

# Ordinary Council

# MINUTES

FOR THE MEETING HELD  
WEDNESDAY, 18 JANUARY 2012  
IN COUNCIL CHAMBERS,  
WALLCLIFFE ROAD, MARGARET RIVER  
COMMENCING AT 5.30PM

## **ATTENTION/DISCLAIMER**

This agenda has yet to be dealt with by the Council. The Recommendations shown at the foot of each item have yet to be considered by the Council and are not to be interpreted as being the position of the Council. The minutes of the meeting held to discuss this agenda should be read to ascertain the decision of the Council.

In certain circumstances members of the public are not entitled to inspect material, which in the opinion of the Chief Executive Officer is confidential, and relates to a meeting or a part of a meeting that is likely to be closed to members of the public.

No responsibility whatsoever is implied or accepted by the Shire of Augusta-Margaret River for any act, omission, statement or intimation occurring during Council or Committee meetings.

The Shire of Augusta-Margaret River disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement of intimation occurring during Council or Committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any member or Officer of the Shire of Augusta-Margaret River during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Augusta-Margaret River.

The Shire of Augusta-Margaret River advises that anyone who has any application lodged with the Shire of Augusta-Margaret River must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application and any conditions attaching to the decision made by the Shire of Augusta-Margaret River in respect of the application.

The Shire of Augusta-Margaret River advises that any plans or documents contained within this agenda may be subject to copyright law provisions (Copyright Act 1968, as amended) and that the express permission of the copyright owner(s) should be sought prior to their reproduction. It should be noted that Copyright owners are entitled to take legal action against any persons who infringe their copyright. A reproduction of material that is protected by copyright may represent a copyright infringement.

**ABBREVIATIONS/ACRONYMS USED IN REPORTS**

TERM	EXPLANATION
AC	Audit Committee
AgVet	Agricultural and Veterinary
AIEH	Australian Institute of Environmental Health
AMPCC	Augusta Maritime Project Coordination Committee
AS	Australian Standard
ATU	Aerobic Treatment Unit
BCA	Building Code of Australia
BFAC	Bush Fire Advisory Committee
C2C	Cape to Cape
CALM	Conservation and Land Management
CBD	Central Business District
CoOL	Country of Origin food Labelling
CPGSF	Country Pathways Grants Scheme Funding
CPI	Consumer Price Index
CSIRO	Commonwealth Research & Industrial Research Organisation
DAP	Detailed Area Plan
DCU	Development Coordinating Unit
DDTPS No1	Draft District Town Planning Scheme No 1
DIA	Department of Indigenous Affairs
DLGRD	Department of Local Government & Regional Development
DLI	Department Land Information
DOCEP	Department of Consumer & Employment Protection
DoE	Department of Environment
DoH	Department of Health
DOLA	Department of Land Administration
DOW	Department of Water
DPI	Department of Planning And Infrastructure
EHO	Environmental Health Officer
EPA	Environmental Protection Authority
EPN	Environmental Protection Notice
FEMO	Fire and Emergency management Officer
FESA	Fire and Emergency Services Authority
FSANZ	Food Standards Australia New Zealand
GRV	Gross Rental Value
GST	Goods and Services Tax
ICT	Information and Communication Technology
IDO	Interim Development Order
IT	Information Technology
LBLCDC	Lower Blackwood Land Conservation District Committee
LEMC	Local Emergency Management Committee
LG	Local Government
LIA	Light Industrial Area
Loc	Location
MDMP	National Disaster Mitigation Programme
MGB	Mobile Garbage Bin
MO	Management Order (used to be called vesting order)
MOU	Memorandum of Understanding
MRAAC	Margaret River Aerodrome Advisory Committee
MRPRLG	Margaret River Perimeter Road Lobby Group
MRWA	Main Roads Western Australia
NHMRC	National Health Medical Research Council
NPI	National Pollutant Inventory
NRMO	Natural Resource Management Officer
ODP	Outline Development Plan
OM	Ordinary Meeting of Council

SHIRE OF AUGUSTA-MARGARET RIVER  
ORDINARY COUNCIL MEETING MINUTES: 18 January 2012

PAN	Pollution Abatement Notice
PAW	Public Access Way
PE	Council Policy
RADS	Regional Airport Development Scheme
RBFGS	Regional Boating Facilities Grant Scheme
RBM	Road Building Material
RDG	Residential Design Guidelines
RGL	Department of Racing and Gaming
RRGG	Regional Road Group Grant
RSL	Returned Services League
SAT	State Administrative Tribunal
SM	Special Meeting of Council
SRAC	Sports and Recreation Advisory Committee
SW	South West
SWCC	South West Catchments Council
SWDC	South West Development Commission
TIRE	Timber Industry Roads Funding
TME	Thomas McRobert Edgeloe
TPS11	Town Planning Scheme 11
TPS16	Town Planning Scheme 16
TPS17	Town Planning Scheme 17
TPS18	Town Planning Scheme 18
TPS19	Town Planning Scheme 19
VGO	Valuer General's Office
WALGA	Western Australian Local Government Association
WAPC	Western Australian Planning Commission
WAPRES	Western Australian Plantation Resources
WATPAT	Western Australian Town Planning Tribunal

# TABLE OF CONTENTS

<b>AGENDA LISTING</b>	<b>SUBJECT</b>	<b>PAGE NO.</b>
	<b>Disclaimer</b>	<b>2</b>
	<b>Explanation of Abbreviations</b>	<b>3</b>
	<b>Order of Business (Table of Contents)</b>	<b>5</b>
<b>1.0</b>	<b>DECLARATION OF OPENING</b>	<b>7</b>
<b>2.0</b>	<b>DISCLAIMER</b>	<b>7</b>
<b>3.0</b>	<b>ATTENDANCE</b>	<b>7</b>
<b>3.1</b>	<b>Apologies</b>	<b>7</b>
<b>3.2</b>	<b>Approved Leave of Absence</b>	<b>7</b>
<b>4.0</b>	<b>DISCLOSURES OF INTEREST</b>	<b>8</b>
<b>4.1</b>	<b>Item 12.2.1 Summary of Sustainability Advisory Committee Minutes from 15 December 2011</b>	<b>8</b>
<b>5.0</b>	<b>PUBLIC QUESTIONS</b>	<b>8</b>
<b>5.1</b>	<b>Responses to public questions taken on notice</b>	<b>8</b>
<b>5.2</b>	<b>Public Question Time</b>	<b>8</b>
<b>6.0</b>	<b>APPLICATIONS FOR LEAVE OF ABSENCE</b>	<b>8</b>
<b>7.0</b>	<b>CONFIRMATION OF MINUTES</b>	<b>8</b>
<b>7.1</b>	<b>Ordinary Council Meeting Minutes 14 December 2011</b>	<b>8</b>
<b>8.0</b>	<b>DEPUTATIONS</b>	<b>8</b>
<b>9.0</b>	<b>PETITIONS</b>	<b>8</b>
<b>9.1</b>	<b>Petition to Revise DEC Controlled Burning Procedure (Tabled Item)</b>	<b>8</b>
<b>10.0</b>	<b>ANNOUNCEMENTS FROM THE PRESIDING MEMBER</b>	<b>9</b>
<b>11.0</b>	<b>QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN</b>	<b>9</b>
<b>12.0</b>	<b>REPORTS OF COMMITTEES AND EMPLOYEE REPORTS</b>	<b>9</b>
<b>12.1.1</b>	<b>GENERAL ELECTORS' MEETING</b>	<b>10</b>
<b>12.1.2</b>	<b>PROTECTIVE LEGISLATION TO PREVENT COAL MINING</b>	<b>13</b>
<b>12.2</b>	<b>Planning and Development Services</b>	<b>17</b>
<b>12.2.1</b>	<b>SUMMARY OF SUSTAINABILITY ADVISORY COMMITTEE MINUTES FROM 15 DECEMBER 2011</b>	<b>17</b>
<b>12.2.2</b>	<b>PROPOSED SCHEME AMENDMENT NO. 13 TO LPS NO. 1 - LOT 91 WILLMOTT AVENUE, MARGARET RIVER</b>	<b>20</b>
<b>12.2.3</b>	<b>LOT 12 AND PORTION OF LOCATION 1035 ROWE ROAD, WITCHCLIFFE - INITIATION OF SCHEME AMENDMENT NO. 10 AND STRUCTURE PLAN</b>	<b>24</b>
<b>12.3</b>	<b>Infrastructure Services</b>	<b>41</b>
<b>12.3.1</b>	<b>HEAVY PLANT QUOTATIONS 2011/2012 TRACTOR GLOUCESTER PARK AND AUGUSTA</b>	<b>41</b>
<b>12.3.2</b>	<b>MARGARET RIVER FIRE - DAMAGE TO SHIRE INFRASTRUCTURE</b>	<b>45</b>
<b>12.3.3</b>	<b>PROPOSAL TO NAME UNNAMED ROAD RESERVE OFF BUSSELL HIGHWAY, MARGARET RIVER</b>	<b>49</b>

