



Shire of
Nannup
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Minutes

Council Meeting held
Thursday 28 February 2013 at 4.15pm

Minutes

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Chairperson declared the meeting open at 16.15 hrs

ATTENDANCE:

Councillors; Dean, Camarri, Dunnet, Gilbert, Longmore, Lorkiewicz, Mellema, and Steer.

Robert Jennings - Chief Executive Officer
Steve Thompson - Consultant Planner
Chris Wade - Manager Infrastructure
Tracie Bishop - Finance Officer

VISITORS: 8

APOLOGIES: None.

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

None.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Mr L Gilchrist

Q12. Patchwork was done on Mowen Road - why weren't stones swept off?

A12. A hole was patched on the corner of Barrabup and Mowen Road recently. The aggregate was not removed straight away to allow for the aggregate to be moved around and rolled in by traffic.

Mr S Adorian

Q15. I have heard two gunshots in Grange Road, can Council get regular police presence in town?

A15. We have contacted the Nannup Police and are monitoring the situation. Nannup Police are committed to making sure they are policing the town by being out in the community itself whenever possible and can be quickly available by a phone call.

Q16. Are records of my property now available?

A16. Previous property records are still being reviewed and we will contact you once the records have been located.

4. PUBLIC QUESTION TIME

Mr M Loveland

Q1. In the January meeting he submitted a paper on an infestation of Double Gees. He was of the impression that Charles Gilbert was submitting this paper to the media. How is this progressing?

Cr Gilbert

A1. Nothing has been progressed to date as he was waiting for more information.

Q2. Do Councillors remember the original safety issue of the footpath near the newsagency?

Shire President

A2. No one remembered the details.

Ms R Stallard

Q3. Annual Electors meeting held in February. Why was it so late?

Chief Executive Officer

A3. Holding the Annual Electors meeting in February complied with state guidelines. The audit was completed in November 2012.

Q4. Why was the Annual Electors meeting not advertised well within local community?

Shire President

A4. To date this was the most well attended meeting to date. There was advertising around town that is done every year.

Q5. What is the status on the toilets at the back of the shire offices. Was a decision still expected in March 2013?

Chief Executive Officer

A5. There will be community consultation prior to any decision being reached.

Q6. Does the Shire of Nannup have a disaster strategy?

If so, why was there no supervision provided for the helicopters that were landing on the oval. Children were playing basketball and there were close calls?

Chief Executive Officer

A6. We do have a disaster policy. Implementation of the emergency is delegated to the lead agency of each incident. We have expressed concern about the level of control of recent incidents.

Q7. Recreation Centre lights are still failing. Resulting in games of basketball being played in poor light and there is danger associated with this. Is this issue being addressed?

Manager Infrastructure

A7. This is the first that I'm aware of it as I have been on leave. I will follow it up and get details tomorrow.

Q8. Is Council aware that Water Corp is sinking a second dam on Thomas Road?
Shire President

A8. No, Council is not aware of this. We can only assume that this is part of Water Corporation's policy that ensures drought proofing of the South West.

Q9. Is Council aware of the dramatic drop in water being obtained by bores within this community?

Shire President

A9. No, Council is not aware. It would seem appropriate to request a meeting with Department of Water to address this issue.

Q10. Is it possible to ask for the Shire of Nannup to request ratepayers contact the Shire of Nannup concerning bore levels?

Shire President

A10. Yes this can be done

Ms P Fraser

Q11. Referring to the current agenda item for Recreation centre, where is the \$700,000.00 in reserve coming from?

A11. Question taken on notice.

Q12. Why was Nannup chosen as the water filling station for the Greenbushes fires?
Manager Infrastructure

A12. This is usually based around smoke visibility and turnaround times achievable from different stations.

Q13. Bill Marmion, State Minister for Environment has released paper that states he is drought proofing the South West via the Yarragadee. The second bore is being sunk on Thomas Road. What is the Shire of Nannup doing about this considering original talks were that only one would be sunk to top up Bridgetown?

Chief Executive Officer

A13. We do not have a lot of leverage relating to this issue. The water is not considered our property. We have written to Mr Marmion protesting and we will continue to advocate for our community and environment.

Q14. Why have no Councillors in the past attended public meetings on Yarragadee?

A14. Question taken on notice.

Q15. Please explain where in the budget allocation was there the mention of the replacement of a 2 tonne tip truck?

A15. Question taken on notice.

5. APPLICATIONS FOR LEAVE OF ABSENCE

None.

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Mr Baxter and Mr Gaunt made a presentation regarding Item 11.3
Realignment of Ethel Road, Peerabeelup – submitted for
endorsement to permanently close

7. DECLARATIONS OF INTEREST

There were 2 Declarations of Interest presented.
Cr Longmore 11.8
Cr Longmore 12(a)1

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

8903 LONGMORE/DUNNET

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in
Council Chambers on 24 January 2013 be confirmed as a true and correct record.

CARRIED 8/0

9. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

None.

10. REPORTS BY MEMBERS ATTENDING COMMITTEES

Warren Blackwood Strategic Alliance Committee meeting
Agricultural Food meeting
South West Development Commission meeting
WALGA Zone meeting'
Sports Association meeting
Local Government Grants Commission hearing
Cuppa with a Councillor Roadshow - Darradup
Local Emergency Management committee meeting
State Emergency Service Building Construction update
Blackwood Medical Centre meeting

11. REPORTS OF OFFICERS

AGENDA NUMBER:	11.1
SUBJECT:	Development Assessment Panel: Local Government Nominations
LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	Department of Planning
FILE REFERENCE:	ADM 27
AUTHOR:	Steve Thompson – Consultant Planner
REPORTING OFFICER:	Robert Jennings – Chief Executive Officer
DISCLOSURE OF INTEREST:	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 February 2013

Attachment: 1. Correspondence from Department of Planning

BACKGROUND:

The Department of Planning have written to the Shire (see Attachment 1) seeking local government nominations for the South West Joint Development Assessment Panel (DAP). To account for Council meeting dates, the Department of Planning has extended the date for the submission of local government representatives.

The Council, at its meeting on 26 May 2011 resolved the following:

8615 Pinkerton/Lorkiewicz

That Council, under DAP regulation 26, nominate the following four elected members of the Council, comprising two local members and two alternate local members to sit on our local DAP as required.

*Cr Barbara Dunnet
Cr Tony Dean*

*Cr Stephanie Camarri (Deputy)
Cr Robin Mellema (Deputy)*

The *Planning and Development (Development Assessment Panels) Regulations 2011*, which established the operational framework for DAPs, were gazetted on 24 March 2011. The Shire of Nannup is part of the South-West Joint DAP.

Each DAP has five members which consist of three specialist members, one of which is the presiding member and two local government members. Local representation is crucial to DAPs.

The role of a DAP member is to determine Development Applications within the certain type and value threshold through consistent, accountable and professional decision making.

To date, no DAP applications have been received for the Shire of Nannup.

COMMENT:

The Council is required to nominate four elected members, comprising two panel members and two alternate panel members, to sit on the South West Joint DAP as required.

Following the receipt of all local government nominations, the Minister for Planning will consider and appoint all nominees for up to a two year period.

Appointed local members will be placed on a local government member register and will be informed of any DAP training dates. It is compulsory that all DAP members attend the training before they are allowed to sit on a DAP. Local DAP members may be entitled for expenses to be covered in their attendance at training and meetings.

STATUTORY ENVIRONMENT:

Planning and Development (Development Assessment Panels) Regulations 2011.

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS:

While applicant fees are payable to the Shire, it does not always reflect the true cost in assessing development applications by the Shire administration.

STRATEGIC IMPLICATIONS:

It is not anticipated that many development applications submitted to the Shire of Nannup will reach the levels required to be determined by the DAP. It is expected that future development applications within the Shire the Nannup, which are considered by the DAP, will be of strategic significance to the district.

VOTING REQUIREMENTS:

Simple majority

RECOMMENDATION:

That Council, under regulation 26 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, nominate the following elected members of the Council to sit on the South West Joint Development Assessment Panel:

1. Councillor _____ and Councillor _____ as
Development Assessment Panel members.

2. Councillor _____ and Councillor _____ as
Alternate Development Assessment Panel members.

8904 GILBERT/MELLEMA

That Council, under regulation 26 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, nominate the following elected members of the Council to sit on the South West Joint Development Assessment Panel:

1. Councillor Dean and Councillor Camarri as Development Assessment Panel members.

2. Councillor Steer and Councillor Lorkiewicz as Alternate Development Assessment Panel members.

CARRIED 8/0

AGENDA NUMBER:	11.2
SUBJECT:	Draft State Planning Strategy
LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	Department of Planning
FILE REFERENCE:	TPL 8
AUTHOR:	Steve Thompson – Consultant Planner
REPORTING OFFICER:	Robert Jennings – Chief Executive Officer
DISCLOSURE OF INTEREST:	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	18 February 2013

Attachment 1: Extract of draft State Planning Strategy

Attachment 2: Draft State Planning Strategy - Tabled

BACKGROUND:

The Department of Planning (DoP) invites comments from this Shire and other stakeholders on the draft *State Planning Strategy* (SPS) by 29 March 2013. The purpose of this item is to consider key implications as they relate to the Shire of Nannup.

