

MINUTES

Council Meeting 24 June 2010

CONFIRMATION OF MINUTES

These minutes comprising page 1 - 55 were confirmed by the Council
on 22 July 2010
as a true and accurate record.

.....
Barbara Dunnet
SHIRE PRESIDENT

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Minutes

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Chairperson declared the meeting open at 4.18pm.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

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

Craige Waddell – Acting Chief Executive Officer.
Kevin Waddington – Acting Manager Corporate Services.
Ewen Ross – Manager Development Services.
Chris Wade – Works Manager.

VISITORS

21

APOLOGIES

Nil.

LEAVE OF ABSENCE (previously approved)

Nil.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTION TIME

Mr R Taylor asked the following questions;

Madam President

1. Regarding Item 10.12 on 27th May 2010.

The reason given for adoption by Council of rating model put up by Councillor Camarri was that the extent that GRV valuation increased and UV valuation decreased was not reflected in the models recommended by the Shire Officer.

The facts are:

- GRV is revalued every four years
- UV is revalued every year

Over the last four year period of revaluation:

- GRV has increased by 62%
- UV has increased by 54%

Each year the Shire Officer discounts:

- UV rate in dollar by any revaluation in UV
- GRV rate in dollar by any revaluation in GRV

However, over this same four year period the % changes in yield are:

- GRV 21.6%
- UV 9.7%
- With a total change yield of 15.7%

A. Can you explain why certain members of the Council chose to vote for this model and why you used your casting vote for adoption in light of these facts and apparent disregard for Councils current resolutions.

C1, C2 and C2a of Minute number 8243 of Council meeting of August 2009 introduced as initiatives to make Council sustainable into the future?

B. Does Council understand that members of our community may consider this an act of self interest by some Councillors.

2. Agenda Item 10.6 of 24th June 2010, Page 23 Point 1 - Rates

Why has Council persistently gone against officer recommendations with the resulting implications in budgetary constraints and sustainability.

The questions were taken on notice.

Mr M Loveland questioned whether Council was in deficit by \$1.5m.

Cr Dunnet advised that this information was incorrect and that the \$1.5m figure he was quoting referred to an amount that Council needed to reduce the proposed expenditure during the budget process to achieve a balanced budget for the 2010 – 2011 financial year.

Mr M Loveland requested that Council raise the issue of the water corporation's sewerage pump back tank failure with Water Corp to rectify odours emanating from the tank when the system fails.

Manager Development Services responded that he was liaising with Water Corp on this matter.

Ms J Molenueux questioned in relation to item 10.3

1. Is it not the case that a former Councillor namely Margaret Bird emphatically advised the people at the Council meeting of 24th July 2009 that the approval of the rezoning application would not prevent further public discussions?
2. Were Councillors aware at that time that Approval of the Rezoning meant Approval of the Planning Application without public comment.
3. To each Councillor – how will a psychiatric hospital enhance the Nannup district and improve tourism?
4. Were the developers of this hospital asked by the Council or administration about the possibility of holding public meeting, did they have any objection to a public meeting and if so why?

The questions were taken on notice.

Mr A Morris asked the following questions;

1. We find Cr Dean to be a fine gentleman. We understand that Cr Dean is the only Councillor who has at least one shop, a liquor shop, along Warren Road, and that it would see increased business should the Mental Health Facility go ahead. To be fair, other businesses within the Shire will also likely benefit. The liquor outlet might particularly benefit due to the strong relationship between depression and increased alcohol consumption. It would seem that Cr Dean does not have a pecuniary i.e. vested interest, merely a general beneficial interest. None-the-less, would Cr. Dean consider it prudent to abstain from voting on the above noted item to avoid any perception amongst the not so thoughtful constituents of Nannup of a conflict of interest?
2. We would like to expand on today's articulate plea from Mr Tony Sheppard to Cr. Dunnet regarding our sense of security. We refer to the Lake Jasper recidivist experiment that ultimately failed. We understand that the original idea was to locate the camp at Lake Jasper. It did however end up off the Vasse Highway near Sues Road. Would Council research the details and confirm that the adjoining neighbours to the camp suffered "a living hell"?
3. Would Council review the attached pics regarding advertising leading up to the Council's July 2009 meeting? Would Council consider that both the lack

of local notice and miniscule signage at Sky Lakes to represent best practice? Would Council be aware that the signage was retrieved from the bottom of the roadside ditch and that one had to stand in the ditch in order to read it!

4. Is Council aware that there is no other facility worldwide, certainly not here in Australia, run on a private basis, that intends to treat up to thirty mentally ill patients"? That said, does Council fully grasp all the implications of an untested private business union, dealing with an unprecedented level of patients and on an untested site that is remote and hazardous?
5. Will Council dictate to Mystic River Pty Ltd, that Mystic River Pty Ltd establish a public register of all "incidents" that might occur on Skylakes as a condition of application approval?
6. Does Council recognise that the typical structure of mainstream tourist accommodation here is if plotted as population over a year, would present as a baseline of about 2+ guests surmounted by 6-10 of durations roughly corresponding to holiday periods, whereas regarding this application, the base line of a Class D hospital will be about 15 patients and staff surmounted with a plateau of an additional 20 patients?
7. Will there be "institutional roadside signage"? If so what are the details?

The questions were taken on notice.

Mr G Sharp asked in reference to item 10.3;

1. Will Council explain why the zoning of land doesn't protect the landowner when Council can support a rezoning at a later time?
2. Is Council aware of the potential for disaffected landowners to seek compensation for the loss of property values if Council approves the planning application?

The questions were taken on notice.

Mr D Avery asked in reference to item 10.3 why residents were not given an opportunity to comment on the proposed rezoning until July 2009 approximately 12 months after the rezoning process commenced?

The question was taken on notice.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Crs R Mellema and C Gilbert requested leave of absence for the July 22nd 2010 ordinary meeting of council.

8403 BOULTER/LORKIEWICZ

That Councillors Mellema and Gilbert be granted leaves of absence for the July 22nd 2010 ordinary meeting of Council.

CARRIED 8/0

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**8404 BOULTER/MELLEMA**

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 27 May 2010 be confirmed as a true and correct record.

CARRIED 8/0

8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

NIL.

9. REPORTS BY MEMBERS ATTENDING COMMITTEES

SW Zone WALGA meeting
FESA Fire Services meeting
SWDC Country Local Government Fund meeting
Warren Blackwood Strategic Alliance meeting
Critical Horizons Conference
Shire of Augusta/Margaret River and dairy farmers meeting
Nannup DHS, meeting with T Redman MP
SW Framework review
Agri Food Precinct meeting
Telstra Country Wide 10 year celebration
LG Enterprises Forum breakfast
Incident Management Team meeting
Risk Management Advisory Committee meeting
Blackwood River Valley Marketing Association meeting
Clicking our Future meeting

10. REPORTS OF OFFICERS

AGENDA NUMBER: 10.1
SUBJECT: Subdivision WAPC 469-10
LOCATION/ADDRESS: Lot 58 Warren Road
NAME OF APPLICANT: Christopher Otte
FILE REFERENCE: A1361
AUTHOR: Ewen Ross – Manager Development Services
DISCLOSURE OF INTEREST:
DATE OF REPORT: 08 June 2010

Attachment: 1. Location Map
2. Proposed subdivision plan
3. Response to WAPC

BACKGROUND:

The Western Australian Planning Commission ('WAPC') has referred an application for subdivision of one (1) lot into two (2) - comprising of 598m² and 596m² for residential purposes. The Subject Land is in residential zone and reflects an infill subdivision with a rear battleaxe lot being formed. One additional lot is being created. Currently Lot 58 Warren Road has a dwelling erected with a garage to the rear.

COMMENT:

Lot 58 Warren Road is zoned "Residential" with a R10/R15 density coding under the Shire of Nannup Local Planning Scheme No3 (LPS No3). The applicant proposes to develop the site in accordance with the R-15 density coding as there is sewerage indicated within Warren Road. The lot size criteria for a density code of R-15 are a minimum of 580 (front) and 655 (rear) with an average of 666 required. It is noted that the proposed lots are below that required in the R-Codes and that Council has no discretion in this area. In order for the WAPC to consider the application the 133m² common property (access way) would need to be considered within the lot size calculation. This would make this subdivision within the criteria of the R-Codes and is supported.

Existing Dwelling

The existing dwelling is newly constructed and has a double garage to the rear providing the requisite number of parking spaces for this lot. A retaining wall has been constructed to the rear of the house and given that it is over 1.2 metres from the new boundary is not considered retaining the boundary. Any walls constructed on the boundary line as a retaining wall will need to be submitted to the Shire for approval. The front site will have a frontage greater than the required 12 metres.

Crossovers

Currently there is a crossover constructed and the common property driveway is to be sealed.

Footpaths

Footpaths exist on this part of Warren Road.

Public Open Space

As the subdivision is less than 5 lots there is no requirement for public open space (WAC 2.3).

Services

Scheme water, electricity and telephone will be required to be provided to the rear lot and requirements will be assessed by other government agencies during the referral process. The rear lot will need to be connected to the sewerage.

Stormwater

With the infill within Nannup and the fact that the rear lot will need to discharge stormwater to Warren Road, provision of the condition that the developer provides retention onsite and discharge to an approved outlet for the rear lot to the satisfaction of the local government should be required. Additionally, the stormwater from the retaining wall will need to be discharged to an approved outlet.

Land Contour

The land contours from Warren Road (50M to rear 56M). At the time of construction of building on the proposed lot 1, the developer will need to ensure the building site is graded and stabilised to the Shire of Nannup's satisfaction.

Conclusion

The application to subdivide lot 50 Warren Road to provide for an additional lot is supported. One new lot is being established, and Council should ensure that there is connection to the sewer and stormwater discharged to an approved outlet from the rear lot.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005, Local Planning Scheme No3, Townsite Strategy

POLICY IMPLICATIONS: Within LPS No3 and Townsite Strategy.

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS:

Consideration of the economic, environmental and social impact and the proposal will enhance development of Nannup through provision of an additional lot.

RECOMMENDATION:

That Council in relation to the subdivision referral of Subdivision Application WAPC No.46910 resolve to advise the WAPC that:

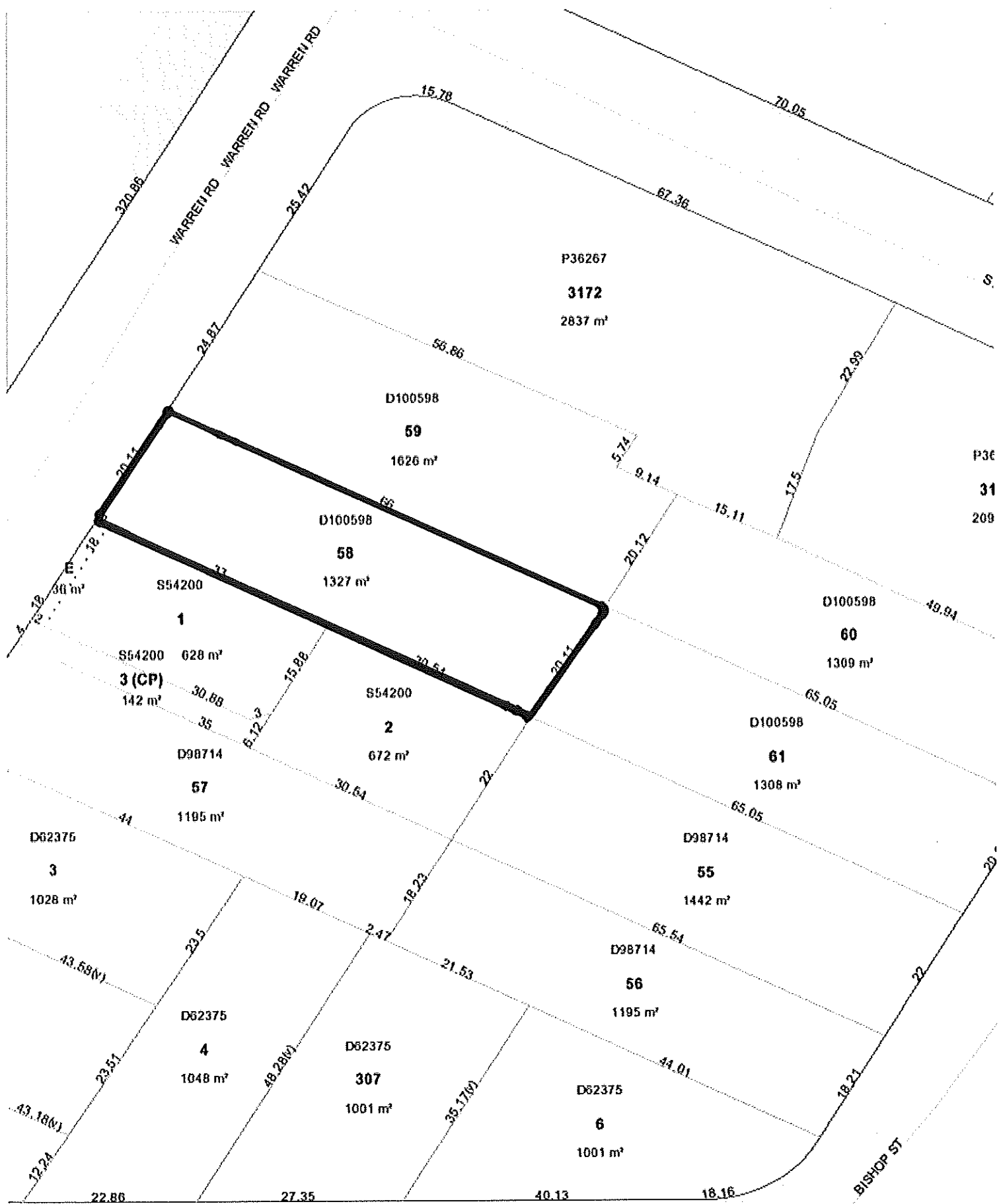
1. Council is satisfied that a 'Development Guide Plan' pursuant to Schedule 14 of the Shire of Nannup Local Planning Scheme No. 3 is not required in this instance.
2. No objection is offered in relation to the WAPC approving the subdivision, subject to the inclusion of the following conditions:
 - Construction on the lots shall not commence until the Shire of Nannup has approved detail engineering plans and specifications of the works, including earthworks, access ways and paths, drainage, clearing, stabilisation and landscaping/rehabilitation measures.
 - The battleaxe access leg being constructed and drained to the specifications and satisfaction of the Shire of Nannup.
 - The proposed lot one (1) being connected to an approved stormwater to the satisfaction of the Shire of Nannup.
 - The proposed lot one (1) is connected to the sewage.

8405 BOULTER/PINKERTON

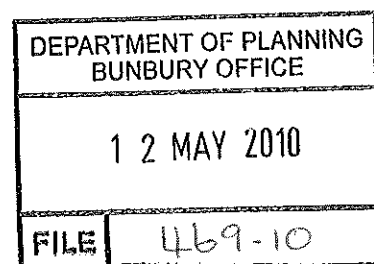
That Council in relation to the subdivision referral of Subdivision Application WAPC No.46910 resolve to advise the WAPC that:

1. Council is satisfied that a 'Development Guide Plan' pursuant to Schedule 14 of the Shire of Nannup Local Planning Scheme No. 3 is not required in this instance.
2. No objection is offered in relation to the WAPC approving the subdivision, subject to the inclusion of the following conditions:
 - Construction on the lots shall not commence until the Shire of Nannup has approved detail engineering plans and specifications of the works, including earthworks, access ways and paths, drainage, clearing, stabilisation and landscaping/rehabilitation measures.
 - The battleaxe access leg being constructed and drained to the specifications and satisfaction of the Shire of Nannup.
 - The proposed lot one (1) being connected to an approved stormwater to the satisfaction of the Shire of Nannup.
 - The proposed lot one (1) is connected to the sewage.

CARRIED 8/0



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MANAGER
SOUTH WEST REGION
Department of Planning
61 Victoria Street
BUNBURY 6230

1. LOCAL AUTHORITY (If any)

SHIRAS OP NANNUP

2. Are there any provisions in Council's Town Planning Scheme Zoning By-laws or any adopted policies which would affect the proposed subdivision?
If so, please state those provisions:

LOCAL PLANNING SCHEME NO 3.

TOWNSITE STRATEGY

3. Council's recommendation in respect of the plan so proposed (subdivision/ amalgamation) including conditions to be imposed. Please state reason for Council's recommendation.

SEE ATTACHED OFFICERS REPORT AND
COUNCIL RESOLUTION OF 27 JUNE 2010

4. Please advise as to the nature and topography of the site as per attached schedule.

5. Scheme Amendment number (if applicable)

N/A

Signed



Town/Shire Clerk

R 8405

Date 8 JUNE 2010

SCHEDULE

COUNTRY AREAS ONLY

Please supply relevant information by ticking any appropriate box.
More than one tick per category may be needed.

TOPOGRAPHY:	Steep slopes	<input type="checkbox"/>	Undulating	<input checked="" type="checkbox"/>
	Flat	<input type="checkbox"/>	Low Lying	<input type="checkbox"/>
DRAINAGE:	Well drained	<input type="checkbox"/>	Swampy	<input type="checkbox"/>
	Sandy	<input type="checkbox"/>	Rocky	<input type="checkbox"/>
	Clay	<input checked="" type="checkbox"/>	Loam	<input type="checkbox"/>
VEGETATION:	Heavy Timber	<input type="checkbox"/>	Natural Bush	<input type="checkbox"/>
	Light Timber	<input type="checkbox"/>	Semi Cleared	<input type="checkbox"/>
	Scrub	<input type="checkbox"/>	Cleared	<input checked="" type="checkbox"/>
	Grass	<input type="checkbox"/>	Bare Earth	<input type="checkbox"/>
LAND USE:	Grazing	<input type="checkbox"/>	Farming	<input type="checkbox"/>

Other please specify RESIDENTIAL

EXISTING SITE
ACCESS:

Constructed Road ☒ Non constructed Road ☐
Sealed ☒ No Road Access ☐
Unsealed(Gravel etc)

COUNCIL SERVICES
AVAILABLE:

Garbage Collection ☒ School Bus ☒
Main Drainage ☒ Other _____
(GWE R.)

ANY OTHER COMMENTS:

Signed _____ Date 8 JUNE 2010
Town/Shire Clerk

AGENDA NUMBER: 10.2
SUBJECT: Subdivision WAPC 142067
LOCATION/ADDRESS: Lot 119 & 120 Balingup Road
NAME OF APPLICANT: Brian Green
FILE REFERENCE: A367
AUTHOR: Ewen Ross – Manager Development Services
DISCLOSURE OF INTEREST:
DATE OF REPORT: 08 June 2010

Attachment: 1. Location Map
2. Proposed subdivision plan
3. Response to WAPC

BACKGROUND:

The Western Australian Planning Commission ('WAPC') has referred an application for subdivision for two (2) - comprising of 5514m² and 7740m² for residential purposes. The Subject Land is in residential zone and reflects a change of boundaries; no additional lots are being created. Currently Lots 119 and 120 Balingup Road are orientated off Balingup Road northwest-southeast. The proposal is to reorientate the lots along Balingup Road (front lot) whilst maintaining a 5 metre access way to the battleaxe lot.

The proposal is intended to make better use of the lots, as the western portion of both lots is steep and within the 1:100 year flood plain. It is expected that two dwelling sites would be established in the 70-75M contours.

There is no indication that access to the rear lot will be from Dunnet Road. Therefore the proposal has been considered as a front lot and rear battleaxe lot with access both from Balingup Road.

COMMENT:

Lots 119 and 120 Balingup Road is zoned "Residential" with a R10/R15 density coding under the Shire of Nannup Local Planning Scheme No3 (LPS No3). The applicant proposes to develop the site in accordance with the R-10 density coding as there is no sewerage connections indicated. The lot size criteria for a density code of R-10 are a minimum of 875m² or an average of 1000m² per lot. (Given that the applicant is not seeking the R15 density as per the LPS No3, the provision of deep sewer is technically not required under the scheme.) Therefore the lots size exceeds the minimum size required by the R-Codes and the Draft Country Sewerage Policy for On-site Wastewater Disposal Site (greater than 2000m²).

Existing Dwelling

Currently on the proposed front lot there is a dwelling and shed. The dwelling is in disrepair and the Council should serve a notice under the Health Act 1922 s135 "Dwellings unfit for habitation", alternatively the Council may wish to act under the

Local Government (Miscellaneous Provisions) Act, s404 "Notice to owner etc. in case of danger".

This action should be carried out irrespective of the subdivision approval as the building is considered as dangerous, dilapidated and inhabitable. Agreement with the owner to demolish may avoid the matter being resorted to a legislative approach. This has been discussed with the owner and a letter confirming the action will be forwarded.

Flood Prone Land

Both lots lie within the flood prone area which LPS No3 has special controls for development within flood risk land. In the event that development is proposed, the controls that apply include the following:

Setting appropriate floor levels for habitable buildings above the known flood level with survey confirmation.

Ensuring that appropriate effluent disposal systems are installed.

Engineering certification of the building to withstand flood forces.

Consultation with the Department of Water with respect to assessing the impact of development in the flood risk area.

Further, in the case that subdivision is proposed the LPSNo3 states the following:

Where land which is identified as being Flood Risk Land is proposed to be subdivided the local government, if resolving to support the application for subdivision, shall recommend to the Commission that memorials be placed on newly created titles to ensure prospective purchasers are aware that the land may be prone to flooding.

If Council supports the application it will need to condition the referral with the appropriate memorial or notification to ensure that potential purchasers are aware of the potential of flood on the land.

Crossovers

Currently there is a culvert and access to the proposed front lot. Council should consider a condition to be imposed on the developer to construct a crossover to all new lots to the satisfaction of the local government. The formation of a new access to the battleaxe lot is relatively steep slope and it should be constructed to the satisfaction of the local government.

Footpaths

No footpaths are currently provided within Balingup Road. The requirement that the developer contribute to the cost of construction of a footpath on Balingup Road may be considered by Council. In this case as no additional lots are being formed this requirement may not be invoked.

Public Open Space

As the proposal seeks to not create any additional lots and are less than 5 lots the subdivision is not required to provide for public open space (WAC 2.3).

Access

Access is considered from Balingup Road for both lots which is the current situation. Should the developer wish to have access from Dunnet Road then the lot would not be within the minimum road frontage of 20 metres. Additionally, as an additional lot with access off Dunnet Road, contribution to the upgrading of this road would be required.

Services

Scheme water, electricity and telephone will be required to be provided to both lots and the servicing requirements will be assessed by other government agencies during the referral process. The Shire understands that no sewer is available to the land at this point. Options available are provision of a private pump station and private pressure main or onsite disposal. The Draft Country Sewerage Policy for on-site wastewater disposal site requires lots greater than 2000m². In this case the lots are adequate however the steepness of the western boundary and the wetlands along the "dry creek" my limit available land.

Stormwater

With the infill within Nannup and the fact that the rear lot will need to discharge stormwater either directly to the Reserve 26070 or to Balingup Road, the provision of condition that the developer provides retention of stormwater on site and discharged to an approved outlet to the satisfaction of the local government stormwater should be required.

Land Contour

The land contours steeply from Balingup Road and the "Dry Creek" to the possible building sites. At the time of construction of buildings the developer will need to provide for access to the rear lot together with ensuring the building sites are graded and stabilised to the Shires satisfaction.

Conclusion

The application to subdivide lots 119 & 120 Balingup Road to provide for building areas outside the 1:100 year flood plain and avoid the steep terrain on the western boundary is supported. No new lots are being established and it will long term enable development of the lots. Council needs to ensure that the current building is demolished, the lots identify that they are in the 1:100 flood plain, crossovers are provided, new access to be constructed, on site waste disposal is provided for and that there is stormwater discharged to an approved outlet from the rear lot.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005, Local Planning Scheme No3, Townsite Strategy

POLICY IMPLICATIONS:

Within LPS No3 and Townsite Strategy.

FINANCIAL IMPLICATIONS:**STRATEGIC IMPLICATIONS:**

Consideration of the economic, environmental and social impact and the proposal will enhance development on these lots.

RECOMMENDATION:

That Council in relation to the subdivision referral of Subdivision Application WAPC No.142067 resolve to advise the WAPC that:

1. Council is satisfied that a 'Development Guide Plan' pursuant to Schedule 14 of the Shire of Nannup Local Planning Scheme No. 3 ('Scheme') is not required in this instance.
2. No objection is offered in relation to the WAPC approving the subdivision, subject to the inclusion of the following conditions.
 - a. Construction on the lots shall not commence until the Shire of Nannup has approved detail engineering plans and specifications of the works, including earthworks, access ways and paths, drainage, clearing, stabilisation and landscaping/rehabilitation measures.
 - b. The dwelling on lot 119 is repaired to the satisfaction of the Shire of Nannup or be demolished.
 - c. The developer to construct crossovers with detail engineering drawings being submitted to the satisfaction of the Shire of Nannup, prior to commencement of any works.
 - d. The battleaxe access leg being constructed and drained to the specifications and satisfaction of the Shire of Nannup.
 - e. Both accesses having the standard truncation of 8.5 metres to allow for exit from Balingup Road to the satisfaction of the Shire of Nannup.

- f. The rear lot being having stormwater retention on site and discharged to an approved outlet to the satisfaction of the Shire of Nannup.
- g. A Section 70 A Notification being placed on all the proposed titles stating the following:
 - i. "This property is within the 1:100 flood risk area as identified in the Blackwood River Flood Study and that Council's Local Planning Scheme has land use controls that ensures that development is undertaken in a way that mitigates against flood.
 - ii. The Shire of Nannup does not take any responsibility from any property damage or harm resulting from flood."

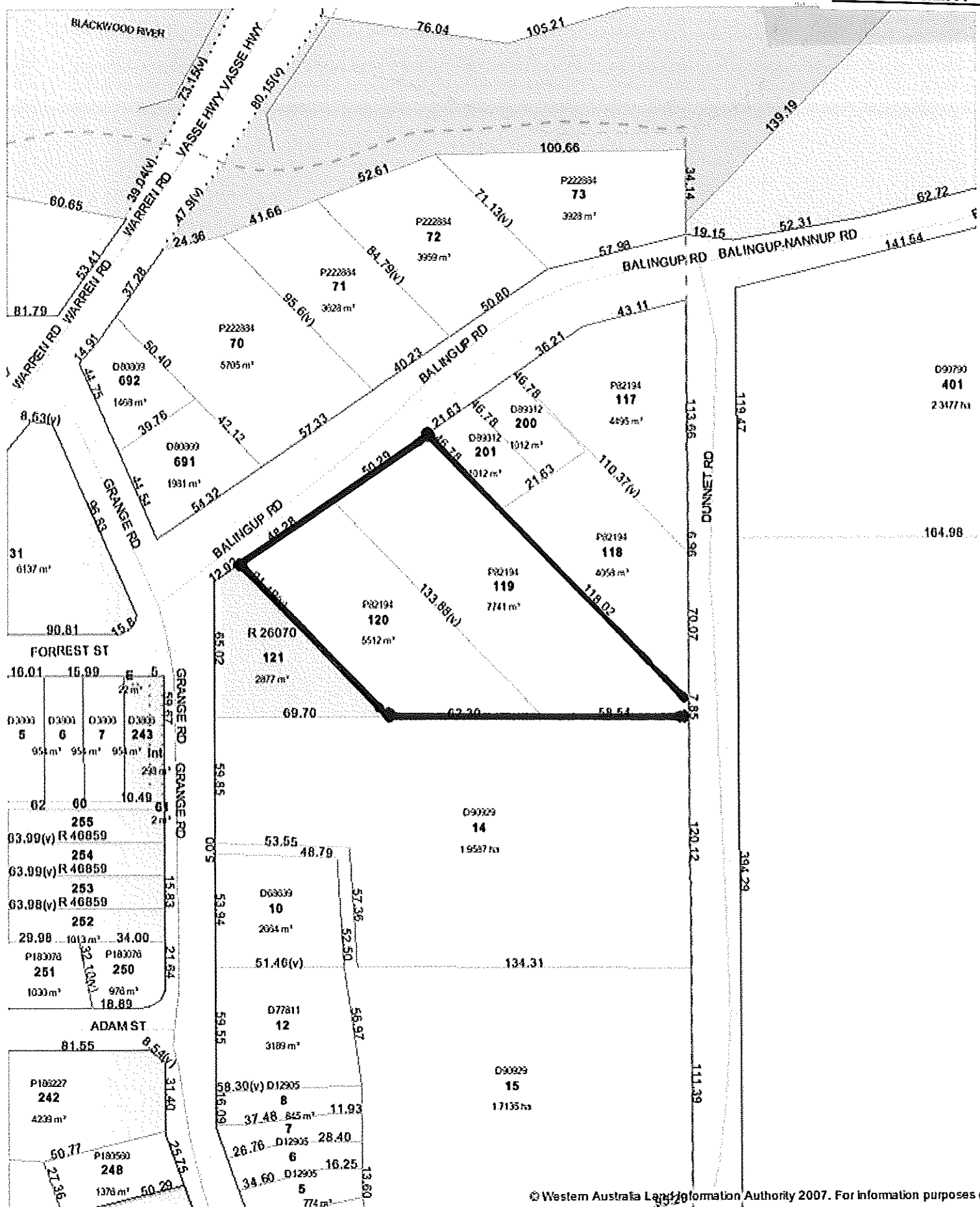
8406 BOULTER/PINKERTON

That Council in relation to the subdivision referral of Subdivision Application WAPC No.142067 resolve to advise the WAPC that:

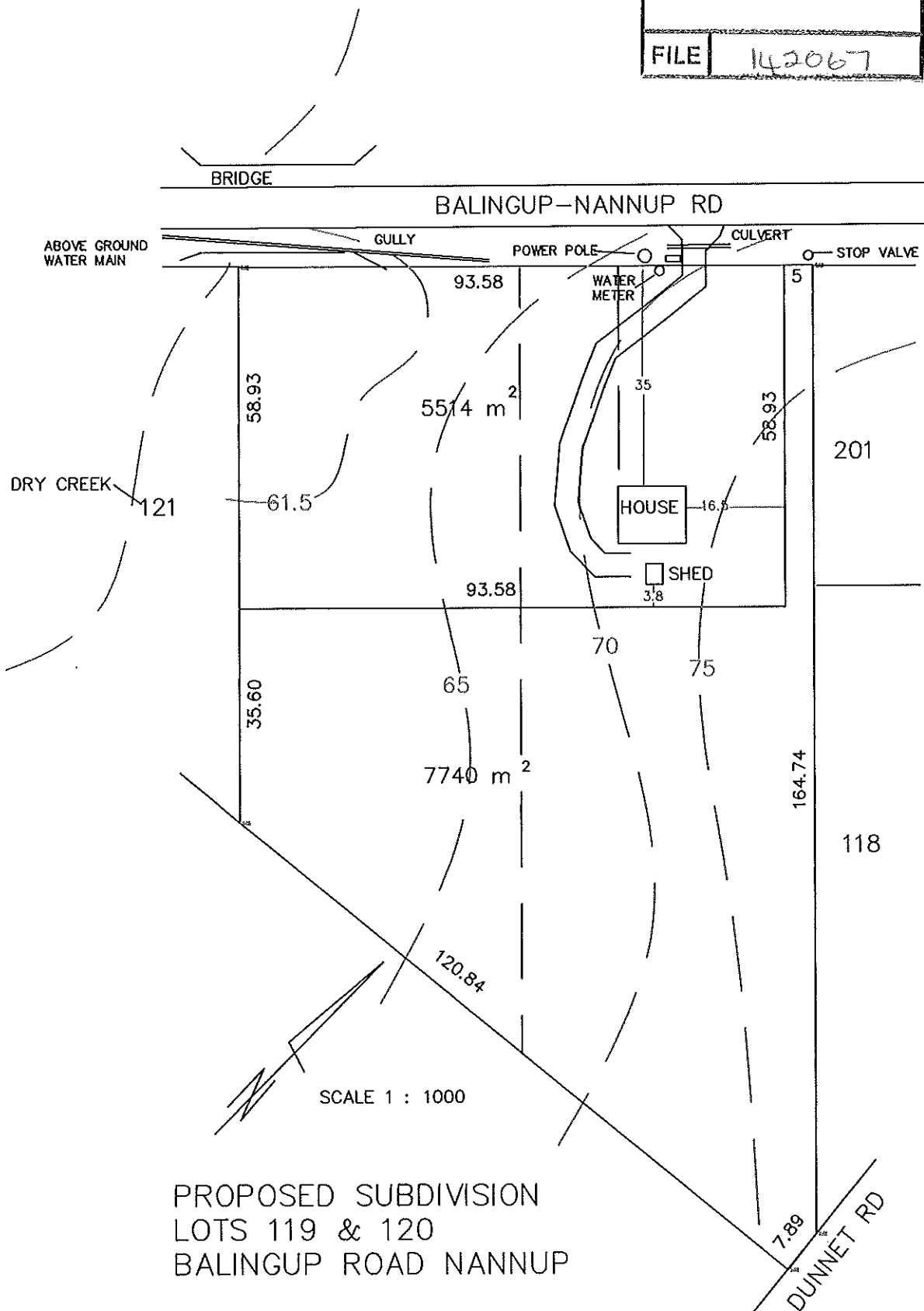
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2. No objection is offered in relation to the WAPC approving the subdivision, subject to the inclusion of the following conditions.
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 - b. The dwelling on lot 119 is repaired to the satisfaction of the Shire of Nannup or be demolished.
 - c. The developer to construct crossovers with detail engineering drawings being submitted to the satisfaction of the Shire of Nannup, prior to commencement of any works.
 - d. The battleaxe access leg being constructed and drained to the specifications and satisfaction of the Shire of Nannup.
 - e. Both accesses having the standard truncation of 8.5 metres to allow for exit from Balingup Road to the satisfaction of the Shire of Nannup.
 - f. The rear lot being having stormwater retention on site and discharged to an approved outlet to the satisfaction of the Shire of Nannup.