SHIRE OF AUGUSTA-MARGARET RIVER  
ORDINARY COUNCIL MEETING MINUTES: 18 January 2012

---

<b>12.4</b>	<b>Corporate and Community Services</b>	<b>54</b>
12.4.1	LIST OF PAYMENTS FOR NOVEMBER 2011	54
12.4.2	FINANCIAL ACTIVITY STATEMENT REPORT – NOVEMBER 2011	56
12.4.3	INVESTMENT PORTFOLIO UPDATE NOVEMBER 2011	62
12.4.4	MINUTES OF LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD 22 NOVEMBER 2011	64
<b>13.0</b>	<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>66</b>
<b>14.0</b>	<b>MOTIONS FOR CONSIDERATION AT THE NEXT MEETING</b>	<b>66</b>
<b>15.0</b>	<b>NEW BUSINESS OF AN URGENT NATURE</b>	<b>66</b>
15.1	<b>Members</b>	<b>66</b>
15.2	<b>Employees</b>	<b>66</b>
<b>16.0</b>	<b>CONFIDENTIAL BUSINESS</b>	<b>66</b>
<b>17.0</b>	<b>CLOSURE OF MEETING</b>	<b>66</b>

# Ordinary Council Meeting

Minutes of the Ordinary Council Meeting held on Wednesday, 18 January 2012  
in Council Chambers, Wallcliffe Road, Margaret River commencing at 5.30pm

## 1.0 Declaration of Opening

*The Chair welcomed all in attendance and declared the meeting open at 5.32pm.*

## 2.0 Disclaimer

N/A

## 3.0 Attendance

Shire President	:	Cr Ray Colyer	Leeuwin Ward
Councillors	:	Cr Mike Smart	Leeuwin Ward
		Cr John Bell	Town Ward
		Cr Neville Veitch	Town Ward
		Cr Lyn Serventy	North Ward
		Cr Ian Earl	North Ward
Chief Executive Officer	:	Mr Gary Evershed	
Director of Infrastructure	:	Mr Wayne Prangnell	
Director of Corporate & Community Services	:	Ms Annie Riordan	
Manager of Planning & Development Services	:	Mr Iliya Hastings	
Manager of Asset Services	:	Mr David Nicholson	
Minute Secretary	:	Ms Lisa Taylor	

## MEMBERS OF THE PUBLIC

3

## MEMBERS OF THE PRESS

The Augusta-Margaret River Mail	:	Mr Mal Gill
Augusta-Margaret River Times	:	Mr Rhys Dickinson

## 3.1 Apologies

Mr Geoff Broad	:	Director of Planning & Development
Cr Jenny McGregor	:	North Ward

## 3.2 Approved Leave of Absence

Nil

**4.0 Disclosures of Interest**

**4.1 Item 12.2.1 Summary of Sustainability Advisory Committee Minutes from 15 December 2011**

Cr Serventy verbally declared an impartiality interest in this item as she is a member of the Margaret River Climate Action Group. She stated that she would vote on this item based on its merits without bias.

**5.0 Public Questions**

**5.1 Responses to public questions taken on notice**

Nil

**5.2 Public Question Time**

Nil

**6.0 Applications for Leave of Absence**

Nil

**7.0 Confirmation of Minutes**

**7.1 Ordinary Council Meeting Minutes 14 December 2011**

**MOTION / COUNCIL DECISION**

**CR EARL, CR BELL OM1201/1**

**That the minutes of the Ordinary Council Meeting held 14 December 2011 is a true and correct record of the meeting.**

**CARRIED 6-NIL**

---

**8.0 Deputations**

Nil

**9.0 Petitions**

**9.1 Petition to Revise DEC Controlled Burning Procedure (Tabled Item)**

A Petition to Revise DEC Controlled Burning Procedures was received from Christine Gregory of 9 Chuditch Place, Gnarabup on 20 December 2011. The petition contains 220 signatures directly from the local community of Prevelly and Margaret River.

After reviewing the petition the CEO submitted the following recommendation to Council.

**RECOMMENDATION**

That Council receives the petition and refers the petition to the Hon Bill Marmion MLA Minister for the Environment.

**TABLED ITEMS**

Petition to Revise DEC Controlled Burning Procedure

**RECOMMENDATION / COUNCIL DECISION**

**CR SERVENTY, CR EARL OM1201/2**

**That Council receives the petition and refers the petition to the Hon Bill Marmion MLA Minister for the Environment.**

**CARRIED 6-NIL**

---

**10.0 Announcements from the Presiding Member**

Cr Colyer informed the meeting of a receipt by the Shire of a cheque for \$64,000 from Chairman of Lotteries West, Mr John Atkins, for Rails to Trails environmental studies.

**11.0 Questions of which due notice has been given**

Nil

**12.0 Reports of Committees and Employee Reports**

## 12.1

### Chief Executive Officer

## 12.1 Chief Executive Officer

### 12.1.1 GENERAL ELECTORS' MEETING

---

<b>LOCATION/ADDRESS</b>	Shire of Augusta Margaret River
<b>APPLICANT/LANDOWNER</b>	N/A
<b>FILE REFERENCE</b>	COR/39
<b>REPORT AUTHOR</b>	Lisa Taylor, Governance Officer
<b>AUTHORISING OFFICER</b>	Gary Evershed, Chief Executive Officer

---

#### IN BRIEF

- Minutes of the General Electors' Meeting held on 14 December 2011 are to be considered in accordance with section 5.33 of the Local Government Act 1995.
- s5.33 outlines that any decision made at an Electors' Meeting is to be considered at the next Ordinary Meeting of Council.

#### RECOMMENDATION

That Council:

1. Receives the General Electors' Meeting minutes of the 14 December 2011;
  2. Notes the acceptance of the 2010/2011 Audited Financial Statements; and
  3. Notes the acceptance of the 2010/2011 Annual Report in its entirety.
- 

#### BACKGROUND

The General Electors' Meeting was held in Council Chambers, Wallcliffe Road, Margaret River on Wednesday, 14 December 2011 in accordance with the Local Government Act 1995 and was held within the prescribed 56 days following acceptance of the Audited Annual Financial Statement.

The meeting minutes outline that four members of the public, two members of the press and seven elected members were in attendance. Each eligible elector is given one vote. Elected members are also given the right to one vote on decisions at an Annual General Meeting of Electors.

The minutes also outline the questions put forward by Mr and Mrs Wilkie and Dr Barbara Maidment during Public Question Time, along with the responses given.

**ATTACHMENT 1**

#### CONSULTATION AND ADVICE

CEO

#### DISCUSSION/OFFICER COMMENTS

The following decisions were made at the General Electors' Meeting held 14 December 2011.

---

*CR BELL, CR MCGREGOR EM1112/1*

*That the 2010/2011 Annual Report for the Shire of Augusta-Margaret River be received.*

*CARRIED 7-NIL*

---

and;

*CR SERVENTY, CR EARL EM1112/2*

*That the 2010/2011 Audited Financial Statements for the Shire of Augusta-Margaret River be received.*

*CARRIED 7-NIL*

---

No other motions were moved from the floor, nor decisions made by electors at the meeting.

**STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**

Local Government Act 1995 s5.27 (3), 5.31, s5.32 & s5.33

**STRATEGIC PLAN / POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

As detailed in the Annual Report.

**SUSTAINABILITY IMPLICATIONS**

Environmental

N/A

Social

The Annual Report provides the community with a report on the progress Council has made against the Shire's Strategic Plan.

Economic

N/A

**VOTING REQUIREMENTS**

Simply Majority

**RECOMMENDATION**

That Council:

1. Receives the General Electors' Meeting minutes of the 14 December 2011;
2. Notes the acceptance of the 2010/2011 Audited Financial Statements; and
3. Notes the acceptance of the 2010/2011 Annual Report in its entirety.

**ATTACHMENTS**

1. Minutes of the General Electors' Meeting held 14 December 2011.

**RECOMMENDATION / COUNCIL DECISION**

---

**CR EARL, CR VEITCH OM1201/3**

**That Council:**

1. **Receives the General Electors' Meeting minutes of the 14 December 2011;**
2. **Notes the acceptance of the 2010/2011 Audited Financial Statements; and**
3. **Notes the acceptance of the 2010/2011 Annual Report in its entirety.**

**CARRIED 6-NIL**

---

### 12.1.2 PROTECTIVE LEGISLATION TO PREVENT COAL MINING

---

<b>LOCATION/ADDRESS</b>	Osmington Road, Osmington.
<b>APPLICANT/ LANDOWNER</b>	Vasse Coal Pty Ltd
<b>FILE REFERENCE</b>	LND/141
<b>REPORT AUTHOR</b>	Gary Evershed, Chief Executive Officer
<b>AUTHORISING OFFICER</b>	Gary Evershed, Chief Executive Officer

---

#### IN BRIEF

- The Minister for the Environment the Hon Bill Marmion announced on 21 December 2011 that he had upheld the EPA's decision to reject Vasse Coal's mining proposal. Council will need to monitor the situation closely for any further developments.
- The Shire of Augusta-Margaret River lodged an Objection to Western Coal Pty Ltd's application for exploration licence E70/4079 in the Mining Warden's Court on the 18 April 2011. The Council has now decided to withdraw its objection due to escalating legal expenses, but will write directly to the Minister for Mining.
- Protective legislation is being considered by the State Government on Coal mining in sensitive areas of the Capes Region and it is desirable that both Capes' Councils develop a clear position.

#### RECOMMENDATION

That Council:

1. Notes the decision by Minister Marmion in relation to the Vasse Coal Management Pty Ltd and adopts a watching brief on any developments;
  2. Disbands the Coal Mine Community Advisory Committee and thanks members for their respective contributions;
  3. Adopts a Protective Legislation Directions Paper as included in the attachments and refers it for discussion at the next meeting of CapeROC; and
  4. Writes to the Premier advising of its opposition to coal mining and coal gas extraction in the Margaret River Wine Region and expressing a desire to be included in any consultations and legislative and policy development or amendment at the earliest stages.
- 

#### BACKGROUND

##### Vasse Coal Proposal

On 21 December 2011 the Minister for the Environment the Hon Bill Marmion made a determination in the Vasse Coal Management Pty Ltd's appeal against an EPA decision. Vasse Coal Management Pty Ltd proposed to develop an underground coal mine and related facilities approximately 15 kilometres north-east of Margaret River. The mine was proposed to operate for 15 to 20 years and would have a surface footprint of approximately 40 ha with an underground network of tunnels of approximately 1,200 ha.

Environment Minister Bill Marmion decision was to uphold the Environmental Protection Authority's (EPA) decision to reject Vasse Coal Management Pty Ltd's proposal to develop a coal mine north-east of Margaret River, citing serious risks to environmental values as the main concern.

In making his determination, the Minister decided its likely there would be significant impacts or risks from the proposed mine on the Leederville and Sue aquifers and on significant environmental values which these aquifers support. In May, the EPA reported the proposal would be environmentally unacceptable, due to serious risks to important environmental values in the Margaret River region. Five appeals were received in objection to the EPA's report, including one from the proponent.

After considering the appeals and a report from an independent Appeals Committee, the Minister formed a view that the conclusions of the EPA were justified, particularly noting the uncertainty of risks to surface and groundwater in the Margaret River area. In coming to his decision, Mr Marmion concluded that further assessment was unlikely to significantly alter the level of uncertainty.

In his media statement the Minister said, "Margaret River is a unique region with important environmental values which should be protected. From an environmental perspective, this project is too risky."

Having formed the view that the project is environmentally unacceptable, the Minister is required under section 45(1) of the Environmental Protection Act 1986 to now consult with relevant decision making authorities on whether or not the proposal may be implemented based on broader social and economic factors. This process will commence as soon as possible to provide the proponent and local community with certainty regarding the proposal (see attachment of section 45 of EPA 1986).

#### **ATTACHMENT 1**

Both Shires in the Capes Region need to be vigilant of any further developments in the process and any further legal challenges which may be attempted by any of the appellants. This can best be managed by Council staff, the respective Councils and by CapeROC as a collaborative body. The Shire of Augusta-Margaret River established a Coal Mine Community Advisory Committee which has not met for some time pending the outcome of the Minister's deliberations. The CEO recommends that in view of the limited ongoing role for such a committee and from a workload management viewpoint that this committee be disbanded.

#### **Western Coal Mining Exploration Proposal**

Since June 2010, Western Coal Pty Ltd has applied for eight exploration licences in the South West Mineral Field with one granted and seven pending. Application E70/3968 in the Shire of Coorow and the Shire of Dandaragan (Jurien Bay) was granted on the 25 July 2011 with sub-surface rights only. Applications E70/3933, E70/4080 and E70/4091 are in the Shire of Busselton and are still pending. Applications E70/3914, E70/3932, E70/3969 and E70/4079 are in both the Shire of Busselton and the Shire of Augusta-Margaret River and are still pending. The Shire of Augusta-Margaret River lodged an objection to E70/4079 on the 18 April 2011.

At its 14 December 2011 meeting the Council resolved to:

1. Withdraw the Shire's Objection to exploration licence application 70/4079 in the Mining Warden's Court;
2. Make an application to the Minister for Mines and Petroleum seeking the Minister's determination to terminate and/or refuse exploration licence applications 70/3914, 70/3932, 70/3969 and 70/4079 on reasonable grounds in the public interest;
3. Write to key members of parliament, including the Premier, requesting support for the termination and/or refusal of the aforementioned exploration license applications.
4. Gives notice that it will allocate sufficient funding and resources objecting to any application for a coal 'mining' lease in the Shire including any such application made by Western Coal Pty Ltd should that course of action on any of their exploration licences be pursued.

Independent to the Mining Warden's proceedings, it was resolved that Council make an application directly to the Minister to have the Application the subject of the Objection and additional applications 70/3914, 70/3932 and 70/3969 terminated or refused pursuant to section 111A of the Mining Act. This action was recommended given it will still highlight the objection of the Shire on a range of grounds already summarised in the initial objection papers and will have minimal cost to the Shire. The legal advice also indicated that it is important for Council to oppose all exploration applications in the Shire so as not to undermine the overall position of Council in respect of mining activities in the region. It was therefore recommended that other exploration licenses be added to the objection strategy provided in the proposed resolution.

The Administration has not actioned this to date as it was prudent to await the Ministers decision on the Vasse Coal project which will now strengthen the Council's position. Secondly for legal reasons it was permissible to share information with those still fighting the exploration license by sharing the legal advice and research to date. This will now be actioned.

### **Protective Legislation**

The attached Directions Paper has been prepared for consideration by CapeROC under the auspices of Cr Ray Colyer the current chair of CapeROC.