The draft SPS can be viewed at www.planning.wa.gov.au/publications/6561.asp and will be tabled at the Council meeting. An extract of the draft SPS is provided in Attachment 1.

The draft SPS:

- is prepared by DoP on behalf of the Western Australian Planning Commission (WAPC);
- “purpose and function...is to provide a sound basis for the integration and coordination of strategic planning across state, regional and local jurisdictions” (page 6);
- “is the lead strategic planning document within Government (page 6) and “is an overarching strategic document that informs all other State, regional and local planning strategies, policies and approvals” (page 7);
- takes into account what is known about the future and sets a vision to 2050 based on a strategy of planning principles, strategic goals and State strategic directions;

- seeks to better anticipate, adapt to and manage the drivers of change most likely to influence the future growth and development of WA;
- notes WA is being shaped by population and economic growth, technological innovation, and increased water and energy requirements;
- outlines that WA is having to adapt to a changing and increasingly complex global environment;
- highlights the need for strategic planning has never been greater;
- builds on a number of strategic planning positions endorsed by the WAPC and is supported by a suite of strategies and initiatives from across Government, which includes the Regional Centres Development Plan (SuperTowns) Framework (2011);
- represents a whole-of-Government strategy to achieve sustained prosperity for WA;
- seeks to assist WA plan for the future opportunities and challenges it is likely to face;
- envisages and plans for a potential doubling of WA's current population to 5.4 million by 2056;
- considers "interconnections and interrelationships that are likely to influence WA's sustained prosperity" (page 6);
- outlines the State Government's intention to undertake a collaborative approach in planning for the State's infrastructure, environment, food security, land availability, economic development, education, training and knowledge transfer;
- contains a strong regional development focus designed to integrate with planned regional investment and the Royalties for Regions program; and
- sets out that the finalised SPS will be used by the Government as a basis to plan for and coordinate regional and urban infrastructure across the State; improve efficiency of infrastructure investment; and to facilitate the consideration of project approvals, delivery of services and urban land supply.

By way of background, the current SPS was released in 1997. The primary focus of the 1997 SPS is land use planning. The 1997 SPS has become an integral part of the State's planning system, which has informed planning and development decisions throughout WA. Since 1997, WA has been shaped by factors including population growth, the global economy, urbanisation, technology, climate change and increased water and energy requirements.

COMMENT:

It is recognised that planning and government policy is often “contested” and often subject to robust debate. This equally applies to the draft SPS which has a long term planning horizon where many things will change and various matters will be unforeseen. Related to this, some community members and Councillors may for instance question matters such as:

- the basis for requiring economic development and economic growth;
- the need for population growth (especially through inward migration);
- the assumptions, values and priorities that are set out or implied in the draft SPS; and
- “carrying capacities” for WA or parts of WA e.g. in relation to population, natural resource management and environmental sustainability.

While noting the above, it is suggested that large sections of the WA and local community would support the SPS’s:

- vision for a diverse, liveable, connected and collaborate State, along with planning for sustained prosperity;
- long term outlook and consideration of drivers of change including population, global economy, technology and climate change;
- consideration of Australian Bureau of Statistics scenarios for future population growth;
- consideration of matters beyond traditional land use planning considerations; and
- strategies for matters including economic development, education, training and knowledge transfer, tourism, environment and physical/social infrastructure.

Many of the statements in the SPS represent sound planning principles (such as concentrating urban growth in existing settlements, protecting agricultural land, protecting ecological biodiversity and promoting affordable housing) which in broad terms are not disputed.

It is highlighted that the finalised SPS will have significant implications on planning and development within WA and influence planning and development in the Shire of Nannup. The following comments set out some of the key implications of the draft SPS primarily as they relate to the Shire of Nannup.

A) *Sub-Regional and centres*

The Nannup townsite, like most towns in WA, is not shown in the SPS mapping (including Figure 14). In regional WA, only regional centres (including Bunbury and Busselton) and subregional centres (including Margaret River and Manjimup) are shown. The sub-regional centres in part reflect the Supertown classification by the State Government's *Regional Centres Development Plan (SuperTowns) Framework (2011)*. Nannup is strategically located between Busselton, Margaret River and Manjimup. Accordingly, Nannup can offer an alternative lifestyle which is close to growing cities and towns.

B) *Economic development*

Figure 18 reiterates the importance of tourism to the South West Region and the Shire of Nannup. The designation is supported and associated actions and implementation to support a sustainable tourism sector and regional economy are supported and required.

Figure 19 shows the Bibbulmun Track. It is suggested Figure 19 be modified to also include the Munda Biddi Trail.

Given both the Bibbulmun Track and the Munda Biddi Trail go through Nannup, the Nannup townsite has further potential to develop as a key walking/cycling and ecotourism hub.

There are further opportunities to extend regional walking and cycling tracks which include links between Nannup and Margaret River to link the Bibbulmun Track/Munda Biddi Trail with the Cape to Cape Track. It is suggested the final SPS be modified to include support for the development of additional regional walking/cycling routes. This and other links will support economic development, healthy communities and have the potential to extend the range of world class experiences offered by the South West.

There are opportunities to diversify the regional economy which can be supported by the SPS. This includes the proposed establishment of a Western Australian Emergency Management Institute (WAEMI) in the Warren-Blackwood Region. Given Nannup's extensive State Forest and conservation areas (approximately 85% of the municipality) and strategic location in the South West Region, Nannup is well placed to accommodate such a facility.

There are also opportunities to establish a South Coast Centre in the coastal area of the Shire of Nannup. This could incorporate regional scientific, research, community and Aboriginal heritage and visitor centre near Lake Jasper/Quannup with associated Noongar, Shire or community management.

C) *Agriculture and food*

The draft SPS highlights the importance and opportunities relating to agriculture. Figure 21 indicatively shows an area west of Manjimup as “existing and/or potential for high irrigation agriculture”. The “food bowl” initiatives, which include those associated with the *Manjimup SuperTown Growth Plan*, are supported as it should assist with promoting agricultural opportunities in adjoining municipalities including the Shire of Nannup.

Rural subdivision, outside of strategically identified areas for rural residential and rural smallholdings near townsites, has progressively become more difficult in recent years. The SPS (page 43) reiterates current and emerging WAPC policies to limit the fragmentation of rural land.

D) *Environment and climate change*

The Shire forms part of the South West global biodiversity hotspot. This presents opportunities and challenges for future development in the district.

It is suggested that reference be made to “Gondwana Link”. This is an initiative to reconnect healthy and resilient country across south-western Australia (about 1000 kilometres) between Dunsborough to the semi-arid woodlands and mallee country bordering the Nullarbor Plain.

The draft SPS considers reports such as the *Intergovernmental Panel on Climate Change* and anticipated implications for WA. It is agreed there is a need to anticipate changing climatic conditions, including threats from bush fires and flooding locally.

E) *Movement*

Figure 23 should show the Busselton Airport which is a key regional airport. The Busselton Airport is expected to assist with population growth in Nannup, including various fly-in/fly-out workers seeking the lifestyle that Nannup offers.

It would be useful to show a major road connection between the sub-regional centres of Margaret River and Manjimup e.g. Brockman Highway/Vasse Highway.

F) *Water*

The draft SPS does not mention the Yarragadee Aquifer. This is a significant freshwater aquifer which covers part of the district. It would be helpful if the final SPS provided guidance relating to its future sustainable use, which is predominantly for use within the South West Region.

G) Settlement planning and urban design

There are a number of strategies relating to settlement planning, associated water and energy use and urban design. The principles are supported to promote compact settlements with a wide range of housing, opportunities for walking and cycling and social interaction. The review of the Council's Local Planning Strategy, provides an opportunity to set long-term certainty for residential, rural residential and rural smallholding subdivision/development.

H) Community infrastructure

The SPS vision (page 16) includes that "Regional Western Australia will be interconnected and have timely, cost-effective and superlative access to education, health, social welfare and cultural pursuits." The vision for a liveable State is supported and applying this vision to be effectively implemented in Nannup is also supported.

The SPS notes (page 65) that "Usually regional populations will not grow without the necessary social infrastructure to support that growth such as schools, health services, community facilities and programs." This statement is acknowledged and the associated funding to service social infrastructure is also appreciated. The Shire looks forward to funding requests for community facilities and programs being favourable considered in Nannup to assist in delivering the vision.

I) Energy

Figure 25 shows that Nannup is within an area that may have potential for wind energy. Broadening the range of energy supplies is supported locally provided relevant environmental and planning considerations are suitably addressed.

