



Shire of  
**Nannup**  
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# Minutes

Council Meeting held Thursday 28 March 2019

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# Minutes

## 1. DECLARATION OF OPENING

The Shire President declared the meeting open at 4.30pm.

## 2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE/VISITORS

### ATTENDANCE:

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

Tracie Bishop – Acting Chief Executive Officer  
Jane Buckland – Development Services Officer

### APOLOGIES:

Jon Jones – Manager Infrastructure

### LEAVE OF ABSENCE:

David Taylor – Chief Executive Officer

### VISITORS:

Murray McKinley, Kerri Firth, Julie Kay and Len Gilchrist.

## 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

### Len Gilchrist; Lot 35 Blackwood River Drive

Does the Council hold first mortgage for the property recently purchased by the Nannup Music Club? Never received an answer. If not, who does? I never received an answer.

Bearing in mind that Council has \$350,000 at stake if the Nannup Music Club falls over, did the Nannup Music Club approach a banker prior to approaching the Council. Never got an answer. If yes what was the result. Never got an answer.

**Shire President:**

I believe the Chief Executive Officer has responded to your questions.

**Len Gilchrist:**

Well I haven't received it in writing.

**Shire President:**

We will refer that to the Chief Executive Officer.

**Len Gilchrist:**

The Chief Executive Officer said he spoke about it. I gave him eight questions to answer Mr President and none of them have been answered. So they are being answered in Perth.

**Shire President:**

Ok.

**Len Gilchrist:**

I've got a letter here from Mr McGowan and I'm going to read it.

**Shire President:**

Is it a question? It cannot be read unless it is a question.

**Len Gilchrist:**

My question to Cr Tony Dean; about the hundred thousand which was in the bank; Cr Dean stated that the Music Club had saved the money over twenty years. The information was not stated in the Minutes; why not when there were two people taking notes during the meeting? Why not?

**–This question was ruled out of order as Mr Gilchrist kept interrupting the Shire President trying to respond.**

**Shire President:**

Any more questions please Mr Gilchrist.

**Len Gilchrist:**

Oh yeah well I'll ask a question then. Yeah I got some. Why wasn't the house price published for the people to know about? In the music club? And I'll tell you something –

**Shire President:**

Is that the question -Why wasn't the house price published for the Music Club?

**Len Gilchrist:**

Yeah

**Shire President:**

You will need to ask the real estate agent, the publishing of the house price does not involve Council.

**Len Gilchrist:**

The Music Club comes through the Council to get the money and a grant.

**Shire President:**

Please ask you next question Mr Gilchrist.

**Len Gilchrist:**

Well Mark McGowan's got the question. I think you are worried. You're scared aren't you? You're running...be careful what you say.

**Shire President:**

Are there any more questions?

**Mr Gilchrist continued to make accusations and statements and would not stop doing so and therefore was ruled out of order and asked to leave the meeting.**

**5. APPLICATION FOR LEAVE OF ABSENCE:**

***19027 STEER/MELLEMA***

***That Cr Longmore be granted a leave of absence from the May 2019 Ordinary Council Meeting.***

***CARRIED (7/0)***

**6. PETITIONS/DEPUTATIONS/PRESENTATIONS**

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

**7. DECLARATIONS OF INTEREST**

Cr Mellema and Cr Buckland declared Impartiality Interest in Agenda Item 12.2 Request to Waiving of Hire Fees.

**8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**8.1 WITHDRAWN**

**8.2 19028 LONGMORE/FRASER**

***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.***

***CARRIED (8/0)***

**9. MINUTES OF COUNCIL COMMITTEES**

Nil

**10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Nil

**11. REPORTS BY MEMBERS ATTENDING COMMITTEES**

Nil.

**12. REPORTS OF OFFICERS**

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:

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

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.

**19029 STEVENSON/LONGMORE**

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

***CARRIED (8/0)***

***Cr Buckland and Cr Mellema declared in Impartiality Interest 12.2 as they both teach at Nannup District High School; and the event was to raise money a school chaplaincy service.***

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 wavering of fees for the “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.<sup>1</sup>*

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.*

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<sup>1</sup> [http://rotaryaustralia.org.au/news/4926/about-rotary-in-australia?frm\\_id=14](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.

**19030 LONGMORE/STEER**

***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.***

**CARRIED (8/0)**

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:**

Nil.

