



MINUTES

Council Meeting 22 April 2010

CONFIRMATION OF MINUTES

These minutes comprising page 1 - 33 were confirmed by the Council
on 27 May 2010
as a true and accurate record.

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Barbara Dunnet
SHIRE PRESIDENT

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Minutes

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Chairperson declared the meeting open at 4.22pm.

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

Councillors Dunnet, Boulter, Camarri, Dean, Gilbert, Mellema and Pinkerton.

Shane Collie – Chief Executive Officer.
Craig Waddell – Manager Corporate Services.
Ewen Ross – Manager Development Services.
Chris Wade – Works Manager.

Cr Joan Lorkiewicz from 4.23pm onwards.

VISITORS

7

APOLOGIES

Nil.

LEAVE OF ABSENCE (previously approved)

Nil.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

The following questions were submitted by Dr Bob Longmore at Council's March 2010 meeting and were taken on notice. Responses have been provided to Dr Longmore as indicated below.

- Q 1. The name lilly pilly is generic in the sense that there are many different species and varieties, and one would be selected which would be most suitable for the purpose. I draw her attention to the white fruited lily pilly trees gracing the Pemberton main park and which don't seem to present

an environmental hazard to that Council. Would her objections continue if that tree was withdrawn from the lists?

A 1 *Cr Camarri has advised that the intent of her Notice of Motion (Rescission) was to permit further consultation and to ensure that trees that are planted today do not become a problem for future generations down the track. Cr Camarri has responded in general terms regarding appropriate trees in appropriate places to ensure the correct outcome, a view one would expect is shared by all.*

It may take a little while longer to finalise the list and location and it is important that Council get it right and that a suitable policy be developed.

Cr Camarri also made reference to the recent example in Perth (Thornlie) where the wrong tree was planted in the wrong place.

Q 2. Has Cr Camarri taken note of the fact that there are many different species and varieties of 'poplar' and that the one named, ie the Simons poplar, *Populus simonii*, is a non-suckering tree, contrary to her statement that it may "become an environmental weed, requiring regular slashing to control offspring".

A 2 *Refer response question 1.*

Q 3. I request Cr Camari to proffer evidence that the Chinese white birch, *Betula szechuanica*, has the potential to become an environmental weed. Do the silver birches at present in the Caravan Park present that same hazard?

A 3 *Refer response question 1.*

Q 4. Cr Camarri states that "input into location and species type from Council's gardening staff was minimal". On the contrary, Steve Winfield is a significant member of the Arboretum Working Party, and indeed tabled the plant lists which were used to select suitable trees. This was a working party of selected interested persons. Can I ask Cr Camarri to suggest any other Council gardening staff who should be included in future deliberations?

A 4. *The intent of Cr Camarri's rescission motion which was supported by Council was to provide feedback to the Working Party, Council's Gardening staff and any other interested stakeholder in order that a future recommendation on both tree species and location can be formulated and submitted to Council.*

Q 5. Has Cr Camarri consulted the Golden Valley Tree Park management to confirm her misgivings on the trees the working party selected?

A 5. *It is understood not.*

Q 6. Regarding her statement that "the site is inappropriate" - Can Cr Camarri provide reasons why that area is inappropriate? Large trees already grow there, and new trees have been planted in the recent past. It has been recently noted in other shires that deciduous trees may provide a degree of protection to an area during an advancing forest fire.

A 6. *Cr Camarri has indicated that feedback through Council's Works Manager and Gardener had raised some concerns with the location hence rescinding the motion would allow further clarification.*

4. PUBLIC QUESTION TIME

Nil.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

8372 CAMARRI/BOULTER

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 25 March 2010 be confirmed as a true and correct record.

CARRIED 8/0

8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

9. REPORTS BY MEMBERS ATTENDING COMMITTEES

Airport meetings
WA Lung Institute Welcome
Blackwood River Valley Marketing Association meeting
Warren Blackwood Strategic Alliance meeting
Local Emergency Management Committee meeting
South West Zone of the WALGA meeting

10.REPORTS OF OFFICERS

<p>AGENDA NUMBER: 10.1 SUBJECT: Reformatting of Local Planning Policies LOCATION/ADDRESS: NAME OF APPLICANT: FILE REFERENCE: TPL10 AUTHOR: Shane Collie – Chief Executive Officer DISCLOSURE OF INTEREST: DATE OF REPORT: 13 April 2010</p>
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Attachments: 1. LPP 001 Cut & Fill and Retaining Wall Policy.
 2. LPP 017 Sub divisional Development Guidelines Policy.

BACKGROUND:

Since Council adopted its Local Planning Scheme # 3 (LPS 3), it is necessary to review all policies (and in particular planning policies) and where necessary amend them to reflect changes within the Scheme. This includes references to the old scheme, and where there is conflict between the new scheme and existing policies, or to develop new policies as required.

COMMENT:

The two policies attached remain current and only need minor formatting/presentation changes to bring them into line with LPS 3 as Local Planning Policies. This has been undertaken and the policies are hence provided for reaffirmation by Council as Local Planning Policies. The original adoption dates of these two policies were as follows:

Cut & Fill and Retaining Wall Policy	23 April 2009.
Subdivisional Development Guidelines Policy	25 September 2008.

