



Shire of
Nannup
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Minutes

Council Meeting Thursday 26 September 2013

CONFIRMATION OF MINUTES

These minutes comprising pages 1 - 46 were confirmed by Council on 24 October 2013 as a true and accurate record.

.....
Tony Dean
SHIRE PRESIDENT

Minutes

1. **DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**
2. **RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**
(previously approved)
3. **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
4. **PUBLIC QUESTION TIME**
5. **APPLICATIONS FOR LEAVE OF ABSENCE**
6. **PETITIONS/DEPUTATIONS/PRESENTATIONS**
7. **DECLARATIONS OF INTEREST**
8. **CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

9021 Confirmation of Previous Minutes 2

9. **ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**
10. **REPORTS BY MEMBERS ATTENDING COMMITTEES**
11. **REPORTS OF OFFICERS**

Minute No.	Agenda No.	Description	Page No.
9022	11.1	Local Planning Policy No. 21 – Bush Fire Management: Submitted for final adoption	3
9023	11.2	Amendment No.15 to the Shire of Nannup Local Planning Scheme No. 3: submitted for adoption (initiation)	11
9024		Procedural motion	14
9025	11.3	Memorandum of Understanding between the Nannup Music Club and the Shire of Nannup 2015-2017	
9026	11.4	WALGA Cat Act Implementation Grant Program	17
9027	11.5	Lotterywest Nannup Town Hall Centenary Grant	19
9028	11.6	Shire of Nannup Promotions Plan	21
9029	11.7	Review of Disability Access and Inclusion Plan	23
9030	11.8	Policy WRK 7 Installation of Crossover	25
9031	11.9	Unbudgeted Expenditure - Community Grants 2013	27
9032	11.10	CLGF Funding – Individual Local Governments 2012/13	29

**Shire of Nannup
Ordinary Council Meeting Minutes: September 2013**

9033	11.11	HAB7 - Events Management Policy	31
9034	11.12	Local Dog Law	33
9035	11.13	Cat and Dog Registration Fees	36
9036	11.14	Budget Monitoring 2013/14	39
9037	11.15	Month Accounts for Payment –August 2013	41

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

- (a) OFFICERS
- (b) ELECTED MEMBERS

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

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

15. CLOSURE OF MEETING

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Chairperson declared the meeting open at 16.16 hours.

ATTENDANCE:

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

Robert Jennings - Chief Executive Officer

Vic Smith - Manager Corporate Services

Chris Wade – Manager Infrastructure

VISITORS: 4

APOLOGIES: Councillor Camarri

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

(previously approved)

None.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

None.

4. PUBLIC QUESTION TIME

Ms M Longmore

Q1. In reference to item 11.11, does the event management plan apply to private events and concerts at the Bowling Club for example?

Manager Corporate Services responded;

A1. No, private events do not need an event management plan as it is not intended to apply to private functions.

Yes, it may apply to a concert at the Bowling Club if it is outside of the current approvals for the building.

Ms P Fraser

Q2. What did the Lotterywest grant pay for at the Town Hall?

This question was taken on notice.

Q3. When did the Shire change policy about removing trees from fence lines?

Manager Infrastructure responded;

A3. There has been no change in the policy. Trees will be removed if it makes sense to do so and if resources allow after storms but it is not a normal function of Council. Under the Local Government Act Council is not required to remove trees from Council controlled land that have fallen on private property.

Q4. When will there be a meeting to discuss the Argentine ants being treated?

Cr Longmore responded;

A4. This will happen in November 2013.

Q5. Will the main persons contributing to the problem be invited?

This question was taken on notice.

5. APPLICATIONS FOR LEAVE OF ABSENCE

None.

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

None.

7. DECLARATIONS OF INTEREST

There were 2 declaration of Interest presented during the meeting.

1. Cr Longmore. - Impartiality
Item 11.3 MOU between the Nannup Music Club and the Shire of Nannup 2015-2017
2. Cr Dunnet. - Financial
Item 11.9 Unbudgeted Expenditure - Community Grants 2013

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

9021 STEER/LONGMORE

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 22 August 2013 be confirmed as a true and correct record.

CARRIED 7/0

9. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Shire President gave thanks to the retiring members Camarri and Dunnet.

10. REPORTS BY MEMBERS ATTENDING COMMITTEES

FCO Training

South West Local Emergency Management Association

Sponsorship meeting for the Recreation Centre upgrade

11. REPORTS OF OFFICERS

AGENDA NUMBER:	11.1
SUBJECT:	Local Planning Policy No. 21 – Bush Fire Management: Submitted for final adoption
LOCATION/ADDRESS:	Applies throughout the municipality
NAME OF APPLICANT:	Shire of Nannup
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	16 September 2013

Attachment: 1. Local Planning Policy No. 21 Bush Fire Management (LPP 021)
2. Submissions
3. Correspondence from DPaW

BACKGROUND:

This report sets out the public consultation outcomes and seeks Council's final adoption of *Local Planning Policy No. 21 Bush Fire Management*. The recommended adopted version of the policy is set out in Attachment 1 and incorporates amendments from the version that was publicly advertised. Recommended amendments are outlined in "highlight" or "strikeout".

The Council at its meeting on 27 June 2013 resolved the following at resolution number 8977:

"That Council:

1. Support the public release of draft *Local Planning Policy 21 – Bush Fire Management*, 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 21 – Bush Fire Management* following the close of the public submission period and will determine whether or not to adopt the policy with or without modifications."

In accordance with the Council resolution, the Shire administration consulted extensively for a 6 week period by writing to and inviting comments from relevant stakeholders and government agencies, placing public notices in local papers on multiple occasions, placing details on the Shire website and having information available at the Shire office.

The Shire received four submissions on the draft policy, which are provided in Attachment 2 and one late submission in Attachment 3. Overall, there was no objection to the draft policy however various modifications were suggested. The submission from Mr Greg Penney from RUIC Fire raised a number of issues/errors with the State Government's *Planning for Bush Fire Protection Guidelines*. In summary, as outlined in the "Comment" section, these comments are noted but they are outside of the influence of the Shire and what can be addressed through the policy.

Previously, the Shire administration undertook preliminary consultation with the Bush Fire Brigade Chief, Bush Fire Brigade Captains and the Department of Fire and Emergency Services (DFES) on the draft policy. This revealed support for the draft policy and only minor suggested changes were outlined.

The Council does not have a planning policy relating to bush fire management.

