



Shire of
Nannup
rest • connect • grow

Minutes

Council Meeting held
27 November 2014

CONFIRMATION OF MINUTES

These minutes comprising pages 1 – 45 were confirmed by
Council on 22 January 2015 as a true and accurate record.

.....
Tony Dean

Contents

Item	Minute	Title	Page
1		Declaration of Opening/Announcement of Visitors	1
2		Record of Attendance/Apologies/Leave of Absence (Previously Approved)	1
3		Response to Previous Public Questions Taken on Notice	1
4		Public Question Time	2
5		Applications For Leave of Absence	3
6		Petitions/Deputations/Presentations	3
7		Declarations of Interest	3
8		Confirmation of Minutes of Previous Meetings	4
	9197	Confirmation of Previous Minutes	4
9		Minutes Of Council Committees	4
9.1		LEMC Minutes	4
10		Announcements By Presiding Member Without Discussion	4
11		Reports By Members Attending Committees	4
12		Reports of Officers	
12.1	9198	Scott River Bridle Trail	5
12.2	9199	Nannup Visitor Services EOI	7
12.3	9199	Heart of Nannup – Town Centre Revitalisation	10
12.4	9100	Bushfire Risk Management Plan (BRMP)	16
12.5	9101	Fire Control Officer Appointment	26
12.6	9102	Review of Freedom of Information Statement	28
12.7	9103	Review of Code of Conduct	30
12.8	9104	Budget Monitoring - October 2014	32

Shire of Nannup
Ordinary Council Meeting Minutes Public Copy: 27 November 2014

12.9	9105	Monthly Accounts for Payment - October 2014	35
12.11	9106	Dog Law	37
		CONFIDENTIAL ITEMS	
12.10	9107	Procedural motion	
	9108	Procedural motion	
	9109	2015 Premier's Australia Day Active Citizenship Awards (Late item)	40
13		New Business of an Urgent Nature Introduced By Decision of Meeting	44
13 a		Officers	
13 b		Elected Members	
13b1	9110 9111	Heritage Policy extended Public Comment Time	44
14		Elected Members Motions of Which Previous Notice Has Been Given	44
15		Questions By Members of Which Due Notice Has Been Given	45
16		Closure of Meeting	45

Minutes

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Chairperson declared the meeting open at 16:17 hours.

ATTENDANCE:

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

Robert Jennings - Chief Executive Officer
Vic Smith - Manager Corporate Services
Brett Howson - Acting Manager Infrastructure

VISITORS:

9

APOLOGIES:

Nil

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

Nil

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Ms P Fraser

Q4. How much did the special election cost?

Chief Executive Officer responded

A4. Approximately \$1,500.00 but this will be confirmed.

After further investigation the actual costs were;

\$1966.00 the majority of this was for advertising,

\$1360.00 wages, taken as time in lieu.

Mr M Loveland

Q6. Why isn't the Town Hall drainage fixed yet?

A6. The Town hall is currently being assessed and any maintenance work that will be required will be done.

4. PUBLIC QUESTION TIME

Ms P Fraser

Q1. In reference to October's Council meeting Item 12.12: Request for Write Off, Why did the Shire President comment on polluting the waterways of Nannup with tyres?

Shire President responded;

A1. It was a humorous response and that part of the reply has been taken out of context.

Q2. On 2 October 2014 All Saints church celebrated their 100 year anniversary, why weren't there any Councillor attending this event?

Shire President responded;

A2. Ruled out of order and it is not necessary to respond.

Q3. Were the All Saints church charged for the hire of Shirley Humble room?

Shire President responded;

A3. Yes, they were charged.

Q4. In reference to the Cemetery gates, why are they going rusty? And is anything being done about this?

Shire President responded;

A4. This was the desired effect chosen for the gates and have been coated with a special product to rust them.

Q5. In 2015, the Shire of Nannup will be celebrating 125 years, is Council doing anything to celebrate this?

CEO responded;

A5. Council has a few ideas being developed.

Q6. Regarding the planting of the Avenue of Honour, why wasn't the public included in the planting?

CEO responded;

A6. The Avenue of Honour has been part of a community project. The community group worked through the school for part of the project and future sections will include the public to participate.

Q7. Caravan Park item last month, why did Council pick the older people?

CEO responded;

A7. A selection criteria process was used to determine the most appropriate party to take on the management of the Caravan Park.

Q8. Why is the Main Street is being surveyed again?

CEO responded;

A8. The Main Street project is now at a stage that it requires more detailed information for the project to proceed and this is done by surveying.

Ms B Dunnet

Q9. In reference to the Bushfire Risk Management Program, will there be any public consultation at any stage?

CEO responded;

A9. Yes, there has been at least one public meeting and several meetings with various stakeholders.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Lower Blackwood Landcare Group - Barbara Dunnet
Item 12.2 Nannup Visitor Services EOI - Debbie & David Pater

7. DECLARATIONS OF INTEREST

There were three declarations of Interest presented during the meeting

B Longmore	Item 12.10 Australia Day	Impartiality
T Dean	Item 12.2 Visitor Centre	Financial
J Lorkiewicz	Item 13.a.1 Heritage Policy	Impartiality

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

9197 STEER/SLATER

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 23 October 2014 be confirmed as a true and correct record.

CARRIED 8/0

9. MINUTES OF COUNCIL COMMITTEES

9.1 LEMC Minutes

10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Shire President:

Wish our CEO all the best on his new position and his future and thanks for the work done during the time here.

11. REPORTS BY MEMBERS ATTENDING COMMITTEES

Australia Day Award Committee meeting
Audit Committee meeting
BFAC Committee meeting
South West Local Emergency Management meeting
Community Bus meeting
Sustainability meeting
SW Zone WALGA meeting

12. REPORTS OF OFFICERS

AGENDA NUMBER:	12.1
SUBJECT:	Scott River Bridle Trail
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	4 November 2014

Attachment 12.1.1: Draft Scott River Bridle Trail.

BACKGROUND:

The Shire of Nannup Cultural Plan 2010 recommended the establishment of a local bridle trail network. In line with these recommendations, the Shire successfully applied for Lotterywest funding to undertake a study to establish the feasibility of developing a bridle trail connecting Nannup to the Scott Coast.

The Scott Coast bridle trail concept developed from the desire to acknowledge and reference the historic stock route utilised by local stockmen to move cattle from the Nannup area down to the coast. The trail alignment proposed in this study would provide the opportunity to visit and/or acknowledge areas of cultural and/or historic significance whilst providing an insight into the life and journey of the travelling stockman along the route.

Members of the local horse riding community, along with Council representatives and DPaW, were invited to engage with the process of establishing a bridle trail between Nannup and the Scott Coast. The informal group came together on a couple of occasions to discuss ideas and inform a preferred trail alignment, effectively operating as a Steering Group to guide the process.

The preferred trail alignment utilises a combination of road reserves, forest tracks and existing shared use paths to connect Nannup township to the Scott Coast, establishing new trailheads at Gussies Mill and Unallocated Crown land at Millyeannup.