Figure 25 should be modified to show the proposed Bunbury-Albany Gas Pipeline, with the route near the South Western Highway between Bunbury – Manjimup.

J) Telecommunications

The draft SPS sets out a number of sections relating to the importance of technology which includes for economic development, businesses and modern living. For instance, the vision includes:

"A connected State: as connected to the rest of the world as any other place.

In 2050, distance will not be a barrier to connecting people, places and enterprises to resources and information. Affordable high speed communication and transport options will connect communities and enable regions to collaborate to build diversity, international competitiveness and employment". (page 16).

Nannup is shown on the indicative National Broadband connectivity link (Figure 28) which is supported. Nannup is proposed to be serviced by NBN Co. with fibre optic as set out at <http://www.nbnco.com.au/assets/documents/nbn-wa-list.pdf>. The servicing of Nannup with fibre optic cabling is also supported.

The provision of fibre optic to the premises is a superior service compared to fixed wireless or satellite. There is a dramatic difference in internet access speed between wireless and satellite technologies compared to fibre. The provision of fibre, in time, is expected to support Nannup's plans for sustainable economic development and population growth. The provision of fibre offers benefits in wide ranging areas including education, communications, health, entertainment, commerce and tele working.

A more reliable and comprehensive mobile phone communication service need to be expanded in the municipality and adjoining regions, particularly to cover all residential and agricultural areas. This initiative will impact on both the safety and economic development aspects of residents and businesses.

K) State Infrastructure Strategy

The draft SPS is "silent" regarding the development of a *State Infrastructure Strategy* to identify and coordinate government infrastructure expenditure priorities. It is suggested that a related State Infrastructure Strategy, to complement the SPS, is critical to establish a long-term approach to infrastructure planning and set out associated funding priorities in WA.

The development of a State Infrastructure Strategy should identify and coordinate government infrastructure expenditure priorities. It would assist in providing better direction on the priorities and timing for sustainable infrastructure delivery. Related to this, the State Infrastructure Strategy would provide a framework for the planning and programming of major infrastructure as part of the State budget process.

L) Emergency management

Given the anticipated impacts of a changing climate and associated risks, there is considered to be a greater need for effective emergency management infrastructure and training. The proposed Nannup Western Australian Emergency Management Institute (WAEMI), upon implementation, will be a significant State resource.

M) Implementation and servicing

A key matter is how will the SPS be effectively implemented? Will infrastructure service providers “buy in” on their investment decisions and support the SPS? For instance, servicing/infrastructure challenges in this municipality include:

- subdivisions in this Shire tend to be smaller than compared to subdivisions in coastal areas and financial returns tend to be lower in non-coastal areas. Typically, this means there is often not a larger developer who can fund infrastructure provision/upgrades to enable smaller developments to “piggy back” on. It also makes it difficult to be the “trail blazer” developer given servicing authorities will seek to direct costs to this developer who may not see contributions from other developers for a number of years;
- the approach to funding and risk management by servicing agencies often is not compatible with the objectives of the planning system. This includes the move in recent years towards “user pay” principles and often seeking payment from developers “upfront” (even when the development is in accordance with an endorsed Local Planning Strategy);
- an apparent reduction in Community Service Obligations by the State Government to support service providers; and
- reduction of funding for the infill sewerage program.

While appreciating that funding of services/infrastructure is a complex and costly matter, serious consideration is required to better align the planning system with funding of key infrastructure to enable effective implementation – essentially getting appropriate development in appropriate locations. The Shire seeks support for a growing Nannup with associated and timely support from service providers.

N) Next step

It is recommended that a submission is made to DoP. Should the Council agree, it is recommended that the Shire’s Chief Executive Officer be delegated authority to make a submission, which will be based on comments in this report and Council directives and/or comments.

STATUTORY ENVIRONMENT:

Planning and Development Act

POLICY IMPLICATIONS:

A finalised SPS is expected to influence wide-ranging aspects of planning.

FINANCIAL IMPLICATIONS:

There will be no immediate financial implications to the Shire through the endorsement of the SPS by the WAPC. Subject to the content of the final SPS, it may have indirect financial implications on the Shire in the coming years.

STRATEGIC IMPLICATIONS:

A finalised SPS will influence subdivision, associated development, scheme amendments and future reviews of the Local Planning Strategy, along with funding/resource allocation. There are expected to be wide ranging economic, social and environmental implications which are summarised in this report and expanded on in the draft SPS.

VOTING REQUIREMENTS: Simple majority.

RECOMMENDATION:

That Council resolve to make a submission on the draft State Planning Strategy with the submission delegated to the Shire's Chief Executive Officer. The submission will be based on the "Comments" section of this report.

8905 DUNNET/STEER

That Council resolve to make a submission on the draft State Planning Strategy with the submission delegated to the Shire's Chief Executive Officer. The submission will be based on the "Comments" section of this report with the following changes.

- Delete the Gondwana reference;
- Greater priority given to the coast;
- Make strong representation on all issues and
- Note that any responsibility given to Local Government by the State needs to be funded appropriately.

CARRIED 8/0

AGENDA NUMBER:	11.3
SUBJECT:	Realignment of Ethel Road, Peerabeelup –submitted for endorsement to permanently close
LOCATION/ADDRESS:	Ethel Road, Peerabeelup
NAME OF APPLICANT:	John Gaunt and Elisabeth Tilley
FILE REFERENCE:	ROA86
AUTHOR:	Steve Thompson – Consultant Planner
REPORTING OFFICER:	Robert Jennings – Chief Executive Officer
DISCLOSURE OF INTEREST:	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	18 February 2013

- Attachment: 1. Location map
2. Proposed section of Ethel Road to be closed and dedicated
3. Submissions

BACKGROUND:

Ethel Road is approximately 35 kilometres south of the Nannup townsite (see Attachment 1).

Details relating to the requested realignment (correspondence and plan) provided by the applicant are set out in Attachment 2. In summary, the applicant proposes:

- that a section of the Ethel Road reserve containing the dam (lake) is closed and is amalgamated into Lot 4497 (owned by Mr John Gaunt and Ms Elisabeth Tilly);
- a section of the Ethel Road reserve which does not contain a constructed track is closed and is added to the State Forest; and
- a new section of the Ethel Road reserve is created (dedicated), which follows the existing track to Lot 6982 (owned by M Baxter, R & T Chugg and M North), taking the land out of the State Forest.

There is a long history to the realignment of Ethel Road. Some of the matters extend back decades, which include a dam extending into the Ethel Road reserve.

Mr John Gaunt and Ms Elisabeth Tilly purchased Lot 4497 in October 2007. The property is known as “Donnelly Lakes” and it contains four chalets, a caretaker’s dwelling and the majority of the large dam.

Given the dam is partially located in the road reserve, access to adjoining Lot 6982 is in part via a Department of Environment and Conservation (DEC) track through the State Forest rather than by the Ethel Road reserve. DEC in November 2011 provided

written advice to the owners of Lot 6982 that it has no objection to the continuing use of the track to access Lot 6982.

The Council has considered the matter on a number of occasions. Most recently, the Council at its 22 November 2012 meeting passed the following motion at minute number 8870:

That Council:

1. Agrees to initiate permanent road reserve closure action, under section 58 of the *Land Administration Act 1997*, to close a portion of Ethel Road and associated road reserve dedication as set out in Attachment 2.
2. Note the Shire administration will invite submissions on the road reserve closure and dedication request for a period of six (6) weeks.
3. Will reconsider the road reserve closure and dedication request following the close of the public submission period and will determine whether or not it will agree to request that the Minister for Regional Development and Lands permanently closes and dedicates the road reserve.

In accordance with the Council resolution on 22 November 2012, the *Land Administration Act* and the *Land Administration Regulations*, the Shire administration consulted extensively for a six week period by the Shire administration:

- writing to and inviting comments from adjoining/nearby landowners;
- writing to and inviting comments from relevant State Government and servicing authorities;
- placing a public notice in the Manjimup-Bridgetown Times and notice boards around town;
- placing details on the Shire website; and
- having information available at the Shire office.

The Shire received four submissions on the proposed closure/dedication which are set out in Attachment 3. The submissions from DEC and the Department of Indigenous Affairs raise no objection, while the submission from Mr and Mrs Baxter object to the proposed closure/dedication. The Hon Barry House MLC concurred with the submission from Mr and Mrs Baxter.

COMMENT:

The proposed request to realign a portion of Ethel Road near the dam is supported given that the current situation, with a dam in the Shire managed road reserve, should be resolved. A dam located in a road reserve raises liability and safety issues for the Shire and other parties. Accordingly, it is recommended that Council endorse permanent road reserve closure and dedication action for a portion of Ethel Road asset out in Attachment 2.

