



Shire of
Nannup
rest • connect • grow

MINUTES

Council Meeting Held
on Thursday 13 December 2012
Commencing at 4.15pm

CONFIRMATION OF MINUTES

These minutes comprising pages 1 – 24 were confirmed by
Council on 13 December 2012 as a true and accurate record.

.....
Cr Tony Dean
SHIRE PRESIDENT

Index

Meeting No.	Description	Page No.
1.	DECLARATION OF OPENING/ ANNOUNCEMENT OF VISITORS	3
2.	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE	3
3.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	3
4.	PUBLIC QUESTION TIME	4
5.	APPLICATIONS FOR LEAVE OF ABSENCE	4
6.	PETITIONS/DEPUTATIONS/PRESENTATIONS	4
7.	DECLARATIONS OF INTEREST	4
8.	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	4
8882	Confirmation of Previous Minutes	
9.	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	4
10.	REPORTS BY MEMBERS ATTENDING COMMITTEES	4

11. REPORTS OF OFFICERS

Minute No.	Agenda No.	Description	Page No.
		WORKS & SERVICES	
8883	11.1	SW Zone Councils Emergency Management MOU	7
		FINANCE & ADMINISTRATION	
8884	11.2	Budget Monitoring 2011/12	10
8885	11.3	Accounts for Payment	12
8886		Procedural Motion	13
8887		Procedural Motion	13

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

8888	12.1(a)	Officers: Council endorsement of Deputy Chief Bushfire Control Officer.	
	(b)	Elected Members: None.	

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

8889		Revoke Motion	18
8890	13.1	Bushfire Hazard Strategy	20
		CONFIDENTIAL ITEM	
8891		Procedural Motion	21
8892		Procedural Motion	21
8893	11.4	2013 Premier's Australia Day Active Citizenship Awards	21
8894		Procedural Motion	24

QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

	None		24
14.	CLOSURE OF MEETING	17.08 hrs	24

Minutes

1. DECLARATION OF OPENING/ ANNOUNCEMENT OF VISITORS

The Chairperson declared the meeting open at 16.20 hrs

2. ATTENDANCE:

Councillors: Dean, Camarri, Dunnet, Gilbert, Longmore, Lorkiecz, Mellema & Steer

Robert Jennings – Chief Executive Officer
Vic Smith – Manager Corporate Services
Chris Wade – Manager Infrastructure

VISITORS: 2

APOLOGIES: None

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Questions from Patricia Fraser taken on notice:

- Q1 Why was the opening of the cemetery gates by invitation only?
A1 Posters were put up around town inviting people to the opening of the cemetery gates. An email invitation was also sent out to those people who have put their name onto the Council email list. The short notice for planning the event did not allow for the insertion into the Nannup Telegraph. Invitations were also sent out to particular people known to be involved with the cemetery.
- Q2 Who selected the ribbon cutters?
A2 The ribbon cutters were selected by the Council officers based on the input from involved community members we had approached. Of the community members invited, some declined to be ribbon cutters for the event. On the actual day, some of the invitees had not been able to attend, so Council officers spontaneously asked some of the audience who were in attendance to cut the ribbon.
- Q3 What has Mr Green and Mrs Marlow done to justify their roles in the opening of the cemetery gates?
A3 Refer response to question 2.
- Q5 Where did the broadcast figure of \$2,500 come from in the recent radio broadcast? (Updated response)

A5 This number came from a journalist who misquoted the CEO's correct figure during the radio interview.

4 PUBLIC QUESTION TIME

Patricia Fraser

Why was a potential General Practitioner appointment two years ago knocked back on the grounds that there was no need.

Question Taken on Notice.

5 APPLICATIONS FOR LEAVE OF ABSENCE

None

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

A petition was received at the November 2012 Council Meeting from Mr Bernard Healy regarding the Parking of a Truck, Bobcat and Excavator at Lot 47 Leschenaultia Drive, Jalbarragup. As the item was subsequently considered at the November 2012 meeting by Council, a response was sent by the CEO and forwarded to Councillors for their note. The response details the planning decision of Council and how the planning conditions respond to the majority of the petition's issues. In addition to the verbal response at the meeting a further written response was given to Mr Healy.

7. DECLARATIONS OF INTEREST

There were no Declarations of Interest.

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

8882 DUNNET / STEER

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 22 November 2012 be confirmed as a true and correct record subject to Minute 8871 being amended as follows: Reason for not supporting the officers' recommendation: it would be unreasonable not to allow the storage of fuel at this location.

CARRIED 8 / 0

9. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

None

10. REPORTS BY MEMBERS ATTENDING COMMITTEES

Mellema: BFAC Meeting

Dunnet: Warren Blackwood Strategic Alliance

Longmore: LEMAC

WORKS & **SERVICES**

AGENDA NUMBER: 11.1
SUBJECT: SW Zone Councils Emergency Management MOU
LOCATION/ADDRESS: South West Zone Council Areas
NAME OF APPLICANT:
FILE REFERENCE: DEP 17
AUTHOR: Chris Wade – Manager Infrastructure
DISCLOSURE OF INTEREST:
DATE OF REPORT: 30 November 2012

Attachment 1 : Letter from SW Zone WA Local Government Association
2: MOU

BACKGROUND:

The extract from the South West Zone of the Western Australian Local Government Association minutes from the meeting of 24 August 2012 is attached, which contains the Memorandum of Understanding.

In December 2010, member Councils of the South West Zone of WALGA entered into a Memorandum of Understanding committing their preparedness to support other zone members in whatever capacity they are able to offer in the event of a major emergency incident occurring within the zone.

COMMENT:

This MOU will continue the formalisation process that would ordinarily be put in place if such an emergency arose in the South West. The formalisation will provide “comfort” to member Councils if such an emergency were to arise, and provides some guidance in terms of the responsibilities of both the requestor and provider of the support.

STATUTORY ENVIRONMENT: Nil

There are no statutory implications directly associated with this matter. Consideration of this matter is however considered to be consistent with the tenor of the “general functions of local government” as provided for in Section 3.1 of the Local Government Act 1995 as follows:

3.1. General function

(1) The general function of a local government is to provide for the good government of persons in its district.

(2) The scope of the general function of a local government is to be construed in the context of its other functions under this Act or any other written law and any constraints imposed by this Act or any other written law on the performance of its functions.

(3) A liberal approach is to be taken to the construction of the scope of the general function of a local government.

This matter was considered by the member Councils of the South West Zone of WALGA at the meeting on 24 August 2012.

The motion supporting the continuation of the MOU for a further 3 years was carried unanimously.

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS: Nil.

There may be some financial implications such as general operating costs of plant and staff time associated with being a partner in the MOU; however this would be dependent upon the scale of the incident being responded to, and the length of deployment of Council resources.

All Councils in the Zone are asked to make a similar commitment on the understanding that they will receive similar offers of support from fellow Zone Councils should they also need support. The MOU does not negate the ability of an affected Council to claim the operating costs incurred by a donor Council from the various disaster relief funds. To date there has not been any costs incurred by the Shire of Nannup arising from this MOU.

Long Term

There are no long term financial implications associated with this matter.

Whole of Life

There are no long term financial implications associated with this matter.

STRATEGIC IMPLICATIONS:

Provision of services for the benefit of the Shire of Nannup and adjoining Councils where emergency incidents grow beyond an individual municipality's ability to resource.

RECOMMENDATION:

That Council agree to be a party to the Memorandum of Understanding between member Councils of the South West Zone of the Western Australian Local Government Association for the provision of mutual aid during emergencies and post incident recovery.

VOTING REQUIREMENTS

Simple Majority

8883 LORKIEWICZ / DUNNET

RECOMMENDATION:

That Council agree to be a party to the Memorandum of Understanding between member Councils of the South West Zone of the Western Australian Local Government Association for the provision of mutual aid during emergencies and post incident recovery.

