



Shire of
Nannup
rest • connect • grow

Agenda

**Council Meeting to be held Thursday 28 March 2019
Commencing at 4.30pm
Public Copy**

PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

Any statement, comment or decision made at a Council meeting regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity who has an application before the Shire of Nannup must obtain, and should only rely on, written notice of the Shire of Nannup's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done at a Council meeting.

Any advice provided by an employee of the Shire of Nannup on the operation of a written law, or the performance of a function by the Shire of Nannup, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the Shire of Nannup. Any advice on a matter of law, or anything sought to be relied upon as a representation by the Shire of Nannup should be sought in writing and should make clear the purpose of the request. Any plans or documents in Agendas and Minutes may be subject to copyright.

Agenda

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

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

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

3.1 Letter to Mrs R Stallard

Mrs Rita Stallard had a question taken on notice at the February 2019 Ordinary Council Meeting. The response is included as an attachment.

4. PUBLIC QUESTION TIME

5. APPLICATIONS FOR LEAVE OF ABSENCE

Cr Longmore has applied in writing for a Leave of Absence from the Shire of Nannup Ordinary Council Meeting to be held Thursday 23 May 2019.

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Iluka Resources Ltd. will make a presentation to Council on proposed exploration activities within the Shire of Nannup.

7. DECLARATIONS OF INTEREST

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

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

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

8.1 January 2019 Ordinary Council Meeting

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 22 January 2019 be confirmed as a true and correct record.

January's Minutes have been amended since being confirmed at February's Ordinary Council Meeting. Amendment is to Mrs Stallard's question six during public question time.

8.2 February 2019 Ordinary Council Meeting

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

9. MINUTES OF COUNCIL COMMITTEES

10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

11. REPORTS BY MEMBERS ATTENDING COMMITTEES

12. REPORTS OF OFFICERS

Agenda No.	Description	Page No.
CEO DEPARTMENT		
12.1	Delegated Planning Decisions for February 2019	4
FINANCE & ADMINISTRATION		
12.2	Request to Waiving of Hire Fees	6
12.3	Budget Monitoring – February 2019	9
12.4	Monthly Accounts for Payment – February 2019	11

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

13.1 OFFICERS

13.2 ELECTED MEMBERS

14. MEETING CLOSED TO THE PUBLIC

(Confidential Items)

14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

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

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

17. CLOSURE OF MEETING

CEO DEPARTMENT

AGENDA NUMBER:	12.1
SUBJECT:	Delegated Planning Decisions for February 2019
LOCATION/ADDRESS:	Various
NAME OF APPLICANT:	Various
FILE REFERENCE:	TPL18
AUTHOR:	Jane Buckland – Development Services Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	8 March 2019
PREVIOUS MEETING REFERENCE:	Nil
ATTACHMENT:	12.1.1 – Register of Delegated Development Approvals

BACKGROUND:

To ensure the efficient and timely processing of planning related applications, Council delegates authority to the Chief Executive Officer to conditionally approve Application for Development Approval that meet the requirements of both Local Planning Scheme No.3 (LPS3) and adopted Council policy.

Delegated planning decisions are reported to Council on a monthly basis to ensure that Council has an appropriate level of oversight on the use of this delegation. A Register of Delegated Development Approvals, detailing those decisions made under delegated authority in February 2019 is presented in Attachment 12.1.1.

COMMENT:

As shown in the attachment, each application has been advertised in accordance with LPS3 and Council's adopted Local Planning Policy *LPP5 Consultation* as detailed in the Policy Implications section of this report.

During February 2019, eight (8) development applications were determined under delegated authority. The table below shows the number and value of development applications determined under both delegated authority and by Council for February 2019 compared to February 2018:

	February 2018	February 2019
Delegated Decisions	3 (\$59,000)	8 (\$403,322)
Council Decisions	0	0
Total	3 (\$59,000)	8 (\$403,322)

100% of approvals issued in the month of February were completed within the statutory timeframes of either 60 or 90 days.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005, Local Government Act 1995 and LPS3.

Regulation 19 of the *Local Government (Administration) Regulations 1996* requires that a written record of each delegated decision is kept.

POLICY IMPLICATIONS:

Applications for Development Approval must be assessed against the requirements of LPS3 and Local Planning Policies adopted by Council. These Policies include Local Planning Policy *LPP5 Consultation* which details the level and scope of advertising required for Applications for Development Approval.

Each application processed under delegated authority has been processed and advertised, and has been determined to be consistent with the requirements of all adopted Local Planning Policies.

FINANCIAL IMPLICATIONS:

The required planning fees have been paid for all applications for Development Approval processed under delegated authority.

STRATEGIC IMPLICATIONS:

Nil.

RECOMMENDATION:

That Council receives the report on Delegated Development Approvals for February 2019 as per Attachment 12.1.1.

VOTING REQUIREMENTS:

Simple Majority

FINANCE & ADMINISTRATION

AGENDA NUMBER:	12.2
SUBJECT:	Request to Waiving of Hire Fees
LOCATION/ADDRESS:	Village Green and Power Pole
NAME OF APPLICANT:	Rotary Club of Bridgetown
FILE REFERENCE:	FNC 10
AUTHOR:	Tracie Bishop – Manager Corporate Services
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	20 March 2019
ATTACHMENT:	12.2.1 - Letter from Rotary Club of Bridgetown

BACKGROUND:

A letter has been received from the Rotary Club of Bridgetown requesting a waiving of fees for an upcoming “Tour of the Blackwood” bike event. The event occurred on the 23 March 2019.

