



# MINUTES

Council Meeting held on Thursday 16 December 2010

**PUBLIC COPY**

<b>1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS</b>	<b>1</b>
<b>2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE</b> (previously approved)	<b>1</b>
<b>3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE</b>	<b>1</b>
<b>4. PUBLIC QUESTION TIME</b>	<b>1</b>
<b>5. APPLICATIONS FOR LEAVE OF ABSENCE</b>	<b>2</b>
<b>6. PETITIONS/DEPUTATIONS/PRESENTATIONS</b>	<b>2</b>
8516 Confirmation of Previous Minutes	2
8517 Confirmation of Previous Minutes, special meeting	2
<b>7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS</b>	<b>2</b>
<b>8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION</b>	<b>2</b>
<b>9. REPORTS BY MEMBERS ATTENDING COMMITTEES</b>	<b>3</b>
<b>10. REPORTS OF OFFICERS</b>	

Minute No.	Agenda No.	Description	Page No.
8518	10.1	Filling - Lot 8001 (POS in Stage 1) & earthworks-Lot 9001 (Stage 3)	4
8519	10.2	Jalbarragup Bridge	8
8520	10.3	Acceptance of Grant – Water Tanks	10
8521	10.4	Appointment of Fire Control Officer	12
8522	10.5	Proposed Recreation Centre Precinct Upgrade	14
8523	10.6	Acceptance of Shire of Nannup Annual Report 2009/10	17
8524	10.7	Review of Disability Access and Inclusion Plan	19
8525	10.8	2010 Dry Season Assistance Scheme	21
8526	10.9	Accounts for Payment	23
8527		Procedural Motion	25
8528	10.10	Confidential Item	25

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

##### **(a) OFFICERS**

8529		Procedural Motion	28
8530	11.(a).1	Confidential Item	28

(b) ELECTED MEMBERS

<b>12. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>31</b>
<b>13. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN</b>	<b>31</b>
<b>14. CLOSURE OF MEETING</b>	<b>31</b>

# Minutes

## 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Chairperson declared the meeting opened at 3.15pm.

## 2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

(previously approved)

Councillors Dunnet, Boulter, Camarri, Dean, Gilbert, Lorkiewicz, Mellema and Pinkerton.

Shane Collie – Chief Executive Officer.  
Craig Waddell – Manager Corporate Services.  
Geoff Benson – Manager Development Services.  
Chris Wade – Works Manager.

### VISITORS

6

### APOLOGIES

Nil.

### LEAVE OF ABSENCE (previously approved)

Nil.

## 3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

## 4. PUBLIC QUESTION TIME

Ms P Fraser asked;

- a) Which roads are planned to be bituminised this year and next year?

The Works Manager responded, stating the roads as per Council's 5 year Capital Works program.

- b) Does Council have a policy on parking in the main street as some business owners park their vehicles all day there?

The Chief Executive Officer responded that Council does have a parking local law which does provide the ability to have timed parking bays however this has not been invoked.

Mr R Andrews asked;

If Council would consider a lower rate in the dollar for vacant land as his property which is vacant attracts as higher rates than his neighbours which have residences.

The Manager Corporate responded explaining the methodology used by the Valuer General in determining the valuations and Council's ability to raise differential rates for various reasons as allowed under the Local Government Act 1995. It was further explained that Council when reviewing its rates in the dollar on an annual basis in line with the budget process it does review the need and/or requirement for differential rates.

**5. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

**6. PETITIONS/DEPUTATIONS/PRESENTATIONS**

Nil.

**7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**8516 LORKIEWICZ/CAMARRI**

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 25 November 2010 be confirmed as a true and correct record.

**CARRIED 8/0**

**8517 CAMARRI/BOULTER**

That the Minutes of the Special Council Meeting of the Shire of Nannup held in Council Chambers on 9 December be confirmed as a true and correct record.

**CARRIED 8/0**

**8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

The Shire President acknowledged the passing of Mr Jim Pinkerton and passed on Council's condolences to the family.

**9. REPORTS BY MEMBERS ATTENDING COMMITTEES**

Warren Blackwood Strategic Alliance meeting

## 10. REPORTS OF OFFICERS

AGENDA NUMBER: 10.1

SUBJECT: Filling on Lot 8001 (POS in Stage 1) & Earthworks on Lot 9001 (Stage 3).