The matters raised in the submission from Mr and Mrs Baxter (Attachment 3) are noted. There is however no support for the retention of the status quo. Comments relating to Mr and Mrs Baxter's submission include:

- it is not a given that the dam was illegally constructed, especially given the Town Planning Scheme did not cover rural areas decades ago when the dam was built. Further, the Shire is likely not to have taken planning applications across the municipality for dams decades ago. If any approval was required, it is likely to have been by the predecessors of the Department of Water;
- there has been adequate consultation (the Shire administration has met the statutory requirement). In the absence of any evidence to the contrary the dam is considered to have been legally constructed. It is not clear however what "rights" the Baxter family would have to an illegally constructed dam in a road reserve;
- the Shire administration is not aware of any environmental consequences of the proposed road closure/dedication. No additional clearing is required. Significantly, DEC raise no objection to the proposed road reserve closure/dedication;
- perhaps the matter of the owners of Lot 6982 drawing water from the dam in an emergency can be addressed through an exchange of letters or a legal agreement between the owners of Lots 6982 and 4997. Related to this, it is understood that DEC and the Department of Fire and Emergency Services can draw water from any source in an emergency; and
- the road reserve, through the dam, cannot be amalgamated into the State Forest as Lot 6982 (owned by Mr Baxter and others) would become a "land locked" lot.

A key implication of the proposed road reserve closure/dedication is that, if finalised, it would legally prevent access from the owners of Lot 6982 to the dam for fishing/recreation. The owners of Lot 6982 would still, however, enjoy the view of the dam along with access to water from the dam in bush fires.

While there is considerable history relating to the matter, the proposed road closure and dedication:

- assists to address the undesirable situation of a dam being located in a Shire managed road reserve;

- has the benefit of legal and practical vehicular access, to Lot 6982, being contained on one alignment through the proposed new section of the Ethel Road reserve. This is considered a better long term outcome to future owners of Lot 6982 compared to practical vehicular access being via a DEC managed track;
- is simpler than the former proposal which created issues for DEC; and
- the current proposal is supported by DEC. It is noted that it will result in a marginal net increase in land added to the State Forest.

It is suggested there are clear benefits in progressing with the realignment of Ethel Road and incorporating the section of the dam which is situated within the road reserve into Lot 4497 (Donnelly Lakes). It is suggested that the only downside to the proposed road closure/dedication is that the owners of Lot 6982 lose access to the dam. This needs to be weighed against a range of other considerations, including liability/risk of the status quo.

Completion of the road closure process will complement the road dedication process and assist to progress and finalise an historic issue.

Subject to the Council's decision, the Minister for Regional Development and Lands will determine whether to permanently close the road reserve. Should the Minister agree and should associated valuation and other matters be acceptable to the applicant, the portion of road reserve will be amalgamated into adjoining Lot 4497.

STATUTORY ENVIRONMENT:

The *Land Administration Act* and *Land Administration Regulations* require the Shire to seek comment for at least 35 days. The Shire administration has met this requirement by writing to adjoining/nearby landowners, relevant servicing authorities and State Government agencies and inviting comments from the wider community through the public notices in local papers.

The Council now needs to formally resolve to finalise the closure and indemnify the Department of Regional Development and Lands against any costs that may arise (survey documentation, stamp duty etc.). It is recommended that these costs should be borne by the applicant/landowner.

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS:

The applicant will meet all costs associated with the process including advertising (associated with public comment on the road reserve closure and dedication) and survey costs.

There may be future legal issues relating to liability and associated risk should the Council not address a dam being located within a Shire managed road reserve.

STRATEGIC IMPLICATIONS: None.

VOTING REQUIREMENTS: Simple majority.

RECOMMENDATION:

That Council:

1. Agree to permanently close a portion of the Ethel Road reserve and associated road reserve dedication as set out in Attachment 2.
2. Request the Minister for Regional Development and Lands to permanently close the road reserve as set out in Attachment 2 with the road reserve being amalgamated into adjoining Lot 4497.
3. Indemnifies the Department of Regional Development and Lands against any costs in the process, with these costs being borne by the applicant/landowner.
4. Delegate authority to the Shire's Chief Executive Officer to progress matters with the Department of Regional Development and Lands, other agencies and the applicant/landowner regarding the closure of the road reserves, including the signing and sealing of all documentation required.
5. Suggest that the owners of Lot 4497 Ethel Road, Peerabeelup provide the owners of Lot 6982 Ethel Road, Peerabeelup with written confirmation that they can access water from the dam for fire fighting purposes in an emergency.

8906 DEAN/GILBERT

That Council (with the changes underlined);

1. Agree to permanently close a portion of the Ethel Road reserve subject to and the associated road reserve dedication as set out in Attachment 2 with a setback of 1 metre around the dam.

2. Request the Minister for Regional Development and Lands to permanently close the road reserve as set out in Attachment 2 with the road reserve being amalgamated into adjoining Lot 4497.
3. Indemnifies the Department of Regional Development and Lands against any costs in the process, with these costs being borne by the applicant/landowner.
4. Delegate authority to the Shire's Chief Executive Officer to progress matters with the Department of Regional Development and Lands, other agencies and the applicant/landowner regarding the closure of the road reserves, including the signing and sealing of all documentation required.
5. Suggest that the owners of Lot 4497 Ethel Road, Peerabeelup provide the owners of Lot 6982 Ethel Road, Peerabeelup with written confirmation that they can access water from the dam for fire fighting purposes in an emergency.

CARRIED 5/3

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

Voting against the motion: Camarri, Dunnet and Lorkiewicz.

Reason for the change: For greater clarity and equality.

8907 LORKIEWICZ/CAMARRI

That Council suspend standing orders.

CARRIED 8 / 0

Standing Orders were suspended at 17.35 hrs.

8908 LORKIEWICZ/STEER

That standing Orders be resumed.

CARRIED 8 / 0

Standing Orders were resumed 17.55 hrs.

AGENDA NUMBER:	11.4
SUBJECT:	Local Planning Policy No. 20 – Developer and Subdivider Contributions: Submitted for adoption
LOCATION/ADDRESS:	Applies throughout the municipality
NAME OF APPLICANT:	Shire
FILE REFERENCE:	ADM 9
AUTHOR:	Steve Thompson, Consultant Planner
REPORTING OFFICER:	Robert Jennings – Chief Executive Officer
DISCLOSURE OF INTEREST:	Edge Planning & Property receive payment for planning advice to the Shire and declare a Financial Interest (section 5.70 of the Local Government Act 1995)
DATE OF REPORT	

Attachment 1: Draft Local Planning Policy No. 20 Developer and Subdivider Contributions (LPP 020)

BACKGROUND:

The purpose of this report is to seek Council support to publicly advertise a draft planning policy relating to developer and subdivider contributions.

The Council does not have a planning policy relating to developer/subdivider contributions. This is intended to be addressed through the draft policy which is set out in Attachment 1. The draft policy is intended to generate community discussion and, in time, provide clearer guidelines for assessing planning applications and other proposals.

COMMENT:

Why the policy is required

There is a need to carefully consider the implications of the policy relating to developer/subdivider contributions. This includes the Council's approach to promoting appropriate subdivision/development, its limited budget, considering whether the community or the developer meets the cost of providing/upgrading infrastructure (e.g. roads, paths etc.) and rising expectations (especially from newer members of the community) that infrastructure in regional areas should increasingly be similar to that experienced in metropolitan areas.

The reasons for the development of the draft policy include:

- there is no current Council policy on developer/subdivider contributions;
- ensuring Council's financial sustainability is not compromised;
- seeking to address, in part, cost-shifting from the Commonwealth and State Government;
- rising community and stakeholder expectations;
- "user-pay" and equity considerations; and
- changing development/subdivision context.

The sections below will expand on the above points.

There are on-going issues of "cost shifting" for this Shire and other local governments with increased responsibilities and costs being passed from the Commonwealth and State Governments to local government. Typically, where Commonwealth and State Government funding is provided, it does not address on-going operational funding to meet the costs of providing the service and/or address depreciation and associated costs of maintaining or replacing the infrastructure, service or facility.

This Council, like most other local government authorities, faces considerable challenges to meet the demands placed on it from the community, government agencies and other stakeholders. Critically, community/stakeholder expectations typically rise (for instance in the expected standard of roads, playgrounds and other facilities etc). Additionally, there is also increasing pressure from the local community and others for the Shire to provide "non-traditional" services and facilities often without sustainable funding for the "life" of the service/facility. Further, there are rising environmental standards and "best practice" which all lead to increased costs for the provision and/or maintenance of infrastructure, services and facilities with the costs needed to be appropriately met by suitable sources.

There are various "user-pay" and equity considerations regarding who pays the cost of providing or improving the infrastructure, services and facilities. It is suggested that

developers/subdividers that benefit from their proposal being implemented (including increased land values) and who create off-site impacts/demands should also be required to meet or contribute to the impacts/demands arising from their proposal. Such an approach adopts “user-pay” principles and assists to reduce the burden placed on the Council to provide infrastructure, services and facilities for an anticipated growing population. User-pay principles, including policies and schemes for developer/subdivider contributions, are well-established as a means of funding infrastructure, services and facilities throughout Australia. They are also consistent with State Planning Policy 3.6.

