



Shire of
Nannup
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Minutes

Council Meeting held Thursday 24 October 2019

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**Shire of Nannup
Ordinary Council Meeting Minutes: 24 October 2019**

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Minutes

1. DECLARATION OF OPENING & ACKNOWLEDGEMENT OF COUNTRY

The Shire President declared the meeting open at 4.30pm

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

ATTENDANCE:

Shire President: Cr T Dean

Councillors: R Mellema, P Fraser, V Hansen, C Stevenson, C Buckland, V Corlett, C Brown.

David Taylor – Chief Executive Officer
Tracie Bishop – Manager Corporate Services
Jon Jones – Manager Infrastructure
Jane Buckland – Development Services Officer

APOLOGIES:

Nil

LEAVE OF ABSENCE:

Nil.

VISITORS: Rita Stallard, Kerri Firth.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE:

Please see attachment 3.1.

4. PUBLIC QUESTION TIME:

Rita Stallard – East Nannup Road

Mrs Stallard submitted her questions in writing. They have been reproduced as follows:

Are you aware that signs on East Nannup Road state that it is a designated truck haulage route as well as being the Munda Biddi trail for bicycles and walkers, a horse trail, a tourist Road and an occasional rally road and school bus run? Do you see any conflict there?

Are you aware that overnight the East Nannup Road (a 100km per hour road) was changed to 40km for 13 kilometers?

Are you aware that not one car or truck has abided by this new law?

Are you aware that last year my opened rate notice was eventually given to me after it had been through many hands?

Are you aware that after this incident I wrote to the Shire and was advised in writing that in future my rate notice would have the old and the new street numbers on it; so as to avoid any possible confusion.

When are the rates sent out? Have I been excluded from paying further rates?

Are the Minutes in public question time recorded verbatim as you once said?

Are the minutes of the rate payers meeting recorded verbatim?

And in both cases, recorded by whom?

5. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil.

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

7. DECLARATIONS OF INTEREST

Nil.

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

19140 STEVENSON/HANSEN

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 26 September 2019 be confirmed as a true and correct record.

CARRIED (8/0)

9. MINUTES OF COUNCIL & OTHER COMMITTEES

19141 HANSEN/STEVENSON

9.1 Warren Blackwood Alliance Councils Annual General Meeting Minutes

That the Minutes of the Warren Blackwood Alliance of Councils Annual General Meeting held 8 October 2019 be received.

9.2 Warren Blackwood Alliance Councils Meeting Minutes

That the Minutes of the Warren Blackwood Alliance of Councils meeting held 8 October 2019 be received.

10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

11. REPORTS BY MEMBERS ATTENDING COMMITTEES

| Date | Meeting | Councillor |
|-------------|---------------------------------------|-------------------|
| 08/10 | Warren Blackwood Alliance of Councils | Dean |
| 16/10 | Australia Day Committee | Hansen, Buckland |
| 22/10 | Local Drug Action Group Committee | Stevenson |

| | |
|-----------------------------|--|
| AGENDA NUMBER: | 12.1 |
| SUBJECT: | Delegated Planning Decisions for September 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: | 15 October 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 September 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 September 2019, four (4) 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 September 2019 compared to September 2018:

| | September 2018 | September 2019 |
|----------------------------|-----------------------|-----------------------|
| Delegated Decisions | 3 (\$78,500) | 4 (\$21,000) |
| Council Decisions | 0 | 1 (\$90,000) |
| Total | 3 (\$78,500) | 5 (\$111,000) |

80% of all approvals issued in the month of September were completed within the statutory timeframes of either 60 or 90 days. One application was determined outside of the statutory timeframe of 90 days due to a delay in receiving advice from the Department of Fire and Emergency Services and the need to have the application considered by Council.

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 September 2019 as per Attachment 12.1.1.