Within this letter it is explained that the primary need for this venue is to provide a water station and to be a check point for riders who are competing in this event. Further discussions with Council’s Economic and Community Development Officer, who has been liaising with this group through the Event Application process, has noted that the estimated total time that the riders will be utilising the space will under 1 hour.

COMMENT:

The Rotary Club of Bridgetown, although not a local community group, are fund raising through this ride to support the Nannup District High School in the securing of Chaplaincy services for the school. Therefore, although not technically a local community group there is benefit to the community of Nannup through this event taking place.

The Rotary Clubs of Australia’s mission statement states:”

Australian Rotary Clubs are part of an international network of business, professional and community leaders who strive to make the world a better place through practical efforts.

This is achieved through the reward of "paying it forward" which in turn unites men and women from different backgrounds, cultures, religious and political beliefs the world over, allowing ordinary people to do extraordinary things.¹

Council now has the opportunity to take part in this philosophy and through waiving of the fees for this hire of venue and utilities participate in this process of "Paying it forward" and ensuring that the local district high school receives the benefit which in turn benefits the youth of our community.

As mentioned the total time that the venue and utilities were required was for a period of less than 1 hour. Actual costs associated with this hire are not broken down into incremental hourly rates so the costs involved are: -

- Village Green - \$65.00/day
- Consumer Pole - \$55.00/day

Council's Policy FNC 3 – Community Group Grants and Donations provides commentary around the request for donations. It would appear that the waiving of fees for Council Owned Assets would fall within this category. There is no reference within this policy that the community group needs to be based within the local government or if this applies to community groups at large. In this instance it is officer recommendation that this request be approved for reasons stated above.

STATUTORY ENVIRONMENT:

Nil

POLICY IMPLICATIONS:

Policy FNC 3 – Community Group Grants and Donations:

“3. Requests for donations outside of the Community Grants budget deliberations are to be made in writing, giving full details of the organisation concerned and the purpose for which the donation will be used. Council reserves the right to request any information necessary in order to arrive at a decision whether or not to provide a donation in any instance.

4. All requests for donations outside of community grant budget deliberations shall be included in the next available agenda, which will include a report from staff detailing the availability and source of funds from Council's budget if recommended for approval

5. Council at its discretion shall approve or not approve donations outside of community grant budget deliberations.

¹ http://rotaryaustralia.org.au/news/4926/about-rotary-in-australia?frm_id=14

FINANCIAL IMPLICATIONS:

Loss of revenue of \$120.00.

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Strategic Plan 2017-2027 – Our Community Leadership
- Strategy 5.1 Support Existing and Emerging Community Groups.

RECOMMENDATION

That Council advises the Rotary Club of Bridgetown, that Council is prepared to allow the use of the Village Green and a consumer pole free of charge to assist in the provision of a water station and check point for the Tour of the Blackwood ride held on the 23 March 2019.

VOTING REQUIREMENTS:

Simple Majority

AGENDA NUMBER:	12.3
SUBJECT:	Budget Monitoring – February 2019
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 15
AUTHOR:	Robin Lorkiewicz – Corporate Services Officer
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT:	21 March 2019
ATTACHMENTS:	12.3.1 – Financial Statements for the period ending 28 February 2019

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 12.3.1.

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 ending 28 February 2019 for a detailed analysis of our end of year position, 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 2018/19.

STRATEGIC IMPLICATIONS:

None.

RECOMMENDATION: Monthly Financial Statements for the period ending 28 February 2019 be received.

VOTING REQUIREMENTS:

Simple Majority.

AGENDA NUMBER:	12.4
SUBJECT:	Monthly Accounts for Payment - February 2019
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 8
AUTHOR:	Robin Lorkiewicz –Corporate Services Officer
REPORTING OFFICER:	Tracie Bishop – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
PREVIOUS MEETING REFERENCE:	None
DATE OF REPORT	21 March 2019
ATTACHMENTS:	12.4.1 – Accounts for Payment – February 2019

BACKGROUND:

The Accounts for Payment for the Nannup Shire Municipal Account fund and Trust Account fund from 1 February 2019 to 28 February 2019 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	11360 – 11425	76,183.87
Accounts paid by cheque	20348 – 20355	1,674.37
Accounts paid by Direct Debit	DD10401.1 – DD10401.13	24,989.32
<i>Sub Total Municipal Account</i>		<u>\$102,847.56</u>

Trust Account

Accounts paid by EFT	11415-11415	1,248.40
Accounts Paid by cheque		0.00
<i>Sub Total Trust Account</i>		<u>\$1,248.40</u>
Total Payments		<u><u>\$104,095.96</u></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 \$104,095.96 1 February 2019 to 28 February 2019 in the attached schedule(s) be endorsed.

VOTING REQUIREMENTS:

Simple Majority

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

13.1 OFFICERS

13.2 ELECTED MEMBERS

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

14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

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

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

- 17. CLOSURE OF MEETING**



Agenda Attachments

Item	Attach	Title
3.1		Letter to Mrs R Stallard
8.1		January 2019 Ordinary Council Meeting Minutes
8.2		February 2019 Ordinary Council Meeting Minutes
12.1	1	Register of Delegated Development Approvals
12.2	1	Letter from Rotary Club of Bridgetown
12.3	1	Financial Statements for the period ending 28 February 2019
12.4	1	Accounts for Payment – February 2019