CARRIED 8 / 0

**South West Zone
WA Local Government
Association**

C/- 9 Lisa Rd Australind WA 6233
Phone: 9796 0978
Mobile 0411 038 336
Fax: 9796 1679
Email erfisher@iprimus.com.au



WESTERN AUSTRALIAN
LOCAL GOVERNMENT ASSOCIATION

Chief Executive Officer
Member Councils
South West Zone – WALGA

Dear Sir,

MEMORANDUM OF UNDERSTANDING – EMERGENCY MANAGEMENT

At the meeting of the Zone held at Harvey on 24th August 2012 the Zone resolved as follows:

Member Councils of the South West Zone of WALGA affirm their commitment to the Memorandum of Understanding for the provision of mutual aid during emergencies and post incident recovery in support of other zone members in the event of a major emergency incident occurring within the zone for a further period of three years.

Would you please submit this item to your Council for consideration?

For your information details of the proposal submitted by the Shire of Capel are contained in the minutes at section 8.

Yours faithfully,

Eliot Fisher
Executive Officer

25 August 2012

Moved	Cr P Monagle	Seconded	Cr R Curo	Carried
-------	--------------	----------	-----------	---------

Note: Each CEO be invited to place this matter before Councils for endorsement

Memorandum of Understanding
Member Councils of the South West Zone
Western Australian Local Government Association
For
The provision of mutual aid
during emergencies and post incident recovery 2010
Memorandum of Understanding

1.Purpose

The purpose of this Memorandum is to:

1. Facilitate the provision of mutual aid between member Councils of the South West Zone of the Western Australian Local Government Association during emergencies and post incident recovery.
2. Enhance the capacity of our communities to cope in times of difficulty.
3. Demonstrate the capacity and willingness of participating Councils to work co-operatively and share resources within the region.

2.Parties to the Agreement

- Shire of Augusta-Margaret River
- Shire of Busselton
- City of Bunbury
- Shire of Boyup Brook
- Shire of Bridgetown Greenbushes
- Shire of Capel
- Shire of Collie
- Shire of Dardanup

- Shire of Donnybrook-Balingup
- Shire of Harvey
- Shire of Manjimup
- Shire of Nannup

3. Definitions

Definitions for terms contained within this Memorandum are as contained in the Emergency Management Act 2005 and Emergency Management Act Regulations 2006.

4. Guiding Principle

The guiding principle of this Memorandum is that any support given by a local government in a particular emergency event shall be at the discretion of the Council giving the support, and of a level that will not unduly compromise the operability of the Council giving the support.

5. Partnering Objectives

Partners to this Memorandum, in times of community distress due to an emergency incident, agree where possible to:

1. Provide what ever resources may be available within the means of that Council to respond to the emergency incident if requested;
2. Provide whatever resources may be available within the means of that Council to assist with post incident recovery in the community

6. Allocation of Resources

1. This Memorandum acknowledges that the allocation of a participating Council's staff resources and plant is an operational issue, and as such is the responsibility of the CEO of the Council seeking to offer aid.
2. This Memorandum seeks to demonstrate that the CEO's commitment to supporting other Councils in need is backed by the elected members of a participating Council.

7. Partnering Expectations

1. To provide where possible both physical and human resources to assist with the recovery management during emergencies. The type of assistance initially is to assist immediate response and recovery of a short duration. Ongoing protracted assistance, but still in the absence of the emergency being declared a disaster, will be subject to further negotiation and agreement in writing between the parties concerned.
2. To ensure that all requests for support will be made through the Incident Controller (IC) of the designated Hazard Management Agency (HMA) for the incident, in consultation with the designated Local Recovery Coordinator (LRC) and the Local Emergency Coordinator (LEC).
3. To ensure all personnel and equipment provided are covered by the providers own insurance.
4. Providers of support will be responsible for all costs associated with it's legislative responsibilities for it's employees and equipment incurred during the provision of support unless otherwise agreed in writing.
5. The Requestor for support will be responsible for all incidental costs associated with the Provider's personnel and equipment such as catering, accommodation, OHS issues, transport fuel and storage.
6. In the event the emergency is of sufficient scale to qualify for State and Commonwealth Funding assistance, such assistance will be sought in compliance with relevant State and Commonwealth Policies.

8. Duration and Amendment

1. This Memorandum will come into effect at the date of signing by all parties.
2. This Memorandum will remain in force for an initial period of one year with an option to extend for a further three years by agreement of all parties, or until it is terminated.
3. This Memorandum shall not be altered varied or modified in any respect except by agreement of all parties in writing.

4. This Memorandum will be reviewed annually to ensure it is current and appropriate to the needs of the parties. The annual review will determine if the Agreement is to be extended or terminated.

9. Termination

This Memorandum may be terminated by mutual agreement of all parties in writing at any time.

10. Withdrawal

Any party may withdraw from this Memorandum by giving three months notice in writing to the Executive Officer of South West Zone Western Australian Local Government Association at any time.

11. Notices

Communications in relation to this Memorandum must, unless otherwise notified in writing, be addressed and forwarded as follows:

Executive Officer

South West Zone

Western Australian Local Government Association

9 Lisa Road

Australind WA 6233

This Memorandum of Understanding is made between

SHIRE OF AUGUSTA

-MARGARET RIVER _____

CHIEF EXECUTIVE OFFICER

Signature

Date

SHIRE OF BUSSELTON _____

CHIEF EXECUTIVE OFFICER

Signature

Date

SHIRE OF BOYUP BROOK _____

CHIEF EXECUTIVE OFFICER Signature Date
SHIRE OF BRIDGETOWN
-GREENBUSHES _____

CHIEF EXECUTIVE OFFICER Signature Date
CITY OF BUNBURY _____

CHIEF EXECUTIVE OFFICER Signature Date
SHIRE OF CAPEL _____

CHIEF EXECUTIVE OFFICER Signature Date
SHIRE OF COLLIE _____

CHIEF EXECUTIVE OFFICER Signature Date
SHIRE OF DARDANUP _____

CHIEF EXECUTIVE OFFICER Signature Date
SHIRE OF DONNYBROOK

-BALINGUP _____
CHIEF EXECUTIVE OFFICER Signature Date

SHIRE OF HARVEY _____
CHIEF EXECUTIVE OFFICER Signature Date

SHIRE OF MANJIMUP _____
CHIEF EXECUTIVE OFFICER Signature Date

SHIRE OF NANNUP _____
CHIEF EXECUTIVE OFFICER Signature Date

CHIEF EXECUTIVE OFFICER Signature Date

FINANCE & **ADMINISTRATION**

AGENDA NUMBER: 11.2
SUBJECT: Budget Monitoring 2011/12
LOCATION/ADDRESS: Nannup
NAME OF APPLICANT:
FILE REFERENCE: FNC15
AUTHOR: Vic Smith – Manager Corporate Services
DISCLOSURE OF INTEREST: Nil
DATE OF REPORT: 30 November 2012

Attachments:

1. Monthly Financial Statements for the period ending 30 September 2012.
2. Monthly Financial Statements for the period ending 31 October 2012

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. These reports are to be presented to Council within two months of the period end. Unfortunately pressure of work in producing the final accounts for 2011/12 and dealing with matters arising from the audit has meant that the September report is being reported to this meeting instead of the November meeting.

Council has adopted a variance threshold of 10% or \$5,000, whichever is the greater on which to report. The statutory statements are attached at Attachments 1 and 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 outcome 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:

Income from domestic and recycling collections is anticipated to be lower than forecast by \$12,000. The budget of \$96,000 was based on the number of bins

being collected by the Council's waste contractor; however, the number of bins being charged for is lower than this. The fee from the refuse collection contractor will be reviewed and a reduction will be sought.

Up to the end of November 260 tip passes have been issued and just over \$9,400 has been collected in tip fees against a budget of \$14,000. It is therefore likely that the income from tip fees will exceed the budget.