- g. A Section 70 A Notification being placed on all the proposed titles stating the following:
 - i. "This property is within the 1:100 flood risk area as identified in the Blackwood River Flood Study and that Council's Local Planning Scheme has land use controls that ensures that development is undertaken in a way that mitigates against flood.
 - ii. The Shire of Nannup does not take any responsibility from any property damage or harm resulting from flood."

CARRIED 8/0



DEPARTMENT OF PLANNING BUNBURY OFFICE	
1 4 MAY 2010	
FILE	142067



SCHEDULE

ATTACHMENT 3

COUNTRY AREAS ONLY

Please supply relevant information by ticking any appropriate box.
More than one tick per category may be needed.

TOPOGRAPHY: Steep slopes ☒ Undulating ☐
60-80 centav. ☐
Flat ☐ Low Lying ☐

DRAINAGE: (1) Well drained ☐ Swampy ☐
Sandy ☐ Rocky ☐
Clay ☒ Loam ☐

VEGETATION: Heavy Timber ☐ Natural Bush ☐
Light Timber ☐ Semi Cleared ☐
Scrub ☐ Cleared ☒
Grass ☐ Bare Earth ☐

LAND USE: Grazing ☐ Farming ☐

Other please specify RESIDENTIAL

EXISTING SITE ACCESS: Constructed Road ☒ Non constructed Road ☐
Sealed ☒ No Road Access ☐
Unsealed(Gravel etc) ☐

COUNCIL SERVICES AVAILABLE: Garbage Collection ☒ School Bus ☐
Main Drainage ☐ Other ON SITE DISPOSAL

ANY OTHER COMMENTS:

(1) DRAINAGE - WITHIN 1:100 FLOOD PLAIN. DUE TO SLOPE
OF LAND GOOD DRAINAGE, WESTERN CORNER ADJACENT
DRAINAGE RESERVE AND CREEK/WET AREA.

Signed



Date

8 JUNE 2010.

Town/Shire Clerk

R 8406

MANAGER
SOUTH WEST REGION
Department of Planning
61 Victoria Street
BUNBURY 6230

1. LOCAL AUTHORITY (If any)

SHIRE OF NANNUP

2. Are there any provisions in Council's Town Planning Scheme Zoning By-laws or any adopted policies which would affect the proposed subdivision?
If so, please state those provisions:

LOCAL PLANNING SCHEME NO3

TOWNSITE STRATEGY

3. Council's recommendation in respect of the plan so proposed (subdivision/ amalgamation) including conditions to be imposed. Please state reason for Council's recommendation.

SEE ATTACHED OFFICER REPORT AND
COUNCIL RESOLUTION OF 27 JUNE 2010

4. Please advise as to the nature and topography of the site as per attached schedule.

5. Scheme Amendment number (if applicable)

N/A

Signed

Town/Shire Clerk

Date

8 JUNE 2010

AGENDA NUMBER: 10.3
SUBJECT: Application for Planning Approval – Loc 778 Balingup Rd
LOCATION/ADDRESS: Lot 3 of Nelson Location 778 BALINGUP ROAD
NAME OF APPLICANT: Mystic River - Mr Wally Moroz
FILE REFERENCE: A157
AUTHOR: Ewen Ross – Manager Development Services
DISCLOSURE OF INTEREST:
DATE OF REPORT: 10 June 2010

- Attachment: 1. Location Map
2. Rezoning approval
3. Application for planning approval
4. Draft Planning Approval
5. Application for clearance of planning application condition approval and clearance checklist

BACKGROUND:

Councillors will recall the WAPC853/6/17/3 Pt6 rezoning approval of 11th March 2010 for the rezoning of Lot 3 of Nelson Location 778 Balingup Road (subject land – Attachment 1) from "Agriculture" to "Special Use 12" (Attachment 2). At the time there was considerable public opinion regarding this establishment and there were over sixty (60) submissions received. However, Council did resolve to support the application for rezoning and the Minister for Planning has now approved the rezoning. The proponent has now lodged an application for planning approval for stage one of the proposal, the establishment of the 'Day Hospital'. (Attachment 3)

COMMENT:

The application is for a "Day Hospital" which would be within the definition of "Hospital and Medical Centre (max 30 patients)", a "D" use under the Local Planning Scheme SU12. The application relates to stage one, the conversion of the dwelling and a shed to a day hospital. The application can be approved by delegation under delegation 105 and is submitted to Council for endorsement of the change to the Structural Plan. A draft planning approval is at attachment 4 for your information.

Stages

The proponent is proposing a staged development; stage one being the development of the "Day Hospital". The provision of other buildings that are also "D" uses will be in subsequent stages. The use of the clearance of planning application conditions and request forms will be utilised as at attachment 5 once planning approval has been issued.

Existing Dwelling

The existing dwelling will be reclassified from a dwelling class 1 and the proponent has been working with the Shire's staff to ensure compliance with the building and health legislation resulting from this change of use.

Consultation

There was considerable consultation on the rezoning application including public advertising and the conducting of a public meeting. The rezoning approval has been gazetted and publicly advertised in the local newspapers as required by LPS No3. Under LPS No3 a "D" use, means that the use is not permitted unless the local government has exercised its discretion by granting planning approval. Unlike an "A" use there is no specific requirement for public advertising and in the normal course of events advertising of "D" use is not undertaken.

Conditions

The conditions applicable to this planning application are contained in the WAPC rezoning approval (Attachment 2). It is proposed that these conditions be applied to the development and a checklist that provides comment from the proponent is at Attachment 5. It is proposed that the planning approval be issued subject to these conditions (unless Council requires additional) and that the respective Shire staff work with the proponent to clear the conditions.

It is noted that the proponent has modified the approved structural plan with regards to parking. This would not be a significant variation to the structural plan and Council would need to approve this in accordance with LPS No3 Schedule 14 cl 4 if they accept that this is a minor change. The WAPC will need to be advised of the alteration. With regards to parking for the "day hospital", provision will need to be made for parking in accordance with LPS No3 schedule 11. As a "Hospital," one car park per patient bed. However, as this is a day hospital, the requirements for a 'Consulting Room' (3 car parks per consultant) or "Office" (35m2 of gross leasable space) could be applied. In this case it is reasonable to require 10 car park spaces.

Conclusion

The process that the proponent has gone through to rezone the subject land has been over an extended period and within the robust planning procedures applicable. There has been publication of the initiation of the amendment, public and agency consultation and submission process undertaken, reviewed by Council in their final recommendation to the WAPC for approval and the subsequent Minister of Planning approving the rezoning to permit the planning application to be submitted. There appears no reason why the planning application would be refused and it should be approved subject to compliance with the WAPC rezoning conditions and structural plan thereto.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005, Local Planning Scheme No3, Amendment No6 to LPS No3

POLICY IMPLICATIONS: Within LPS No3**FINANCIAL IMPLICATIONS:** Nil**STRATEGIC IMPLICATIONS:**

Consideration of the economic, environmental and social impact indicates the proposal will enhance the development of Nannup. It provides a facility that would be accessed from within the Shire and the Southwest. It has potential to provide employment, support local business and draw people to the Shire.

RECOMMENDATION:

That Council in relation to the planning application 015/10 to establish a "Day Hospital" resolve to:

1. Endorse the approval by the Manager Development Services under delegation 105, the planning application subject to compliance with the conditions in the WAPC 853/6/17/3 Pt6 rezoning approval (Conditions and structural plan dated 1st Feb 10 thereto) of 11 March 2010 for the rezoning of Lot 3 of Nelson Location 778 Balingup Road.
2. Consider that the change to the endorsed Structural Plan dated 1st February 2010 is minor and is approved.
3. As no car parking is shown an additional condition that ten (10) car parks are to be provided for stage 1.

MELLEMA/LORKIEWICZ

Council defer consideration of item 10.3 until the August 2010 ordinary meeting to allow Council to seek legal advice on the ramifications if approval is given and to address the communities concerns raised during public question time.

TIED 4/4

Councillors voting for the motion: Mellema, Boulter, Lorkiewicz and Gilbert.

Councillor voting against: Dunnet, Camarri, Dean and Pinkerton.

The casting vote from the Shire President was against the motion therefore the motion was lost.

8407 DUNNET/DEAN

That Council in relation to the planning application 015/10 to establish a "Day Hospital" resolve to:

1. Endorse the approval by the Manager Development Services under delegation 105, the planning application subject to compliance with the conditions in the

WAPC 853/6/17/3 Pt6 rezoning approval (Conditions and structural plan dated 1st Feb 10 thereto) of 11 March 2010 for the rezoning of Lot 3 of Nelson Location 778 Balingup Road.

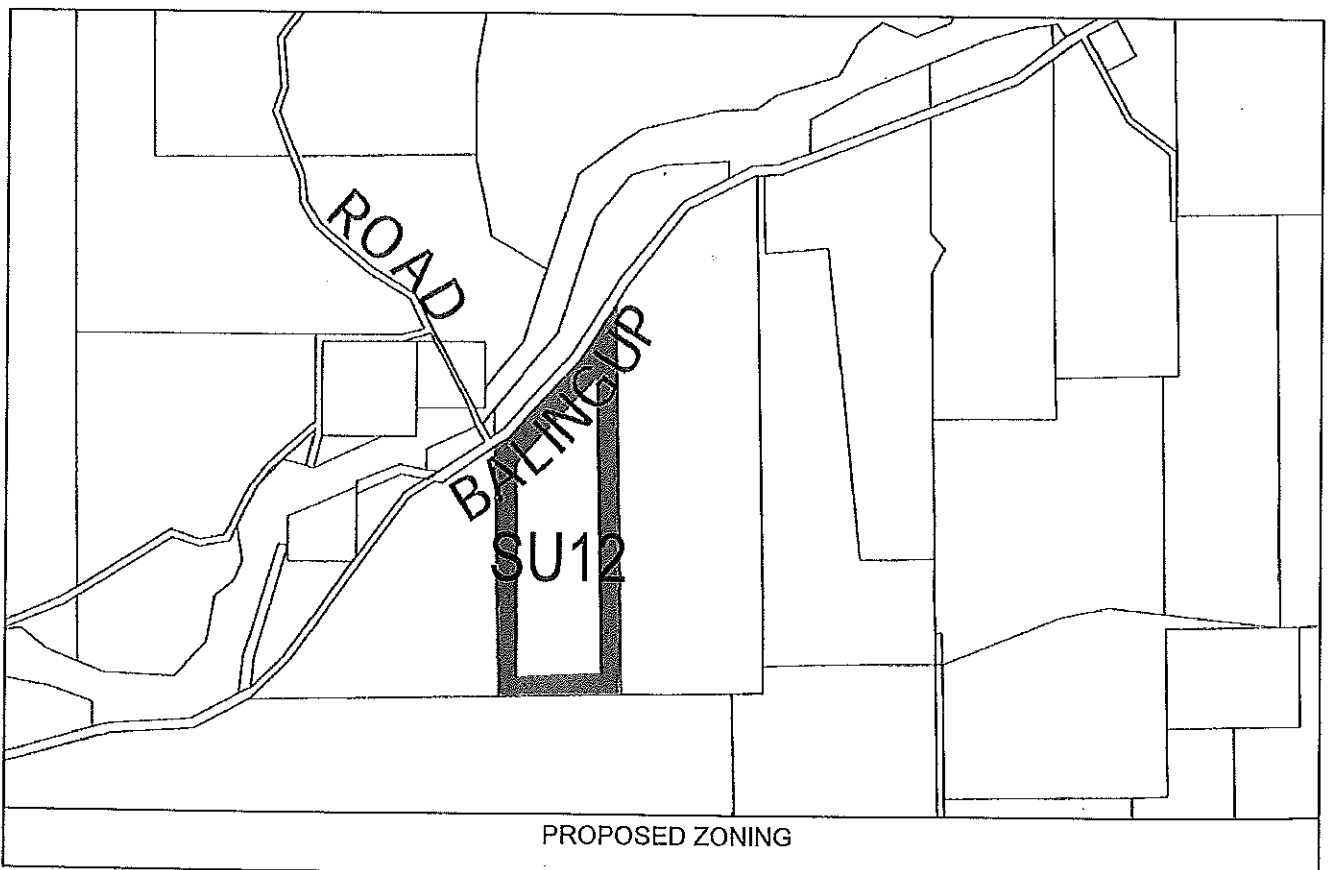
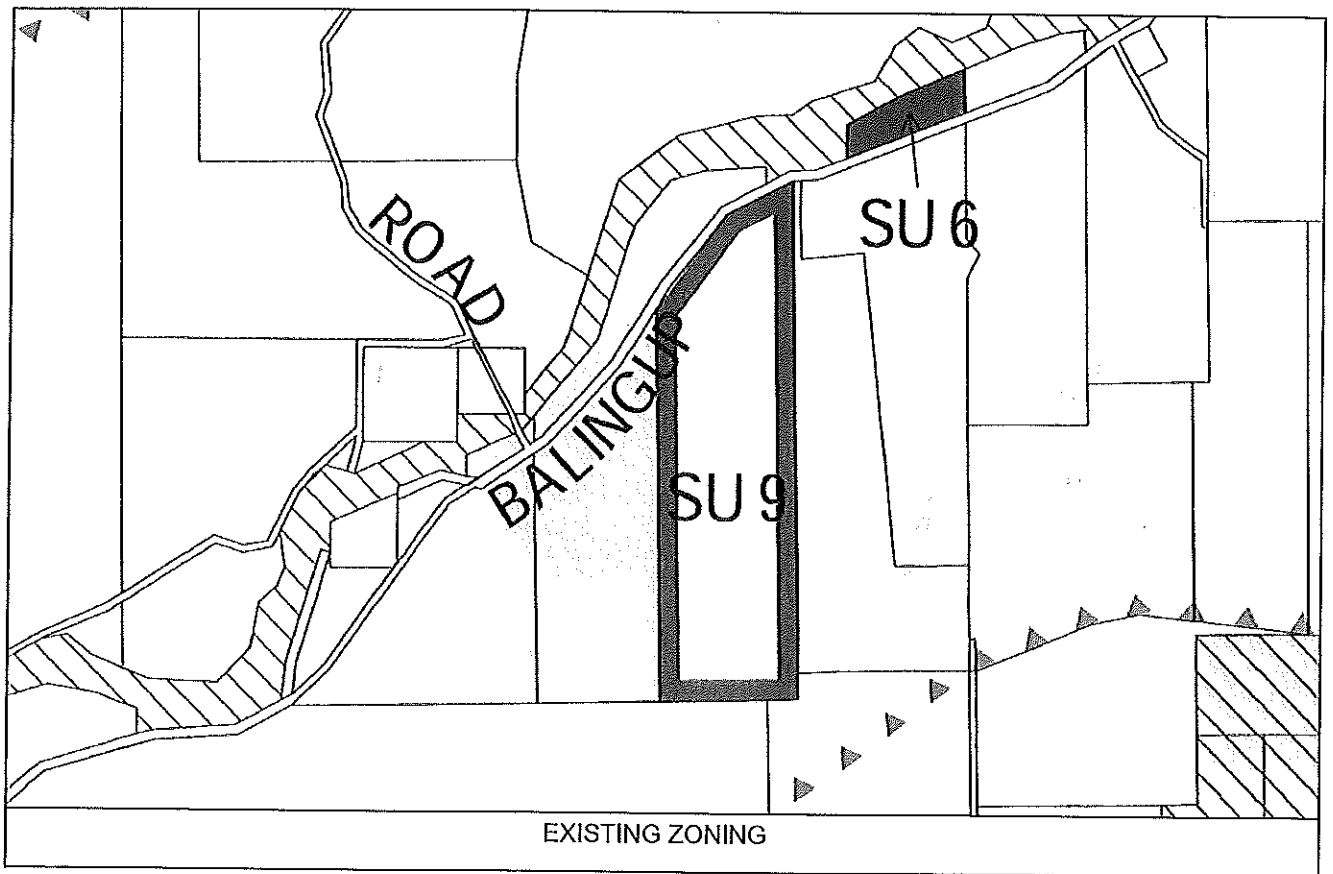
2. Consider that the change to the endorsed Structural Plan dated 1st February 2010 is minor and is approved.
3. As no car parking is shown an additional condition that ten (10) car parks are to be provided for stage 1.
4. All issues raised by residents to be addressed as soon as possible.

TIED 4/4

Councillors voting for the motion: Dunnet, Camarri, Dean and Pinkerton.

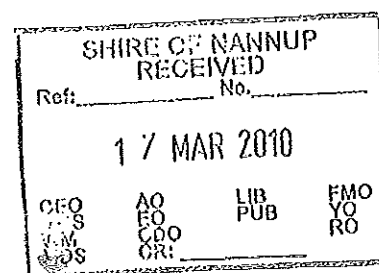
Councillor voting against: Mellema, Boulter, Lorkiewicz and Gilbert.

The casting vote from the Shire President was for the motion therefore the motion was carried.





Our Ref: 853/6/17/3 Pt 6
 Your Ref: A 157
 Enquiries: Helen Aitken (9264 7639)



15 March 2010

Chief Executive Officer
 Shire of Nannup
 PO Box 11
 NANNUP WA 6275

Dear Sir

**LOCAL PLANNING SCHEME No 3
 AMENDMENT No 6**

I refer to your letters of 2 February and 23 February 2010 and advise that the Minister for Planning has granted final approval to the above amendment on 11 March 2010.

Pursuant to section 87(3) of the *Planning and Development Act 2005*, the local government is to:

- (a) cause the amendment to be published in the *Gazette*;
- (b) advertise the amendment in accordance with the regulations; and
- (c) ensure that copies of the amendment are available to the public.

A copy of the notice is attached for your information and action in accordance with section 87.

The full text of the amendment is to be published, and in accordance with section 87(5), it is sufficient compliance with subsection (3) if a local planning scheme or amendment to a local planning scheme is published in the *Gazette* without any maps, plans or diagrams which form part of the local planning scheme or amendment.

Arrangements should now be made by your local government with the State Law Publisher to publish the notice in the Government Gazette. Advertising costs (approximately 20%) may be saved, depending upon the length of the notice, if the scheme text was emailed (in MS Word format) to State Law Publisher at the same time as the notice was faxed to them. For advertising enquiries, please telephone the Publications Officer on (08) 9426 0012. The State Law Publisher website is at www.slp.wa.gov.au.

Council is also reminded of its obligations to publish a copy of the notice in accordance with the provisions of regulation 23(2) of the *Town Planning Regulations 1967* and to notify each person who made a submission in relation to the amendment that the amendment has been approved in accordance with the provisions of regulation 23(2a) of the Regulations.

Albert Facey House, 469 Wellington Street (cnr Forrest Place), Perth, Western Australia 6000
 Tel: (08) 9264 7777; Fax: (08) 9264 7566; TTY: (08) 9264 7535; Infoline: 1800 626 477
 e-mail: corporate@planning.wa.gov.au; web address: <http://www.planning.wa.gov.au>
 ABN 35 482 341 493



Local Governments participating in WALGA's Town Planning Composite Advertising program can save on costs by including this notification in a regular Wednesday advertisement published in the West Australian. Further details on the composite advertisement can be obtained by emailing purchasing@walga.asn.au.

One signed set of the amending documents is returned herewith.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Tony Evans', enclosed within a circular stamp or seal.

FOR TONY EVANS
SECRETARY
WESTERN AUSTRALIAN PLANNING COMMISSION

Attach

Copy to: Greg Rowe & Associates

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
SHIRE OF NANNUP
LOCAL PLANNING SCHEME No. 3 - AMENDMENT No. 6

Ref: 853/6/17/3 Pt 6

It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning approved the Shire of Nannup local planning scheme amendment on 11 March 2010 for the purpose of:

1. Rezoning Lot 3 of Nelson Location 778 Balingup-Nannup Road, Nannup from 'Agriculture' zone to 'Special Use' zone for the purpose of private hospital and associated accommodation and amending the Scheme Maps to include "SU12" accordingly.
2. Inserting applicable special provisions into Schedule 4 of the Scheme as follows:

SCHEDULE 4 - SPECIAL USE ZONES

NO.	DESCRIPTION OF LAND	SPECIAL USE	CONDITIONS/SPECIAL PROVISIONS
SU 12.	Lot 3 of Nelson Location 778 Balingup Road, Nannup	<ul style="list-style-type: none"> • Hospital and Medical Centre (maximum of 30 patients at any one time) • Residential Building (maximum occupation of 20 persons) • Caretakers Dwelling • Single Dwelling • Home Office • Home Occupation • Agriculture - Extensive • Recreation - Private • Rural Pursuit 	<ol style="list-style-type: none"> 1. Development of the Site shall be generally in accordance with a Structure Plan adopted by the Local Government and endorsed by the Western Australian Planning Commission. 2. Development may be considered by the local government as a variation from the endorsed Structure Plan provided that, in the opinion of the local government, such development would not compromise the intent of the Structure Plan and the purpose of the zone. 3. Any development not within the general intent of the endorsed Structure Plan will require consideration and endorsement of a new Structure Plan in accordance with the provisions of this Scheme. 4. All applicable 'Special Uses' shall be deemed to be 'D' uses pursuant to the Scheme and

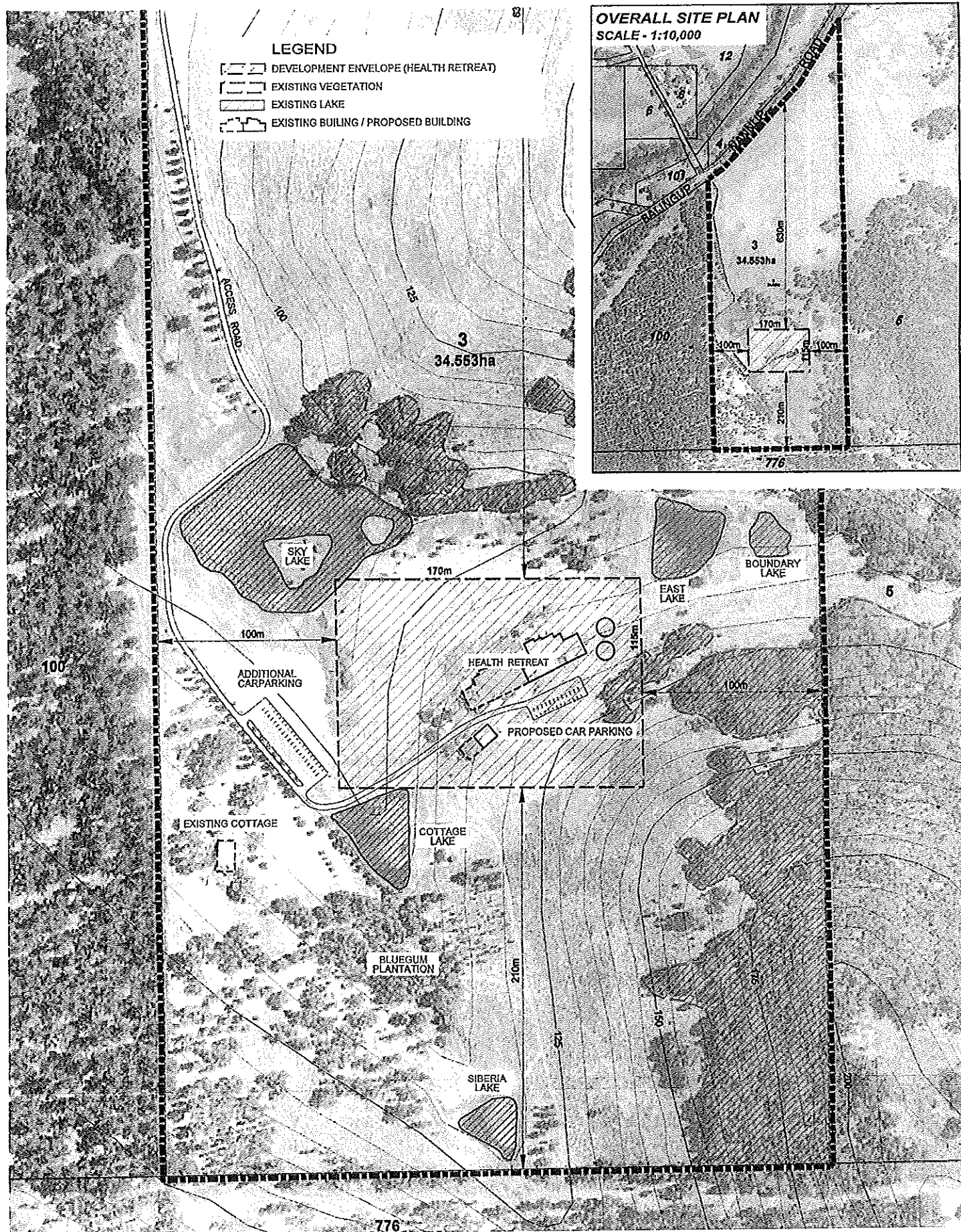
			<p>considered under Part 10 of this Scheme.</p> <p>5. In addition to the requirements of Clause 9.2 of this Scheme, a Fire Management Plan is required to be submitted with any development application. The plan shall include the following:</p> <ul style="list-style-type: none"> • All habitable buildings shall be designed and constructed in accordance with the requirements of Standards Australia AS3959-1999 "Construction of Buildings in Bush Fire Prone Areas" Level 2 construction standards or other standards that may be in force. • Fire prevention, fire management and the issue/need for onsite fire safety structures specifically related to the use of the land as a hospital shall be addressed, • Any other matter required by the local government, DEC and FESA. <p>Implementation of the Fire Management Plan will be included as a condition of development approval.</p> <p>6. In addition to the requirements of Clause 9.2 of the Scheme, an Emergency Management and Evacuation Plan which is to address (but not be limited to) the means by which patient and community danger will be limited (including means to prevent fire danger from smoking) is required to be submitted with any development application. Implementation of this plan will be included as a condition of development approval.</p>
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			<p>7. In addition to the requirements of Clause 9.2 of the Scheme, a Farm Management Plan is required to be submitted with any development application to address the use of the majority of the land for agricultural purposes. Implementation of this plan will be included as a condition of development approval.</p> <p>The use of the land for the purpose of 'Residential Building' shall be ancillary to the hospital and/or medical centre use.</p> <p>8. All buildings (with the exception of the proposed 'Single Dwelling') shall be located within the designated building envelope as depicted on the Structure Plan.</p> <p>9. The 'Single Dwelling' shall be setback in accordance with the relevant provisions of the 'Agriculture' Zone, specifically Clause 4.13.1.3.</p> <p>10. In order to conserve the natural beauty of the locality all trees shall be retained unless their removal is authorised by the local government.</p> <p>11. The Local Government shall not permit the construction of any building in a manner or of materials that would in the opinion of the local government destroy the amenity of the area or not blend in the landscape.</p> <p>12. The Local Government will require as a condition of development approval that all habitable buildings shall be connected to a wastewater treatment system with an adequate phosphorus retention capacity as approved by the Department of Health and the local government. The base of the system or the modified</p>
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			<p>irrigation area is to be above the highest known water table.</p> <p>13. Stormwater drainage shall be designed to the satisfaction of the local government.</p> <p>14. Every application for development shall be accompanied by a Landscape Protection Plan showing:</p> <ul style="list-style-type: none"> • existing and proposed contours, including any cut and fill work intended to be undertaken; • existing vegetation; • proposed revegetation • vegetation proposed to be removed; • location of effluent disposal systems; and • location of access drive from road to dwelling and any parking areas. <p>The plan will be required to be implemented as a condition of development approval.</p> <p>15. As a condition of planning approval the local government may require upgrading of Balingup-Nannup Road in the vicinity of the entrance to the subject land along with construction of passing bays to facilitate safe vehicular access to the site.</p>
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B DUNNET
SHIRE PRESIDENT

S A COLLIE
CHIEF EXECUTIVE OFFICER



APPROVED
Subject To Compliance With
Local Planning Scheme No 3
Ref AMDT H 6
Sign [Signature]
Date 1st Feb 10

GREG ROWE & associates
FOCUSED ON ACHIEVEMENT

title	proposed health retreat structure plan
address	lot 3 balingup-nannup road, nannup

date	21 January 09	job no	5931
scale	not to scale	encl	029901
designer	G Casey	drawn	D McCulloch
check			

Manager Development Services,
PO Box 11
Nannup, WA 6275

SCHEDULE 6 – APPLICATION FOR PLANNING APPROVAL

OWNER DETAILS:

Name: MYSTIC RIVER P.L.

Address: 22 HAWKVALLEY CRES MAIDA VALE

Post Code: 6057 E-Mail: w.moroz@inet.net.au

Phone (work) 0421 987 385 (home) 9454 4263 (Fax)

Contact Person for Correspondence: WALLY MOROZ (as above)

Signature: [Signature] Date: 31 May 2010

Signature: [Signature] Date: 31 May 2010

The signature of the landowner(s) is required on all applications. This application will not proceed without that signature.

APPLICANT DETAILS:

Name: MYSTIC RIVER Pty Ltd.

