



Shire of
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Minutes

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NOVEMBER 2017

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Minutes

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 4:16pm.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

ATTENDANCE:

Shire President: Cr A Dean

Councillors: R Mellema, C Buckland, R Longmore, N Steer, V Hansen, C Stevenson and P Fraser

Peter Clarke – Chief Executive Officer

Tracie Bishop – Manager Corporate Services

Jon Jones – Manager Infrastructure

APOLOGIES:

Nil

LEAVE OF ABSENCE:

Nil

VISITORS:

Ms Bee Winfield, Mrs Ellie Mckie, Mr Martin Mckie, Mr Len Gilchrist and one other resident.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.

Nil

4. PUBLIC QUESTION TIME:

The Shire President invited questions from the Public at 4:16pm.

Mrs Bee Winfield, 48 Thomas Road

Q1 Can we recycle green waste at the tip rather than burning it?

As I have purchased a mulcher/chipper for use on my own property, could the the Shire help advertise that residents could dispose of their green waste at my property where the mulching/chipping of green waste could be undertaken?

- A1** The Shire President deferred this question to the Manager Infrastructure who responded that Council has no influence of how you process green waste on your property.

On the other question you ask the Waste Management Facility (WMF) to investigate costs associated with processing green waste at the WMF as against burning of this waste.

This is something that can be completed on the assumption that there would be costs and these costs would need to be budgeted for and potentially offset by income from sale of this waste in order to be sustainable in the long term.

- Q2** Would the Nannup Shire be acknowledging that this is a cost of burning is a cost that we are all bearing in terms of global warming

- A2** Shire President responded that this is not a question to the Manager Infrastructure as it is based on science not current Council practices.

I refer to your original question and this will be addressed by the Manager Infrastructure after conversations with the Contractor of the WMF. Any changes to the way in which this green waste is processed at this establishment will have relevance to the Contractor and their input is required prior to any changes being implemented.

Mr Len Gilchrist, Lot 35 Blackwood River Drive

- Q1** Are you aware of the current situations with the Council and the bloke in Perth at the present time for doing things that aren't true. Like wearing medals, saying he has been to university and all that. Are you aware of Lisa Scaffidi troubles and are you aware that I am going to ask this question of which I have had two replies and I have told you who I know and I have spoken to them today as I have not received a proper reply in this matter. Do you recall Councillor Longmore's answering.....

- A1** Shire President interjected requesting Mr Gilchrist to stop the question and then referred to Clause 5.7(1) and (3) of the Shire of Nannup's Standing Orders Local Law 2010.

Mr Gilchrist started to interrupt with expletives and as a result the Shire President asked the Chief Executive Officer to escort Mr Gilchrist from the Chamber.

The Shire President then proceeded to read out the relevant section of the Local Law which states that:

5.7 Other procedures for question time for the public

(1) *Questions asked by the public are to relate to the business of the Council and are not to be in the form of a statement or a personal opinion; and*

(3) *The Presiding Member may reject any question that may be deemed offensive towards, or reflect adversely upon the character and/or any actions, of any member of the Council or employee of the Shire*

After reading the section the Shire President stated that if Mr Gilchrist would like to ask a sensible question of Council this would be addressed but if he preferred to rehash questions that had already been answered they would not be addressed.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

7. DECLARATIONS OF INTEREST

Nil

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

8.1 17204 STEER/LONGMORE

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 26 October be confirmed as a true and correct record.

CARRIED (8/0)

9. MINUTES OF COUNCIL & OTHER COMMITTEES

9.1 17205 STEVENSON/FRASER

That the Minutes of the BigN AGM and Committee meeting held on Thursday, 5 October 2017 be received.

CARRIED (8/0)

9.2 17206 STEVENSON/FRASER

That the Minutes of the Local Tourism Organisation Steering Committee meeting held on Wednesday, 25 October 2017 be received.

CARRIED (8/0)

9.3 17207 MELLEMA/STEER

That the Minutes of the Bush Fires Advisory Committee meeting held on Monday, 6 November 2017 be adopted.

CARRIED (8/0)

9.4 17208 STEVENSON/FRASER

That the Minutes of the Risk Management Advisory Committee meeting held on Wednesday, 15 November 2017 be received.

CARRIED (8/0)

9.5 17209 STEVENSON/FRASER

That the Minutes of the Local Emergency Committee meeting held on Wednesday, 15 November be received.

CARRIED (8/0)

9.6 17210 MELLEMA/STEER

That the Minutes of the Audit Committee meeting held on Thursday, 23 November 2017 be adopted.

CARRIED (8/0)

10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Scott River Growers Group

The Shire President advised that together with Cr Fraser, the CEO and Manager Infrastructure he had attended a meeting of the Scott River Growers Group held at the Scott River Fire Shed on Thursday, 16 November 2017. The Shire President advised that the Shire of Augusta-Margaret River had also been invited as the main purpose of the meeting was to discuss the condition of Governor Broome Road and other roads in the Scott River area.