LOCATION/ADDRESS: Lot 23 Plan 20578

NAME OF APPLICANT: Peter D Webb & Associates  
(WAPC 130010, Stage 1) and WAPC 133180, Stage 2 & 3).

LAND OWNER: Askino Pty Ltd

FILE REFERENCE: A475; WAPC 13010 (stage 1), WAPC 133180 (Stages 2 & 3)

AUTHOR: Bob O'Sullivan - Planner

DISCLOSURE OF INTEREST:

DATE OF REPORT: 7 December 2010

Attachment 1: Deposited Plan 55489 of Lots 100-111,113-125, 8001, 9000, and roads.

Attachment 2: Concept Plan of proposed subdivision in Stages 2 and 3.

Attachment 3: Landgate plan showing Brockman Hwy, Hitchcock Dr, Diggers Green and Lots 8001, 8004.

### BACKGROUND:

Peter D Webb & Associates has 2 roles. The firm was the consultant for the developer Askino Pty Ltd and the applicant asking the Western Australian Planning Commission to approve the subdivision of Lot 23 on Plan 20578.

#### Stage 1 (WAPC130010):

Council cleared the conditions on Stage 1 of the subdivision which allowed the registration of survey plan DP55489 to create Lots 100-111, 113-125, 8001, roads and Lot 9000 (balance). In 2008 Lot 8001 came under the management of Council as a Public Recreation Reserve.

#### Stage 2 (WAPC 133180):

Council approved, on 16/7/2008, the draft plan of subdivision DP60712 of Lot 23 which created Lots 126, 233-245, 8004, 9001 (balance) and road (Diggers Green). Lot 8004 is a Reserve for Recreation and adjoins Lot 8001 above. Attachment 12 is a cadastral map from Landgate on 1/11/2010 which shows Lots 124-126, 233, 234, 245, 9001 (balance), 8001 and 8004.

#### Stage 3:

In a letter dated 1/5/2008, Council approved, without conditions, 4 plans for earthworks in Stage 3 of the subdivision. No record was found on file A475 of an approval being required, sought or given to commence the earthworks.

#### Inspection:

The subdivision was inspected on 1/11/2010. Photos were taken of the waste and unconsolidated fill on Lot 8001 Recreation Reserve in Stage 1, the road

damage in Stage 2, and the earthworks, being benching, filling and road cutting in Stage 3.

### Defects:

The defects identified in this report are:

1. Unconsolidated filling and construction waste which may be on Lots 8001 and 8004. These Lots are a Public Recreation Reserve under Council's management. A survey is needed to determine the extent of any filling or waste on these lots.
2. The ground in Stage 3 is eroded on unconsolidated filling and cutting of ground to form level benches and to form the profiles of roads. The eroded material is covering the road formation in Hitchcock Drive and its extension on land owned by Askino. A report is needed to find whether eroded material is on the part of Hitchcock Drive that is road on survey plan DP60712 and controlled by Council.

### **COMMENT**

Council should find the location of the unconsolidated filling and construction waste in relation to Lots 8001 and 8004. If the filling and waste is on Lots 8001 and 8004 it may exercise the remedies available under the Local Government Act to have the filling and waste removed from Lots 8001 and 8004.

If the filling and waste are on land owned by Askino Pty Ltd, Council may demand Askino remove the filling and waste from private property as unauthorised development under the Planning and Development Act 2005.

For Stage 3, Council may demand the applicant Peter D Webb & Associates and the owner Askino Pty Ltd remedy the unconsolidated fill and the erosion of ground fill, benches and banks and remove any eroded ground material on Hitchcock Drive where it is road under the control of Council. To ensure the security of the work site and to protect the public, Council may require the applicant Peter D Webb & Associates and the owner Askino to fence the limits of the worksite in Stage 3 now and not resume earthworks before a fence is installed and Council approves a plan to consolidate the earthworks.

### **STATUTORY ENVIRONMENT:**

Planning and Development Act 2005.

Local Government Act, Local Government (Miscellaneous Provisions) Act 1960.

Local Planning Scheme, # 3.

### **POLICY IMPLICATIONS:**

Local Planning Policy 017 (in relation to new approvals).



**FINANCIAL IMPLICATIONS:**

Survey costs not anticipated to be greater than \$1,000. Council has a budget allocation for planning consultancy costs.