There have been three significant issues arising from the fee structure adopted for the tip passes:

1. Some residents have requested a second tip pass for practical purposes (e.g. a second person at the property who also uses the tip) and these have been issued free of charge this year. There have only been two or three cases in this category.
2. Some residents who receive a bin collection service have requested tip passes because they did not receive a pass. These cases typically involve rented properties where the owner will have received the pass with the rate bill and not passed it on to the occupier. These have also been provided free of charge for the current year.
3. Residents in Jarrahwood have requested passes for the Nannup tip, even though they are not resident in the Shire and come under the administration of the City of Busselton. It would appear that they have been using the Nannup Waste Management Facility for many years and have been assumed by the tip contractor to be residents of this shire and therefore eligible for free entry. Following the introduction of the new tip pass the contractor has been instructed to ensure that either a tip pass is shown or a fee paid; this has resulted in Jarrahwood residents requesting a tip pass from the Shire. These requests have been refused on the grounds that the subsidised passes are only available to Nannup ratepayers.

When the fees and charges for 2013/14 are considered by Council the fee structure can be amended to address these issues.

STATUTORY ENVIRONMENT:

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

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS: These findings will be incorporated in the budget review.

STRATEGIC IMPLICATIONS: Nil.

VOTING REQUIREMENTS: Simple Majority

RECOMMENDATION:

It is recommended that:

1. the Monthly Financial Statements for the period ending 30 September 2012 be received; and
2. the Monthly Financial Statements for the period ending 31 October 2012 be received.

8884 DUNNET / MELLEMA

RECOMMENDATION:

It is recommended that:

1. the Monthly Financial Statements for the period ending 30 September 2012 be received; and
2. the Monthly Financial Statements for the period ending 31 October 2012 be received.

CARRIED 8 / 0

SHIRE OF NANNUP

STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2012 TO 30 SEPTEMBER 2012

<u>Operating</u>	2012/13 Y-T-D Actual \$	2012/13 Y-T-D Budget \$	2012/13 Budget \$	Variances Y-T-D Budget to Actual %
Revenues/Sources				
Governance	0	250	1,000	(100%)
General Purpose Funding	391,459	739,685	2,958,738	(47%)
Law, Order, Public Safety	8,742	87,683	350,733	(90%)
Health	602	1,205	4,818	(50%)
Education and Welfare	78,573	18,440	73,760	326%
Housing	3,738	4,199	16,796	(11%)
Community Amenities	85,608	102,568	122,270	(17%)
Recreation and Culture	4,229	7,264	29,054	(42%)
Transport	2,237,975	1,886,945	7,547,779	19%
Economic Services	4,438	18,000	216,000	(75%)
Other Property and Services	631	6,724	26,894	(91%)
	2,815,995	2,872,961	11,347,842	(2%)
(Expenses)/(Applications)				
Governance	(116,485)	(81,521)	(326,083)	43%
General Purpose Funding	(51,712)	(175,355)	(2,104,264)	(71%)
Law, Order, Public Safety	(37,003)	(95,515)	(382,058)	(61%)
Health	(12,211)	(15,104)	(60,416)	(19%)
Education and Welfare	(28,782)	(65,511)	(262,042)	(56%)
Housing	(20,213)	(8,056)	(32,223)	151%
Community Amenities	(83,889)	(110,052)	(440,206)	(24%)
Recreation & Culture	(81,560)	(118,701)	(474,805)	(31%)
Transport	(232,508)	(647,872)	(2,591,487)	(64%)
Economic Services	(8,336)	(29,863)	(358,353)	(72%)
Other Property and Services	(835)	7,124	28,496	(112%)
	(673,534)	(1,340,424)	(7,003,441)	(50%)
Adjustments for Non-Cash (Revenue) and Expenditure				
(Profit)/Loss on Asset Disposals	(28,818)	4,875	19,500	(691%)
Depreciation on Assets	0	454,580	1,818,318	(100%)
Capital Revenue and (Expenditure)				
Purchase Land and Buildings	(54,044)	0	(609,633)	0%
Purchase Infrastructure Assets - Roads	(146,015)	(645,333)	(7,744,000)	(77%)
Purchase of Infrastructure Assets - Parks			0	0%
Purchase Plant and Equipment	(31,700)	(43,900)	(493,900)	(28%)
Purchase Furniture and Equipment	(4,216)	(4,363)	(17,450)	(3%)
Proceeds from Disposal of Assets	28,818	35,000	140,000	(18%)
Repayment of Debentures	(2,987)	(16,246)	(64,982)	(82%)
Proceeds from New Debentures	0	0	0	0%
Leave Provisions	5	0	166,708	0%
Accruals	0	0	18,852	0%
Self Supporting Loan Principal Income	(1,103)	4,931	19,722	(122%)
Transfers (to)/from Reserves	0	0	85,264	0%
ADD Net Current Assets July 1 B/Fwd	1,081,011	1,081,011	1,081,011	
LESS Net Current Assets Year to Date	4,224,536	3,639,280	0	
Amount Raised from Rates	(1,241,124)	(1,236,189)	(1,236,189)	

SHIRE OF NANNUP

STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2012 TO 30 September 2012

	2012/13 Actual \$	Brought Forward 01-July-2012 \$
NET CURRENT ASSETS		
Composition of Estimated Net Current Asset Position		
CURRENT ASSETS		
Cash - Unrestricted	3,453,447	1,902,967
Cash - Restricted	162,502	94,107
Cash - Reserves	1,785,039	1,779,437
Receivables	1,523,227	553,247
Inventories	0	0
	<u>6,924,216</u>	<u>4,329,757</u>
LESS: CURRENT LIABILITIES		
Payables and Provisions	<u>(752,138)</u>	<u>(943,187)</u>
	6,172,078	3,386,570
Less: Cash - Reserves - Restricted	(1,947,541)	(1,873,543)
NET CURRENT ASSET POSITION	<u><u>4,224,536</u></u>	<u><u>1,513,026</u></u>

SHIRE OF NANNUP

STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2012 TO 31 OCTOBER 2012

	2012/13 Y-T-D Actual \$	2012/13 Y-T-D Budget \$	2012/13 Budget \$	Variences Y-T-D Budget to Actual %
Operating				
Revenues/Sources				
Governance	0	333	1,000	(100%)
General Purpose Funding	411,125	986,246	2,958,738	(58%)
Law, Order, Public Safety	39,009	116,911	350,733	(67%)
Health	602	1,606	4,818	(63%)
Education and Welfare	31,176	24,587	73,760	27%
Housing	5,676	5,599	16,796	1%
Community Amenities	90,735	40,757	122,270	123%
Recreation and Culture	4,481	9,685	29,054	(54%)
Transport	2,301,028	2,515,926	7,547,779	(9%)
Economic Services	11,680	72,000	216,000	(84%)
Other Property and Services	631	8,965	26,894	(93%)
	<u>2,896,143</u>	<u>3,782,614</u>	<u>11,347,842</u>	<u>(23%)</u>
(Expenses)/(Applications)				
Governance	(137,134)	(108,694)	(326,083)	26%
General Purpose Funding	(67,930)	(701,421)	(2,104,264)	(90%)
Law, Order, Public Safety	(92,598)	(127,353)	(382,058)	(27%)
Health	(17,044)	(20,139)	(60,416)	(15%)
Education and Welfare	(42,732)	(87,347)	(262,042)	(51%)
Housing	(22,834)	(10,741)	(32,223)	113%
Community Amenities	(112,540)	(146,735)	(440,206)	(23%)
Recreation & Culture	(118,744)	(158,268)	(474,805)	(25%)
Transport	(305,446)	(863,829)	(2,591,487)	(65%)
Economic Services	(26,614)	(119,451)	(358,353)	(78%)
Other Property and Services	30,108	9,499	28,496	217%
	<u>(913,507)</u>	<u>(2,334,480)</u>	<u>(7,003,441)</u>	<u>(61%)</u>
Adjustments for Non-Cash (Revenue) and Expenditure				
(Profit)/Loss on Asset Disposals	(28,818)	4,875	19,500	(691%)
Depreciation on Assets	0	454,580	1,818,318	(100%)
Capital Revenue and (Expenditure)				
Purchase Land and Buildings	(54,044)	0	(609,633)	0%
Purchase Infrastructure Assets - Roads	(285,427)	(704,000)	(7,744,000)	(59%)
Purchase of Infrastructure Assets - Parks	0	0	0	0%
Purchase Plant and Equipment	0	(47,500)	(493,900)	(100%)
Purchase Furniture and Equipment	(4,216)	(4,363)	(17,450)	(3%)
Proceeds from Disposal of Assets	28,818	35,000	140,000	(18%)
Repayment of Debentures	(2,987)	(16,246)	(64,982)	(82%)
Proceeds from New Debentures	0	0	0	0%
Leave Provisions	0	0	166,708	0%
Accruals	(1,098)	0	18,852	0%
Self Supporting Loan Principal Income	(1,673)	4,931	19,722	(134%)
Transfers (to)/from Reserves	0	0	85,264	0%
ADD Net Current Assets July 1 B/Fwd	1,081,011	1,081,011	1,081,011	
LESS Net Current Assets Year to Date	3,955,327	3,492,611	0	
Amount Raised from Rates	<u>(1,241,124)</u>	<u>(1,236,189)</u>	<u>(1,236,189)</u>	

