



Shire of
Nannup
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Minutes

Council Meeting held Thursday 28 November 2019

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Minutes

1. DECLARATION OF OPENING & ACKNOWLEDGEMENT OF COUNTRY

The Shire President declared the meeting open at 4.33pm

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: Kerri Firth and Julie Kay.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE:

Nil.

4. PUBLIC QUESTION TIME:

Nil.

5. APPLICATIONS FOR LEAVE OF ABSENCE:

19148 STEVENSON/MELLEMA

That Cr Hansen be granted a Leave of Absence from the February 2020 Ordinary Meeting of Council.

CARRIED (8/0)

6. PETITIONS/DEPUTATIONS/PRESENTATIONS:

Nil

7. DECLARATIONS OF INTEREST:

The Chief Executive Officer declared a Financial Interest in 14.1: Chief Executive Officer – Annual Performance Appraisal.

The Chief Executive Officer and the Manager Corporate Services declared a Financial Interest in 14.1A: Acting Chief Executive Officer.

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

19149 HANSEN/BUCKLAND

That the Minutes of the Special Council Meeting of the Shire of Nannup held in Council Chambers on 21 October 2019 be confirmed as a true and correct record.

CARRIED (8/0)

19150 BUCKLAND/HANSEN

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 24 October 2019 be confirmed as a true and correct record.

NOT CARRIED (8/0)

19151 HANSEN/MELLEMA

AMENDMENT:

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 24 October 2019 be confirmed as a true and correct record with the amended time of the Concept Forum at 12.3 to

4.30pm to 5pm as discussed during the October Ordinary Council Meeting.

CARRIED (8/0)

9. MINUTES OF COUNCIL & OTHER COMMITTEES

19152 STEVENSON/BROWN

9.1 That the Minutes of the Local Drug Action Group Committee meeting held 22 October 2019 be received.

9.2 That the Minutes of the Bush Fire Advisory Committee meeting held 4 November 2019 be received.

9.2 That the Minutes of the Local Emergency Management Committee meeting held 6 November 2019 be received.

CARRIED (8/0)
Adopted by en bloc resolution

10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

11. REPORTS BY MEMBERS ATTENDING COMMITTEES

Date	Meeting	Councillor
7/11	Local Emergency Management Committee	Brown

AGENDA NUMBER:	12.1
SUBJECT:	Delegated Planning Decisions for October 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 November 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 October 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 October 2019, one (1) development application was determined under delegated authority. The table below shows the number and value of development applications determined under both delegated authority and by Council for October 2019 compared to October 2018:

	October 2018	October 2019
Delegated Decisions	2 (\$15,000)	1 (\$70,000)
Council Decisions	1 (\$35,000)	0
Total	3 (\$50,000)	1 (\$70,000)

100% of all approvals issued in the month of October 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 October 2019 as per Attachment 12.1.1.

19153 STEVENSON/HANSEN

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

CARRIED (8/0)

AGENDA NUMBER:	12.2
SUBJECT:	Shire of Nannup Emergency Management Arrangements
LOCATION/ADDRESS:	
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	
AUTHOR:	Louise Stokes – Recovery Coordinator
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	
DATE OF REPORT:	18 November 2019
ATTACHMENTS:	12.2.1 - Shire of Nannup Emergency Management Arrangements 12.2.2 - Shire of Nannup Plan B Arrangements 12.2.3 - Shire of Nannup Recovery Plan

BACKGROUND:

It is a function of local government to ensure Local Emergency Management Arrangements are prepared and maintained for its district. The term Local Emergency Management Arrangements refers to the collection of all emergency management documentation, systems and processes, agreements and memorandums of understanding which affect the local government district. The arrangements are the overarching document and associated sub-plans that the local government is responsible for developing, maintaining and testing.

A copy of the plans must be lodged with the District Emergency Management Committee and the State Emergency Management Committee.

In 2019 the State Emergency Management Committee released new guidelines for the Emergency Management Arrangements which required a full review of the Council's Local Emergency Management Arrangements.