Funding was endorsed by Council at their January 2014 meeting to contract Tredwell Associates to develop the Scott River Bridle Trail Feasibility Plan.

COMMENT:

This project was developed in consultation with community members and links with the current planning that has been initiated by the Shire of Bridgetown-Greenbushes in partnership with the Shire of Manjimup and the Shire of Nannup and is supported by the Warren Blackwood Alliance of Councils to establish the Bridgetown to Broke Inlet Bridle Trail.

The Heritage Bridle Trail network follows the path of stock routes throughout the region. This concept was identified in the development of the Shire of Nannup Cultural Plan and approved as a priority project.

Information reports throughout the process have outlined the trail alignment and consultation has been undertaken with community members, the Department of Parks and Wildlife and the Shire of Bridgetown Trails Manager. Correspondence has been forwarded to the Shire of Bridgetown-Greenbushes to integrate this trail into the main Bridgetown to Broke Inlet trail.

This trail once constructed would form part of the Nannup Trails Hub and could potentially link to the Margaret River Bridle Trails.

STATUTORY ENVIRONMENT: None.

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS:

At the date of this report the costs have not been determined and will be part of the next stage of the project.

STRATEGIC IMPLICATIONS:

Shire of Nannup Community Plan 2013 – 2023:

2. *Our Community: Value our Heritage and Festivals.*

VOTING REQUIREMENT: Simple majority.

RECOMMENDATION:

That Council accept the Scott River Bridle Trail Feasibility Plan and advertise for public comment for a period of fourteen days.

9198 GILBERT/LONGMORE

That Council accept the Scott River Bridle Trail Feasibility Plan and advertise for public comment for a period of fourteen days.

CARRIED 8/0

Cr Dean declared a financial interest on the following item.

Cr Dean left the meeting at 17.16 hours.

Cr Mellema assumed the chair.

AGENDA NUMBER:	12.2
SUBJECT:	Nannup Visitor Services EOI
LOCATION/ADDRESS:	Nannup
NAME OF APPLICANT:	N/A
FILE REFERENCE:	ASS 21
AUTHOR:	Vic Smith- Manager Corporate Services
REPORTING OFFICER:	Vic Smith- Manager Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	4 November 2014

Attachment 12.2.1: Expression of Interest Responses, separate cover.

BACKGROUND

At the September Council meeting it was resolved to advertise for Expressions of Interest for the Nannup Visitor Service with a \$10,000 contribution from the Council to be provided as support for the service.

The EOI was advertised locally for a period of two weeks, closing on 14 November 2014.

COMMENT

Three Expressions of Interest were received to provide Visitor Information Service including:

- Debbie Prater: operating from Sellsmart office on Warren Rd
- A Taste of Nannup and Beyond: operating from their premises on Warren Rd and
- Ton and Jo van Hattem operating from the Nannup Caravan Park.

The responses are appended at Attachment 1.

The point scoring mechanism was used as follows:

	Points Score
Extent of service provided	15
Location	10
Relevant Experience	10
Insurance coverage	5
Development Proposals	10
	<hr/>
	50
	<hr/>

Extent of Service

This element sought to evaluate the quality of the service to be provided and took account of factors such as hours of operation, level of staffing, communication of the service and membership of relevant organisations.

Location

This element looked at the size of the space to be provided, the facilities offered, compliance with health and safety legislation as well as the geographical location of the service.

Relevant Experience

This element sought the level of previous experience in managing a tourism related service.

Insurance coverage

Evidence of suitable public liability insurance was requested.

Development Proposals

This element sought to evaluate the likely level of added value to the service. Respondents were asked to suggest further areas not covered in the EOI that would enhance the service to be provided.

Scoring the tenders is largely a judgemental process. Scoring was therefore undertaken by an evaluation panel comprising the CEO and Manager Corporate Services.

Summary

After all the scoring had been completed the position was as follows:

	Possible Score	Debbie Prater	Taste of Nannup
Extent of service provided	15	15	13
Location	10	6	9
Relevant experience	10	7	10
Insurance coverage	5	5	5
Development proposals	10	7	5
	<u>50</u>	<u>40</u>	<u>42</u>

The proposal from Ton and Jo van Hattem did not address the selection criteria but instead offered some space in their premises to the successful candidate to run a Visitor Information Service; it has not therefore been formally evaluated.

There was little to choose between the two submissions as both had elements that were better than the alternative. For example, the submission from Debbie Prater provides for

longer hours of operation but the geographical location favours A Taste of Nannup and Beyond.

The payment arrangements for the service are proposed to be \$5,000 on contract award with a further \$5,000 in June, subject to a satisfactory report to Council on progress in developing the service.

STATUTORY ENVIRONMENT: None.

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS: \$10,000 in the financial year 2014/15.

STRATEGIC IMPLICATIONS:

The Shire of Nannup Forward Plan 2011/12- 2015/16
Program 13 Economic Services and Tourism.

VOTING REQUIREMENTS: Simple Majority.

RECOMMENDATION:

That Council offer the Nannup Visitor Information Service contract of \$10,000 to A Taste of Nannup and Beyond payable \$5,000 on award of the contract with a further \$5,000 in June 2015 subject to a satisfactory report to Council on progress on implementing the service.

9198 MELLEMA/STEER

That Council offer the Nannup Visitor Information Service contract of \$10,000 to A Taste of Nannup and Beyond payable \$5,000 on award of the contract with a further \$5,000 in June 2015 subject to a satisfactory report to Council on progress on implementing the service.

CARRIED 6/1

Voting for the motion: Mellema Longmore, Lorkiewicz, Slater, Steer and Stevenson

Voting against the motion: Gilbert

Cr Mellema vacated the chair at 17:27 hours.

Cr Dean returned to the meeting and resumed the chair.

AGENDA NUMBER:	12.3.
SUBJECT:	Heart of Nannup – Town Centre Revitalisation
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	WRK33
AUTHOR:	Bret Howson – Acting Manager Infrastructure
REPORTING OFFICER:	Bret Howson – Acting Manager Infrastructure
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	18 November 2014

Attachment 12.3.1: Master Furniture and Materials Palette.

Attachment 12.3.2: Overall Nannup Mainstreet Masterplan.

Attachment 12.3.3: 85% Design Drawings.

Attachment 12.3.4: Nannup Mainstreet Cost Estimate.

BACKGROUND:

Following the “restart” of the Heart of Nannup – Town Centre Revitalisation project in September 2014, Shire staff have progressed the documentation to 85% completion stage. The project had been put on hold due to a reduction in funding from the Royalties for Regions grant scheme for the Shire of Nannup.

This item is for the Council to consider the design documents and endorse the 85% design stage of the project. The 85% mark is traditionally considered significant as it marks the imminent completion of documentation and the last chance to comment.

The attached documents have incorporated all comments from the two rounds of Community Consultation and Main Roads WA reviews prior to this presentation to the Council.

COMMENT:

To move forward, the Council needs to:

- Note that Main Roads Western Australia (MRWA) will need to approve the 85% design and that their requirements for the project have been met.
- Consider if Council require the concepts documents to be updated and re-issued for public consultation?