19142 STEVENSON/BUCKLAND

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

CARRIED (8/0)

| | |
|-------------------------|---|
| ITEM NUMBER: | 12.2 |
| SUBJECT: | MOU Nannup Garden Village Inc. |
| LOCATION/ADDRESS: | Shire of Nannup |
| NAME OF APPLICANT: | Nannup Garden Village Inc. |
| FILE REFERENCE: | ASS 10 |
| AUTHOR: | David Taylor – Chief Executive Officer |
| REPORTING OFFICER: | David Taylor – Chief Executive Officer |
| DISCLOSURE OF INTEREST: | Nil |
| DATE OF REPORT: | 16 October 2019 |
| ATTACHMENTS: | 12.2.1 - MOU Nannup Garden Village Inc. |

BACKGROUND:

It has been requested by the Nannup Garden Village Inc. that a Memorandum of Understanding (MOU) be developed between the Nannup Garden Village Inc. and the Shire of Nannup. The reasons being that the Nannup Garden Village Inc. are the organisation that organises and runs the Nannup Flower and Garden Festival, which is one of the largest festivals held in the Shire of Nannup on an annual basis and attracts between 7,000 – 10,000 people annually.

COMMENT:

The Chief Executive Officer held an initial meeting with the Chair of Nannup Garden Village Inc. This meeting aimed at identifying all of the commitments that each party has been completing over the past years and document these. The greatest benefit of an MOU is that it provides a clear understanding to each party of their obligations and helps alleviate any misunderstandings over a set period of time.

This MOU has been drafted by the Chief Executive Officer and provides clarity for each party in the areas that have caused disagreement in the past, such as;

- Use of Council owned facilities and associated charges
- Public toilet cleaning costs
- Emptying of street bins

A full draft MOU was circulated to Councillors in September for feedback and comment with none being received.

STATUTORY ENVIRONMENT:

Nil

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Annual contribution of \$10,000.

Operational commitments of resources and purchases (these are already being performed annually as part of the operational program).

STRATEGIC IMPLICATIONS:

Shire of Nannup Strategic Community Plan 2017 – 2027

Our Community

1.1 All of Us / Who we are - Continued support and funding for events through the Shire's Community Grants Program.

Our Community Leadership

5.1 Listen – provide community funding and support for events and community groups.

5.2 Working together – advocate for meetings and sharing of resources.

TRIPLE BOTTOM LINE ASSESSMENT:

This initiative continues a positive working relationship with the Nannup Garden Village Inc., and at the same time clarifies areas where there has been historic disagreement with certain responsibilities and fees and charges. Council supporting this initiative will lead to a stronger working relationship with the Nannup garden Village Inc. making them stronger which in turn provides significant economic input into the local Nannup economy.

RECOMMENDATION:

That Council adopt the Memorandum of Understanding with Nannup Garden Village Inc. and authorise the Chief Executive Officer to officially sign the document.

19143 HANSEN/MELLEMA

That Council adopt the Memorandum of Understanding with Nannup Garden Village Inc. and authorise the Chief Executive Officer to officially sign the document.

CARRIED (8/0)

| | |
|-------------------------|---|
| AGENDA NUMBER: | 12.3 |
| SUBJECT: | Council Meetings 2020 – Dates and Times |
| LOCATION/ADDRESS: | Shire of Nannup – Council Chambers |
| NAME OF APPLICANT: | Shire of Nannup |
| FILE REFERENCE: | |
| AUTHOR: | David Taylor – Chief Executive Officer |
| REPORTING OFFICER: | David Taylor – Chief Executive Officer |
| DISCLOSURE OF INTEREST: | Nil |
| DATE OF REPORT | 16 October 2019 |

BACKGROUND:

Section 12 of the *Local Government (Administration) Regulations 1996* requires a Local Government to at least once a year give local public notice of the dates on which and the time and place at which –

- (a) The ordinary council meetings;
- (b) The committee meetings that are required under the *Act* to be open to members of the public or that are proposed to be open to member of the public; and
- (c) Are to be held in the next 12 months.