LPS 3, clause 2.2 permits Council to prepare Local Planning Policies to assist with the making of decisions under the Schemes provisions. Planning Policies are being renumbered using the prefix of LPP.xxx to clearly identify them as being Local Planning Policies as distinct from other policies of Council.

There is no advertising requirement for these two policies as they have already been through that process and there is no alteration to text or intent.

STATUTORY ENVIRONMENT:

Shire of Nannup Local Planning Scheme No.3 Clause 2.4 and Local Government Act 1995 section 2.7.

POLICY IMPLICATIONS:

Existing policies reviewed and reformatted to become Local Planning Policies.

FINANCIAL IMPLICATIONS: Nil.

STRATEGIC IMPLICATIONS:

Council' draft Forward Plan 2010/11 to 2014/15 contains sub program 10.2 (Town Planning) with an Action Title:

“Develop and implement appropriate planning strategies in accordance with the relevant legislative parameters.”

RECOMMENDATION:

That Council reaffirm existing Council policies attached –

Cut & Fill and Retaining Wall Policy
Subdivisional Development Guidelines Policy

as Local Planning Policies LPP001 and LPP 017 respectively.

8373 BOULTER/LORKIEWICZ

That Council reaffirm existing Council policies attached –

Cut & Fill and Retaining Wall Policy
Subdivisional Development Guidelines Policy

as Local Planning Policies LPP001 and LPP 017 respectively.

CARRIED 8/0

AGENDA NUMBER: 10.2
 SUBJECT: Existing Policies Converted to Local Planning Policies
 LOCATION/ADDRESS:
 NAME OF APPLICANT:
 FILE REFERENCE: TPL10
 AUTHOR: Shane Collie – Chief Executive Officer
 DISCLOSURE OF INTEREST:
 DATE OF REPORT: 13 April 2010

- Attachments:
1. LPP 003 Installation of Standard Crossover Policy.
 2. LPP 004 Bed and Breakfast Policy.
 3. LPP 007 Special Rural Fencing Standards Policy.
 4. LPP 009 Relocated Dwellings Policy.
 5. LPP 010 Temporary Accommodation Policy.
 6. LPP 011 Development in Flood Prone Areas Policy.
 7. LPP 012 Chalet Development Policy.
 8. LPP 013 Car Parking Policy.
 9. LPP 014 Mobile Shop/Temporary Premises/Street Stalls.
 10. LPP 016 Overflow Camping Areas.
 11. LPP 018 Sign Policy.

BACKGROUND:

Similar to the above agenda item 10.1 with the introduction of Local Planning Scheme # 3 (LPS 3), it is necessary to review all policies of a planning nature to ensure that they are consistent with Council's adopted LPS 3

The above eleven policies fall into the category of existing policies that require amendment to reflect changes within the Scheme. This includes references to the old scheme, and where there has been identified conflict between the new scheme and the existing policies. The review of these policies, again similar to agenda item 10.1, sees the policies submitted for adoption as Local Planning Policies pursuant to LPS 3.

COMMENT:

The following existing and outdated policies need to be revoked to permit the new Local Planning Policies to be implemented:

- | | |
|-------|--|
| WRK 7 | Driveway Crossovers – replaced by LPP 003. |
| TPL 6 | Bed and Breakfast – replaced by LPP 004. |
| TPL 8 | Fencing Standards Special Rural Areas – replaced by LPP 007. |
| HAB 1 | Relocated Dwellings – replaced by LPP 009. |
| HAB 3 | Temporary Accommodation – replaced by LPP 010. |
| HAB 4 | Development in Flood Prone Areas – replaced by LPP 011. |
| TPL 2 | Chalet Development – replaced by LPP 012. |

TPL 9	Car Parking Policy – replaced by LPP 013.
TPL 3	Street Stalls/Market Days – replaced by LPP 014.
TRS 2	Overflow Camping Areas – replaced by LPP 016.
TRS 1	Signage Policy – replaced by LPP 018.

In respect of the transition from the old policies to the new the following comment is offered:

LPP 003 Installation of a Standard Crossover Policy

The new policy LPP 003 provides more detailed specifications for the design and construction of crossovers within the Shire. It also provides clear guidelines on the circumstances where Council will pay a 50% subsidy towards the provision of a “standard crossover” (as defined as being acceptable) for the various categories defined in the policy document.

LPP 004 Bed and Breakfast Policy

The present policy was last reviewed on 27 January 2000 and is well out of date. This policy has been amended by altering the definition of a “*bed and breakfast*” and reflects the need for applicants to be aware that any more than 6 persons exclusive of the family of the keeper is required to have their premises licensed as a “Lodging House”. Other amendments reflect the change of authority from the TPS # 1 to LPS 3.

LPP 007 Special Rural Fencing Standards Policy

The present policy was adopted on 26 August 1999 and has not been reviewed since. This policy has been amended to reflect the change of authority from the TPS # 1 to LPS 3. This policy was considered in September 2008 for adoption under LPS 3 however Council directed that each owner should be written to and this will need to be confirmed as a requirement again which is consistent with draft LPP 005 Consultation Policy contained in agenda item 10.3.

LPP 009 Relocated Dwellings Policy

The present policy was last reviewed on 2 May 2002. This policy has been amended to reflect the change of authority from the TPS # 1 to LPS 3 and also to include the BCA, Building Regulations 1989, Health (Asbestos) Regulations 1992.