Planning and building context

The policy seeks to complement the *Shire of Nannup Local Planning Scheme No. 3 (LPS3)* and the associated *Bush Fire Hazard Strategy - Shire of Bridgetown-Greenbushes and Shire of Nannup*. For land designated as Bushfire Prone in the Strategy, this will require new habitable buildings or additions to habitable buildings to comply with *Australian Standard AS3959-2009 Construction of Buildings in Bushfire Prone Areas* unless the Shire supports documentation from a suitably qualified and/or experienced practitioner that the land is not Bushfire Prone.

Some of the important planning and building documents that influence the policy are summarised below.

Planning for Bush Fire Protection Guidelines (Edition 2)

The Western Australian Planning Commission (WAPC) and the former Fire and Emergency Services Authority (now DFES) have developed the *Planning for Bush Fire Protection Guidelines* (Edition 2, May 2010). These Guidelines are designed, in part, for local governments to use to assess the risk of bushfire hazard in a proposed development or subdivision. The focus of these Guidelines is "ensuring that bush fire hazards are considered in planning decisions at all stages of the planning process to avoid increased fire risk to life and property through inappropriately located or designed land use and development." (page 1)

Local Planning Scheme No. 3

Scheme Amendment No.12, gazetted on 3 May 2013, introduced part 13 into LPS3. This states:

- “13.1 Bushfire Prone Areas are those areas designated as such, by the Bushfire Prone Area Maps as endorsed by Council, which form part of the Scheme for the purposes of Part 13.
- 13.2 Construction and/or additions to habitable buildings throughout the municipality in areas classified as Bush Fire Prone, will be subject to the relevant requirements pursuant to the Building Code of Australia, Australian Standard 3959 – 2009 (or any updates).
- 13.3 The Bushfire Prone Area Maps may be amended from time to time and are to be held at the local government office.
- 13.4 If an owner disputes their land's identification within a designated Bushfire Prone Area that owner may request in writing that the local government reconsider that identification. Supporting documentation is to be provided 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.
- 13.5 On receiving a request made under sub-clause 13.4, the local government may determine that the land is not within a designated Bushfire Prone Area; or determine that the land's identification within a designated Bushfire Prone Area is correct.
- 13.6 Applications for the construction and/or addition to habitable buildings within Bushfire Prone Areas are to be accompanied by a report from a suitably qualified and/or experienced practitioner, which is to identify the Bushfire Attack Level (BAL) in accordance with the requirements of the Planning for Bush Fire Protection Guidelines (Edition 2) or any updates. The BAL level will inform the application of AS3959.
- 13.7 The landowner will be responsible for permanent hazard reduction measures to maintain the identified BAL.
- 13.8 In considering proposals (including applications for planning approval, subdivision applications and structure plans) where there are bush fire risks, the local government is to have regard to –
- a) State Planning Policy 3.4 Natural Hazards and Disasters;
 - b) Planning for Bush Fire Protection Guidelines (Edition 2) or any updates;
 - c) any advice obtained from the Department of Fire and Emergency Services; and

- d) any other planning consideration the local government considers relevant.
- 13.9 The local government may impose conditions to reduce bush fire risk to people and/or property including –
- a) the provision of a fire fighting water supply;
 - b) the provision of fire services access;
 - c) the preparation of a Fire Management Plan in accordance with the Planning for Bush Fire Protection Guidelines (Edition 2), or any updates, and implementation of specific fire protection measures set out in the plan; and
 - d) the implementation of measures to ensure that prospective purchasers are aware of the relevant scheme provisions, Fire Management Plan and publications addressing fire safety.

13.10 Where a Fire Management Plan has been endorsed by the local government and/or the Department of Fire and Emergency Services, the affected land owners will be responsible for the ongoing implementation of the 'land owners responsibilities' as specified in that Fire Management Plan.”

Clause 10.2 of LPS3 sets out several matters to consider when dealing with applications for Council's approval of a proposed development:

- (d) any approved Statement of Planning Policy of the Commission;
- (g) any Local Planning Policy adopted by the Council under the provisions of clause 2.4;
- (n) whether the land to which the application relates is unsuitable for the proposal by reason of it being, or likely to be, subject to bush fire or any other risk; and
- (q) whether the proposed means of access to or egress from the site are adequate.

State Planning Policy 3.4 - Natural Hazards and Disasters

Local government must have regard to this Policy in the preparation or amendment of local planning schemes, strategies and policies, and when providing comment and advice that deal with applications that may be affected by natural hazards. The Policy should be used by local government to determine those areas that are most vulnerable to bushfire and where development should not be recommended. It authorises the WAPC to prepare guidelines for protection from hazards which should be considered in the determination of proposals.

Building Code of Australia

The *Building Code of Australia* (BCA), Parts P2.3.4 and 3.7.4, controls the building of dwellings in declared bushfire prone areas. The BCA is satisfied if the dwelling or habitable building complies with *Australian Standard AS3959-2009 Construction of Buildings in Bushfire Prone Areas*.

COMMENT:

Overview

It is suggested that the Council is now in a position to finally adopt *Local Planning Policy No. 21 – Bush Fire Management*. It is recommended that Council adopts the version set out in Attachment 1, which is amended from the advertised version, to increase clarity.

Considering the extensive consultation that occurred on the draft policy, which resulted in four submissions, and no submission raising objections, it can only be assumed that there is community/stakeholder acceptance to the policy.

In relation to the submission from Mr Greg Penney from RUIC Fire, this essentially raised issues/errors with the State Government's *Planning for Bush Fire Protection Guidelines*. The submission is noted but the comments are outside of the influence of the Shire and what can be addressed through the policy. Based on *State Planning Policy 3.4 Natural Hazards and Disasters*, the Shire is required to consider the Guidelines in assessing planning proposals. As a way forward, the revised policy outlined in Attachment 1 makes it clear that where there are differences between the Guidelines and AS3959-2009 (or any updates) that AS3959-2009 prevails.