### **ATTACHMENT 2**

It is recommended that Council adopts the position paper for CapeROC consideration and writes to the Premier articulating its opposition to coal mining and coal gas extraction in the Margaret River Wine Region and expressing a desire to be included in any consultations regarding legislative and policy development or amendment at the earliest stages. Feedback from the Shire of Swan and from Derrek Thomlinson former MLC indicates that legislation such as the Swan Valley Planning Act has unintended consequences in creating additional red tape by frustrating development and in artificially lowering land values by reducing the development potential of land.

### **VOTING REQUIREMENTS**

Simple majority

### **RECOMMENDATION**

That Council:

1. Notes the decision by Minister Marmion in relation to the Vasse Coal Management Pty Ltd and adopts a watching brief on any developments;
2. Disbands the Coal Mine Community Advisory Committee and thanks members for their respective contributions;
3. Adopts a Protective Legislation Directions Paper as included in the attachments and refers it for discussion at the next meeting of CapeROC; and
4. Writes to the Premier advising of its opposition to coal mining and coal gas extraction in the Margaret River Wine Region and expressing a desire to be included in any consultations and legislative and policy development or amendment at the earliest stages.

### **ATTACHMENTS**

1. Section 45 of the Environmental Protection Act
2. Directions Paper – Potential Legislative Protection of the Margaret River Wine Region

### **RECOMMENDATION / COUNCIL DECISION**

---

**CR EARL, CR BELL OM1201/4**

**That Council:**

1. **Notes the decision by Minister Marmion in relation to the Vasse Coal Management Pty Ltd and adopts a watching brief on any developments;**
2. **Disbands the Coal Mine Community Advisory Committee and thanks members for their respective contributions;**
3. **Adopts a Protective Legislation Directions Paper as included in the attachments and refers it for discussion at the next meeting of CapeROC; and**
4. **Writes to the Premier advising of its opposition to coal mining and coal gas extraction in the Margaret River Wine Region and expressing a desire to be included in any consultations and legislative and policy development or amendment at the earliest stages.**

**CARRIED 4-2**

**CRS VEITCH AND SERVENTY VOTED AGAINST**

---

## 12.2

# Planning and Development Services

## 12.2 Planning and Development Services

### 12.2.1 SUMMARY OF SUSTAINABILITY ADVISORY COMMITTEE MINUTES FROM 15 DECEMBER 2011

---

**DISCLOSURE OF INTEREST:** *Cr Serventy verbally declared an impartiality interest in this item as she is a member of the Margaret River Climate Action Group. She stated that she would vote on this item based on its merits without bias.*

---

<b>LOCATION/ADDRESS</b>	AMRSC
<b>APPLICANT/LANDOWNER</b>	Sustainability Advisory Committee
<b>FILE REFERENCE</b>	LND/115
<b>REPORT AUTHOR</b>	Jared Drummond, Sustainability Planning Officer
<b>AUTHORISING OFFICER</b>	Iliya Hastings, Acting Director Planning and Development Services

---

#### IN BRIEF

- The following report is a summary of the Sustainability Advisory Committee (SAC) minutes from 15 December 2011.

#### ATTACHMENT 1

- This report seeks in-principle support from Council for the 'Residential Housing Retrofit Project'.

#### RECOMMENDATION

That Council:

- Receives the minutes of the Sustainability Advisory Committee held on 15 December 2011; and
  - Provide in-principle support for the 'Residential Housing Retrofit Project' prepared by the Margaret River Climate Action Group.
- 

#### SUMMARY OF SAC MINUTES

##### 1. Appointment of Presiding Member and Deputy Presiding Member

The SAC meeting (15/12/11) was the first meeting to be held following the reinstatement of the SAC following Council elections. Cr Lyn Serventy was elected as the Presiding Member of the SAC whilst Don Bradshaw was elected as Deputy Presiding Member.

##### 2. Residential Housing Retrofit Project

###### *Aims and objectives*

The housing retrofit project is a concept of the Margaret River Climate Action Group aimed towards improving energy efficiency for new and existing houses in Margaret River. The project also assists towards achieving Council's 20% community carbon reduction target by 2020. Several members of the SAC have been involved in the project to date in liaison with MRCAG. The objective of developing energy efficient residential homes is to quantify the contribution that residential retro-fit programmes can make to achieving tangible community wide carbon reductions. Benefits anticipated through the project include:

- Determining the cost/benefit of a range of passive and active energy saving technologies that are likely to be deployed in typical housing stock in Margaret River.
  - Engaging local expertise to build capacity and raise awareness for energy efficient designs.
  - Engage the local community to raise awareness and inform residents about household retrofit costs, benefits and solutions.
-

*Project concept*

The initial project concept is to retrofit six vacant residential units at the Baptistcare centre in Margaret River. This site has been selected as the units have an identical floor plan, construction and orientation. The units are not inhabited which provides the best opportunity to make direct performance comparisons. The intention is to record external and internal temperatures, power consumption and water harvesting potential for each of the units through the use of temperature monitors and thermal cameras. Baptistcare have shown initial support for the project. Each unit will then be retrofitted differently using the following key technologies:

- Rockwool injection into wall cavities.
- Smartbreeze passive airflow management system.
- LED lighting
- Window IR and UV films

Each unit will then be measured for energy consumption following retrofitting of each unit. Comparisons over the effectiveness of each retrofitting type will then be measured.

*Financial and staff support*

The PowerPoint report details future financial support from Council and allocation of staff resources to implement the project, including the following:

- Grant application and administration;
- Purchase of monitoring equipment – temperature and power monitors, thermal camera;
- Organisation of community sessions;
- Marketing of the project outcomes;
- A detailed costing of capital equipment required is yet to be completed; initial estimates indicate that the total capital equipment cost is in the order of \$10,000.

Funding would also be sought through grant applications and key stakeholders.

**ATTACHMENT 2**

*Officer comment*

During the past year, the Margaret River Climate Action Group (MRCAG) has been researching different ways of developing energy efficient display home/s. A number of presentations have been made to the SAC, including meetings with key stakeholders and energy efficiency companies and preparation of detailed PowerPoint documents.

As discussed, substantial research has already been undertaken to date. However, there are still some components of the project that require clarification before a business case can be prepared and adopted. These components include agreeing upon houses to be retrofitted, determining a suitable and robust research model, gaining support from universities to assist in research and seeking funding partners through stakeholders and grants.

The housing retrofit project is an action outlined in the Local Energy Action Plan (LEAP) document. The action requires Council to work with designers, developers, government and educational bodies to build an energy display home with current technology. This action is set to be undertaken by Council during the 2012/13 financial year. The majority of background work relating to this action has already been undertaken by MRCAG. It is recommended that Council give in-principle support to the project as it has direct benefits towards actioning a priority LEAP action and assists towards achieving Council's 20% carbon reduction goal by 2020. It should be noted that there are no funding implications or staff resources required at this stage of the project.

**MOTION / SAC DECISION**

**BILL CASTLEDEN, MANDY POLLEY SAC1112/2**

*That the SAC, having been presented with the report from the Working Committee of The Margaret River Climate Action Group, ask Council to support the Housing Retrofit Project in principle.*

**CARRIED 9-NIL**

---

**FINANCIAL IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

That Council:

1. Receives the minutes of the Sustainability Advisory Committee held on 15 December 2011.
2. Provide in-principle support for the 'Housing Retrofit Project' being prepared by the Margaret River Climate Action Group.

**ATTACHMENTS**

1. Sustainability Advisory Committee Minutes – 15 December 2011
2. Residential Housing Retrofit Project – PowerPoint December 2011

**RECOMMENDATION / COUNCIL DECISION**

---

**CR SERVENTY, CR VEITCH OM1201/5**

That Council:

1. Receives the minutes of the Sustainability Advisory Committee held on 15 December 2011.
2. Provide in-principle support for the 'Housing Retrofit Project' being prepared by the Margaret River Climate Action Group.

