayne Scheggia Deputy CEO wscheggia@walga.asn.au 9213 2024
Sth West C	2015 April 23 Zone Agenda Item 7 Clearing of Native Vegetation	That this item be retained on the Zone Status Report to ensure it is pursued in a timely manner. The Minister be asked to intervene to ensure this matter is brought to a speedy conclusion.	The Association met with the Director General of the DER in June. The Department of Environment Regulation is working with the Department of Planning to streamline a range of policies and approvals and remove duplication and	The Association met with the Director General of the DER in June. The Department of Environment Regulation is working with the Department of Planning to streamline a range of policies and approvals and remove duplication and	February 2016	Mark Batty Executive Manager Environment and Waste 9213 2078 mbatty@walga.asn.au

	WAPC Policy alignment with DER Clearing Policy		inconsistencies. Further updates on this streamlining will be provided as they occur.		
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11. Financial Report

SOUTH WEST ZONE WA LOCAL GOVERNMENT ASSOCIATION

FINANCIAL REPORT FOR THE PERIOD ENDING 31 JANUARY 2016

DETAILS	2015/16 ANNUAL BUDGET	2015/16 ACTUAL
	\$	\$
Opening Funds at 1 July	<u>11,450</u>	<u>13,211</u>
Revenue		
Interest on Investment	50	0
Member Council Contributions	6,600	7,200
Total Revenue	6,650	7,200
Expenditure		
Secretarial Service	(7,000)	(2,800)
Secretarial Service Creditor 2014/15	(0)	(1,400)
Miscellaneous Expenses	(100)	(40)
Total Expenditure	(7,100)	(4,240)
Surplus (Deficit) for Period	(450)	2,960
Closing Funds at 31 January	11,000	16,171

Cash at Bank at 31 January 2016 Represented By:

Cheque Account	\$4,635	
Term Deposit 1.5% - Holding	\$11,536	\$16,171
Investment		
Funds Available at 31 January 2016		\$16,171

12. Accounts for payment

Executive Officer

\$1400

Moved	Cr M Bennett	Seconded	Cr M Steck	Carried
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MOTION:

That the financial report be received and accounts be approved for payment

13. Schedule of meetings 2016

PREFERRED DATES FOR ZONE MEETINGS	Proposed Date for SWZ Meeting	STATE COUNCIL MEETING DATES 2016
Friday 22 April to Friday 29 April	Friday 22 April 2016 City of Bunbury <u>Note amendment</u>	Regional Meeting (Murchison) 5-6 May
N/A		Special Meeting Budget Adoption Wednesday 8 June
Friday 24 June to Friday 1 July	Friday 24 June 2016 City of Busselton	Wednesday 6 July
Friday 26 Aug to Friday 2 Sep	Friday 26th August Shire of Capel	Regional Meeting (Avon-Midland) 8-9 September
Friday 25 Nov to Friday 2 Dec	Friday 25th November Shire of Collie	Wednesday 7 December

14. Closure

The President thanked members for their attendance and the Shire of Bridgetown – Greenbushes and their staff for the hospitality extended to the Zone delegates.

The meeting was concluded at 1030 noon followed the presentation and luncheon.

MINUTES OF MEETING
BUSINESS INITIATIVE GROUP NANNUP
Nannup Hotel Dining Room

DATE: Thursday 25th February 2016

Guest Speaker: We welcomed Simon Bickers, our local police to our meeting. He gave us a talk on community policing and how we can make our community safer in regards to theft etc. We shall as community minded people pass this information on.

OPENED: 6:55pm

ATTENDANCE: Phil Laird, Jean Petersen, Maggie Longmore, Laraine Raynel, Paul Martin, Jim & Isabel Green, Jeanne Llewellyn R & B Croft Steve Boak Di Ness.

Apologies Bob Longmore, Mike Mornay, Peter Clarke Jean Vinicombe, Tony Mitchell, Mick Brown, Graeme Ness, Tony Dean & Cheryle Browne.

CONFIRMATION OF PREVIOUS MINUTES: Isabel Green and Jean Petersen

CORRESPONDENCE OUT: Email to Simon Bickers to attend our Next Meeting. (This one)
 Letter of support for the Community Kitchen. (Bowling Club- Maggie Longmore)

CORRESPONDENCE IN: Letter from shire in regards to new medical centre. Lott 100 Warren Road. All agreed to send a response in favour of the business coming to Nannup.