Address: 22 HAWKVALLEY CRES MAIDA VALE

Post Code: 6057

Phone: (work) 0421 987 385 (home) 9454 4263 Fax

E-Mail: w.moroz@inet.net.au

Contact Person for correspondence: WALLY MOROZ (as above)

Signature: [Signature] Date: 31 May 2010

31 May 2010

PROPERTY DETAILS:

SHIRE OF NANNUP			
Ref: A151		No. 491	
- 3 JUN 2010			
CEO MCS WM MDS	AO EO CDO CR:	LIC PUB	FM YO RO

Lot No: 3 House/Street No: N/A Location No: 778

Diagram or Plan No: 12565 Certificate of Title No: 1514 Folio: 993

REGISTER # 3/P12565
Title Encumbrances (eg, easements, restrictive covenants): NIL

Street Name: BALINGUP-NANNUP ROAD

Suburb: NANNUP

Nearest Street Intersection:

Existing Building/Land Use: RESIDENTIAL BUILDING & FARMING
STAGE 1

Description of proposed development and/or use: CONVERT MAIN HOUSE
AND EXISTING FREE STANDING GARAGE INTO A DAY

HOSPITAL. MINOR WORK & REFURBISHMENT REQUIRED
STAGE 2: RESIDENTIAL WING. NOT PART OF THIS APPLICATION.
Nature of any existing buildings and/or use:

MAIN RESIDENCE, GARAGE. LAND USE - FARMING, GRAZING
CATTLE

Approximate cost of proposed development: \$200,000.00

Estimated time of completion: DEC 2010

OFFICE USE ONLY

Acceptance Officer's Initials: Date Received:

Council Reference No: Fee Paid:

Receipt:

Delegated Authority ☐
Council Decision Required ☐

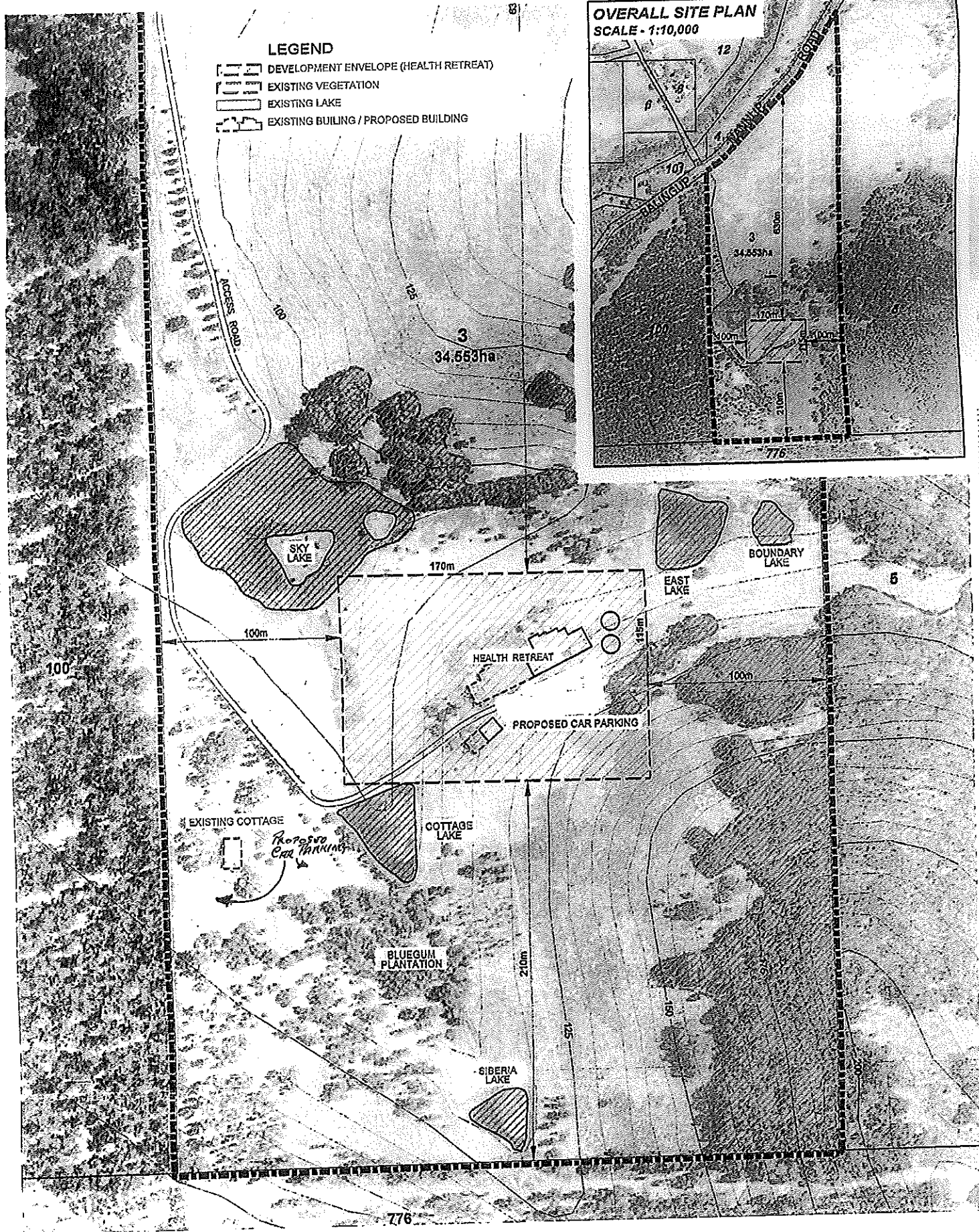
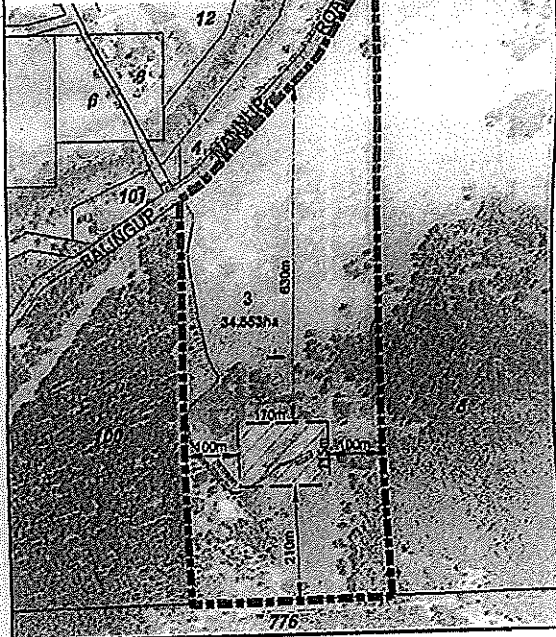
(The content of the form of application must conform to Schedule 6 but minor variations may be permitted to the format).

Note: Additional documentation in support of this Application to meet the conditions / special provisions of Planning Amendment 6 will be supplied prior to the council meeting

LEGEND

- DEVELOPMENT ENVELOPE (HEALTH RETREAT)
- EXISTING VEGETATION
- EXISTING LAKE
- EXISTING BUILDING / PROPOSED BUILDING

OVERALL SITE PLAN SCALE - 1:10,000



GREG ROWE & associates

FOCUSED ON ACHIEVEMENT

title proposed health retreat
structure plan

address lot 3
balingup-nannup road,
nannup

date 21 January 09 job no. 5931
scale not to scale encl. 030901
designer G Curry drawn D McCulloch
client

SHIRE OF NANNUP			
RECEIVED			
Ref: 4157	No. 512		
- 9 JUN 2010			
CEO MDS	AO EO CDO CR:	LIB PUB	FMO YO RO

Ewen Ross
Development Services Manager
Shire of Nannup
Nannup

Dear Ewen

RE: Hospital and Medical Centre at Lot 3, Loc 778 Nelson, Balingup-Nannup Rd, Nannup.

As discussed with Wayne Jolley on 2 June 2010 please find enclosed the supporting documentation for the Planning Application for Stage 1 of the development. This application is only for the Hospital and Medical Centre. The required fee was paid on 2 June 2010.

Would you please remove the coloured aerial photograph attached to the original application and append the enclosed documentation in its place.

As per your email I would appreciate the lodgement of this application in time for the Planning Meeting on 24 June, 2010.

Please contact me if you have any queries regarding the application or if you require any additional documentation to be lodged.

Yours sincerely



Wally Moroz
Director
Mystic River Pty Ltd
7/06/2010

PLANNING APPLICATION

*MYSTIC RIVER Pty Ltd.
Lot 3 of Nelson Location 778
Balingup- Nannup Road
Nannup*

LOCAL PLANNING SCHEME No 3 AMENDMENT No 6. Special Use 12

This application is for **Stage 1 – Hospital and Medical Centre**. This entails the renovations of the existing main residence and free standing garage only.

SUPPORTING DOCUMENTATION AS REQUIRED IN SCHEDULE 4 - CONDITIONS/SPECIAL PROVISIONS

1. The Structure Plan was adopted by the Shire of Nannup and endorsed by the Western Australian Planning Commission on 22nd December, 2009. (Refer to Ewen Ross for details of final endorsement/gazetting, Structure Plan).
2. This development application conforms to the general intent of the endorsed Structure Plan.
3. This application for development is within the general intent of the endorsed Structure Plan.
4. All applicable 'Special Uses' are deemed to be 'D' uses as required.
5. A detailed Fire Management Plan is submitted as required and includes a FESA assessment and approval of the plans (Document Reference 344145/1). Fire prevention, fire management and the onsite fire safety structures are included in the report. The fire safety issues specifically related to the use of the land as a hospital as determined by the Health Department WA will be implemented. All matters required by local government DEC and FESA have been incorporated.
6. The Fire Emergency Management and Evacuation Plan are addressed in the Fire Management Plan.
 - The same Evacuation Plan will be implemented for all emergencies. A specific Evacuation Plan for emergencies within the building will be submitted to the Shire once the building renovations have been finalized.
 - This is also a Health Department requirement and will be completed prior to final inspection by the Shire. This will ensure policy and procedure guidelines that are specific to the hospital. These will be available once approved and prior to final building approval/occupation and use as a hospital.
 - This Emergency Plan will also make specific reference to the use of relevant agencies such as Ambulance and Police as appropriate and as applicable to other uses such as B&Bs e.g. as in the case of a heart attack, broken limb etc.
 - The Day hospital site is a smoke free zone as regulated by the Health Department of WA.
7. Farm Management Plan as outlined here: The farm land will continue to be used as has traditionally been used for live stock grazing and tree plantation farming. Normal best practice methods as advised from time to time by the Department of Agriculture and Advisers from Elders (or similar agencies) will continue to be implemented. This includes seeding, fertilizing, weed and pest control, water management, soil and erosion management and prevention, seasonal feed requirements and veterinary advice.

8. All buildings, which are the subject of this application, are located within the designated envelope as shown on the Structure Plan. This planning application is only for Stage 1, the 'Day Hospital' which involves only the renovation of the existing main residence and free standing garage.
9. Refers to the 'Single Dwelling'. This is not part of this application.
10. All trees shall be retained unless their removal is authorized by the local government.
11. This application deals specifically with existing buildings. These were all approved by local government. The renovations including a proposed verandah (as shown in the plans) are of the same materials as the existing building and are mostly internal and do not alter the existing footprint/amenity. (Refer Wayne Jolley).
12. A Wastewater treatment system approval to construct was obtained on 26 May 2010 from the Department of Health. (See attached) An 'as constructed' drawing will be submitted to the environmental officer at the Shire of Nannup prior to final inspection and approval as required. All approval conditions will be met as required. The full Report of the Environmental Study undertaken by *Civil & Structural Engineering* is available (Refer Scheme Amendment 6 Text).
13. Storm water drainage systems exist and will not require modification for this Stage 1 application. Engineering details of storm water drainage management are available (Refer to Wayne Jolley)
14. Landscape Protection Plan:
 - Existing contours-see Naturaliste Land Surveys – site plan, contours, water tanks, access drive from road to dwelling, car parking areas,
 - Proposed contours- no cuts or fill work is required for Stage 1.
 - Existing Vegetation is shown on the coloured aerial photograph.
 - Proposed re-vegetation will be planted in the down-slope zone of the proposed waste water system (Item 13 on the Septic Tank and Leach Drain Drawing). The type of plants to be planted is included in the document appended. A selection of these will be planted after the practicable completion of the works. Selection will be governed by availability, weather, and aesthetics.
 - Vegetation proposed to be removed. Stage 1 does not require the removal of any trees or shrubs.
 - Location of effluent proposal system. See the approved drawings. The 'as constructed' drawing will show the actual location of the effluent system.
15. The potential volume of traffic entering/exiting the site will be no greater than that of existing and neighbouring uses (restaurants and B&Bs). The entry to the site is on a relatively straight stretch of the Balignup-Nannup Rd and affords clear line of site from both directions.



Wally Moroz
Director
Mystic River Pty Ltd
7 June 2010

PLANNING SCHEME NO 3 – AMMENDMENT NO 6 SU12

CONDITIONS/SPECIAL PROVISIONS

Item 5 and Part of Item 6



15 Adam Street,
P.O. Box 11, Nannup WA 6275
Telephone: (08) 9756 1018
Facsimile: (08) 9756 1275
Email: nannup@nannup.wa.gov.au
Web: www.nannup.wa.gov.au

XX June 2010

Our Ref: A157
ewen.ross@nannup.wa.gov.au

Mystic River
22 Hawkvalley Crescent,
Maida Vale, WA 6057

Dear Mr Wally Moroz,

**APPLICATION FOR A "DAY HOSPITAL" LOT 3 NELSON LOCATION 778
BALINGUP ROAD CERTIFICATE TITLE 1514/993**

In response to your planning application 015/10 to establish a "Day Hospital" at Lot 3, Nelson Location 778 BALINGUP ROAD, NANNUP, I can advise this is approved subject to conditions being met. Please find attached the planning approval 015/10.

Please note that the application for planning approval only relates to the "Day Hospital" which we have termed stage 1. Further application for planning approval will need to be submitted prior to any further development that stage 1.

If I can be of any other assistance please do not hesitate to contact me.

Yours faithfully

.....
EWEN ROSS
MANAGER DEVELOPMENT SERVICES

Attachment:

1. Planning Approval 015/10 for "Day Hospital" (Stage 1) **DRAFT**

ATTACHMENT 1

**PLANNING AND DEVELOPMENT ACT 2005 (as amended)
SHIRE OF NANNUP DECISION ON
APPLICATION FOR PLANNING APPROVAL DAY HOSPITAL (STAGE 1)**

Application: No. 015/10 MYSTIC RIVER

Location: NELSON LOCATION 778 BALINGUP ROAD, CT 1514/993

Application Date: 30 May 2010 **Received on:** 3rd June 2010

Description of proposed development: To establish a "Day Hospital" (LPS No3 SU12 - Hospital and Medical Centre with maximum of 30 patients), involving the change of use of an existing dwelling and garage.

The application for planning approval is granted subject to the following conditions:

1. Development of the Site shall be generally in accordance with a Structure Plan adopted by the Council reference Amendment No6, dated 1st February 2010 and endorsed by the Western Australian Planning Commission.
2. The variation from the endorsed Structure Plan in regards relocation of the car parking is in the opinion of the local government, would not compromise the intent of the Structure Plan and the purpose of the zone.
3. Any development not within the general intent of the endorsed Structure Plan will require consideration and endorsement of a new Structure Plan in accordance with the provisions of this Scheme.
4. The Fire Management Plan dated January 2008 (NOTE WAPC endorsed February 2008) is to be implemented with any amendments required by FESA or DEC. The "Day Hospital" is not to have any persons staying overnight as the building has not been assessed against Standards Australia AS3959-2009 "Construction of Buildings in Bush Fire Prone Areas" Level 2 construction standards.
5. The Emergency Management and Evacuation Plan which is to address (but not be limited to) the means by which patient and community danger will be limited (including means to prevent fire danger from smoking) dated is required to be implementation.
6. The Farm Management Plan dated 7 June 2010 is required to be implementation.
7. All buildings shall be located within the designated building envelope as depicted on the Structure Plan.

9. In order to conserve the natural beauty of the locality all trees shall be retained unless their removal is authorised by the local government.
10. The construction of any building in a manner or of materials that would destroy the amenity of the area or not blend in the landscape is not permitted.
11. The 'Day Hospital' is to be connected to a wastewater treatment system with an adequate phosphorus retention capacity as approved by the Department of Health and the local government. The base of the system or the modified irrigation area is to be above the highest known water table.
12. Stormwater drainage shall be designed to the satisfaction of the local government.
13. The Landscape Protection Plan dated 7 June 2010 is to be implemented, including provision for ten (10) car parks to service the Day Hospital.
14. Upgrading of Balingup-Nannup Road in the vicinity of the entrance to the subject land along with construction of passing bays to facilitate safe vehicular access to the site.

Notes:

- Note 1: If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the decision, the approval shall lapse and be of no further effect.
- Note 2: Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.
- Note 3: Please note that in order to expedite determination of planning applications; Council has delegated to officers the power to consider applications where they comply with Council's Delegation Register. This application has been determined under Delegation provided by Council.
- Note: 4: Rights of appeal are also available to you under the Planning and Development Act 2005 (as amended) against the decision of Council, including any conditions associated with this decision. Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).
- Note 5: This Planning Approval issued by the Shire of Nannup does not remove any responsibility the applicant may have in notifying Environment Australia of the proposal for consideration of impacts in accordance with the *Environmental Protection and Biodiversity Conservation Act 1999*. Further information can be obtained from Environment Australia on (02) 6274 1111 or by visiting <http://www.deh.gov.au/epbc/assessmentsapprovals/index.html>

Note 6: This Planning Approval issued by the Shire of Nannup does not remove any responsibility the applicant may have in notifying Department of Water of the proposal for consideration of impacts with regards water use and discharges.

Note 7: The Environmental Protection Act 1986 requires all clearing of native vegetation is done under the authority of a permit unless exempt under the Environmental Protection (Clearing of Native Vegetation) Regulations 2004. This includes individual paddocks less than 50m apart.

Signed: (Shire of Nannup)

Dated: 14 June 2010

DRAFT

Local Planning Scheme No3
Form No:



**APPLICATION TO THE SHIRE OF NANNUP FOR
CLEARANCE OF PLANNING APPLICATION CONDITIONS APPROVAL**

Please print information clearly; complete all questions & tick boxes where required.

The Applicant: (person submitting the clearance application with whom the city will correspond)

Name/Company:

Address:

Contract Phone No: Fax:

Email Address:

**CERTIFICATION BY MANAGER DEVELOPMENT SERVICES THAT THE SUBDIVISIONAL
WORKS ARE COMPLETED**

On behalf of, I
certify that the requirements of all of the conditions on the planning approval No have
been completed and that the lodgment checklist and the attached Application for Planning
Approval Clearance Request Form are correct.

Signature of PROJECT MANAGER/OWNER: Date:

Please Print Name: Phone No:

Address:

Fax: Email Address:

Project Planner: Project Engineer:

Company: Email address:

Contact Person: Email address:

The Shire of Nannup Planning Application reference number(s):

Fee payable: (See Schedule of fees)

Has Practical Completion Inspection (PCI) been undertaken?

Yes , see attached approval condition check list	Yes except for conditions No(s) Bond Paid for Condition No(s) (Copy attached) Conditions No(s) will be completed in future stages (Staging plan attached and signed)	No: Clearance Application Should not be lodged
--------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------

Is the Deposited Plan consistent with the Structural Plan

Yes	No. Only minor changes. Refer to attached letter for explanation. Approval required.	No. Significant changes proposed. Clearance Application should not be lodged. WAPC
-----	-----------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------

Have all of the conditions required by WAPC approval and Shire of Nannup Planning Approval clearances been completed and is their evidence of compliance with the conditions attached?

Yes, see attached approval condition checklist attached	Yes, except for condition no(s)..... Bond paid for conditions no(s)	No, Clearance Application should not be lodged
---------------------------------------------------------	------------------------------------------------------------------------------	-------------------------------------------------------

LODGEMENT CHECKLIST (Please check & complete)

Yes	No	
		All questions on the Clearance Application Form have been answered and completed
		Two copies of Clearance Application Form, Deposited Plans, Approved Conditions, Checklist and Appendices are attached
		Two copies of all receipts
		If planning approval is to be staged, then 2 copies of Staging Plan and Deposited Plan area identified on the approved plan has been submitted with the clearance form.
		If work is to be bonded, then two copies of Bond Schedule are attached.
		Undertakings are attached
		List of Appendices are attached

To SHIRE OF NANNUP
PO Box 11
NANNUP, WA 6275

RE: "PLANNING APPLICATION CLEARANCE OF CONDITIONS" REQUEST

WAPC APPROVAL NO(S)	Ref: 853/6/17/3 Pt 6	SHIRE'S REFERENCE	A157
ESTATE NAME	MYSTIC RIVER	STAGE NO 1	
ADDRESS	Lot 3 of 778 Balingup Road		

Ser	Key Words for Standard Conditions or Type in non-standard or specific conditions	Demonstrate how the condition was fulfilled	Shire of Nannup Comment	Signed by Project Officer
1	1. Development of the Site shall be generally in accordance with a Structure Plan adopted by the Local Government and endorsed by the Western Australian Planning Commission.	The Structure Plan was adopted by the Shire of Nannup and endorsed by the Western Australian Planning		MDS
2	2. Development may be considered by the local government as a variation from the endorsed Structure Plan provided that, in the opinion of the local government, such development would not	Commission on 22nd December, 2009. (Refer to Ewen Ross for details of final endorsement/gazetting, Structure Plan).		

	compromise the intent of the Structure Plan and the purpose of the zone.			MDS
3	3. Any development not within the general intent of the endorsed Structure Plan will require consideration and endorsement of a new Structure Plan in accordance with the provisions of this Scheme.	This development application conforms to the general intent of the endorsed Structure Plan.		MDS
4	4. All applicable 'Special Uses' shall be deemed to be 'D' uses pursuant to the Scheme and considered under Part 10 of this Scheme.	This application for development is within the general intent of the endorsed Structure Plan. 4. All applicable 'Special Uses' are deemed to be 'D' uses as required.		MDS
5	5. In addition to the requirements of Clause 9.2 of this Scheme, a Fire Management Plan is required to be submitted with any development application. The plan shall include the following: <ul style="list-style-type: none"> • All habitable buildings shall be designed and constructed in 	<p>The Fire Emergency Management and Evacuation Plan are addressed in the Fire Management Plan.</p> <p>The same Evacuation Plan will be implemented for all emergencies. A specific Evacuation Plan for emergencies within the building will be submitted to the Shire once the building renovations have been finalized.</p>		MDS

	<p>accordance with the requirements of Standards Australia AS3959-1999 "Construction of Buildings in Bush Fire Prone Areas" Level 2 construction standards or other standards that may be in force.</p> <ul style="list-style-type: none"> • Fire prevention, fire management and the issue/need for onsite fire safety structures specifically related to the use of the land as a hospital shall be addressed, • Any other matter required by the local government, DEC and FESA. <p>Implementation of the Fire Management Plan will be included as a condition of development approval.</p>	<p>This is also a Health Department requirement and will be completed prior to final inspection by the Shire.</p> <p>This will ensure policy and procedure guidelines that are specific to the hospital. These will be available once approved and prior to final building approval/occupation and use as a hospital.</p> <p>This Emergency Plan will also make specific reference to the use of relevant agencies such as Ambulance and Police as appropriate and as applicable to other uses such as B&Bs e.g. as in the case of a heart attack, broken limb etc.</p> <p>The Day hospital site is a smoke free zone as regulated by the Health Department of WA.</p>		CESM
6	6. In addition to the requirements of Clause 9.2 of the Scheme, an			

	Emergency Management and Evacuation Plan which is to address (but not be limited to) the means by which patient and community danger will be limited (including means to prevent fire danger from smoking) is required to be submitted with any development application. Implementation of this plan will be included as a condition of development approval.			
7	7. In addition to the requirements of Clause 9.2 of the Scheme, a Farm Management Plan is required to be submitted with any development application to address the use of the majority of the land for agricultural purposes. Implementation of this plan will be included as a condition of development approval. The use of the land for the purpose of	Farm Management Plan as outlined here: The farm land will continue to be used as has traditionally been used for live stock grazing and tree plantation farming. Normal best practice methods as advised from time to time by the Department of Agriculture and Advisers from Elders (or similar agencies) will continue to be implemented. This includes seeding, fertilizing, weed and pest control, water management, soil and erosion management and prevention, seasonal feed requirements and veterinary advice.		CESM

	'Residential Building' shall be ancillary to the hospital and/or medical centre use.			MDS
8	8. All buildings (with the exception of the proposed 'Single Dwelling') shall be located within the designated building envelope as depicted on the Structure Plan.	All buildings, which are the subject of this application, are located within the designated envelope as shown on the Structure Plan. This planning application is only for Stage 1, the 'Day Hospital' which involves only the renovation of the existing main residence and free standing garage.		MDS
9	9. The 'Single Dwelling' shall be setback in accordance with the relevant provisions of the 'Agriculture' Zone, specifically Clause 4.13.1.3.	Refers to the 'Single Dwelling'. This is not part of this application.		MDS
10	10. In order to conserve the natural beauty of the locality all trees shall be retained unless their removal is authorised by the local government.	All trees shall be retained unless their removal is authorized by the local government.		MDS
11	11. The Local Government shall not permit the construction of any building in a manner or of materials that would in the opinion of the local government destroy the	This application deals specifically with existing buildings. These were all approved by local government. The renovations including a proposed verandah (as shown in the plans) are of the same materials as the existing building		MDS

	amenity of the area or not blend in the landscape.	and are mostly internal and do not alter the existing footprint/amenity. (Refer Wayne Jolley).		
12	12. The Local Government will require as a condition of development approval that all habitable buildings shall be connected to a wastewater treatment system with an adequate phosphorus retention capacity as approved by the Department of Health and the local government. The base of the system or the modified irrigation area is to be above the highest known water table.	A Wastewater treatment system approval to construct was obtained on 26 May 2010 from the Department of Health. (See attached) An 'as constructed' drawing will be submitted to the environmental officer at the Shire of Nannup prior to final inspection and approval as required. All approval conditions will be met as required. The full Report of the Environmental Study undertaken by Civil & Structural Engineering is available (Refer Scheme Amendment 6 Text).	BS	
13	13. Stormwater drainage shall be designed to the satisfaction of the local government.	Storm water drainage systems exist and will not require modification for this Stage 1 application. Engineering details of storm water drainage management are available (Refer to Wayne Jolley)	MDS	
14	14. Every application for development shall be accompanied by a Landscape Protection Plan showing:	Landscape Protection Plan: <ul style="list-style-type: none"> Existing contours-see Naturaliste Land Surveys - site plan, contours, water tanks, access drive from road to dwelling, car parking 	MDS	

	<ul style="list-style-type: none"> existing and proposed contours, including any cut and fill work intended to be undertaken; existing vegetation; proposed revegetation vegetation proposed to be removed; location of effluent disposal systems; and location of access drive from road to dwelling and any parking areas. <p>The plan will be required to be implemented as a condition of development approval.</p>	<p>areas,</p> <ul style="list-style-type: none"> Proposed contours- no cuts or fill work is required for Stage 1. Existing Vegetation is shown on the coloured aerial photograph. Proposed re-vegetation will be planted in the down-slope zone of the proposed waste water system (Item 13 on the Septic Tank and Leach Drain Drawing). The type of plants to be planted is included in the document appended. A selection of these will be planted after the practicable completion of the works. Selection will be governed by availability, weather, and aesthetics. Vegetation proposed to be removed. Stage 1 does not require the removal of any trees or shrubs. Location of effluent proposal system. See the approved drawings. The 'as constructed' drawing will show the actual location of the effluent system. 		MDS
16	15. As a condition of planning approval the	The potential volume of traffic entering/exiting the site will be no		

	local government may require upgrading of Balingup-Nannup Road in the vicinity of the entrance to the subject land along with construction of passing bays to facilitate safe vehicular access to the site.	greater than that of existing and neighbouring uses (restaurants and B&Bs). The entry to the site is on a relatively straight stretch of the Balignup-Nannup Rd and affords clear line of site from both directions.	
			WM

On behalf of the Shire of Nannup, I certify that the above requirements of all the conditions on the subdivision approval have been completed and that the above Approval Condition Checklist is correct.

.....

Signature of MANAGER DEVELOPMENT SERVICES

Please Print Name:

Date:

AGENDA NUMBER: 10.4
SUBJECT: Application for Planning Approval "Roadhouse Lot 12 Warren Rd"
LOCATION/ADDRESS: Lot 12 Warren Road
NAME OF APPLICANT: Tad Gryglicki
FILE REFERENCE: A426
AUTHOR: Ewen Ross – Manager Development Services
DISCLOSURE OF INTEREST:
DATE OF REPORT: 6th May 2010

Attachment: 1. Location Map
2. "Industry Service" Planning Approval
3. Zones around subject land
4. Plan of proposal

BACKGROUND:

An application for planning approval has been received from Mr Gryglicki, Lot 12 Warren Road, (local BP Service Station – attachment 1) for additional uses; "Industry Service" (Dry Cleaning-collection, Laundromat, Car Wash), "Roadhouse" and the sale of Auto-gas. The uses "industry service" and the sale of "auto-gas" which is within the current use of "Service Station" under Local Planning Scheme No3 (LPS No3) are "D" uses and can be dealt with under delegated authority. The "industry service" use has been approved (attachment 2) subject to conditions, whilst the sale of auto-gas will be dealt with at a later stage subject to additional information being provided.

The "Roadhouse" is an "A" use and therefore the application is referred to Council for consideration and approval.

The location is within the "Town Centre Zone" and has been used for some time as a service station selling retail petroleum products and motor vehicle accessories and goods of incidental/convenience and minor mechanical repairs to motor vehicles. It is one of two service stations in the Town Centre, the other AMPOL which already sells a selection of fast foods. The surrounding land zoning includes mixed use, special use 5 (SU5) and industry. It should be noted that both mixed use and SU5 permit residential development and that with increasing development within the Townsite of Nannup there is potential for land use conflict with regards environmental issues, such as traffic, noise, air quality and visual effects particularly in regards dwellings (Attachment 3). Council may wish to consider operation conditions such as trading hours to mitigate these issues. The proponent's plan of the proposal is at Attachment 4.

The lot has had planning approvals previously from Council for "motor repair station", "petrol filling station", "service station/roadhouse", "shop" and "transport depot". The approvals for "roadhouse", "shop" and "transport depot" would have lapsed as they were never initiated or have since ceased. Under LPS No3 the lot would have existing use rights as a service station and approval as an "industry –

service", covering the existing business being conducted. The planning approval for the BP sign located in the road reserve would also remain extant.

Consultation

Nearby residents were advised of the application (clause 9.4.3 9(a)) together with a sign being erected on the premises (clause 9.4.3 (c)) with a minimum of 14 days to lodge their written comments. As of the closure date, two submissions have been received from neighbouring lots, which are supportive of the development. One submission asked that stormwater not be discharged from the lot and this has been considered in the conditions recommended.

COMMENT:

The application for a "roadhouse" is consistent with the Town Centre zoning and is a use that would be supplementary to the current operation of "service station". It also should be noted should the proponent had applied for a "restaurant" on this lot, this is also consistent with the LPS No3 and approval could be provided under delegation as a "D" use. However, it is more correct to term it "Roadhouse" and ensure consultation with nearby residents is carried out.

With the addition of the dry cleaning collection, Laundromat and car wash some thought regarding a traffic management plan and additional parking is required. Under the LPS No3 parking provision, there is a requirement for two parking places per service bay (marked parking places onsite). With the addition of a "roadhouse" LPS No3 schedule 11 requires 1 space per 25m of retail floor area, therefore the additional kitchen and dining area approximates to 50m, 2 additional onsite parks are required. The car wash is approximately 40m² and Laundromat 25 m², therefore two further onsite car parks should be provided as identified in the approvals. This may still prove to be insufficient during peak times and additional parks above the four minimum is recommended.

Access

It is also an opportune time to upgrade the road reserve, crossing and rectify the price sign obstructing the footpath. Council should look at delineating the footpath and the site boundary, possibly extending the paving stone footpath, barrier on the boundary and requiring defined crossovers from Warren Road. Additionally, the public being required to access lot 12 to avoid the price sign is placing the proponent in the position that they are responsible for the public with regards health and safety whilst on the lot. It is noted that there is planning approval for the 'BP' sign but the "price" sign appears to have been a later addition. Included in this upgrade should be landscaping to improve the visual effects on this lot.

The new access to Kearney Street will require a crossover which in accordance with Council policies will be at the cost of the proponent. Council may consider that this access should be sealed as it may give rise to dust nuisance. This

access should be graded and drained to Kearney Street, to avoid stormwater discharge to Lot 101 Kearney Street.

Stormwater

With the development of the site all stormwater is to be retained on the site or disposed of to an approved outlet, in this case the road. Stormwater is to be contained and prevented from discharging onto neighbouring properties.

Roadhouse

The provision of a roadhouse will need to be suitable for the premises and it is recommended that the seating be restricted to 20 persons which allows for 1 metre square per person, and a "server area" to be included in this area. The dining area is supported by a kitchen of not less than 9 square metres of clear floor space and associated food storage.

From a planning perspective, provided the proponent provides the requisite information such as parking, traffic plan and in the building application addresses issues such as, compliance with building/food legislation, environmental issues, landscaping and has the requisite approvals from other agencies such as Western Power, Water Corporation, Department of Consumer and Employment Protection (DOCEP) and other controls placed on these activities, the use of "Roadhouse" is supported.

Conclusion

The application for planning approval for a "roadhouse" is within the context of LPS No3 and is supported subject to the provision of the detailed application for legislative approvals. The road access, crossovers and sealing should be considered.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005, Local Planning Scheme No3.

POLICY IMPLICATIONS:

Planning application is within LPS No3 and relates to additional permitted uses with the zone.

FINANCIAL IMPLICATIONS: Nil.**STRATEGIC IMPLICATIONS:**

Economic: Additional use will contribute to the growth of Nannup and provide increased employment opportunities.

Environmental: The use of roadhouse will impact with increased traffic, noise and air emissions.

Social: The roadhouse will provide another food outlet and services in the Town Centre and provide for travelling tourists, visitors and commercial users.

RECOMMENDATION:

It is recommended that Council resolve to approve the use of "Roadhouse" on lot 12, Warren Road, Nannup subject to the following conditions:

1. Provision of a traffic management plan including parking layout, cross over location, road reserve and landscaping to the satisfaction of the Works Manager.
2. Provision of an additional 2 onsite car parks.
3. Submission of requisite plans and specification to obtain building and health licenses.
4. Liquid waste being connected to the Water Corporation sewer.
5. Operation is not to give rise to noise nuisance and/or exceed a level of 35dBA measured at the boundary over the period 8pm until 7 am.
6. Provision of a new crossover at Kearney Street at the owner's expense.
7. The access way to the rear of the building is to be graded and drained to Kearney Street.
8. Stormwater to be retained on site or disposed of to an approved outlet.
9. All air emissions are not to give rise to nuisance and to be contained on site.