COMMENT:

This review was completed in October 2019. The review was conducted in consultation with members of the Local Emergency Management Committee (LEMC), Nannup District High School, Donnelly River Village, Nannup Caravan Park, Nannup Community Resource Centre, the Equine Evacuation group and the residents of Danjangerup Cottages.

The LEMC endorsed the plans in principle at their November meeting.

The guidelines from the State Emergency Management Committee are prescriptive and meet the requirements of State government. To meet the needs of the local government (action lists and templates) appendixes have been added for practical use. A number of sub-plans (response and evacuation) have been amalgamated to reduce duplication and all contact details listed in Plan B so that these can be reviewed quarterly at each LEMC meeting.

STATUTORY ENVIRONMENT:

State government requirement with plans to be lodged with District Emergency Management Committee and the State Emergency Management Committee for approval.

POLICY IMPLICATIONS:

The Emergency Management plans outline policy and Memorandum of Understanding implications for local government.

FINANCIAL IMPLICATIONS:

Local government is responsible for recovery in emergencies and is a partner to the SW Emergency Management Memorandum of Understanding.

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Strategic Plan 2017-2027 – Our Community - Strategy 1.1 All of us/Who we are: Promote a safe, connected and healthy town.

RECOMMENDATION:

That Council accept and endorse the:

1. Shire of Nannup Emergency Management Arrangements
2. Shire of Nannup Plan B and;
3. Shire of Nannup Recovery Plan.

19154 MELLEMA/BUCKLAND

That Council accept and endorse the:

- 1. Shire of Nannup Emergency Management Arrangements***
- 2. Shire of Nannup Plan B and;***
- 3. Shire of Nannup Recovery Plan.***

CARRIED (8/0)

AGENDA NUMBER:	12.3
SUBJECT:	Monthly Accounts for Payment - October 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	14 November 2019
ATTACHMENTS:	12.3.1 – Accounts for Payment – October 2019

BACKGROUND:

The Accounts for Payment for the Nannup Shire Municipal Account fund and Trust Account fund from 1 October 2019 to 31 October 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	11975 – 12076	227,411.29
Accounts paid by cheque	20414 – 20423	3,472.60
Accounts paid by Direct Debit	DD10600.1 – DD10619.14	54,964.815
<i>Sub Total Municipal Account</i>		\$285,848.70

Trust Account

Accounts paid by EFT	12077 – 12078, 12030	368.15
Accounts Paid by cheque		0.00
<i>Sub Total Trust Account</i>		\$368.15
Total Payments		\$286,216.85

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 \$286,216.85 1 October 2019 to 31 October 2019 in the attached schedule(s) be endorsed.

19155 MELLEMA/STEVENSON

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$286,216.85 1 October 2019 to 31 October 2019 in the attached schedule(s) be endorsed.

CARRIED (8/0)

AGENDA NUMBER:	12.4
SUBJECT:	Budget Monitoring – October 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	14 November 2019
ATTACHMENTS:	12.4.1 – Financial Statements for the period ending 31 October 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 12.4.1.

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 periods ending 31 October 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 31 October 2019 be received.

19156 HANSEN/MELLEMA

Monthly Financial Statements for the period ending 31 October 2019 be received.

CARRIED (8/0)

19157 MELLEMA/BROWN

That Council allow the late item to be included in the Ordinary Meeting of Council.

CARRIED (8//0)

19158 MELLEMA/STEVENSON

That Standing Orders be suspended to allow Council to discuss 12.5 Tourism Committee – Terms of Reference.

CARRIED (8//0)

AGENDA NUMBER:	12.5
SUBJECT:	Tourism Committee – Terms of Reference
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	David Taylor – Chief Executive Officer
FILE REFERENCE:	
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	27 November 2019
ATTACHMENT:	12.5.1 - Tourism Committee – Terms of Reference

BACKGROUND:

The Shire advertised an Expression of Interest for the provision of visitor servicing in Nannup in September/October this year, with no responses being received. The current visitor service agreement expired on the 31 October 2019 and the delivery of visitor servicing reverted to the Shire of Nannup.