**STRATEGIC IMPLICATIONS:** Nil.

**RECOMMENDATION**

That Council:

1. Instruct a consulting surveyor to determine the location of unconsolidated filling and construction waste in relation to Lots 8001 and 8004.
2. Determine whether the eroded ground material from the earthworks in Stage 3 is on the part of Hitchcock Drive that is road as shown on survey plan DP60712.
3. Require the applicant Peter D Webb & Associates and the owner Askino Pty Ltd to provide Council with a plan, which may be approved by Council, to consolidate the earthworks and prevent erosion of the earthworks.
4. Require the applicant Peter D Webb & Associates and the owner Askino Pty Ltd to fence the limits of the worksite in Stage 3 to a standard approved by Council that will prevent entry by the public and satisfy legislation relevant to a construction site and not resume earthworks before the fence is installed.
5. If filling or waste are found on Lots 8001 or 8004 then, given the legal advice council has, prosecute Askino for contravention of s. 377(1) of the Local Government (Miscellaneous Provision) Act if it fails to remove the building debris from Lot 8001 or Lot 8004 in a timely manner and/or fails to securely enclose any excavations on land that adjoins or abuts those lots.

**8518 BOULTER/MELLEMA**

That Council:

1. Instruct a consulting surveyor to determine the location of unconsolidated filling and construction waste in relation to Lots 8001 and 8004.
2. Determine whether the eroded ground material from the earthworks in Stage 3 is on the part of Hitchcock Drive that is road as shown on survey plan DP60712.
3. Require the applicant Peter D Webb & Associates and the owner Askino Pty Ltd to provide Council with a plan, which may be approved by Council, to consolidate the earthworks and prevent erosion of the earthworks.

4. Require the applicant Peter D Webb & Associates and the owner Askino Pty Ltd to fence the limits of the worksite in Stage 3 to a standard approved by Council that will prevent entry by the public and satisfy legislation relevant to a construction site and not resume earthworks before the fence is installed.
5. If filling or waste are found on Lots 8001 or 8004 then, given the legal advice council has, prosecute Askino for contravention of s. 377(1) of the Local Government (Miscellaneous Provision) Act if it fails to remove the building debris from Lot 8001 or Lot 8004 in a timely manner and/or fails to securely enclose any excavations on land that adjoins or abuts those lots.

**CARRIED 8/0**

AGENDA NUMBER: 10.2  
SUBJECT: Jalbarragup Bridge  
LOCATION/ADDRESS:  
NAME OF APPLICANT:  
FILE REFERENCE: WRK 26  
AUTHOR: Chris Wade – Works Manager  
DISCLOSURE OF INTEREST:  
DATE OF REPORT: 12 December 2010

**BACKGROUND:**

Council would be aware that construction on the replacement of Bridge 3978 Jalbarragup Road will commence once Main Roads Western Australia tender has been awarded in early January 2011. The bridge replacement has been delayed for several years due to funding. Council several years ago committed in principle to complete \$100,000 worth of approach works and removal of the existing crossing to secure the funding.

**COMMENT:**

MRWA funding has now been secured for the project but confirmation was received until after Council's 2010/11 budget adoption hence the \$100,000 was not included as part of the current works program. However Council has allocated \$50,000 to works on Stacey Road which can be used for the required works as it is similar to the original planned widening in preparation for the bridgeworks.

The works required that Council are responsible for are:

- Clearing both approaches – considerable vegetation removal
- Realignment works on northern side
- Abutment base course installation
- Sealing approaches
- Removal and rehabilitation of existing crossing

The remaining \$50,000 shortfall in funding can be utilised from Council's Road Maintenance budget. Considering the time Council's resources are expending on Mowen Road it is estimated the maintenance budget will not be over expended with this extra expenditure.

Dependant on weather and the completion of the bridge works the seal of the approaches may be delayed until the 2011/12 construction season which will draw funds from the next section of Stacey Road upgrading.

The removal of the existing low level crossing has always been part of the MRWA philosophy in replacing Jalbarragup Bridge and is supported by Council's

officers. Both the concrete culvert section and the northern approach will be removed and rehabilitated. The southern approach to the river will remain to allow public access to the lower recreational area. A suitable barrier will be installed on the existing alignment once the culvert has been removed.

In future years Council will need to allocate additional funds (most likely sourced through grants) to develop the Heritage Interpretation site required as part of the approval from the Heritage Council of WA to demolish the present bridge structure.