LPP 010 Temporary Accommodation Policy

The present policy was last reviewed on 2 May 2002. This policy has been amended to reflect the change of authority from the TPS # 1 to LPS 3.

At the time of writing further advice is being sought on the legal implications of this policy as it appears that there is conflict between the proposed policy and minimum standards for dwellings contained in legislation.

This policy is unique to Nannup as it was put in place to control buildings being used for “*dwellings*” as an interim to building. The policy has been effective in assisting lot owners building, but it is considered that the policy can be interpreted as making a situation that is illegal “legal” with follow up and enforcement also problematic.

Having given permission to live in a “sub-standard” building it can provide a challenge to remove or retract that approval as well as giving rise to “two” dwellings effectively being approved for a property in contravention of LPS 3.

At this stage it is not recommended to adopt draft LPP 010 until further clarification is sought. It is recommended to revoke existing policy HAB 3.

LPP 011 Development in Flood Prone Areas

The present policy was last reviewed on 23 August 2001. This policy has been amended to reflect the change of authority from the TPS # 1 to LPS 3.

Note this policy refers to residential development, not commercial which was the subject of LPS 3 Amendment 7.

LPP 012 Chalet Development

The present policy was last reviewed on 22 February 1996 and is well out of date. This policy has been amended to reflect the change of authority from the TPS # 1 to LPS 3 including the references to the types of approvals permitted in relation to the Zoning Table.

LPP 013 Car Parking Policy

The present policy was last reviewed on 27 January 2000.

This policy has been amended to reflect the change of authority from the TPS # 1 to LPS 3, Local Government Act 1995, State Planning Policy (Residential Design Codes – Variation 1), Shire of Nannup Parking & Parking Facilities Local Law 2007, Australian Standards AS2890.1-1993 Car Parking, Appendix C “*Guidelines for Provision of Parking Spaces for People with Disabilities*” and the Local Government (parking for Disabled persons) Regulations 1988.

LPP.014 Mobile Shop/Temporary Premises/Street Stall Policy

This policy supersedes TPS 3 Street Stalls/Market Days Policy originally adopted 22 April 1993, reviewed 27 March 1997 and 24 October 2002. This policy provides greater scope for the control of activities involving mobile shops, temporary premises and stalls particularly where the preparation and/or sale of foodstuffs occur.

Existing Policy TPS 3 was limited in scope in relation to the operation (and licensing) of temporary food premises and a new policy was required to include temporary food premises as well as continuing to cater for street stalls.

LPP 016 Overflow Camping Areas

The present policy was last reviewed on 27 March 1997. The policy has been amended to include the Foreshore Park area within the scope of the policy and to append minimum standards/conditions as required under the *Caravan and Camping Act 1995*, *Caravan and Camping Regulations 1997* and *Shire of Nannup Health Local Laws 2003* which are required to be applied to any application for overflow camping.

LPP 018 Sign Policy

Current policy TRS 1 Signage Policy was adopted 26 June 2003 and has not been reviewed since adoption. LPS 3 contains all the relevant information necessary for any application for the erection of signage within the Shire with draft policy LPP 018 being consistent with the LPS 3 provisions.

STATUTORY ENVIRONMENT:

Under LPS 3 clause 2.4 (see below) Council will need to adopt the above Local Planning Policies for the purpose of advertising prior to final adoption.

“2.4.1 A Local Planning Policy shall become operative only after the following procedures have been completed:

- (a) the local government having prepared and adopted a draft Policy shall advertise the draft Policy by way of a notice published once a week for two consecutive weeks in a local newspaper circulating within the Scheme Area and by such other methods as the local government may consider appropriate to ensure notice of the draft Policy, giving details of where the draft Policy may be inspected, the subject and nature of the draft Policy and in what form and during what period (being not less than 21 days from the date specified in the notice) submissions may be made;*

- (b) *the local government is to carry out such other consultations as it thinks fit;*
- (c) *the local government is to review the draft Policy in the light of any submissions made and shall then resolve either to finally adopt the draft Policy with or without modification, or not to proceed with the draft Policy;*
- (d) *following final adoption of a Policy, notification of the final adoption shall be published once in a newspaper circulating within the Scheme Area; and*
- (e) *where, in the opinion of the local government, the provisions of any Policy affect the interests of the Commission, a copy of the Policy shall be forwarded to the Commission.*

2.4.2 *Copies of any Policy shall be kept and made available for public inspection at the offices of the local government.*

2.4.3 *Any amendment or addition to a Policy shall follow the procedures set out in (a) - (e) above."*

POLICY IMPLICATIONS:

This agenda item recommends the adoption for the purposes of advertising eleven Local Planning Policies pursuant to LPS 3.

FINANCIAL IMPLICATIONS:

Council will incur the cost of advertising the intention to adopt the Local Planning Policies once Council passes the associated resolutions.

STRATEGIC IMPLICATIONS:

Council's draft Forward Plan 2010/11 to 2014/15 contains sub program 10.2 (Town Planning) with an Action Title:

"Develop and implement appropriate planning strategies in accordance with the relevant legislative parameters."