- Confirmation the available construction budgets and options for staging of construction works if required.
- Timeframes for completion of documentation and specification packages.

Another issue that the Council and community need to be aware of, is the disruption caused by works in a business / community street. At this stage, it is suggested that footpaths and drainage works between Grange Road and Adam Street will be completed between September and December 2015; the community needs to be respectfully made aware of the proposed works and disruptions.

The main street of Nannup is also the community hub for daily business, shopping and also local and regional events. Therefore the timing of any works in this area needs to be safe and accommodate the important activities in the main street.

Other than daily business, shopping and tourists activities, the following is a list of events which utilise the main street area. Clearly these events cannot be interrupted by any works or restricted access to facilities and businesses.

Event	Date	Comments
Flower & Garden Festival	Mid August	Not in suggested construction period
Cinefest Oz	Mid August	Not in suggested construction period
Blackwood Classic 250 boat race	End September	100-200 people, mostly competitors and support crews along river and caravan park area. Arrive, stay overnight and leave next day.
Festival of Arts	End September	200 people. Event round Town Hall
Camp Doogs	Beginning October	No expected issues, Barragup sanctuary area, not in town.
Nannup Music Festival	Beginning March	5000 to 10000 people. Event around music shell area, however full town event.
Quit Forest Rally	End March	5000 people. Event service and vehicle area for full length of mainstreet. Full town event.

At this stage it is suggested that late October to early December is the optimum time to carry out works in the main street. Based on this two construction timeframes could be considered (refer table below).

Carrying out the works in either option allows sufficient time for:

- Completing design and specification
- Obtaining required approvals
- Confirming funding
- Community consultation
- Purchasing materials
- Arranging contracts
- Establishing site conditions, such as underground services

Project Schedule																																
	Sept 15				Oct 15				Nov 15				Dec 15				Jan 16				Feb 16				Mar 16				Apr 16			
Good construction time	[Green blocks]																[Green blocks]															
Event in Mainstreet	[Blue block]			[Blue block]			[Blue block]			[Blue block]			[Blue block]			[Blue block]			[Blue block]			[Blue block]			[Blue block]							
Christmas / New Year	[Blue block]												[Blue block]																			
Suggested Works A	[Purple blocks]																[Purple blocks]															
Suggested Works B	[Purple blocks]				[Purple blocks]				[Purple blocks]				[Purple blocks]				[Purple blocks]				[Purple blocks]				[Purple blocks]							

The 85% drawings and documentation have been attached to this item for the Council’s consideration. The design consultants MPM Project and Emerge Landscaping will be making a presentation at 2pm prior to the November Ordinary meeting of Council.

The other issue the Council will need to consider is the construction works. The cost of the total project, and various components of the project, will also exceed \$100,000. This will require the Council to call state wide tenders or utilise the WALGA Preferred Suppliers panel of contractors.

There are 2 options for the construction of the mainstreet works:

1. Preparation of one contract for the whole project and award to one larger contractor. The Shire will only need to provide a contract superintendent. This is a much simpler process, but will be more expensive with higher risk of variations.
2. Shire officer prepare a strategy of smaller contracts and Project Manage the entire project. This is much more complex process, however there would be greater control over costs and local components.

Ideally, the regional development funding should be directed to stimulate the local economy, therefore every effort should be made to ensure local contractors are given a good opportunity to bid and carry out this work.

STATUTORY ENVIRONMENT:

Main Roads WA have the statutory control over 10m of Vasse Highway (Warren Road), 5m either side of the road centreline. Main Roads also have the statutory control of regulatory line marking and signage.

In regards to purchasing statutory regulations, Local government is bound to purchasing by public tender, or the WALGA Preferred Suppliers Panel for works or services over the value of \$100,000. The supply of drainage material and brick paving are both likely to exceed \$100,000.

The supply of drainage materials such as pipes and gully pits can be sourced from the WALGA preferred suppliers list of approval companies.

Some of the proposed brick paving and cobble stones for drainage areas are specialist type products and may not be available through the WALGA preferred suppliers list of companies. These products may need to be purchased via public tender.

POLICY IMPLICATIONS:

Council's Consultation Policy Category 6 – Major projects with Shire wide impacts
 Shire Local Planning Policy LPP008 – Nannup Mainstreet Heritage Precinct

FINANCIAL IMPLICATIONS:

Item	Budgeted \$	Received \$	Spent \$	Balance \$
R4R Individual 2011/12	15,084	15,084	15,084	0
R4R Regional 2011/12	250,188	250,188	33,528	216,660
SWDC	15,960	15,960	15,960	0
Reserve	142,188	142,188	61,940	80,248
R4R Individual 2012/13	335,468	0	0	335,468
R4R Regional 2012/13	386,188	0	0	386,188
SWDC	4,320	4,320	4,320	0
Main Roads WA – Stage 1	150,000	0	0	150,000
Main Roads WA – Stage 2	300,000	0	0	0
Other Grants TBC	150,000	0	0	150,000
Rec Centre sponsorship	176,981	0	0	176,981
TOTAL	1,676,377	427,740	130,832	1,495,545

Below is the status of each grant:

Available in 2014/15

Item	Budgeted \$	Received \$	Spent \$	Balance \$
R4R Regional 2011/12	250,188	250,188	33,528	216,660
Reserve	142,188	142,188	61,940	80,248
Main Roads WA – Drainage contribution Stage 1	150,000			150,000
R4R Individual 2012/13	335,468	0	0	335,468
R4R Regional 2012/13	386,188	0	0	386,188

Available in 2015/16

Item	Budgeted \$	Received \$	Spent \$	Balance \$
Main Roads WA – Drainage contribution	300,000			300,000

Unsuccessful

Item	Budgeted \$	Received \$	Spent \$	Balance \$
Other Grants TBC	150,000	0	0	150,000

Tentative amount

Item	Budgeted \$	Received \$	Spent \$	Balance \$
Rec Centre sponsorship - Exact amount will vary	176,981	0	0	176,981

At the time of this report, it is suggested that the available budget for Stage 1 of this project would be \$1,100,000.

R4R Regional 2011/12	216,660
Reserve	80,248
R4R Individual 2012/13	335,468
R4R Regional 2012/13	386,188
Main Roads WA	150,000
TOTAL	1,116,564

If the project team aim for a budget figure of \$1,100,000, then if other funding becomes available between now and the start of the project, it means the Council can possibly do more. In a similar manner to the Recreation Centre project, funding can be sought continuously to add value to the based project.