PRESIDENT REPORT: Phil thanked Simon Bickers for coming to our meeting to talk on how to keep our community safe and what we can do to help. It was very good of him to give of his time to us. We all appreciate it. Map update – Cheryl is doing some more artwork. So still a work in progress. The motion that was sent out to all members has been unanimously passed.

TREASURERS REPORT: As Tabled. Passed by Phil and seconded by Laraine

GENREAL BUSINESS: Tony Mitchel has sent a letter to ask us to approach the Music Festival Committee to ask why they are not supporting local business as the local community and businesses support them. It was decided that we sent a letter to the Music Group in regards to how they go about choosing local business for the festival.

Nannup hardware is being re-branded to Thrifty Link. They are having an opening day on Saturday 19th and the Lions Club are doing a sausage sizzle. It is great to see the Hardware showing confidence in the town by improving and growing.

AROUND THE TABLE:

- Jeanie:** New shop layout is working very well. Paving outside has been re-done as it was very slippery. We have received a grant to be able to put in new air-conditioning, new lighting and free Wi-Fi.
- Paul** Nothing much to report other than we are pretty busy.
- Isabel** Lions Auction will be in the Town Hall this year. Same time the last Saturday in May – 28th May 2016 We have not storage so please keep large items until just before the auction.
- Jim Green:** The Men's Shed group have visited Manjimup's Men's Shed to see how they operate how they have set themselves up. It is looking good for getting the Nannup Men's shed up and running.
- Laraine:** Loose Goose are going OK. Occupancy is down a tad. News reports of fires and floods have not helped this. Skip bins are going extremely well.
- Steve:** Substantial amount of work at the CRC. Things are running pretty well. We have lost Nat to her new business and her position should be advertised soon.
- Maggie:** Southwest Food Bowl going very well. Sue Skey and I are doing some grants at the moment. Sponsorship flyer has been sent around to local businesses. Long Table lunch is on 2nd April. Planter boxes around town will be filled with veggies. Business around town will be able to sponsor a box.
- We will be opening our garden for the Festival of Country Gardens in May.
- Di:** All going well at the Nannup Valley Chalets. Figures are up from last year. So showing some improvement.
- Phil:** We have been away for a couple of weeks, eating delightful seafood and seeing how tourism should be done. N.Z. has massive tourism industry. They know how to treat tourist.

Business is very busy with the T.V. add still going which pulls in heaps of customers.

Jean:

We are very busy with start of school and the 70 million Powerball happening all at once. Clair has put up a notice on our community notice board in regards to purchasing school supplies from us and the community has supported us.

CLOSED:

8:00p.m.

NEXT MEETING

Thursday 7th April 2016 – Nannup Valley Chalets

This will be a social meeting. I will make a yummy soup for supper. Please bring along a plate of nibbles so share with our drinks.

Business Initiative Group Nannup
PO Box 209
NANNUP WA 6275

Balance Sheet

As of 25/02/2016

25/02/2016
5:29:49 PM

Assets

Current Assets

Cash On Hand

Cheque Account

\$3,778.04

Total Cash On Hand

\$3,778.04

Trade Debtors

\$772.50

Total Current Assets

\$4,550.54

Total Assets

\$4,550.54

Liabilities

Net Assets

\$4,550.54

Equity

Retained Earnings

\$1,146.28

Current Year Earnings

\$1,493.15

Historical Balancing

\$1,911.11

Total Equity

\$4,550.54

Business Initiative Group NannupPO Box 209
NANNUP WA 6275**Profit & Loss [Cash]****1/07/2015 through 25/02/2016**25/02/2016
5:30:40 PM

Income	
Memberships	\$1,175.00
Signage boards	\$207.50
Total Income	<u>\$1,382.50</u>
Cost of Sales	
Total Cost of Sales	<u>\$0.00</u>
Gross Profit	<u>\$1,382.50</u>
Expenses	
Admin	\$48.10
Advertising	\$13.75
Venue Hire	\$200.00
Christmas Lights Competition	\$400.00
Total Expenses	<u>\$661.85</u>
Operating Profit	<u>\$720.65</u>
Other Income	
Other Expenses	
Net Profit (Loss)	<u>\$720.65</u>

SHIRE OF NANNUP

NANNUP SHIRE LEMC MINUTES

Meeting held 3rd February 2016

CESO

CONFIRMATION OF MINUTES

These minutes comprising pages 1 – 9 were confirmed by LEMC
Chairperson 3rd February 2016 is a true and accurate record.