SHIRE OF NANNUP

STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2012 TO 30 September 2012

	2012/13 Actual \$	Brought Forward 01-July-2012 \$
NET CURRENT ASSETS		
Composition of Estimated Net Current Asset Position		
CURRENT ASSETS		
Cash - Unrestricted	3,865,085	1,902,967
Cash - Restricted	163,928	94,107
Cash - Reserves	1,786,864	1,779,437
Receivables	969,936	553,247
Inventories	0	0
	<u>6,785,813</u>	<u>4,329,757</u>
LESS: CURRENT LIABILITIES		
Payables and Provisions	<u>(879,694)</u>	<u>(943,187)</u>
	5,906,119	3,386,570
Less: Cash - Reserves - Restricted	(1,950,792)	(1,873,543)
NET CURRENT ASSET POSITION	<u><u>3,955,327</u></u>	<u><u>1,513,026</u></u>

AGENDA ITEM: 11.3
SUBJECT: Accounts for Payment
LOCATION/ADDRESS: Nannup Shire
FILE REFERENCE: FNC 8
AUTHOR: Tracie Bishop – Finance Officer
AUTHORISING OFFICER: Vic Smith – Manager Corporate Services
DISCLOSURE OF INTEREST:
DATE OF REPORT: 4 December 2012

Attachment: Schedule of Accounts for Payment.

BACKGROUND:

The Accounts for Payment for the Nannup Shire Municipal Account fund and Trust Account fund are 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.

Municipal Account

Accounts paid by EFT	
EFT 4192 - 4243	\$365,713.61

Accounts paid by cheque	
Vouchers 19017 - 19028	\$9,523.22

Trust Account

Accounts Paid by Cheque	
Voucher – Nil	\$0.00

STATUTORY ENVIRONMENT: Local Government (Financial Management) Regulation 13.

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS: As indicated in the Schedule of Accounts for Payment.

STRATEGIC IMPLICATIONS: Nil.

VOTING REQUIREMENTS: Simple majority

RECOMMENDATION:

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$375,236.83 in the attached schedule be endorsed.

8885 DUNNET / LONGMORE

RECOMMENDATION:

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$375,236.83 in the attached schedule be endorsed.

CARRIED 8 / 0

SHIRE OF NANNUP			
ACCOUNTS FOR PAYMENT - DECEMBER 2012			
Chq/EFT	Name	Description	Amount
EFT4192	GLOBE SIGN COMPANY	SIGNAGE	\$398.20
EFT4193	MJB INDUSTRIES	UNIVERSAL SIDE ENTRY FRAME AND INSERT	\$1,100.50
EFT4194	RED 11	3 X COMPUTERS	\$3,864.05
EFT4195	NANNUP SURVEYS	ROAD SURVEY SERVICES	\$18,018.00
EFT4196	CPS WEAR PARTS	MISCELLANEOUS SPARE PARTS	\$1,452.00
EFT4197	SPLIT TEAM	SUPPLY AND INSTALL FUJITSU & REMOVE 2 SPLIT SYSTEM	\$4,367.00
EFT4198	METRO COUNT	SUNDRY SUPPLIES	\$393.80
EFT4199	IMINI HOLDINGS PTY LTD	DELIVERY OF TRANSPORTABLE BUILDINGS	\$1,457.50
EFT4200	BP NANNUP	COACH HIRE FOR FOOD BOWL FEST 2012	\$2,042.00
EFT4201	P & F MARTIN	SERVICE OF FIRE TRUCK. SLIP ON FORE UNITS	\$967.60
EFT4202	SCANIA AUSTRALIA - BUNBURY OFFICE	SERVICE ON NP3005 SCANIA TRUCK	\$787.39
EFT4203	SETTLERS ROOFING AND GRADING	WATER CARTING FROM 5/11/2012-16/11/2012	\$13,189.00
EFT4204	PM TREASURE - EARTHMOVING CONTRACTOR	GRADER HIRE 5/11/2012-16/11/2012	\$24,860.00
EFT4205	KERRIE YABSLEY	TRAVEL REIMBURSEMENT	\$67.10
EFT4206	MADER RICKARD CIVIL PTY LTD	MACHINERY HIRE	\$100,254.00
EFT4207	KIM DAWE CONCRETE	FOOTPATH CONSTRUCTION WALTER STREET	\$20,824.00
EFT4208	THE ESTUARY DRY CLEANING & LAUNDRY SERVICE	LAUNDERING OF PROTECTIVE WEAR	\$40.00
EFT4209	MPM DEVELOPMENT CONSULTANTS	DESIGN & DOCUMENTATION FOR MAINSTREET PROJECT	\$11,198.00
EFT4210	MINING AND CIVIL PLANT HIRE PTY LTD	MACHINE HIRE 140H GRADER	\$12,408.00
EFT4211	PAUL FLUX	BRICKWORK AT CARLOTTA HALL	\$1,050.00
EFT4212	MANJIMUP FARM MACHINERY	SILVAN 500 SPREADER FERTILISER	\$800.00
EFT4213	DYNAMIC GIFT PROMOTIONS	SUNDRY SUPPLIES	\$146.30
EFT4214	PAC FIRE AUSTRALIA PTY LTD	MEDIUM GEAR STOW BAG BLUE	\$1,618.32
EFT4215	BILLIE LEONHARDT-LARKIN	CONTRACT ASSISTANT- KIDS SPORT AND YAC	\$187.00
EFT4216	BULLIVANTS	MFG FABRICATE GENERIC BUN- CHAIN SLING ASSEMBLY	\$2,135.05
EFT4217	D & J COMMUNICATIONS	RADIO REPAIRS AND MAINTENANCE	\$634.70
EFT4218	LANDGATE	CONSOLIDATED MINING TENEMANT ROLL	\$174.95
EFT4219	D & J MILLER (DO YOUR BLOCK CONTRACTING)	WATER CARTING MOWEN RD 6/11/2012-16/11/2012	\$13,689.50
EFT4220	FIRE AND EMERGENCY SERVICES AUTHORITY	ESL FOR COMMUNITY CENTRE	\$1,229.60
EFT4221	THE GOOD FOOD SHOP	LUNCH REFRESHMENTS	\$32.10
EFT4222	GEOFABRICS AUSTRALASIA PTY LTD	80 ROLL FILTER WRAP , 17 ROLLS TENSAR TX 160 GEO GRID	\$27,360.30
EFT4223	TOLL IPEC ROAD EXPRESS PTY LTD	FREIGHT EXPENSES	\$194.98
EFT4224	INSIGHT CCS PTY LTD	AFTER HOURS CALL CENTRE	\$25.74
EFT4225	JASON SIGNMAKERS	SIGNAGE	\$2,175.80
EFT4226	K & C HARPER	ABLUTION BLOCK WORKS	\$2,028.73
EFT4227	LGIS WORKCARE	INSURANCE FOR LGIS WORKCARE SECOND INSTALMENT	\$34,305.04
EFT4228	NANNUP HARDWARE & AGENCIES	SUNDRY SUPPLIES	\$802.50
EFT4229	NANNUP NEWSAGENCY	POSTAGE AND STATIONERY	\$581.26
EFT4230	NANNUP EZIWAY SELF SERVICE STORE	REFRESHMENTS AND CLEANING	\$11.83
EFT4231	NANNUP COMMUNITY RESOURCE CENTRE	TELEGRAPH ADVERT	\$277.25
EFT4232	NANNUP LIQUOR STORE	REFRESHMENTS	\$41.99
EFT4233	PRESTIGE PRODUCTS	CLEANING PRODUCTS,	\$674.30
EFT4234	PROTECTOR ALSAFE	SAFETY EQUIPMENT HELMET AND VISOR BUSHFIRE	\$150.15
EFT4235	THE PAPER COMPANY OF AUSTRALIA PTY LTD	STATIONERY SUPPLIES	\$208.18
EFT4236	RICOH BUSINESS CENTRE	PHOTOCOPIER EXPENSES	\$955.13
EFT4237	SYNERGY	ELECTRICITY EXPENSES	\$4,651.84
EFT4238	SCOTTIES EXCAVATIONS	HIRE EXCAVATOR & TRUCK & VOLVO WHEELED LOADER	\$28,512.00
EFT4239	STEWART & HEATON CLOTHING CO. PTY LTD	PROTECTIVE CLOTHING	\$1,630.44
EFT4240	TOTAL EDEN	10 X SPRINKLERS BODIES, 24 X NOZZLES	\$326.60
EFT4241	TIMCARE DISTRIBUTORS	12 X AUSSIE CLEAR DRUM 20L	\$2,310.00
EFT4242	WARREN BLACKWOOD WASTE	RECYCLE & BINS PICK UPS	\$8,092.89
EFT4243	WORTHY CONTRACTING	SEMI WATER TRUCK HIRE	\$11,011.00
			\$365,713.61
19017	BRC - BUILDING SOLUTIONS	ADDITIONAL ELECTRICAL/TELSTRA RUN IN - FROGS	\$2,565.64
19018	DEEP FOREST IRON	SUNDRY MAINTENANCE WORKS	\$480.00
19019	GRUB HUB	FUEL SUPPLIES	\$682.11
19020	KERRIE DUNNET	REIMBURSEMENT OF EXPENSES	\$600.00
19021	SAINT VINNIES BUSSELTON	2 BAGS OF RAGS	\$30.00
19022	BUNNINGS- BUSSELTON	SEEDLINGS AND PLANTS	\$56.76
19023	HAMPTON PARTNERS BRIDGETOWN	AUDIT OF SES FINANCIAL AFFAIRS	\$590.00
19024	JOHN MCGINTY	RE-IMBURSEMENT OF EXPENSES	\$229.91