From the meeting the following recommendations were agreed upon although the Shire President indicated that the recommendations hinged upon the cooperation between the two Shires and the availability of funding or the obtaining of grant funding for the works in question:-

Agreed Recommendations:

- 1. The Shires of Augusta Margaret River and Nannup work together to investigate and apply for sources of funding to bring:**
 - a) Governor Broome Rd up to an acceptable standard suitable for B trains**
 - b) Dennis Rd (stage 2) up to an acceptable standard suitable for B trains**
 - c) Scott River Rd (stage3) up to an acceptable standard suitable for B trains**
 - d) and to prevent bruising of vegetables in transit.**

Discussion centered around investigation of BBRF “Building Better Regions Infrastructure fund” next round early 2018.

Also discussed was Commodities route funding, Regional Road group funds or lobbying state government for special road funding as was achieved for construction of Milyeanup Coast Road.

- 2. A feasibility study was agreed first step. Bunbury Fibre agreed to contribute to cost of feasibility study with both Shires also contributing.**

Industry need to be consulted and involved in helping to build the economic case.

- 3. The AMR shire to collaborate with industry on required needs to bring Milyeanup Coast Rd Sth, up to a useable standard for trucks to transport horticultural product to Beenup Mine Site.**

This route would serve 3 existing horticulture operations.

Forest Products Commission (FPC)

The Shire President advised that he had received correspondence from FPC to advise that it is investigating the establishment of a timber processing yard in the South West and is seeking information through an Expression of Interest (EOI) process.

The proposal is for an “*Integrated Timber Processing Yard*” that will consist of a log merchandising line that would include a debarker, log scanner, docking saws and log sorting equipment . There are also opportunities for the further processing of logs for a range of uses including veneer, sawn timber and energy.

The Shire President advised that a critical aspect of the EOI is the identification of land in the South West that could be available for industrial development. The Shire President indicated that the Managers of Nannup Timber Processing (NTP) would be attending a briefing by FPC on the EOI on Friday, 24 November 2017 in Bunbury.

11. REPORTS BY MEMBERS ATTENDING COMMITTEES

Date	Meeting	Councillor
2/11/17	Business Initiative Group	Buckland
6/11/2017	Bush Fire Advisory Committee	Mellema, Stevenson, Fraser
8/11/17	Australia Day Advisory Committee	Stevenson, Buckland, Fraser, Hansen
11/11/2017	Fire Preparedness Chat	Mellema, Stevenson, Steer
15/11/17	Risk Management Advisory Committee	Steer, Longmore
15/11/17	Local Emergency Management C'ttee	Dean
16/11/17	Scott River Growers Group Meeting	Dean, Fraser
17/11/17	New Councillor Seminar	Buckland, Hansen
21/11/17	SW Emergency Management Alliance	Stevenson

12. REPORTS OF OFFICERS

AGENDA NUMBER:	12.1
SUBJECT:	2017 Council Elections – Returning Officers Report
LOCATION/ADDRESS:	Whole of Shire
NAME OF APPLICANT:	Peter Clarke – Returning Officer
FILE REFERENCE:	ADM 2
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT	2 November 2017

BACKGROUND:

This report is to brief Elected Members on the conduct of the Election held on Saturday, 21 October 2017 and to provide an overview of statistics that relate to the Election.

COMMENT:

Two staff worked on Election Day between the hours of 7.30am to 6.00pm for the receiving of votes during Polling Day and then between 6.00pm to 8.00pm for the conduct of the count.

Results and Statistics

Ward: South
Candidate Elected: Robin Mellema
Term of Office: Term Expires October 2021

Number of Candidates	Total Number Eligible Votes on Roll	Total Valid Votes Cast	Total Informal Votes	Total Votes Cast	Percentage Turnout
2	278	92	4	96	34.53%

Ward: North
Candidates Elected: Catherine Stevenson and Vicki Hansen
Term of Office: Terms Expire October 2021

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Number of Candidates	Total Number Eligible Votes on Roll	Total Valid Votes Cast	Total Informal Votes	Total Votes Cast	Percentage Turnout
4	434	201	6	207	47.69%

STATUTORY ENVIRONMENT:

For this Election the CEO acted as Returning Officer. The Election was conducted on the basis of Electors voting in person. Part 4 of the *Local Government Act 1995* and *Local Government (Elections) Regulations 1997* specify the way Local Government Elections are to be conducted.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

The total cost of conducting the Election this year was \$2,336.00.

The above costs consisted of WALGA Composite Election Advertising (\$1,810), Advertising through Nannup Telegraph (\$440) and purchase of ballot boxes and voting screens from the WA Electoral Commission (\$86). In respect to wages for the CEO and Manager Corporate Services, both elected to take time off in-lieu.