**CARRIED 6-NIL**

---

**12.2.2 PROPOSED SCHEME AMENDMENT NO. 13 TO LPS NO. 1 - LOT 91 WILLMOTT AVENUE, MARGARET RIVER**

---

<b>LOCATION/ADDRESS</b>	Lot 91 (No.62) Willmott Avenue (Corner Le Souef Street), Margaret River
<b>APPLICANT/ LANDOWNER</b>	Shire of Augusta-Margaret River/Fire & Emergency Services Authority of WA
<b>FILE REFERENCE</b>	LND/1/13; PTY/3653
<b>REPORT AUTHOR</b>	Iliya Hastings–Acting Director of Planning & Development Services
<b>AUTHORISING OFFICER</b>	Iliya Hastings–Acting Director of Planning & Development Services

---

**IN BRIEF**

- Lot 91 Willmott Avenue, Margaret River (the ‘subject land’) presently accommodates the Margaret River Volunteer Fire & Rescue Service (VFRS) and associated facilities. The land is owned by the Fire and Emergency Services Authority of WA (FESA).
- The Shire has recently gained funding approval for the development of a new State Emergency Services (SES) and VFRS facility on Reserve 50552 (Lot 135) Clarke Road, Margaret River. Once developed this will result in the closure of the existing facility on Lot 91 Willmott Avenue which will then be surplus to FESA’s requirements.
- It is proposed to commence with rezoning of Lot 91 from ‘Local Reserve – Public Purposes (Shire Purposes)’ to ‘Town Centre’ zone to assist FESA in expediting any future sale and capitalisation of the site which would then facilitate the use of funds on the new site and possibly other facilities within the Shire.
- The scheme amendment represents a logical rationalisation and rounding off of the ‘Town Centre’ zone in this location and particularly given the subject land abuts Lot 66 (proposed Woolworths development site) to the north and west.

**RECOMMENDATION**

It is recommended that Scheme Amendment No.13 to Local Planning Scheme No.1 be initiated for the purpose of advertising for public comment.

---

**TABLED ITEMS**

Nil

**BACKGROUND**

- The existing VFRS facility on Lot 91 Willmott Avenue was initially constructed on 1 September 1958. Since then there have been various additions and modifications to the site and structure.
- December 2011 – FESA advised that they are willing to contribute approximately \$1M towards the construction of a new SES/VFRS facility on Reserve 50552 Clarke Road, Margaret River. This was in response to a grant application made by the Shire in acknowledgment of the need to relocate and upgrade the VFRS facility at Lot 91 Willmott Avenue. A preliminary draft agreement has been prepared between the Shire and FESA.
- 14 December 2011 – Council resolved in part to receive a report in January 2012 with the intention of initiating an amendment to LPS1 to include Lot 91 Willmott Avenue in the ‘Town Centre’ zone in order to facilitate the early construction of the new VFRS.

**SITE AND SURROUNDS**

Lot 91 is located on the North West corner of Willmott Avenue and Le Souef Street in the Margaret River town centre (See Figure 1 below). The property is 994m<sup>2</sup> and contains various buildings associated with the volunteer fire brigade. Access is obtained via crossovers from both Willmott Avenue and Le Souef Street.

---

Lot 91 adjoins Lot 66 to the north and west. Lot 66 was the former site of the Shire administration offices and is in the process of being redeveloped as a shopping complex ('Woolworths'). Opposite to the south on Willmott Avenue is a police station and to the east on Le Souef Street are a range of commercial, tourist, public and residential land uses.



Figure 1: Location Plan - Lot 91 Willmott Avenue, Margaret River

### THE PROPOSAL

It is proposed to rezone Lot 91 from 'Local Reserve – Public Purposes (Shire Purposes)' to 'Town Centre' zone pursuant to Local Planning Scheme No.1. The primary catalyst for the amendment is to assist FESA in expediting any future sale and capitalisation of the site which would then facilitate the use of funds on the new emergency services site proposed for Clarke Road, Margaret River. Given the scheme amendment process can often take 12-18 months, it is considered appropriate to commence the process as early as possible given that funding commitments for the new facility has now been finalised.

The proposed 'Town Centre' zoning is considered the most relevant given the land will not ultimately be used for its current function, is in proximity to the town centre and is bound by land of the same zoning to the north and west.

### CONSULTATION

Should this proposal be initiated by Council, detailed consultation would be required in accordance with the requirements of the *Town Planning Regulations (1967)*.

### PLANNING FRAMEWORK

Appropriate land use and zoning for the subject land is guided by the Shire of Augusta-Margaret River Local Planning Strategy (LPS). The LPS identifies the subject land as 'Mixed Use' with residential densities of R30/40. The mixed use designation gives an indication that land should be used for a combination of retail/commercial and/or residential purposes. A 'Town Centre' zoning would facilitate such mixed use and the proposal is therefore consistent with the intent of the LPS.

### PLANNING ASSESSMENT

Upon development of the new combined SES/VFRS facility at Clarke Road, the current facility and site at Lot 91 Willmott Avenue will be surplus to FESA requirements. Rezoning the land to 'Town Centre' represents a logical transition in land use intent for the site on the basis that:

- a) The subject land is in direct proximity to the Margaret River town centre. This town centre location will be reinforced over time as retail and commercial development expands and particularly upon development of adjoining Lot 66 for a major shopping complex.

- b) The 'Town Centre' zoning and future development of adjoining Lot 66 provides a clear rationale for a similar zoning over Lot 91 and particularly given Lot 66 will abut the land on two sides. Inclusion of Lot 91 in this zone would ensure that it is compatible with the amenity, use and development of Lot 66.
- c) A number of properties identified as 'Mixed Use' in the LPS have been included in the 'Town Centre' zone of LPS1 in acknowledgment of the range of uses that can be considered within this zone and the role of such land in the provision of retail and other services in the town.
- d) The subject land is in proximity to a range of non-residential land uses and zonings. A 'Town Centre' zoning will therefore be compatible with the character and amenity of the area.
- e) The subject land occupies a prominent corner location in the town centre that would be best utilised for commercial purposes.

Figure 2 shows the zoning of the surrounding area and proximity of the subject land to existing town centre.

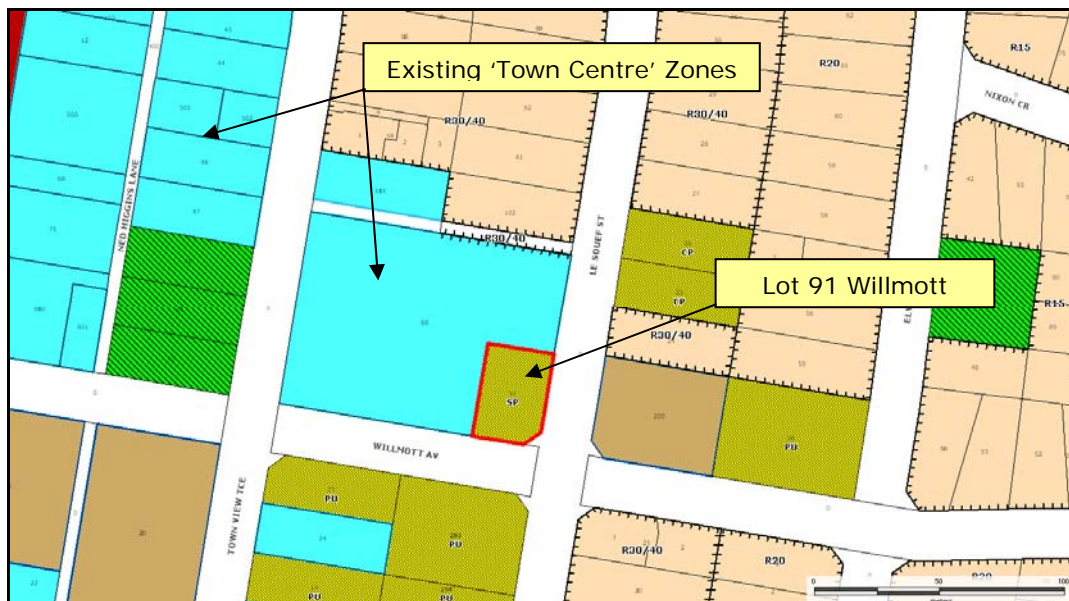


Figure 2: Existing Zoning

The only 'Residential' zoned properties in direct proximity to the subject land are opposite on Le Souef Street (Lot 24) and on the south east corner of Willmott Avenue and Le Souef Street. There is minimal potential for the subject proposal to have any adverse impact on the amenity of these properties given:

- The immediate area is characterised by non-residential development which already limits the amenity of the residential properties;
- The subject land is separated from these residential properties by surrounding roads;
- Lot 91 is a relatively small development site in comparison to other surrounding major development (existing and proposed) and therefore will have a negligible contribution to the amenity of the area.