STRATEGIC IMPLICATIONS:

2.1 The Big Picture

We will have a sustainable, innovative and equitable economy

- Promote innovative ideas and value add to businesses and industry
- Work collaboratively with State and Federal Government agencies to improve our economy
- Encourage and support more industry, businesses and employment into our Shire

2.2 Tourism/Recreation

Working together to attract people to our amazing Shire

- Support tourism providers and promote our district
- Marketing and branding of our Shire to promote regional produce and services

3.1 Our Shire and Streetscape

Keep the charm and fabric of our unique shire and upgrade the amenity

- Well maintained quality infrastructure for our community and visitors and promote activity
- Capture and promote our unique charm and fabric

- Maintain our town's distinct look and feel

5.1 Listen

To listen and partner with our community leaders and all our diverse groups

- Listen to the people

VOTING REQUIREMENT: Simple Majority

RECOMMENDATIONS:

That the Council:

1. Endorse the 85% design documentation for the Heart of Nannup – Mainstreet Redevelopment project, subject to any amendments following the information session.
2. Community consultation for the 85% design stage is not required.
3. Final Design and specifications are presented to the Council for endorsement once completed.
4. A consultation strategy for the construction works is to be prepared and presented to the Council for consideration.

9199 GILBERT/MELLEMA

That the Council:

1. Endorse the 85% design documentation for the Heart of Nannup – Mainstreet Redevelopment project, subject to any amendments following the information session.
2. Community consultation for the 85% design stage is not required.
3. Final Design and specifications are presented to the Council for endorsement once completed.
4. A consultation strategy for the construction works is to be prepared and presented to the Council for consideration.

CARRIED 7/1

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

Voting against the motion: Stevenson.

AGENDA NUMBER:	12.4
SUBJECT:	Bushfire Risk Management Plan (BRMP) – Completion of Pilot Project and Position of Council For Future Involvement In The BRMP Process
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	FRC 2
AUTHOR:	John Carter, Bushfire Risk Planning Coordinator
REPORTING OFFICER:	Robert Jennings – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	18 November 2014

Attachment 12.4.1: BRMP – Revised Local Level Process Flow.

Attachment 12.4.2: Local governments letter to SEMC.

Attachment 12.4.3: Position Paper.

BACKGROUND:

Rationale and Implementation of the BRMP

In 2012, a total of 45 local governments were identified by the state government as falling within high risk zones for bushfire. In June 2013 the Minister for Emergency Services (the Minister) wrote to these local governments to advise that the Government was developing a Bushfire Risk Management Process (BRMP) process for completing tenure blind assessments of bushfire risks within local government areas. A further twelve local government areas had subsequently been identified as priorities for developing BRMPs. Representatives from 43 of the local governments attended eight workshops at Rockingham, Swan, Busselton, Bunbury, Dongara, Northam, Albany and West Leederville.

Major comments raised by local governments from the consultation were:

- The BRMP process is sound and must move forward in order to lower bushfire risk in the State;
- The tenure blind approach is supported, however ensuring the participation of all parties will be critical;
- That financial and human resources for local governments and other agencies for the planning stage and the implementation of treatment strategies, as well as the ongoing professional support provided to the local governments by DFES, will need to be made available for the program to proceed;
- Clarification of the legislative authority under which local governments will be required to comply, including the broader consideration of 'binding the Crown', is required; and

- The Bushfire Risk Management software system being developed is fundamental to implementing and managing the process.

The WA Local Government Association, although very supportive of the need, was not supportive of the proposed implementation structure and process. WALGA was of the view that the BRMPs should be at the district level and that local governments should not lead the process and should only be involved in the same manner as any other land holder.

Following this consultation by the State Emergency Management Committee (SEMC) with local governments, it determined to implement the BRMP via a staged roll out process based on a combination of risk and capacity. This included the four pilot local governments to test the process, standards and template, inform and verify the functional requirements of the Bushfire Risk Management Software system and test the level of commitment particularly by government agencies and other major land holders.

Post the pilot program of four local governments, it was proposed that approximately 23 local governments would commence developing BRMPs in 2014/15, followed by sixteen in 2015/16 and four in year 2016/17 and twelve in 2017/18.

A Cabinet submission seeking support for this proposal was unsuccessful in mid 2014, resulting in a stalemate about the future development, governance, funding and roll out of the program beyond an initial extension of the pilot to the end of December 2014. At this stage, it is still unknown which direction the government will take with regard to the BRMP into the future.

The Shire of Nannup (the Shire) was selected by the Department of Fire and Emergency Services (DFES) and Office of Bushfire Risk Mitigation (OBRM) to participate in the Bushfire Risk Management Program (BRMP) pilot-project together with the Shires of Augusta Margaret River, Boyup Brook and Collie. The state government has made a commitment to this project as a result of recommendations within the Keelty special inquiries, including lessons learned from the Noetic Solutions independent inquiries into the 2011 Milyeannup and Margaret River bushfires.

There are four distinct objective streams to the BRMP Pilot:

1. **Proving the BRMP Framework (Guidelines)**, including the templates, underlying processes and procedures, and that documents work effectively in allowing the local governments (LGs) to produce a tenure-blind BRMP in the new template format.
2. **Informing the Bushfire Risk Management System (BRMS) software solution**, albeit in a reduced-functionality version; and ensuring that any changes to the Guidelines and processes are reflected in the BRMS.

Note – the BRMS is a web based data management system and GIS platform where stakeholders can identify assets, undertake risk assessments and assign treatments to mitigate bushfire risk. The intent is that stakeholders will be able to prepare bushfire risk reports and maps from BRMS.

3. **Confirming the ongoing support requirements,**
for the overall BRMP program, including training.
4. **Assessing participation levels,**
LG's, state government agencies and private landholders.

As part of this project a Bushfire Risk Planning Coordinator (BRPC) funded by the DFES was engaged in a partnership with the Shire of Augusta Margaret River. Supporting the BRPCs in this process are DFES Bushfire Risk Management Officers. A similar arrangement has occurred with the Shires of Collie and Boyup Brook.

At this moment the pilot-project has not met all objectives, with the Guidelines incomplete and the BRMS still in development phase and yet to be fully tested. DFES has indicated that BRMS will be operational at the end of November 2014.

The development of a user handbook and training package, both necessary to ensure the successful application of the BRMP project, has not commenced.

A draft BRMP for a small number of assets in the Nannup area has been developed and work is continuing on the completion of the BRMP for all the assets in this planning area. It is planned for this smaller component of the overall BRMP project to be completed by the Shire before the end of the project in December 2014.

COMMENT:

In Brief

- Testing of the BRMP Guidelines and the Bushfire Risk Management System (BRMS) is ongoing, however the pilot-project is due to end as of 31 December 2014.
- Funding for the continuation of the project has not been allocated beyond December 2014.
- A number of issues and concerns have been raised by participating local governments regarding the proposed BRMP Guidelines and BRMS.
- It is uncertain if local governments will be involved in the development or have the opportunity to comment on the final components of the BRMP project.
- Recommendations to address these issues and concerns are presented in a position paper (refer Attachment 3) to be sent to the State Emergency Management Committee (SEMC) in December 2014. A preliminary letter from

local governments (refer Attachment 2) was previously drafted to allow the future Position Paper to be tabled on the Agenda for the December SEMC meeting.