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Strategic Plan 2017-2027 – Our Community Leadership – Strategy 5.1 Listen to the People and Our Council Leadership – Strategy 6.1 Provide a Listening Leadership that represents the People.

RECOMMENDATION

That Council receives the Returning Officer's report relating to statistical information for the 2017 Local Government Elections.

VOTING REQUIREMENTS:

Simple Majority

17211 LONGMORE/STEVENSON

That Council receives the Returning Officer's report relating to statistical information for the 2017 Local Government Elections.

CARRIED (8/0)

AGENDA NUMBER:	12.2
SUBJECT:	Review of Freedom of Information Statement
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	ADM 7
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT	13 November 2017
ATTACHMENT	12.2.1 – Freedom of Information Statement 2017/18

BACKGROUND:

The Freedom of Information Act 1992 requires agencies covered by the Act to produce and annually review a Freedom of Information Statement. A Statement is currently available on the council's website and was last reviewed at the Ordinary Meeting of Council on 24 November 2016.

COMMENT:

Amendments were required for the following areas:

1. The Council's organisation structure has been updated.
2. Updates to Elected Member information following the 2017 Elections.
3. Addition of Representative Working Groups of Council and other organisations.

STATUTORY ENVIRONMENT:

Sections 96 and 97 of the Freedom of Information Act 1992.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Nil

RECOMMENDATION:

That Council endorses the amendments to the Shire of Nannup's Freedom of Information Statement as presented.

VOTING REQUIREMENTS:

Simple Majority.

17212 LONGMORE/STEVENSON

That Council endorses the amendments to the Shire of Nannup's Freedom of Information Statement as presented.

CARRIED (8/0)

AGENDA NUMBER:	12.3
SUBJECT:	Amendment No.20 to the Shire of Nannup Local Planning Scheme No. 3: Submitted for Adoption
LOCATION/ADDRESS:	Lot 3 (2731) on DP12565 Balingup-Nannup Road, Nannup
NAME OF APPLICANT:	Blackwood River Clinic
FILE REFERENCE:	TPL1/20
AUTHOR:	Jane Buckland – Development Services Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	31 October 2017
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENTS:	12.3.1 – Location 12.3.2 – Documentation from applicant

BACKGROUND:

The applicant seeks Council's adoption of a scheme amendment to modify the special provisions/conditions for Lot 3 (2731) Balingup-Nannup Road to facilitate the on-going operation of the Blackwood River Clinic and Sky Lakes Retreat.

The site's location is shown in Attachment 12.3.1. The site is 34.5667 hectares in area and it contains a number of buildings including the Blackwood River Clinic (day hospital), Sky Lakes Retreat (accommodation units), staff accommodation, sheds and various dams.

The Blackwood River Clinic is an accredited "D-Class" Day Hospital which provides treatment for a range of mental health issues such as anxiety, depression, trauma and PTSD as well as alcohol and substance abuse. Currently the maximum number of patients at the clinic at any one time is 30.

Sky Lakes Retreat is an ancillary accommodation component to the day hospital and provides low cost equity access accommodation to make coming to the clinic easier. It currently provides accommodation for up to 20 people.

The applicant's documentation is set out in Attachment 12.3.2. The documentation provides the necessary information and justification required by the Shire of Nannup Local Planning Scheme No. 3 (LPS3) including suitability analysis, land capability,

and the effective management of the site. The documentation provides background information which is generally not repeated in this report.

A structure plan has not been provided for this proposal as the Blackwood River Clinic and Sky Lakes Retreat are already operational.

The site is zoned 'Special Use (SU12)' and is within a 'Landscape Values Area' in LPS3. Approximately two thirds of the site is declared as a bushfire prone area.

COMMENT:

As Council are aware, in November 2016 the then WA Minister for Mental Health announced that Abbotsford Private Hospital had been successful in securing 16 new residential rehabilitation treatment beds, to be located at the Blackwood River Clinic, as part of the \$14.9 million *Western Australian Meth Strategy 2016*. Dr Stephen Proud of the Blackwood River Clinic addressed Council at its meeting of 24th November 2016 to discuss how this announcement would affect the current operations at the clinic and at this time it was anticipated that the 16 beds would be made available from those already in use at the clinic.

Since the above announcement was made, the property on which Blackwood River Clinic and Sky Lakes Retreat are located has been sold and is now owned by Health Care Australia Pty Ltd. Both the landowner and the applicant have reviewed the current approvals and permitted uses for the property and are requesting an amendment to LPS3 to support the on-going operation of the Blackwood River Clinic and Sky Lakes Retreat and to provide sufficient flexibility to changing circumstances. The Shire administration has received no indication that the landowner or applicant wishes to significantly alter the day-to-day operations of either the Blackwood River Clinic or Sky Lakes Retreat.