**STATUTORY ENVIRONMENT:** Nil.

**POLICY IMPLICATIONS:** Nil

**FINANCIAL IMPLICATIONS:** Nil, contained in the current 2010/11 budget

**STRATEGIC IMPLICATIONS:**

Minor change on the planned works on Stacey Road.

**RECOMMENDATION:**

That Council support the alteration to its 2010/11 Construction Program from a final seal for the section of Stacey Road to King Road to complete required works to complete Bridge 3978 construction and to support the removal of the existing low level crossing.

**8519 BOULTER/PINKERTON**

That Council support the alteration to its 2010/11 Construction Program from a final seal for the section of Stacey Road to King Road to complete required works to complete Bridge 3978 construction and to support the removal of the existing low level crossing.

**CARRIED 8/0**

AGENDA NUMBER: 10.3  
SUBJECT: Acceptance of Grant – Water Tanks  
LOCATION/ADDRESS: East Nannup Shire Depot and Scott River  
NAME OF APPLICANT: Department of Agriculture  
FILE REFERENCE: DEP 1, FRC 16, FRC 18, FRC22  
AUTHOR: Shane Collie – Chief Executive Officer  
DISCLOSURE OF INTEREST:  
DATE OF REPORT: 6 December 2010

Attachment: Email from Department of Agriculture 2 December 2010.

**BACKGROUND:**

Recent contact from the Department of Agriculture advised of a grant scheme connected with the current dry season. The grant scheme permitted funding for water tanks that would assist in either stock/farming or for fire fighting purposes.

**COMMENT:**

The grant scheme was open for just a few days and fortunately the application process was quite simple and an application for two tanks was able to be completed and submitted. The application was based on access to water for fire fighting purposes where locations of need had been identified

The application was made for two 50,000 litre tanks estimated at a cost of \$7,500 each, locations being the Shire Depot on East Nannup Road and the site for the proposed Scott River Fire Shed corner of Fouracres/Governor Broome Road and Milyeannup Coast Road.

The East Nannup Road site is of particular importance as this site when set up will allow all bush fire brigades to access water for refilling at a secure central location that does not have the security access issues that the Shire Depot in Kearney Street has. There is a water connection at the East Nannup site and a standpipe is in the process of being installed. A tank with the appropriate float refill mechanism will see the tank always fill up after use and permit a quick turnaround for bush fire brigades when accessing water.

All brigades would be issued a key to the site which is fenced. The site contains various stockpiles of material such as gravel, pipes and blue metal and as such does not constitute a security risk as Council's Kearney Street Depot does which houses Council Plant and Machinery.

Grant acceptance is recommended for both of these water tanks as it will improve the effectiveness of bush fire brigades throughout the district.

**STATUTORY ENVIRONMENT:** Nil.

**POLICY IMPLICATIONS:**

Council policy FNC 6 dictates that Council must approve any grant over \$5,000.

**FINANCIAL IMPLICATIONS:**

\$15,000 income to be allocated on two water tanks.

**STRATEGIC IMPLICATIONS:** Nil.

**RECOMMENDATION:**

That Council accept grant funding of \$15,000 through the Department of Agriculture Dry Season Assistance Scheme for two 50,000 litre water tanks, locations being the Shire Depot on East Nannup Road and the site for the proposed Scott River Fire Shed corner of Fouracres/Governor Broome Road and Milyeannup Coast Road.

**8520 BOULTER/MELLEMA**

That Council accept grant funding of \$15,000 through the Department of Agriculture Dry Season Assistance Scheme for two 50,000 litre water tanks, locations being the Shire Depot on East Nannup Road and the site for the proposed Scott River Fire Shed corner of Fouracres/Governor Broome Road and Milyeannup Coast Road.

**CARRIED 8/0**

AGENDA NUMBER: 10.4  
SUBJECT: Appointment of Fire Control Officer  
LOCATION/ADDRESS: Darradup Bridge area  
NAME OF APPLICANT: Darradup Bush Fire Brigade  
FILE REFERENCE: FRC 15  
AUTHOR: Shane Collie – Chief Executive Officer  
DISCLOSURE OF INTEREST:  
DATE OF REPORT: 6 December 2010

Attachment: Darradup Volunteer Bush Fire Brigade General Meeting  
Minutes 27 November 2010.