Positive Outcomes from the BRMP process

A review provided to DFES in October 2014 by the Shires of Nannup and Augusta Margaret River of the pilot BRMP project found that a number of positive outcomes have come from the project including:

- a) The building of positive relationships with internal and external stakeholders;
- b) The clarification of organisational, team and individual roles and responsibilities in relation to bushfire risk management;
- c) The clarification of external roles and responsibilities;
- d) The development of a framework to support consistent and ongoing program development; and,
- e) An increased focus on bushfire planning / preparedness across all stakeholders.

Issues arising from the BRMP process

This review also identified a number of issues that may impact on the ability of the Shire to implement and maintain the BRMP into the future:

- The Shire does not currently have the internal capacity to undertake a BRMP across the complete local government area and will require externally funded resources if a tenure blind BRMP is to be completed.
- Resources will be required to coordinate and develop the BRMP as well as implementing those responsibilities that are required of the Shire. Additionally, the monitoring and reporting requirements will place pressure on existing Shire resources.
- DFES and OBRM have indicated that the resourcing to local governments for the development and implementation of the BRMP is a significant issue.
- The pilot-project Shires are yet to be convinced that they are the best organisation to lead the BRMP process and consider that DFES should undertake this function.
- The *BRMP – Revised Local Level Process Flow* (Attachment 1) shows the work flow and responsibilities of the various stakeholders. If the preferred approach is for LGs to coordinate tenure blind BRMPs, then this cannot be completed by LGs without adequate resourcing from the State.
- It is planned that the BRMS will complement this part of the BRMP process, however the local governments have been informed that any data developed and entered during the development phase of BRMS will not be able to be migrated to the operational phase of BRMS, resulting in rework and inefficiencies.

- The four local governments have commenced development of a BRMP for parts of their LG area, with feedback about the process and outcomes regarding the BRMP framework being used somewhat to refine these tools. The draft BRMP guidelines only targeted a small number of assets in each planning area. Work is continuing on extending the scope to enable the completion of a BRMP for the entire specific planning area by the end of the project in December 2014. This more detailed project is distinct from the overall BRMP pilot-project that local government considers needs more time to be completed.

Whilst there have been many positive outcomes from this experience, especially with regards to confirming commitment to better managing bushfire risk, and improved community and stakeholder engagement and communication, the pilot-project has also revealed concern with the detail of the BRMP framework and its execution and the final governance model to coordinate the BRMP process. These issues will now be explored in more detail, with corresponding recommendations to address these concerns presented.

Issue 1 – Completion of BRMP objectives

The pilot local governments all consider the BRMP project as being critical to the successful implementation of the Guidelines throughout the State and are committed to achieving a satisfactory outcome and workable process. In November 2014 the local government representatives were unanimous in raising concerns to DFES / OBRM that there was considerable work still to be undertaken to ensure the BRMP project is completed to the highest standard possible and to the satisfaction of all parties.

To facilitate this, the local governments considered that the pilot project should continue for an additional period of six months. Without an extension, it is uncertain if participating local governments will have an opportunity to comment on the final components of the BRMP project. If this does not occur, it will compromise the capacity and confidence of local governments to provide their support for the finalised BRMP project. The following recommendations from the Pilot Project Councils can be found in the position paper:

Recommendation 1

DFES fund an extension of the BRPC role across all four pilot local governments for a further period of six months to enable:

- Completion of the BRMP framework (being the Guidelines, handbook, training package, BRMS and governance arrangements) so that it can be fully evaluated and tested to the satisfaction of all stakeholders before being implemented; and
- Completion of BRMP's for the targeted areas within each of the four pilot local government areas that fulfil the MOU commitments.

Issue 2 – BRMP in alternative form

It is apparent there is considerable work being undertaken and resources invested across the State with regards to bushfire risk assessment and BRMPs, some using alternative

methods to the proposed BRMP framework. This work is being undertaken by LG's as well as State agencies and other land managers. As BRMS is not yet operational, these local governments and agencies should be able to complete and submit their BRMPs in the current formats.

Recommendation 2

As a transitional measure, that where stakeholders can demonstrate that their BRMP meets the objectives and underlying principles of the OBRM/DFES, BRMP Guidelines, that alternative BRMP's be supported and endorsed as compliant by OBRM.

Issue 3 – Coordination of BRMP process

The local governments are unanimous in their belief that DFES is the best placed organisation to lead the BRMP process. There are significant resourcing, budgetary, efficiency and quality outcomes that can be met if DFES were to lead the project and local government participate as a stakeholder, together with other government agencies and land managers.

The local governments recommend that DFES and OBRM consider adopting the Victorian model as an alternative method to coordinate and develop BRMPs where a State government led group undertake the BRMP risk assessment process across all LG areas. The advantages of this model are:

- It ensures technical consistency of the product as the same group does all risk assessments;
- It has large efficiencies with one team working across many LGs;
- It enables government agencies at a State level to be more efficient in their participation of BRMPs with having dealings with fewer groups; and
- It reduces the requirement to engage BRPCs in all local governments.

Recommendation 3a

The Minister of Emergency Services direct DFES to take the lead role in coordinating and developing BRMPs across local government areas in Western Australia.

If implementation of the BRMP into the LG sector is unfunded, local governments may choose not to adopt the BRMP framework to support their existing bushfire mitigation responsibilities or, to use the BRMP framework just for assets they own and for the lands they manage rather than be involved on a tenure blind basis with all other stakeholders. The financial implications of this second approach are unknown. The resourcing for this is yet to be determined but would need to be found.

It is also highlighted that regardless of who coordinates the BRMP framework, considerable organisational and operational change will still be required in all local governments to implement the new BRMP framework. The impacts of this will vary between local governments. Smaller, less resourced local governments, and those with extensive bushfire risk, will find this harder and more costly to integrate than larger, better resourced local governments.

Recommendation 3b

The State government provides adequate resources to local governments to support preparation of BRMP's and the integration of new BRMP obligations into LG operations.

Recommendation 3c

Should DFES ultimately coordinate BRMP's, it is recommended that where need can be demonstrated, that the State Government continue to provide funded support to some local governments for BRPCs.

Issue 4 – Review of the BRMP Framework

The Pilot local governments strongly encourage DFES to ensure that the principles of ongoing review and continuous improvement, as specified by ISO3100, be applied in their ongoing implementation of the BRMP framework. Various concerns have been raised individually and collectively by all four Pilot local governments during the course of the project.

Ideally, the BRMP framework should be robust and proven to work well before it is implemented. We seek commitment that the Pilot local government concerns will be addressed as the project continues on, and that once proven to work well, that the framework is then reviewed within two years of it becoming operational.

Recommendation 4a

That DFES and OBRM commit to addressing as a matter of priority the concerns raised by the four Pilot local governments, both individually and collectively, with the BRMP framework and its execution.

Recommendation 4b

Once the BRMP framework is proven to operate to the satisfaction of all stakeholders, a comprehensive review is undertaken within two years of the BRMP framework being implemented.

Conclusion

It is critical that the model of delivery and the BRMP framework is adequate before it is imposed upon stakeholders and particularly the local government sector. Failing to do this will undermine the potential success of the BRMP framework.