COMMENT:

The proposed dates for the 2020 monthly Council meetings, subject to consideration of meeting times:

| | |
|---------------------------|-------------------------------|
| Thursday 23 January 2020 | Thursday, 23rd July 2020 |
| Thursday 27 February 2020 | Thursday, 27th August 2020 |
| Thursday 26 March 2020 | Thursday, 24th September 2020 |
| Thursday 23 April 2020 | Thursday, 22nd October 2020 |
| Thursday 28 May 2020 | Thursday 26th November 2020 |
| Thursday 25 June 2020 | Thursday 17th December 2020 |

Ordinary Meeting of Council

These meetings are held on the 4th Thursday of the month with the commencement time being 4:30pm.

Historically Council has not conduct an Ordinary Meeting in December, this was discussed in January and it was agreed to include a meeting date in December 2020.

In submitting the above meeting dates in 2020, Council may also wish to review meeting commencement time.

Concept Forum

It is proposed that the Council Forum be held on the third Thursday (the week before the Ordinary Meeting of Council) in order to provide sufficient time to discuss important items. Proposed meeting time is 4:30pm.

STATUTORY ENVIRONMENT:

Section 12 of the *Local Government (Administration) Regulations 1996* relating to advertising meeting times and dates.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

The amendment of the Concept Forum date will attract an additional sitting fee for each sitting Councillor.

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Strategic Plan 2017 – 2027
Our Council Leadership
A listening leadership that provides and represents all.

RECOMMENDATION:

That Council;

1. In accordance with Section 12 of the *Local Government (Administration) Regulations 1996* relating to the advertising of meeting times and dates of monthly Ordinary meetings, the following schedule of times and dates be adopted for the 2020 calendar year for the monthly Ordinary Council meetings commencing at 4:30pm on the following dates: -

| | |
|--|---|
| Thursday, 23 rd January 2020 | Thursday, 23 rd July 2020 |
| Thursday, 27 th February 2020 | Thursday, 27 th August 2020 |
| Thursday, 26 th March 2020 | Thursday, 24 th September 2020 |
| Thursday, 23 rd April 2020 | Thursday, 22 nd October 2020 |
| Thursday, 28 th May 2020 | Thursday 26 th November 2020 |
| Thursday, 25 th June 2020 | Thursday 17 th December 2020 |

2. That the Concept Forum be held on the Third Thursday of each month, commencing at 4:30pm.

19144 BUCKLAND/STEVENSON

That Council;

1. In accordance with Section 12 of the Local Government (Administration) Regulations 1996 relating to the advertising of meeting times and dates of monthly Ordinary meetings, the following schedule of times and dates be adopted for the 2020 calendar year for the monthly Ordinary Council meetings commencing at 4:30pm on the following dates: -

***Thursday, 23rd January 2020
Thursday, 27th February 2020
Thursday, 26th March 2020
Thursday, 23rd April 2020
Thursday, 28th May 2020
Thursday, 25th June 2020***

***Thursday, 23rd July 2020
Thursday, 27th August 2020
Thursday, 17th September 2020
Thursday, 22nd October 2020
Thursday 26th November 2020
Thursday 17th December 2020***

2. That the Concept Forum be held on the Third Thursday of each month, commencing at 4:30pm.

CARRIED (8/0)

Council amended the recommendation so that the September Ordinary Meeting of Council is now on Thursday 17 September as two Councillors will be absent the following week.

Shire of Nannup
Ordinary Council Meeting Minutes: 24 October 2019

| | |
|-----------------------------|---|
| AGENDA NUMBER: | 12.4 |
| SUBJECT: | Monthly Accounts for Payment - August 2019 |
| LOCATION/ADDRESS: | Nannup Shire |
| NAME OF APPLICANT: | N/A |
| FILE REFERENCE: | FNC 8 |
| AUTHOR: | Tracie Bishop – Manager Corporate Services |
| REPORTING OFFICER: | Tracie Bishop – Manager Corporate Services |
| DISCLOSURE OF INTEREST: | None |
| PREVIOUS MEETING REFERENCE: | None |
| DATE OF REPORT: | 19 October 2019 |
| ATTACHMENTS: | 12.4.1 – Accounts for Payment – August 2019 |