Should Council resolve to support Scheme Amendment No. 20, all future development of the property will still require the landowner/proponent to gain Development Approval from the Shire.

There is a current Bushfire Management Plan, endorsed by the Department of Fire and Emergency Services in place for the property. Any new development which proposes additional guest or overnight accommodation may be considered a vulnerable land use as set out in the *Guidelines for Planning in Bushfire Prone Areas* as follows:

"Typically, vulnerable land uses are those where persons may be less able to respond in a bushfire emergency. These can be categorised as one or more of the following:

- land uses and associated infrastructure that are designed to accommodate groups of people with reduced physical or mental ability such as the elderly, children (under 18 years of age), and the sick or injured in dedicated facilities such as aged or assisted care, nursing homes, education centres, family day care centres, child care centres, hospitals and rehabilitation centres;

- facilities that, due to building or functional design, offer limited access or the number of people accommodated may present evacuation challenges, such as corrective institutions (prisons) and detention centres; and
- short stay accommodation or visitation uses that involve people who are unaware of their surroundings and who may require assistance or direction in the event of a bushfire, such as bed and breakfast, caravan park and camping ground, holiday house, holiday accommodation, home business, serviced (short stay) apartment, tourist development and workers' accommodation."

Subject to the location of the proposed development, if a vulnerable land use is proposed, it is expected that the landowner/proponent will be required to review the previously endorsed Bushfire Management Plan and/or prepare a Bushfire Attack Level (BAL) assessment.

It is recommended that Council resolves to support Scheme Amendment No. 20 without further modifications as outlined in Attachment 12.3.2 to formally progress the process of amending LPS3.

The amendment is a standard amendment under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 for the following reasons:

- The amendment relates to a zone that is consistent with the objectives identified in the scheme for that zone;
- The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and
- The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

Subject to the Council's decision, the documentation will be forwarded to the Environmental Protection Authority (EPA) seeking environmental clearance. Following this, the amendment will be publicly advertised for 6 weeks by writing to stakeholders, placing notices in local papers, placing details on the Shire's website and having information available at the Shire office.

Following the close of the consultation period, the matter will again be considered by the Council to determine whether or not to support final adoption of the scheme amendment. After this, the Western Australian Planning Commission will next assess the scheme amendment request with the final decision made by the Minister for Planning.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005, Planning and Development (Local Planning Scheme) Regulations 2015 and LPS3.

POLICY IMPLICATIONS:

State Planning Policy *SPP 3.7 Planning in Bushfire Prone Areas* and the WAPC's *Guidelines for Planning in Bushfire Prone Areas* are relevant to the scheme amendment request.

FINANCIAL IMPLICATIONS:

The applicant has paid the required scheme amendment fee in accordance with adopted 2017/18 Schedule of Fees and Charges.

STRATEGIC IMPLICATIONS:

Nil.

RECOMMENDATION:

That Council:

1. Determines that the Amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, contained in Regulation 34, for the following reasons:
 - (a) The amendment relates to a zone that is consistent with the objectives identified in the scheme for that zone;
 - (b) The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and
 - (c) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

2. Agree to adopt an amendment to the *Shire of Nannup Local Planning Scheme No. 3*, pursuant to section 75 of the *Planning and Development Act 2005*, through the following:
 1. Deleting the provisions in Schedule 4 – Special Use Zones for Special Use 'SU12'.
 2. Adding the following provisions in Schedule 4 – Special Use Zones for Special Use 'SU12':

SU12	Lot 3 on Plan 12565 Balingup-Nannup Road, Nannup	<ul style="list-style-type: none"> • Hospital and Medical Centre • Residential Building • Caretakers Dwelling • Consulting Rooms • Single Dwelling 	<ol style="list-style-type: none"> 1. All future development is subject to the requirement to gain Development Approval from the local government. 2. All applicable 'Special Uses' shall be deemed to be 'D' uses pursuant to the Scheme. 3. More than one Residential Building is permitted, in different parts of the site, subject to gaining Development Approval from the local government.
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			<ul style="list-style-type: none"> • Home Office • Home Occupation • Agriculture – Extensive • Recreation – Private • Rural Pursuit 	<p>4. Subject to the nature of the proposed development or use and its associated risk, the local government may require the submission of an updated Bushfire Management Plan and/or a Bushfire Emergency Evacuation Plan to support a Development Application.</p> <p>5. Where a Bushfire Management Plan and/or Bushfire Emergency Evacuation Plan are required to be updated, implementation of the plan/s will be included as a condition of development approval.</p> <p>6. In order to conserve the natural beauty of the locality all trees shall be retained unless their removal is authorised by the local government.</p> <p>7. The local government shall not permit the construction of any building in a manner or of materials that would in the opinion of the local government destroy the amenity of the area or not blend in with the landscape.</p> <p>8. The local government will require as a condition of development approval that all habitable buildings shall be connected to a wastewater treatment system with an adequate phosphorus retention capacity as approved by the Department of Health and the local government. The base of the system or the modified irrigation area is to be above the highest known water table.</p> <p>9. Stormwater drainage shall be designed to the satisfaction of the local government.</p>
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3. Numbers the abovementioned Amendment as Number 20 to *Shire of Nannup Local Planning Scheme No. 3*.
4. Authorises the Shire President and the Chief Executive Officer to execute the Scheme Amendment No.20 documents.
5. Notes the Shire will refer Scheme Amendment No.20 to the Environmental Protection Authority for assessment pursuant to section 81 of the *Planning and Development Act 2005*. Should the Environmental Protection Authority advise that the amendment does not require assessment, advertise the amendment in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