Motion to defer confidential item to the end of the meeting.

8886 CAMARRI / LONGMORE

CARRIED 8 / 0

Move that Item 12(a) be considered as an urgent item.

8887 DUNNET / LORKIEWICZ

CARRIED 8 / 0

AGENDA NUMBER: 12.1 Late Item SUBJECT: Deputy Chief Bushfire Control Officer LOCATION/ADDRESS: NAME OF APPLICANT: Shire of Nannup FILE REFERENCE: FRC 1 AUTHOR: Chris Wade – Manager Infrastructure DISCLOSURE OF INTEREST: DATE OF REPORT: 11 December 2012

BACKGROUND:

At the Bushfire Advisory Committee meeting in May of every year an election is held for the Chairperson, the Chief Bushfire Control Officer and the Deputy Chief Bushfire Control Officer.

At that point in time there were not any nominations for the position of Deputy Bushfire Control Officer.

COMMENT:

At the December 2012 Bush Fire Advisory Committee meeting Mr Robin Mellama was nominated and endorsed by the committee for the position of Deputy Chief Bushfire Control Officer.

STATUTORY ENVIRONMENT: Nil.

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS: Nil.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

Council endorse Mr Robin Mellama as Deputy Chief Bushfire Control Officer as per BAFC recommendation.

VOTING REQUIREMENTS:

Simple Majority

8888 DUNNET / LORKIEWICZ

RECOMMENDATION:

Council endorse Cr Robin Mellema as Deputy Chief Bush Fire Officer as per the Bush Fire Advisory Committee recommendation.

CARRIED 8 / 0

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

AGENDA NUMBER: 13.1
SUBJECT: Bush Fire Hazard Strategy: seeking revocation of previous decision of Council and endorsement of original recommendation
LOCATION/ADDRESS: Whole of Shire
NAME OF APPLICANT: Straten Environmental Consultants Pty Ltd on behalf of The Shire of Nannup and Shire of Bridgetown-Greenbushes
FILE REFERENCE: FRC 7
AUTHOR AND REPORTING COUNCILLOR: Cr Tony Dean
DISCLOSURE OF INTEREST: Nil.
DATE OF REPORT: 19 November 2011

- Attachment:
1. Bush Fire Hazard Strategy – Shire of Bridgetown-Greenbushes and Shire of Nannup Separate Cover (previously supplied)
 2. Agenda Item 11.2 of 25 October 2012 Council Meeting

BACKGROUND:

At the October 2012 Council Meeting the following recommendation was lost in response to Agenda Item 11.2 *Bush fire Hazard Strategy – Shire of Bridgetown-Greenbushes and Shire of Nannup*:

8860 DEAN / GILBERT

That Council:

1. *Endorse the Bush Fire Hazard Strategy - Shire of Bridgetown-Greenbushes and Shire of Nannup outlined in the Attachment subject to:*

- a) *the document setting out the Council's endorsement date on the cover;*
 - b) *including bush fire hazard assessment maps 1 - 16 , vegetation class maps 1-16 and average slope maps for the Shire of Nannup as part of a single document;*
 - c) *inserting the bush fire hazard assessment map for the Shire of Nannup - overview map;*
 - d) *updating the Table of Contents to reflect the above; and*
 - e) *including a list of photos (plates) in the Table of Contents.*
2. *Subject to the gazettal of Scheme Amendment No. 12 to the Shire of Nannup Local Planning Scheme No. 3, designate land with an "extreme" and "moderate" bush fire hazard level in the Bush Fire Hazard Strategy - Shire of Bridgetown-Greenbushes and Shire of Nannup as bush fire prone areas.*
 3. *Subject to the gazettal of Scheme Amendment No. 12 to the Shire of Nannup Local Planning Scheme No. 3, note the Shire administration will implement Australian Standard AS3959-2009 Construction of Buildings in Bush Fire Prone Areas or associated updates in undertaking statutory responsibilities for various local government functions including building, planning and ranger services for designated bush fire prone areas.*
 4. *Thank submitters for their input into the process.*
 5. *Advise the Shire of Bridgetown-Greenbushes regarding the above.*

LOST 3 / 5

At the same meeting, the previous item 11.1 *Final adoption of Amendment No 12 to Local Planning Scheme No. 3 Designated Bush Fire Prone Areas and Bush Fire Management* was adopted. This resolution endorses the head of power through a Planning Scheme amendment for the adoption of Bush Fire Prone Areas in the Shire of Nannup. In accordance with the process for all amendments to Planning Scheme, the resolution has been sent to the Minister for Planning for final approval.

COMMENT:

Considerable comment was provided in Agenda item 11.2 of the 25 October 2012 meeting (refer attachment) that provides consideration of the issues, such as:

- Background issues, including purpose, strategy and methodology
- Community consultation

- Strategic planning
- Building construction costs
- Insurance premiums and
- Implementation.

