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**Nannup**  
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# Minutes

Council Meeting held Thursday 19 December 2013

## **CONFIRMATION OF MINUTES**

These minutes comprising pages 1 – 13 were confirmed by Council on 23 January 2014 as a true and accurate record.

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**Tony Dean**  
**SHIRE PRESIDENT**

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# Minutes

## **1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

The Chairperson declared the meeting open at 14:09 hours.

### **ATTENDANCE:**

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

Robert Jennings - Chief Executive Officer

Chris Wade – Manager Infrastructure

Tracie Bishop – Acting Manager Corporate Services

**VISITORS:** Nil.

**APOLOGIES:** Nil

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

Cr Slater apology.

Cr Dobbin apology

## **3. PUBLIC QUESTION TIME**

Nil.

## **4. DECLARATIONS OF INTEREST**

There was 1 declaration of Interest presented during the meeting.

Cr Gilbert – Item 6.1- Australia Day Awards

## **5. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Nil.

**6. REPORTS OF OFFICERS**

*Pursuant to Section 5.23 (2) of the Local Government Act 1995 the following item deals with:*

- (a) a matter affecting an employee, and*
- (b) the personal affairs of a person,*

*and hence Council is advised to close the meeting to members of the public by resolution.*

**9066 LORKIEWICZ/STEER**

That Council close the meeting to the public.

**CARRIED 6/0**

The meeting was closed to the public at 14:11 hours.

There were no public in attendance.

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

Cr Gilbert left the meeting at 14:14 hours.

No vote required as Cr Gilbert clearly left the meeting.

AGENDA NUMBER:	6.1
SUBJECT:	2014 Premier's Australia Day Active Citizenship Awards and Honorary Freeman Award
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	REC 11
AUTHOR:	Louise Stokes – Community Development Officer
REPORTING OFFICER:	Robert Jennings – Chief Executive Officer
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	4 December 2013

**Names withheld for this item.**

**9071 MELLEMA/LORKIEWICZ**

1. Change the following in policy ADM 16 - Selecting and Presenting the Premier's Australia Day Citizenship Awards;
  - a. That the words "Any person nominated but not selected for an award in the previous year is to be included on the list of candidates for selection" in paragraph six of Policy ADM 16 be deleted.
  - b. Change the word November to Next in paragraph 6.

**CARRIED 5/0**

**9072 LORKIEWICZ/ MELLEMA**

That the meeting be opened to members of the public in accordance with Sections 5.23(2) (a) of the Local Government Act 1995.

**CARRIED 5/0**

The meeting was opened to the public at 14:21 hours.

Cr Gilbert returned to the meeting 14:19 hours.

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

**9073 MELLEMA/STEER**

That Council introduce new business of an urgent nature.

7 (a)1. Bushfire Risk Management Pilot Plan

**CARRIED 5/1**

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

Voting Against the motion: Lorkiewicz

**a) OFFICERS**

AGENDA NUMBER:	7 (a)1
SUBJECT:	Bushfire Risk Management Pilot Plan
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FRC 9
AUTHOR:	Chris Wade – Manager Infrastructure
REPORTING OFFICER:	Chris Wade – Manager Infrastructure
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	21 August 2013

Attachment 1: Letter from Department of Fire and Emergency Services

**BACKGROUND:**

Council's Chief Executive Officer, Manager Infrastructure and Chief Bushfire Control Officer recently attended a workshop conducted by the Office Bushfire Risk Management (OBRM) regarding the development and implementation of Bushfire Risk Management Plans.

**COMMENT:**

The concept of a Bushfire Management Plan is to bring all stake holders together that have responsibilities of land management including local governments and produce a long term plan to manage the risk of fire. Further details are attached.

OBRM have requested for any local governments that would like to participate in a pilot project. Officers have indicated their support for the project to OBRM as Council is already a year into a localised plan that will now include other agencies that have historically not managed their fire risk to an acceptable level.

This opportunity will allow Council to play an active role with input into the management of other government controlled land through a legislative process. It will also formalise what some agencies do already but via a consistent approach.

**STATUTORY ENVIRONMENT:** None.

**POLICY IMPLICATIONS:** None.

**FINANCIAL IMPLICATIONS:**

Some officer time will be required but will be minimal.

**STRATEGIC IMPLICATIONS:**

If the officers recommendation is supported, it will be consistent with Nannup being at the forefront of Emergency Management in the region providing a safer environment for residents.