.....

Cr Tony Dean (Shire President)

SHIRE OF NANNUP

Local Emergency Management Advisory Committee

**Wednesday 3rd February 2016
Held in the Council Chambers**

MINUTES

1. OPENING

Mr Tony Dean chaired the meeting and declared the meeting open at 3:00pm
Members introduced themselves to the meeting as some were new or a proxy for the actual sitting member.

2. ATTENDANCE & APOLOGIES

Mr Tony Dean (TD) – Shire President/Chairman
Mr Rob Bootsma (Mr RB) – Executive Officer
Mr Danny Mosconi (DM) – DFES LSW Capes District Officer
Ms Roma Boucher (Ms RB) – Department of Child Protection and Family Support
Mr Peter Clarke (PC) – Shire of Nannup Chief Executive Officer
Mr Jason Dearle (JD) – Department of Agriculture and Food WA
Mr Bob Longmore (BL) – Shire of Nannup Councilor
Mrs Gloria Milward (GM) – Country Womens Association Nannup Branch
Mrs Judy Kemp (JK) – Country Womens Association Nannup Branch
Mr Ray Deall (RD) – Western Power Corporation
Mr Ed Hatherley (EH) - Department of Parks and Wildlife - Blackwood
Mr Simon Bickers (SB) – Nannup Police Sergeant
Mrs Sally Shaw (SS) – Nursing Unit Manager - Nannup Hospital

Apologies were received from:

Mr Robin Mellema (RM) - Nannup Shire Vice President (Chairperson)
Mrs Cheryle Brown (CB) – Nannup CRC Manager
Mr Leon Gardiner (LG) – DFES LSW SES District Officer
Mrs Rachel Couper (RC) – Water Corporation
Mrs Marlene Donovan (MD) – Department of Health Nannup Hospital
Mrs Fecility Dear (FD) – Nannup District Senior High School Principle
Mr James Byrne (JB) – Nannup Police
Mrs Louise Stokes (LS) – Community Recovery Coordinator
Mr Martin Dearlove (MD) – Department of Child Protection and Family Support

3. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Mover – Bob Longmore
Seconder – Danny Mosconi

That the meeting minutes of Local Emergency Management Advisory Committee meeting held Wednesday 5th August 2015 be confirmed as true and correct.

CARRIED

5. BUSINESS ARISING FROM THE PREVIOUS MINUTES – Action list

TD informed the committee to look at the Action List.

Item 5.1 Mr RB noticed that Darradup FCO received a YAGI aerial for boosting a mobile signal, unclear if it was for John Patman for private use or the brigade. Mr RB will talk to JP and ask about the YAGI installation this Saturday 7 November 2015 during the Rural Urban Interface exercise

Item 5.2 Mr RB stated the Emergency Rural Numbering System was raised at the BFAC with support by recommending to Council to implement the ERNS in their budget.

Item 5.3 TD informed the committee this item should be removed since the committee performed a desktop exercise named Winter Flood.

Item 7.1 Mr RB to investigate the original intent to write to Nannup Mill.

Item 8.0 TD informed the committee this item should be removed. Significant Emergency Management Plans have been performed through government initiatives and DFES workshops and surveys.