COMMENT:

Council were updated in the situation in the November Forum session. The Shire has partnered with the Community Resource Centre for an initial 4 months to deliver current visitor servicing. This will provide some time to establish a Tourism Committee, review the current visitor servicing tools (website, brochures and the like) and plan the direction forward for visitors and tourism in Nannup.

The attached Terms of Reference provides the focus and governance procedures associated with the establishment of the Tourism Committee as a Committee of Council under the Local Government Act 1995.

STATUTORY ENVIRONMENT:

Local Government Act 1995.

POLICY IMPLICATIONS:

The Committee is to comply with Council's policies.

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Nannup Strategic Community Plan

Our Economy

2.2 Tourism / Recreation – Support tourism providers and promote our district.

RECOMMENDATION:

That Council;

1. Endorse the establishment of the Tourism Committee as a Committee of Council under the Local Government Act 1995.
2. Endorse the Terms of Reference associated with (1) above.

19159 STEVENSON/MELLEMA

That Council resume Standing Orders.

CARRIED (8/0)

19160 STEVENSON/

AMENDMENT:

That Council;

1. ***Endorse the establishment of the Tourism Committee as a Committee of Council under the Local Government Act 1995.***
2. ***Endorse the Terms of Reference associated with (1) above.***

That the term “tourism operators” (page 3 section 5.2) in the Terms of Reference be changed to “tourism service providers” and the time of the Tourism Committee meeting be 3.30pm.

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
(Confidential Items)

14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

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)

19161 STEVENSON/BROWN

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 (7/0)

Cr Hansen didn't vote as she left the room at 5.19pm.

5.19pm the meeting was closed to the public.

Cr Hansen re-entered the room at 5.24pm.

The Shire President advised that Chief Executive Officer David Taylor has declared in writing a Financial Interest in 14.1 Chief Executive Officer – Annual Performance Appraisal as it relates to his employment contract.

19162 STEVENSON/BUCKLAND

That Standing Orders be suspended to allow for discussion on Agenda item 14.1.

CARRIED (8/0)

AGENDA NUMBER:	14.1
SUBJECT:	Chief Executive Officer - Annual Performance Appraisal
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	David Taylor
FILE REFERENCE:	Employee File
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Financial Interest - David Taylor – Chief Executive Officer

The Shire President advised that Chief Executive Officer David Taylor and Manager Corporate Services Tracie Bishop has declared in writing a Financial Interest in 14.1A Acting Chief Executive Officer as it relates to their employment remuneration.

AGENDA NUMBER:	14.1A
SUBJECT:	Acting Chief Executive Officer
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	David Taylor
FILE REFERENCE:	Employee File
AUTHOR:	David Taylor – Chief Executive Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Financial Interest - David Taylor – Chief Executive Officer
DATE OF REPORT	15 November 2019

19166 STEVENSON/CORLETT

That the meeting re-opened to the public at 5.35pm.

CARRIED (8/0)

The Chief Executive Officer, Manager Corporate Services, Infrastructure Manager and Development Services Officer all re-entered the room at 5.37pm.

14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

14.1:

NEW MOTION:

19164 HANSEN/STEVENSON

Part 1:

That Council endorse the 2019 Annual Performance Review and its recommendations specified in Part 5.

Part 2:

Attach the Consultants final report (dated 28/11/2019) to the Council's Agenda and Minutes.

CARRIED BY MAJORITY (8/0)

Original Motion not considered.

14.1A

19165 MELLEMA/BUCKLAND

That Council approves:

- 1. The Chief Executive Officer's annual leave for the period 31 January 2020 to 26 February 2020 inclusive and appoints Ms Tracie Bishop as Acting Chief Executive Officer during this period.**
- 2. Authorise the Shire President to vary the dates within part 1 above if necessary, with the agreement of the Chief Executive Officer.**

CARRIED (8/0)

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

19167 DEAN/CORLETT

That this Council instruct the Chief Executive Officer to investigate the feasibility of regaining the management of Danjangerup Cottages from the current Bunbury based housing collective.

CARRIED (8/0)

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

Nil.

17. CLOSURE OF MEETING.

The Shire President declared the meeting closed at 5.45pm.