Adopting appropriate user-pay principles for developer/subdivider contributions is considered preferable to the alternative approach of the local community effectively subsidising the developer/subdivider and/or receiving in substandard infrastructure, services and facilities. This could occur, for instance, if the Council meets the cost of providing the service and the provision and/or upgrading of infrastructure/facilities, which arguably should be the responsibility of the developer/subdivider. It is suggested that the local community should not be adversely impacted as a result of new development/subdivision. Further, it is considered reasonable to expect developers/subdividers should meet or contribute towards the cost and/or provision of required infrastructure, services and facilities arising from their proposals impacts/demands.

There are various development/subdivision proposals that are being formulated in the municipality, which if implemented, would result in increasing impacts/demands on existing Council infrastructure, services and facilities and the associated provision and/or upgrading of Council’s infrastructure, services and facilities.

It is suggested that unless appropriate developer/subdivider contributions are sought, the Council will become less financially sustainable over the longer-term and the local community will be adversely impacted (through either subsidising the development/subdivision or through having sub-standard infrastructure, services and facilities). Additionally, it will place increased pressure to appropriately maintain existing infrastructure, services and facilities let alone deal with the issues of increased development, subdivision, population, and impacts on infrastructure, services and facilities etc. Accordingly, it is suggested that contributions from developers/subdividers will become increasingly important in this municipality.

Balancing certainty and flexibility

A key challenge with the draft policy is balancing certainty and flexibility given factors including:

- the municipality is varied in terms of its geography;
- the availability and standard of infrastructure, services and facilities etc; and

- there are considerable variations in development/subdivision circumstances including the nature of the proposal, location, and potential for additional development/subdivision in the area.

An example of the challenges is outlined below. In an urban area, such as Perth or a major regional centre, the location of new development and likely densities/numbers can be relatively accurately determined. This is not as straight forward in non-urban areas where the location of more intensive development (such as tourist development, rural industries etc) is more “footloose” and it is more difficult to predict development and timing. Accordingly, the lower level of density, lower level of development, larger distances and nexus considerations also represent challenges in non-urban areas and a different methodology or methodologies are suggested.

As a result, this makes developing a “uniform” policy problematic that adequately addresses all circumstances and proposals. Further, a uniform policy does not address the legal requirement for Council to consider each proposal on its merits and consider the potential off-site impacts/demands of the development/subdivision.

Based on the above, it is suggested that the most pragmatic approach is for a contributions policy to set out the particular issues that Council will take into consideration in assessing proposals on a case by case basis. This will ensure that anticipated impacts/demands on infrastructure, services and facilities are appropriately assessed. Accordingly, this reflects the need for the policy to outline principles/process and associated flexibility as opposed to addressing specifics (such as the actual standard or financial contribution) in order that the policy can be effectively implemented.

It is recommended that the draft policy should not include actual developer/subdivider contribution costs (given they can change quickly and there is a need to readvertise the policy), however certain costs may be identified in Council’s Budget through its Fees & Charges Schedule. Further, most contribution amounts will require an individual assessment to ensure that contributions meet the required legal tests.

The draft policy, if adopted, seeks a consistent approach (subject to relevant factors being equal related to the proposal, its location, current servicing levels etc) and equity in the manner in which contributions are required.

Key features of the draft policy

The draft policy proposes that many development applications (single house, sheds/outbuildings for domestic use etc.) will not be subject to requiring contributions unless there is a unique issue to address (for example, the site does not have access to a public constructed road). Development applications that are likely to require an appropriate contribution, to address off-site impacts/demands, include tourist development or an extractive industry located on an unsealed road.

Applications for boundary adjustments (where no additional titles are created) or amalgamations are typically not proposed to be subject to off-site contributions (unless the site does not have access to a constructed public road). Subdivision applications will be assessed on their merits including considering the number of additional lots being proposed, the location of the subdivision, existing infrastructure, services, and facilities, anticipated impacts/demands of the subdivision/associated development (including determining the existing volume of traffic compared to the anticipated increase etc.).

The draft policy focuses on “hard” infrastructure (roads, drainage, the provision of required land for public open space etc.) rather than “soft” infrastructure such as community and recreation facilities. It is highlighted that seeking appropriate developer contributions for hard infrastructure is consistent with established WAPC practice and policy.

Should the Council also seek to include soft infrastructure in the draft policy, it is highlighted that the Council will need to commit to funding and/or developing:

- a Community Infrastructure Plan (in accordance with *State Planning Policy 3.6*);
- a Capital Expenditure Plan;
- cost apportionment methodology; and
- an amendment to the *Shire of Nannup Local Planning Scheme No. 3*.

All of these matters will take considerable time and funding to address.

Given the above, it is suggested the draft policy should focus on hard infrastructure. This is an important matter requiring direction from Council.

Developer/subdivider perspectives

Developers/subdividers generally seek a consistent application of policy, do not want large costs imposed that were not anticipated at the time of acquiring the property (they seek as much certainty as possible), and typically view costs (including developer/subdivider contributions) on their impact on profit (for instance, the average cost per lot/unit including contributions compared to the likely financial return). Arguably, developers/subdividers may be more willing to accept the contribution if it results in a better standard of development/subdivision, assists to increase marketability through improved infrastructure, services or facilities, or which leads to increased value of the site etc.

Subject to the proposed developer/subdivider contribution being equitable for any proposal, it is suggested that the draft policy will not create overall impact on the viability for most developments/subdivisions proceeding in this municipality. Undoubtedly, there will be some developers/subdividers who consider the draft policy

will make their project unviable. Some of these proposals may be in relatively isolated areas with either non-existent or sub-standard infrastructure, services and facilities, where substantial development/subdivision may be inappropriate due to various reasons including creating unsustainable demands on infrastructure, services and facilities.

Where developers/subdividers consider the policy will make their project unviable, the Council will need to consider the merits of the development/subdivision proposal, the reasons put forward by the proponent as to why the contribution should not apply, anticipated impacts/demands of the proposal, and weigh-up on-going Council financial sustainability and equity considerations.

The officer recommendation, if adopted, will enable the Council the opportunity to formally obtain the views of the development industry and related business sector on the draft policy.

Legal tests of planning conditions

Planning conditions which are imposed as a result of implementing Council's Local Planning Scheme and/or Council's Local Planning Policies, including the draft Developer and Subdivider Contributions Policy, are required to meet key legal tests of validity. In summary, a planning condition must:

- be imposed for a proper planning purpose (including matters set out in the *Planning and Development Act 2005* and Council's Local Planning Scheme) and whether the condition, in the particular circumstances of the case, fulfils the proper planning purpose;
- reasonably relate to the subject matter of the planning approval – the condition must have a “nexus” with the development/subdivision;
- be reasonable – including what the developer/subdivider is expected to realise from the development/subdivision and also consideration of public and private interests, the allocation of scarce resources, and the availability of infrastructure and services; and
- be final, precise, certain and enforceable.

Next steps

The draft policy is considered appropriate to be publicly advertised for community and stakeholder comment. Public advertising of the draft policy will assist to draw out comment from the community and stakeholders. It is proposed to consult widely for a six (6) week period by the Shire administration writing to and inviting comments from wide-ranging stakeholders and government agencies, placing public notices and details in local papers on multiple occasions, placing details on the Shire of Nannup website and information being available at the Shire office.

The goal of the draft policy is to encourage community and stakeholder debate and to seek the receipt of submissions. Following the close of the consultation period, the

Council and the Shire administration will consider the submissions and determine whether the draft policy is suitable for final adoption or whether it should be modified. The objective is to finalise a policy which will assist to increase certainty for everyone with an interest in this issue and which will provide increased guidance to Council and the Shire administration in assessing development applications, providing recommendations to the WAPC on subdivision applications and determining scheme amendment, structure plan or development guide plan requests.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005 and *Shire of Nannup Local Planning Scheme No. 3 (LPS3)*. Section 2.4 of LPS3 provides the ability to prepare, amend or rescind a Planning Policy.

POLICY IMPLICATIONS:

Local Planning Policies are non-statutory documents which provide guidance to assist the Council in its decision making. Accordingly, the Council is not bound by the policy but is required to have regard to the policy in determining planning applications.

Subject to Council's resolution, the Shire administration will publicly advertise the draft *Developer and Subdivider Contributions Local Planning Policy* inviting community and stakeholder comments.

FINANCIAL IMPLICATIONS:

Unless appropriate developer/subdivider contributions are sought, the Council will become less financially sustainable and it will place increased pressure to appropriately maintain existing levels of infrastructure, services and facilities (let alone deal with the issues of increased development, subdivision, population, impacts/demands on infrastructure, services and facilities etc). It is therefore suggested that contributions from developers/subdividers will become increasingly important in this municipality.