RECOMMENDATIONS:

1. That Council revoke the following policies:

WRK 7	Driveway Crossovers
TPL 6	Bed and Breakfast
TPL 8	Fencing Standards Special Rural Areas
HAB 1	Relocated Dwellings
HAB 3	Temporary Accommodation
HAB 4	Development in Flood Prone Areas
TPL 2	Chalet Development
TPL 9	Car Parking Policy
TPL 3	Street Stalls/Market Days
TRS 2	Overflow Camping Areas
TRS 1	Signage Policy

2. That Council adopt the following Local Planning Policies as attached for the purpose of advertising pursuant to LPS 3 clause 2.4:

LPP 003 Installation of Standard Crossover Policy.
 LPP 004 Bed and Breakfast Policy.
 LPP 007 Special Rural Fencing Standards Policy.
 LPP 009 Relocated Dwellings Policy.
 LPP 011 Development in Flood Prone Areas Policy.
 LPP 012 Chalet Development Policy.
 LPP 013 Car Parking Policy.
 LPP 014 Mobile Shop/Temporary Premises/Street Stalls.
 LPP 016 Overflow Camping Areas.
 LPP 018 Sign Policy

8374 BOULTER/LORKIEWICZ

1. That Council revoke the following policies:

WRK 7	Driveway Crossovers
TPL 6	Bed and Breakfast
TPL 8	Fencing Standards Special Rural Areas
HAB 1	Relocated Dwellings
HAB 3	Temporary Accommodation
HAB 4	Development in Flood Prone Areas
TPL 2	Chalet Development
TPL 9	Car Parking Policy
TPL 3	Street Stalls/Market Days
TRS 2	Overflow Camping Areas
TRS 1	Signage Policy

2. That Council adopt the following Local Planning Policies as attached for the purpose of advertising pursuant to LPS 3 clause 2.4:

LPP 003 Installation of Standard Crossover Policy.

LPP 004 Bed and Breakfast Policy.

LPP 007 Special Rural Fencing Standards Policy.

LPP 009 Relocated Dwellings Policy.

LPP 011 Development in Flood Prone Areas Policy.

LPP 012 Chalet Development Policy.

LPP 013 Car Parking Policy.

LPP 014 Mobile Shop/Temporary Premises/Street Stalls.

LPP 016 Overflow Camping Areas.

LPP 018 Sign Policy

CARRIED 8/0

AGENDA NUMBER: 10.3
SUBJECT: New Local Planning Policies
LOCATION/ADDRESS:
NAME OF APPLICANT:
FILE REFERENCE: TPL 10
AUTHOR: Shane Collie – Chief Executive Officer
DISCLOSURE OF INTEREST:
DATE OF REPORT: 13 April 2010

- Attachments:
1. LPP 002 Private Stormwater Drainage Connections to Council's Drains Policy.
 2. LPP 005 Consultation Policy.
 3. LPP 006 Standard Development & Subdivision Conditions and Grounds for Refusal Policy.
 4. LPP 008 Nannup Main Street Heritage Precinct Policy.

BACKGROUND:

Similar to agenda items 10.1 and 10.2 with the introduction of Local Planning Scheme # 3 (LPS 3), the opportunity presents itself to introduce new policies in order to appropriately manage and control planning issues within the district.

The proposed new policies are attached and would be familiar to elected members being issues that have arisen over a number of years that require adequate controls or standards to be put in place.

COMMENT:

LPP 002 Private Stormwater Drainage Connections to Council's Drains

This policy provides the specifications and guidelines for private landowners who wish to capture and redirect stormwater from their land into Council's stormwater drainage system.

There are a number of instances particularly within the Nannup townsite where water has been directed from private property into Council's stormwater drainage system which have been problematic. Stormwater from private property adds to the capacity of the drainage system and some controls need to be put in place to avoid the potential overloading of the system and the channelling of water into places where it is not desired.

Examples over recent years have included North Street and Struthers/Widdeson Street.

LPP 005 Consultation Policy

The Consultation Policy provides the guidelines for the level of advertising to be undertaken by Council when considering various proposals that may impact on an individual/s or on the wider community. The policy is designed to provide members of the community with an opportunity to lodge a submission on any matter that may have a detrimental impact on their lives.

LPP 006 Standard Development & Subdivision Conditions and Grounds for Refusal Policy

This policy is more procedural in nature in that it contains a set of standard conditions that can be utilised as a basis for imposing conditions of planning approvals. The detail is based on subdivision applications recommended conditions that the Western Australian Planning Commission (WAPC) may include within an approval issued by that authority.

LPP 008 Nannup Main Street Heritage Precinct Policy

Council commissioned Chris Antill Planning and Urban Design consultants in association with Sally Malone of Eighth Element Design to prepare the Nannup Main Street Heritage Precinct report in 2000.

Although Council consulted with land owners directly affected by the report and amended the report as late as September 2008, the guidelines have never formally been adopted by Council. That is they are not legally enforceable if indeed that is the position that Council wishes to take.

As it is not desired to have controls in place without the legal ability of enforcement Council is advised to adopt the Main Street Heritage Precinct guidelines as a Local Planning Policy. Additionally Council has directed that each owner be written to and this will need to be confirmed as a requirement again which is consistent with draft LPP 005 Consultation Policy.

STATUTORY ENVIRONMENT:

Under LPS 3 clause 2.4 (see below) Council will need to adopt the above Local Planning Policies for the purpose of advertising prior to final adoption.