**BACKGROUND:**

Attached meeting minutes contain a recommendation for Council's consideration being the replacement of the Darradup Fire Control Officer (FCO).

**COMMENT:**

The present Fire Control Officer Mr Keith Oldfield is looking at relocating from the district and hence a new FCO is required for the brigade. The brigade is in the fortunate position where it has a number of experienced fire fighters as well as being the brigade where Council's Chief Bush Fire Control Officer and Deputy reside. This experience is welcome in introducing new people and passing on the knowledge that will assist in a successful appointment.

The proposed new FCO is Mr John Patman and it is noted in the attached minutes that there is a proposed long period of changeover. John has undertaken the Fire Control Officer Course, is a mechanic by trade and has connections with Council with his wife Evelyn working in the front office. The proposed appointment of John as FCO is supported by both the Chief Bush Fire Control Officer and Deputy.

**STATUTORY ENVIRONMENT:**

Bush Fires Act 1954.

**POLICY IMPLICATIONS:** Nil.

**FINANCIAL IMPLICATIONS:** Nil.

**STRATEGIC IMPLICATIONS:** Nil.

**RECOMMENDATION:**

That Council appoint Mr John Patman as Fire Control Officer for the Darradup Volunteer Bush Fire Brigade.

**8521 MELLEMA/PINKERTON**

That Council appoint Mr John Patman as Fire Control Officer for the Darradup Volunteer Bush Fire Brigade.

**CARRIED 8/0**



AGENDA NUMBER: 10.5  
SUBJECT: Proposed Recreation Centre Precinct Upgrade  
LOCATION/ADDRESS: Location 9185 Warren Road  
NAME OF APPLICANT:  
FILE REFERENCE: REC 2, FNC 16  
AUTHOR: Shane Collie – Chief Executive Officer  
DISCLOSURE OF INTEREST:  
DATE OF REPORT: 6 December 2010

Attachments (Separate Cover)

1. Draft Recreation Centre Precinct Masterplan (Will be Displayed A1 Size).
2. Draft Recreation Centre Precinct Business Case.

### **BACKGROUND:**

Council is aware of the work progressing towards the upgrade of the Recreation Centre Precinct. Meeting was held with the Architect on Monday 15 November 2010 and an update given via Information Report 25 November 2010.

### **COMMENT:**

The purpose of this report is twofold:

1. **Seek adoption of the Draft Recreation Centre Precinct Masterplan (for the purpose of advertising)**

The draft Masterplan has been through the process of Council scrutiny and some changes made. The document now represents those ideas that came out of consultation discussion with sporting groups and Council member input.

The finalisation of the area Masterplan will provide critical direction to the Architect to progress to detailed concept plan and ultimately construction drawings. Given that the draft Masterplan has already been through the abovementioned processes one would expect that it would unlikely to change unless specific engineering advice on either drainage or altering the current Recreation Centre building determines otherwise.

The advertising and seeking comments on the Masterplan is recommended before final adoption being scheduled for Council's January 2010 meeting. As well as newspaper advertising (Note there is no Telegraph over the Christmas/New Year period) notices would be placed around the community and sporting clubs and other known users such as the school specifically written to. If Council believes that the time of year is an issue in terms of consultation/feedback, please advise and alternatives can be considered.

It is anticipated that further consultation would occur when Council arrives at the concept plan stage, and then again when Council considers priorities for works.

## **2. Draft Recreation Centre Precinct Business Case**

As indicated at the November 2010 Information Session the Business Case for projects seeking 2010/11 Royalties for Regions funding is required to be submitted by 31 December 2010. The document is practically complete and is only missing those matters that cannot yet be undertaken until further Architectural work is undertaken. The matters that remain include:

- Engineering outcomes – Current Recreation Centre Infrastructure and drainage. Pending with Architect obtaining. Due by 20 December 2010.
- Concept Plan – a natural progression after the adoption of the Masterplan for the area. Architect is contracted to produce this and sketches have commenced.
- Quantity Surveyor estimates. Will be able to be undertaken after Concept Plan is completed, and then more accurately when construction plans are undertaken.

Therefore the Business Plan can only be submitted as it presently is with those sections of information inserted when they become available. Additionally the grant which covers the costs of the Architect needs to be acquitted by 31 December 2010. The funding body (SWDC) have indicated informally that progress thus far incorporating the adoption of the Masterplan and Business Case is sufficient for the purposes of the funding.