Should the Council not support a more comprehensive developer/subdivider contributions policy, it weakens the Shire administration being able to successfully negotiate appropriate outcomes of behalf of the local community. In-turn, not obtaining appropriate developer/subdivider contributions is expected to result in:

- sub-standard services, infrastructure and facilities that may also present increased safety issues;
- pressure for Council to meet associated costs which may be unbudgeted and do not feature in Council's Strategic Plan or Council's Plan for the Future;
- funding impacts on other Shire operational matters (which could impact the Shire undertaking its statutory requirements);

- leading to Council being less financially sustainable; and
- equity issues for the local community.

STRATEGIC IMPLICATIONS:

The policy, if adopted will assist:

- the decision-making of the Council, the Shire administration and other stakeholders;
- to promote Council financial sustainability;
- to inform developers/subdividers as to where contributions are required; and
- to raise community and stakeholder awareness regarding the funding of infrastructure, services and facilities.

Adoption of the policy is anticipated to result in wide ranging economic and community/social implications and some of these are outlined in this report and in the attached draft policy.

VOTING REQUIREMENTS: Simple majority.

RECOMMENDATION:

That Council:

1. Support the public release of draft *Local Planning Policy 20 – Developer and Subdivider Contributions*, outlined in Attachment 1, and require the draft policy to be publicly advertised in accordance with the requirements set out in the *Shire of Nannup Local Planning Scheme No. 3* for a period of six (6) weeks.
2. Will reconsider draft *Local Planning Policy 20 – Developer and Subdivider Contributions* following the close of the public submission period and will determine whether or not to adopt the policy with or without modifications.

8909 GILBERT/MELLEMA

That Council:

1. Support the public release of draft *Local Planning Policy 20 – Developer and Subdivider Contributions*, outlined in Attachment 1, and require the draft policy to be publicly advertised in accordance with the requirements set out in the *Shire of Nannup Local Planning Scheme No. 3* for a period of six (6) weeks.
2. Will reconsider draft *Local Planning Policy 20 – Developer and Subdivider Contributions* following the close of the public submission period and will determine whether or not to adopt the policy with or without modifications.

CARRIED 8/0

Consultant Planner, S Thompson left the meeting at 18.10 hrs

AGENDA NUMBER:11.5

SUBJECT: Acceptance of Crime Prevention Grant

LOCATION/ADDRESS: N/A

NAME OF APPLICANT: N/A

FILE REFERENCE:FNC 6J

AUTHOR: Kerrie Yabsley – Youth and Events Officer

REPORTING OFFICER: Robert Jennings – Chief Executive Officer

DISCLOSURE OF INTEREST: None

DATE OF REPORT: 18 February 2013

Attachment 1: Letter of offer from Strategic Crime Prevention Division

BACKGROUND:

Funding acknowledgement has been received of \$9030 from the Community Crime Prevention Fund. As this funding is over \$5,000, Council is required to accept the funding as per Council policy FNC 6.

The grant funding is to run two youth camps. The first is aimed at young men and is to assist in offering male mentoring and leadership skills. The second is aimed at both sexes and aims to offer leadership skills and confidence both individually and within a group.

COMMENT:

The first camp has been designed to include around 5 days of walking and camping on the Cape to Cape walking track and is suited to boys ranging in age from 12 to 15 years. This camp aims to build social cohesion and offer male role modelling or mentoring. This male role modelling is important in this particular age group of young men.

The second camp will offer a similar experience in the way of activities to allow those who participated in the first camp a chance to follow up on skills recently learnt or demonstrate leadership attributes offered in the first camp. It also allows young women a chance to participate.

Funded activities will include:

- Abseiling and rock climbing
- Facilitators
- Art therapy workshops

- Surf lessons
- Workshop at the Wardan Aboriginal Center

There looks to be no additional shire contribution required to this grant outside of the current budgeted funding for the Youth Officer and youth activities.

Due to the time constraints to submit the agreement, a letter was sent to the Strategic Crime Prevention Division advising that it will be recommended to Council to be endorsed at this meeting.

STATUTORY ENVIRONMENT: None.

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS: None.

STRATEGIC IMPLICATIONS:

Male Mentoring has been Identified in the proposed Youth Strategic Plan, which is currently being written.

VOTING REQUIREMENTS: Simple majority.

RECOMMENDATION:

That Council accept the funding of \$9,030.00 from the Crime Prevention Fund to undertake the proposed youth camps.

8910 DUNNET/MELLEMA

That Council accept the funding of \$9,030.00 from the Crime Prevention Fund to undertake the proposed youth camps.

CARRIED 8/0

AGENDA NUMBER:	11.6
SUBJECT:	Recreation Centre Upgrade
LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	REC 2a
AUTHOR:	Louise Stokes- Community Development Officer
REPORTING OFFICER:	Robert Jennings – Chief Executive Officer
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	8 February 2013

Attachment 1: Recreation Centre Plans

BACKGROUND

At the August 2012 meeting, it was resolved:

1. *That the CSRFF grant application of Stage 1, Option 3 be submitted by Council to the Department of Sport and Recreation.*

Correspondence has been received announcing that this application was successful in receiving funding of \$660,000 over two financial years. As this funding is over \$5,000, Council is required to accept the funding in accordance with policy FNC6.

COMMENT

Since this funding application was submitted, in consultation with the community and the Nannup Sport & Recreation Association, further architectural design and planning has been undertaken. The floor area of the stage 1 proposal is reduced and whilst there is still a separate building as approved by Council, the new building is more closely integrated to the main recreation centre. The design also provides for a Youth Space and possible Creche use.

The revised draft plans have been presented to the Nannup Sport and Recreation Association for comment and were verbally supported.

The preliminary estimated cost of stage 1 construction is now \$2.9 million, which is \$262,640 over budget. The Chief Executive Officer is currently working with the Architect to revise the quantity estimates.

The current status of funding confirmation is:

Organisation	Budget for Option 3a (\$)	Confirmed
Royalties for Regions CLGF 2010/11	205,490	Yes
Royalties for Regions CLGF 2011/12	140,000	Yes
Nannup Sports Association	170,000	Yes
Shire of Nannup Reserve	791,870	Yes
Lotterywest	80,000	No
DSR CSRFF grant	660,000	Yes
Corporate sponsorship	250,000	No
Community fundraising	240,000	No
Shire of Nannup Council budget 2013/14	100,000	Yes
Total	2,637,260	

STATUTORY ENVIRONMENT: None.

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS: None.

STRATEGIC IMPLICATIONS:

Shire of Nannup Forward Plan 2011/12-2015/16 Program 11.A - Recreation and Culture. That Council undertake upgrade to the Recreation and Community Centre per adopted plans and funding available.

VOTING REQUIREMENTS: Simple Majority.

RECOMMENDATION:

1. That Council receive the revised plans for the Recreation Centre and advertise the plans for a period of thirty days for public consultation once the revised Quantity Estimates are received.
2. That the Department of Sport and Recreation CSRFF grant of \$660,000 is accepted.

8911 GILBERT/MELLEMA

1. That Council receive the revised plans for the Recreation Centre and advertise the plans for a period of thirty days for public consultation once the revised Quantity Estimates are received.
2. That the Department of Sport and Recreation CSRFF grant of \$660,000 is accepted.

CARRIED 8/0

Public Copy

AGENDA NUMBER:	11.7
SUBJECT:	Royalties for Regions Allocations
LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	ASS 17
AUTHOR:	Vic Smith – Manager Corporate Services
REPORTING OFFICER:	Robert Jennings – Chief Executive Officer
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	9 January 2013

Attachment 1: Financial Summary

BACKGROUND

The Council receives substantial funding through Royalties for Regions grants. This report seeks to update Council on the current status of these grants and to seek endorsement to the deployment of future allocations.

COMMENT

The following paragraphs set out the status of Royalties for Regions grants from 2009/10 to 2013/14. The starting point of 2009/10 has been chosen because this grant was finally acquitted in 2012/13, following the completion of work to the Asset Management Plan. Allocations beyond 2013/14 are still subject to some uncertainty and a further report will be presented to Council once the future position on these grants is clearer.

In order to view the full picture on the projects supported by these grants, a summary of the full funding and expenditure on the projects is shown in Attachment 1.

2009/10

The 2009/10 Royalties for Regions grant was \$35,000 and covered the development of the Forward Capital Works Plan and the Asset Management Plan. Actual spending was as follows:

Element	Budget \$	Actual \$
Income Grant	35,000	35,000
Expenditure		
Forward Capital Works Plan	15,840	10,188
Asset Management Plan	11,960	24,812

Internal resources	7200	0
Total Expenditure	35,000	35,000
Balance	0	0

This grant was acquitted in December 2012.

2010/11

From 2010/11 onwards the grants have been split into individual and regional components.