BACKGROUND:

The Accounts for Payment for the Nannup Shire Municipal Account fund and Trust Account fund from 1 August 2019 to 31 August 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 | 11843 – 11920 | 246,156.70 |
| Accounts paid by cheque | 20406 – 20409 | 278.83 |
| Accounts paid by Direct Debit | DD10561.1 – DD10561.14 | 48,607.60 |
| <i>Sub Total Municipal Account</i> | | \$295,043.13 |

Trust Account

| | | |
|--------------------------------|---------------|------------|
| Accounts paid by EFT | 11902 + 11891 | 1,377.34 |
| Accounts Paid by cheque | | 0.00 |
| <i>Sub Total Trust Account</i> | | \$1,377.34 |

Total Payments

\$296,420.47

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 \$296,420.47 1 August 2019 to 31 August 2019 in the attached schedule(s) be endorsed.

19145 MELLEMA/STEVENSON

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$296,420.47 1 August 2019 to 31 August 2019 in the attached schedule(s) be endorsed.

CARRIED (8/0)

| | |
|-----------------------------|--|
| AGENDA NUMBER: | 12.5 |
| SUBJECT: | Monthly Accounts for Payment - September 2019 |
| LOCATION/ADDRESS: | Nannup Shire |
| NAME OF APPLICANT: | N/A |
| FILE REFERENCE: | FNC 8 |
| AUTHOR: | Tracie Bishop – Manager Corporate Services |
| REPORTING OFFICER: | Tracie Bishop – Manager Corporate Services |
| DISCLOSURE OF INTEREST: | None |
| PREVIOUS MEETING REFERENCE: | None |
| DATE OF REPORT | 19 October 2019 |
| ATTACHMENTS: | 12.5.1 – Accounts for Payment – September 2019 |

BACKGROUND:

The Accounts for Payment for the Nannup Shire Municipal Account fund and Trust Account fund from 1 September 2019 to 30 September 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 | 11921 – 11974 | 98,064.45 |
| Accounts paid by cheque | 20410 – 20413 | 649.37 |
| Accounts paid by Direct Debit | DD10571.1 – DD10588.13 | 40,618.95 |
| <i>Sub Total Municipal Account</i> | | \$139,332.77 |

| | |
|-----------------------|---------------------|
| Total Payments | \$139,332.77 |
|-----------------------|---------------------|

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 \$139,332.77 1 September 2019 to 30 September 2019 in the attached schedule(s) be endorsed.

19146 MELLEMA/STEVENSON

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$139,332.77 1 September 2019 to 30 September 2019 in the attached schedule(s) be endorsed.

CARRIED (8/0)

| | |
|-------------------------|---|
| AGENDA NUMBER: | 12.6 |
| SUBJECT: | Budget Monitoring – August & September 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 | 17 October 2019 |
| ATTACHMENTS: | 12.6.1 - Financial Statements for the period ending 31 August 2019 12.6.2 – Financial Statements for the period ending 30 September 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 12.6.1 and 12.6.2.

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 periods ending 30 August 2019 & 30 September 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 2019/20.

STRATEGIC IMPLICATIONS:

Nil.

RECOMMENDATION:

Monthly Financial Statements for the period ending 30 August 2019 & 30 September 2019 be received.

19147 MELLEMA/HANSEN

Monthly Financial Statements for the period ending 30 August 2019 & 30 September 2019 be received.

CARRIED (8/0)

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

13.1 OFFICERS
Nil

13.2 ELECTED MEMBERS
Nil

14. MEETING CLOSED TO THE PUBLIC

14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED
Nil

14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC
Nil

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

Nil.

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

Nil.

17. CLOSURE OF MEETING

There being no further business to discuss the Shire President declared the meeting closed at 5.03pm.