On this basis it is clear that the location of the site is best suited to ultimately accommodating a range of commercial, retail and residential uses as facilitated by the 'Town Centre' zone.

#### FINANCIAL IMPLICATIONS

There will be some cost to Council given that the amendment is being initiated and progressed on behalf of FESA. This cost will be minimal (approx \$5000 made up mainly of staff time) in comparison to the substantial contribution FESA are now making to the development of the new SES/VFRS facility (over \$1M) at Clarke Road.

**CONCLUSION**

The proposed amendment is considered acceptable for the purpose of consultation and accordingly is recommended for initiation.

**RECOMMENDATION**

That Council, pursuant to section 75 of the Planning and Development Act (2005) initiate Amendment No. 13 to Local Planning Scheme No. 1 by rezoning Lot 91 Willmott Avenue, Margaret River from 'Local Reserve – Public Purposes (Shire Purposes)' to 'Town Centre' zone and amending the Scheme Maps accordingly.

**ATTACHMENTS**

Nil

**RECOMMENDATION / COUNCIL DECISION**

---

**CR BELL, CR VEITCH OM1201/6**

**That Council, pursuant to section 75 of the Planning and Development Act (2005) initiate Amendment No. 13 to Local Planning Scheme No. 1 by rezoning Lot 91 Willmott Avenue, Margaret River from 'Local Reserve – Public Purposes (Shire Purposes)' to 'Town Centre' zone and amending the Scheme Maps accordingly.**

**CARRIED 6-NIL**

---

**12.2.3 LOT 12 AND PORTION OF LOCATION 1035 ROWE ROAD, WITCHCLIFFE - INITIATION OF SCHEME AMENDMENT NO. 10 AND STRUCTURE PLAN**

---

<b>LOCATION/ADDRESS</b>	Lot 12 and Portion of Location 1035 Rowe Road, Witchcliffe
<b>APPLICANT/LANDOWNER</b>	Rob Paull & Associates
<b>FILE REFERENCE</b>	P211398 & P211399 PTY/5337 & PTY/5156
<b>REPORT AUTHOR</b>	Lucy Gouws - Planning Officer
<b>CONTRIBUTING AUTHOR</b>	Nick Logan - Strategic Planning and Sustainability Coordinator
<b>AUTHORISING OFFICER</b>	Iliya Hastings, Acting Director of Planning and Development Services

---

**IN BRIEF**

- This report concerns a proposed Scheme Amendment and Structure Plan for Lot 12 and portion of Location 1035, Witchcliffe.
- Scheme Amendment 10 includes:
  - Rezoning of a portion of Location 1035 Rowe Road, from Priority Agriculture to Rural Residential and Local Reserve and to rezone part of Lot 12 Bussell Highway to Bushland Protection zone;
  - Amending the Scheme under Schedule 11 to allow for special provisions relating to the development on land zoned Rural Residential under reference R/R28; and
  - Incorporate a new 'Bushland Protection Zone' into the Scheme.
- The Council needs to determine whether the proposed amendment and Structure Plan is satisfactory for advertising.

**RECOMMENDATION**

It is recommended that Amendment 10 be initiated for the purpose of consultation and the Structure Plan is deemed satisfactory (subject to modifications) for consultation.

---

**TABLED ITEMS**

- 1) Proposed Amendment 10 to Local Planning Scheme No. 1

**BACKGROUND**

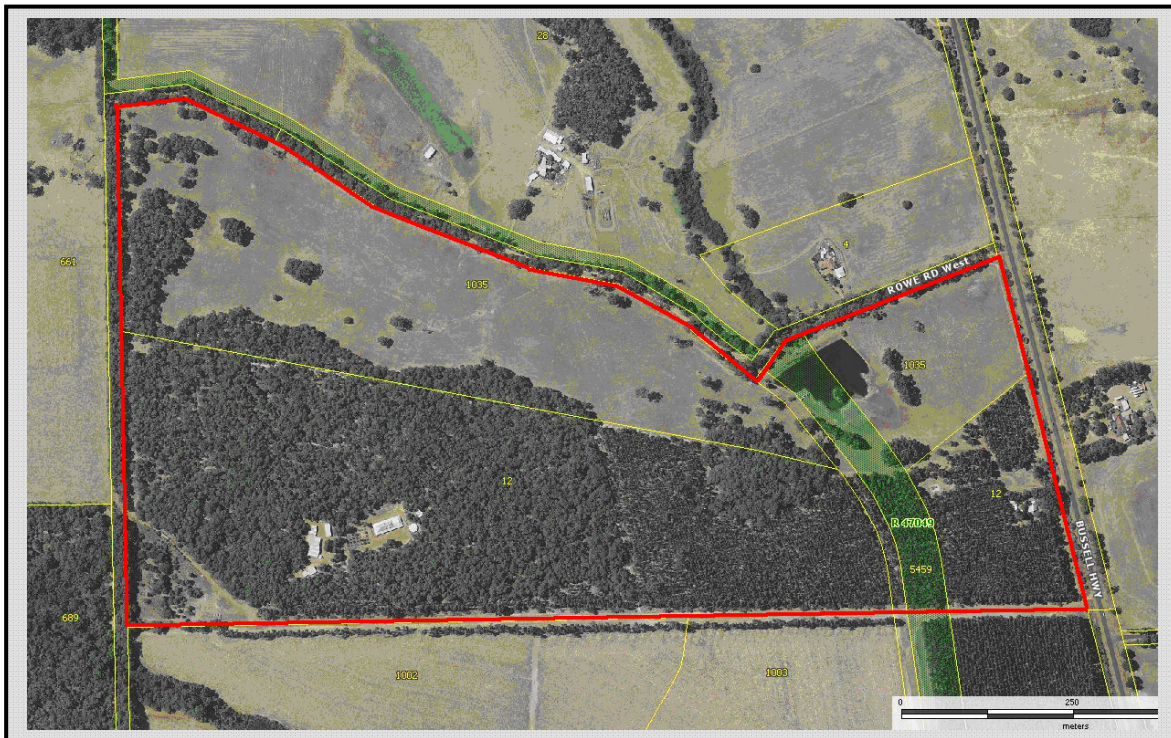
Lot 12 and Pt Location 1035 'The Site' originated as a single 71 ha rural lot, identified as Location 1035. In 1992 Council agreed to the construction of a dam within a portion of the disused Railway Reserve (Rails to Trails) and Location 1035 which included appropriate spillway and fencing. Subdivision of Location 1035 was approved by appeal to the Minister in 1993. Subdivision created two lots, location 1035 (40.41 ha) and Lot 12 (31 ha) in the configuration as presented today. The subdivision did not adjust the Rails to Trails reserve that is vested in the Shire and runs through both lots.

Lot 12 contains an existing dwelling, with associated sheds and rain water tank within the western portion. This western 25 ha of Lot 12 contains native vegetation that has been recorded within the Environmental and Landscape Management Plan (ELMP) by Eco Logic Environmental Services South West dated 4 August 2011 as native vegetation of very good to excellent condition. The remaining 15.51 ha of Lot 12 contains a blue gum plantation extending through the rails to trails reserve.

Location 1035 contains a portion of an existing dam; the land is utilized for grazing, contains areas of remnant vegetation and is otherwise undeveloped. These features are identified in figure 1 below.