6. REPORTS

6.1 DCPFS (Mrs RB) Report provided

6.2 DAFWA (IG) No Report

6.3 EO (Mr RB) Report provided

- 6.4 Councillor (BL) Attended the Emergency Management Conference in Bunbury. BL stated the conference had good presenters reinforcing local knowledge, recovery and resilience. Excellent conference.
- 6.5 NDSHS (PD)
- NDSHS newsletter for parents regarding notification of any incidents and the processes to follow.
 - DM will be presenting to students and teachers fire & safety information and procedures during these events.
 - The library will be the safe place for an incident unless an earthquake or gas incident they will be assembled outside on the oval.
 - The school wants students to experience a fire fighter fully clothed in Level 2 PPC to remove the fear of seeing and hearing fire fighters during their duties.
 - The NDSHS Emergency Plans have been sent to DM with some feedback suggestions. DM was very impressed with the quality and presentation of the EM Plans and commended FD and staff in preparing them.
- 6.6 DFES (DM)
- 29/10/2015 Jalbarragup community emergency awareness study. New government initiative to obtain information from communities their preparations with a bushfire incident. The survey asks property owners their understanding, preparedness, capabilities and knowledge of impending fires and how they would manage the situation.
 - 7/11/2015 In the Jalbarragup community the Shire of Nannup and the Darradup VBFB are conducting a Rural Urban Interface exercise. Property owners were encouraged to allow fire fighters to visit their properties as part of the exercise to ascertain properties preparedness and if the structures can be defended safely. Some 50 fire fighters and numerous appliances will be taking part. A 45 minute theory session followed by a practical scenario will be performed to assist fire fighters the RUI drill.
 - 11/11/2015 Carlotta VBFB official opening was held with local and out of shire dignitaries. Speeches highlighted the history and that local knowledge in these areas is paramount. Volunteerism is the key to providing the immediate resources to incidents and ongoing support to Incident Management Teams.
 - 18/11/2015 I will be attending the Nannup DSHS for a fire awareness presentation to the students and teachers. Local brigade members will be in attendance to assist.
 - 20/11/2015 The Nannup DSHS will be hosting an Emergency Day for students and parents. I will provide support and advice to students and parents.

- 21/11/2015 Deputy Commissioner will be attending the Nannup VFRS Medal Dinner Presentation at the Bridge Cafe in Nannup.
- Safety Circulars – There has been another accident with releasing the Pressure Cap on jerry cans. The safety circulars state that jerry cans be isolated at the water filling point or control point in the shade with procedures to open safely the jerry cans. Correct stowage and handling notes are provided.

A Bushfire Risk Management Planning submission to the state government for the whole state was submitted totaling \$44M. The state government could not afford the full submission and only \$4.1M was granted. The decision to honour the participating Local Governments in the pilot program with a Bushfire Risk Management Planning Coordinator has Augusta-Margaret River & Nannup sharing a BRMPC who will be located in the AMR Shire Office. Also Department of Fire and Emergency Services in the Lower South West - Manjimup Office has secured a total of 3 Bushfire Risk Mitigation Officers. DFES South West – Bunbury Office has secured a BRMO as part of the \$4.1M package.

7. GENERAL BUSINESS (AGENDA)

Emergency exercise – Discussion around the table and a recommendation by DM to present a recovery exercise similar to the Augusta-Margaret River LEMC would test all agencies during a major incident involving the agencies. DM and Mr RB will get together to design a desktop recovery exercise with the exercise venue at the newly opened evacuation centre the Nannup Recreation and Community Centre.

8. GENERAL BUSINESS AROUND TABLE

Some general discussion with members present discussing their role in the recent Waroona/Harvey fires highlighting the need for these plans and processes to be well documented, practised and readily available on request.

9. NEXT MEETING

Wednesday 4 May 2016 at 1500 (3:00pm)

10. CLOSURE OF MEETING

There being no further business the meeting was closed at 1541 (3:41pm).

LEMC Meeting 04-11-2015

CESO Report

- 18-08 South West Local Government Emergency Management Alliance (SWLGEMA) met discussing the final arrangements for the Emergency Management Conference 2015. At the meeting DFES & OBRM presented the Bushfire Risk Management Plan update with the program and LG's involvement with the pilot program. Shire of Nannup was one of the LG's in the pilot program. The next stage is to secure resources for the program to roll out to other LG's.
- 28-08 Emergency Management Conference 2015 was held at the Bunbury Community Centre where presenters from around Australia spoke of recovery and resilience in communities. The main theme from the conference was LG's and their communities how they are prepared for the Prevention, Preparedness, Response and importantly the Recovery/Resilience of an incident. Allowing communities the autonomy and flexibility to use resources where needed through local knowledge and historical events.
- 04-09 I met with the secretary of the Nannup Brook Brigade to discuss plans with them hosting a community awareness event on a couple of weekends. Some questions were raised with Shire assistance regarding items in the itinerary.
- 15-09 Discussions with Louise Stokes – Shire of Nannup Community Development Officer, Steph Green - DFES Community Engagement Officer regarding future Bushfire Ready presentations.
- 16-09 LEMC Exercise – Winter Flood, was held at the Nannup SES Facility with members from the LEMC; Police, DCPFS, DAFWA, WACHS, LG staff & Councilors, Water Corp, SES, DFES and SEMC Secretariat went through the desktop exercise. The key learning from the exercise was contact details and agency capabilities. Trigger points when processes were activated and agency specific conditions of engagement.
- 08-10 DFES LSW DO Danny Mosconi discussed with Chris Wade and me a Rural Urban Interface exercise to be performed at Jalbarragup community. A date has been selected, 7th November. We drove to Jalbarragup to look at the venue for the theory presentation and then drove to residents and surrounding area for the practical session. Letters have gone out to residents with a high number giving permission to enter their properties during the exercise.
- 10-10 Community Awareness was held at the Nannup Weekend Markets in front of the Volunteer Fire and Rescue Service station. Darradup VBFB cooked the sausages for community members passing by. Several brochures, pamphlets were given out whilst providing the children a tour over the fire appliances.