The clinching factor in this matter is that Council must adopt and submit the Business Case prior to 31 December 2010 to be eligible for the earmarked \$238,490 of the 2010/11 Regional Component of the Royalties for Regions Program. These funds otherwise would be forgone. The funds can be rolled over into 2011/12 if not all spent by 30 June 2011 which is likely.

In 2011/12 \$178,760 is the estimated amount that would be sourced under the Regional Component of the Royalties for Regions Program. These funds are included in the budget estimate contained in the draft Business Case.

**STATUTORY ENVIRONMENT:** Nil.

**POLICY IMPLICATIONS:** Nil.

**FINANCIAL IMPLICATIONS:** As indicated in the body of the report.

**STRATEGIC IMPLICATIONS:**

Council's current Forward Plan Action Item 11.2 (A) states for 2010/11:

*“Complete business plan, needs analysis and site survey for proposed Recreation Centre upgrade.”*

Council’s current Forward Plan Action Item 11.2 (B) states for 2010/11:

*“Develop plans/design and seek funding for upgrade to the Recreation Centre.*

Council’s current Forward Plan Action Item 11.2 (C) states for 2011/12:

*“That Council undertake the upgrade to the Recreation (and Community) Centre per adopted plans and funding available.”*

### **RECOMMENDATIONS:**

1. That Council adopt for the purposes of advertising the Draft Recreation Centre Precinct Masterplan inclusive of print media, notices placed around the community and specific letters to sporting clubs and other known users with comments to be received in time for consideration at Council’s January 2011 meeting.
2. That Council adopt the Draft Recreation Precinct Business Case utilising same to access 2010/11 Royalties for Regions (Regional Component) funding of \$238,490, noting the current omissions from the Business Case being Concept Plan, Quantity Surveyor report and Engineering data relating to the current building and drainage.

### **8522 DEAN/BOULTER**

1. That Council adopt for the purposes of advertising the Draft Recreation Centre Precinct Masterplan inclusive of print media, notices placed around the community and specific letters to sporting clubs and other known users with comments to be received in time for consideration at Council’s January 2011 meeting.
2. That Council adopt the Draft Recreation Precinct Business Case utilising same to access 2010/11 Royalties for Regions (Regional Component) funding of \$238,490, noting the current omissions from the Business Case being Concept Plan, Quantity Surveyor report and Engineering data relating to the current building and drainage.

**CARRIED 8/0**

AGENDA NUMBER: 10.6  
SUBJECT: Acceptance of Shire of Nannup Annual Report 2009/10  
LOCATION/ADDRESS:  
NAME OF APPLICANT:  
FILE REFERENCE: ADM 17  
AUTHOR: Craige Waddell - Manager Corporate Services  
DISCLOSURE OF INTEREST:  
DATE OF REPORT: 7 December 2010

Attachment: Annual Report 2009/10 is included as a separate document with this agenda.

### **BACKGROUND:**

Section 5.53 (1) of the Local Government Act 1995 stipulates that a Local Government is to prepare an Annual Report for each financial year. Council has delegated (Delegation 10) that task to the Chief Executive Officer and the Annual Report has been provided to Council members under separate cover and formed the basis of the Audit Committee meeting held earlier today.

### **COMMENT:**

The Annual Report for the Shire of Nannup for the financial year 2009/10 will be circulated to members prior to the Audit Committee meeting scheduled to be prior to today's Council meeting. The Annual Report contains all statutory information required including the Annual Financial Statements for the year under review and will also form the main document for scrutiny at Council's Annual Electors Meeting.

### **STATUTORY ENVIRONMENT:**

Section 5.54 (1) of the Local Government Act 1995 deals with the acceptance by Council of the Annual Report.

Section 5.27(2) states that a general meeting of electors is to be held on a day selected by the local government, but not more than 56 days after the local government accepts the annual report for the previous financial year. At least 14 days local public notice must be given for the holding of the meeting.

It is proposed to be hold the Annual Electors Meeting at 6.00pm Monday 17 January 2010. This assumes the Annual Report is accepted at today's meeting.

An advertisement informing electors of the proposed timing of the Electors meeting has been prepared for The West Australian which will meet the statutory requirement of the advertising period. It will also be placed in the Busselton Margaret River Times and appropriate notices will be posted throughout the

Townsite. As the Nannup Telecentre Telegraph does not have a January edition, it will not be possible to use this publication.