The individual allocation for 2010/11 covered six projects. Actual income and grant expenditure to 31 January 2013 was as follows:

Element	Budget \$	Actual \$
Income		
Grant	381,625	381,625
Expenditure		
Cockatoo Valley Footpath	80,000	80,000
Foreshore improvements	15,000	0
Scott River Fire Shed	21,625	21,625
Town Entrances	50,000	50,000
FROGS	120,000	120,000
Marinko Thomas Park	95,000	95,000
Total Expenditure	381,625	366,625
Balance	0	15,000

Works relating to the outstanding project are currently under way.

The regional allocation for 2010/11 was devoted entirely to the Recreation Centre project. Actual income and grant expenditure to 31 January 2013 was as follows:

Element	Budget \$	Actual \$
Income		
Grant	205,490	205,490
Expenditure		
Building construction	205,490	0
Balance	0	205,490

2011/12

The individual allocation for 2011/12 covered three projects. Actual income and grant expenditure to 31 January 2013 was as follows:

Element	Budget \$	Actual \$
Income		
Grant	<u>335,468</u>	<u>335,468</u>
Expenditure		
Brockman Street caravan park	100,000	4,346
Heart of Nannup – consultation & design	14,250	14,250
Heart of Nannup – services relocation	81,468	0
Recreation Centre	140,000	0
Total Expenditure	<u>335,468</u>	<u>18,596</u>
Balance	<u>0</u>	<u>316,872</u>

The regional allocation for 2011/12 covered three projects. Actual income and grant expenditure to 31 January 2013 was as follows:

Element	Budget \$	Actual \$
Income		
Grant	<u>250,188</u>	<u>250,188</u>
Expenditure		
Heart of Nannup - design	33,528	33,528
Heart of Nannup – service relocations	95,000	0
Heart of Nannup - footpaths & kerbs	106,500	0
Heart of Nannup – traffic management	7,160	0
Heart of Nannup – project management	8,000	0
Total Expenditure	<u>250,188</u>	<u>33,528</u>
Balance	<u>0</u>	<u>216,660</u>

2012/13

Funding documents for 2012/13 are still in the process of being agreed and no expenditure has yet been incurred against projects. The individual allocation for 2012/13 is split between the Heart of Nannup and the Brockman Street caravan park projects. The regional allocation is devoted entirely to the Heart of Nannup project. This is summarised below.

Element	Individual \$	Regional \$	Total \$
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Heart of Nannup	235,468	386,188	621,656
Brockman Street caravan park	100,000	0	100,000
Total	<u>335,468</u>	<u>386,188</u>	<u>721,656</u>

2013/14

The allocations for 2013/14 are now due to be drafted. The funding is once again to be split evenly between individual and regional projects. The following allocations are suggested:

Element	Individual \$	Regional \$	Total \$
Heart of Nannup	215,000	200,000	415,000
WAEMI	120,428	130,000	250,468
Total	<u>335,468</u>	<u>330,000</u>	<u>665,468</u>

STATUTORY ENVIRONMENT: Local Government Act 1995.

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS:

Allocations of \$665,468 of Royalties for Regions grants.

STRATEGIC IMPLICATIONS: Nil.

VOTING REQUIREMENTS: Simple Majority.

RECOMMENDATION:

Council endorse the allocations of the Royalties for Regions grants for 2013/14 as set out in this report.

8912 DUNNET/GILBERT

Council endorse the allocations of the Royalties for Regions grants for 2013/14 as set out in this report.

CARRIED 8/0

Cr Longmore declared an impartiality interest as a result of a relationship with one of the candidates.

8913 STEER / DUNNET

Cr Longmore to stay, participate and vote on item 11.8 – Noise Monitoring Fees

CARRIED 7/0

AGENDA NUMBER:	11.8
SUBJECT:	Noise Monitoring Fees
LOCATION/ADDRESS:	Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	FNC 10
AUTHOR:	Vic Smith – Manager Corporate Services
REPORTING OFFICER:	Vic Smith – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	4 February 2013

BACKGROUND:

The Council's health consultant has identified a need to set fees to respond to noise issues within the Shire. Although fees and charges are normally set at the time of the budget adoption, Section 6.16(3) of the Local Government Act 1995 allows for fees and charges to be imposed or amended during the financial year.

COMMENT:

Council has previously agreed a fee for non-complying events of \$500. A non-complying event, under Regulation 18 of the Environmental Protection (Noise) Regulations 1997, is an event that would exceed the normal noise levels allowed under Regulation 7. In these circumstances an application must be made to allow the event to be held and attracts a statutory fee of \$500.

Council has not previously set any fees to cover the cost of noise monitoring. To undertake noise monitoring it would be necessary to hire noise monitoring equipment, as this equipment is extremely expensive and would only be used on limited occasions, making it uneconomic to purchase. In addition there would be costs associated with the Council's health consultant undertaking the monitoring work.

The following fee structure is therefore proposed for noise monitoring:

Regulation 18 Non Complying Event (Noise)	\$500.00
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Hire of Sound Meter (per occasion)	\$135.00
Noise Monitoring Fee (per hour)	\$95.00

STATUTORY ENVIRONMENT:

Local Government Act 1995 Sections 6.16(3).

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS:

Reduced cost of dealing with noise monitoring issues.

STRATEGIC IMPLICATIONS: None.

VOTING REQUIREMENTS: Absolute majority.

RECOMMENDATION:

That Council approve the following fees for the monitoring of noise:

Regulation 18 Non Complying Event (Noise)	\$500.00
Hire of Sound Meter (per occasion)	\$135.00
Noise Monitoring Fee (per hour)	\$95.00

8914 STEER/LORKIEWICZ

That Council approve the following fees for the monitoring of noise:

Regulation 18 Non Complying Event (Noise)	\$500.00
Hire of Sound Meter (per occasion)	\$135.00
Noise Monitoring Fee (per hour)	\$95.00

CARRIED 5/3

Voting for the motion: Camarri, Dean, Gilbert, Mellema and Steer.

Voting against the motion: Dunnet, Lorkiewicz and Longmore.

AGENDA NUMBER:	11.9
SUBJECT:	Review of Code of Conduct
LOCATION/ADDRESS:	Nannup
NAME OF APPLICANT:	N/A
FILE REFERENCE:	ADM 13
AUTHOR:	Vic Smith – Manager Corporate Services
REPORTING OFFICER:	Vic Smith – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	13 February 2013

Attachment 1: Code of Conduct 2013

BACKGROUND:

The Local Government Act 1995 requires that:

Every local government is to prepare or adopt a Code of Conduct to be observed by Council members, committee members and employees.

The Code of Conduct was last reviewed 25 March 2010.

COMMENT:

The Code of Conduct has been reviewed and is submitted to Council for approval.

There are very few changes suggested. Some of the wording has been clarified and strengthened (e.g. replacing “is to” with “must”). The only other amendment is to increase the value of the “token gift” amount from \$30 to \$40.

STATUTORY ENVIRONMENT: Local Government Act 1995 Section 5.103.

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS: None.

STRATEGIC IMPLICATIONS: None.

VOTING REQUIREMENTS: Simple Majority.

RECOMMENDATION:

Council adopt the Code of Conduct 2013 as set out in Attachment 1.

LORKIEWICZ/CAMARRI

Council adopt the Code of Conduct 2013 as set out in Attachment 1, with the inclusion; “that all gifts need to be included in the register”.

LOST 2/6

Voting for the motion: Camarri and Lorkiewicz

Voting against the motion: Dean, Dunnet, Gilbert, Longmore, Mellema and Steer.

8915 GILBERT/STEER

Council adopt the Code of Conduct 2013 as set out in Attachment 1.

CARRIED 7/1

Voting for the motion: Dean, Camarri, Dunnet, Gilbert, Longmore, Mellema and Steer.

Voting against the motion: Lorkiewicz

Public Copy

AGENDA NUMBER:	11.10
SUBJECT:	Compliance Audit Return 2012
LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	ADM 14
AUTHOR:	Vic Smith – Manager Corporate Services
REPORTING OFFICER:	Vic Smith – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	15 January 2013

Attachment 1: Completed 2012 Compliance Audit Return

BACKGROUND:

Council is required by section 14 of the Local Government Audit Regulations 1996 to complete a Compliance Audit Return each year covering the period 1 January to 31 December. The Compliance Audit Return is to be:

1. Presented to Council at a meeting of the Council.
2. Adopted by the Council.
3. The adoption recorded in the minutes of the meeting at which it is adopted.
4. Signed by the Shire President and Chief Executive Officer and returned to the Department of Local Government with a copy of the Council minutes of the meeting at which it was received.

The return must also be reviewed by the Audit Committee prior to its adoption by Council.

COMMENT:

The Annual Compliance Audit Return contains 78 questions of which:

- 50 were complied with; and
- 28 were not applicable to the Shire of Nannup during the year under review.

There were no areas of non-compliance.

STATUTORY ENVIRONMENT: Local Government Audit Regulations 1996.

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS: None.

STRATEGIC IMPLICATIONS: None.

VOTING REQUIREMENTS: Simple Majority.