VOTING REQUIREMENTS: Simple Majority

17213 MELLEMA/HANSEN

That Council:

1. Determines that the Amendment is standard under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, contained in Regulation 34, for the following reasons:

- (a) The amendment relates to a zone that is consistent with the objectives identified in the scheme for that zone;**
- (b) The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and**
- (c) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.**

2. Agree to adopt an amendment to the Shire of Nannup Local Planning Scheme No. 3, pursuant to section 75 of the Planning and Development Act 2005, through the following:

a. Deleting the provisions in Schedule 4 – Special Use Zones for Special Use ‘SU12’.

b. Adding the following provisions in Schedule 4 – Special Use Zones for Special Use ‘SU12’:

SU12	Lot 3 on Plan 12565 Balingup-Nannup Road, Nannup	<ul style="list-style-type: none"> • Hospital and Medical Centre • Residential Building • Caretakers Dwelling • Consulting Rooms • Single Dwelling • Home Office • Home Occupation • Agriculture – Extensive • Recreation – Private • Rural Pursuit 	<ol style="list-style-type: none"> 1. All future development is subject to the requirement to gain Development Approval from the local government. 2. All applicable ‘Special Uses’ shall be deemed to be ‘D’ uses pursuant to the Scheme. 3. More than one Residential Building is permitted, in different parts of the site, subject to gaining Development Approval from the local government. 4. Subject to the nature of the proposed development or use and its associated risk, the local government may require the submission of an updated Bushfire Management Plan
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			<p><i>and/or a Bushfire Emergency Evacuation Plan to support a Development Application.</i></p> <p>5. Where a Bushfire Management Plan and/or Bushfire Emergency Evacuation Plan are required to be updated, implementation of the plan/s will be included as a condition of development approval.</p> <p>6. In order to conserve the natural beauty of the locality all trees shall be retained unless their removal is authorised by the local government.</p> <p>7. The local government shall not permit the construction of any building in a manner or of materials that would in the opinion of the local government destroy the amenity of the area or not blend in with the landscape.</p> <p>8. The local government will require as a condition of development approval that all habitable buildings shall be connected to a wastewater treatment system with an adequate phosphorus retention capacity as approved by the Department of Health and the local government. The base of the system or the modified irrigation area is to be above the highest known water table.</p> <p>9. Stormwater drainage shall be designed to the satisfaction of the local government.</p>
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- 3. Numbers the abovementioned Amendment as Number 20 to Shire of Nannup Local Planning Scheme No. 3.**
- 4. Authorises the Shire President and the Chief Executive Officer to execute the Scheme Amendment No.20 documents.**
- 5. Notes the Shire will refer Scheme Amendment No.20 to the Environmental Protection Authority for assessment pursuant to section**

81 of the Planning and Development Act 2005. Should the Environmental Protection Authority advise that the amendment does not require assessment, advertise the amendment in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015.

CARRIED (8/0)

AGENDA NUMBER:	12.4
SUBJECT:	Road Naming Request
LOCATION/ADDRESS:	Unnamed Road Reserve off White Rd, Cundinup
NAME OF APPLICANT:	Alfred Carroll
FILE REFERENCE:	ROA00
AUTHOR:	Jane Buckland – Development Services Officer
REPORTING OFFICER:	Peter Clarke - Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	14 November 2017
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENT	12.4.1 - Location 12.4.2 - Documentation from applicant 12.4.3 - Information from Nannup Historical Society 12.4.4 - Submissions

BACKGROUND:

The Shire has received a request from Mr Alfred Carroll to have an unnamed road reserve off White Road, Cundinup named Hartnett Road to facilitate improved property addressing and to recognise a long-standing association the Hartnett family has with the Cundinup area.

The location of the unnamed road is shown in Attachment 12.4.1. This road provides legal vehicular access to four properties within the Shire of Nannup and the Shire of Donnybrook-Balingup.

As with all road name requests, the Shire requires that clear reasons for the choice of names be provided, given this information will be reported to the Council and to the Geographic Names Committee.