“2.4.1 A Local Planning Policy shall become operative only after the following procedures have been completed:

- (a) the local government having prepared and adopted a draft Policy shall advertise the draft Policy by way of a notice published once a week for two consecutive weeks in a local newspaper circulating*

within the Scheme Area and by such other methods as the local government may consider appropriate to ensure notice of the draft Policy, giving details of where the draft Policy may be inspected, the subject and nature of the draft Policy and in what form and during what period (being not less than 21 days from the date specified in the notice) submissions may be made;

- (b) the local government is to carry out such other consultations as it thinks fit;*
- (c) the local government is to review the draft Policy in the light of any submissions made and shall then resolve either to finally adopt the draft Policy with or without modification, or not to proceed with the draft Policy;*
- (d) following final adoption of a Policy, notification of the final adoption shall be published once in a newspaper circulating within the Scheme Area; and*
- (f) where, in the opinion of the local government, the provisions of any Policy affect the interests of the Commission, a copy of the Policy shall be forwarded to the Commission.*

2.4.2 Copies of any Policy shall be kept and made available for public inspection at the offices of the local government.

2.4.3 Any amendment or addition to a Policy shall follow the procedures set out in (a) - (e) above."

POLICY IMPLICATIONS:

This agenda item recommends the adoption for the purposes of advertising four new Local Planning Policies pursuant to LPS 3.

FINANCIAL IMPLICATIONS:

Council will incur the cost of advertising the intention to adopt the Local Planning Policies once Council passes the associated resolutions.

STRATEGIC IMPLICATIONS:

Council's draft Forward Plan 2010/11 to 2014/15 contains sub program 10.2 (Town Planning) with an Action Title:

"Develop and implement appropriate planning strategies in accordance with the relevant legislative parameters."

RECOMMENDATION:

That Council adopt the following Local Planning Policies for the purpose of advertising pursuant to LPS 3 clause 2.4:

- LPP 002 Private Stormwater Drainage Connections to Council's Drains Policy.
- LPP 005 Consultation Policy.
- LPP 006 Standard Development & Subdivision Conditions and Grounds for Refusal Policy.
- LPP 008 Nannup Main Street Heritage Precinct Policy.

8375 BOULTER/MELLEMA

That Council adopt the following Local Planning Policies for the purpose of advertising pursuant to LPS 3 clause 2.4:

- LPP 002 Private Stormwater Drainage Connections to Council's Drains Policy.
- LPP 005 Consultation Policy.
- LPP 006 Standard Development & Subdivision Conditions and Grounds for Refusal Policy.
- LPP 008 Nannup Main Street Heritage Precinct Policy.

CARRIED 8/0

AGENDA NUMBER: 10.4
SUBJECT: Forward Plan 2010/11 to 2014/15
LOCATION/ADDRESS:
NAME OF APPLICANT:
FILE REFERENCE: ADM 3
AUTHOR: Shane Collie – Chief Executive Officer
DISCLOSURE OF INTEREST:
DATE OF REPORT: 12 April 2010

Attachment: Shire of Nannup Forward Plan 2010/11 to 2014/15.

BACKGROUND:

Council adopted for the purposes of advertising its draft Forward Plan 2010/11 to 2014/15 at its January 2010 meeting.

COMMENT:

The draft plan was advertised in the Nannup Telecentre Telegraph in February and March 2010 and has been available from the Shire Office and Council's website for the past eight weeks. The close date for submissions was 31 March 2010 and no submissions have been received.

There have been a number of changes to the draft document which have been detailed to Council per the March 2010 Information Report. The changes and their source are summarised as follows:

1. Inclusion of Adam/Jephson/Laneway seal/kerb/drainage works.

Included in updated Road Program per Council resolution 25 February 2010.

2. Additional Action Plan to consider the merits of postal voting 2011.

New Action Item included.

3. Noting the intent to hold Council meetings in other localities of the Shire.

Amended Action Item 4.3 (A).

4. Inclusion of draft building maintenance/upgrade plan.

Draft Plan included (Appendix 4).

5. Extend out the proposed Scott River fire shed for Council to consider a more substantive structure.

Not included as demonstrated support for the proposal not evident nor is finance available.

6. Note Danjangerup Cottages includes degree of low socio economic occupancy as well as aged.

Amended Action Plan 8.2 (B)

7. Policy on aged accommodation to include potential to attract investors.

Not included. Not Council core business and unclear direction. Action Plan 8.2 (E).

8. Extend lease reviews to all premises.

Included so that all premises are covered.

9. Include specific road closure actions such as Poison Swamp, Blythe's, Cambray as well as Agg Road and CBD laneway.

Policy under consideration by Council. Action Plan 10.2 (B).

10. Notation of works at Cemetery to include Niche Wall.

Included as part of Action Plan 10.3 (B).

11. Removal of Agg roadworks, will be completed.

Removed.

12. Removal of Pneumonia roadworks, will be completed.

Removed.

13. Consideration of Carey Street/school link in footpath program.

Action Plan 12.1 (B) and Appendix 6). Council to consider if it wants to amend the Footpath Construction Program. Information Report by Works Manager undertaken.

Source points 1 to 13: Council meeting discussions 28 January 2010.

14. Removal of Action Plan relating to attendance at Councillor Training modules. There has been no interest shown in attendance.