The combined result of the two decisions of Council in October 2012 mentioned above means that although officers have a clear obligation to enforce the Bush Fire Prone Areas legislation as part of Amendment 12, they have no endorsed tools or guidelines for assessing scheme amendment requests, structure plans, subdivision applications, planning applications and building permit applications.

A revocation of the original decision and an Implementation of the Bushfire Hazard Strategy would allow the officers to perform their statutory role under the Planning Act.

STATUTORY ENVIRONMENT:

Planning and Development Act, I_PS3 and State Planning Policy 3.4 Natural Hazards and Disasters.

POLICY IMPLICATIONS:

These are addressed in the Attachment. Endorsement of the Strategy will increase certainty for everyone with an interest in the matter and should assist in more consistent decision making.

The declaration of a designated bush fire prone area, via gazettal of Scheme Amendment No.12, will enable the implementation of AS3959-2009. This includes addressing low fuel areas and a higher standard of building construction in areas that have the potential to be affected by a bush fire.

FINANCIAL IMPLICATIONS:

Full State Government funding has been provided for the project to both the Shire of Nannup and the Shire of Bridgetown-Greenbushes.

STRATEGIC IMPLICATIONS:

Wide ranging as outlined in this report and in the Attachment including assisting to reduce bushfire risk to people and property. The Strategy in association with the statutory head of power set out in Scheme Amendment No. 12:

- is an important tool which is considered increasingly critical for the Council and Shire administration to undertake their statutory responsibilities and to more effectively address risks and liabilities;

- is a valuable tool for various local government functions including ranger, building and planning services;
- will provide direction to the Council, Shire administration, Shire of Bridgetown-Greenbushes, Department of Planning, WAPC and the Minister for Planning in the assessment of future local planning scheme amendments, structure plans, subdivision applications, development applications and building applications as well as provide fire planning support for this decision making; and
- can assist future planning and development at the strategic level (including through the review of the Local Planning Strategy) and help inform the level of bush fire management required in specific areas (i.e. this enable the Shires to implement AS 3959- 2009).

There is some correlation between areas with extreme fire risk and environmental assets. Where this occurs, it will require a careful approach to siting development. The "onus of proof" is on the applicant to demonstrate that fire safety can be achieved, yet not at the expense of environmental assets or key landscape qualities.

VOTING REQUIREMENTS: Absolute majority.

PROCESS:

In terms of process a rescission motion is governed by the following statutory parameters (Local Government Administration Regulations 1996):

10 (1) If a decision has been made at a Council meeting then any motion to revoke or change the decision must be supported by at least 1/3 of the number of offices of members of Council. (In Nannup's case this means that there must be 3 members of Council indicating support for the proposed rescission motion before it is considered by the meeting).

10 (2) If a decision has been made at a Council meeting then any motion to revoke or change the first mentioned decision must be made by an absolute majority. (For Nannup this is 5).

The new motion can then be put for consideration by Councillors, and then for voting by a simple majority of Council. Additionally a decision is considered to have had effect from the time it was made unless otherwise stated.

RECOMMENDATION:

1. That Council agree to revoke the previous motion of Council recorded at minute no 8860

2. That Council:

1. Endorse the *Bush Fire Hazard Strategy - Shire of Bridgetown-Greenbushes and Shire of Nannup* outlined in the Attachment subject to:
 - a) the document setting out the Council's endorsement date on the cover;
 - b) including bush fire hazard assessment maps 1-16 , vegetation class maps 1-16 and average slope maps for the Shire of Nannup as part of a single document;
 - c) inserting the bush fire hazard assessment map for the Shire of Nannup - overview map;
 - d) updating the Table of Contents to reflect the above; and
 - e) including a list of photos (plates) in the Table of Contents.
2. Subject to the gazettal of Scheme Amendment No. 12 by the Minister for Planning to the *Shire of Nannup Local Planning Scheme No. 3*, designate land with an "extreme" and "moderate" bush fire hazard level in the *Bush Fire Hazard Strategy - Shire of Bridgetown-Greenbushes and Shire of Nannup* as bush fire prone areas.
3. Subject to the gazettal of Scheme Amendment No. 12 to the *Shire of Nannup Local Planning Scheme No. 3* by the Minister for Planning, note the Shire administration will implement *Australian Standard AS3959-2009 Construction of Buildings in Bush Fire Prone Areas* or associated updates in undertaking statutory responsibilities for various local government functions including building, planning and ranger services for designated bush fire prone areas.
4. Thank submitters for their input into the process and advise them of the change in resolution.
5. Advise the Shire of Bridgetown-Greenbushes regarding the above.

REVOKE MOTION:

Councillors Dean, Gilbert and Longmore supported a motion to revoke the following motion.

8889 DEAN / GILBERT

That Council agree to revoke the previous motion of Council recorded at minute No. 8860.

That Council:

1. *Endorse the Bush Fire Hazard Strategy - Shire of Bridgetown-Greenbushes and Shire of Nannup outlined in the Attachment subject to:*
 - a) *the document setting out the Council's endorsement date on the cover;*
 - b) *including bush fire hazard assessment maps 1 - 16 , vegetation class maps 1-16 and average slope maps for the Shire of Nannup as part of a single document;*
 - c) *inserting the bush fire hazard assessment map for the Shire of Nannup - overview map;*
 - d) *updating the Table of Contents to reflect the above; and*
 - e) *including a list of photos (plates) in the Table of Contents.*
2. *Subject to the gazettal of Scheme Amendment No. 12 to the Shire of Nannup Local Planning Scheme No. 3, designate land with an "extreme" and "moderate" bush fire hazard level in the Bush Fire Hazard Strategy - Shire of Bridgetown-Greenbushes and Shire of Nannup as bush fire prone areas.*
3. *Subject to the gazettal of Scheme Amendment No. 12 to the Shire of Nannup Local Planning Scheme No. 3, note the Shire administration will implement Australian Standard AS3959-2009 Construction of Buildings in Bush Fire Prone Areas or associated updates in undertaking statutory responsibilities for various local government functions including building, planning and ranger services for designated bush fire prone areas.*
4. *Thank submitters for their input into the process.*
5. *Advise the Shire of Bridgetown-Greenbushes regarding the above.*

Voting for the motion: Dean, Gilbert & Steer.

Voting against the motion: Camarri, Dunnet, Longmore , Lorkiewiez & Mellema.

Reason for rejection of recommendation: Concern over the cost to property owners.

**CARRIED 5 / 3
BY ABSOLUTE MAJORITY**

Voting for the motion: Dean, Gilbert, Longmore, Mellema & Steer.

Voting against the motion: Dunnet, Camarri & Lorkiewicz.

8890 DEAN /GILBERT

That Council:

1. Endorse the *Bush Fire Hazard Strategy - Shire of Bridgetown-Greenbushes and Shire of Nannup* outlined in the Attachment subject to:
 - a) the document setting out the Council's endorsement date on the cover;
 - b) including bush fire hazard assessment maps 1-16 , vegetation class maps 1-16 and average slope maps for the Shire of Nannup as part of a single document;
 - c) inserting the bush fire hazard assessment map for the Shire of Nannup - overview map;
 - d) updating the Table of Contents to reflect the above; and
 - e) including a list of photos (plates) in the Table of Contents.
2. Subject to the gazettal of Scheme Amendment No. 12 by the Minister for Planning to the *Shire of Nannup Local Planning Scheme No. 3*, designate land with an "extreme" and "moderate" bush fire hazard level in the *Bush Fire Hazard Strategy - Shire of Bridgetown-Greenbushes and Shire of Nannup* as bush fire prone areas.
- 3 Subject to the gazettal of Scheme Amendment No. 12 to the *Shire of Nannup Local Planning Scheme No. 3* by the Minister for Planning, note the Shire administration will implement *Australian Standard AS3959-2009 Construction of Buildings in Bush Fire Prone Areas* or associated updates in undertaking statutory responsibilities for various local government functions including building, planning and ranger services for designated bush fire prone areas.
- 4 Thank submitters for their input into the process and advise them of the change in resolution.
- 5 Advise the Shire of Bridgetown-Greenbushes regarding the above

CARRIED 5 / 3

Voting for the motion: Dean, Gilbert, Mellema, Longmore & Steer

Voting against the motion: Dunnet, Camarri & Lorkiewicz.