If this is done to the satisfaction of all parties, the Pilot LG's will have confidence in being able to advocate in support of the BRMP framework to the local government sector at large.

In fortifying this approach, it is proposed that the participating pilot project local government CEOs and Shire Presidents sign a position paper encompassing the above issues and recommendations to be tabled by WALGA at the State Emergency Management Committee (SEMC) December 2014 meeting for their consideration.

STATUTORY ENVIRONMENT

Under *Westplan Fire*, local government are responsible for the prevention, preparedness and response to bushfire, within their designated areas. They are also responsible for managing the on-going recovery of the community after a bushfire event.

It is a requirement of *Westplan Fire* that where there is a significant risk of bushfire, an integrated BRMP is developed for each local government area across the State. It requires local government to participate and contribute into the planning process of a BRMP but it does not state the local governments are required to lead the BRMP process. *Westplan – Fire* does require that a local government BRMP must be endorsed by the LG Council and form part of the Local Emergency Management Arrangements required under the Emergency Management Act 2005.

The *Bushfires Act 1954* gives the Shire powers to require landowners to remove all flammable material and to install firebreaks on lands they own or occupy as set out in the *Shire Fuel Hazard Reduction & Firebreak Notice 2014-2015*.

The Bush Fires Act does not bind the Crown and therefore the Shire is not required to undertake fuel hazard reduction on Shire managed lands or Shire vested reserves.

POLICY AND CONSULTATION IMPLICATIONS:

Policies

Planning for Bushfire Protection – Department of Planning
Alignment with AS3959 Building in Bushfire Prone Areas

External Consultation

Stakeholder group consultation has occurred during the development of the BRMP for Gnarabup-Prevelly and has included representatives from:

- Department Fire and Emergency Services
- Department of Parks and Wildlife
- Main Roads WA
- Western Power
- Water Corporation
- Department of Lands
- Forest Products Commission
- Nannup High School
- Nannup Hospital

An information paper outlining the project has been distributed to part of the Nannup town site.

Ongoing consultation with DFES and OBRM has occurred during the period of the BRMP project. This was through formal meetings as part of a Reference Group and later

informal meetings to progress the development of the Guidelines and to receive training in BRMS.

The level of consultation with DFES/OBRM has not been to a satisfactory level despite numerous requests from both BRPCs.

Internal Consultation

- Work Services
- Community Emergency Services Officer
- Local Emergency Management Committee
- Nannup Bushfire Advisory Committee

FINANCIAL IMPLICATIONS:

A funding arrangement for the ongoing development of BRMP across the Shire is still uncertain, with the government yet to decide if or how it would fund BRMPs across the State.

If the government accepts the recommendations of the local governments as outlined in this paper, the Shire will be a stakeholder in a BRMP project. In this situation, it is unknown if funding will be provided to the Shire to undertake this role. The Shire does not have the internal capacity to participate in the BRMP project without additional funding.

If the government decides not to accept the recommendations of the local governments and requires local government to undertake the BRMP coordination and development role, the Shire would not be able to undertake this role without additional resources.

If the BRMP is unfunded, the Shire may choose to undertake bushfire risk management planning for assets it owns and for the lands it manages. The financial implications of this approach are unknown, with resourcing yet to be determined and would need to be found within internal resources.

STRATEGIC IMPLICATIONS:

Environmental

The development of a comprehensive BRMP will assist with management of sensitive and environmentally vulnerable flora and fauna communities.

Social

The development of a Shire wide BRMP will assist in increasing the level of preparedness of the community to bushfire, and potentially reduce the level of social impact as a result of bushfire.

Economic

The development of a BRMP will assist the community in preparedness measures which may reduce the likelihood and consequence of a bushfire impact and thereby reduce the economic impact of such a disaster.

VOTING REQUIREMENT: Simple majority

RECOMMENDATION:

That Council:

1. Support the signing of the position paper by the Shire President and CEO of the four participating local governments in relation to a review of the pilot Bushfire Risk Management Plan (BRMP) project;
2. Support submission of the position paper to the Western Australian Local Government Association to assist their representation to the State Emergency Management Committee on behalf of the four participating local governments regarding the future of the BRMP.

9200 MELLEMA/DEAN

That Council:

1. Support the signing of the position paper by the Shire President and CEO of the four participating local governments in relation to a review of the pilot Bushfire Risk Management Plan (BRMP) project;
2. Support submission of the position paper to the Western Australian Local Government Association to assist their representation to the State Emergency Management Committee on behalf of the four participating local governments regarding the future of the BRMP.

CARRIED 7/1

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

Voting against the motion: Lorkiewicz.

AGENDA NUMBER:	12.5
SUBJECT:	Fire Control Officer Appointment
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	WRK33
AUTHOR:	Bret Howson – Acting Manager Infrastructure
REPORTING OFFICER:	Bret Howson – Acting Manager Infrastructure
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	18 November 2014

BACKGROUND:

This item is for the Council to endorse the nomination of Rob Bootsma as the Fire Control Officer for Nannup Townsite.

COMMENT:

A Fire Control Officer (FCO) is nominated by their representing brigade area and the nomination is then appointed by Local Government.

The Shire of Nannup requires a FCO to perform the duties of writing permits within the Fire Gazetted Area of the town.

Chris Wade is an employee of the Shire of Nannup (Infrastructure Manager) and is one of the Deputy Chief Bush Fire Control Officers in the Shire. Chris currently has the authority to write permits within Nannup townsite. However Chris is currently on extended annual leave as the Manager Infrastructure and as the volunteer Deputy Chief Bush Fire Control Officer, therefore it would be beneficial for the Shire to have another person appointed as a FCO for Nannup townsite. This will address any issues whilst Chris is on leave and in case this situation arises again in the future.

It is the officer's recommendation that the Council accept the nomination for Rob Bootsma to perform the duties as Fire Control Officer – Nannup Township

STATUTORY ENVIRONMENT: None.

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS: None.

STRATEGIC IMPLICATIONS: None.

VOTING REQUIREMENTS: Simple Majority.

RECOMMENDATION:

That the Council endorse Rob Bootsma – Community Emergency Services Manager (CESO) be appointed as the Fire Control Officer (FCO) in the Nannup Township as defined as the Fire Gazetted Area.

9201 MELLEMA/SLATER

That the Council endorse Rob Bootsma – Community Emergency Services Manager (CESO) be appointed as the Fire Control Officer (FCO) in the Nannup Township as defined as the Fire Gazetted Area.

CARRIED 8/0

AGENDA NUMBER:	12.6
SUBJECT:	Review of Freedom of Information Statement
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	ADM 7
AUTHOR:	Vic Smith – Manager Corporate Services
REPORTING OFFICER:	Vic Smith – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	14 November 2014

Attachment 12.6.1: Freedom of Information Statement 2014/15.

BACKGROUND:

The Freedom of Information Act 1992 requires agencies covered by the Act to produce and annually review a Freedom of Information Statement. A Statement is currently available on the council's website and was last reviewed at the Ordinary Meeting of Council on 28 November 2013.