The applicant has provided background information on the Hartnett family and agreement from the surviving members of the family for the name Hartnett to be used as a road name as shown in Attachment 12.4.2. The Shire also contacted the Nannup Historical Society for additional background on the Hartnett family and their response is shown in Attachment 12.4.3.

The Shire administration wrote to 20 key stakeholders including emergency service providers and the adjoining local governments of Shire of Donnybrook-Balingup and City of Busselton, all of whom were invited to comment for a 6 week period.

The Shire received 3 submissions, all of which were supportive of the proposed road name. These submissions are included in Attachment 12.4.4.

COMMENT:

Road names need to be approved by the Minister for Lands following advice from the State Government's Geographic Names Committee and meet their "Road Naming Guidelines."

Some of the guiding principles used by the Geographic Names Committee include:

- suitable names include those from the local Aboriginal language, pioneers and citizens who have made a significant community contribution;
- unsuitable names include long or difficult to pronounce names;
- name duplication is not supported within 50 kilometres; and
- names of living persons should only be used in exceptional circumstances.

Following receipt of the naming request, the Shire made initial enquiries with Landgate who advised that there were no current or historical uses of the name Hartnett within 50km of the Shire of Nannup.

Based on the information received from the applicant, the Hartnett family and the Nannup Historical Society, it is suggested that the Hartnett family can be considered to have made a significant contribution to the agricultural industry in the Cundinup area and more generally, to the Shire of Nannup through their association with the Volunteer Fire Brigade and the Pine Ridge Golf Club.

It is recommended that the Council agree to name the unnamed road as shown in Attachment 12.4.1 as Hartnett Road and forward a formal request to the Geographic Names Committee for consideration by the Minister.

STATUTORY ENVIRONMENT:

Land Administration Act 1997. Road names are considered by the Geographic Names Committee with the ultimate decision made by the Minister for Lands.

POLICY IMPLICATIONS:

None

FINANCIAL IMPLICATIONS:

None

STRATEGIC IMPLICATIONS:

Appropriate road names can assist in providing a "sense of place" in adding to an area's distinctive character.

RECOMMENDATION:

That Council:

1. Agrees to name the unnamed road adjoining White Road, Cundinup and shown in Attachment 12.4.1 as Hartnett Road.
2. Request the Geographic Names Committee and the Hon. Minister for Lands to agree to the above road name within the Shire of Nannup.
3. Advise submitters of the above.

VOTING REQUIREMENTS:

Simple Majority

17214 MELLEMA/HANSEN

That Council:

- 1. Agrees to name the unnamed road adjoining White Road, Cundinup and shown in Attachment 12.4.1 as Hartnett Road.***
- 2. Request the Geographic Names Committee and the Hon. Minister for Lands to agree to the above road name within the Shire of Nannup.***
- 3. Advise submitters of the above.***

CARRIED (8/0)

**Shire of Nannup
Ordinary Council Meeting Minutes: 23 November 2017**

AGENDA NUMBER	12.5
SUBJECT:	Acceptance of Shire of Nannup Annual Report 2016/17
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	ADM 17
AUTHOR:	Tracie Bishop – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT:	14 November 2017
ATTACHMENT:	12.5.1 - Annual Report 2016/17 is included as a separate document with this Agenda

BACKGROUND:

Section 5.53(1) of the Local Government Act 1995 (the Act) stipulates that a Local Government is to prepare an Annual Report for each financial year. A draft Annual Report has been circulated under separate cover for consideration.

COMMENT:

The Annual Report contains all the statutory information required, including the Annual Financial Statements for the year under review and will also form the main document for scrutiny at Council's Annual Electors Meeting.

Prior to today's meeting Councillors have had the opportunity to attend the Audit Committee meeting in which Council's appointed auditor was available to go through the different components of the now completed annual audit of the financial statements for 2016/17.

Assuming that these statements have been endorsed by Council the following dates are submitted to ensure that Council complies with the Local Government Act 1995.

Date	Description
23/11/2017	Audit Advisory Committee meeting with Council's Auditor in attendance for full review of 2016/17 Financial Statements
23/11/2017	Annual Report brought to Council for endorsement.
27/11/2017	Local advertising via public notices around town supplemented with Advertisement in local newsletter – "Nannup Telegraph" advising of date and time of Electors Meeting
14/12/2017	Annual Electors meeting to be held at 5.00pm in the Shirley Humble Room.

STATUTORY ENVIRONMENT:

Section 5.54(1) of the Act requires that the Annual Report be accepted by 31 December, with an absolute majority vote being required. However, if the auditor's report is not available in time for the Annual Report to be accepted by 31 December section 5.54(2) requires that it be accepted no later than two months after the auditor's report becomes available.

Section 5.27(2) states that a general meeting of electors is to be held on a day selected by the local government, but not more than 56 days after the local government accepts the annual report for the previous financial year. Section 5.29(1) requires that the CEO gives at least 14 days local public notice of the date, time, place and purpose of the meeting.