**Shire of Nannup
Ordinary Council Meeting Agenda:**

AGENDA NUMBER: 11.2
 SUBJECT: Bush fire Hazard Strategy – Shire of Bridgetown-Greenbushes and Shire of Nannup: seeking endorsement
 LOCATION/ADDRESS: Whole of Shire
 NAME OF APPLICANT: Strategen Environmental Consultants Pty Ltd on behalf of The Shire of Nannup and Shire of Bridgetown-Greenbushes.
 FILE REFERENCE: FRC 7
 AUTHOR: Steve Thompson – Consultant Planner
 REPORTING OFFICER: Robert Jennings - Chief Executive Officer
 DISCLOSURE OF INTEREST: The author, Edge Planning & Property, receive planning fees for advice to the Shire therefore declare a Financial Interest - Section 5.70 of the Local Government Act 1995
 DATE OF REPORT: 15 October 2012

Attachment: Bush Fire Hazard Strategy – Shire of Bridgetown-Greenbushes and Shire of Nannup Separate Cover

BACKGROUND:

A) Purpose

The purpose of this report is to advise of public consultation outcomes and seek Council endorsement of the *Bush Fire Hazard Strategy - Shire of Bridgetown-Greenbushes and Shire of Nannup* (to be called the "Strategy"). The Strategy is complementary to Scheme Amendment No. 12 to the *Shire of Nannup Local Planning Scheme No. 3* which is considered in item 11.1 of this agenda. The provision of a statutory head of power through Scheme Amendment No. 12 and endorsement of this Strategy will provide clearer guidelines for assessing scheme amendment requests, structure plans, subdivision applications, planning applications and building permit applications.

B) Council resolution

The Council at its meeting on 26 July 2012 resolved:

"That Council:

1. Support the public release of draft *Bush Fire Hazard Strategy - Shire of Bridgetown-Greenbushes and Shire of Nannup* outlined in the Attachment and require the draft Strategy to be publicly advertised for a period of six (6) weeks;
2. Will reconsider draft *Bush Fire Hazard Strategy- Shire of Bridgetown-Greenbushes and Shire of Nannup* following the close of the public submission period and will determine whether or not to endorse the Strategy; and
3. Note that the draft *Bush Fire Hazard Strategy- Shire of Bridgetown-*

**Shire of Nannup
Ordinary Council Meeting Agenda:**

Greenbushes and Shire of Nannup will be concurrently advertised with the Scheme Amendment No. 12 to the Shire of Nannup Local Planning Scheme No. 3."

C) Consultation on the draft Strategy

In accordance with the Council resolution, the Shire administration consulted extensively for a 6 week period through:

- writing to and inviting comments from wide-ranging stakeholders including the Chief Bush Fire Control Officer, Bush Fire Brigade Captains, local real estate agents, builders and surveyors who regularly work in the Nannup area and relevant State Government agencies;
- placing public notices in the Nannup Telegraph and the Busselton-Dunsborough Times;
- placing details on the Shire's website; and
- information being available at the Shire office.

D) Submissions

The Shire received 2 submissions which are outlined in Attachment 3 of item 11.1. Both submissions raise no objection to the draft Strategy.

E) Current approach to bush fire management and protection

The current approach to bush fire management and protection in the Shire, as in most local government authorities in non-metropolitan areas, is through:

- Fire Management Plans - prepared and implemented during the latter stages of the planning process (for higher risk sites, the Council has in recent years required Fire Management Plans to be prepared "upfront" in the planning process), or
- in a responsive manner through enforcement powers granted under the *Bush Fires Act 1954* and relevant local laws.

Strategen Environmental Consultants Pty Ltd (to be called "Strategen") state (page 1):

"the Shire of Bridgetown-Greenbushes and Shire of Nannup (the Shires) do not currently have an overall approach to bush fire risk management at a community and land development level. This can potentially lead to inadequate bush fire management for new land developments and communities, which was illustrated to be a contributing factor to the loss of significant property

**Shire of Nannup
Ordinary Council Meeting Agenda:**

assets in the Perth Hills bush fires on 6 February 2011 (Keelty 2011).
Given
the inherent bush fire risk due to the vast availability of bush fire fuels
located
within the Shires, an approach that links bush fire management planning
processes and building enforcement aspects is critical to the protection of
existing life and property assets and those arising from proposed future
development.

Currently, LPS3 sets out that habitable buildings in some Special Rural and Special Use zones must be constructed to *Australian Standard AS3959-2009 Construction of Buildings in Bush Fire Prone Areas (AS3959-2009)*. Accordingly, the Shire has not been able to impose AS3959-2009 to this point, other than for a limited number of properties zoned Special Rural and Special Use, as the Council does not have a statutory head of power to declare bush fire prone areas and has not endorsed associated bush fire hazard mapping.

F) Requirement for bush fire hazard assessment

The bush fire planning principles contained within:

- *Planning for Bush Fire Protection Guidelines (Edition 2)*
- AS3959-2009;
- *State Planning Policy 3.4- Natural Hazards and Disasters*;
- *Building Code of Australia*;
- *Shire of Nannup Local Planning Scheme No.3*; and
- *A Shared Responsibility - The Report of the Perth Hills Bush Fire February 2011 Review (Keelty report)*;

place further onus on local governments to be more proactive in providing a better approach to bush fire management when undertaking strategic planning and when considering subdivision/development proposals. The planning and building context is outlined in item 11.1. In light of the planning and building context, Strategen were commissioned to prepare a bush fire hazard assessment for the municipality and the Shire of Bridgetown-Greenbushes in accordance with the *Planning for Bush Fire Protection Guidelines (Edition 2)*.

G) Bush Fire Hazard Strategy - Shires of Bridgetown-Greenbushes and Shire of Nannup

Following the receipt of funding, the Shire of Nannup and the Shire of Bridgetown-Greenbushes appointed Strategen to undertake a Bush Fire Hazard Strategy for the whole of the Shire of Nannup and all of the Shire of Bridgetown-Greenbushes. The draft Strategy is set out in the Attachment.
The Strategy is intended to inform bush fire management planning requirements

**Shire of Nannup
Ordinary Council Meeting Agenda:**

for future development within the municipality through the application of Australian Standard AS 3959 - 2009 *Construction of buildings in bushfire prone areas*. Identification of bush fire prone areas subsequently enables the application of AS 3959 - 2009, which outlines appropriate construction standards for buildings proposed for such areas.

H) Strategy Methodology

The methodology for determining bush fire prone land is explained in the *Planning for Bush Fire Protection Guidelines (Edition 2)* which state that all areas with an assessed moderate or extreme bush fire hazard level are considered to be bush fire prone areas. The bush fire hazard assessment mapping enabled the associated identification of bush fire prone areas maps in the municipality. The methodology used by Strategen to determine bush fire prone areas included:

- a desktop investigation to identify vegetated areas throughout the municipality and the corresponding vegetation types, as well as the average slope under each classified vegetation type;
- targeted field assessments to visually confirm results from the desktop investigation;
- preparation of a vegetation class map and average slope map throughout the municipality based on the desktop and field investigations;
- preparation of a bush fire hazard assessment map for the municipality based on the vegetation and slope assessments; and
- preparation of a bush fire prone areas map for the municipality based on the hazard levels determined.

Depending on the predominant vegetation (type and class), fuel load (in tonnes per hectare) and the slope of the land, bush fire hazard levels designated as low, moderate and extreme were applied to different areas of the municipality in accordance with the *Planning for Bush Fire Protection Guidelines*.

Vegetation type was the key determinant of the bush fire hazard level, given the municipality contains a large extent of densely vegetated forest, woodland or shrubland areas greater than 0.25 hectares. These areas were assigned a moderate to extreme bush fire hazard level regardless of slope. A 100 metre buffer zone was also included around these areas to capture any developments proposed to be located within 100 metres of moderate to extreme bush fire hazard areas.