COMMENT:

The proposed amendments to the Statement are shown at Attachment 12.5.1. Wording which is recommended for deletion is shown as crossed through and new wording as underlined.

Amendments are needed as follows:

1. The Council's structure has been updated to reflect the result of the recent election.
2. Reference to the Dogs Local Law 2014 has been added.

STATUTORY ENVIRONMENT:

Sections 96 and 97 of the Freedom of Information Act 1992.

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS: None.

STRATEGIC IMPLICATIONS: None.

VOTING REQUIREMENTS: Simple Majority.

RECOMMENDATION:

That Council approve the suggested revisions to the Freedom of Information Statement as set out in Attachment 12.6.1.

9202 SLATER/LONGMORE

That Council approve the suggested revisions to the Freedom of Information Statement as set out in Attachment 12.6.1.

CARRIED 8/0

Meeting was adjourned at 17.50 hours.

Reason for adjournment: Citizenship ceremony.

Meeting resumed at 18:15 hours.

AGENDA NUMBER:	12.7
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	14 November 2014

Attachment 12.7.1: Code of Conduct 2014.

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 on 28 February 2013.

COMMENT:

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

The only amendment suggested is to increase the value of the “token gift” amount from \$40 to \$50.

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 2014 as set out in Attachment 12.6.1.

The original Motion as amended, being;

9103 SLATER/STEVENSON

Council adopt the Code of Conduct 2014 as set out in Attachment 12.6.1 with the following inserted (highlighted);

3.7 Relationships between Members and Staff

An effective Councillor will work as part of the Council team with the Chief Executive Officer and other members of staff. That teamwork will only occur if Members and staff have a mutual respect and co-operate with each other to achieve the Council's corporate goals and implement the Council's strategies. To achieve that position Members need to:

- (a) accept that their role is a leadership, not a management or administrative one;
- (b) acknowledge that they have no capacity to individually direct members of staff to carry out particular functions; and
- (c) refrain from publicly criticising staff in a way that casts aspersions on their professional competence and credibility.

Officers refrain from publicly criticising Councillors in a way that casts aspersions on their professional competence and credibility.

CARRIED 8/0

Reason for change: To clarify that employees had an equal obligation to that set out for councillors in Clause 3.7(c).

AGENDA NUMBER:	12.8
SUBJECT:	Budget Monitoring – October 2014
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 8
AUTHOR:	Vic Smith – Manager Corporate Services
REPORTING OFFICER:	Vic Smith – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	12 November 2014

Attachment 12.8.1: Financial Statements for the period ending 31 October 2014.

Attachment 12.8.2: Table Showing Detailed Variances for 2014/15.

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 appended at Attachment 12.7.1.

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:

The gross surplus that is anticipated for the end of this financial year is expected to be \$15,076; this is shown in the table below.

	<i>(Surplus)/Deficit</i> \$
Gross (surplus)/deficit expected for the year	
Income – over received	(\$20,694)
Expenditure – overspent	\$5,618
Projected surplus at end of the year	(\$15,076)

Income for the year is expected to be \$20,694 higher than budgeted. Grant funding of \$19,900 has been received to develop a bridle trail; this will have a nil effect overall as expenditure within the Community Development budget will increase. The grant for the SES is \$10,200 lower than expected as a bid for new equipment has not been successful; there will be a nil overall effect on the budget as the budgeted equipment will not now be purchased.

Additional properties being added to the rate base have resulted in higher rates and service charges, generating additional income of approximately \$9,000. Financial Assistance Grants are slightly lower than anticipated but this is offset by the direct roads grant from Main Roads being higher than budgeted.

Income from fees and charges will exceed budgets if current income trends continue. Similarly, assuming investment income matches that for 2013/14, income from this source will be \$6,000 lower than budgeted.

At this point in the financial year most expenditure is expected to be contained within budgets. There are a few areas where, if it continues at its current rate, may see overspend by the end of the financial year.

Insurance costs are expected to be lower than budgeted by approximately \$25,000; this has arisen because there will be fewer employees as the Mowen Road project comes to a close. The reduced number of employees has a consequent impact on the cost of Workers Compensation Insurance.

Fuel Costs are currently trending at 10% over budget. While the actual costs will rely on works undertaken and distances travelled and the cost per litre of the fuel, it is anticipated that there will be an overspend within this category of approx \$25,000 by June 30, 2015.

Staff training costs have also been higher than budgeted for. With the recruitment of three new outdoor employees has come the need for additional training to ensure that they are capable and trained for their new positions, this has resulted in an overspend within this area. Additionally from an OH&S perspective there are areas where required skills needed to be updated in order to comply with legislative requirements. At this point in time, it is anticipated that the overspend in this area will be \$5,350.

The running costs for the Community Emergency Service Officer's vehicle are likely to be higher than budgeted. This is a result of the vehicle being replaced by a new leased vehicle with a higher mileage allowance to reflect the greater distances being travelled. These costs will be offset by 80% under the grant arrangements with the Department of Fire and Emergency Services.

Capital expenditure items are all within allocated budgets. There have been savings in the purchase costs of the loader and tractor, with trade in values being close to expectations. There will therefore be a saving of \$50,000 at the end of the year that will be offset by a reduced contribution from the Plant and Equipment Reserve. Costs have

been incurred in replacing the central server and upgrading five PCs; this cost will be offset by a contribution from the Office Equipment Fund.

Attachment 12.7.2 provides a detailed breakdown of income and expenditure incurred to 30 October 2014 and the associated annual budgets. The first two columns show the budget and the income or expenditure to date against each account code. The two columns on the right show the budget remaining for the year and the anticipated income or expenditure at the year end.

The variances shown in the statutory statements at Attachment 12.7.1 that are not commented on above 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:

An anticipated saving at the end of the year of approximately \$15,076

STRATEGIC IMPLICATIONS: None.

VOTING REQUIREMENTS:

Simple Majority.

RECOMMENDATION:

It is recommended that the Monthly Financial Statements for the periods ending 31 October 2014 be received.

9104 LORKIEWICZ/LONGMORE

It is recommended that the Monthly Financial Statements for the periods ending 31 October 2014 be received.

CARRIED 8/0

AGENDA NUMBER:	12.9
SUBJECT:	Monthly Accounts for Payment - October 2014
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 8
AUTHOR:	Vic Smith – Manager Corporate Services
REPORTING OFFICER:	Vic Smith – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	11 November 2014

Attachment 12.9.1: Schedule of Accounts for Payment – October 2014

BACKGROUND:

The Accounts for Payment for the Nannup Shire Municipal Account fund and Trust Account fund to 31 October 2014 as detailed hereunder and noted on the attached schedule, are submitted to Council.

COMMENT:

If Councillors have questions about individual payments prior notice of these questions will enable officers to provide properly researched responses at the Council meeting.

There are two corporate credit cards currently in use. A breakdown of this expenditure in the monthly financial report is required to comply with financial regulations. There are no credit card transactions to report for October 2014.