8408 DEAN/BOULTER

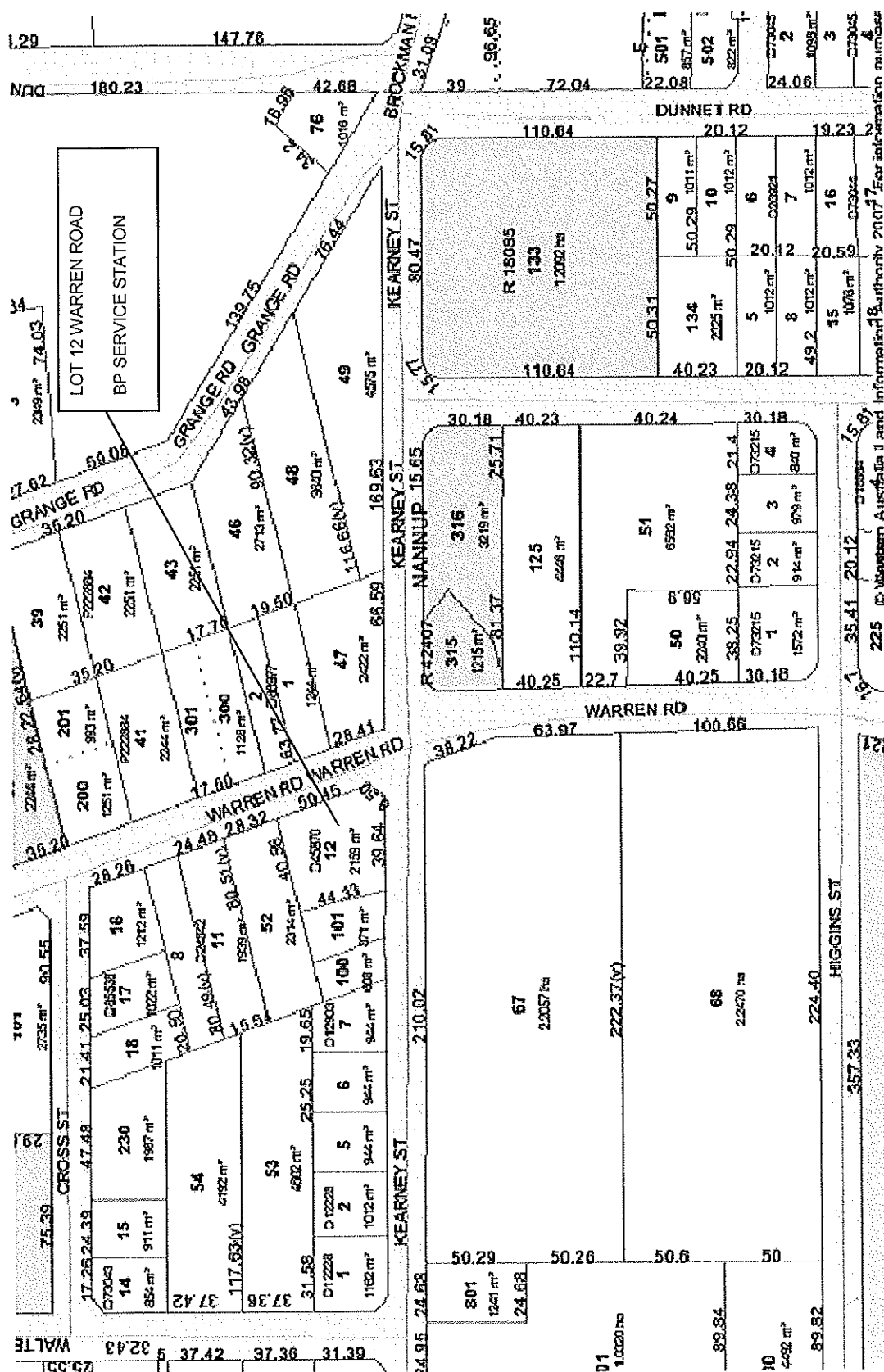
It is recommended that Council resolve to approve the use of "Roadhouse" on lot 12, Warren Road, Nannup subject to the following conditions:

1. Provision of a traffic management plan including parking layout, cross over location, road reserve and landscaping to the satisfaction of the Works Manager.
2. Provision of an additional 2 onsite car parks.

3. Submission of requisite plans and specification to obtain building and health licenses.
4. Liquid waste being connected to the Water Corporation sewer.
5. Operation is not to give rise to noise nuisance and/or exceed a level of 35dBA measured at the boundary over the period 8pm until 7 am.
6. Provision of a new crossover at Kearney Street at the owner's expense.
7. The access way to the rear of the building is to be graded and drained to Kearney Street.
8. Stormwater to be retained on site or disposed of to an approved outlet.
9. All air emissions are not to give rise to nuisance and to be contained on site.

CARRIED 8/0

LOT 12 WARREN ROAD, NANNUP: APPLICATION FOR PLANNING APPROVAL 0111/10



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15 Adam Street,
P.O. Box 11, Nannup WA 6275
Telephone: (08) 9756 1018
Facsimile: (08) 9756 1275
Email: nannup@nannup.wa.gov.au
Web: www.nannup.wa.gov.au

9th May 2010

Our Ref: A426
ewen.ross@nannup.wa.gov.au

Tad Gryglicki
PO Box 163
Nannup, WA 6275

Dear Tad Grydlicki,

**PLANNING APPROVAL FOR INDUSTRY SERVICE AND ROAD HOUSE:
LOT 12 WARREN ROAD, NANNUP**

Further to your application for planning approval dated 21st March 2010, received on 6th May 2010 please find attached approval for the "Industry Service" component, ("Dry Cleaning collection, Laundromat, Car Wash") subject to conditions. It should be noted that these additional uses together with the "roadhouse" and "auto-gas" will require a traffic management plan to be provided making provision for an additional four onsite car parks in total, two for the dry cleaning collection, Laundromat and car wash facility and two for the roadhouse subject to Councils approval.

With regards the request for a "roadhouse" being an "A" use under the Local Planning Scheme No3, this has been forwarded to Council for approval. A **DRAFT** agenda item is attached for your information. Please note this has yet to be endorsed as the final draft for Council and is released for your information purposes only.

With regards the "auto-gas" this may have a risk associated with it subject to the installation details. To consider this use, further information regarding the dangerous goods aspect is required including approvals from the Department of Consumer and Employment Protection (DOCEP) whom I understand is the approving authority for these installations.

If I can be of any other assistance please do not hesitate to contact me.

Yours faithfully

EWEN ROSS
MANAGER DEVELOPMENT SERVICES

Attachment:

1. Planning Approval – "Industry Service" (Dry Cleaning, Laundromat, Car Wash)
lot 2, WARREN ROAD, NANNUP
2. Draft agenda item

PLANNING AND DEVELOPMENT ACT 2005 (as amended)

SHIRE OF NANNUP

DECISION ON APPLICATION FOR PLANNING APPROVAL

Application: No. 011/10 MR TAD GRYGLICKI

Location: LOT 12, WARREN ROAD, NANNUP

Application Date: 21 March 2010 **Received on:** 6 May 2010

Description of proposed development: To extend the "Industry – Service" with the addition of a "dry cleaning collection, Laundromat and car wash" at lot 12 WARREN ROAD as an ancillary operations to the existing "Service Station".

The application for planning approval is granted subject to the following conditions:

Conditions

1. Provisions of a traffic management plan including provisions for 2 additional onsite car parks and upgrading the WARREN ROAD crossovers to the Shires Works Managers satisfaction.
2. Submission of the requisite building plans and attaining a building permit for new structures.
3. All air emissions (odours, spray drift) to be contained on site.
4. Operation is not to give rise to noise nuisance and/or exceed a level of 35dBA measured at the boundary over the period 8pm till 7 am.
5. Waste disposal is to be to the Water Corporation main sewer.

Notes:

- Note 1:** If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the decision, the approval shall lapse and be of no further effect.
- Note 2:** Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.

Note 3: Please note that in order to expedite determination of planning applications; Council has delegated to officers the power to consider applications where they comply with Council's Delegation Register. This application has been determined under Delegation provided by Council.

Note: 4: Rights of appeal are also available to you under the Planning and Development Act 2005 (as amended) against the decision of Council, including any conditions associated with this decision. Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).

Note 6: This Planning Approval issued by the Shire of Nannup does not remove any responsibility the applicant may have in notifying other agencies and obtaining the relevant legislative requirements.

Signed:  (Shire of Nannup)

Dated: 9 May 2010

ATTACHMENT 3

LOT 12 WARREN ROAD NANNUP: APPLICATION FOR PLANNING APPROVAL 01/1/10

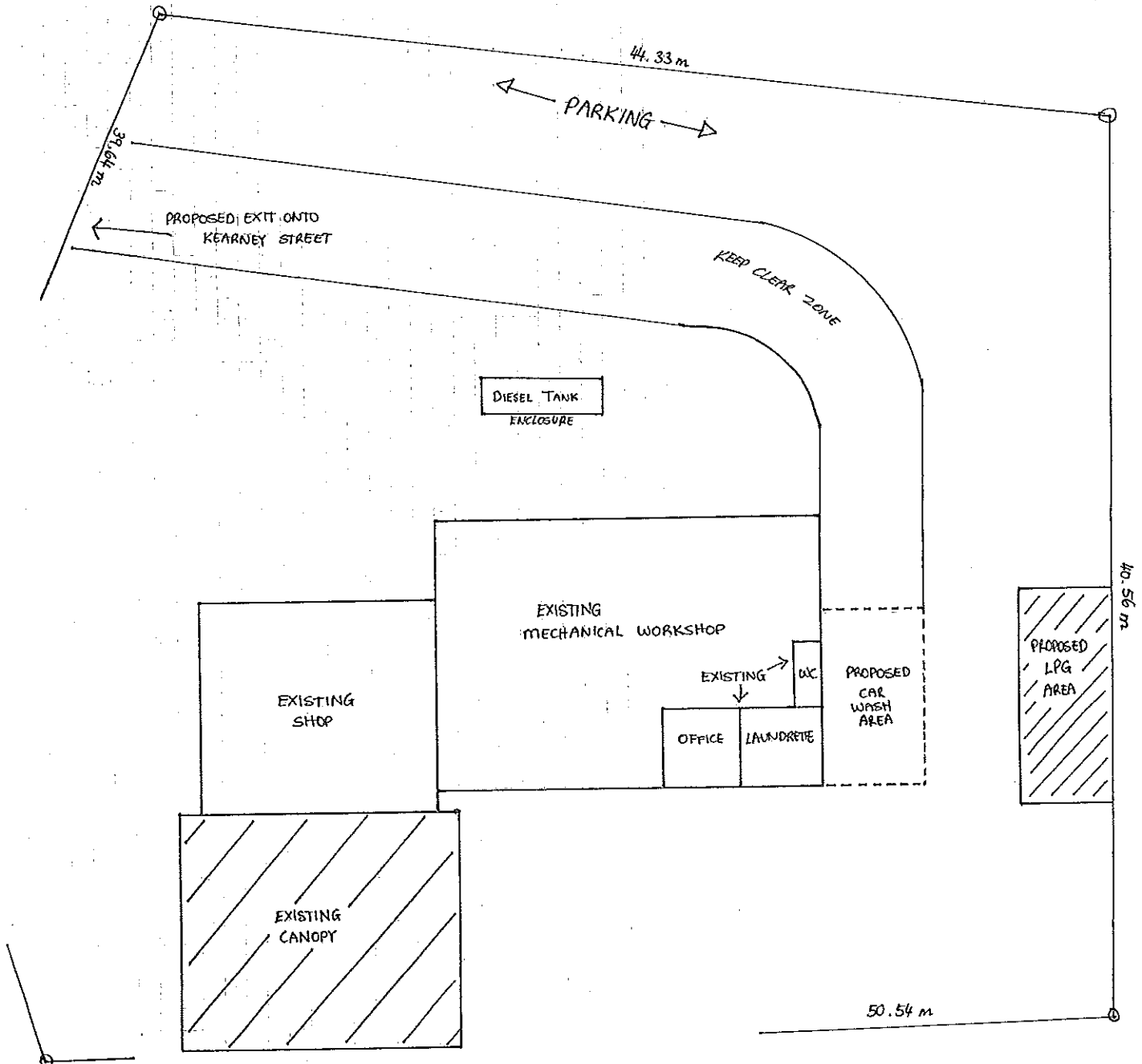


14 JUN 2010

CEO	AO	LIS	FMO
MCS	EO	PUB	YO
WM	COO		RO
MDS	CR		

BP NANNUP SITE PLAN

1:200



AGENDA NUMBER: 10.5
SUBJECT: Caravan Parks and Camping Grounds Redevelopment
LOCATION/ADDRESS: Brockman Street and Riversbend
NAME OF APPLICANT: N/A
FILE REFERENCE: Reserve 20333 and Reserve 24762
AUTHOR: Ewen Ross – Manager Development services
DISCLOSURE OF INTEREST: NIL
DATE OF REPORT: 10 June 2010

Attachment: Riversbend Caravan Park – Stage 1 development proposal

BACKGROUND:

Council has discussed development options for both the Brockman Street and Riversbend Caravan Parks since September 2007 when Council adopted concept development plans for both parks.

At Council's Ordinary Meeting held on the 22nd November 2007 Council resolved the following: (7822)

1. *That Council approve the Conceptual Development Plans for the Brockman Street and Balingup Road Caravan Parks per attachments 2 and 3.*
2. *That Council endorse the name Riverbend for the Caravan Park located at Lot 57 (Reserve 24762) Balingup Road Nannup.*
3. *That Council endorse the Project Brief for the Development Guide Plan for the Riverbend Caravan Park as per attachment No 5 and Council proceed to advertise for the appointment of a person to prepare same.*

At Council's Ordinary Meeting held on the 27th March 2008 Council resolved the following: (7906)

That Council approve the Brockman Street Caravan Park Plan of Development (dated 5 March 2008) to provide an additional 25 service sites with the philosophy that the dump point be located in a position with Brockman Street frontage (within the Caravan Park reserve) to be determined after further investigation.

At Council's Ordinary Meeting held on the 22nd May 2008 Council resolved the following: (7849)

1. *That Council construct an ablution facility at the Rivers Bend Caravan park in a central location on Area 3 (Rivers Bend Caravan Park – Conceptual Development Plan) as this area will be centrally located in the park and be positioned strategically to link with the improved stairs and lighting linking all three tiers of camping areas within the park.*

2. *That the ablution facility be constructed to service 40 serviced sites where the following fixtures are provided in accordance with the Caravan Parks and Camping Grounds Regulations as follows:*
 - *Mens: 3 water closets, 2 urinals, 4 hand wash basins and 4 showers.*
 - *Womens: 4 water closets, 4 hand wash basins and 4 showers.*
 - *Laundry: 2 washing machines and 2 troughs.*
 - *Facilities for persons with disabilities in accordance with AS 1428.*
3. *That Council facilitate the renewal of the lease between the Nannup Tourist Association and the Shire of Nannup with the view to addressing issues such as identifying the highest and best use of the public use area, future use of same, ongoing management of such areas and the pending removal of Erich's Cottage and that the review to involve all stakeholders in the review.*

Council considered future development at both caravan parks at its Ordinary Meeting held on the 25th February 2010 at which the following resolution was made: (8345)

1. *That a "Tourist and Cultural Precinct" be formed to provide a "green belt, open space" from the east, Riversbend Caravan Park and Camping Ground along the Blackwood River through to the back of Wilson Street and that this be formalised in the future review of Council's Townsite Strategy.*
2. *That Council consider the development of a business plan covering the "Tourist and Culture Precinct" with a view of possibly outsourcing some components of the area (such as event attraction) based on economical and public good in order to achieve greater sustainability.*
3. *The Nannup Tourism Association is requested to provide an investment plan for the facilities leased and future intent with regards the lease and minimum licensing requirements of the Nannup Caravan Parks - which may or may not include funding requests to Council or other potential funding partners.*

COMMENT:

Riversbend Caravan Park

A development Guide Plan prepared for the Riversbend Caravan Park provided development possibilities and cost estimates in accordance with Council's Concept Development Plan adopted by Council on the 22nd November 2007. Cost estimates to implement the development plan for the Riversbend Caravan Park total approximately \$400,000 (Refer Forward Plan Appendix 4 item 5).

In order for the Council to accommodate the desired outcomes of the development plan, the development is proposed to be staged with the first stage to be implemented over two financial years (2010/2011 and 2011/2012) with Council's net financial commitment for each year to be forty thousand dollars per year (\$40,000pa) matched by a similar contribution by the Nannup Visitor Centre. This would result in an (estimated) total of \$160,000 worth of developmental works being undertaken for stage 1, designed to provide the internal roads, electrical and water reticulation to serviced sites and provision of a camper's kitchen.

This proposed stage utilises the newly commissioned ablution facilities as the support infrastructure for the proposed improvements to maximise the improved potential of the park. The use of the new ablution infrastructure needs to be maximised (within its licensed capability) and the proposed stage one of the development plan can be supported by the current ablution facilities.

Stages two & three involve provision of un-serviced bush cabins/shelters adjacent to the Blackwood River and to the East of the tent sites. Funding for these stages is dependent on Council and the Visitors Centres' continued funding in subsequent years and changing circumstances.

In light of Council's resolution 8345 (25th February 2010) the Nannup Tourism Association has, as yet, not provided an investment plan for the future development of the Riversbend Caravan Park .

As the development of the Investment Plan has been identified and accepted by Council as being an important stage of the future development of facilities, Council is recommended not to commit any funding to upgrades in an ad hoc manner until the Nannup Tourism Association provides by way of the Investment Plan its long term vision for the park.

Brockman Street Caravan Park

A development Guide Plan prepared for the Brockman Street Caravan Park provided development possibilities and cost estimates in accordance with Council's Concept Development Plan adopted by Council on the 22nd November 2007. Council approved the Development Plan at its Ordinary Meeting held on the 27th March 2008.

Cost estimates to implement the development plan for the Brockman Street Caravan Park total approximately \$350,000 (Refer Forward Plan Appendix 4 item 6). The development Plan included provision of an additional 25 serviced sites and a dump site being located close to Brockman Street to provide easy access for RVs.

Previously, Council has been provided with cost estimates for works already proposed for the Brockman Street Caravan Park (Refer Forward Plan Appendix 4 item 5 - development of an additional 25 serviced sites and a 'dumpezy' point).

The cost estimate was based on the following works being undertaken to ensure the additional sites meet all the Health and Building requirements and the provisions of the Caravan Parks and Camping Grounds Act and regulation provisions:

- Extending the sewer main to service the existing sites as well as the proposed additional 25 serviced sites;
- Upgrading the service road to a 5 or 6 metre sealed surface roadway to provide a one-way thoroughfare with a new exit at the western end of the park via a one-way sensor boom gate;
- Extending the water main within the park to all existing serviced sites and the camping area in addition to the proposed additional 25 services sites;
- Extending the electrical reticulation of the park to service all existing caravan sites, the proposed new 25 bays and extended to provide power for internal street lighting, the proposed new exit boom gate and possibly a number of the camping (tent) sites.

Since Council's resolution 8345 (25th February 2010), the Nannup Tourism Association has not provided an investment plan for the future development of the Brockman Street Caravan Park. The development of the Investment Plan has been identified and accepted by Council as being an important stage of the proposed development of facilities at the park and without the Nannup Tourism Association providing Council with their long term vision for the park, Council is recommended not to commit any funding to further upgrades in an ad hoc manner.

Conclusion

Although alternative options have been outlined (in the case of Riversbend Caravan Park) without the Nannup Tourism Association providing Council with an Investment Plan that details the infrastructure required in the short, medium and long terms, cost estimations of the infrastructure and financing options to implement the Plan, Council should give consideration to whether adopting the current ad hoc approach to infrastructure development is the best and financially sustainable approach to take.

Prior to any support (financial or in principle) for development work at the parks, Council needs to finalise the lease agreement with the Nannup Tourism Association to ensure that Council will receive a return on its investment in the parks.

Council is recommended to defer any further decisions on the development of both parks until such time as the Investment Plan has been provided by the Nannup Tourism Association and Council has had an opportunity to undertake a due diligence assessment of the Plan to ensure the financial sustainability of the plan.

STATUTORY ENVIRONMENT:

Local Government Act, 1995
Caravan Parks and Camping Grounds Act 1995
Caravan Parks and Camping Grounds Regulations 1997

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS:

If Council accepts the officer's recommendation there will be no financial implications in the short term. If Council decides on an ad hoc approach to the development of the parks then there may be a cost of approximately \$40,000 per year for two years for stage one of the Riversbend Caravan Park redevelopment. The costs associated with the Brockman Street Caravan Park redevelopment are as provided for in the Shire's Forward Plan (\$350,000).

STRATEGIC IMPLICATIONS:

Council's draft Forward Plan 2010/11 to 2014/15 contains Action Plans consistent with the details contained within this report, however it should be noted no funding commitment is attached to the action plans. The provision of low cost caravan park and camping ground provides a focus for Nannup as a tourist destination. The question Council needs to address is if this is to be subsidised or fully outsourced or a compromise thereto.

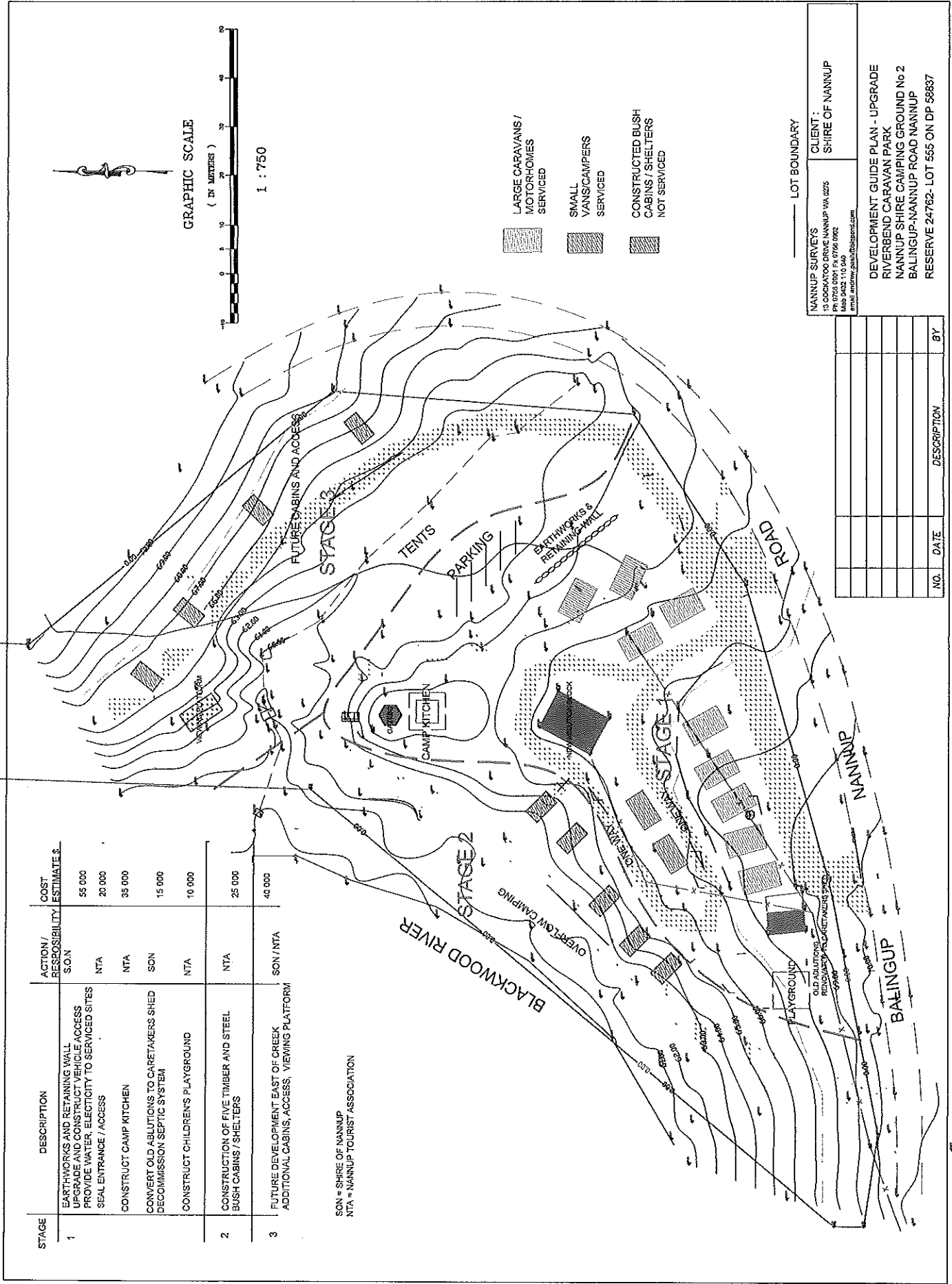
RECOMMENDATION:

Council defers any decisions on the redevelopment proposals for both the Brockman Street and Riversbend Caravan Park and Camping Grounds until the Nannup Tourism Association provides an Investment Plan and Council undertakes a 'due diligence' assessment of it to ensure its financial sustainability and a new lease that reflects Council's directions is signed.

8409 BOULTER/DEAN

Council defers any decisions on the redevelopment proposals for both the Brockman Street and Riversbend Caravan Park and Camping Grounds until the Nannup Tourism Association provides an Investment Plan and Council undertakes a 'due diligence' assessment of it to ensure its financial sustainability and a new lease that reflects Council's directions is signed.

CARRIED 8/0



8410 CAMARRI/PINKERTON

That standing orders be suspended at 5.35pm to allow free discussion on item 10.6 - 2010/11 Draft Cash Budget.

CARRIED 8/0

Cr Lorkiewicz left the meeting at 5.36pm.

Cr Lorkiewicz returned to the meeting at 5.38pm.

AGENDA NUMBER: 10.6
 SUBJECT: Draft 2010/11 Cash Budget
 LOCATION/ADDRESS: N/A
 NAME OF APPLICANT: N/A
 FILE REFERENCE: FNC3
 AUTHOR: Craig Waddell – Acting Chief Executive Officer
 DISCLOSURE OF INTEREST: NIL
 DATE OF REPORT: 08 June 2010

Attachment: Draft 2010/11 Cash Budget

BACKGROUND:

Council at its meeting of 27 May 2010 resolved to alter the draft 2010/11 cash budget as follows:

DEFICIT BALANCE (DRAFT) CASH BUDGET		\$1,914,825
ALTERATIONS TO BUDGET:		
0722 FIRE CONTROL OFFICER	\$7,292	
1322 TRAINING	\$1,000	
2142 ADMINISTRATION EXPENSES	\$500	
3210 MOWEN RD	\$100,000	
3230 CONSTRUCTION OF CROSSEOVERS	\$4,000	
4092 ADMINISTRATION EXPENSES	\$1,000	\$113,792
		\$2,028,617
SUGGESTED ALTERATIONS TO BUDGET FROM OFFICERS:		
0011 RATES	-\$70,430	
0553 ROYALTIES FOR REGIONS	-\$393,491	
0142 REFRESHMENTS	-\$2,000	
XXXX INCOME NOCCA SUBSIDISED RENT	-\$7,468	
0202 REVALUATION	-\$12,000	
0362 DATA SHOW	-\$8,000	
0872 FIRE ADVICE SIGNS	-\$7,000	
0942 EMERGENCY RESPONSE	-\$14,000	
1644 KINDERGARTEN EXTENSION	-\$200,000	
XXXX TRANSFER FROM RESERVE KINDERGARTEN	\$123,757	
XXXX YOUTH CENTRE STRATEGIC PLAN	-\$25,000	
XXXX AGE FRIENDLIES PROGRAM (NET)	-\$6,200	

1732 BUILDING MAINTENANCE	-	\$60,000	
2492 CUNDINUP HALL	-	\$50,000	
2502 CARLOTTA HALL	-	\$30,000	
2702 STREETSCAPE	-	\$5,000	
7432 OCCASIONAL CAMPING AREA	-	\$20,000	
XXXX SOLAR LIGHTING OLD RAILWAY BRIDGE (NET)	-	\$4,000	
3210 FOOTPATH PROGRAM	-	\$25,000	
3212 DEPOT OFFICE MAINTENANCE	-	\$10,000	
3240 TRAFFIC SIGNS	-	\$2,000	
6880 DEPOT CONSTRUCTION	-	\$5,001	
7870 TRANSFER TO RESERVE MAIN STREET	-	\$50,000	
3704 BALINGUP RD CARAVAN PARK	-	\$430,000	
XXXX BROCKMAN ST CARAVAN PARK	-	\$350,000	-
			\$1,662,833
			\$365,784
ALTERATIONS TO BUDGET FROM COUNCILLORS:			
0162 BLACKWOOD RIVER MARKETING ASSN	-	\$1,000	
0162 COASTWATCH	-	\$3,000	
0192 LOCAL GOVERNMENT WEEK		\$6,000	
0192 COUNCILLOR TRAINING COURSES	-	\$3,000	
0362 UNIVERSAL ACCESS	-	\$10,000	-
			\$11,000
REVISED DEFICIT BALANCE CASH BUDGET			\$354,784

Incorporating these changes into the draft cash budget left it with a shortfall of income over expenditure of \$354,784.

COMMENT:

The following comments are made concerning the further development of the draft cash budget based on changes that have evolved and specific feedback from points raised when the budget was last discussed by Council:

1. Rates

As a result of Council's resolution of the meeting held on the 27th May 2010 concerning rates in the dollar, the projected rates income has been reduced by \$70,430 than that provided for within the amendments as listed above. Instead of providing for rates of \$1,010,430 (calculated in accordance with the Local Government Grants Commission assessed capability of the Shire), this has been reduced to \$940,000 as per Council's resolution on rates in the dollar for 2010/11.

2. Royalties for Regions

The Department of Regional Development has advised that Council cannot offset the 2009/10 Royalties for Regions funding deferred to the 2010/11 financial year for expenditure incurred in 2009/10 even if the funds (prior to the release of funds being deferred by the State Government) had been allocated in accordance with the Royalties for Regions funding guidelines. This in effect exacerbates Council's projected budget deficit by an additional \$393,491 as it was included in the suggested alterations to budget by officers as listed above.

3. NOCCA Rent Subsidy

The value of the NOCCA rent subsidy was reduced by \$7,468 without a corresponding reduction in the proposed income from rental. The delay in the commencement of the NOCCA lease until after refurbishment works have been completed will result in no income being received this coming financial year. Therefore only an amount of \$700 as a donation to NOCCA for insurance will be provided for in the 2010/11 budget.

4. Agg Rd Development

As per an information item presented to Council prior to today's meeting, it is estimated that \$90,000 is required to complete the works associated with the dedication of Agg Road North and Agg Road South. This has been included in the attached draft budget.

5. Marinko Tomas Playground

\$95,000 worth of expenditure contained in the Public Parks, Gardens and Reserves item (COA2642) associated with the Marinko Tomas Playground can be offset with Royalties for Regions funds. Further detail is contained latter in this agenda item.

Incorporating these alterations into the draft budget reveals a shortfall of income over expenditure of \$821,173 as follows:

REVISED DEFICIT BALANCE CASH BUDGET		\$354,784
ADDITIONAL PROPOSED CHANGES		
0011 RATES	\$70,430	
XXXX INCOME NOCCA RENT	\$7,468	
2009/10 ROYALTIES FOR REGIONS	\$393,491	
2642 PUBLIC PARKS AND GARDENS	-\$95,000	
7042 AGG RD DEVELOPMENT	\$90,000	
REVISED DEFICIT BALANCE CASH BUDGET		\$821,173

This predicted deficit is the result of a number of decisions that have been made by Council over a number of years. Some explanations of these decisions are:

1. Rates

Council has not raised the quantum of rates that could have been raised over the past years. The following table highlights the differences in officer recommended rates yield compared to the Council resolution:

	2007-08	2008-09	2009-10	2010-11
OFFICER RECOMMENDATION	3.5%	7.0%	9.1%	12.7%

COUNCIL RESOLUTION	2.4%	3.2%	5.3%	4.9%
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The total dollar difference over this four year period is approximately \$155,000. This however has a cumulative effect over years, ie if the officer recommended yield was adopted by Council at the time, any subsequent increase would be based on a larger base and therefore yield a higher amount in subsequent years. Over the period illustrated above, the dollar difference due to this cumulative effect would have been approximately \$267,000.

2. Fees and Charges

The following resolution was adopted by Council in August 2009 as part of the Strategic and Organisational Review Report:

E4 That Council move toward a general user pays principle in the overall management for all assets under its care, control and maintenance.

The implementation of this resolution is occurring on a number of fronts associated with obtaining commercial rental valuations for leased premises, and reviewing the waiving of general fees for the hire of Council facilities. This implementation will progress as a matter of course, however it highlights that for some time, Council has not been realising the income that it could have from its built asset base.

The value associated with the missed income from these sources is not known in total, however waived income from the casual hire of Council's built facilities totalled \$11,500 over the period December 2009 to May 2010.

This forgone income in the form of casual hiring of Council facilities, along with commercial rents for leased premises, has contributed to this situation Council now faces.

3. Grants

Council is heavily dependent upon grants to deliver both operational and project specific works. From a project specific grant point of view, the attainment of these grants is a reflection of the effort put into the applications and is to be applauded. Where ever possible these grants include an "administrative" component which allows Council to offset officers' time against some of these grants. This has the effect of reducing the requirement to fund operational expenses (in the form of wages and salaries) from ordinary income. An example of this is the Mowen Road project which in the 2008/09 financial year saw \$180,000 of the project return to Council in the form of supervision fees. This situation over a number of years can blur the real cost of wages and salaries.