**POLICY IMPLICATIONS:** Nil.

**FINANCIAL IMPLICATIONS:** Nil.

**STRATEGIC IMPLICATIONS:** Nil.

**RECOMMENDATIONS:**

1. That Council accept the Annual Report for the Shire of Nannup for the financial year 2009/10 per section 5.54 (1) of the Local Government Act 1995.
2. That Council hold its Annual Electors Meeting on Monday 17 January 2010 in the Shire Function Room commencing at 6.00 pm.

Absolute Majority decision required for the acceptance of an Annual Report.

**8523 MELLEMA/PINKERTON**

1. That Council accept the Annual Report for the Shire of Nannup for the financial year 2009/10 per section 5.54 (1) of the Local Government Act 1995.
2. That Council hold its Annual Electors Meeting on Monday 17 January 2010 in the Shire Function Room commencing at 6.00 pm.

**CARRIED 8/0  
BY ABSOLUTE MAJORITY**

AGENDA NUMBER: 10.7  
SUBJECT: Review of Disability Access and Inclusion Plan  
LOCATION/ADDRESS: Nannup  
NAME OF APPLICANT:  
FILE REFERENCE: WLF 5  
AUTHOR: Louise Stokes- Community Development Officer  
DISCLOSURE OF INTEREST:  
DATE OF REPORT: 29 November 2010

Attachment: 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 Disability Access and Inclusion Plan at the June 2006 meeting. The documentation has recently been reviewed by Council staff, 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 2010 – 2015.

The introduction has been reduced from eleven to three pages as there was duplication throughout and much of the information was no longer relevant. The outcomes are now specific objectives rather than generalised statements, making it easier for setting budgets and works priorities.

**STATUTORY ENVIRONMENT:** Disability Services Act 1993.

**POLICY IMPLICATIONS:** Nil.

**FINANCIAL IMPLICATIONS:** Nil.

**STRATEGIC IMPLICATIONS:**

Council's 2010/11 – 2014/15 Forward Plan Action Item 8.2(A):

*Implement and Review Disability Access and Inclusion Plan*

**RECOMMENDATIONS:**

1. That Council receive the updated Disability Access and Inclusion Plan and advertise for public comment until 28 February 2011 with copies made available at the Shire Office and on the Shire website and copies sent to

the Nannup Arts Council, Nannup Music Club, Nannup CWA, Nannup Historical Society, Nannup Tourist Association, Nannup Community Resource Centre and the Disability Services Commission.

2. Based on feedback received in the public comment period, that the Disability Access and Inclusion Plan is presented to Council for adoption.

#### **8524 GILBERT/BOULTER**

1. That Council receive the updated Disability Access and Inclusion Plan and advertise for public comment until 28 February 2011 with copies made available at the Shire Office and on the Shire website and copies sent to the Nannup Arts Council, Nannup Music Club, Nannup CWA, Nannup Historical Society, Nannup Tourist Association, Nannup Community Resource Centre and the Disability Services Commission.
2. Based on feedback received in the public comment period, that the Disability Access and Inclusion Plan is presented to Council for adoption.

**CARRIED 8/0**

AGENDA NUMBER: 10.8  
SUBJECT: 2010 Dry Season Assistance Scheme  
LOCATION/ADDRESS: Nannup  
NAME OF APPLICANT:  
FILE REFERENCE: FNC 6  
AUTHOR: Louise Stokes – Community Development Officer  
DISCLOSURE OF INTEREST:  
DATE OF REPORT: 29 November 2010

**BACKGROUND:**

Funding has been received of \$20,000 from the Department of Agriculture and Food through their Community Services Grant scheme. As this funding is over \$5,000, Council is required to accept the funding as per policy FNC6.

This funding has been offered to 100 Local Governments throughout Western Australia to host one or more community events prior to November 30<sup>th</sup> 2011 to foster community spirit and welfare in areas impacted by the unprecedented dry season.

**COMMENT:**

The guidelines for this funding are extremely simple with the aims of:

- Helping to maintain community inclusiveness,
- The Shire is responsible for all aspects of the events,
- Promoting a philosophy of “Buy Local” and
- All events are conducted safely, responsibly and appropriately.

It is anticipated that community groups would be involved in the planning and presentation of events. 10% of the funding can be used for administration.

Subject to Council accepting this grant, a community meeting has been scheduled for Wednesday 19<sup>th</sup> January 2011 to further this project.