Cleared farmland and urban areas lying outside the 100 metre buffer were assigned a low bush fire hazard level.

**Shire of Nannup
Ordinary Council Meeting Agenda:**

The majority of the municipality has been designated as bush fire prone due to the large extent of vegetated land occurring throughout the Shire. In designated bush fire prone areas, all habitable buildings are required comply with AS3959-2009, which is referred to in the *Building Code of Australia*.

COMMENT:

1. Overview

It is suggested that Council is now in a position to endorse the Strategy set out the Attachment subject to the following modifications:

- the document setting out the Council's endorsement date on the cover;
- including bush fire hazard assessment maps 1 - 16 , vegetation class maps 1-16 and average slope maps for the Shire of Nannup as part of a single document;
- inserting the bush fire hazard assessment map for the Shire of Nannup - overview map;
- updating the Table of Contents to reflect the above; and
- including a list of photos (plates) in the Table of Contents.

Considering the extensive consultation that occurred on the draft Strategy, which resulted in only two submissions both raising no objection, it can only be assumed that there is community acceptance to the Strategy.

The Strategy is an important tool which is considered increasingly critical for the Council and Shire administration to undertake their statutory responsibilities and to more effectively address risks and liabilities. The mapping builds on requirements set out in LPS3 and other documents.

The Strategy provides the first overall approach to bush fire risk management at a land development level in the municipality. This will assist to provide more effective bush fire management for new subdivisions/developments. Given the inherent bush fire risks, due to bush fire fuel loads in much of the municipality, an approach that links bush fire management, planning processes and building permits is considered critical to assist in protecting life and property assets.

The below section outlines some of the issues and implications associated with the Strategy and its implementation.

2. Building construction costs

It is suggested the main issue with habitable buildings complying with AS3959-2009 is added construction costs where setbacks between the dwelling and vegetated areas cannot be achieved. Construction costs can be reduced where a low fuel area is provided around the dwelling. Additional construction costs need to be balanced with lowering risk to people and property, creating more resilient communities and reducing liabilities to the Council.

**Shire of Nannup
Ordinary Council Meeting Agenda:**

Declaration of a bush fire prone area does not mean building standards would have universal application. The exact construction requirements to be used depend on an assessment of the Bush Fire Attack Level (BAL). This means that while a property may be in a declared bush fire prone area, the requirements will not automatically apply unless the property is assessed at a certain BAL. Simply being in a bush fire prone area does not on its own demand that all construction standards be met. A property assessed as having a BAL below 12.5 will not be subject to additional construction requirements, while those assessed as having a BAL of 12.5 will only need to comply with some of the additional construction requirements.

3. Insurance premiums

In terms of impacts on insurance premiums, the report *A Shared Responsibility - The Report of the Perth Hills Bush Fire February 2011 Review* (Keelty report) stated on pages 154 and 155:

"The Insurance Council of Australia also provided the Special Inquiry with evidence indicating that although different companies take different approaches to the calculation of bush fire risk in an insurance premium, the percentage of a premium that relates to bush fire risk, even for those areas deemed to be high risk, is relatively low. The evidence also indicated that insurance premiums are calculated predominantly based upon relative levels of risk to common perils.

The Special Inquiry heard that based on this approach, the more widespread declaration of bush fire prone areas would not result in a significant increase to household insurance premiums. This is because even if an area which had not previously been declared as bush fire prone was declared, its actual exposure to bush fire risk would not have changed as a result of the declaration. This is an important consideration for Government in its assessment of the Special Inquiry's recommendation related to the declaration of bush fire prone areas.

In fact, in discussions with the insurance industry, the Special Inquiry heard that broader declarations of bush fire prone areas and compliance with AS3959 may place some downward pressure on premiums by requiring the construction of safer, more defensible buildings that are less likely to be destroyed in a bush fire.

It was noted by the Special Inquiry that insurance companies take on the risk of their policies without ever viewing the location of the property or the

**Shire of Nannup
Ordinary Council Meeting Agenda:**

construction materials that are used in homes. That, of course, is a matter for the industry. However it is assumed by the Special Inquiry that the more houses contained within developed areas comply with all known defences against bush fire, the faster resilience levels among these communities will rise to a point that reduces the call on insurance."

4. *Implementation of the bushfire hazard assessment and bush fire prone Areas*

The bushfire hazard assessment maps identify bush fire prone areas which is land with an "extreme" or "moderate" bush fire hazard rating. In designated Bush Fire Prone areas, habitable buildings are required to comply with *Australian Standard AS3959-2009*.

Areas designated as bush fire prone are required to meet a set of performance requirements. These requirements can be met through compliance with AS3959-2009. AS3959-2009 prescribes construction standards for residential buildings based on an assessment of BAL linked to expectant radiant heat exposures generated by site characteristics. The requirements for the construction of buildings in bush fire prone areas specified in AS3959-2009 aim to improve resistance to bush fire attack from burning embers, radiant heat, flame contact and combinations of the three attack forms.

Identifying bush fire prone areas will assist in bush fire planning considerations and subsequent management measures being implemented in the early planning stages of proposed developments, especially through the enforcement of AS3959-2009. This includes building location and setback requirements, level of construction standard, hazard separation zones, building protection zones, fuel hazard reduction, access requirements and water requirements.

The effect of an endorsed Strategy, combined with the proposed statutory head of power in LPS3 includes that:

- if a property owner wishes to build or extend a habitable building in an area designated as "medium" or "extreme" hazard level in the Strategy, they will be subject to the relevant bush fire prone requirements pursuant to the *Building Code of Australia, Australian Standard 3959 - 2009* (or any updates) and *Planning for Bush Fire Protection Guidelines* (Edition 2) or any updates. This, in part, may require a higher standard of house construction;
- if a proponent disputes or seeks to lower the hazard level on their land which is set out in the Strategy, the proponent is to arrange at their cost a BAL assessment and a statement/report from a suitably qualified and/or experienced practitioner to address the requirements of the *Planning for Bush Fire Protection Guidelines* (Edition 2) or any updates;

**Shire of Nannup
Ordinary Council Meeting Agenda:**

- where the local government has accepted a recommendation for a lower hazard level, the landowner will be responsible for permanent hazard reduction measures to maintain the nominated and agreed BAL; and where a Fire Management Plan has been endorsed by the local government and/or by FESA, the affected land owners will be responsible for the ongoing implementation of the "land owners' responsibilities" as specified in that Fire Management Plan.

STATUTORY ENVIRONMENT:

Planning and Development Act, 1990 and State Planning Policy 3.4 Natural Hazards and Disasters.

POLICY IMPLICATIONS:

These are addressed in this report and the Attachment. Endorsement of the Strategy will increase certainty for everyone with an interest in the matter and should assist in more consistent decision making.

The declaration of a designated bush fire prone area, via gazettal of Scheme Amendment No.12, will enable the implementation of AS3959-2009. This includes addressing low fuel areas and a higher standard of building construction in areas that have the potential to be affected by a bush fire.

FINANCIAL IMPLICATIONS:

Full State Government funding has been provided for the project to both the Shire of Nannup and the Shire of Bridgetown-Greenbushes.

STRATEGIC IMPLICATIONS:

Wide ranging as outlined in this report and in the Attachment including assisting to reduce bushfire risk to people and property. The Strategy in association with the statutory head of power set out in Scheme Amendment No. 12:

- are an important tool which is considered increasingly critical for the Council and Shire administration to undertake their statutory responsibilities and to more effectively address risks and liabilities;
- are a valuable tool for various local government functions including ranger, building and planning services;
- will provide direction to the Council, Shire administration, Shire of Bridgetown-Greenbushes, Department of Planning, WAPC and the Minister for Planning in the assessment of future local planning scheme amendments, structure plans, subdivision applications, development applications and building applications as well as provide fire planning support for this decision making; and