11-10 Carlotta Volunteer Bush Fire Brigade station opening was held at the station with Master of Ceremony Danny Mosconi introduced Carlotta VBFB FCO Mal Cole, Shire President Tony Dean, DFES LSW Superintendent John Tillman, Hon Robin McSweeney MLC representing the Hon Joe Francis MLA Minister of Emergency Services, volunteers and other guests. The speeches provided some history with Carlotta Brigade and the community. Fellowship was provided afterwards at the Carlotta Hall.

12 & 13-10

I attended the 8th Australasian Natural Hazards Emergency Management Conference at UWA in Perth. At the conference speakers from around Australia and overseas presented case studies and current projects from their Master and Doctorate degrees providing a summary of their thesis.

17-10 Bushfire Fun Games was held at Nannup Foreshore Park with brigades and officials participating challenging their skills over two courses. After the competition a fellowship was provided and a briefing to announce the winners. The event has been posted on the AVBFBWA website with some photos.

22-10 Joint ROAC (SW/LSW) was held in Bunbury at DFES Regional Office. Ashley Kidd and I attended and the ROAC welcomed Ashley to the meeting. Minutes will be available for anyone interested; once I receive them I can send them to members who would like a copy. They are usually large in size with mapping information from either DFES or DPaW etc.

24 & 25-10 I presented the FCO course at the Nannup SES Facility.

31-10 & 01-11

I presented the Bush Fire Fighting course at the Nannup SES Facility.

02-11 The Shire of Nannup had their BFAC and one key issue that was discussed is the Emergency Rural Numbering System (ERNS). The brigade members were supportive of the ERNS and moved a motion for the Shire to progress with the implementation stating the importance for emergency responders attending incidents.

02-11 Information with the Nannup SES Unit recently has highlighted the need to recruit more members. Both the Manager and Deputy Manager have taken leave of absence and the unit is under resourced for mobilisation. Arrangements have been made and distributed to agencies regarding any assistance required in the Nannup area for other neighbouring units to deploy. DFES SES District Officer Leon Gardiner will act as unit manager for the interim, until suitable candidates can be found and trained. Leon and I will get together to formulate a plan if possible for local support.

Rob Bootsma

DCPFS Report

LEMC – 4th Quarter Report (Shire of Nannup)

- I returned from annual leave last week, but was away for some of the week with tonsillitis and have another round of LEMC meetings over the next few weeks.
- I attended the SEMC Risk Workshop on Storm last week at DFES Bunbury with several other agencies. The next workshop will be early next year and will be on Flood.
- The next SWLGEMA Meeting has been re-scheduled to Thursday 19th November @ the Shire of Collie.

Roma Boucher

Shire of Nannup Local Emergency Management Committee Action List

ItemNo. (Date)	Action/Recommendation (Details)	Responsibility Name/Agency	Status Report	Completion Date
5.2 (7-5-14)	Emergency Rural Numbering System to be further explored with quotation and future implementation/liaise with LS funding options	RB/CESO LS(Louise Stokes)	Report back to committee Obtaining quotes for hardware items Liaise with LS for grant writing <i>ERNS will be an agenda item at Council for inclusion in the Shire 2016/2017 budget.</i>	Nov'15
7.1# (5-11-14)	Write letter to Nannup Mill re: FMP	TD/RB	Report back to committee <i>Original intent was a water upgrade to the mill after the fire. This is not occurring.</i>	Nov'15