The following comments are made concerning the further development of the draft cash budget in an attempt to adopt a balanced budget:

1. General Cull

Further analysis of the attached draft budget to increase income or reduce expenditure could be undertaken. Officers have reviewed the budget and have not to date identified any areas of significance that will address the expected deficit.

2. Loan

Council could build into the draft budget a loan for any area of its operations. This should from a financially sustainable point of view only be undertaken for the purchase or development of assets. Traditionally Council has taken out loans for buildings and plant.

3. Carried Forward Position from Current Year

Still to be built into the draft budget is the surplus/deficit from the current year's operations. This figure should be known at the very latest by the second week in July, which allows time for the end of year position to be included into the budget for final adoption at Council's ordinary July meeting.

4. Reserves

As Councillors would be aware, Council has several reserves set up for specific purposes. As at 31 May 2010, reserves with the following balances were in place:

Long Service Leave Reserve	\$55,323
Plant Reserve	\$2,161
Recreation Centre Reserve	\$184,331
Kindergarten Extension Reserve	\$224,112
Co Location Building Reserve	\$378,837
Office Equipment Reserve	\$20,409
Main Street Upgrade Reserve	\$61,479
Total	\$926,652

As was indicated during the discussion of the draft 2010/11 budget at the Council meeting of 27 May 2010, there is the potential to reallocate the balance of the Kindergarten Extension Reserve (dependent upon Council's resolution concerning the FROG's Early Learning Centre contained elsewhere in this agenda) to another component of the budget. This principle could also be applied to the Co Location Building Reserve.

The Local Government Act 1995 states that reserve funds need to be used for the purposes they were set up for, however the purpose may be changed by Council if done as part of the budget process (LGA S6.11(3)(a)).

If the purposes of these reserves were changed with a view of assisting in the budget deficit, Council should be mindful of the origins of the reserve accounts as follows:

Kindergarten Extension Reserve

\$75,000 Part proceeds from the sale of Struthers Street land 2006/07.

\$139,000 budgeted transfers to reserves.

Co Location Building Reserve

\$400,000 Part proceeds from the sale of Struthers Street land 2006/07.

Interest has been earned against these accounts along with some expenditure that has occurred against the projects which explains the balances as stated above.

Councillors should note that contained elsewhere within this agenda there is a recommendation to use \$100,000 from the kindergarten reserve to part fund the building of the FROGS Early Learning Centre.

Accepted practice is not to use the proceeds from the sale of an asset to fund operations. This component of the reserves held equates to \$375,000 (\$475,000 less \$100,000). Council could use these funds to fund appropriate expenditure as contained in the draft 2010/11 budget. These appropriate areas are few and far between within the budget, but may include:

Carlotta Hall	\$20,000
Purchase of plant	\$230,000

The balance of \$139,000 could be used for any purpose Council desires as it originated from "general revenue" prior to being transferred to the reserves.

5. Royalties for Regions

The draft 2010/11 budget contains two year's allocations of Royalties for regions funding as follows:

2009/10 Delayed Council Allocation	\$393,491
2010/11 Council Allocation	\$302,685

Assuming that Council receives the funds, \$696,176 can be allocated to projects that are eligible under this funding. Please note the guidelines for the eligible expenditure of these funds are yet to be received. Advice from the Department of Regional Development and Lands indicates that they will be available in about four weeks time. The attached draft 2010/11 budget does not allocate this income across projects as this will be the subject of another agenda item. However the income is matched by a non project specific expenditure item, the bottom line being that when allocated, it will have no effect on the bottom line of the budget

unless it is used to offset existing expenditures as contained in the draft budget. There is the potential to do this in a couple of areas as follows:

The Public Parks, Gardens and Reserves item (COA2642) contains \$95,000 worth of works associated with the Marinko Tomas Playground. Council discussed using Royalties for Regions funds at its August 2009 meeting to undertake these works. This will need to be resolved by Council as part of its deliberations concerning the allocation of these funds which will be presented to Council when the guidelines are received. This "income" has been brought into the draft budget as indicated earlier in this report. Councillors should note that expenditure will not occur on this project until the funds are received.

When Council does discuss the allocation of Royalties for Regions funds, it may wish to explore options whereby additional works can be undertaken by Council's road construction crew, offset by undertaking the existing programmed works for fully funded projects via contract. An example of where this could be done is the Mowen Road project. This project is fully funded to the extent of \$5,000,000, with \$633,254 being Council wages, plant and overheads. If this component of the works were undertaken by contractors, Council's road construction crew could be mobilised to undertake another priority project of Council, not budgeted to be built in the 2010/11 year, and offset that expenditure against Royalties for Regions funds. The extent to which this is done will assist with the bottom line of the draft budget.

If this were to be done, the corresponding income derived from the project in the form of supervision fees of \$100,000 would not be realised, the net effect of this being \$533,254.

If this were to occur, Council should be cautious of the impact of not receiving the Royalties for Regions funds as this would put Council back into deficit budget situation.

6. Transfer to Reserve - Plant

Contained within the attached draft budget is the transfer to reserve for plant replacement of \$100,000 (COA 3682) which was sourced from the supervision fee to be received as part of the Mowen Road project.

Although the theory of providing for plant replacement from private works projects (of which Mowen Road could be considered as it is fully funded) is sound, to start doing this when the predicted budget situation is in deficit doesn't make overall financial sense. It is recommended that this transfer to reserve is deleted from the draft budget which assists in the bottom line, and a policy be developed to handle the profit on private works income being transferred to a plant replacement reserve.

7. Deficit Budget

Council could adopt a deficit budget. This is not a preferred option as the deficit still needs to be funded in the following years. This should only be considered if a detailed forward financial plan indicating all sources of income and expenditure, showing how and when over the period of the plan that the funding situation will right itself, is developed. Council does not currently have a forward financial plan which matches income to expenditure.

Some of the above could be incorporated into the plan, along with longer term strategies to resolve Council's current budgeting dilemma. Following is a summary of the above showing the impact on the draft budget if they were to be introduced into the draft budget:

1.	Proceeds from Loan	not considered at this stage
2.	Carried Forward position from 2009/10	unknown at this stage
3.	Transfer from Reserve – General	\$139,000
4.	Transfer from Reserve – Carlotta Hall	\$20,000
5.	Transfer from Reserve – Purchase of Plant	\$230,000
6.	R4R – Mowen Rd substitution	\$533,254
7.	Transfer to Reserve – Plant	\$100,000

Council could introduce any or all of these into the draft budget, however as explained above, some of them may be subject to change when details are finalised (e.g. carried forward position and Royalties for Regions expenditure).

It should be pointed out that if some of the above initiatives are introduced into the draft budget to achieve a balanced budget, it does not indicate that Council is sustainable into the future as most of these are one off situations or grant dependent, which means that there is no surety of being able to call upon these into the future.

General

The projected deficit of \$821,173 represents the cumulative effect of numerous years of dwindling recurrent revenue resources.

Council needs to address this situation urgently to bring Council's operational costs under control and to be fully funded from operating income. This will result in Council becoming sustainable in the medium term.

Council, as mentioned above, should not use loan funds or the sale of assets (freehold land) to meet operational expenses, therefore the only option for Council to bring down a balanced budget is to either substantially increase operating income or reduce operating expenditure.

The obvious area for increases in income are the level of rates and the income from property (ie leased and rental properties) as Council does not have any other income producing assets.

The alternative path, of reducing expenditure, may involve the Council only providing the basic services to its residents, however some services are subject to service provision contracts and Council may incur substantial costs if they attempt to break these existing contracts.

At this stage, staff have not been able to identify any significant areas where Council could modify the proposed cash budget to show a 'balanced position' and Council may have to await the End of Financial Year carried forward balance prior to resolving this matter.

Councillors are advised to review the draft budget document, making any changes deemed necessary to ensure that community expectations are balanced against available resources. The preferred outcome of this process is a balanced position.

In undertaking this, careful consideration should be given to further reducing or increasing expenditure in any areas that contain labour, public works overheads and plant operating costs. The allocation of these throughout the budget balance back to the total budgeted amount for these areas. Any reduction in these areas needs to be put back into the budget to balance back to the overall payroll that will be incurred by Council.

Likewise, the draft budget contains grant dependent expenditure, i.e. the expenditure is directly related to grant income. This means that if Council chooses not to undertake the grant dependent works, Council will not receive the income from the grant associated with the works.

The next step in the process of adopting the 2010/11 budget is to convert this cash budget to a statutory compliant budget for adoption at the Ordinary meeting of Council to be held 22 July 2010.

STATUTORY ENVIRONMENT:

Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS: 2010/11 Budget

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

That Council make the necessary changes to the draft cash budget to achieve a balanced budget.

8411 DEAN/PINKERTON

That standing orders be resumed at 6.22pm

CARRIED 8/0

8412 BOULTER/PINKERTON

1. That Council make the following changes to the draft cash budget:

Deficit Balance (draft) Cash Budget	\$821,173
Amendments:	
WALGA final allocation	- 116,561
Plant Loan	- 280,000
Transfer from Reserve General, Kindergarten	- 139,000
Transfer from Reserve General, Rec Centre	- 134,331
Transfer to Reserve, Plant	- 100,000
Revised Deficit	<u>\$ 51,281</u>

Additional Reductions:

2322	Public Conveniences, Demolish Old Roads Board Toilet	- 2,000
2462	Telecentre, Security Screens	- 3,000
		<u>\$ 46,281</u>

2. That prior to the commencement of the 2011/12 budget development process, Council develop a balanced Forward Financial Plan to address the long term sustainability of Council over the next 5 – 10 years to avoid future potential deficit budget outcomes.

CARRIED 8/0

SHIRE OF NANNUP- DRAFT 2010/11 CASH BUDGET

Attachment

INCOME AND EXPENDITURE DESCRIPTION		2010/11	2010/11 BUDGET		2009/10 BUDGET		ANTICIPATED 30/6/2010	
		detail	expense	Income	expense	Income	expense	Income
SCHEDULE 3 - GENERAL PURPOSE REVENUE								
GENERAL PURPOSE REVENUE - OPERATING INCOME								
0011 RATE REVENUE (FP P19)	\$940,000		\$940,000		\$896,514		\$893,836	
0041 LEGAL FEES	\$0		\$0		\$0		\$0	
0061 INTEREST ON OVERDUE RATES	\$4,500		\$4,500		\$2,800		\$4,665	
0091 EQUALISATION GRANT			\$559,674		\$434,294		\$434,203	
2010/11	\$559,674							
0231 INTERIM RATES	\$2,200		\$2,200		\$2,000		\$3,095	
0261 INTEREST ON INSTALLMENTS	\$2,400		\$2,400		\$2,700		\$2,592	
0271 INTEREST ON DEFERRED RATES	\$500		\$500		\$0		\$664	
0291 LOCAL ROAD GRANT			\$338,143		\$253,607		\$254,393	
2010/11	\$338,143							
0553 ROYALTIES FOR REGIONS								
2009/10 Delayed Council Allocation	\$393,491		\$1,210,741					
2009/10 Delayed Allocation Regional Projects Allocation	\$211,880							
2010/11 Council Allocation	\$302,685							
2010/11 Regional Projects Allocation	\$302,685							
0553 ROYALTIES FOR REGIONS EXPENDITURE	\$1,210,741	\$1,210,741						
0361 ADMINISTRATION CHARGES ON INSTALLMENTS	\$2,900		\$2,900		\$2,800		\$2,825	
0523 DEPT. OF TRANSPORT COMMISSION	\$18,000		\$18,000		\$18,000		\$18,500	
0533 SUNDRY INCOME			\$12,600		\$10,800		\$14,640	
Photocopies, Faxes & Miscellaneous services	\$100							
Account enquires	\$1,000							
Trainee commencement	\$2,500							
WALGA advertising rebate	\$200							
FESA Levy	\$4,000							
LGIS Insurance Rebate	\$4,000							
Other sundry income	\$800							
0573 EXPENSES RECOVERED								
Payments recovered from others	\$25,000		\$25,000		\$20,000		\$45,500	
0583 B.C.I.T.F. AND BRB COMMISSION	\$500		\$500		\$500		\$500	
4882 SURPLUS CARRIED FORWARD FROM 2009/10			\$0		\$87,271		\$227,393	
Carry forward from operations								
4873 INTEREST ON INVESTMENTS - GENERAL	\$15,000		\$15,000		\$25,000		\$17,000	
4883 INTEREST ON INVESTMENTS - RTR	\$0		\$0		\$0		\$354	
4893 INTEREST ON INVESTMENTS - DOTARS	\$5,000		\$5,000		\$37,000		\$48,000	
GENERAL PURPOSE REVENUE - OPERATING EXPENDITURE								
0472 RATING VALUATION EXPENSES			\$10,500		\$26,300		\$24,000	
Miscellaneous Valuation Expenses	\$4,200							
Annual Unimproved Valuation Roll	\$5,800							
4 yearly-GRV Valuation Roll	\$0							
Change of Valuation basis Revaluations - estimate	\$500							
4852 GRANTS COMMISSION REVIEW			\$500		\$500		\$0	
Review of Annual Information Return	\$500							
3832 INTEREST ON OVERDRAFT	\$100		\$100		\$100		\$0	
4872 DOT LICENSING EXPENSES			\$14,778		\$15,087		\$6,800	
Telephone	\$300							
Salaries	\$13,026							
Superannuation	\$1,452							
0422 RECOVERABLE EXPENSES								
Payments to be recovered from others	\$25,000		\$25,000		\$20,000		\$45,500	
4802 WRITE OFFS	\$200		\$200		\$200		\$0	
SCHEDULE 4 - GOVERNANCE								

SHIRE OF NANNUP- DRAFT 2010/11 CASH BUDGET

Page 2

INCOME AND EXPENDITURE DESCRIPTION		2010/11	2010/11 BUDGET		2009/10 BUDGET		ANTICIPATED 30/6/2010	
		detail	expense	income	expense	income	expense	income
GOVERNANCE - OPERATING EXPENDITURE								
0112 ELECTION EXPENSES	\$0		\$0		\$4,000		\$2,650	
0142 REFRESHMENTS AND FUNCTIONS			\$14,300		\$15,850		\$13,500	
Refreshments	\$13,000							
Purchase of minor utensils	\$100							
Australia Day breakfast	\$800							
Community/Council get togethers	\$400							
0162 DONATIONS/CONTRIBUTIONS			\$16,900		\$9,700		\$10,218	
ONE OFF REQUESTS								
WA Great Escape Bike Ride	\$3,000							
ANNUAL REQUESTS								
NDHS - Graduation Ceremony Awards	\$200							
Blackwood River Valley Marketing Association	\$1,000							
NOCCA (Cash \$700 Insurance)	\$700							
Nannup Arts Council - Acquisitive Art Prize	\$0							
Nannup Music Club (cash \$2,000 In-kind \$2,000)	\$4,000							
Nannup Garden Village Committee (In-kind)	\$1,500							
Nannup Lions Club	\$1,500							
Youth Advisory Council (Family Fun Day)	\$500							
Community Leadership Volunteer Forum Sponsorship	\$500							
Sundry Provision for Ad-hoc Donations & Matching Grant Funds	\$4,000							
0172 COUNCILLOR ALLOWANCES, FEES & REIMBURSEMENTS			\$41,200		\$41,170		\$30,000	
President's Allowance	\$8,000							
Deputy President's Allowance	\$2,000							
Meeting Attendance Fees	\$12,650							
Phone/Fax Line Rental/SP mobile phone calls	\$350							
Crs Computer Allowance	\$9,000							
Travel Costs	\$9,200							
Child Care Expenses	\$0							
0182 SUBSCRIPTIONS			\$6,933		\$6,638		\$6,200	
Industrial Service (Fitz Gerald Strategies)	\$500							
WALGA	\$5,233							
SWZ LGA	\$500							
LGMA - CEO & MCS	\$700							
0192 CONFERENCE EXPENSES			\$14,500		\$9,500		\$1,750	
Local Government Week	\$6,000							
Local Govt. Week banners	\$0							
Other Conferences/Seminars/Meetings	\$2,500							
Councilor Training Courses (FP P23)	\$6,000							
0202 INSURANCE			\$15,725		\$15,438		\$14,255	
Liability, Personal Insurance, Fidelity & Vehicle	\$11,225							
Regional Risk Co Coordinator	\$4,500							
Revaluation	\$0							
0212 CEO PERFORMANCE REVIEW	\$0		\$0		\$0		\$0	
0254 MEMBERS EQUIPMENT	\$0		\$0		\$0		\$0	
0532 GRATUITIES & APPRECIATIONS			\$1,000		\$0		\$0	
Gifts	\$1,000							
0572 MEMBER'S CONSUMABLES	\$1,000		\$1,000		\$1,000		\$90	
SCHEDULE 4 - GENERAL ADMINISTRATION								
GENERAL ADMINISTRATION - OPERATING EXPENDITURE								
0242 ANNUAL LEAVE EXPENSE ADMIN	\$0		\$0		\$0			
0272 SALARIES	\$305,580		\$305,580		\$305,803		\$321,200	
0282 SUPERANNUATION	\$29,592		\$29,592		\$29,129		\$31,915	
0292 INSURANCE	\$18,984		\$18,984		\$18,473		\$19,323	
0312 FURNITURE AND EQUIPMENT - MINOR			\$2,000		\$4,000		\$4,000	
Five year office equipment replacement program (FP APP.#1 p73)	\$2,000							
0352 TRANSFER TO RESERVES			\$30,000		\$35,000		\$35,000	
Office Equipment (FP APP 1 p27)	\$10,000							
Long Service Leave (FP APP3 p27)	\$20,000							

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INCOME AND EXPENDITURE DESCRIPTION	2010/11 detail	2010/11 BUDGET		2009/10 BUDGET		ANTICIPATED 30/6/2010	
		expense	Income	expense	Income	expense	Income
0362 BUILDING AND GARDENS MAINTENANCE		\$42,969		\$61,391		\$61,400	
Wages - Cleaner	\$7,914						
Overheads	\$2,137						
Cleaning Materials	\$118						
Wages - Gardener	\$7,100						
Overheads	\$4,524						
Plant Operations Costs	\$642						
Plant Depreciation (Non Cash)	\$183						
Gardener Materials	\$551						
Water & Sewerage Charges	\$1,200						
Electricity	\$6,800						
Building Maintenance (incl Fire Extinguisher service & Pest control)	\$1,700						
Carpet Cleaning	\$0						
FESA Levy	\$100						
Universal Access to Offices and Public Toilets (at rear) (FP P49)	\$10,000						
0372 COMPUTER MAINTENANCE		\$46,155		\$23,695		\$23,695	
Product and Telephone Support	\$13,095						
Planning/Health modules & training	\$20,000						
Virus control annual license	\$600						
Miscellaneous Maintenance and Repairs	\$4,200						
IT Vision User Group	\$460						
Website Maintenance	\$6,800						
WALGA - Secure Internet Gateway Management Service	\$1,000						
0382 PRINTING AND STATIONERY		\$16,000		\$16,000		\$16,500	
Printing	\$8,000						
Stationery	\$4,500						
Printing Consumables	\$3,000						
Freight	\$500						
0392 TELEPHONE		\$11,000		\$10,000		\$10,400	
Telephone Expenses	\$9,500						
Call Centre	\$1,500						
0402 OFFICE EQUIPMENT MAINTENANCE		\$8,000		\$6,000		\$7,300	
Photocopier Service Contract	\$5,500						
General Repairs & Maintenance	\$2,500						
0412 POSTAGE	\$5,000	\$5,000		\$5,000		\$4,700	
0432 VEHICLE AND TRAVELLING	\$11,000	\$11,000		\$12,000		\$9,700	
0442 BANK CHARGES		\$4,500		\$3,500		\$4,075	
Account Management Fee	\$4,500						
0452 ADVERTISING		\$15,000		\$11,000		\$6,500	
Nannup Telecentre news	\$3,000						
Other publications	\$12,000						
0462 AUDIT FEES		\$12,000		\$11,000		\$11,000	
Audit & Interim Audit	\$8,500						
Attendance at Audit Committee meeting	\$1,500						
Other audit requirements	\$2,000						
0482 LEGAL EXPENSES		\$10,000		\$10,000		\$10,000	
General Legal Expenses	\$10,000						
0492 STAFF TRAINING EXPENSES		\$6,500		\$6,500		\$4,000	
Staff Training Requirement - Administration	\$5,000						
OS&H course (statutory requirement)	\$1,500						
0502 SUNDRY EXPENSES	\$1,000	\$1,000		\$1,000		\$5,670	
0522 UNIFORM ALLOWANCE		\$2,000		\$1,000		\$2,680	
Uniform expenses for Council staff as per policy	\$2,000						
0552 FRINGE BENEFITS TAX	\$15,860	\$15,860		\$18,750		\$15,398	
0812 RECRUITMENT EXPENSES	\$5,000	\$5,000		\$4,500		\$4,913	
GENERAL ADMINISTRATION - OPERATING INCOME							
0543 TRANSFER FROM RESERVES			\$23,000		\$14,500		\$14,500
Office Equipment (FP APP1)	\$23,000						
8053 INCOME FROM SALE OF ASSETS			\$36,000		\$18,000		\$16,364
2 x Motor Vehicle	\$36,000						
GENERAL ADMINISTRATION - CAPITAL EXPENDITURE							
0584 FURNITURE AND EQUIPMENT - CAPITAL		\$12,000		\$8,500		\$8,500	

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INCOME AND EXPENDITURE DESCRIPTION	2010/11 detail	2010/11 BUDGET		2009/10 BUDGET		ANTICIPATED 30/6/2010	
		expense	income	expense	income	expense	income
Five year office equipment replacement program (FP APP.#1 P73)	\$12,000						
0544 PLANT		\$62,000		\$28,200		\$27,983	
2 x Motor Vehicle	\$62,000						
SCHEDULE 5 - LAW, ORDER AND PUBLIC SAFETY							
FIRE PREVENTION - OPERATING EXPENDITURE (FP P31)							
0602 ASSISTANCE TO BFB'S		\$39,620		\$36,300		\$36,301	
Balingup Rd	\$0						
Bidellia	\$3,368						
Carlotta	\$1,900						
Cundinup	\$3,825						
Darradup	\$10,667						
East Nannup	\$5,037						
Nannup Brook	\$5,626						
North Nannup	\$5,487						
Scott River Jasper	\$3,710						
0642 INSURANCE	\$21,041	\$21,041		\$10,953		\$20,639	
0652 MAINTENANCE OF PAW / STRATEGIC FIREBREAKS		\$5,000		\$5,000		\$5,000	
Materials & Contracts	\$5,000						
0662 BRIGADE EXPENDITURE (NON FESA)	\$0	\$0				\$5,000	
0722 FIRE CONTROL OFFICER (FP P29)		\$45,000		\$32,447		\$40,070	
Salaries	\$24,642						
Superannuation	\$3,450						
Motor Vehicle Running Costs	\$13,908						
Contract Firebreak Inspector (FP P30)	\$3,000						
0732 FIRE MANAGEMENT OFFICER ANNUAL LEAVE EXPENSE	\$0	\$0					
0762 MAINTENANCE OF PLANT & EQUIPMENT		\$6,750		\$1,000		\$6,700	
Maintenance of brigade units and equipment	\$6,750						
0832 MAINTENANCE OF VEHICLES, BOATS & TRAILERS	\$7,000	\$7,000		\$497		\$3,000	
0842 MAINTENANCE OF LAND & BUILDINGS	\$0	\$0		\$500		\$562	
Annual inspection and maintenance of repeater station							
0862 UTILITIES, RATES & TAXES	\$0	\$0		\$500		\$0	
0872 OTHER GOODS & SERVICES	\$7,250	\$7,250		\$500		\$3,400	
FIRE PREVENTION - OPERATING INCOME							
0644 CAPITAL INCOME			\$22,800				
Equipment Grants	\$22,800						\$94,137
0703 FESA LEVY OPERATING INCOME			\$112,620		\$75,240		\$102,590
Bush Fire Brigades (FP P29)	\$82,620						
Contribution to Fire Control Officer (FP P29)	\$30,000						
0743 FESA EQUIPMENT GRANTS	\$0	\$0			\$0		\$1,566
0773 FINES			\$120		\$100		\$0
Estimated infringements - firebreaks	\$120						
FIRE PREVENTION - CAPITAL EXPENDITURE							
0744 PLANT PURCHASES	\$22,800	\$22,800		\$0		\$94,137	
0764 BUILDINGS	\$0	\$0		\$0		\$9,729	
ANIMAL CONTROL - OPERATING EXPENDITURE							
0802 CONTROL EXPENSES		\$4,000		\$4,000		\$1,764	
Compliance with Dog Act (FP P33)	\$1,000						
Contract Ranger	\$3,000						
ANIMAL CONTROL - OPERATING INCOME							
0833 DOG REGISTRATION FEES			\$1,800		\$2,000		\$1,800
Income from Dog Registrations (FP P31)	\$1,800						
0843 FINES & PENALTIES			\$100		\$100		\$0
Fines	\$100						

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INCOME AND EXPENDITURE DESCRIPTION		2010/11	2010/11 BUDGET		2009/10 BUDGET		ANTICIPATED 30/6/2010	
		detail	expense	income	expense	income	expense	income
OTHER - LAW, ORDER AND PUBLIC SAFETY - OPERATING EXPENDITURE								
0942 EMERGENCY RESPONSE		\$1,000	\$1,000		\$15,000		\$0	
0922 DONATION TO NANNUP S.E.S.			\$5,240		\$12,250		\$10,576	
Insurance		\$1,317						
Operating Grant		\$3,923						
OTHER - LAW, ORDER AND PUBLIC SAFETY - OPERATING INCOME								
0963 FESA LEVY OPERATING INCOME - SES		\$5,240		\$5,240		\$12,250		\$9,858
6993 GRANT COMMUNITY SAFETY PROGRAM		\$0		\$0		\$0		\$1,200
OTHER - LAW, ORDER AND PUBLIC SAFETY - CAPITAL EXPENDITURE								
SCHEDULE 7 - HEALTH								
HEALTH INSPECTION AND ADMINISTRATION - OPERATING EXPENDITURE								
1242 INSURANCE		\$434	\$434		\$421		\$435	
1252 ANNUAL LEAVE EXPENSE HEALTH			\$0		\$0			
1262 HEALTH SERVICES			\$15,570		\$12,712		\$16,473	
Salaries		\$8,570						
New food standard training		\$1,000						
Implementation of Health Local Laws (FP P33)		\$3,000						
Contracted Services - Food Premises Audit (FP P33)		\$3,000						
1272 LSL EXPENSE HEALTH			\$0		\$0		\$0	
1282 SUPERANNUATION		\$751	\$751		\$705		\$2,295	
1322 ADMINISTRATION EXPENSES			\$5,500		\$5,300		\$1,757	
Analytical Expenses		\$300						
Publications		\$700						
Training		\$2,500						
Motor Vehicle Running Costs		\$2,000						
HEALTH - INSPECTION AND ADMINISTRATION - OPERATING INCOME								
1383 / 1373 GENERAL LICENSE FEES		\$2,000		\$2,000		\$2,000		\$2,490
1475 INCOME FROM SALE OF ASSETS (CASH)				\$3,600		\$6,000		\$5,530
Motor Vehicle (0.2)		\$3,600						
HEALTH INSPECTION AND ADMINISTRATION - CAPITAL EXPENDITURE								
1454 PLANT (MOTOR VEHICLE)			\$6,200		\$9,400		\$9,806	
Motor Vehicle (0.2)		\$6,200						
SCHEDULE 8 - EDUCATION AND WELFARE								
PRE-SCHOOL - OPERATING EXPENDITURE								
0992 PRE-SCHOOLS MAINTENANCE			\$6,524		\$5,574		\$1,980	
Gardeners Wages		\$2,200						
Overheads		\$1,402						
Gardeners Materials		\$522						
Plant Operations Costs		\$682						
Plant Depreciation (Non Cash)		\$194						
Insurance		\$524						
General Maintenance		\$1,000						
PRE-SCHOOL - CAPITAL EXPENDITURE								
1644 KINDERGARTEN EXTENSION (FP P35)			\$100,000		\$0		\$0	
Construction Early Children's Care Facility (FP P34)		\$100,000						
9883 GRANTS				\$0		\$0		\$0
Kindergarten extension		\$0						
XXXX TRANSFER FROM RESERVE				\$100,000				
Kindergarten extension		\$100,000						
OTHER EDUCATION OPERATING EXPENDITURE								
1642 COMMUNITY DEVELOPMENT OFFICER			\$77,800		\$85,152		\$84,270	
Salary		\$61,552						

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INCOME AND EXPENDITURE DESCRIPTION	2010/11 detail	2010/11 BUDGET		2009/10 BUDGET		ANTICIPATED 30/6/2010	
		expense	Income	expense	Income	expense	Income
Superannuation	\$5,540						
Insurance	\$5,088						
Advertising & Promotions	\$2,000						
Community Development specific training	\$2,120						
Annual Leave (non cash)							
Youth Strategic Planning Provision	\$1,000						
Leeuwin Sailing Ship Sponsorship	\$500						
XXXX YOUTH PROGRAMS & PLANNING		\$4,705					
School Holiday Programs	\$2,000						
Office of Crime Prevention - Paint by Colours	\$2,705						
OTHER EDUCATION OPERATING INCOME							
1123 CDO ADMINISTRATION INCOME	\$0		\$0				\$3,500
XXXX GRANTS			\$2,705				
Office of Crime Prevention - Paint by Colours	\$2,705						
OTHER EDUCATION CAPITAL EXPENDITURE							
1164 FURNITURE & EQUIPMENT CAPITAL		\$2,000					\$3,500
Five year office equipment replacement program (FP APP.#1 P73)	\$2,000						
OTHER AGED AND DISABLED OPERATING EXPENDITURE							
XXXX SENIORS ACTIVITIES		\$29,435					
Seniors Activities (FP P36)	\$2,000						
Seniors Bus	\$1,000						
Access WA - Shire Building Assessment - access	\$28,435						
OTHER AGED AND DISABLED - OPERATING INCOME							
1653 GRANTS			\$24,684				\$2,285
Access WA - Access assessment of Shire Buildings	\$24,684						
OTHER AGED AND DISABLED - CAPITAL EXPENDITURE							
SCHEDULE 9 - HOUSING							
COUNCIL STAFF - OPERATING EXPENDITURE							
1712 BUILDING MAINTENANCE		\$16,361		\$6,651		\$7,800	
Water Rates	\$800						
Maintenance	\$2,200						
Lot 234 Dunnet St - paint interior (FP A4 P77)	\$3,500						
Lot 1302 Carey St - replace lino and plumbing (FP A4 P78)	\$7,000						
Electricity	\$2,000						
FESA Levy	\$90						
Insurance	\$771						
1722 INTEREST REPAYMENTS		\$975		\$1,494		\$1,494	
Loan 38 Carey St House (FP APP2)	\$975						
COUNCIL STAFF - OPERATING INCOME							
1723 RENTAL INCOME			\$8,060		\$17,420		\$8,060
L1302 Carey St. (\$80 / wk)	\$4,160						
L234 Dunnet Rd (\$75 / wk)	\$3,900						
COUNCIL STAFF - CAPITAL EXPENDITURE							
1764 PRINCIPAL REPAYMENTS (PAP)		\$8,241		\$7,721		\$7,721	
Loan 38 Carey St House (FP APP2)	\$8,241						
HOUSING OTHER - OPERATING EXPENDITURE							
1732 BUILDING MAINTENANCE		\$15,296		\$14,396		\$7,100	
Water Rates	\$1,100						
Maintenance by Contractors	\$3,500						
Insurance	\$1,296						
Sewage rates	\$2,200						
Refurbish Grange Rd Duplex (FP A4 P77)	\$0						
Community House (upgrade plumbing, HWS & kitchen FP A4 P77)	\$5,000						
Rental Management Fees	\$2,200						
1742 INTEREST REPAYMENTS		\$0		\$225		\$225	
Loan 21 Grange Rd Duplex (FP APP2)	\$0						
HOUSING OTHER - OPERATING INCOME							