Municipal Account

Accounts paid by EFT	6517 - 6581	\$227,620.97
Accounts paid by cheque	19626 - 19644	\$13,615.95
Accounts paid by Direct Debit		\$0.00
Sub Total Municipal Account		\$241,236.92

Trust Account

Accounts paid by EFT		\$0.00
Accounts Paid by cheque		\$0.00
Sub Total Trust Account		\$0.00

Total Payments

\$241,236.92

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 \$241,236.92 in the attached schedule be endorsed.

9105 MELLEMA/STEER

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$241,236.92 in the attached schedule be endorsed.

CARRIED 8/0

AGENDA NUMBER:	12.11
SUBJECT:	Dogs Local Law 2014
LOCATION/ADDRESS:	Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	ADM 5
AUTHOR:	Vic Smith – Manager Corporate Services
REPORTING OFFICER:	Vic Smith – Manager Corporate Services
DISCLOSURE OF INTEREST:	None
DATE OF REPORT	20 November 2014

Attachment 12.11.1: Letter from the Joint Standing Committee on Delegated Legislation.

BACKGROUND:

The Shire of Nannup Dogs Local Law 2014 was gazetted on 26 September 2014. Following gazettal and submission to the Minister for Local Government and Communities an Explanatory Memorandum is sent to the Joint Standing Committee on Delegated Legislation. A letter has now been received from the Joint Standing Committee and is appended at Attachment 12.11.1.

COMMENT:

Prior to its gazettal the local law was submitted to the legal department of the Department of Local Government and Communities for comment; all of their suggested revisions were incorporated into the final document.

However, the Joint Standing Committee on Delegated Legislation has requested that Council provide an undertaking to amend Clause 2.1(3). It considers that the requirement to “keep the gate closed at all times” when the dog is on the premises is unreasonable, in that temporarily opening a gate for entrance or egress when the dog is on the premises would be an offence. It has therefore recommended that the clause be reworded as follows (additional wording in bold):

- (3) *Where a door or gate forms part of the fence the gate shall be kept closed at all times, when the dog is on the premises (**unless the gate is temporarily opened in a manner that ensures that the dog remains confined**), and be fitted with an effective self latching mechanism attached to the inside of the gate and a mechanism which enables the gate to be locked.*

Council has been requested to provide an undertaking by 16 January 2015 that Clause 2.1(3) will be amended, along with any consequential amendments that may be

required. The only Council meeting scheduled before the 16 January 2015 is the November meeting.

Council should note that the Committee has placed a Notice of Motion in the Legislative Council to disallow the Local Law. This provides a power for Parliament to disallow the Local Law should the Committee recommend such an action. It does not mean that there is a presumption that the Local Law will be disallowed.

STATUTORY ENVIRONMENT:

Sections 49 – 51 of the Dog Act 1976.

Local Government Act 1995.

POLICY IMPLICATIONS: None.

FINANCIAL IMPLICATIONS: None.

STRATEGIC IMPLICATIONS: None

VOTING REQUIREMENT: Simple Majority.

RECOMMENDATION:

That Council provide an undertaking to, within six months:

1. Amend Clause 2.1(3) of the Shire of Nannup Dogs Local Law 2014 to read as follows:

Where a door or gate forms part of the fence the gate shall be kept closed at all times, when the dog is on the premises (unless the gate is temporarily opened in a manner that ensures that the dog remains confined), and be fitted with an effective self latching mechanism attached to the inside of the gate and a mechanism which enables the gate to be locked.

2. Provide the Joint Standing Committee on Delegated Legislation with a copy of these minutes;
3. Not to enforce the above clause in a manner contrary to this undertaking;
4. Make any consequential amendments arising from this undertaking; and
5. Where the Local Law is made publically available, whether in hard copy or electronic form, that the law be accompanied by a copy of these undertakings.

9106 STEVENSON/LONGMORE

That Council provide an undertaking to, within six months:

1. Amend Clause 2.1(3) of the Shire of Nannup Dogs Local Law 2014 to read as follows:

2. *Where a door or gate forms part of the fence the gate shall be kept closed at all times, when the dog is on the premises (unless the gate is temporarily opened in a manner that ensures that the dog remains confined), and be fitted with an effective self latching mechanism attached to the inside of the gate and a mechanism which enables the gate to be locked.*
3. Provide the Joint Standing Committee on Delegated Legislation with a copy of these minutes;
4. Not to enforce the above clause in a manner contrary to this undertaking;
5. Make any consequential amendments arising from this undertaking; and
6. Where the Local Law is made publically available, whether in hard copy or electronic form, that the law be accompanied by a copy of these undertakings.

CARRIED 8/0

As there were no people in the public gallery, the meeting remained open.

Cr Longmore declared an impartiality interest in the following item due to his partner being a nominee.

Cr Longmore left the meeting at 18:47 hours.

AGENDA NUMBER:	12.10
SUBJECT:	2015 Premier's Australia Day Active Citizenship Awards
LOCATION/ADDRESS:	Nannup
NAME OF APPLICANT:	Shire of Nannup
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 November 2014

Names withheld for this item.

CARRIED 7/0

Cr Longmore returned to the meeting at 18:53 pm.

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

(a) OFFICERS

None.

(b) ELECTED MEMBERS

9110 SLATER/MELLEMA

That Council introduce new business of an urgent nature.

13 (b).1 Heritage Policy

CARRIED 8/0

Cr Lorkiewicz declared an interest in the following item due to owning an historical property.

Cr Lorkiewicz left the meeting at 18:57 hours.

13 (b).1 Heritage Policy

That Council:

Extend the public consultation period for Local Planning Policy No. 19 – Heritage Conservation until 16 February.

9111 SLATER/MELLEMA

That Council:

Extend the public consultation period for Local Planning Policy No. 19 – Heritage Conservation until 16 February.

CARRIED 7/0

Cr Lorkiewicz returned to the meeting at 18:59 hours.

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

Nil

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

Nil

16. CLOSURE OF MEETING

There being no further business to discuss the Shire President declared the meeting closed at 18: 59 hours.



Shire of
Nannup
 rest • connect • grow

Attachments: 27 November 2014

Attachment	Title
9.1	Local Emergency Management Committee August 2014 Minutes
12.1. 1	Draft Scott River Bridle Trail
12.2. 1	Expression of Interest Responses, Separate Cover
12.3. 1	Master Furniture and Materials Palette
12.3. 2	Overall Nannup Mainstreet Masterplan
12.3. 3	85% Design Drawings
12.3. 4	Nannup Mainstreet Cost Estimate, <i>late attachment</i>
12.4. 1	BRMP – Revised Local Level Process Flow
12.4. 2	Local governments letter to SEMC
12.4. 3	Position Paper
12.6. 1	Freedom of Information Statement 2014/15
12.7. 1	Code of Conduct 2014
12.8. 1	Financial Statements for the period ending 31 October 2014
12.8. 2	Table Showing Detailed Variances for 2014/15
12.9. 1	Monthly Accounts for Payment - October 2014
12.11. 1	Letter from the Joint Standing Committee on Delegated Legislation