An 'in principle' Scheme Amendment was supported at the Council meeting of 24 November 2010, subject to the following:

- (i) Need to address the necessary visual buffers to the lots to protect lots from surrounding land uses and protect the visual amenity of the village and surrounds;
- (ii) Consider lot configuration to ensure the necessary buffers to agriculture can be provided for;
- (iii) Fire protection measures for the lots, and for the protection of surrounding lots without compromising the conservation or visual amenity objectives exposed in the Witchcliffe Village Strategy;
- (iv) Requirement of agreement to a Covenant on Lot 12 to be provided between the landowner and appropriate authorities;
- (v) Detail of access arrangements that include the upgrade and seal of Rowe Road West from Bussell Highway, contribution to the construction of Gnaraway Road to Redgate Road of the abutting Rails to Trails reserve;
- (vi) Details of servicing consistent with the Witchcliffe Village Strategy;
- (vii) Submission of a Structure Plan that adequately guides future subdivision and development of the land;
- (viii) Details of revegetation planting;
- (ix) Preparation of a Local Water Management Strategy;
- (x) A Geotechnical Report; and
- (xi) Preparation of an Environmental / Landscape Management Plan.



**Figure 1: Site Plan**

Lot 12 and Location 1035 are located 700m to the north of the village of Witchcliffe. The southern boundary of Lot 12 is adjacent to Lot 1003 and 1004 which are within the Future Development Zone – for urban development at Witchcliffe.

Beyond the Site are a mixture of uses including, subdivision approval for fifty one (51) lots to the south, large rural lots with single dwellings and areas of dense vegetation. Adjoining Lot 661 to the west of the Site has planning approval in 2010 for an 11 ha vineyard. The vineyard is located within the south eastern corner of Lot 661. The proposal includes a vegetated buffer abutting the boundary onto Rowe Road West

To the north of the Site the landscape is clear of vegetation.

## THE PROPOSAL

Council need to consider two separate processes in regard to the proposal - the Scheme Amendment that modifies the zoning of the land and the Structure plan that provides the details of future subdivision and development.

### 1. Scheme Amendment

The applicant seeks initiation of an amendment to LPS1 that proposes to rezone the Site to 'Rural Residential' and 'Bushland Protection' to facilitate the subdivision of Location 1035 for rural residential purposes which would otherwise not be supported in the 'Priority Agriculture' zone. The Applicant has provided special provisions to be listed under Schedule 11 of the Scheme which relate to:

- Lot sizes and configuration in accordance with the endorsed Structure Plan;
- At the time subdivision and development the Fire Management Plan shall be implemented;
- All dwellings shall comply with AS3959-2009;
- At the time of subdivision a Landscape Management Plan shall be implemented;
- Boundary setbacks are as per Schedule 13 and the Fire Management Plan;
- At the time of subdivision a Local Water Management Plan will be prepared and implemented; and
- The intersection of Rowe Road and Bussell Highway will be formalised.

Amendment 10 also proposes to introduce the Bushland Protection zone and provisions. The Bushland Protection zone will be in the Conservation Zone grouping under the Local Planning Strategy that will be applied to vegetated lots that are typically subject to conservation covenants and are consistent with the Councils Biodiversity Incentives Strategy.

The amendment includes the permissibility of specific uses within the Bushland Protection Zone. The permitted use classes have similarities to the Southern Ocean Foreshore Protection and Leeuwin-Naturaliste Ridge Conservation zone. There are some suggested changes for consistency of the Bushland Protection zone within the Southern Ocean Foreshore Protection zone, as follows:

Permissibility for Bushland Protection:

Use Class	Proposed Permissibility	Advised Permissibility
Dwelling	D	P
Ancillary Accommodation (added)	Not included	A
Home Occupation	P	A
Holiday House (added)	Not included	A
Plant Nursery	A	X
Agriculture-extensive	D	A
Agriculture-intensive	D	A
Family Day Care	Not included	A

Special Provisions will be added for development within the Bushland Protection zone. The following are the areas that the provisions will address:

- Development being contained within an approved building envelope;
- Development is consistent with the purpose and objectives of the zone;
- Development is required to comply with an approved Structure plan, Landscape Plan and Fire Management Plan;
- No agriculture or grazing within vegetated or wetland areas;
- The criteria for when Agriculture Intensive and Extensive can be considered;
- No wetlands are to be filled, drained, cleared or excavated;
- Liquid and solid wastes shall be disposed of by an effluent system approved by the Council; and
- When subdivision can be considered.

Clause 5.20 of Scheme contains specific provisions with regards to land clearing within land zoned Rural Residential, Priority Agriculture, General Agriculture, Southern Foreshore, LNR Conservation and Amenity. It is considered appropriate for the proposed Bushland Protection zone to be included within these provisions.

## 2. Structure Plan

The proposed structure plan is facilitated by the proposed amendment. The concurrent consideration of a structure plan and scheme amendment is technically possible under LPS1, and considered an appropriate course of action as it gives a full description of the likely outcomes of modifying the zoning of the land with the inclusion of that further level of detail and certainty provided through the structure planning process.

The Structure Plan includes the following key components:

- Creation of 15 Rural Residential Lots ranging from 1.92 ha to 3.25 ha, with an average lot size 2.1 ha;
- A 10m wide visual vegetation buffer along the northern boundary of Location 1035;
- A vegetation buffer is proposed along the western portion of Location 1035. (This is included within the supplementary report but not shown on the plan);
- The removal of an existing jetty structure from the western part of the existing dam in Location 1035, and the containment of the dam completely within proposed Lot 3 to ensure no encroachment into the Rails to Trails Reserve;
- Upgrade of Rowe Road West to a bitumen standard and an extension to Rowe Road south along the western boundary of Lot 12 and Location 1035. If the Witchcliffe Structure Plan is not sufficiently developed, the developer will contribute to the upgrading the extension of Rowe Road south to Redgate to a minimum emergency access way;
- Rezone 25 ha of existing Lot 12, from the Priority Agriculture zone to the proposed zone of Bushland Protection for Conservation purposes; and
- Remainder of Lot 12 to remain within in the zone of Priority Agriculture. Future development of the site can be considered at a future date following the substantial development of the Witchcliffe Town site.

A copy of the Structure Plan is included as **Attachment 1**.

## ATTACHMENT 1

### CONSULTATION

The Town Planning Regulations 1967 require the amendment to be advertised publicly and referred to relevant agencies following which a final adoption report would be prepared for Council.

### PLANNING FRAMEWORK

#### Local Planning Scheme No. 1 (The Scheme)

The Scheme is relevant as it establishes the process for considering the Structure plan, and the information required to be provided through that process. This process can effectively be varied with the agreement of the proponent. In this instance the proponent has agreed for the Structure Plan to be considered in parallel with the proposed Amendment 10 to LPS1. The information provided to support the proposed Structure Plan is considered generally to satisfy the requirements of LPS1, except where noted below in the following Planning Assessment.

Under the Scheme the Site is currently zoned "Priority Agriculture" and specific provisions under this zone relate to setbacks, dwellings, tourist accommodation, restaurants and subdivision. Under the current zone the land is unable to be subdivided any further.

#### Local Planning Strategy (LPS)

The LPS provides the guidance for the preparation of more detailed local structure plans. Within the vision for the growth of Witchcliffe, there is the underlying importance of retaining the rural village character within any new urban form. The LPS identifies the area of the proposed Structure Plan within the 'Development Investigation Area W3', for the purpose of a buffer conservation area, rural residential use and long term urban development in the south eastern corner of Lot 12.

The LPS specifies the following for Lot 12 and Location 1035:

- (i) *Rural Residential Area (29ha) (Lot 1035 Bussell Highway)* - Subject to an appropriate rezoning and local structure plan, development for Rural Residential at a density of 1 lot per 2ha's, subject to comprehensive revegetation/screen planting.

- (ii) *Conservation Lot (25ha) (Part of Lot 12 Bussell Highway)* - Council will consider a scheme amendment which will facilitate the creation of a single 25ha conservation lot, with associated conservation covenant and designated building envelope.
- (iii) *Cell 6 (15ha approx.) (Part of Lot 12 Bussell Highway)* - Council will consider, upon the substantial completion of Cells 1 – 4, a scheme amendment and associated local structure plan which will facilitate special residential development to a density, scale and form to the satisfaction of the Council.