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INCOME AND EXPENDITURE DESCRIPTION	2010/11 detail	2010/11 BUDGET		2009/10 BUDGET		ANTICIPATED 30/6/2010	
		expense	income	expense	income	expense	income
1743 RENTAL INCOME			\$0		\$13,520		\$21,784
Grange Rd Duplex	\$0						
L233 Carey St. (\$180 / wk for 48wks)	\$8,640						
HOUSING OTHER - CAPITAL EXPENDITURE							
1794 PRINCIPAL REPAYMENTS		\$0		\$2,396		\$2,396	
Loan 21 Grange Rd Duplex (FP APP2)	\$0						
SCHEDULE 10 - COMMUNITY AMENITIES							
SANITATION - HOUSEHOLD REFUSE - OPERATING EXPENDITURE							
1762 CONTRACTORS COLLECTION FEES (FP P41)		\$62,322		\$60,273		\$55,075	
337 Rubbish services @ \$1.86/service/week	\$32,600						
331 Recycling services @ \$3.46/service/fortnight	\$29,722						
1772 WASTE MANAGEMENT FACILITY MAINTENANCE		\$138,032		\$117,932		\$106,800	
Contract/Regional Waste Coordinator Consultancy Fees	\$130,000						
Perimeter Clean Up	\$600						
Insurance	\$432						
DEC Site Monitoring & Fencing Requirements	\$7,000						
1824 STREET BIN PICK-UP		\$8,500		\$7,859		\$8,500	
Wages	\$4,500						
Overheads	\$2,867						
Plant Operation Costs	\$663						
Plant depreciation (non cash)	\$189						
Materials	\$281						
SANITATION - HOUSEHOLD REFUSE - OPERATING INCOME							
1803 MOBILE BIN CHARGES			\$72,276		\$69,900		\$66,929
318 Rubbish @ \$124.00	\$39,432						
276 Recycling @ \$119.00	\$32,844						
1813 TIP FEES	\$5,000		\$5,000		\$2,000		\$4,760
1993 SEPTIC TANK INSPECTION FEES	\$500		\$500				\$770
TOWN PLANNING AND REGIONAL DEVELOPMENT - OPERATING EXPENDITURE							
2122 PARKING STRATEGY		\$0		\$9,000		\$9,000	
Development	\$0						
2132 TOWN PLANNING SERVICES		\$163,298		\$164,273		\$61,000	
Salaries	\$113,298						
Contracted services	\$15,000						
Guidelines for new developments (FP P43)	\$20,000						
Review Townsite Strategy Document (FP P43)	\$15,000						
2142 ADMINISTRATION EXPENSES		\$31,100		\$22,321		\$6,000	
Miscellaneous Office Expenses	\$1,268						
Insurance	\$3,832						
Training	\$2,000						
Motor Vehicle Running Costs	\$2,000						
Municipal Inventory (FP P44)	\$18,000						
Advertising - scheme amendments	\$4,000						
2162 SUPERANNUATION	\$4,509	\$4,509		\$4,228		\$2,295	
2172 TOWN PLANNING SCHEME		\$0		\$0		\$5,306	
Advertising & miscellaneous non-contract expenses	\$0						
2212 LOCAL PLANNING SCHEME AMENDMENT EXPENSES	\$0	\$0					\$843
7032 COMMUNITY INFRASTRUCTURE PLAN (FP P45)	\$0	\$0		\$15,000		\$100	
7042 ROAD DEVELOPMENT EXPENSES		\$90,000		\$5,000		\$4,545	
Agg Road North and South	\$90,000						
TOWN PLANNING AND REGIONAL DEVELOPMENT - OPERATING INCOME							
2213 SOUTH COAST PLANNING	\$0		\$0				\$2,000
2243 LOCAL PLANNING SCHEME AMEND CONTRIBUTIONS	\$4,000		\$4,000				\$26,800
2253 MISCELLANEOUS FEES AND CHARGES			\$5,000		\$7,000		\$1,650
Town Planning Fees	\$5,000						
2295 INCOME FROM SALE OF ASSETS			\$10,800		\$6,000		\$5,531

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INCOME AND EXPENDITURE DESCRIPTION	2010/11 detail	2010/11 BUDGET		2009/10 BUDGET		ANTICIPATED 30/6/2010	
		expense	income	expense	income	expense	income
Motor Vehicle (0.6)	\$10,800						
TOWN PLANNING AND REGIONAL DEVELOPMENT - CAPITAL EXPENDITURE							
2274 PLANT		\$18,600		\$9,400		\$9,808	
Motor Vehicle (0.6)	\$18,600						
OTHER COMMUNITY AMENITIES - OPERATING EXPENDITURE							
2302 CEMETERY OPERATION AND MAINTENANCE		\$23,100		\$22,130		\$20,000	
Wages	\$3,400						
Overheads	\$2,166						
Plant Operation Costs	\$972						
Plant depreciation (non cash)	\$277						
Materials	\$385						
Water	\$100						
Landscaping	\$15,000						
Plaques	\$800						
2322 PUBLIC CONVENIENCES		\$25,000		\$23,479		\$33,500	
Cleaners Wages	\$10,680						
Overheads	\$2,884						
Materials	\$2,000						
Water	\$450						
Sanitary Bins	\$1,700						
Sewage charges for caravan park public toilet	\$891						
Insurance	\$1,395						
Maintenance by Contractors	\$3,000						
Demolish Old Roads Board Office toilet block (FP APP 4)	\$2,000						
OTHER COMMUNITY AMENITIES - OPERATING INCOME							
2373 CEMETERY FEES			\$3,000		\$3,500		\$2,971
Cemetery Fees	\$3,000						
REGIONAL DEVELOPMENT - OPERATING EXPENDITURE							
3882 WARREN BLACKWOOD STRATEGIC ALLIANCE (FP P46)		\$5,000		\$7,836		\$7,836	
Annual Membership	\$5,000						
SCHEDULE 11 - RECREATION AND CULTURE							
PUBLIC HALLS AND CIVIC CENTRES - OPERATING EXPENDITURE							
2422 TOWN HALL		\$22,040		\$10,637		\$9,500	
Cleaners Wages	\$1,000						
Overheads	\$270						
Electricity	\$2,000						
Water & Sewerage Charges	\$600						
Insurance	\$1,620						
Cleaning Materials	\$500						
FESA Levy	\$50						
Maintenance by Contractors	\$2,500						
Paint interior, renovate entrance, storage area, fix gutter (FP A4 P76)	\$13,500						
2432 RECREATION CENTRE BUILDING		\$80,448		\$96,465		\$43,200	
Cleaners Wages	\$3,527						
Overheads	\$952						
Electricity	\$2,000						
Water	\$1,800						
Insurance	\$3,049						
Cleaning Materials	\$500						
FESA Levy	\$120						
Maintenance (including \$10,000 structural repairs FP A4 P76)	\$13,000						
Reseal Floor (FP APP 4)	\$3,000						
Recreation Program Provision	\$2,500						
Develop Plans/Design for Recreation Centre Upgrade (FP P50)	\$50,000						
2442 COMMUNITY CENTRE BUILDING		\$2,604		\$3,088		\$2,700	
Insurance	\$1,484						
Maintenance	\$1,000						
FESA Levy	\$120						
2462 TELECENTRE BUILDING		\$3,574		\$3,571		\$1,000	
Insurance	\$574						
Security Screens	\$3,000						
2472 OLD ROADS BOARD BUILDING		\$4,459		\$457		\$449	
Insurance	\$459						
Paint interior & repair roof leak (FP A4 P76)	\$4,000						
2482 BOWLING CLUB BUILDING		\$3,000		\$3,245		\$3,325	

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INCOME AND EXPENDITURE DESCRIPTION	2010/11 detail	2010/11 BUDGET		2009/10 BUDGET		ANTICIPATED 30/6/2010	
		expense	income	expense	income	expense	income
Insurance	\$1,552						
Water	\$1,448						
2492 CUNDINUP HALL		\$360		\$349		\$347	
Insurance	\$310						
FESA Levy	\$50						
2502 CARLOTTA HALL		\$20,326		\$315		\$348	
Maintenance - upgrade works	\$20,000						
Insurance	\$276						
FESA Levy	\$50						
2622 TRANSFER TO RESERVE		\$20,000		\$0		\$0	
Recreation Centre (FP APP 3)	\$20,000						
PUBLIC HALLS AND CIVIC CENTRES - OPERATING INCOME							
2443 TRANSFER FROM RESERVE	\$0		\$0		\$376,000		\$172,918
2453 GRANTS			\$50,000		\$45,000		\$0
SWDC - Recreation centre - Upgrade	\$50,000						
2473 CO LOCATION BLDG GRANTS	\$0		\$0		\$1,367,000		\$0
2483 CO LOCATION BLDG LOAN	\$0		\$0		\$398,000		\$0
7043 RECREATION CENTRE HIRE FEES			\$5,150		\$3,000		\$5,000
Estimated hire fees Recreation Centre	\$5,150						
7053 OTHER HIRE CHARGES			\$900		\$1,250		\$590
Estimated hire fees Town Hall	\$610						
Estimated hire fees Function Room	\$290						
PUBLIC HALLS AND CIVIC CENTRES - CAPITAL EXPENDITURE							
2564 TIMEWOOD CENTRE (FP P67)	\$0	\$0		\$2,131,000		\$165,418	
Construction							
2574 CAPITAL WORKS - HALLS (FP APP4)	\$0	\$0		\$5,000		\$3,812	
OTHER RECREATION AND SPORT - OPERATING EXPENDITURE							
2642 PUBLIC PARKS, GARDENS AND RESERVES		\$424,000		\$319,594		\$313,620	
Includes Marinko Tomas Playground \$95,000 (FP APP 9)							
Wages	\$125,000						
Overheads	\$79,650						
Plant Operation Costs	\$83,980						
Plant depreciation (non cash)	\$23,934						
Materials	\$43,936						
Water	\$2,900						
Electricity	\$1,500						
Marinko Pk Trees	\$20,000						
Arboretum Trees	\$20,000						
Oval Pump House	\$20,000						
Nannup Tree Trail - Citizen Recognition Initiative (FP P53) \$500 + Mat	\$1,100						
Relocate & Renovate Bus Shelter (FP P53)	\$2,000						
2702 STREETSCAPE (FP P48)		\$5,000		\$10,000		\$9,000	
Wages	\$1,718						
Overheads	\$1,094						
Plant Operation Costs	\$1,703						
Plant depreciation (non cash)	\$485						
2712 GARDEN VILLAGE THEME		\$7,000		\$7,000		\$6,517	
Purchase of tulip & daffodil bulbs	\$7,000						
7712 BIKE RACKS	\$0	\$0		\$34,938		\$38,000	
XXXX ART PROJECT MAINTENANCE	\$5,000	\$5,000					
XXXX OFF ROAD VEHICLE ACCESS AREA		\$600		\$0			
Survey costs	\$600						
2772 CYCLE PATH TO COCKATOO VALLEY	\$0	\$0		\$0		\$50,000	
2782 GOLF COURSE WORKS (FP P54)	\$0	\$0		\$0		\$0	
2812 BLACKWOOD VALLEY TRAILS PROJECT		\$3,000				763	
Warren Blackwood Strategic Alliance - Contribution to Project Officer	\$3,000						
7432 FORESHORE PARK		\$25,000		\$15,000		\$60,000	
Landscaping	\$25,000						

SHIRE OF NANNUP- DRAFT 2010/11 CASH BUDGET

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INCOME AND EXPENDITURE DESCRIPTION	2010/11 detail	2010/11 BUDGET		2009/10 BUDGET		ANTICIPATED 30/6/2010	
		expense	Income	expense	Income	expense	Income
OTHER RECREATION AND SPORT - OPERATING INCOME							\$50,000
2823 CYCLE PATH TO COCKATOO VALLEY GRANT							
3033 USER CHARGES & SUNDRY INCOME			\$720		\$100		\$0
Miscellaneous ground fees & Community Arboretum income	\$720						
7703 GRANTS			\$115,000		\$275,342		\$142,468
State Royalties for Regions - Marinko Tomas playground	\$95,000						
Foreshore Park - Landscaping	\$20,000						
7773 AFTER SCHOOL RECREATION FEES	\$0		\$0				\$2,970
OTHER RECREATION AND SPORT - CAPITAL EXPENDITURE							
7814 FORESHORE PARK ABLUTION BLOCK (FP P64)	\$0	\$0		\$140,404		\$217,290	
LIBRARIES - OPERATING EXPENDITURE							
2902 SALARIES		\$20,279		\$21,511		\$24,770	
25% Executive Officer and Trainee	\$18,605						
Superannuation	\$1,674						
2922 OFFICE EXPENSES		\$2,000		\$1,900		\$2,910	
Office Expenses attributable to Library Operation	\$700						
Software support	\$1,100						
Minor Equipment	\$200						
2932 WRITE OFFS	\$100	\$100		\$100		\$0	
LIBRARIES - OPERATING INCOME							
2993 LOST BOOK CHARGES			\$100		\$50		\$148
Charges for lost books	\$100						
LIBRARIES - CAPITAL EXPENDITURE							
3014 FURNITURE & EQUIPMENT (FP APP1 P73)	\$2,000	\$2,000		\$4,000		\$0	
SCHEDULE 12 - TRANSPORT							
CONST. STREETS, ROADS, BRIDGES AND DEPOTS - CAPITAL EXPENDITURE							
3130 MOWEN ROAD		\$5,000,000		\$200,000		\$1,070,000	
Wages	\$217,485						
Overheads	\$138,581						
Plant Operation Costs	\$215,710						
Plant depreciation (non cash)	\$61,477						
Materials	\$4,386,747						
3170 CAPITAL ROAD WORKS PROGRAM (FP P55)		\$463,081		\$525,000		\$539,000	
Wages	\$55,000						
Overheads	\$35,046						
Plant Operation Costs	\$54,551						
Plant depreciation (non cash)	\$15,547						
Materials	\$302,937						
3180 MRWA SPECIAL BRIDGEWORKS (FP APP6)		\$93,000		\$1,206,000		\$1,180,000	
Balingup Rd	\$93,000						
3190 TIRES PROJECTS		\$125,000		\$95,000		\$95,000	
Wages	\$32,000						
Overheads	\$20,390						
Plant Operation Costs	\$31,739						
Plant depreciation (non cash)	\$9,046						
Materials	\$31,825						
7890 BLACKSPOT BALINGUP ROAD	\$0	\$0		\$80,000		\$80,000	
3210 FOOTPATH PROGRAM (FP P55)		\$25,000		\$0		\$4,204	
Wages	\$8,500						
Overheads	\$5,416						
Plant Operation Costs	\$3,431						
Plant depreciation (non cash)	\$978						
Construction by contractors	\$6,675						
3212 DEPOT OFFICE & MAINTENANCE EXPENSES		\$17,584		\$18,175		\$14,000	
Telephone	\$1,150						
Wages	\$1,800						
Overheads	\$1,147						

SHIRE OF NANNUP- DRAFT 2010/11 CASH BUDGET

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INCOME AND EXPENDITURE DESCRIPTION	2010/11 detail	2010/11 BUDGET		2009/10 BUDGET		ANTICIPATED 30/6/2010	
		expense	income	expense	income	expense	income
Cleaners wages	\$763						
Cleaners overheads	\$206						
Cleaning Materials	\$200						
Plant Operation Costs	\$1,785						
Depreciation (non cash)	\$509						
Materials	\$2,934						
Water	\$4,000						
FESA Levy	\$70						
Electricity	\$2,500						
General Maintenance	\$500						
3240 TRAFFIC SIGNS AND CONTROL	\$5,000	\$5,000		\$5,000		\$5,700	
3250 JALBARRAGUP BRIDGE (FP APP 8)	\$4,300,000	\$4,300,000		\$2,800,000		\$433	
6880 DEPOT CONSTRUCTION		\$15,000		\$10,000		\$14,000	
Wages	\$4,800						
Overheads	\$3,059						
Plant Operation Costs	\$4,761						
Plant depreciation (non cash)	\$1,357						
Materials	\$1,023						
7120 ROMANS ROAD INVENTORY SYSTEM		\$8,000		\$3,261		\$3,261	
Program maintenance fee	\$4,600						
New Software	\$3,400						
Data collection							
7870 TRANSFER TO RESERVE		\$0		\$0		\$0	
Main street upgrade (FP APP 3)	\$0						
ROAD CONSTRUCTION - INCOME							
3221 MRWA DIRECT GRANTS	\$59,474		\$59,474		\$59,611		\$59,474
3321 ROYALTIES FOR REGIONS	\$0		\$0		\$393,491		\$393,491
3391 BALINGUP RD BLACKSPOT	\$0		\$0		\$80,000		\$80,000
3231 REGIONAL ROAD GROUP GRANTS			\$170,000		\$210,000		\$210,000
Balingup Rd	\$50,000						
Fouracres Rd	\$50,000						
Bridgetown Rd	\$30,000						
Cundinup/Kirup Rd	\$30,000						
Cundinup West Rd	\$10,000						
3251 MAJOR PROJECTS			\$0		\$100,000		\$100,000
Agg Rd	\$0						
3261 ROADS TO RECOVERY GRANTS			\$208,081		\$208,081		\$208,801
Reseal Program	\$208,081						
3281 MRWA BRIDGEWORK GRANT			\$93,000		\$1,206,000		\$1,206,000
Balingup Rd	\$93,000						
Agg Rd							
3341 MOWEN ROAD	\$5,000,000		\$5,000,000		\$200,000		\$1,070,000
3351 TIRES PROJECTS	\$125,000		\$125,000		\$95,000		\$95,000
3371 JALBARRAGUP BRIDGE	\$4,300,000		\$4,300,000		\$2,800,000		\$0
MAINTENANCE, STREETS, BRIDGES AND DEPOTS - OPERATING EXPENDITURE							
3160 BRIDGE MAINTENANCE		\$24,000		\$12,000		\$12,000	
Wages	\$4,000						
Overheads	\$2,549						
Plant Operation Costs	\$3,987						
Plant depreciation (non cash)	\$1,131						
Materials	\$12,353						
3230 CONSTRUCTION OF CROSSOVERS	\$5,000	\$5,000		\$1,000		\$0	
3242 INTEREST REPAYMENTS		\$167		\$946		\$946	
Loan 32 Underground Power Warren Rd (APP 2)	\$167						
3380 LOCAL ROAD MAINTENANCE		\$423,000		\$397,519		\$397,519	
Wages	\$98,000						
Overheads	\$62,446						
Plant Operation Costs	\$174,140						
Plant depreciation (non cash)	\$49,660						
Materials	\$15,754						
Modify Traffic Nibs - Warren Road (FP P62)	\$15,000						

SHIRE OF NANNUP- DRAFT 2010/11 CASH BUDGET

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INCOME AND EXPENDITURE DESCRIPTION	2010/11 detail	2010/11 BUDGET		2009/10 BUDGET		ANTICIPATED 30/6/2010	
		expense	Income	expense	Income	expense	Income
Review Parking Policies (FP P62)	\$8,000						
3410 ROAD VERGE MAINTENANCE		\$25,000		\$15,000		\$15,000	
Contract Tree Pruning	\$25,000						
3420 LIGHTING OF STREETS	\$16,000	\$16,000		\$14,000		\$15,000	
3440 CONTRACT STREET SWEEPING		\$7,000		\$7,000		\$7,000	
Contract sweeping - 2 to 3 services per year	\$7,000						
3450 TRAFFIC COUNTER PLACEMENT		\$5,001		\$5,000		\$3,500	
Wages	\$2,600						
Overheads	\$1,657						
Plant Operation Costs	\$579						
Plant depreciation (non cash)	\$165						
Materials & Other	\$0						
4012 GRAVEL PIT REHABILITATION & SEARCH		\$20,000		\$20,000		\$16,000	
Wages	\$3,500						
Overheads	\$2,230						
Plant Operation Costs	\$3,471						
Depreciation (non cash)	\$989						
Materials & Other	\$9,810						
3470 (4022, 3584) SAFETY MEASURES WORKS		\$7,500		\$9,500		\$9,000	
Pit Extension	\$4,000						
Lifting Chains and Inspection and web slings	\$1,500						
Radio Replacement	\$2,000						
3572 (3674) PURCHASE OF MINOR EQUIPMENT		\$18,500		\$3,600		\$3,244	
Trailer	\$4,000						
Mower	\$1,000						
Slasher	\$8,500						
Five year office equipment replacement program (FP APP.#1 P73)	\$5,000						
3682 TRANSFER TO RESERVES		\$330,000		\$230,000		\$230,000	
Plant Purchases (FP APP 3)	\$230,000						
Plant Replacement Reserve (Mowen Road Supervision Fee)	\$100,000						
MAINTENANCE, STREETS, BRIDGES AND DEPOTS - OPERATING INCOME							
3311 INCOME FROM CROSSOVER WORKS	\$500		\$500		\$500		\$0
3361 MOWEN RD SUPERVISION FEE	\$100,000		\$100,000		\$15,000		\$15,000
MAINTENANCE, STREETS, BRIDGES AND DEPOTS - CAPITAL EXPENDITURE							
3254 PRINCIPAL REPAYMENTS		\$4,868		\$9,258		\$9,258	
Loan 32 Underground Power Warren Rd (APP 2)	\$4,868						
ROAD PLANT PURCHASES OPERATING INCOME							
3696 PROCEEDS FROM LOAN			\$0		\$51,209		\$0
Plant Purchases	\$0						
3686 TRANSFER FROM RESERVE (FP P61)			\$230,000		\$230,000		\$230,000
Plant Purchases	\$230,000						
8393 INCOME FROM SALE OF ASSETS (FP APP7)			\$80,000		\$175,000		\$32,955
Cat 12H Grader	\$60,000						
Nissan Navara Dual Cab Utility	\$20,000						
ROAD PLANT PURCHASES CAPITAL EXPENDITURE							
3664 PURCHASE OF PLANT (FP APP 7)		\$420,000		\$440,000		\$457,779	
Grader (Replace Cat 12 H Grader)	\$340,000						
Utility (replace Nissan Navara)	\$35,000						
Free Roller	\$45,000						
SCHEDULE 13 - ECONOMIC SERVICES							
RURAL SERVICES - OPERATING EXPENDITURE							
3842 WEED CONTROL - ROAD RESERVES		\$4,500		\$7,000		\$7,000	
Weed Spraying - Contract Work	\$4,500						
3852 SCOTT RIVERS GROWERS GROUP	\$0	\$0				\$3,250	
3872 FERAL PIG PROGRAM		\$4,286		\$0		\$22,636	
Wages	\$3,000						
Superannuation	\$270						
Insurance	\$1,016						

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INCOME AND EXPENDITURE DESCRIPTION	2010/11 detail	2010/11 BUDGET		2009/10 BUDGET		ANTICIPATED 30/6/2010	
		expense	income	expense	income	expense	income
7152 ENVIRONMENTAL OFFICER	\$0	\$0					\$345
RURAL SERVICES - OPERATING INCOME							
3893 FERAL PIG PROGRAM	\$4,286		\$4,286		\$0		\$15,000
TOURISM AND AREA PROMOTION - OPERATING EXPENDITURE							
3862 FUNCTIONS AND EVENTS SUPPORT (Road closures etc.) (FP P69)		\$23,000		\$20,000		\$22,000	
Wages	\$11,500						
Overheads	\$7,328						
Plant Operation Costs	\$1,406						
Plant depreciation (non cash)	\$401						
Materials	\$2,385						
3932 CARAVAN PARKS AND CAMPING GROUNDS		\$14,440		\$46,399		\$20,560	
Contract Maintenance	\$2,000						
Insurance	\$669						
Water	\$661						
FESA Levy	\$110						
Connect caravan park timber toilet block to sewer (FP APP 4 P77)	\$2,500						
Caravan Parl Timber Toilet - replace gutter (FP A4 P77)	\$500						
Legal Costs - New Lease for Visitors Centre and Caravan Parks	\$3,000						
Paint Visitors Centre (Exterior) (FP A4 P77)	\$5,000						
Camp Kitchen (FP A4 P77)	\$2,000						
3912 CARAVAN PARKS AND CAMPING GROUNDS GARDENING		\$15,001		\$35,888		\$28,000	
Wages	\$5,500						
Overheads	\$3,505						
Plant Operation Costs	\$2,055						
Plant depreciation (non cash)	\$586						
Materials	\$355						
Tree inspection and Works	\$3,000						
BUILDING CONTROL - OPERATING EXPENDITURE							
4062 SALARY	\$65,229	\$65,229		\$85,470		\$33,600	
4072 SUPERANNUATION	\$7,787	\$7,787		\$7,714		\$2,365	
4092 ADMINISTRATIVE EXPENSES		\$7,800		\$6,728		\$5,600	
Administration Expenses	\$1,991						
Insurance	\$2,809						
Training	\$1,500						
Motor Vehicle Running Costs	\$1,500						
BUILDING CONTROL - OPERATING INCOME							
4153 CHARGES AND FEES/BUILDING. PERMITS			\$18,000		\$12,000		\$17,200
Income from Building Permits	\$18,000						
4225 INCOME FROM SALE OF ASSETS			\$3,600		\$6,000		\$5,530
Motor Vehicle (0.2)	\$3,600						
BUILDING CONTROL - CAPITAL EXPENDITURE							
4194 PLANT		\$6,200		\$8,400		\$9,808	
Motor Vehicle (0.2)	\$6,200						
OTHER ECONOMIC SERVICES - OPERATING INCOME							
4263 SALE OF MATERIAL	\$5,000		\$5,000		\$5,000		\$10,381
SCHEDULE 14 - OTHER PROPERTY AND SERVICES							
PRIVATE WORKS							
4292 PRIVATE WORKS - EXPENDITURE		\$20,969		\$21,017		\$22,000	
Wages	\$7,500						
Overheads	\$4,779						
Cleaners Wages	\$763						
Overheads	\$208						
Plant Operation Costs	\$5,000						
Plant depreciation (non cash)	\$1,425						
Materials	\$1,296						
4323 PRIVATE WORKS - INCOME			\$25,000		\$25,000		\$40,000
Plant Hire Income & Miscellaneous Private Works	\$25,000						
PUBLIC WORKS OVERHEADS - OPERATING EXPENDITURE							

SHIRE OF NANNUP- DRAFT 2010/11 CASH BUDGET

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INCOME AND EXPENDITURE DESCRIPTION	2010/11 detail	2010/11 BUDGET		2009/10 BUDGET		ANTICIPATED 30/6/2010	
		expense	income	expense	income	expense	income
4312 TRAINING		\$10,000		\$9,000		\$5,000	
Wages	\$4,800						
External training providers	\$5,200						
4322 LONG SERVICE LEAVE (NON CASH)	\$18,144	\$18,144		\$8,694			
4332 SALARIES	\$76,406	\$76,406		\$73,818		\$73,223	
4352 ANNUAL LEAVE EXPENSE (NON CASH)	\$65,065	\$65,065		\$61,648			
4362 SUPERANNUATION	\$77,592	\$77,592		\$75,683		\$90,111	
4382 DEPOT OFFICE EXPENSES	\$0	\$0				\$350	
4402 SICK LEAVE PAY	\$12,960	\$12,960		\$11,577		\$15,400	
4432 INSURANCE ON WORKS	\$52,407	\$52,407		\$51,074		\$50,632	
4462 PROTECTIVE CLOTHING	\$10,000	\$10,000		\$10,000		\$7,000	
4462 SAFETY MEETINGS - WAGES		\$3,500		\$3,500		\$1,000	
Wages paid during safety meeting attendance	\$3,500						
4532 ADMINISTRATIVE EXPENSES		\$1,000		\$1,000		\$0	
Technical papers	\$1,000						
6792 PUBLIC HOLIDAY PAY	\$31,104	\$31,104		\$27,784		\$32,781	
7672 RECRUITMENT EXPENSES		\$2,000		\$2,000		\$0	
Advertising	\$2,000						
9562 DEPRECIATION (NON CASH)	\$20,031	\$20,031		\$19,444			
7422 LESS P.W.O. ALLOCATED	-\$380,209	-\$380,209		-\$355,222		-\$364,153	
PLANT OPERATION COSTS - OPERATING EXPENDITURE							
4472 WAGES		\$68,019		\$64,546		\$64,546	
Mechanic	\$68,019						
Others							
4482 TYRES AND BATTERIES		\$25,000		\$25,000		\$25,000	
Tyres and Batteries Requirement	\$25,000						
4492 INSURANCES AND LICENSES		\$21,100		\$19,778		\$20,021	
Insurance	\$15,737						
Licenses	\$5,363						
4982 FUEL AND OIL	\$250,000	\$250,000		\$250,000		\$180,000	
4992 SUNDRY TOOLS AND STORES	\$4,000	\$4,000		\$4,000		\$1,000	
6802 PARTS AND EXTERNAL WORK	\$55,000	\$55,000		\$55,000		\$55,000	
9382 DEPRECIATION (NON CASH)	\$168,698	\$168,698		\$169,096			
4512 LESS POC ALLOCATED TO WORKS AND SERVICES	-\$591,817	-\$591,817		-\$587,420		-\$467,261	
LESS NON CASH ITEMS		-\$251,907		-\$258,882			
TOTALS		\$14,995,247	\$14,174,074	\$10,411,316	\$10,380,450	\$6,624,543	\$6,529,754
(SURPLUS) DEFICIT ANTICIPATED		\$821,173				\$94,789	

NON CASH ITEMS CONTAINED IN CASH BUDGET

Plant depreciation	\$168,698	
Long service leave	\$18,144	
Annual leave	\$65,065	\$251,907

AGENDA NUMBER: 10.7
SUBJECT: Monthly Financial Statements for 31 May 2010
LOCATION/ADDRESS: Nannup
NAME OF APPLICANT:
FILE REFERENCE: FNC 15
AUTHOR: Craig Waddell – A/Chief Executive Officer
DISCLOSURE OF INTEREST:
DATE OF REPORT: 10 June 2010

Attachment: Monthly Financial Statements for the period ending 31 May 2010.

COMMENT:

The monthly Financial Statements for the period ending 31 May 2010 are attached.

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulation 34 (1)(a).

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS: Nil.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

That the Monthly Financial Statements for the period ending 31 May 2010 be received.

8413 CAMARRI/PINKERTON

That the Monthly Financial Statements for the period ending 31 May 2010 be received.

CARRIED 8/0

STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2009 TO 31 MAY 2010

<u>Operating</u>	Y-T-D Actual \$	Y-T-D Budget \$	2009/10 Budget \$	Variances Y-T-D Budget to Actual %
Revenues/Sources				
Governance	0	0	0	0%
General Purpose Funding	1,767,286	1,749,198	807,500	1%
Law, Order, Public Safety	213,828	67,618	89,690	216%
Health	1,809	1,826	2,000	(1%)
Education and Welfare	5,985	0	0	0%
Housing	30,903	28,347	30,940	9%
Community Amenities	106,214	102,955	82,400	3%
Recreation and Culture	178,579	2,465,368	1,691,742	(93%)
Transport	2,699,275	4,901,393	5,367,683	(45%)
Economic Services	41,937	15,576	17,000	169%
Other Property and Services	39,976	22,913	25,000	74%
	<u>5,085,792</u>	<u>9,355,194</u>	<u>8,113,955</u>	<u>(46%)</u>
(Expenses)/(Applications)				
Governance	(180,688)	(213,462)	(240,234)	(15%)
General Purpose Funding	(119,398)	(129,095)	(146,284)	(8%)
Law, Order, Public Safety	(172,858)	(156,934)	(212,889)	10%
Health	(29,773)	(28,950)	(32,970)	3%
Education and Welfare	(91,679)	(100,372)	(110,196)	(9%)
Housing	(24,115)	(29,863)	(46,556)	(19%)
Community Amenities	(282,890)	(482,896)	(510,493)	(41%)
Recreation & Culture	(513,357)	(553,900)	(626,026)	(7%)
Transport	(559,428)	(623,029)	(2,107,877)	(10%)
Economic Services	(164,395)	(204,648)	(230,376)	(20%)
Other Property and Services	315,151	144,908	(21,017)	117%
	<u>(1,823,430)</u>	<u>(2,378,242)</u>	<u>(4,284,918)</u>	<u>(23%)</u>
Adjustments for Non-Cash				
(Revenue) and Expenditure				
(Profit)/Loss on Asset Disposals	26,891	0	2,861	0%
Depreciation on Assets	1,408,258	1,294,782	1,782,936	9%
Capital Revenue and (Expenditure)				
Purchase Land and Buildings	(395,277)	(2,280,556)	(2,286,404)	(83%)
Purchase Infrastructure Assets - Roads	(2,183,435)	(4,828,423)	(4,906,000)	(55%)
Purchase Plant and Equipment	(609,296)	(458,726)	(495,400)	33%
Purchase Furniture and Equipment	(1,217)	(12,500)	(12,500)	(90%)
Proceeds from Disposal of Assets	(1)	196,413	211,000	(100%)
Repayment of Debentures	(15,162)	(17,743)	(19,375)	(15%)
Proceeds from New Debentures	0	51,209	449,209	0%
Leave Provisions	136,165	136,165	136,165	0%
Depreciation - Plant Reversal	0	0	(56,542)	0%
Accruals	23,728	23,728	23,728	0%
Transfers to Reserves (Restricted Assets)	0	0	(265,000)	0%
Transfers from Reserves (Restricted Assets)	0	0	620,500	0%
 ADD Net Current Assets July 1 B/Fwd	 87,271	 87,271	 87,271	
LESS Net Current Assets Year to Date	1,973,940	0	0	
 Amount Raised from Rates	 <u>(233,653)</u>	 <u>1,168,572</u>	 <u>(898,514)</u>	

SHIRE OF NANNUP

STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2009 TO 31 MAY 2010

	2009/10 Actual \$	Brought Forward 01-July-2009 \$
NET CURRENT ASSETS		
Composition of Estimated Net Current Asset Position		
CURRENT ASSETS		
Cash - Unrestricted	2,132,277	327,890
Cash - Restricted	92,355	1,662,903
Cash - Reserves	926,652	900,232
Receivables	261,378	325,478
Inventories	0	0
	<u>3,412,662</u>	<u>3,216,503</u>
LESS: CURRENT LIABILITIES		
Payables and Provisions	<u>(419,715)</u>	<u>(566,097)</u>
	2,992,947	2,650,406
Less: Cash - Reserves - Restricted	(1,019,007)	(2,563,135)
NET CURRENT ASSET POSITION	<u>1,973,940</u>	<u>87,271</u>

SHIRE OF NANNUP

STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD 1 JULY 2009 TO 31 MAY 2010

REPORT ON MATERIAL VARIANCES BETWEEN YEAR TO DATE BUDGET ESTIMATE AND YEAR TO DATE ACTUAL.