Key features of the policy

Some of the key features of the policy include:

- the Council endorses and will have due regard to the WAPC and DFES *Planning for Bush Fire Protection Guidelines* (edition 2) along with any amendments or updates. Where there are differences between the Guidelines and AS3959-2009, AS3959-2009 prevails;
- the Council will adopt a precautionary approach to fire risk. To achieve this, the Council will require proponents seeking planning (development), subdivision, scheme amendment, structure plan, and building permit approval and other works to take account of fire risk with their proposals;
- the Council will consider fire risk in planning and building decisions to avoid increasing risks through inappropriately located or designed land use and development;

- more intensive land use and development should only take place in areas where the performance criteria and acceptable solutions set out in the Guidelines can be achieved and realistically maintained;
- the Council will consider fire hazard in the context of other considerations such as landscape protection and vegetation retention;
- the Council does not generally support scheme amendment and structure plan requests, intensive development and subdivisions for residential, rural-residential, rural small holdings, tourist, industrial and other habitable building uses in extreme fire hazard areas. The Council will not support scheme amendment and structure plan requests, nor support proposals for “D” and “A” uses as set out in the Zoning Table of LPS3 in areas classified as “extreme” fire risk without permanent and realistic hazard level reduction measures being implemented, that can, in the opinion of the Council, be sustained to reduce the hazard level to moderate or low;
- where a bush fire hazard assessment and/or fire management plan is required, it is to be prepared by a suitably qualified and/or experienced practitioner;
- the Council’s preference is that the on-going management and maintenance of emergency access ways and fire service access routes (not “standard” firebreaks around each property) rests with the Shire for larger rural residential and rural small holding subdivisions, residential, tourism or industrial subdivisions adjoining river foreshores and/or public land and other subdivisions as determined appropriate by the Council;
- emergency access ways and fire service access routes are to be protected through an easement, inclusion in a Public Access Way or through other measures to the satisfaction of the Council;
- landowners should take all practical steps to address fire risks subject to gaining necessary approvals;
- the landowner is responsible for permanent hazard reduction measures to maintain the identified Bushfire Attack Level; and
- where a fire management plan has been endorsed by the local government and/or DFES, the affected land owners will be responsible for the ongoing implementation of the “land owner’s responsibilities” as specified in the fire management plan.

Next steps and review

Should the Council finally adopt the updated policy set out in Attachment 1, this 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 and structure plan requests. The policy will also assist in providing guidance to LPS3 as a result of Amendment No. 12 being gazetted on 3 May 2013.

The policy should be regarded as a “living” document that will need to be reviewed as required in the light of growing knowledge and experience. The policy will need to be reviewed following the updated Guidelines being endorsed by the WAPC and DFES.

Suggested information sheet

Given the policy is a weighty and complex document, at some point a simpler information sheet will be prepared to assist the community and other stakeholders in relation to building permits and other planning proposals.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005, State Planning Policy 3.4 Natural Hazards and Disasters and Shire of Nannup Local Planning Scheme No. 3 (LPS3). Section 2.4 of LPS3 provides the ability to prepare, amend or rescind a Local 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.

FINANCIAL IMPLICATIONS:

There were budgeted costs to the Shire in advertising the policy. For the Shire to meet its statutory obligations in relating to bush fire management, there will be on-going costs to Shire functions including building, planning and potentially ranger services.

STRATEGIC IMPLICATIONS:

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 policy. The policy, if adopted will assist:

- the decision-making of the Council, the Shire administration and other stakeholders;
- to inform developers/subdividers as to Council requirements, especially to consider bush fire management early in the planning/design process; and
- to raise community and stakeholder awareness regarding bush fire management.

Implementation of the policy will assist to reduce bushfire risk to residents and visitors.

VOTING REQUIREMENTS: Simple majority.

RECOMMENDATION:

That Council:

1. Adopt *Local Planning Policy 21 – Bush Fire Management* as set out in Attachment 1.
2. Advise submitters of the above and thank them for their input into the process.
3. Advise the Western Australian Planning Commission and the Department of Fire and Emergency Services regarding the above.

9022 DEAN/GILBERT

That Council:

1. Adopt *Local Planning Policy 21 – Bush Fire Management* as set out in Attachment 1.
2. Advise submitters of the above and thank them for their input into the process.
3. Advise the Western Australian Planning Commission and the Department of Fire and Emergency Services regarding the above.

CARRIED 5/2

Voting for the motion:

Dean, Gilbert, Longmore, Mellema and Steer.

Voting against the motion:

Dunnet and Lorkiewicz.

AGENDA NUMBER:	11.2
SUBJECT:	Amendment No.15 to the Shire of Nannup Local Planning Scheme No. 3: submitted for adoption (initiation)
LOCATION/ADDRESS:	Portion of Lot 68 Warren Road, Nannup
NAME OF APPLICANT:	Dowling Giudici & Associates
FILE REFERENCE:	TPL1/15
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	16 September 2013

- Attachment:
1. Location Plan
 2. Correspondence and documentation from proponent

BACKGROUND:

The applicant seeks Council support to rezone a portion of Lot 68 Warren Road from “Special Use (SU5)” to “Residential R10/15” to facilitate the subdivision of the existing two dwellings.

The location of the subject land is shown in Attachment 1.

The proponent’s correspondence and documentation are set out in Attachment 2. This provides background information which is generally not repeated in this report.

The site is zoned “Special Use (SU5)” in the *Shire of Nannup Local Planning Scheme No. 3* (LPS3). The statutory conditions/special provisions for SU5 require the preparation of a Structure Plan prior to subdivision.

The Council endorsed the Higgins Swamp Structure Plan at its meeting on 28 June 2012. This Structure Plan provided broad guidance for the area, however it is of a “preliminary” nature compared to LPS3 requirements and WAPC guidelines.

COMMENT:

The scheme amendment request is supported and adoption (initiation) by Council is recommended. Given the location of the existing development, the scheme

amendment will not impact the future subdivision/development potential of the balance of land.

Should the landowner or other landowners on the balance of the land subject to Special Use SU5 seek to subdivide, they will need to prepare and gain endorsement to a Structure Plan which is adopted by the Council and endorsed by the WAPC. As part of this, relevant technical investigation will be required. The Structure Plan will be subject to further community and stakeholder consultation.

Subject to the Council's decision, the scheme amendment will be forwarded to the Environmental Protection Authority seeking environmental clearance. Following this, the amendment will be publicly advertised for a minimum of six weeks by:

- placing a sign on-site;
- writing to relevant stakeholders;
- placing notices in local papers;
- details being on the Shire's website; and
- having information available at the Shire office.

Public advertising will provide the community and stakeholders the opportunity to consider issues and provide written comments to the Shire.

Following the close of the consultation period, the matter will again be considered by Council to determine whether or not to support final adoption of the scheme amendment (with or without modifications). After this, the Western Australian Planning Commission (WAPC) will next assess the scheme amendment request with the final decision made by the Minister for Planning.

Should the amendment be finally gazetted, the applicant is then required to gain subdivision approval from the WAPC. As part of this, the Shire will seek that stormwater management is appropriately addressed and crossovers are sealed.

STATUTORY ENVIRONMENT:

Planning and Development Act, Town Planning Regulations and LPS3.

POLICY IMPLICATIONS: Nil at this stage.

FINANCIAL IMPLICATIONS: Nil at this stage.

STRATEGIC IMPLICATIONS:

The site forms part of Policy Area No. 1 – Townsite in the *Shire of Nannup Local Planning Strategy*. The Strategy's recommendation for the policy area is that urban consolidation is encouraged subject to issues of effluent disposal and

flooding being addressed where relevant. The site is outside of the 1 in 100 ARI floodplain.