Assuming that the Annual Report is accepted at today's meeting, it is proposed to hold the Annual Electors Meeting at 5pm Thursday 14 December 2017.

Notice of the availability of the Annual Report is to be given as soon as practical after its acceptance by Council. An advertisement informing electors of the proposed timing of the Electors Meeting has been prepared for the local Telegraph newsletter, which will meet the statutory requirement of the advertising period. Appropriate notices will be placed on noticeboards within the Townsite.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Nil

RECOMMENDATION:

That Council;

1. Accept the Draft Annual Report for the Shire of Nannup for the year ended 30 June 2017 as required by section 5.54(1) and 5.54(2) of the Local Government Act 1995.
2. Hold its Annual Electors Meeting on Thursday 14 December 2017 in the Shirley Humble Room commencing at 5 pm.

VOTING REQUIREMENTS: Absolute Majority

17215 LONGMORE/BUCKLAND

That Council;

- 1. Accept the Draft Annual Report for the Shire of Nannup for the year ended 30 June 2017 as required by section 5.54(1) and 5.54(2) of the Local Government Act 1995.**

- 3. Hold its Annual Electors Meeting on Thursday 14 December 2017 in the Shirley Humble Room commencing at 5 pm.**

CARRIED BY ABSOLUTE MAJORITY (8/0)

AGENDA NUMBER:	12.6
SUBJECT:	Budget Monitoring – October 2017
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 15
AUTHOR:	Robin Prime – Corporate Services Officer
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DATE OF REPORT	14 November 2017
ATTACHMENT:	12.6.1 – Financial Statements for the period ending 31 October 2017

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 \$30,000, whichever is the greater on which to report. The statutory statements are appended at Attachment 12.6.1.

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:

Please refer to the attachment, Financial Statements for period(s) ending 31 October 2017 for a detailed analysis of our end of year position, as found in Note 2.

STATUTORY ENVIRONMENT:

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

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

The attached financial statements detail financial outcomes for 2017/18.

STRATEGIC IMPLICATIONS:

Nil.

RECOMMENDATION:

Monthly Financial Statements for the period ending 31 October 2017 be received.

VOTING REQUIREMENTS:

Simple Majority.

17216 FRASER/STEVENSON

Monthly Financial Statements for the period ending 31 October 2017 be received.

CARRIED (8/0)

AGENDA NUMBER:	12.7
SUBJECT:	Monthly Accounts for Payment - October 2017
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 8
AUTHOR:	Robin Prime – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	14 November 2017
ATTACHMENT:	12.7.1 – Accounts for Payment – October 2017 12.7.2 – Credit Card Transactions – October 2017

BACKGROUND:

The Accounts for Payment for the Nannup Shire Municipal Account fund and Trust Account fund from 1 September 2017 to 30 September 2017 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	9854 – 9950	337,194.49
Accounts paid by cheque	20227 – 20235	33,687.48
Accounts paid by Direct Debit	DD9973.1 – DD9985.11	39,337.35
<i>Sub Total Municipal Account</i>		<u>\$410,219.32</u>

Trust Account

Accounts paid by EFT	9901 - 9902	1,104.78
Accounts Paid by cheque		0.00
<i>Sub Total Trust Account</i>		<u>\$1,104.78</u>
Total Payments		<u>\$411,324.10</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 \$411,324.10 1 October 2017 to 31 October 2017 in the attached schedule be endorsed.

VOTING REQUIREMENTS:

Simple Majority.

17217 MELLEMA/STEER

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$411,324.10 1 October 2017 to 31 October 2017 in the attached schedule be endorsed.

CARRIED (8/0)

AGENDA NUMBER:	12.8
SUBJECT:	Barrabup 03 Forest – Request for Support Proposed National Park Status
LOCATION/ADDRESS:	Barrabup 03 State Forest
NAME OF APPLICANT:	Barrabup Conservation Group
FILE REFERENCE:	Nil
AUTHOR:	Peter Clarke – Chief Executive Officer
REPORTING OFFICER:	Peter Clarke – Chief Executive Officer
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	20 November 2017
ATTACHMENT:	12.8.1 - Correspondence to Support Barrabup 03 Forest as National Park

BACKGROUND:

Mrs Ellie Mckie, on behalf of the Barrabup Conservation Group, contacted the CEO on Monday, 20 November 2017 requesting that Council supports the Barrabup Conservation Group, by way of writing to the State Government's Standing Committee of Environment and Public Affairs; requesting the Government to give consideration for the Barrabup 03 Forest to be declared a National Park.

The CEO indicated to Mrs Mckie that the November 2017 Agenda had already been circulated to Councillors however, as Council does not hold a meeting in December, and the earliest that the matter would be referred to Council would be until the January 2018 meeting, a late item would be submitted to Council for its November meeting, which she greatly appreciated.