15. Action Plan relating to reviewing the method of providing police licensing services removed. Council has a 10 year contract to provide this service and normal internal reviews will be undertaken however the actual provision of the service will not alter for the duration of the contract which extends beyond the life of the Forward Plan.
16. Action Plan relating to implementing training programs to educate food proprietors on food safety standards removed. Unless Council wishes to allocate resources in this area it will not occur. Compliance obligation applies to food proprietors.
17. Action Plan 10.1 (E) relating to investigating options for a transfer station at the Waste management Facility strengthened to specifically introduce in 2012/13.
18. Action Plan 11.1 (A) relating to undertaking any identified maintenance to the Town Hall has been expanded to take in any other public halls/buildings. 11.1 (D), (E), (F), (G), (H) and (I) added being specific capital works to the Lesser Hall (Telecentre), Town Hall, Carlotta Hall, Old Cundinup School and Shire Office.
19. Action Plan 11.3 (C) Marinko Tomas works expanded to include staged replacement of inappropriate trees.
20. Action Plan 11.3 (D) broadened from specific playground idea at Foreshore Park to non specific as other options may be considered.
21. Removal of draft Action Plan 13.3 (E) relating to specific detail to be included (the area) in the proposed new Caravan Parks lease. Is considered a philosophy as opposed to a tangible costed aim and therefore should be by Council resolution when confirming the new lease rather than contained in the Forward Plan.
22. Action Plans 13.2 (H) and (I) added indicating Council's support for the various regional trails projects that impact this area as well as noting the desire to attract grant funding to undertake a non townsite bike plan.
23. Action Plans 13.3 (B) and (E) included identifying the need to undertake significant capital works to the two caravan parks in Brockman Street and Balingup Road in view of obtaining future investment return on the assets.

Source Points 14 to 23: Senior Officer Forward Plan Review meeting held 3 March 2010.

24. Action Plan 10.2 (C) brought forward from 2012/13 to 2011/12 being the review of Council's Local Planning Scheme and Local Planning Strategy.

Source Point 24: Council meeting resolution 25 February 2010.

25. Alteration of the intent to hold Council “meetings” in other localities of the Shire to Council “forums”. Amended Action Plan 4.3 (A).
26. Return of Action Plan 4.1 (G) relating to attendance at Councillor Training modules. Council wanted this to be retained in the document.
27. Action Plan 11.3 (D) broadened from specific playground idea at Foreshore Park to non specific as other options may be considered. At request of Cr Gilbert option added gas BBQ/Camp Kitchen.
28. Action Plan 11.3 (G) added - Tree replacement strategy Arboretum.

Source Points 25 to 28: Council Information Session 25 March 2010.

The Forward Plan incorporating the above amendments is submitted for Council adoption.

STATUTORY ENVIRONMENT:

Section 5.56(1) of the Local Government Act 1995 requires a Local Government to plan for the future of the district and review the plan once every 2 years.

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS:

Council is required to have regard to the Forward Plan when setting annual budgets though it is not bound to follow the contents of the plan. The financial implications of these major expenditure items will be fed into the first draft of the 2010/11 budget.

STRATEGIC IMPLICATIONS:

Council’s Forward Plan is the key planning document for Council for the next five years and is the basis for the development of annual budgets.

RECOMMENDATION:

That Council adopt the Shire of Nannup Forward Plan 2010/11 to 2014/15 as attached.

8376 DEAN/PINKERTON

That Council adopt the Shire of Nannup Forward Plan 2010/11 to 2014/15 as attached.

CARRIED 8/0

AGENDA NUMBER: 10.5
SUBJECT: Monthly Financial Statements for 31 March 2010
LOCATION/ADDRESS: Nannup
NAME OF APPLICANT:
FILE REFERENCE: FNC 15
AUTHOR: Craige Waddell – Manager Corporate Services
DISCLOSURE OF INTEREST:
DATE OF REPORT: 12 April 2010

Attachment: Monthly Financial Statements for the period ending 31 March 2010.

COMMENT:

The monthly Financial Statements for the period ending 31 March 2010 are attached.

STATUTORY ENVIRONMENT:

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

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS: Nil.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

That the Monthly Financial Statements for the period ending 31 March 2010 be received.

8377 CAMARRI/DEAN

That the Monthly Financial Statements for the period ending 31 March 2010 be received.

CARRIED 8/0

AGENDA NUMBER: 10.6
SUBJECT: Risk Management Advisory Committee
LOCATION/ADDRESS: Nannup
NAME OF APPLICANT:
FILE REFERENCE: PSN 9
AUTHOR: Craige Waddell – Manager Corporate Services
DISCLOSURE OF INTEREST:
DATE OF REPORT: 12 April 2010

Attachment: Minutes of the Risk Management Advisory Committee meeting of 15 March 2010.

BACKGROUND:

The Risk Management Advisory Committee met 15 March 2010.

COMMENT:

The attached minutes of the meeting of 15 March 2010 contains one recommendation requiring Council action as follows:

That a recommendation be made to Council to that the LGIS rebate be used for the following items:

- i. Bunding Pallets for Depot*
- ii Senior First Aid Courses*

Councillors will recall that in previous years Council has received rebates from LGIS for use for risk management purposes. This year Council received \$4,161. The committee believes that the recommendation reflects the best use these funds can be put to at the moment.

STATUTORY ENVIRONMENT: Occupation Safety and Health Act 1994.