VOTING REQUIREMENTS: Simple Majority.

RECOMMENDATION:

That Council:

1. Agree to adopt (initiate) an amendment to the *Shire of Nannup Local Planning Scheme No. 3*, pursuant to Part 5 of the *Planning and Development Act 2005*, through rezoning a portion of Lot 68 Warren Road, Nannup from "Special Use (SU5)" to "Residential R10/15".
2. Authorise the Shire President and the Chief Executive Officer to execute the Scheme Amendment No. 15 documents.
3. Note the Shire will refer Scheme Amendment No. 15 to the Environmental Protection Authority for assessment pursuant to section 81 of the *Planning and Development Act 2005*. Should the Environmental Protection Authority advise that the amendment does not require assessment, advertise the amendment in accordance with the *Town Planning Regulations 1967*.

9023 DUNNET/LONGMORE

That Council:

1. Agree to adopt (initiate) an amendment to the *Shire of Nannup Local Planning Scheme No. 3*, pursuant to Part 5 of the *Planning and Development Act 2005*, through rezoning a portion of Lot 68 Warren Road, Nannup from "Special Use (SU5)" to "Residential R10/15".
2. Authorise the Shire President and the Chief Executive Officer to execute the Scheme Amendment No. 15 documents.
3. Note the Shire will refer Scheme Amendment No. 15 to the Environmental Protection Authority for assessment pursuant to section 81 of the *Planning and Development Act 2005*. Should the Environmental Protection Authority advise that the amendment does not require assessment, advertise the amendment in accordance with the *Town Planning Regulations 1967*.
4. Advise the applicant that the silver poplars be removed.

CARRIED 7/0

Cr Longmore declared an impartiality interest due to being involved in the committee for the following item.

9024 MELLEMA/DUNNET

Cr Longmore to stay, participate and vote on item 11.3– Memorandum of Understanding between the Nannup Music Club and the Shire of Nannup 2015-2017.

CARRIED 6/0

AGENDA NUMBER:	11.3
SUBJECT:	Memorandum of Understanding between the Nannup Music Club and the Shire of Nannup 2015-2017
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Nannup Music Club and Shire of Nannup
FILE REFERENCE:	ASS 7
AUTHOR:	Robert Jennings – Chief Executive Officer
REPORTING OFFICER:	Robert Jennings – Chief Executive Officer
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT	11 September 2013

Attachment: 1. Memorandum of Understanding

BACKGROUND:

The Nannup Music Festival is currently the largest and most recognised event held in Nannup for over two decades. From studies undertaken of previous events, the economic generation in the community is in the order of \$1M per annum in addition to the community and Shire of Nannup promotion benefits.

The Shire of Nannup has historically played a key role in the sponsorship, set up, resourcing and general support for this largely volunteer event.

COMMENT:

To assist both the Nannup Music Club and the Shire of Nannup in their ongoing planning for the event, a Memorandum of Understanding (MOU) has been drafted for Council consideration. An MOU is an agreement between the signed parties to undertake various duties as outlined in the document. It can be used by Local Government for large events within the municipality.

Councillors provided their in-principle support to proceed with the drafting of a MOU at the February 2013 Councillor Information Report session.

The key elements of the agreement are:

- Three year term to include 2015, 2016 and 2017 events
- Annual contribution of \$25,000 per year
- Nannup Music Club to develop sponsorship package, fulfil all legislative and other event requirements as well as submit an audited profit and loss statement
- Shire of Nannup to contribute funding and provide a contact officer
- Neither party incurs liability as a result of the agreement.

The advantages of the attached agreement to both parties are outlined below:

For the Nannup Music Club

- Clear communication of support. Supports the Nannup Music Club acquisition of funding from other bodies
- Allow the long term and strategic planning of the event
- Encourages other groups to consider funding over a time period of greater than one year.

For the Shire of Nannup

- Support of a significant community event that provides considerable economic, community and promotional benefit.

Some of the other considerations in undertaking such an agreement:

- Whilst the Music Festival is clearly the most significant event in the Shire of Nannup, Council may wish to consider whether this or any other events are worthy of an MOU
- The 2015/16 budget year is currently forecast to be financially tighter as compared to surrounding years
- Council has an 'opt out' clause should unanticipated budget requirements arise.

The document is the result of a number of meetings and agreement from both parties as to the contents. It is worth noting that detailed planning for each event will occur on a year to year basis.

STATUTORY ENVIRONMENT: None.

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS:

Commitment of the agreed sum over three years, with an opt out if overriding budget factors are encountered.

STRATEGIC IMPLICATIONS:

Support of a significant community event (largely voluntary) that has community, economic and promotional benefits.

VOTING REQUIREMENTS: Simple Majority.

RECOMMENDATION:

That Council adopt the attached “Memorandum of Understanding between the Nannup Music Club and the Shire of Nannup 2015-2017”.

9025 GILBERT/MELLEMA

That Council adopt the attached “Memorandum of Understanding between the Nannup Music Club and the Shire of Nannup 2015-2017” with the removal of the following words;

10. Contact Officers

- 10.1. Nannup Music Club and the Shire of Nannup agree to appoint a Contact Officer and authorised delegate ~~(potentially a Councillor)~~. The Contact Officer and authorised delegate for each party is authorised to act for that party in relation to this MOU. The Contact Officer is the first point of contact for the other party in relation to any disputes arising under this MOU.

CARRIED 7/0

Reason for change in the recommendation:

It would be inappropriate for a Councillor to be a representative.

AGENDA NUMBER:	11.4
SUBJECT:	WALGA Cat Act Implementation Grant Program
LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	WRK 28
AUTHOR:	Louise Stokes – Community Development Officer
REPORTING OFFICER:	Robert Jennings – Chief Executive Officer
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	18 September 2013

Attachment: 1. Letter of Grant Acceptance

BACKGROUND:

Funding acknowledgement has been received of \$7,000 from the Department of Local Government through their *Cat Act Implementation Grants program*. 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 assist pensioners and low income earners with the cost of sterilisation for their cats.

COMMENT:

The funding of this program can only be used at GeoVet Nannup and Busselton and assists low income earners and pensioners with the costs of compliance with the new cat act legislation that will come into effect on 1 November 2013.

STATUTORY ENVIRONMENT: None.

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS: None.

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Plan 2013 – 2023:

1. *Our Community: Provide an aged friendly environment*
4. *Our Natural Environment: Protect our range of natural assets.*

VOTING REQUIREMENTS: Simple majority.