**STATUTORY ENVIRONMENT:** Nil.

**POLICY IMPLICATIONS:** FNC6 – Acceptance of Grant Funding

**FINANCIAL IMPLICATIONS:** Unbudgeted income of \$20,000.

**STRATEGIC IMPLICATIONS:** Nil

**RECOMMENDATION:**



That Council accept the funding of \$20,000 from the Department of Agriculture for the purposes of hosting community events in 2011 to foster community spirit and welfare.

**8525 BOULTER/PINKERTON**

That Council accept the funding of \$20,000 from the Department of Agriculture for the purposes of hosting community events in 2011 to foster community spirit and welfare.

**CARRIED 8/0**

<p>AGENDA NUMBER: 10.9  SUBJECT: Accounts for Payment  LOCATION/ADDRESS: Nannup Shire  FILE REFERENCE: FNC 8  AUTHOR: Tracie Bishop – Administration Officer  DISCLOSURE OF INTEREST:  DATE OF REPORT: 7 December 2010</p>
--

Attachment: Schedule of Accounts for Payment.

**COMMENT:**

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

**Municipal Account**

Accounts Paid By EFT EFT 1939 – 1994	\$362,096.86
---	--------------

Accounts Paid By Cheque Vouchers 18327– 18353	\$105,249.12
--	--------------

**Trust Account**

Accounts Paid By Cheque Voucher 22735 - 22736	\$320.00
--	----------

**STATUTORY ENVIRONMENT:**

Local Government (Financial Management) Regulation 13

**POLICY IMPLICATIONS:** Nil.

**FINANCIAL IMPLICATIONS:**

As indicated in the Schedule of Accounts for Payment.

**STRATEGIC IMPLICATIONS:** Nil.

**RECOMMENDATION:**

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$467,665.98 in the attached schedule be accepted.

**8526 LORKIEWICZ/CAMARRI**

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$467,665.98 in the attached schedule be accepted.

**CARRIED 8/0**

**8527 PINKERTON/BOULTER**

That the meeting be closed to the public to discuss the confidential item

**CARRIED 8/0**

The meeting was closed to the public at 3.40pm where the public, Works Manager and Manager Development Services left the meeting.

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

*(b) the personal affairs of any person, and*

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

AGENDA NUMBER: 10.10

SUBJECT: 2011 Premier's Australia Day Active Citizenship Awards

LOCATION/ADDRESS: Nannup

NAME OF APPLICANT:

FILE REFERENCE: ASS1

AUTHOR: Shane Collie – Chief Executive Officer

DISCLOSURE OF INTEREST:

DATE OF REPORT: 1 December 2010

**8528 CAMARRI/BOULTER**

1. Premier's Australia Day Active Citizenship Award to be received by Mr Bill Stallard.
2. Premier's Australia Day Active Citizenship Award for a person under 25 years: to be received by Miss Tahlia Newnham.
3. Premier's Australia Day Active Citizenship Award for a community group or event to be received by the Nannup Community Op Shop.

**CARRIED 8/0**

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

### **8529 LORKIEWICZ/CAMARRI**

That new business of an urgent nature be introduced to the meeting:

11 (A) 1 Appointment of Acting Chief Executive Officer

#### **(a) OFFICERS**

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

*(b) the personal affairs of any person, and*

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

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

AGENDA NUMBER: 11 (A) 1 SUBJECT: Appointment of Acting Chief Executive Officer LOCATION/ADDRESS: NAME OF APPLICANT: FILE REFERENCE: PSN 22 AUTHOR: Shane Collie – Chief Executive Officer DISCLOSURE OF INTEREST: DATE OF REPORT: 15 December 2010
---

### **8530 BOULTER/MELLEMA**

That Council appoint Mr Jim Kelly as Acting Chief Executive Officer for the Shire of Nannup from Monday 31 January 2011 until Friday 1 April 2011 or until such further time as may be agreed between Council and Mr Kelly.

Pay rate \$70 per hour plus compulsory superannuation.

Vehicle to be supplied with full private use.

Hours to be flexible in consultation

**CARRIED 8/0**

#### **(b) ELECTED MEMBERS**

Nil.

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

Nil.

**13. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil.

**14. CLOSURE OF MEETING**

There being no further business to discuss the Shire President declared the meeting closed at 3.50pm.