<p><b>RECOMMENDATION:</b> Monthly Financial Statements for the period ending 28 February 2019 be received.</p>
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***19031 BUCKLAND/STEVENSON***

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

***CARRIED (8/0)***

**Shire of Nannup**  
**Ordinary Council Meeting Minutes: March 2019**

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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>		<b>\$102,847.56</b>

**Trust Account**

Accounts paid by EFT	11415-11415	1,248.40
Accounts Paid by cheque		0.00
<i>Sub Total Trust Account</i>		<b>\$1,248.40</b>
<b>Total Payments</b>		<b>\$104,095.96</b>

**STATUTORY ENVIRONMENT:**

LG (Financial Management) Regulation 13

**POLICY IMPLICATIONS:**

None.

**FINANCIAL IMPLICATIONS:**

As indicated in Schedule of Accounts for Payment.

**STRATEGIC IMPLICATIONS:**

None.

<p><b>RECOMMENDATION:</b> 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.</p>
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**19032 MELLEMA/HANSEN**

***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.***

**CARRIED(8/0)**



AGENDA NUMBER:	12.5
SUBJECT:	Request to Support Lions Cancer Institute Event
LOCATION/ADDRESS:	Grand Cinemas - Como
NAME OF APPLICANT:	Lions Cancer Institute (Inc.)
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:	25 March 2019
ATTACHMENT:	12.5.1 - Email from Lions Cancer Institute (Inc.)

### **BACKGROUND:**

An email was received from the Lions Cancer Institute Inc. requesting support for an annual event that is held for sick, handicapped and/or severely disabled children in Western Australia. The Children's Big Day Out is an event that aims to take 5,100 special needs children and carers out for the day to experience an outing that, as a result of current circumstances, may not be afforded to these children at this point in time.

For this current year, this event will see these children taken from all the hospitals that they are currently residing in out for the day on April 20<sup>th</sup> and transport them to the Grand Cinemas in Como. For some this will be a first time experience, the children, who due to their illness won't get out of hospital for Easter, will receive refreshments, show bags, a pre-released movie for them to enjoy and a visit from Easter Bunny who will be giving out Easter Eggs. It is important to note that all of this can only be made possible with the generosity from the community as there currently is no State or Federal Government Funding to support this event.

The reason for the request to the Shire of Nannup for support is that there will be four children attending this event that live within the Shire of Nannup.

### **COMMENT:**

The Lions Cancer Institute Inc., formed in 1989, and is a subsidiary of the Lions Clubs of Australia. The Institute was formed to serve the community; and especially its rural and remote members who have poorer outcomes as a result of cancer. The Institute is distinguished by having a large body of dedicated and highly qualified volunteers who make a difference to cancer patients, and particularly those with skin cancer. Service's provided include a cancer skin screening service, research projects and events like the "Children's Big Day Out". Their motto is "*Saving Lives in your community through screening and research*".

The contribution asked is minimal especially when compared to the perceived enjoyment that attending this event is intended to provide to participants of the day.

Total sponsorship requested is \$100 per local child which equates to \$400 overall.

Council's Policy FNC 3 – Community Group Grants and Donations provides commentary around the request for donations.

**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.*

**FINANCIAL IMPLICATIONS:**

Total contribution of \$400.

**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 Lions Cancer Institute Inc., that the Shire of Nannup is happy and willing to support the “Children’s Big Day Out 2019” with a sponsorship of \$400.

**19033 LONGMORE/STEER**

*That Council advises the Lions Cancer Institute Inc., that the Shire of Nannup is happy and willing to support the “Children’s Big Day Out 2019” with a sponsorship of \$400.*

**CARRIED (8/0)**

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

Nil

**13.1 OFFICERS**

**13.2 ELECTED MEMBERS**

**14. MEETING CLOSED TO THE PUBLIC**

Nil

**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**

Nil

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

Nil

**17. CLOSURE OF MEETING**

The Shire President declared the meeting closed at 5.14pm.

**Attachment 3.1**



20 March 2019

**Our Ref: ADM4**

Mrs Rita Stallard  
[Redacted]

Dear Mrs Stallard,

**RESPONSE TO QUESTION TAKEN ON NOTICE**

I refer to your question below posed to Council at its Ordinary meeting held on Thursday 28<sup>th</sup> February 2019 and Council's response regarding same:

Question taken on notice at Ordinary Meeting of Council held on 28 February 2019 in relation to the fees and charges at the Nannup Waste Facility;

*"I was told that a local was charged \$187 to drop off a trailer load of rubbish at the rubbish tip and would like to know if it is true?"*

This letter is to provide you with written confirmation of the conversation held between yourself and Ms Tracie Bishop, Manager Corporate Services on Monday 11<sup>th</sup> February 2019.

After further clarification from you during that conversation, the fees and charges referred to in your question were in relation to a commercial operator and therefore commercial charges applied.

Please do not hesitate to contact me on (08) 9756 1018 if you would like to discuss further.

Yours sincerely,

**COPY**

**DAVID TAYLOR  
CHIEF EXECUTIVE OFFICER**