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS:

Nil as the expenditure will be undertaken from the rebate to be received from LGIS.

STRATEGIC IMPLICATIONS: Nil

RECOMMENDATION:

That the LGIS rebate be used for the following items:

- i. Bunding Pallets for Depot
- ii Senior First Aid Courses

8378 LORKIEWICZ/PINKERTON

That the LGIS rebate be used for the following items:

- i. Bunding Pallets for Depot
- ii Senior First Aid Courses

CARRIED 8/0

AGENDA NUMBER: 10.7
SUBJECT: FROGS Early Learning Centre, Nannup
LOCATION/ADDRESS: Grange Rd, Nannup
NAME OF APPLICANT:
FILE REFERENCE: FNC 6R
AUTHOR: Louise Stokes – Community Development Officer
DISCLOSURE OF INTEREST:
DATE OF REPORT: 9 March 2010

Attachments: 1. Revised Business Plan FROGS Early Learning Centre.
2. Letter from NOCCA.

BACKGROUND:

Consultation and work is now underway to develop concept building and landscaping plans for the Free Range on Grange (FROGS) Early Learning Centre, Nannup to submit these plans to Council for approval prior to the planning and building application process.

The YMCA have separated from the project due to an internal management restructure and have verbally advised NOCCA that all community childcare centre projects have been put on hold indefinitely. NOCCA has made the decision to run the project as a community organisation and a revised business plan is attached.

Council resolved in January 2010:

“That YMCA/NOCCA be responsible for the development of the building plans for the conversion of Lot 248 Grange Road to childcare premises.”

With YMCA withdrawing from the project, a request to Council has been received from NOCCA for Council to pay the costs of building and landscaping plans for Council approval from the Childcare Reserve Fund.

COMMENT

The business plan has been reviewed and would appear to be comprehensive and sound. Having said that, a lot of the detail contained in the plan is specific to child care facilities which officers of this Council have no expertise in. The financial attachments appear to be sound and reflect a reasonable income to Council of \$6,768 per annum. Currently Council receives approximately \$13,000 per annum. The proposed rental as per the business plan is in line with discussions Council had when last formally discussing this item at the January 2010 meeting of Council.

Estimates have been received by NOCCA from Dobbin Design and Serene Habitats to undertake the building and landscaping plans.

An estimate received from Dobbin Designs for the preparation of concept designs is \$5,000 based on \$60 per hour. The landscaping plans are estimated to cost \$1,500. The estimated cost for a Structural Engineer to review the plans is \$1,000.

STATUTORY ENVIRONMENT: Nil

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS: \$7,500 from Reserve Fund

STRATEGIC IMPLICATIONS:

Council's draft Forward Plan 2010/11 contains in year 2010/11 an estimate of \$300,000 to undertake a capital upgrade of childcare premises.

RECOMMENDATIONS:

1. That Council pay for the development of building and landscaping concept plans utilising funds currently set aside for the purpose of the development of a childcare facility.
2. That the concept plans for the childcare facility be forwarded to Council for approval prior to the development of working drawings.

8379 MELLEMA/BOULTER

1. That Council pay for the development of building and landscaping concept plans utilising funds currently set aside for the purpose of the development of a childcare facility.
2. That the concept plans for the childcare facility be forwarded to Council for approval prior to the development of working drawings.

CARRIED 7/1

Councillors voting for the motion: Boulter, Dean, Dunnet, Camarri, Lorkiewicz, Mellema and Pinkerton.

Councillor voting against: Gilbert.

AGENDA NUMBER: 10.8
SUBJECT: Nannup Bike Rack Project
LOCATION/ADDRESS:
NAME OF APPLICANT:
FILE REFERENCE: FNC 6T
AUTHOR: Louise Stokes – Community Development Officer
DISCLOSURE OF INTEREST:
DATE OF REPORT: 30 March 2010

Attachments: 1. Spider Bike Rack by Artist Irene Osborne.
 2. Leaves by Artist Irene Osborne.
 3. Park Bench by Artist Russell Fuller-Hill.
 4. Park Bench by Artist Rod Laws.

BACKGROUND:

The four creative bike racks as previously approved by Council have now been constructed and are ready to be installed.

It is recommended that the locations for the bike racks are:

Spider bike rack by artist Irene Osborne:

Previously recommended for the Skate Park however the created rack is larger than anticipated. Due to risk management and durability it is recommended that this bike rack is located opposite the bike repair stand at the Foreshore Park.

Park bench Seat by artist Rod Laws:

Recommended to be located at the Skate Park as the youth have been involved in the construction of this rack and it is more suited to BMX style bikes.

Park bench Seat by artist Russell Fuller Hill:

Recommended that this is located on the Anglican Church land where the Saturday morning markets are held. A letter has been sent to the Anglican Church requesting permission.

Leaf Design by artist Irene Osborne:

Recommended to be located at the front of the Visitor Centre and the Nannup Tourist Association have approved this installation for this location.

COMMENT

These locations are supported by the Officer and have been developed in consultation with the Works Department.

STATUTORY ENVIRONMENT: Nil

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS: Fully funded

STRATEGIC IMPLICATIONS:

Forward Plan 2008/09 2012/13 Program 11 Recreation & Culture 11.A states:

“Develop concept plans for artistic bike racks as tourist features and pursue funding for implementation.”