RECOMMENDATION:

That Council accept the funding of \$7,000 from the Department of Local Government to assist pensioners and low income earners with the costs of cat sterilisation.

9026 MELLEMA/DUNNET

That Council accept the funding of \$7,000 from the Department of Local Government to assist pensioners and low income earners with the costs of cat sterilisation.

CARRIED 7/0

AGENDA NUMBER:	11.5
SUBJECT:	Lotterywest Nannup Town Hall Centenary Grant
LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 6
AUTHOR:	Louise Stokes – Community Development Officer
REPORTING OFFICER:	Robert Jennings – Chief Executive Officer
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	18 September 2013

Attachment: 1. Letter of Grant Acceptance

BACKGROUND:

Funding acknowledgement has been received of \$6,364 from Lotterywest through their *Community Events Grants program*. As this funding is over \$5,000, Council is required to accept the funding as per Council policy FNC 6.

COMMENT:

The grant funding is to assist with the costs of the Nannup Town Hall Centenary celebrations that occurred on 7 September 2013.

STATUTORY ENVIRONMENT: None.

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS:

Relates to a \$1,000 Council budget allocation towards the Nannup Town Hall Centenary celebrations.

STRATEGIC IMPLICATIONS: Shire of Nannup Community Plan 2013 – 2023:

3. *Our Built Environment: Capture and promote our unique charm and fabric*

VOTING REQUIREMENTS: Simple majority.

RECOMMENDATION:

That Council accept the funding of \$6,364 from Lotterywest to assist with the costs of the Nannup Town Hall Centenary celebrations.

9027 GILBERT/DUNNET

That Council accept the funding of \$6,364 from Lotterywest to assist with the costs of the Nannup Town Hall Centenary celebrations.

CARRIED 7/0

AGENDA NUMBER:	11.6
SUBJECT:	Shire of Nannup Promotions Plan
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	N/A
FILE REFERENCE:	TRS 1
AUTHOR:	Louise Stokes – Community Development Officer
REPORTING OFFICER:	Robert Jennings – Chief Executive Officer
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	18 September 2013

Attachment: 1. Shire of Nannup Promotions Plan

BACKGROUND:

In 2012 a working party was formed to develop a strategic direction for promotions of the Nannup Shire and region. Advertising for this group was through the Nannup Telegraph, posters and email newsletter.

Over the past year the working party has met and developed the Nannup Promotions Plan, in consultation with the Nannup Community Resource Centre, the South West Development Commission and Australia's South West. The Promotions Plan incorporates budget allocations from Council.

The Promotions Plan has been forwarded to a focus group of tourism operators and their input has been incorporated into the document.

COMMENT:

The Shire of Nannup Promotions Plan provides strategic direction for regional promotions and is separate to any Nannup Visitor Information Service marketing and promotions, however there are opportunities for collaboration. The aims of the Promotional Plan include:

- To build Nannup's economy through tourism
- To position Nannup as a destination of choice for intrastate, interstate and international visitors
- To support events and festivals in promoting Nannup
- To work with the Munda Bidji and Bibbulmun Track Foundations to increase awareness and visitation to Nannup
- Increase awareness of Nannup's events, nature based tourism experience and its location in the south west
- To develop a regional culinary trail

- To work with adjoining Shires and the Warren Blackwood Alliance of Councils to achieve the above goals

STATUTORY ENVIRONMENT: None.

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS:

The total budget for promotion is \$15,000 in 2013/14.

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Plan 2013 – 2023:

- 2. Our Economy: Marketing and branding of our Shire to promote regional produce and services*

RECOMMENDATION:

That Council accept the Shire of Nannup Promotions Plan as set out in Attachment 1 and implement it subject to funding availability.

9028 GILBERT/DEAN

That Council accept the Shire of Nannup Promotions Plan as set out in Attachment 1 and implement it subject to funding availability.

CARRIED 7/0

AGENDA NUMBER:	11.7
SUBJECT:	Review of Disability Access and Inclusion Plan
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	N/A
FILE REFERENCE:	WLF 5
AUTHOR:	Louise Stokes – Community Development Officer
REPORTING OFFICER:	Robert Jennings – Chief Executive Officer
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	18 September 2013

Attachment : 1.Disability Access and Inclusion Plan

BACKGROUND:

The Disability Services Act 1993 requires Local Governments to develop and implement Disability Access and Inclusion Plans. Council adopted its revised Disability Access and Inclusion Plan at the December 2010 meeting. The documentation has recently been reviewed by Council Officers, service providers and community representatives.

COMMENT:

The subsequent review process has resulted in the development of the attached Disability Access and Inclusion Plan which will assist forward planning for the period 2013 – 2018.

Two additional outcomes have been included as these are newly introduced legislative requirements.

Consultation in reviewing this document has been undertaken with the Local Area Coordinator, Disability Services Commission, Head office, Disability Services Commission, Nannup Community Care, Nannup Community Resource Centre and community individuals.

STATUTORY ENVIRONMENT: Disability Services Act 1993.

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS: None.

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Plan 2013 – 2023:

6. *Our Community Leadership: To do what is right for the people-for betterment of the majority of community*

RECOMMENDATIONS:

1. That Council receive the updated Disability Access and Inclusion Plan and advertise for public comment for thirty days with copies made available at the Shire Office and on the Shire website.
2. Based on feedback received in the public comment period, that the Disability Access and Inclusion Plan is presented to Council for adoption.

9029 LORKIEWICA/LONGMORE

1. That Council receive the updated Disability Access and Inclusion Plan and advertise for public comment for thirty days with copies made available at the Shire Office and on the Shire website.
2. Based on feedback received in the public comment period, that the Disability Access and Inclusion Plan is presented to Council for adoption.

CARRIED 7/0

AGENDA NUMBER:	11.8
SUBJECT:	Policy WRK 7 Installation of Crossover
LOCATION/ADDRESS:	Nannup
NAME OF APPLICANT:	N/A
FILE REFERENCE:	ADM 9
AUTHOR:	Chris Wade – Manager Infrastructure
REPORTING OFFICER:	Chris Wade – Manager Infrastructure
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT	12 September 2013

Attachment: 1. Policy WRK 7 – Installation of Crossover

BACKGROUND:

Council currently has the attached planning policy for the installation of crossovers. Council revoked Policy WRK 7 Installation of Crossover to be replaced by Policy LPP3 in April 2010.

COMMENT:

Council's Planning Consultant has now recommended for operational functionality that the adopted changes from the August 2013 Council meeting be inserted and this policy be reinitiated with the additional adopted comments added.