COMMENT:

The attached correspondence comprehensively outlines why the Barrabup Conservation Group considers that the Barrabup 03 State Forest should be classified as a National Park, with the dot points below highlighting some of the reasons:-

- Its closeness to the Nannup town site;
- Tourism benefits;
- Aboriginal heritage; and
- Endangered flora and fauna.

The Barrabup Conservation Group has actively campaigned against the logging of the Barrabup 03 Forest for a number of months now and have built up a significant amount of support from Nannup residents and Conservationists in their quest to stop logging at this site.

Throughout the Barrabup Conservation Group's campaign, Council has remained neutral in its position as it considered that whilst its supported conservation in the Shire, there was also a significant timber industry in the Shire that employed a considerable number of local people and Council was mindful of this industry and

future employment prospects. Even with the closure of NTP's green mill, the timber industry still remains in part, and there could well be opportunities for the Mill to be revived in the future.

Whilst the Conservation Group has actively campaigned to stop logging in Barrabup 03 Forest, Council has repeatedly informed the Group that its position on logging in State Forest has been governed by the Conservation Commission of Western Australia's Forest Management Plan 2014-2023 which was developed to balance the preservation of National Park and State Forest but also to maintain a viable timber industry in Western Australia through logging of certain areas of the State's land assets.

It is the opinion of the author of this report that Council's position has not changed which is reflected in the recommendation below, unless Council wishes to change its position.

STATUTORY ENVIRONMENT:

Conservation Commission of Western Australia's Forest Management Plan 2014-2023.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Strategic Plan 2017-2027:-

Our Natural Environment – Strategy 4.1 Our Sanctuary – Protect Our Range of Natural Assets.

Our Economy – Strategy 2.1 The Big Picture – Encourage and Support more Industry, Businesses and Employment into our Shire.

RECOMMENDATION:

That Council advises the Barrabup Conservation Group that whilst it acknowledges the Group's strong campaign on the future protection of the Barrabup 03 Forest and the support for Barrabup 03 to be declared as a National Park, Council still maintains that it should remain neutral in the logging debate and that Council will continue to support the Conservation Commission of Western Australia's Forest Management Plan 2014-2023, or until this document has been amended by the State Government to set aside Barrabup 03 as National Park.

VOTING REQUIREMENTS:

Simple Majority.

17218 DEAN/MELLEMA

That Council advises the Barrabup Conservation Group that whilst it acknowledges the Group's strong campaign on the future protection of the Barrabup 03 Forest and the support for Barrabup 03 to be declared as a National Park, Council still maintains that it should remain neutral in the logging debate and that Council will continue to support the Conservation Commission of Western Australia's Forest Management Plan 2014-2023, or until this document has been amended by the State Government to set aside Barrabup 03 as National Park.

CARRIED (6/2)

Against Crs Stevenson and Fraser

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

CONFIDENTIAL ITEM

PROCEDURAL RECOMMENDATION:

That the meeting be closed to members of the public in accordance with Sections 5.23(2) (a), (b) and (c) of the Local Government Act 1995.

(The following report is confidential in accordance with Section 5.23(2)(a),(b) and (c) and of the Local Government Act 1995, being a matter effecting an employee, the personal affairs of a person and a contract that may be entered into by the Local Government)

17219 STEVENSON/LONGMORE

That the meeting be closed to members of the public in accordance with Sections 5.23(2) (a), (b) and (c) of the Local Government Act 1995.

(The following report is confidential in accordance with Section 5.23(2)(a),(b) and (c) and of the Local Government Act 1995, being a matter effecting an employee, the personal affairs of a person and a contract that may be entered into by the Local Government)

CARRIED (8/0)

AGENDA NUMBER	14.1
SUBJECT:	Nannup Caravan Park – Lease Agreement
LOCATION/ADDRESS:	Reserves 20333 Brockman Street and 24762 Balingup Road, Nannup
NAME OF APPLICANT:	Mr Ton van Hattem
FILE REFERENCE:	RES 20333
AUTHOR:	Tracie Bishop – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	14 November 2017
ATTACHMENT:	Nil

PROCEDURAL RECOMMENDATION:

That the meeting be opened to the members of the public in accordance with Sections 5.23(1) (a) and (b) of the Local Government Act 1995.

17220 STEVENSON/LONGMORE

That the meeting be opened to the members of the public in accordance with Sections 5.23(1) (a) and (b) of the Local Government Act 1995.

CARRIED (8/0)

14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

17221 HANSEN/MELLEMA

1. That Council accepts the financial statement received from Lessee as confirmation of revenue received for the 2016/17 financial year

2. That Council write to lessees of the Caravan Park congratulating them on their continued improvement to the park which is shown within the increase in revenue for the 2016/17 financial year.

CARRIED (8/0)

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

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

17. CLOSURE OF MEETING

The meeting was closed by the Shire President at 5.10pm.