RECOMMENDATION:

That Council adopt the Local Government Compliance Audit Report for the Shire of Nannup for the period 1 January 2012 to the 31 December 2012, and submits the report to the Department of Local Government as required.

LORKIEWICZ//CAMARRI

Include amendment that gifts need to be included in the register.

LOST 2/6

8916 GILBERT/LONGMORE

That Council adopt the Local Government Compliance Audit Report for the Shire of Nannup for the period 1 January 2012 to the 31 December 2012, and submits the report to the Department of Local Government as required.

CARRIED 8/0

AGENDA NUMBER:	11.11
SUBJECT:	Annual Electors Meeting Minutes
LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	ADM 17
AUTHOR:	Vic Smith – Manager Corporate Services
REPORTING OFFICER:	Vic Smith – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	19 February 2013

Attachment: Electors Meeting Minutes 18 February 2013

BACKGROUND:

The 2011/12 Annual Meeting of Electors for the Shire of Nannup was held on 18 February 2013 and the minutes are attached.

COMMENT:

Council is required to consider any decisions made at the electors meeting at the next ordinary council meeting held.

There were no decisions made at the electors meeting, though previously there has been some discussion as to whether the receipt of the Annual Report constitutes a decision. To ensure absolute compliance a recommendation to note this matter is put forward. Other points raised at the meeting as noted in the minutes have been actioned or noted where applicable. The questions taken on notice have been responded to in writing.

STATUTORY ENVIRONMENT:

Section 5.33 (1) Local Government Act 1995.

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS: None.

STRATEGIC IMPLICATIONS: None.

VOTING REQUIREMENTS: Simple Majority.

RECOMMENDATION:

That Council receive the 2011/12 Annual Electors Meeting minutes held 18 February 2013.

8917 GILBERT/MELLEMA

That Council receive the 2011/12 Annual Electors Meeting minutes held 18 February 2013.

CARRIED 8/0

Public Copy

AGENDA NUMBER:	11.12
SUBJECT:	Budget Monitoring 2012/13
LOCATION/ADDRESS:	Nannup
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 15
AUTHOR:	Tracie Bishop – Finance Officer
REPORTING OFFICER:	Vic Smith – Manager Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	19 February 2013

Attachment 1: Monthly Financial Statements for p/ending 31 December 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.

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 Attachment 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:

1. As reported in December, income from domestic and recycling collections is anticipated to be lower than forecast by \$12,000. This is in part offset by higher tip fees than budgeted.
2. When the 2012/13 budget was set the financial impact of assuming responsibility for the caravan park could not be quantified. At the time of writing this report the net cost of operating the park was approximately \$19,500.

As per the January report, the invoice raised to the Nannup Tourism Association for \$16,000 has now been paid. This money was in respect of advance bookings taken for the 2013 Music Festival. Overall, the budget for

the caravan park will be reassessed as part of the budget review to be reported to Council in March.

3. While the final figure for the Australia Day Concert is still to be collated, it is expected that the net result will be a loss of approximately \$10,000. It is anticipated that the final figure will be available within the next month when all accounts have been received and paid at this office.
4. If expenditure continues at its current rate planning expenses will be over budget by approximately \$11,000 at the end of the financial year. This is attributed to higher than anticipated planning issues arising, which has resulted in more contract planning services being required. Income from this area is down significantly from last year. To date it is anticipated that income will be approximately \$3,500 lower than that budgeted for by year's end.
5. Grant income that was expected to finance the cultural plan was not forthcoming. The result is that \$8,000 was taken from the branding budget to cover costs to this area. Expenses incurred for branding were actually incurred in the 11/12 financial year.

STATUTORY ENVIRONMENT: Local Government (Financial Management)
Regulation 34(1)(a)

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS: None.

STRATEGIC IMPLICATIONS: None.

VOTING REQUIREMENTS: Simple Majority.

RECOMMENDATION:

It is recommended that the Monthly Financial Statements for the period ending 31 December 2012 be received.

8918 MELLEMA/LONGMORE

It is recommended that the Monthly Financial Statements for the period ending 31 December 2012 be received.

CARRIED 8/0

AGENDA NUMBER:	11.13
SUBJECT:	January Accounts for Payment
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 8
AUTHOR:	Tracie Bishop – Finance Officer
REPORTING OFFICER:	Vic Smith – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	19 February 2013

Attachment 1: Schedule of Accounts for Payment

BACKGROUND:

The Accounts for Payment for the Nannup Shire Municipal Account fund and Trust Account fund 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	4408 - 4528	\$1,044,353.79
Accounts paid by cheque	19034 - 19068	\$18,980.82
Accounts paid by direct debit	99360 – 99367	\$48,961.40

Trust Account

Accounts Paid by Cheque	Nil	\$200.00
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STATUTORY ENVIRONMENT: LG (Financial Management) Regulation 13

POLICY IMPLICATIONS: None.

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

STRATEGIC IMPLICATIONS: None.

VOTING REQUIREMENTS: Simple majority

RECOMMENDATION:

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$1,112,496.01 in the attached schedule be endorsed.

8919 LONGMORE/MELLEMA

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$1,112,496.01 in the attached schedule be endorsed.

CARRIED 8/0

Public Copy

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

8920 GILBERT/MELLEMA

That Council introduce new business of an urgent nature.

12(a)1. Expression of Interest – Visitor Centre

12(a)2. Acceptance of South West Development Commission Grant for WAEMI Business Case

CARRIED 8/0

AGENDA NUMBER: 12 (a) 2

SUBJECT: Acceptance of South West Development Commission West Australia Emergency Management Institute (WAEMI) Business Case Grant

LOCATION/ADDRESS: N/A

NAME OF APPLICANT: N/A

FILE REFERENCE:FNC 6E

AUTHOR: Louise Stokes- Community Development Officer

REPORTING OFFICER: Robert Jennings – Chief Executive Officer

DISCLOSURE OF INTEREST: None

DATE OF REPORT: 24 February 2013

BACKGROUND:

Funding acknowledgement has been received of \$25,000 from the South West Development Commission to undertake a Business Case for the proposed West Australian Emergency Management Institute. As this funding is over \$5,000, Council is required to accept the funding as per Council policy FNC 6.

COMMENT:

The development of a Business Case is a requirement for Country Local Government Funding through the Royalties for Regions program and is fully funded by the South West Development Commission.

STATUTORY ENVIRONMENT: None.

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS: None.

STRATEGIC IMPLICATIONS:

The West Australian Emergency Management Institute has been identified as a strategic priority in the Shire of Nannup Strategic Plan as part of the Integrated Planning requirements of Council.

VOTING REQUIREMENTS: Simple majority.

RECOMMENDATION:

That Council accept the funding of \$25,000 from the South West Development Commission to undertake the Business Case for the West Australian Emergency Management Institute.

8921 GILBERT/MELLEMA

That Council accept the funding of \$25,000 from the South West Development Commission to undertake the Business Case for the West Australian Emergency Management Institute.

CARRIED 8/0

12a.1 Confidential Item

Note: *Local Government Act 1995 s5.23 applies:*

(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —

(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;

(e) a matter that if disclosed, would reveal —

(ii) information that has a commercial value to a person; or

(iii) information about the business, professional, commercial or financial affairs of a person

8922 GILBERT/DUNNET

That Council close the meeting to the public.

CARRIED 8/0

The meeting was closed to the public at 18.25 hrs.

The public left the meeting.

Cr Longmore declared an impartiality interest as a result of being a member of the committee.

GILBERT/MELLEMA

Cr Longmore to stay, participate and vote on item;

12(A).1 – Nannup Visitor Services Expression of Interests (EOI) Consideration

LOST 1/6

Voting for the motion: Gilbert.

Voting against the motion: Dean, Camarri, Dunnet, Lorkiewicz, Longmore, Mellema and Steer.

Cr Longmore left the meeting at 18.27hrs.

Cr Steer left the meeting at 18.27hrs.

AGENDA NUMBER: 12(a) 1
SUBJECT: Nannup Visitor Services Expression of Interests (EOI) Consideration
LOCATION/ADDRESS: Various
NAME OF APPLICANT: N/A
FILE REFERENCE: TRS 3
AUTHOR: Louise Stokes – Community Development Officer
REPORTING OFFICER: Robert Jennings – Chief Executive Officer
DISCLOSURE OF INTEREST: None
DATE OF REPORT: 25 February 2013

CARRIED 6/0

8925 GILBERT/MELLEMA

That Council recommend the following (with the added underlined amendment):

Endorses the Nannup Community Resource Centre as the successful respondent for the Nannup Visitor Services Expression of Interests (EOI) and directs officers to administer the Expression of Interest agreement to specify up to \$30,000.00 to be considered as part of the negotiation, dated 1 April 2013 and any subsequent requirements.

CARRIED 6/0

Reason for Change: For clarity.

12 (b) ELECTED MEMBERS

None.

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

None.

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

None.

15. CLOSURE OF MEETING

There being no further business to discuss the Shire President declared the meeting closed at 18.38 hrs.

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