- applicants/landowners who received planning approval incorporating a condition relating to constructing or upgrading a crossover are not eligible for a subsidy; and
- subdividers are not eligible for a subsidy for freehold (green title) or strata title lots."

STATUTORY ENVIRONMENT: None.

POLICY IMPLICATIONS: Policy as per recommendation.

FINANCIAL IMPLICATIONS: None.

STRATEGIC IMPLICATIONS: None.

VOTING REQUIREMENTS: Simple majority.

RECOMMENDATION:

It is recommended that the revoked Policy WRK 7 Installation of Crossover be reinstated and slightly amended with the following changes;

- applicants/landowners who received planning approval incorporating a condition relating to constructing or upgrading a crossover are not eligible for a subsidy; and
- subdividers are not eligible for a subsidy for freehold (green title) or strata title lots.”

DUNNET/

That this item lay on the table.

WITHDRAWN

Reason: To clarify whether planning approval was normally required.

9030 STEER/DEAN

It is recommended that the revoked Policy WRK 7 Installation of Crossover be reinstated and slightly amended with the following changes;

- applicants/landowners who received planning approval incorporating a condition relating to constructing or upgrading a crossover are not eligible for a subsidy; and
- subdividers are not eligible for a subsidy for freehold (green title) or strata title lots.”

CARRIED 7/0

Shire of Nannup
Ordinary Council Meeting Minutes: September 2013

Cr Dunnet declared a financial interest due to being involved in the Scott River Growers Group.

Cr Dunnet left the meeting at 17.10 hours.

AGENDA NUMBER:	11.9
SUBJECT:	Unbudgeted Expenditure - Community Grants 2013
LOCATION/ADDRESS:	Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	FNC 9
AUTHOR:	Vic Smith – Manager Corporate Services
REPORTING OFFICER:	Vic Smith – Manager Corporate Services
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT	11 September 2013

BACKGROUND:

Council considered applications for community grants at its meeting on 28 March 2013. Requests of \$25,200 were received and included a request from the Scott River Growers Association for \$15,000 to build a verandah onto the Scott River Fire Shed. Council resolved that:

8930 LONGMORE/MELLEMA

That an amount of \$10,200 for the identified community groups be considered as part of the Shire of Nannup 2013/14 Budget approval process for the Community Group Grants.

CARRIED 5/2

The text of the covering report suggested that the request from the Scott River Growers Association be considered separately as part of Council's budget deliberations, as it essentially sought to upgrade an existing council asset.

Unfortunately, because this was omitted from Resolution 8930 it was not picked up in the list of growth items for consideration when the budget was compiled and was not therefore considered when the 2013/14 budget was compiled.

COMMENT:

The Local Government Act 1995 gives Council the power to authorise expenditure that has not been included in the budget, provided that the proposal is passed with an absolute majority.

In considering whether this item can be funded officers have identified that income from the Department of Transport licensing commission will exceed the budget by \$20,000 and are satisfied that the grant can be funded, should council decide to support the application.

STATUTORY ENVIRONMENT: Local Government Act 1995 Section 6.8.

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS: Additional expenditure of \$15,000 to be funded by additional income of \$20,000 from Department of Transport licensing commission.

STRATEGIC IMPLICATIONS: None.

VOTING REQUIREMENTS: Absolute majority.

RECOMMENDATION:

That Council approve the request from the Scott River Growers Association for a grant of \$15,000 to be funded from additional licensing commission income.

9031 LONGMORE/MELLEMA

That Council approve the request from the Scott River Growers Association for a grant of \$15,000 to be funded from additional licensing commission income.

CARRIED 6/0

Cr Dunnet returned to the meeting at 17.14 hours.

AGENDA NUMBER:	11.10
SUBJECT:	CLGF Funding – Individual Local Governments 2012/13
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 9
AUTHOR:	Vic Smith – Manager Corporate Services
REPORTING OFFICER:	Vic Smith – Manager Corporate Services
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT	11 September 2013

BACKGROUND:

As reported to the Council meeting on 22 August 2013, the Council had been advised that it would be eligible for funding of \$335,468 as part of the Country Local Government Fund (CLGF) for 2012/13 distributed to individual local governments. This funding has been earmarked for the following projects:

1. \$100,000 – Upgrade the Brockman Street Caravan Park
2. \$235,468 – Main Street Upgrade

This funding is now at risk following receipt of a letter from the Director General of the Department of Regional Development, which states that CLGF Individual funding for 2010/11 needed to be fully acquitted by 30 June 2013 and that failure to meet this deadline would result in exclusion from the 2012/13 individual CLGF funding.

COMMENT:

Approximately 40 local governments, including Nannup, have been affected by this change in policy. The Western Australian Local Government Association (WALGA) is working with those affected to have this decision rescinded. The position has been discussed by council officers with the Director General of the Department of Regional Development and a letter setting out the council's case for the decision to be rescinded has been sent to him.

In the meantime there is no guarantee that this action will be successful and measures need to be taken to reallocate resources to compensate for this possible loss of funding. Work on the Brockman Street Caravan Park upgrade has already begun and the loss of funding represents approximately 50% of the resources for this project. The upgrade is an essential element in making the caravan park an

attractive proposition for a possible future lease and failure to complete the work puts future income from the park at risk. It is therefore suggested that funds of up to \$100,000 be allocated from the Main Street reserve should the CLGF funding not be reinstated. The balance on the Main Street reserve is expected to be \$237,500 after the transfers for 2012/13 have been made.

STATUTORY ENVIRONMENT: None.

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS:

Loss of funding of \$335,468 from 2012/13 budgets.

STRATEGIC IMPLICATIONS: None.

VOTING REQUIREMENTS: Simple Majority.

RECOMMENDATION:

That in the event that the CLGF individual funding for 2012/13 is not reinstated, up to \$100,000 be used from the Main Street Reserve to complete the upgrade to the Brockman Street Caravan Park.

9032 GILBERT/MELLEMA

That in the event that the CLGF individual funding for 2012/13 is not reinstated, up to \$100,000 be used from the Main Street Reserve to complete the upgrade to the Brockman Street Caravan Park.

CARRIED 7/0

AGENDA NUMBER:	11.11
SUBJECT:	HAB7 - Events Management Policy
LOCATION/ADDRESS:	Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	ADM 9
AUTHOR:	Vic Smith – Manager Corporate Services
REPORTING OFFICER:	Vic Smith – Manager Corporate Services
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT	12 September 2013

Attachment: 1. HAB 7 - Events Management Policy

BACKGROUND:

The Council does not currently have a formal policy detailing how it will deal with the administration of major events. The position has been reviewed by the Health Consultant and a suggested policy is attached at Attachment 1.