All except nine of the variances shown in the above named statement of financial activity are outside of the adopted variance of 10%.

The main reason for the variances is that expenditure and income is not occurring as predicted by Officers during the budget development stage. This is due to a number of reasons, the main one being not accurately projecting cashflows throughout the year, i.e. predicting when the budgeted income or expenditure will occur as opposed to when it actually occurs. Other reasons are not receiving a grant for grant dependant expenditure, projects controlled by Advisory Committees, suppliers/contractors not having the capacity to undertake the works within Council's timeframes, altered Council priorities, etc.

The following provides the major reasons for the programs that have variances outside of the adopted variance:

REVENUE:

Law, Order and Public Safety: Operating FESA grants (-\$40,000) received but not budgeted for and receipt of offsetting grant and expenditure for Nannup Brook fast attack (-\$94,000) not budgeted for.

Recreation and Culture: An accrual for a grant for the refurbishment of the Town Hall chairs (-\$10,000) and a grant for the rock climbing wall (\$45,000) has not been received when anticipated. Four grants for outdoor gym equipment (-\$10,000), Royalties for Regions (-\$50,000), cycle path (-\$35,931), and bicycle racks (-\$7,710) were not budgeted for. Grant income of \$240,000 associated with the ablution blocks and Marinko Tomas playground upgrade have not been received as budgeted. Income relating to the Co-location Building (Grants, Reserve & Loan Funds totalling \$2,131,000 will not be received as the project has been discontinued.

Transport: Income from various Main Roads WA grants not received as predicted in budgeting process (-\$2,115,000). Income from Sale of Assets not received as budgeted (-\$193,000). Income from loan for plant not received as budgeted (-\$51,000).

Economic Services: Received more fees for building licenses and sale of material than predicted in budgeting process (\$12,000) and Ferel Pig Program income (\$15,000) received but not budgeted for.

Other Property and Services: Received more Private Works income than budgeted for (\$17,000).

EXPENDITURE

Governance: Councillor Allowances (-\$14,000), Refreshments and Functions (-\$4,000), Donations (\$2,000) and Conference Expenses (-\$6,000) not expended as predicted in budgeting process.

Housing: Maintenance on housing (-\$4,000) not expended as predicted in budgeting process.

Community Amenities: Expenditure not occurring as predicted in budgeting process in the areas of Parking Strategy (-\$8,000), Town Planning Scheme (\$5,000), Town Planning Services (-\$97,000), Contractors Collection fees (-\$5,000), Administration Expenses (-\$18,000), Rubbish Site Maintenance (-\$33,000), community infrastructure plan (-\$13,000), Local Planning Scheme amendments (-\$19,000), Public conveniences (\$12,000), and cemetery operations (-\$18,000).

Transport: Expenditure not occurring as predicted in budgeting process in the areas of Bridge Maintenance (\$2,000), Depot Maintenance (-\$4,000), Local Road Maintenance (-\$35,000), Verge Maintenance (-\$4,000), Safety Measures (-\$3,000), Profit and Loss on Sale of Assets (\$27,000), and Gravel Pit rehabilitation (-\$6,000).

Economic Services: Expenditure not occurring as predicted in budgeting process in the areas of Functions and Events (\$3,000), Ferel Pig Program (\$23,000), Caravan Parks (-\$27,000), Superannuation (-5,000), noxious weeds and pests (-\$4,000), and salaries (-\$31,000).

Other Property and services: Recovery of expenses via Public Works Overheads and Plant Operating Costs not occurring as budgeted.

OTHER ITEMS

Purchase Land and Buildings: Expenditure not occurring as predicted in budgeting process in the areas of Co location Building (-\$1,966,000), Foreshore Park and Balingup Rd Caravan Park Ablution Blocks (\$79,000), Bush Fire Brigade and Depot Construction (\$3,000).

Purchase Infrastructure Assets Roads: Expenditure not occurring as predicted in budgeting process in the areas of Council Road Program (\$189,000), Mowen Road (\$256,000), MRWA bridge program (-\$301,000), Balingup Rd Blackspot (\$4,000) Jalbarragup Bridge (-\$2,800,000) and TIRES projects (\$-14,000).

Purchase Plant and Equipment: Purchase not undertaken as budgeted (-\$151,000).

Purchase Furniture and Equipment: Purchase not undertaken as budgeted (\$11,000).

Proceeds from Disposal of Assets: Sale of plant not occurring as budgeted (-\$196,000).

Repayment of Debentures: Not undertaken as budgeted (\$2,000).

AGENDA NUMBER: 10.8
SUBJECT: Occupation Safety and Health Policy
LOCATION/ADDRESS: Nannup
NAME OF APPLICANT:
FILE REFERENCE: PSN 9
AUTHOR: Craig Waddell – A/Chief Executive Officer
DISCLOSURE OF INTEREST:
DATE OF REPORT: 10 June 2010

BACKGROUND:

Council has had in place an Occupation Safety and Health Policy since 2003. The policy requires periodical review to ensure that it continues to meet changing legislative requirements.

COMMENT:

Best practice dictates that the policy should be reviewed regularly. The policy itself states that it should be reviewed annually. It was last reviewed in August 2009.

The policy has been reviewed and requires no changes at the moment.

STATUTORY ENVIRONMENT:

Occupation Safety and Health Act 1994.

POLICY IMPLICATIONS: Review of policy.

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS: Nil

RECOMMENDATION:

That Council adopt the following updated Occupation Safety and Health policy:

“SAFETY AND HEALTH POLICY

The Shire of Nannup is committed to providing a safe and healthy working environment for all employees, volunteers, contractors, suppliers, visitors and non-employees by conforming with current legislation, regulations, codes of practice, best practice and appropriate national standards. The objectives of this policy are to:

- avoid, eliminate and control workplace hazards;

- provide employees with safety information, supervision and training appropriate to the hazards they are likely to encounter;
- continuously improve the standard of occupational safety and health for all employees.

The responsibility for implementing this policy rests with the Chief Executive Officer.

The Manager Corporate Services is assigned the authority to act as the Safety Co-Ordinator and is responsible for initiating and driving all safety and health strategies on behalf of the Chief Executive Officer through all levels of management throughout the organisation.

All employees are responsible for safety and health by taking reasonable care for their own safety and health at work and to avoid harming the safety and health of other people through any act or omission at work.

Safety and health issues will be dealt with in consultation with employees through the elected safety and health representative. Council will provide the time and resources necessary to implement this policy and will identify hazards, assess risks and develop the necessary plans and procedures to improve all aspects of workplace safety and health.

This policy will be kept under continuous review by Council and employees and will be formally reviewed every twelve months.

Depot Representative
Date:

Administration Representative
Date:

Chief Executive Officer
Date:

Shire President
Date:

Review Date: June 2011"

8414 PINKERTON/BOULTER

That Council adopt the following updated Occupation Safety and Health policy:

"SAFETY AND HEALTH POLICY

The Shire of Nannup is committed to providing a safe and healthy working environment for all employees, volunteers, contractors, suppliers, visitors and non-employees by conforming with current legislation, regulations, codes of practice, best practice and appropriate national standards. The objectives of this policy are to:

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This policy will be kept under continuous review by Council and employees and will be formally reviewed every twelve months.

Depot Representative
Date:

Administration Representative
Date:

Chief Executive Officer
Date:

Shire President
Date:

Review Date: June 2011"

CARRIED 8/0

AGENDA NUMBER: 10.9
SUBJECT: FROGS Early Learning Centre, Nannup
LOCATION/ADDRESS: Grange Rd, Nannup
NAME OF APPLICANT:
FILE REFERENCE: FNC 6R
AUTHOR: Louise Stokes – Community Development Officer
DISCLOSURE OF INTEREST:
DATE OF REPORT: 7 June 2010

Attachments: 1. Concept Building Plan FROGS Early Learning Centre
2. Concept Landscaping Plan FROGS Early Learning Centre
(A3 copies on display)

BACKGROUND:

At the April 2010 meeting Council resolved:

1. *That Council pay for the development of building and landscaping concept plans utilising funds currently set aside for the purpose of the development of a childcare facility.*
2. *That the concept plans for the childcare facility be forwarded to Council for approval prior to the development of working drawings.*

Consultation has been undertaken with NOCCA and the Children Services Officer and the Childcare Services Licensing Unit. Concept building and landscaping plans have been developed for the FROGS Early Learning Centre and reviewed by the Children's Services Support Unit.

COMMENT:

The plans have been developed with full consultation with NOCCA and the subcommittee of the FROGS Early learning Centre, with letters of confirmation received to this effect.

Estimates have been received with both plans. The estimate for the building plans which have been designed to the minimum of the childcare licensing requirements is \$180,000. The landscaping plans have been staged so that Council can determine the level of development they wish to contribute to. The estimate for the minimum requirements by Council for the landscaping plans is \$36,240. Car parking bays are allocated on a ration of one bay to 5 children. There has been an allowance of ten bays at the front of the building plus possible extension of a further ten bays at the rear of the Kindergarten. An estimate of \$25,000 has been allocated for carparking, based on \$2,500 per bay.

The total value of the project is estimated to be \$310,740 which is made up of:
Building and construction \$180,000

Car parking	\$ 25,000
Base landscaping	\$ 36,240
Installation play areas	\$ 16,000
Fit Out	\$ 40,000
Signage	\$ 2,000
Working drawings	\$ 6,500
Project management	\$ 5,000

Based on these plans and estimates, Council must now determine if they are willing to proceed with the project.

Last week the State Government (Department for Communities) indicated that funding to Occasional Care facilities would be cut by 52%, effective October 2010, which according to NOCCA would result in their closure. Due to the proposed FROGS Early Learning Centre project, NOCCA has received a verbal assurance that their funding will be retained on the proviso that they will be moving to Long Day Care (5 days per week) with the completion of the Grange Rd project.

There are several options that Council may wish to consider:

Option 1.

That Council consider that the provision of child care services is not core Council business and due to the estimated total project cost of \$310,740 the project does not proceed. This will mean that NOCCA loses State Government funding and no childcare services would be available in Nannup.

Option 2.

That Council sets a contribution cap to this project of \$100,000 as indicated in the amended draft budget from the meeting of 27 May 2010 with the balance of funds to be sourced through grant funding.

Initial correspondence with Lotterywest indicates that funding is available up to \$150,000 for construction and fit out. The funding round is currently open and closes in September which fits with the project timeframe. Other funding will need to be sourced.

Option 3.

That Council acknowledges the establishment of a childcare centre is a necessary social service for the community and funds this project fully.

Option 2 is the recommendation of the Officer.

STATUTORY ENVIRONMENT: Nil

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS:

No financial implications this financial year.

STRATEGIC IMPLICATIONS:

Council's draft Forward Plan 2010/11 – 2014/15 contains in year 2010/11 an estimate of \$300,000 to undertake a capital upgrade of childcare premises.

Note that the original purpose of this was to draw down upon funds held in reserve of \$224,112 (As at 31/5/10) for the purpose of the upgrade of the existing Kindergarten located on the corner of Adam St and Grange Rd to accommodate the Kindergarten, NOCCA and Playgroup.

RECOMMENDATIONS:

1. That Council accepts the concept building and landscaping plans as attached for the development of the FROGS Early Learning centre on Grange Road.
2. That Council develop building working plans at the quoted price of \$6,000 and landscaping working plans at the quoted price of \$525.
3. That Council contribute \$100,000 to the project and the balance of the project to be sourced by grant funding.
4. That a planning application be lodged.
5. That funding in full is secured prior to the appointment of a builder.

BOULTER/PINKERTON

1. That Council accepts the concept building and landscaping plans as attached for the development of the FROGS Early Learning centre on Grange Road.
2. That Council develop building working plans at the quoted price of \$6,000 and landscaping working plans at the quoted price of \$525.
3. That Council acknowledges the establishment of a Child Care Centre is a necessary social service for the community and funds this project fully.
4. That a planning application be lodged.
5. That funding in full is secured prior to the appointment of a builder.

LOST 2/6

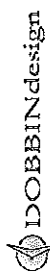
Councillors voting for the motion: Boulter and Pinkerton.

Councillor voting against: Camarri, Dean, Dunnet, Gilbert, Lorkiewicz and Mellema.

8415 DUNNET/LORKIEWICZ

1. That Council accepts the concept building and landscaping plans as attached for the development of the FROGS Early Learning centre on Grange Road.
2. That Council develop building working plans at the quoted price of \$6,000 and landscaping working plans at the quoted price of \$525.
3. That Council contribute \$100,000 to the project and the balance of the project to be sourced by grant funding.
4. That a planning application be lodged.
5. That funding in full is secured prior to the appointment of a builder.

CARRIED 8/0



Gary Dobbins
DOBBINdesign
PO Box 22
NANNUP WA 6675
dobbinsdesign@westnet.com.au
08 9396 1507
0447 968357

PROJECT
Concept Design
for
FROGS
EARLY LEARNING
CENTRE

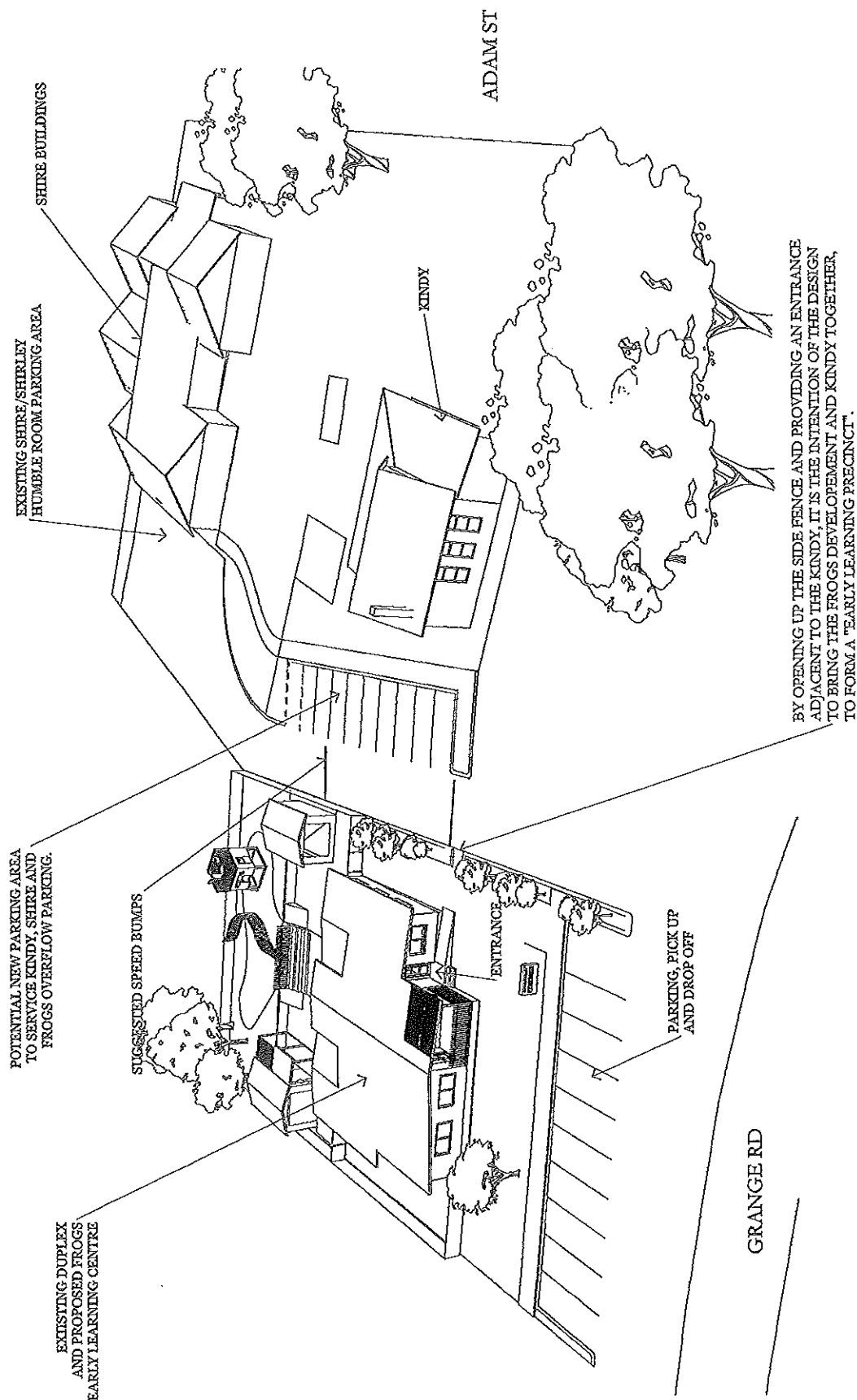
CLIENT
Nannup Shire/NOCCA
Adam St
NANNUP, WA
(08) 9756 1018

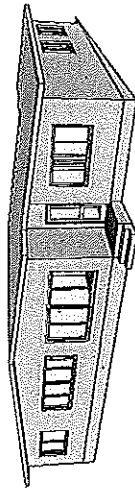
DRAWN BY
Gary Dobbins

ISSUE
28.04.2010

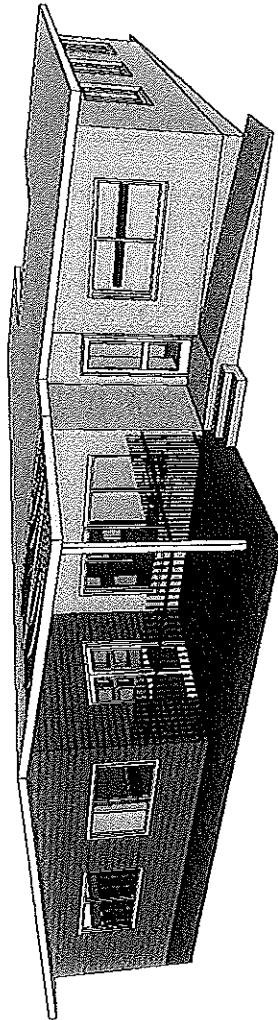
FINISHED
18.05.2010

DESCRIPTION
Site Plan

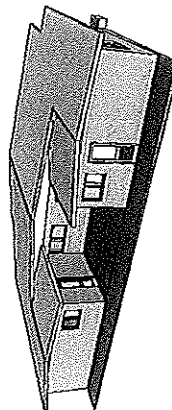




BEFORE



AFTER



CLIENT

Nannup Shire/NOCCA
Adam St
NANNUP, WA
(08) 9756 1018

PROJECT

Concept Design
for
FROGS
EARLY LEARNING
CENTRE

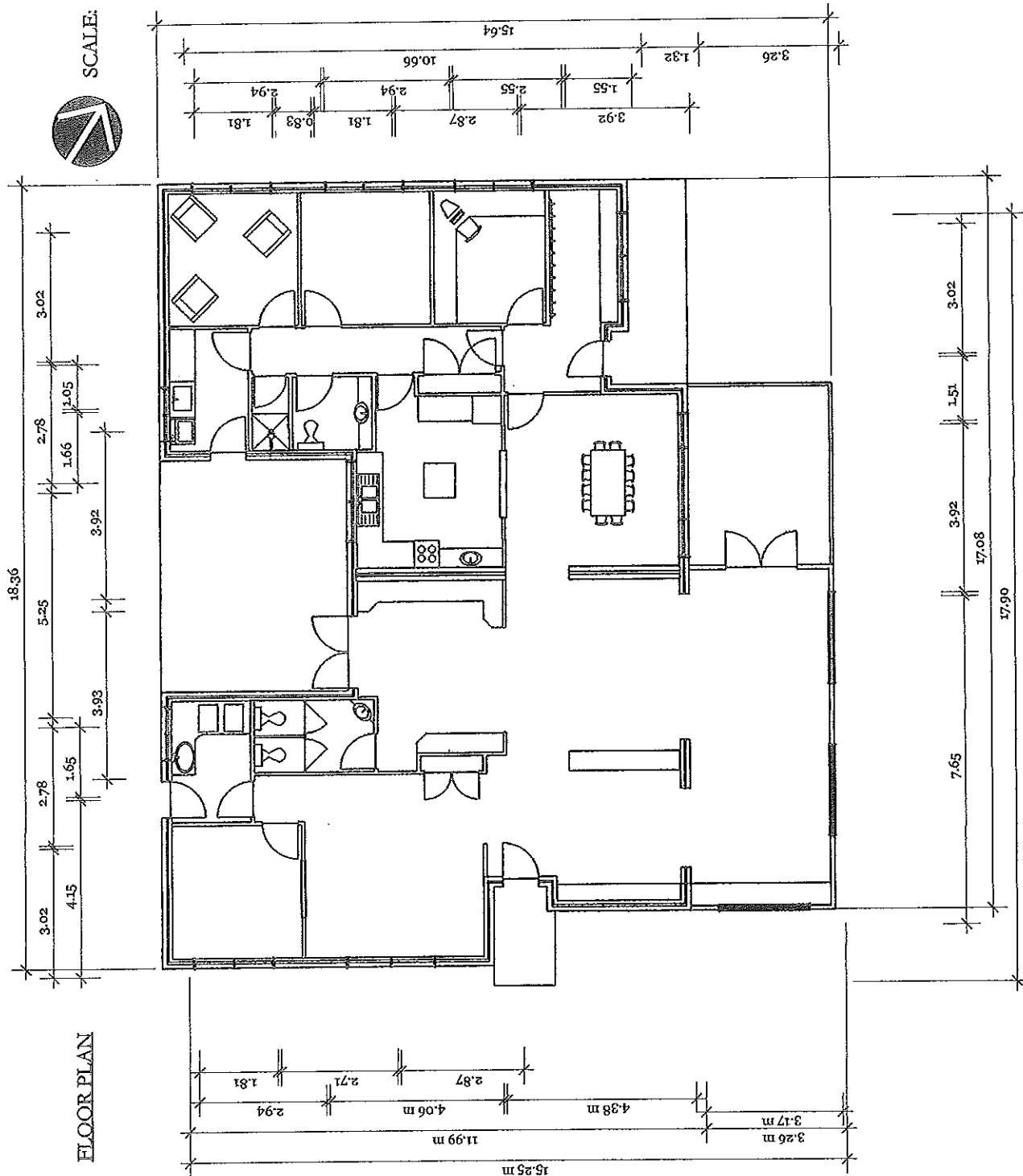
DRAWN BY
Gary Dobbin

ISSUE
28.04.2010

FINISHED
18.05.2010

DESCRIPTION
Before and After

SCALE: 1:100



PROJECT
Concept Design
for
**FROGS
EARLY LEARNING
CENTRE**

CLIENT
Nannup Shire/NOCCA
Adam St
NANNUP, WA
(08) 9756 1018

DRAWN BY
Gary Dobbin

ISSUE
28.04.2010

FINISHED
18.05.2010

DESCRIPTION
Floor Plan

PROJECT
Concept Design
for
FROGS
EARLY LEARNING
CENTRE

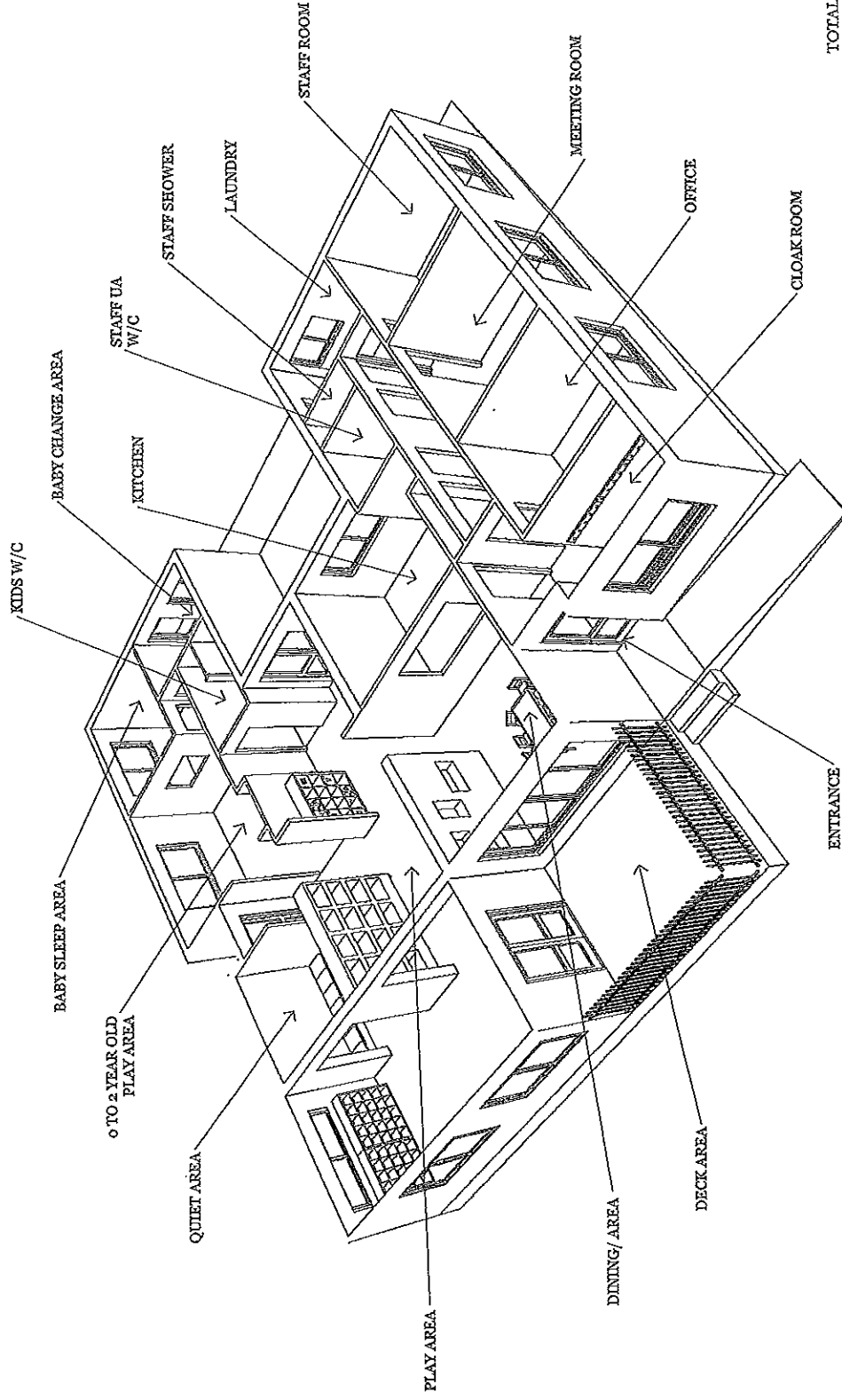
CLIENT
Nannup Shire/NOCCA
Adam St
NANNUP, WA
(08) 9756 1018

DRAWN BY
Gary Dobbin

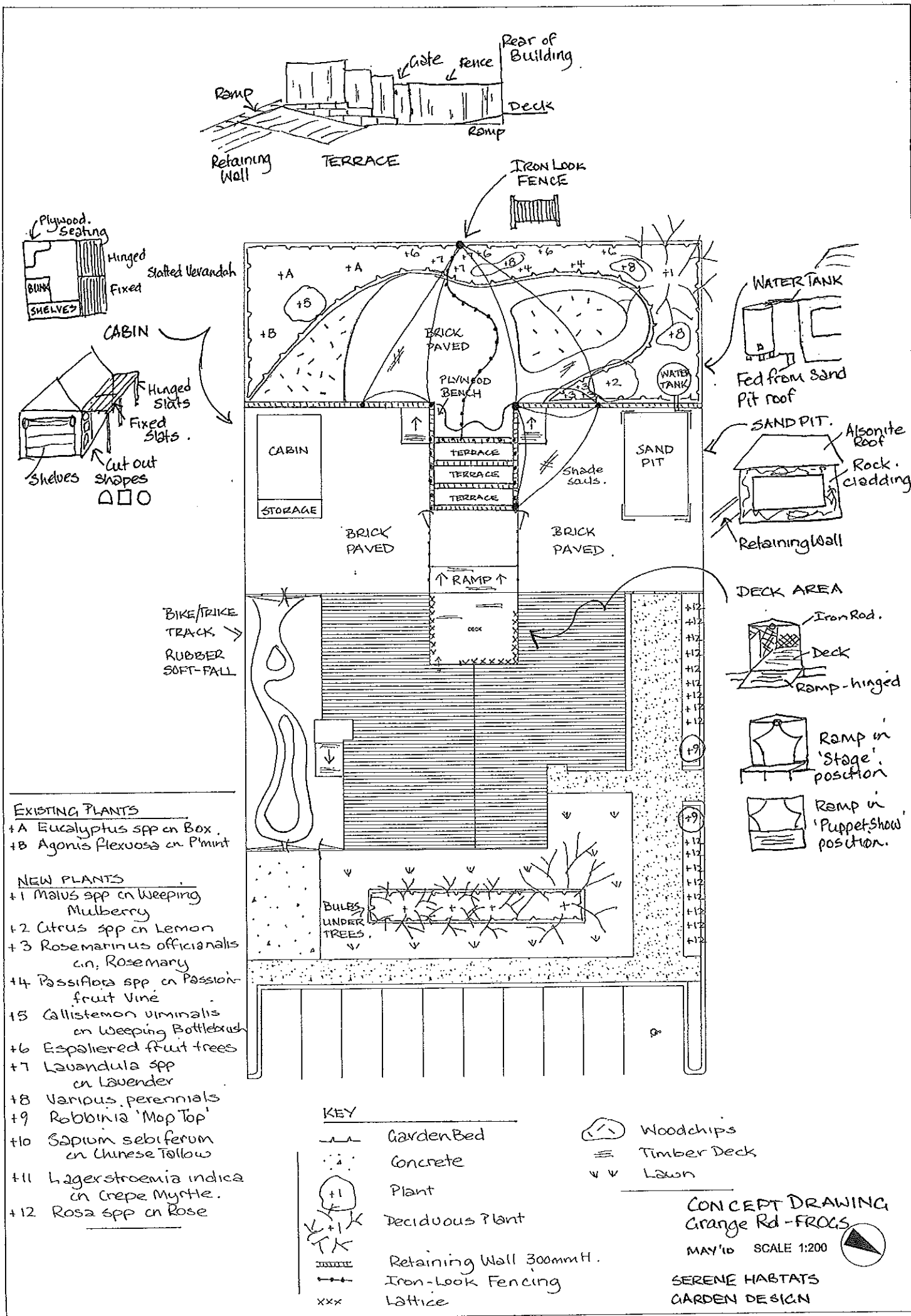
ISSUE
28.04.2010

FINISHED
18.05.2010

DESCRIPTION
Proposed Layout

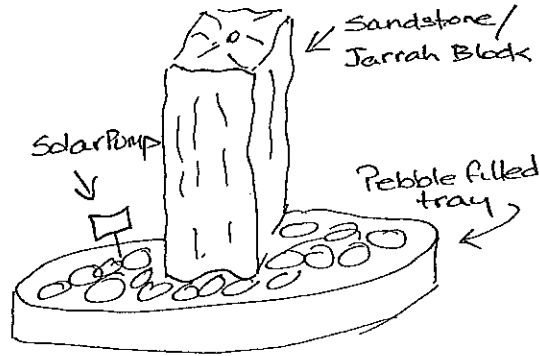
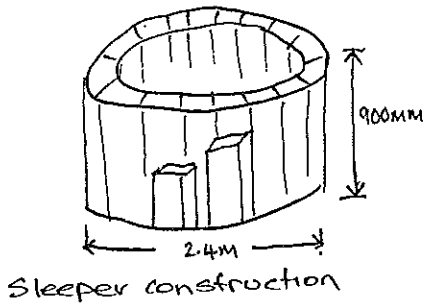


TOTAL PLAY AREA
99.5 m²
SLEEP AREA
9.0 m²
STAFF ROOM
9.0 m²
MEETING ROOM
9.0 m²
OFFICE
7.8 m²

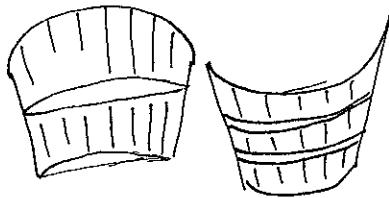
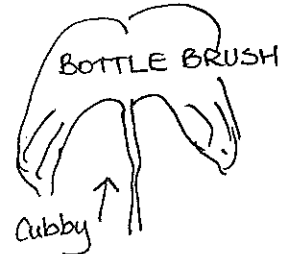


PLAY EQUIPMENT GRANGE RD FROGS.