**VOTING REQUIREMENTS:** Simple majority.

**RECOMMENDATION:**

That Council inform the Office of Bushfire Risk Management that it supports and wishes to participate in the Bushfire Risk Management Plan project.

**9074 STEER/MELLEMA**

That Council inform the Office of Bushfire Risk Management that it supports and wishes to participate in the Bushfire Risk Management Plan project.

**CARRIED 6/0**

b) OFFICERS

**9075 MELLEMA/STEER**

That Council introduce new business of an urgent nature.

7 (b)1. Recreation Centre Tender Authorisation

**CARRIED 5/1**

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

Voting Against the motion: Lorkiewicz

**7 (b)1. Recreation Centre Tender Authorisation**

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**That Council**

Give the Chief Executive Officer authority to negotiate, confirm pricing and funding with the tenderers, funding agencies and architect to achieve a substantial completion of the project in line with;

- Retain works to sports hall and new function room;
- Delete change rooms and toilets to southern end of sports hall;
- Retain window beams and other itemised items where possible ;
- Consider Sport and Recreation Association funding ability; and
- Discussions with the Department of Sport and Recreation

**9076 GILBERT/DEAN**

Give the Chief Executive Officer authority to negotiate confirm pricing and funding with the tenderers, funding agencies and architect to achieve a substantial completion of the project in line with;

- Retain works to sports hall and new function room;
- Delete change rooms and toilets to southern end of sports hall;
- Retain window beams and other itemised items where possible ;
- Consider Sport and Recreation Association funding ability; and
- Discussions with the Department of Sport and Recreation

**CARRIED 5/1**

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

Voting against the motion: Lorkiewicz



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

**8.1 Recession of Motion – Bulk Fuel Supply Contract**

Attachment 1: Agenda item 12.6, OM 28 November 2013

Attachment 2: Policy WRK 10

Prior to the Council meeting, Cr Dean put forward the following Notice of Motion;

That Council revoke resolution 9051 from Ordinary Council meeting of 28 November 2013 being:

**9051 LONGMORE/MELLEMA**

*That Council:*

1. *Support a 3 year bulk fuel supply contract*

**CARRIED 6/2**

*Voting for the motion:*

*Gilbert, Longmore, Lorkiewicz, Mellema, Slater and Steer*

*Voting against the motion;*

*Dean and Dobbin.*

**PROCESS:**

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

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

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

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

## OFFICER COMMENT

In addition to the original report of November 2013 on the matter, refer Attachment 1, the following notes are provided for Councils attention.

A purchase order for the contract for 3 year bulk fuel supplies has not been issued allowing this motion to be put forward and a copy of the revoked WRK 10 Fuel Purchasing Policy is attached.

Some further background on the reasoning for the original recommendation was not only for a cost saving to council in fuel supply terms but it was also going to address concerns employees have with the actual logistics and safety of using the service stations.

- Construction plant, trucks and trailers mixing with other service station users causing concerns with people entering and exiting the pay area at both locations. One in particular requires walking directly in front or behind vehicles.
- Banking up of vehicles while waiting for other plant or service station users.
- Complaints from service station staff regarding fuelling up at other locations.
- Service stations not always open when fuel is needed and then getting complaints from service station operators for using the other station.
- Not being able to supply fuel due to shortage or power outage.

If Council are concerned about local purchasing, a suggested way around this is would be to either to leave the motion regarding Policy WRK 10 revoked or change the wording on the policy, removing the '3 month change around' wording and revoke recommendation 1 from Item 12.6 – Support a 3 year Bulk fuel supply contract.

This would still mean that Policy ADM 4 Purchasing Section 6 would cover the use of the local fuel suppliers.

### 6. LOCAL PURCHASE

*Local businesses may be given preference on the supply of goods and services to Council subject to:*

- *Their ability to provide the goods/services in accordance with the specification;*
- *Their ability to complete the contract within the time specified; and*
- *The economic benefit to the community of awarding the purchase locally.*

The ability to use either service station at any time should alleviate most of the above mentioned issues to some degree and also hopefully save the operators any angst.

It also needs to be noted that currently Nannup BP is charging 4 cents per litre more for diesel than Caltex. BP Nannup is the current supplier until the end of Dec 2014.

**MOTION LAPSED  
THROUGH LACK OF A SECONDER**

## **9. CLOSURE OF MEETING**

There being no further business to discuss the Shire President declared the meeting closed at 14:38 hours.