Council initially considered the proposed policy at its meeting on 22 August 2013 but requested officers to review the wording to bring greater clarity to the definition of an event that would be covered by the policy. This review has been completed and the policy modified.

COMMENT:

The Event Policy will be used to manage the application and approval process of events conducted in the Shire of Nannup in accordance with legislative requirements.

In the past, events have been held in the Shire that have not been assessed for legislative requirements for a number of reasons. The Event Policy is designed to capture all relevant events held in the district that have previously not been assessed for compliance with legislative requirements. It will be supported by revised versions of the *Event Application Package* and *Event Information For Applicants* documents to reflect the requirements of the new Events Policy. These documents are being reviewed and will be presented for adoption following approval of the overarching policy document.

STATUTORY ENVIRONMENT: None.

POLICY IMPLICATIONS:

Where there is cross reference to a delegation from a Council Policy the delegation is noted as such.

FINANCIAL IMPLICATIONS: None.

STRATEGIC IMPLICATIONS: None.

VOTING REQUIREMENTS: Simple Majority.

RECOMMENDATION:

That Council adopt the Events Policy as set out in Attachment 1.

9033 DUNNET/STEER

That this item lay on the table pending a presentation from the Health Consultant to clarify why the Policy is required.

CARRIED 6/1

Voting for the motion:

Dean, Dunnet, Gilbert, Longmore, Mellema and Steer.

Voting against the motion:

Lorkiewicz.

AGENDA NUMBER:	11.12
SUBJECT:	Local Dog Law
LOCATION/ADDRESS:	Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	WRK 28
AUTHOR:	Vic Smith – Manager Corporate Services
REPORTING OFFICER:	Vic Smith – Manager Corporate Services
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT	26 August 2013

Attachment: 1. Draft Local Law

BACKGROUND:

The Council does not currently have a Local Law relating to the control of dogs in its area and relies instead on the provisions contained within the Dog Act 1976. In particular, there is no ability to limit the number of dogs on a property and this issue has been raised by both the Ranger Service and some local residents.

A draft for a Local Dog Law has been produced for Council's consideration based on the local dog law in place at the City of Busselton; this is attached at Attachment 1.

COMMENT:

The draft Local Dog Law would be established under sections 49 – 51 of the Dog Act 1976 and covers the following areas:

- The ability to set up a pound
- Areas where dogs are prohibited
- Dog fouling
- Fencing requirements
- Limitation of dog numbers
- The establishment of kennels
- Fines and penalties

Dog Pounds

Whilst the draft local law contains provisions for the establishment of a dog pound, the inclusion of the provisions does not require the council to establish a pound. Including these provisions within the local law would allow the council to establish a pound should it chose to do so at some future point.

Prohibited Areas

The draft local law establishes the following areas where dogs (except for guide dogs) would be prohibited:

- Public buildings
- Shops
- Houses of Worship

Outside of these areas the Dog Act requires that dogs within townships be under the control of a person capable of controlling the dog by means of a leash or be temporarily tethered.

Dog Fouling

The draft local law creates an offence whereby the owner of the dog fails to remove dog excrement from a street or public place.

Fencing Requirements

The Dog Act does not contain provisions to define the standard of fencing on properties that contain dogs. The draft local law sets out detailed provisions for the containment of dogs on properties.

Limitation of Dog Numbers

The Dog Act allows a local government to limit the number of dogs over three months of age that are kept on a premises. The draft local law seeks to limit the maximum number of dogs on premises within the Nannup township to two. This provision would take effect shortly after the gazettal of the local law and any person with more than two dogs at that time would need to seek an exemption from the provisions of the local law. Council would be able to grant exemptions and these exemptions can be subject to conditions.

Kennels

The draft local law defines in some detail the conditions for the creation of kennels. Under the current Town Planning Scheme commercial kennels are not permitted within the Nannup Township. Outside of this area kennels are a permitted use and would be subject to a planning approval being granted.

Fines and Penalties

The maximum penalty allowed under the Dog Act is \$2,000 and for the purposes of the local law this sum has been reduced to \$500. Persons committing an offence under the local law can opt to pay a modified penalty instead of attending a court hearing. The modified penalty cannot be more than 20% of the maximum penalty, making the penalty in the draft local law \$100. The offences to which a penalty would apply are detailed in Schedule 2 of the draft local law.

Next Steps

The draft local law will be publicised for public consultation for a period of six weeks by the Shire administration placing public notices and details in local

papers, on the Shire of Nannup website and information being available at the Shire office.

Once the consultation period has closed Council will consider the comments received and decide whether to proceed with the gazettal of the Local Dog Law, with or without modifications.

STATUTORY ENVIRONMENT: Sections 49 – 51 of the Dog Act 1976.

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS:

Possible additional income from the imposition of fines and penalties under the proposed local dog law.

STRATEGIC IMPLICATIONS: None.

VOTING REQUIREMENTS: Simple Majority.

RECOMMENDATION:

That Council:

1. Support the public release of draft Local Dog Law, outlined in Attachment 1, and require the document to be publicly advertised for a period of six (6) weeks.
2. Will reconsider draft Local Dog Law following the close of the public submission period and will determine whether or not to adopt the Local Dog Law with or without modifications.

9034 GILBERT/STEER

That Council:

1. Support the public release of draft Local Dog Law, outlined in Attachment 1, and require the document to be publicly advertised for a period of six (6) weeks. Will reconsider draft Local Dog Law following the close of the public submission period and will determine whether or not to adopt the Local Dog Law with or without modifications.

CARRIED 7/0

AGENDA NUMBER:	11.13
SUBJECT:	Cat and Dog Registration 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:	N/A
DATE OF REPORT	10 September 2013

BACKGROUND:

As part of the implementation of the Cat Act 2011 the Department of Local Government and Communities is seeking to align the fees for the registration of both cats and dogs. The new fee structure was gazetted on 23 August 2013 and introduces new fees for cats and revised fees for dogs. A lifetime registration fee for dogs will be introduced when the Dog Amendment Bill 2013 has been passed by Parliament.

COMMENT:

The new structure will see some significant increases in the cost of dog registration and also includes a new fee of \$100 for the lifetime registration of a cat. Although the guidance on the Cat Act discusses rebates for pensioners the gazetted fees do not include this provision. Whilst the current fee structure for dog registrations allows a discount for farm dogs, this is similarly not included in the gazetted fees. This report only deals with the changes to fees covered in the gazetted fees and charges.