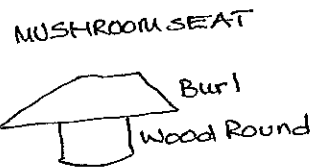
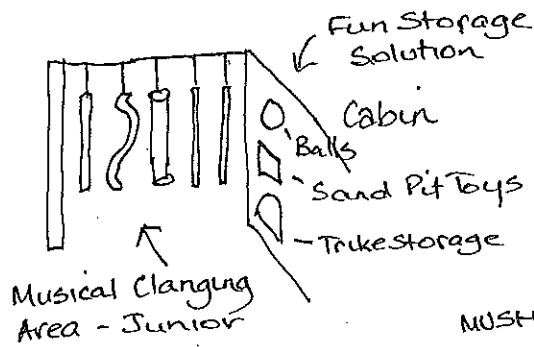
SAND PIT - Junior



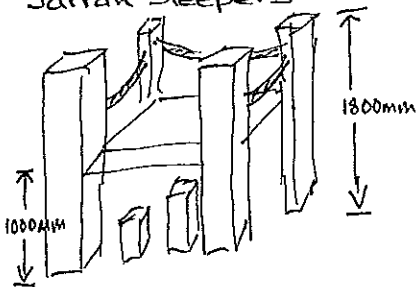
WATER PLAY - Junior



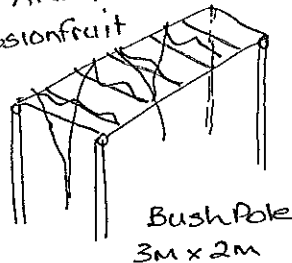
Barrell Love Seat
Junior



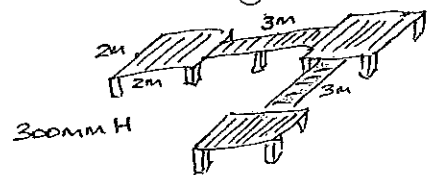
FORT - Senior
Jarrah Sleepers



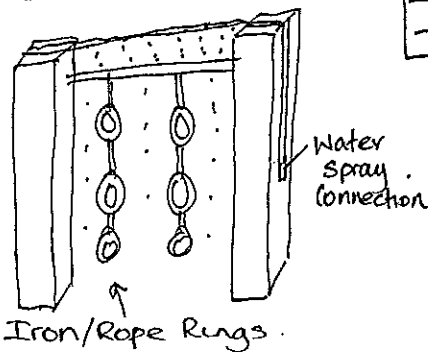
ARCHWAY OVER PATH
Passionfruit



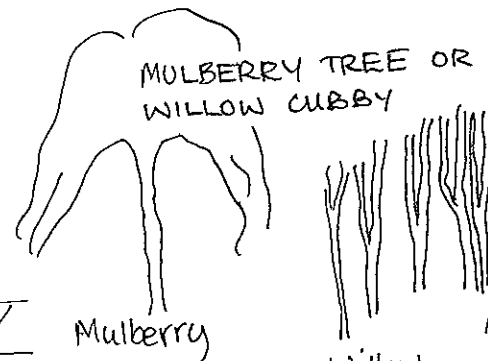
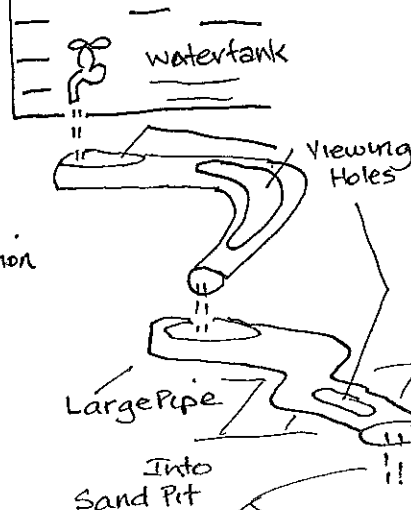
JETTY - Seniors
To go thru Sand Pit



CLIMBING FRAME



WATER PLAY - Senior



Water Receptacle - cupped hands, a shell, a rock pool.

AGENDA NUMBER: 10.10
SUBJECT: Accounts for Payment
LOCATION/ADDRESS: Nannup Shire
FILE REFERENCE: FNC 8
AUTHOR: Tracie Bishop – Administration Officer
DISCLOSURE OF INTEREST:
DATE OF REPORT: 15 June 2010

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 1446 - 1519 \$154,370.38

Accounts Paid By Cheque
Vouchers 18127– 18156 \$ 35,659.67

Direct Debits
Vouchers 99181 – 99186 \$ 40,023.09

Trust Account

Accounts Paid By Cheque
Voucher – 22728 \$160.00

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 \$230,213.14 in the attached schedule be accepted.

8416 PINKERTON/DEAN

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$230,213.14 in the attached schedule be accepted.

CARRIED 8/0

**SCHEDULE OF ACCOUNTS PAYABLE
SHIRE OF NANNUP
SUBMITTED TO COUNCIL'S MAY 2010 MEETING**

MUNICIPAL PAYMENTS

Chq/EFT	Name	Description	Amount
EFT1446	BUILDERS REGISTRATION BOARD OF WA	BRB COLLECTED 1/03 TO 22/04	\$414.00
EFT1447	WADIFARM CONSULTANCY SERVICES	CONSULTANCY FEES	\$2,860.00
EFT1448	WA LOCAL GOVERNMENT SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	\$10,848.08
EFT1449	GEOGRAPHE FORD PTY LTD	VEHICLE SERVICE	\$454.00
EFT1450	DEPARTMENT OF PREMIER AND CABINET	STANDING ORDERS ADVERTISEMENT	\$1,877.25
EFT1451	BP NANNUP	FUEL FOR MOWEN ROAD	\$11,250.63
EFT1452	AB NOTE AUSTRALASIA PTY LTD	LIBRARY CARDS	\$1,278.20
EFT1453	SOUTHERN LOCK & SECURITY	SUPPLY PADLOCKS	\$43.00
EFT1454	BUSSELTON PEST & WEED CONTROL	PEST CONTROL	\$1,430.00
EFT1455	LANDGATE	LAND ENQUIRIES	\$90.00
EFT1456	KIM DAWE	PNEMONIA ROAD - BRIDGE	\$9,603.00
EFT1457	INSIGHT CCS PTY LTD	AFTER HOURS SERVICE	\$21.45
EFT1458	JASON SIGNMAKERS	STREET SIGNAGE - TOURIST SIGNS	\$335.72
EFT1459	JEM TRUCK SALES	SUNDRY SUPPLIES	\$300.33
EFT1460	NANNUP EZIWAY SELF SERVICE STORE	SUNDRY SUPPLIES, GAS & CLEANING PRODUCTS	\$622.18
EFT1461	NANNUP TELECENTRE	SHIRE NOTES	\$341.00
EFT1462	SW PRECISION PRINT	RATE NOTICE STATIONERY	\$1,243.00
EFT1463	GT BRAKE & CLUTCH REPAIRS	VEHICLE REPAIRS	\$408.41
EFT1464	WALGA	ADVERTISING	\$163.66
EFT1465	LAUREN CARTLEDGE	CIRCUIT CLASS AND SOCIAL TENNIS	\$556.25
EFT1466	GEOGRAPHE FORD PTY LTD	30,000 KM SERVICE	\$454.00
EFT1467	ENVIRONMENTAL HEALTH ASSOCIATION OF AUSTRALIA	ENVIRONMENTAL HEALTH MEMBERSHIP	\$220.00
EFT1468	BUSSELTON PEST & WEED CONTROL	PEST CONTROL	\$4,224.00
EFT1469	COURIER AUSTRALIA	FREIGHT CHARGES	\$454.39
EFT1470	FITZ GERALD STRATEGIES	PROFESSIONAL ADVICE	\$202.42
EFT1471	THE GOOD FOOD SHOP	GIFT VOUCHER	\$75.00
EFT1472	NANNUP NEWSAGENCY	POSTAGE & STATIONERY COSTS	\$649.11
EFT1473	RICOH BUSINESS CENTRE	METER PLAN - PHOTOCOPIER	\$191.36
EFT1474	LOUISE STOKES	RECoup OF EXPENSES	\$266.76
EFT1475	CRAIGE WADDELL	RECoup OF EXPENSES	\$64.95
EFT1476	DEATH GRENADE	PERFORMANCE AT PEDAL TO THE METAL EVENT	\$200.00
EFT1477	THE CRAW	PERFORMANCE AT PEDAL TO THE METAL	\$200.00
EFT1478	LAUREN CARTLEDGE	TRAINING FEES	\$187.50
EFT1479	BELL FIRE EQUIPMENT	FIRE EXTINGUISHER MAINTENANCE	\$1,441.66
EFT1480	CORPORATE EXPRESS	STATIONERY SUPPLIES	\$68.08
EFT1481	FIRE AND EMERGENCY SERVICES AUTHORITY	ESL FOR 4TH QUARTER 2009/10	\$4,658.43
EFT1482	NANNUP LIQUOR STORE	REFRESHMENTS	\$238.91
EFT1483	PRESTIGE PRODUCTS	CLEANING PRODUCTS	\$176.00
EFT1484	BLACKWOOD VALLEY BUS SERVICE	BUS CHARTER - SENIORS PROGRAM	\$158.00
EFT1485	AQUA SHED	PARTS/EQUIPMENT	\$111.30
EFT1486	BELL FIRE EQUIPMENT	EXTINGUISHER/FIRE BLANKET	\$793.33
EFT1487	COURIER AUSTRALIA	FREIGHT CHARGES	\$39.00
EFT1488	CJD EQUIPMENT PTY. LTD.	GRADER LUBRICANT	\$282.06
EFT1489	FIRE AND EMERGENCY SERVICES AUTHORITY	4 FIRE PERMIT BOOKS	\$57.02
EFT1490	K & C HARPER	MAINTENANCE	\$104.50
EFT1491	NANNUP HARDWARE & AGENCIES	SUNDRY SUPPLIES	\$734.20
EFT1492	NANNUP TIMBER PROCESSING	GREEN JARRAH GUIDE POSTS	\$1,782.00
EFT1493	IT VISION	UPGRADE OF UNIVERSE & SYNERGY SOFT	\$1,100.00
EFT1494	NANNUP SURVEYS	MOWEN ROAD SURVEY	\$6,539.50
EFT1495	PICTON TYRE CENTRE PTY LTD	TYRES	\$1,840.00
EFT1496	NANNUP BRIDGE CAFE	CATERING 'CUPPA WITH A COUNCILLOR'	\$70.00
EFT1497	BP NANNUP	FUEL ACCOUNT	\$16,545.55
EFT1498	COURIER AUSTRALIA	FREIGHT CHARGES	\$185.37
EFT1499	DOBBIN DESIGN	CONCEPT PLANS -FROGS EARLY LEARNING CENTRE	\$3,960.00
EFT1500	JASON SIGNMAKERS	DEPTH MARKER	\$258.28
EFT1501	WA LIBRARY SUPPLIES	LIBRARY BOOK REPAIR EQUIPMENT.	\$31.50
EFT1502	MYERS EQUESTRIAN AND AGRICULTURAL SERVICES	VERGE/DRAIN CLEANING	\$6,424.00
EFT1503	NANNUP EZIWAY SELF SERVICE STORE	REFRESHMENTS AND CLEANING NO GST	\$132.27
EFT1504	SERENE HABITATS GARDEN DESIGN	CONCEPT PLANS	\$1,500.00
EFT1505	IT VISION	IT SUPPORT	\$561.00
EFT1506	WESTRAC EQUIPMENT	PLANT REPAIR/PARTS	\$29,686.73
EFT1507	WML CONSULTANTS	CONSULTANCY FEES: SEWER PRESSURE MAIN	\$990.00
EFT1508	WARREN BLACKWOOD WASTE	BIN PICK UPS	\$4,950.60
EFT1509	WORTHY CONTRACTING	1 MONTH CONTRACT N.W.F	\$9,463.33
EFT1510	WADIFARM CONSULTANCY SERVICES	PROFESSIONAL SERVICES	\$3,300.00
EFT1511	LAUREN CARTLEDGE	CIRCUIT CLASS PAYMENT	\$168.75
EFT1512	ENVIRONMENTAL HEALTH AUSTRALIA	AUST FOOD SAFETY ASSESSMENT PADS	\$377.21
EFT1513	SOILS AIN'T SOILS BUSSELTON	SOIL SUPPLIES	\$612.00
EFT1514	D & J COMMUNICATIONS	RADIO REPAIRS	\$587.95

**SCHEDULE OF ACCOUNTS PAYABLE
SHIRE OF NANNUP
SUBMITTED TO COUNCIL'S MAY 2010 MEETING**

MUNICIPAL PAYMENTS

Chq/EFT	Name	Description	Amount
EFT1515	MCCAYS TOP GUN COMPUTERS	COMMERCIAL URN	\$99.95
EFT1516	NANNUP HARDWARE & AGENCIES	SUNDRY SUPPLIES	\$510.00
EFT1517	NANNUP TELECENTRE	SHIRE NOTES JUNE & ADVERTISING	\$461.90
EFT1518	RICOH BUSINESS CENTRE	PHOTOCOPIER EXPENSES	\$681.87
EFT1519	SUGAR MOUNTAIN ELECTRICAL SERVICES	MAINTENANCE	\$1,158.48
TOTAL EFT PAYMENTS			\$154,370.38

18127	AMP LIFE LTD	SUPERANNUATION CONTRIBUTIONS	\$823.53
18128	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	\$277.46
18129	WESTSCHEME	SUPERANNUATION CONTRIBUTIONS	\$286.26
18130	NORWICH UNION SUPERANNUATION TRUST	SUPERANNUATION CONTRIBUTIONS	\$248.17
18131	IIML ACF IPS APPLICATION TRUST	SUPERANNUATION CONTRIBUTIONS	\$302.40
18132	HOSTPLUS EXECUTIVE	SUPERANNUATION CONTRIBUTIONS	\$105.82
18133	SHIRE OF BUSSELTON	RANGER REQUESTS	\$237.60
18134	SYNERGY	ELECTRICITY EXPENSES	\$3,956.48
18135	WEST AUSTRALIAN NEWSPAPERS LIMITED	ADVERTISEMENT	\$53.68
18136	LOCAL GOVERNMENT PLANNERS ASSOCIATION	LIQUOR LICENSING SEMINAR	\$50.00
18137	SARAHSPACE EVENTS	ROLLERBLADE WORKSHOP 16/4/2010	\$400.00
18138	TENTS WEST	REMOVE SOUNDSHELL COVER FOR WINTER	\$440.00
18139	WATER CORPORATION	WATER EXPENSES	\$10,285.30
18140	JANET ENWOOD	RATES REFUND	\$1,338.91
18141	STATE LAW PUBLISHER	COPY OF STANDING ORDERS LOCAL LAW GAZ NO 71	\$9.00
18142	SYNERGY	ELECTRICITY EXPENSES	\$1,311.75
18143	MILLWOOD OUTDOOR FURNITURE	PICNIC SETTING	\$1,360.00
18144	CHIP'N'GALES	YAC FUNCTION	\$140.00
18145	SUZANNE HAY	BOOTS COOT WORKSHOP	\$150.00
18146	SHIRE OF NANNUP	PETTY CASH REIMBURSEMENT	\$129.05
18147	SYNERGY	ELECTRICITY EXPENSES	\$44.75
18148	PUMPS AUSTRALIA PTY LTD	WASH DOWN PUMP/SKID COMBO	\$8,574.50
18149	GUMNUTS GALORE	PLANTS - CARPET ROSES/LILLY PILLY'S	\$1,062.00
18150	THE INDIAN OCEAN HOTEL	ACCOMMODATION	\$301.00
18151	BULLIVANTS	SAFETY VEST, 4 DRUM SPILL PALLET, PLUGIT PUTTY	\$899.80
18152	CUTTING EDGES	SHIN GUARD KOMATSU DOZER	\$1,394.95
18153	DAVID NOWLAND HYDRAULICS	HYDRAULIC FITTING	\$67.76
18154	DEPARTMENT OF TREASURY AND FINANCE	LOST AND DAMAGED BOOKS	\$75.90
18155	SYNERGY	ELECTRICITY EXPENSES	\$1,248.60
18156	WORK CLOBBER	SAFETY BOOTS	\$85.00
TOTAL CHEQUE PAYMENTS			\$35,659.67

99181	SG FLEET AUSTRALIA P/L	VEHICLE EXPENSES	\$637.30
99182	WESTERN AUSTRALIAN TREASURY CORPORATION	PRINCIPAL LOAN REPAYMENT - LOAN 32	\$5,034.96
99183	BP AUSTRALIA	FUEL EXPENSES	\$31,813.53
99184	CALTEx AUSTRALIA	FUEL EXPENSES	\$1,441.78
99185	TELSTRA	TELEPHONE EXPENSES	\$975.63
99186	WESTNET	INTERNET EXPENSES	\$119.89
TOTAL DIRECT DEBITS			\$40,023.09

TRUST PAYMENTS

22728	JACINTA WILSON	BOND REFUND	\$160.00
TOTAL TRUST PAYMENTS			\$160.00

TOTAL MUNICIPAL PAYMENTS:	\$230,053.14
TOTAL TRUST PAYMENTS:	\$160.00
TOTAL PAYMENTS FOR THE PERIOD 13/05/10 TO 15/06/10	\$230,213.14

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

8417 PINKERTON/MELLEMA

That following items be dealt with as New Business of an Urgent Nature be introduced by permission of the meeting:

- 11.(a).1 Standing Orders Local Law
- 11.(a).2 Disabilities Services Commission: You're Welcome WA Access Grant

CARRIED 7/1

Councillors voting for the motion: Boulter, Dean, Dunnet, Gilbert, Lorkiewicz, Mellema and Pinkerton.

Councillor voting against: Camarri.

(a) OFFICERS

AGENDA NUMBER: 11 (a) 1. SUBJECT: Standing Orders Local Law LOCATION/ADDRESS: Nannup NAME OF APPLICANT: FILE REFERENCE: ADM 5 AUTHOR: Craig Waddell – A/Chief Executive Officer DISCLOSURE OF INTEREST: DATE OF REPORT: 22 June 2010

Attachment: Letter from Joint Standing Committee on Delegated Legislation

BACKGROUND:

Council at its meeting of 25 February resolved to "make" the Shire of Nannup Standing Orders Local Law. The process after this resolution was largely outside of Council's control, but part of this process involved forwarding the local law to the Joint Standing Committee on Delegated Legislation for some form of review.

The committee has met to discuss the Shire of Nannup's Standing Orders Local Law with the outcome being the attached correspondence.

COMMENT:

The attached letter is requesting Council to repeal clause 7.12(3), repeal or amend clause 8.4, and provide an explanation of clause 15.7.

Clause 7.12 reads:

7.12 Questions during debate

- (1) *A member may ask a question at any time during the debate on a motion or an amendment before the mover of the motion or amendment has replied.*
- (2) *Subject to subclause (3), a member who asks one or more questions will not be taken to have spoken on the matter.*
- (3) *Where the Presiding Member considers that a question asked is not succinct and to the point, but is prefaced by comment or other information, the Presiding Member may rule that the member has spoken on the matter and, in that event, the member must not speak again on the matter.*

The Delegated Legislation Committee believes that subclause 3 of this clause confers on the presiding member an unnecessary and subjective power to deem when members' questions are not "succinct and to the point", and therefore has the potential to limit the capacity of elected members to participate fully in Council meetings.

Although the likelihood of this occurring is low, the potential is there within the clause for it to occur and on that basis should be repealed.

Clause 8.4 reads:

8.4 Continued breach of order

If a member –

- a) persists in any conduct that the Presiding Member had ruled is out of order;*
or
- b) fails or refuses to comply with a direction from the Presiding Member,*

the Presiding Member may direct the member to refrain from taking any further part in that meeting, other than by voting, and the member must comply with that direction.

The Delegated Legislation Committee believes that this clause confers on the presiding member a subjective power to deem when members' conduct warrants them to be directed to refrain from taking any further part of the meeting.

Although the likelihood of this occurring is low, the potential is there within the clause for it to occur and on that basis should either be repealed or amended. The suggested amendment of deleting the words "that meeting" after the words "part in" and inserting the words "the debate of the item" will resolve the concern.

Clause 15.7 reads:

15.7 Penalty for contravention of this local law

A person who breaches a provision of this local law commits an offence.

Penalty: \$5,000, and a daily penalty of \$500

This is the maximum penalty provided for under section 3.10(1) and (2) of the Act. The Delegated Legislation Committee believes that Council should consider the imposition of a lesser fine for offences of a minor nature.

An alternative to this is to amend the clause to have a penalty more in line with the seriousness of the breach (of the local law) to say \$1,000. The Shire of Serpentine Jarrahdale has as their penalty of a breach of their Standing Orders an amount not exceeding \$1,000. This is satisfactory to the Delegated Legislation Committee.

What is intended by virtue of this item is to commence the process of amending the Standing Orders local law. The process of repealing or amending a local law is identical to making a local law as per Local Government Act 1995 S3.12. Therefore the first step in making this local law is for the person presiding at the meeting to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.

STATUTORY ENVIRONMENT:

Local Government Act 1995 Section 3.12 (1) states:

In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.

Local Government Act 1995 Section 3.12 (2) states:

At a Council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.

Local Government (Functions and General) Regulations 1996 Section 3 states:

For the purpose of Section 3.12, the person presiding at a council meeting is to give notice of the purpose and effect of a local law by ensuring that –

(a) the purpose and effect of the proposed local law is included in the agenda for that meeting; and

(b) the minutes of the meeting of the council include the purpose and effect of the proposed local law.

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS:

Minor advertising costs only at this stage though it is expected that as the process continues more costs will be incurred.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATIONS:

That Council:

1. Advertises the intention to make a Standing Orders Amendment Local Law, the purpose of which is to amend the Standing Orders Local Law 2010 to conduct orderly meetings of the Council or committees, with the effect being effective and fair local government decisions by the Council.
2. The specifics of the amendment to be:
 - 2.1. Repealing subclause 7.12(3) from the Shire of Nannup Standing Orders Local Law 2010;
 - 2.2. Deleting the words "that meeting" after the words "part in" and inserting the words "the debate of the item" in clause 8.4 of the Shire of Nannup Standing Orders Local Law 2010; an
 - 2.3. Amending clause 15.7 of the Shire of Nannup Standing Orders Local Law 2010 to read "Any person guilty of any breach of the Standing Orders or any of the provisions thereof, shall be liable to a penalty not exceeding \$1,000.00.
3. Undertake that the amendments will be made within six months.
4. Undertake that the problematic clauses as detailed in recommendation 2 will not be enforced in the interim.

8418 DEAN/DUNNET

That Council:

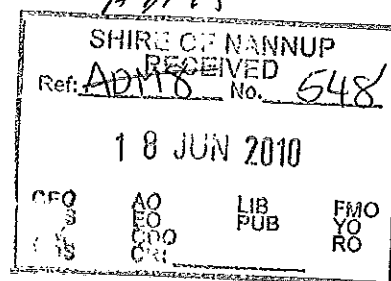
1. Advertises the intention to make a Standing Orders Amendment Local Law, the purpose of which is to amend the Standing Orders Local Law 2010 to conduct orderly meetings of the Council or committees, with the effect being effective and fair local government decisions by the Council.

2. The specifics of the amendment to be:
 - 2.1. Repealing subclause 7.12(3) from the Shire of Nannup Standing Orders Local Law 2010;
 - 2.2. Deleting the words "that meeting" after the words "part in" and inserting the words "the debate of the item" in clause 8.4 of the Shire of Nannup Standing Orders Local Law 2010; and
 - 2.3. Amending clause 15.7 of the Shire of Nannup Standing Orders Local Law 2010 to read "Any person guilty of any breach of the Standing Orders or any of the provisions thereof, shall be liable to a penalty not exceeding \$1,000.00.
3. Undertake that the amendments will be made within six months.
4. Undertake that the problematic clauses as detailed in recommendation 2 will not be enforced in the interim.

CARRIED 6/2

Councillors voting for the motion: Camarri, Dean, Dunnet, Gilbert, Pinkerton, and Mellema.

Councillor voting against: Boulter and Lorkiewicz.



JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

Your Ref: ADM5
Our Ref: 3835/19

Cr Barbara Dunnet
Shire President
Shire of Nannup
PO Box 11
NANNUP WA 6275

15 June 2010

By Fax: 975r6 1275

Dear Madam

Shire of Nannup Standing Orders Local Law 2010

I refer to the above and to the supporting information provided to the Committee dated 13 May 2010.

The Committee considered this instrument at its meeting on 14 June 2010 and resolved to write to you regarding its concerns with several problematic clauses. In particular, the Committee has concerns about the validity of the following clauses of the Local Law:

- clause 7.12(3) - Questions during debate;
- clause 8.4 - Continued breach of order; and
- clause 15.7 - Penalty for contravention of the local law.

Clause 7.12(3) - Questions during debate

This subclause states that:

(3) Where the Presiding Member considers that a question asked is not succinct and to the point, but is prefaced by comment or other information, the Presiding Member may rule that the member has spoken on the matter and, in that event, the member must not speak again on the matter.

The Committee is concerned that this subclause potentially denies elected members the opportunity to fully participate in Council meetings, and confers on the presiding person an unnecessary and subjective power to deem when members' questions are not "succinct and to the point". The

consequence of this is that they may be deemed to have spoken on the matter and not permitted to speak again on the matter.

The effect of the subclause is to potentially limit the capacity of elected members to participate fully in Council meetings. This is contrary to section 2.10 of the *Local Government Act 1995* (Act), which expressly states that the role of a councillor is to participate in the local government decision making processes at council and committee meetings. The subclauses also appear to be limiting the right of freedom of political communication as implied in the Commonwealth Constitution.

Similar clauses have been considered by the Committee in the standing orders local laws of several other local governments for which the Committee sought undertakings that the clause be repealed.

The Committee seeks an undertaking from the Shire to repeal subclause 7.12(3) from this Local Law.

Clause 8.4 - Continued breach of order

This clause states that:

If a member –

(a) persists in any conduct that the Presiding Member had ruled is out of order; or

(b) fails or refuses to comply with a direction from the Presiding Member,

the Presiding Member may direct the member to refrain from taking any further part in that meeting, other than by voting, and the member must comply with that direction.

The Committee is concerned that this clause may effectively silence elected members by denying them the opportunity to fully participate in Council meetings. It also confers on the presiding member a subjective power to deem when members' conduct warrants them to be directed to refrain from taking any further part in the meeting.

This outcome is inconsistent with section 3.1 of the Act which provides that the general function of a local government is to provide for the good government of persons in the district, as it undermines the fundamental principles of democratic local government. There is no power in either the Act or the *Local Government (Administration) Regulations 1996* for presiding persons to direct members to refrain from taking part in any part of meetings. Indeed, as set out above, section 2.10 of the Act expressly states that the role of a councillor is to participate in the local government decision making processes at council and committee meetings. As such, this clause appears to breach section 2.10 of the Act.

Similar clauses have been considered by the Committee in the standing orders local laws of several other local governments for which the Committee sought undertakings that the clause be repealed or amended. The Committee seeks an undertaking from the Shire to repeal clause 8.4 or amend it by

deleting the words “that meeting” after the words “part in” and insert the words “the debate of the item”.

Clause 15.7 - Penalty for contravention of the local law

This clause states that:

A person who breaches a provision of this local law commits an offence.

Penalty: \$5,000, and a daily penalty of \$500

The Committee notes that the penalty provided for in this clause is the maximum amount allowed under section 3.10(1) and (2) the Act.

Section 3.10(3) of the Act provides that a local law may provide for the imposition of a minimum penalty for an offence. Further, section 3.10(4) provides that the level of the penalty may be related to the circumstances or extent of the offence and whether the offender has committed previous offences and if so, the number of previous offences.

Section 5.105 of the Act relates to breaches by Council members. It provides that:

(1) A council member commits a minor breach if he or

she contravenes —

...

(b) a local law under this Act, contravention of which the

regulations specify to be a minor breach.

It appears to the Committee that the Act contemplates minor breaches of local laws and the imposition of penalties related to the circumstances or extent of the offence. In this case, the local law appears to simply impose the maximum penalty allowed under the Act, with no discretion for a lesser amount.

The Committee seeks an explanation for imposing the maximum penalty allowed under the Act. Please advise whether it is contemplated that fines of lesser amounts would be imposed in circumstances where the offence was of a minor nature. If so, please provide examples.

Conclusion

In summary, the Committee requests the following from the Shire:

- An undertaking to repeal subclause 7.12(3) from this Local Law;
- An undertaking to repeal clause 8.4 or amend it by deleting the words “that meeting” after the words “part in” and insert the words “the debate of the item”;
- An undertaking that the amendments will be made within six months;

- An undertaking that the problematic clauses will not be enforced in the interim; and
- In relation to clause 15.7, an explanation for imposing the maximum penalty allowed under the Act. Please advise whether it is contemplated that fines of lesser amounts would be imposed in circumstances where the offence was of a minor nature. If so, please provide examples.


Please provide a copy of the minutes of the Shire's meeting providing the undertakings.

Due to its concerns with this Local Law, the Committee resolved to give notice of motion to disallow the *Shire of Nannup Standing Orders Local Law 2009* in the Legislative Council on 10 August 2010. However, the giving of notice should not be taken as indicating that the Committee has resolved to recommend disallowance at this stage.

Given the strict timeframes for disallowance of subsidiary legislation under the Legislative Council's Standing Orders and the *Interpretation Act 1994*, the Committee requests that the information and undertakings be provided by **5pm on Wednesday, 23 June 2010**.

If you have any queries, please telephone the Committee's Advisory Officer (Legal), Mrs Felicity Mackie on 9222 7406.

Yours sincerely



Mr Joe Francis MLA
Chairman

Note that this document (including any attachments) is privileged. You should only use, disclose or copy the material if you are authorised by the Committee to do so. Please contact Committee staff if you have any queries.

AGENDA NUMBER: 11 (a) 2
SUBJECT: Disabilities Services Commission: You're Welcome WA Access Grant
LOCATION/ADDRESS: Nannup
NAME OF APPLICANT:
FILE REFERENCE: FNC 6
AUTHOR: Louise Stokes – Community Development Officer
DISCLOSURE OF INTEREST:
DATE OF REPORT: 22 June 2010

BACKGROUND:

Funding acknowledgement has been received of \$15,000 from Disabilities Services Commission through their You're Welcome WA Access Initiative grant. As this funding is over \$5,000, Council is required to accept the funding as per policy FNC6.

You're Welcome WA provides Local Governments and local communities with an opportunity to provide clear access information about their local facilities and amenities to people of all ages and abilities living in or visiting their locality.

This is a web based initiative that can be accessed by residents and visitors to the region, documenting the detailed information that enables individuals to make their own judgement of accessibility depending on their disability.

The original application was for \$22,440 which would have seen the following classes of buildings assessed in priority order as follows:

Townsite commercial properties;
Townsite tourism properties;
Rural tourism properties;
Townsite Shire buildings.

COMMENT:

This is a partnership project with the Nannup Telecentre. As the full funding requested was not received the project will proceed through the above listed classes of buildings in there priority order until funds are fully expended.

The draft 2010/11 budget contains income and expenditure as per the requested grant, with a \$2,000 contribution from Council. The \$2,000 contribution is not required as it represents salaries which will be allocated to the project, however they are already shown within the budget under the appropriate salaries area.

As the Shire of Nannup is one of the only Shire's in Western Australia not to have current representation on this website, this project is supported.

STATUTORY ENVIRONMENT: Nil.

POLICY IMPLICATIONS:

FNC6 – Acceptance of Grant Funding

FINANCIAL IMPLICATIONS:

Nil this year.

STRATEGIC IMPLICATIONS:

Shire of Nannup Forward Plan 2010/11 – 2014/15 Program 8.2.A: *To implement and Review Disability Access and Inclusion Plan.*

Shire of Nannup Disability Access and Inclusion Plan 2006: Outcome Three: *Information about functions, facilities and services provided in formats which will meet the communication requirements of people with disabilities.*

RECOMMENDATION:

That Council accept the funding of \$15,000 from Disabilities Services Commission to undertake the You're Welcome WA Access Initiative.

8419 PINKERTON/MELLEMA

That Council accept the funding of \$15,000 from Disabilities Services Commission to undertake the You're Welcome WA Access Initiative.

CARRIED 8/0

(b) ELECTED MEMBERS

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 7.02pm.