RECOMMENDATIONS:

That Council approves the locations for installation as:

- Spider (Attachment A) by artist Irene Osborne: Foreshore Park
- Leaves (Attachment B) by artist Irene Osborne: Visitor Centre
- Park bench (Attachment C) by artist Russell Fuller-Hill: Anglican Church
- Park bench (Attachment D) by artist Rod Laws: Skate Park

8380 PINKERTON/DEAN

That Council approves the locations for installation as:

- Spider (Attachment A) by artist Irene Osborne: Foreshore Park
- Leaves (Attachment B) by artist Irene Osborne: Visitor Centre
- Park bench (Attachment C) by artist Russell Fuller-Hill: Adam Street between the two box trees
- Park bench (Attachment D) by artist Rod Laws: Skate Park

CARRIED8/0

Cr Camarri declared a financial interest in the following item and left the meeting at 6.05pm.

AGENDA NUMBER: 10.9
 SUBJECT: Accounts for Payment
 LOCATION/ADDRESS: Nannup Shire
 FILE REFERENCE: FNC 8
 AUTHOR: Tracie Bishop – Administration Officer
 DISCLOSURE OF INTEREST:
 DATE OF REPORT: 12 April 2010

Attachment: Schedule of Accounts for Payment.

COMMENT:

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

Municipal Account

Accounts Paid By EFT EFT 1292 - 1362	\$159,445.68
Accounts Paid By Cheque Vouchers 18054– 18088	\$ 17,295.66
Direct Debits Vouchers 99170 – 99175	\$ 23,832.54

Trust Account

Accounts Paid By Cheque Voucher – 22724	\$ 160.00
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STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulation 13

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS:

As indicated in the Schedule of Accounts for Payment.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$200,733.88 in the attached schedule be accepted.

8381 PINKERTON/GILBERT

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$200,733.88 in the attached schedule be accepted.

CARRIED 7/0

Cr Camarri returned to the meeting at 6.06pm.

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

(a) OFFICERS

Nil.

(b) ELECTED MEMBERS

Nil.

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

12.1 Community Resource Centre

The following notice of motion was included in the January, February and March 2010 agendas and was requested to be laid on the table by the mover Cr Mellema;

Cr Mellema

I move that:

"the Shire of Nannup commence an investigation for the provision of a "purpose-built" Community Resource Centre facility to house the Telecentre that will cater for their current and anticipated needs for the short to medium term in the future in addition to providing for future extensions for other community purposes.

As part of the investigation, Council will undertake the following:

- *Identification of possible suitable sites*
- *Independent preparation of a needs analysis*
- *Independent preparation of a feasibility study*
- *Preparation of concept plans and indicative costing*
- *Extensive community consultation to gauge the level of community support for a Community Resource Centre against other proposed major infrastructure projects (estimated costs of each project to be detailed and how each project is to be funded included in, the survey)*
- *If the Community Resource Centre attains the highest priority, a quantity surveyor's report on the proposed concept plans to be prepared*
- *Funding sources to be identified and finalised*
- *Tenders called for architects*
- *Tenders or quotes for project management*

- *Tenders for construction”*

Justification for the Notice of Motion (Cr Mellema):

1. Council recognises that the current Telecentre facility is insufficient to meet the current needs of the community for the following reasons:
2. The infrastructure being used was the old hall supper room and any proposal to extend the building to cater for the Telecentre's future requirements is constrained by the location of the Town hall's effluent disposal holding tanks and drains and setback limits on the site.
3. To provide proper training facilities, a Telecentre requires a training room separate from the public area to allow students uninterrupted time.
4. A training room can also be utilised for video-conferencing purposes etc.
5. A separate area for internet cafe purposes is also desirable to allow users greater privacy than currently available.

Other Comments (Cr Mellema):

The location of a new Community Resource Centre should, if at all possible, have main street frontage to maximise the accessibility to the public, however careful consideration of any proposed site should ensure that the site should be capable of not only accommodating the building but also all parking required under the Nannup Town Planning Scheme #3 without reallocating some of it in other areas of the townsite.

The site should also have considerable room for extensions for other community purposes in the future without compromising the provision of parking onsite.

Any such site should be situated so as to avoid any complications associated with the 1 in 100 year flood level.

Cr Mellema wished that the notice of motion remain on the table.

12.2 Eucalyptus Trees in Marinko Park

Cr Camarri has put forward the following Notice of Motion:

“That Council budget to remove the Eucalyptus Trees in Marinko Tomas Park which are considered a liability by the Works Manager, and Parks and Gardens Manager.”

Officer Comment (Works Manager)

Councils Forward Plan contains an Action Plan which recognises this and a draft budget amount 2010/11 (and beyond) will include a monetary figure for

consideration over the next 5 years to complete the removal and replacement of the trees in question.

8382 CAMARRI/DUNNET

That Council budget to remove the Eucalyptus Trees in Marinko Tomas Park which are considered a liability by the Works Manager, and Parks and Gardens Manager.

CARRIED 6/2

Councillors voting for the motion: Boulter, Camarri, Dunnet, Gilbert, Lorkiewicz and Mellema.

Councillor voting against: Pinkerton and Dean.

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

Nil.

14. CLOSURE OF MEETING

There being no further business to discuss the Shire President declared the meeting closed at 6.16pm.