The following fee structure will need to be included in the Council's Schedule of Fees and Charges 2013/14:

CATS

Fee for application for grant or renewal of the registration of a cat for one year (all cats need to be sterilised) —	
(a) if application is for grant of registration and is made after 31 May for registration until the next 31 October	\$10.00
(b) otherwise	\$20.00

**Shire of Nannup
Ordinary Council Meeting Minutes: September 2013**

Fee for application for grant or renewal of the registration of a cat for 3 years	\$42.50
Fee for application for grant or renewal of the registration of a cat for life	\$100.00
Fee for application for grant or renewal of approval to breed cats - per breeding cat (male or female)	\$100.00

DOGS

Registration of unsterilised dog for one year (unless owned by pensioner)	\$50.00
(a) Registration of unsterilised dog owned by pensioner for one year	\$25.00
(b) Registration of sterilised dog for one year —	
(i) for dog owned by pensioner	\$10.00
(ii) otherwise	\$20.00
(c) Registration of sterilised dog for 3 years —	
(i) for dog owned by pensioner	\$21.25
(ii) otherwise	\$42.50
(d) Registration of unsterilised dog for 3 years —	
(i) for dog owned by pensioner	\$60.00
(ii) otherwise	\$120.00
Concessional rate of registration fee for dogs kept in an approved kennel establishment (paid in lieu of a separate registration fee in respect of each dog)	\$200.00

STATUTORY ENVIRONMENT: Cat Act 2011 and Dog Act 1976.

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS: Additional income from new and increased fees offset by additional costs of administration and registration tags for cats.

STRATEGIC IMPLICATIONS: None.

VOTING REQUIREMENTS: Absolute majority.

RECOMMENDATION:

That Council include the following fees in its Schedule of Fees and Charges 2013/14:

Fee for application for grant or renewal of the registration of a cat for one year —	
(a) if application is for grant of registration and is made after 31 May for registration until the next 31 October	\$10.00
(b) otherwise	\$20.00
Fee for application for grant or renewal of the registration of a cat for 3 years	\$42.50
Fee for application for grant or renewal of the registration of a cat for life	\$100.00
Fee for application for grant or renewal of approval to breed cats - per breeding cat (male or female)	\$100.00

Registration of unsterilised dog for one year (unless owned by pensioner)	\$50.00
(e) Registration of unsterilised dog owned by pensioner for one year	\$25.00
(f) Registration of sterilised dog for one year —	
(iii) for dog owned by pensioner	\$10.00
(iv) otherwise	\$20.00
(g) Registration of sterilised dog for 3 years —	
(iii) for dog owned by pensioner	\$21.25
(iv) otherwise	\$42.50
(h) Registration of unsterilised dog for 3 years —	
(iii) for dog owned by pensioner	\$60.00
(iv) otherwise	\$120.00
Concessional rate of registration fee for dogs kept in an approved kennel establishment (paid in lieu of a separate registration fee in respect of each dog)	\$200.00

9035 LONGMORE/MELLEMA

That Council include the following fees in its Schedule of Fees and Charges 2013/14:

Fee for application for grant or renewal of the registration of a cat for one year —	
(c) if application is for grant of registration and is made after 31 May for registration until the next 31 October	\$10.00
(d) otherwise	\$20.00
Fee for application for grant or renewal of the registration of a cat for 3 years	\$42.50
Fee for application for grant or renewal of the registration of a cat for life	\$100.00
Fee for application for grant or renewal of approval to breed cats - per breeding cat (male or female)	\$100.00

Registration of unsterilised dog for one year (unless owned by pensioner)	\$50.00
(i) Registration of unsterilised dog owned by pensioner for one year	\$25.00
(j) Registration of sterilised dog for one year —	
(v) for dog owned by pensioner	\$10.00
(vi) otherwise	\$20.00
(k) Registration of sterilised dog for 3 years —	
(v) for dog owned by pensioner	\$21.25
(vi) otherwise	\$42.50
(l) Registration of unsterilised dog for 3 years —	
(v) for dog owned by pensioner	\$60.00
(vi) otherwise	\$120.00
Concessional rate of registration fee for dogs kept in an approved kennel establishment (paid in lieu of a separate registration fee in respect of each dog)	\$200.00

CARRIED 6/1

Voting for the motion:

Dean, Dunnet, Gilbert, Longmore, Mellema and Steer.

Voting against the motion:

Lorkiewicz.

AGENDA NUMBER:	11.14
SUBJECT:	Budget Monitoring 2013/14
LOCATION/ADDRESS:	Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	FNC 15
AUTHOR:	Vic Smith – Manager Corporate Services
REPORTING OFFICER:	Vic Smith – Manager Corporate Services
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT	10 September 2013

Attachment: 1.Monthly Financial Statements for the period ending 31 August 2013.

BACKGROUND:

Local Government (Financial Management) Regulation 34(1) requires that Council report monthly on the financial activity from all the various operating and capital divisions. Council has adopted a variance threshold of 10% or \$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:

As previously reported, income in Education and Welfare is approximately \$20,000 higher than budgeted due to the receipt of a grant to develop a heritage trail; this will be matched by expenditure and will not therefore result in a budget variation.

As reported elsewhere on the agenda, income from the Department of Transport licensing commission is expected to be approximately \$20,000 higher than budgeted.

The performance of the caravan park is being closely monitored and is not expected at this point in time to have a significant variation against the budget. Approximately \$15,000 in income has been received by the end of August.

Additional expenditure has been incurred in the repairs budget following a major repair to a grader. Further details have been provided in the September Information Report.

The remaining variances shown in the statutory statements result from income and expenditure not being in accordance with the profile adopted for the budgets and are therefore due to timing differences.

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 August 2013 be received.

9036 DUNNET/STEER

It is recommended that the Monthly Financial Statements for the period ending 31 August 2013 be received.

CARRIED 6/1

Voting for the motion:

Camarri, Dean, Dunnet, Longmore, Lorkiewicz, Mellema and Steer.

Voting against the motion:

Gilbert.

Shire of Nannup
Ordinary Council Meeting Minutes: September 2013

AGENDA NUMBER:	11.15
SUBJECT:	Month Accounts for Payment –August 2013
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	Date 16 September 2013

Attachment: 1. August 2013 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	5129 - 5259	\$ 543,350.45
Accounts paid by cheque	19244 - 19287	\$241,727.02
Accounts paid by Direct Debit	99417 - 99426	14,067.46

Sub Total Municipal Account \$799,144.93

Trust Account

Accounts Paid by cheque	Nil	1,000.00
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Sub Total Trust Account \$1,000.00

Total Payments **\$800,144.93**

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 \$800,144.93 in the attached schedule be endorsed.

9037 DUNNET/MELLEMA

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$800,144.93 in the attached schedule be endorsed.

CARRIED 7/0

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

(a) OFFICERS

None.

(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 17:40 hours.