### **Witchcliffe Village Strategy**

The Village Strategy identifies the area of the proposed Structure Plan as Conservation Lot and Rural Residential Area, and long term urban development, consistent with the LPS.

### **PLANNING ASSESSMENT**

The Proposal can be considered in relation to the various issues that are raised and any modifications necessary to the Amendment provisions or Structure Plan.

### **Land Uses**

Lot 12 on the structure plan is to incorporate the existing dwelling and the surrounding 25 ha into a private conservation area through inclusion in the Bushland Protection zone. The Lot has been identified as containing native vegetation that is worthy of conservation as per the Environmental and Landscape Management Plan (ELMP), and the Conservation Covenant Report (CCR) prepared by Eco Logic Environmental Services. The CCR supported the findings of the ELMP submitted with the amendment where the vegetation condition in the western portion of Lot 12 is recorded to be very good to excellent; the vegetation has a high diversity of native plants and very few weeds and disturbances. The remaining 15.51 ha of the Lot 12 will remain as Priority Agriculture and is not included as part of this amendment, but set aside for urban development in the long term.

A building envelope is to be designated to contain the existing dwelling and associated development on the site. It is considered appropriate for the Building Envelope to be shown on the structure plan.

Location 1035 is currently a vacant lot with a dam in the eastern portion. The structure plan proposes fifteen rural residential lots over the 31.64 ha area. The creation of rural residential lots in this location has already been identified under the WVS and the LPS as a suitable zone for Location 1035.

Lot 661 to the west was granted approval for a vineyard within the south eastern corner in 2010. The Development Standards under Clause 4.15 of the Scheme for land zoned Priority Agriculture and General Agriculture Zone states that *a 20 metre set back between agricultural-intensive and any common boundary with adjoining land and 10 metres of that setback shall be heavily landscaped to minimise the prospect of spray drift. Where no such landscaped strip exists, or is proposed, the setback shall be 100 metres.*

The approved vineyard includes a 20m setback from property boundaries of which 10 metres is required to be heavily vegetated to reduce off-site impacts. The 10 metre buffer planting is required along the eastern boundary and is required to be planted from the south eastern corner to a point opposite the northern boundary of Lot 1035.

The applicant has advised that it is intended to include as memorial on the titles that the lots are within 500m of the nearby vineyard, to ensure landowners are aware of the location of the vineyard. This approach along with the knowledge that a 10m heavily vegetated buffer within the approved vineyard within neighbouring Lot 661 are both necessary. A greater degree of information is considered to be required on the structure plan to illustrate the proposed additional buffer planting that is proposed along the western boundary of Location 1035 that has been identified within the ELMP but not shown on the structure plan.

### **Landscape Impact**

One of the requisites of the in principle amendment was that the necessary visual buffers are achieved within the layout of the structure plan. This is not only to protect the amenity values of the proposed rural residential lots from the existing surrounded land uses but to protect the existing rural setting at the entrance to Witchcliffe.

The topography of the Site is at its highest point to the east and slopes away to the west. The intention is to retain all existing vegetation within Location 1035 which includes a dense area of vegetation up to 100m in width to the west which acts as a natural buffer to the west of the site towards the vineyard. The ELMP identifies that additional landscape and visual buffers are to be provided along the northern, western and eastern boundaries of Location 1035. The 10 metre wide landscape buffers comprise of several strata of local native vegetation. The buffers to the west include a 15 – 20 metre revegetation landscape buffer with a 10 metre maintenance strip either side of the buffer.

It is considered appropriate that these buffers should be shown indicatively on the Structure Plan for reference purposes which will link to an approved Landscape Management Plan.

### **Bushfire and Risk Management**

- A draft Fire Management Plan has been prepared by Fire Plan WA. The report identifies the subject land and adjoining as having a “Low” and “Extreme” bush fire hazard levels. Proposed new buildings are to be built to AS3959 and to be located in areas being rated “Low”, in addition to the introduction of Building Protection Zones and Hazard Separation Zones. The FMP will include these and the following requirements:
- Upgrading Rowe Road and extension to road south.
- Installation of Emergency Access along western boundary of the site linking to Rowe Road southwards to Redgate Road, providing two points of access. The report finds that this access point will be maintained by the Shire Augusta Margaret River.
- Rainwater tanks to store minimum 15,000 litres water for fire fighting purpose with 38mm Gate Valve positioned in an area that will enable access,
- Lot 12 is rated “Extreme” and will require Building Protection and Hazard Separation zones, and an increased standard of building construction to AS3959-2009,
- Planting or new trees and shrubs not permitted within 6 metres of the centre of any firebreak,
- Screen planting of trees is required to not exceed a total of 20 metres wide otherwise it will affect the construction standards of dwellings within 100 metres of the screen plantings, and
- Dwellings are to be located a minimum of 46 metres from the lot boundaries in order to achieve the Building and Hazard Separation zones.

The Shires Community Emergency Services Manager has advised that domestic water tanks in bush fire prone areas are to be fitted with 50mm male camlock coupling with full flow valves. The FMP indicates that fire hydrants are located in Witchcliffe and there are no requirements for additional water supplies, which is incorrect as there are no hydrants located in Witchcliffe, therefore additional water supplies for fire fighting will be required. These matters can be investigated further during the consultation period.

The Shire Infrastructure Manager has advised that since development to the south has not proceeded, the creation of an emergency access only link along the north south section of Rowe Road West from the site to Redgate Road is supported. It has been advised that there is an existing track in the road reserve as far south as the southern boundary of proposed Lot 15. Any further south of this point the construction of the access track will require removal of remnant vegetation in the road reserve and therefore referral to the DEC.

It is advised to include building exclusion areas on the Structure Plan in accordance with the FMP, so that the implications are clearly evident.

### **Access Arrangements / Rails to Trail**

The site is currently serviced by the low order gravel Rowe Road West from Bussell Highway. The road will be required to be upgraded to a 6m seal on an 8m formation from the western most extent of the subdivision. It was considered that at the subdivision design stage a survey of the east-west portion of Rowe Road would be required and the existing culvert north of the dam to be upgraded. A draft Engineering Assessment has been provided. The report finds that at the subdivision design stage a full design of Rowe Road and Bussell Highway intersection will be carried out in consultation with Main Roads. The report states that separate battleaxe driveways and crossovers are to be provided which are to be constructed to Shire specifications. There is the potential for proposed Lots 12, 14 and 15 to have a common driveway, which will then require reciprocal rights recorded on the titles.

With regards to the encroachment of the dam on the Rails to Trails Reserve it is proposed to:

- 1) Require that Structure Plan and Scheme Amendment be modified to allow for an additional portion of the reserve to the west of the dam to enable the path to continue;
- 2) This will require proposed Lot 4 to be modified and a new reserve area shown on the Scheme Amendment maps, or alternately the western section of the dam filled and returned to a state where a path can be provided; and
- 3) Require that the owner of proposed Lot 2 enter into a lease agreement with the Shire for that portion of the reserve covered by the dam (and other cartilage).

The Shire will require a contribution to the development of the Rails to Trails, which the applicant proposes to negotiate earthworks in lieu of cash contribution which is considered to be acceptable. With Rowe Road crossing the Rails to Trails, the means of crossing will need to be assessed and identified at the subdivision design plan stage.

A greater level of detail is considered to be required on the Structure Plan to indicatively illustrate access arrangements to the proposed lots that can then relate to an approved Engineering assessment at the subdivision stage.

### **Water Management**

A draft Local Water Management Strategy includes:

- The vegetated land along the southern boundary Location 1035 will minimise the amount of stormwater in flood events.
- An outflow from the dam occurs via a spillway and subsurface flow into the original seasonal creek line across Rowe Road West and to the North over neighbouring Lot 28 and 4. The establishment of the High Water Level of the dam will provide an idea to the level the dam water will rise in a high rain fall event. The potential implications from the dam in a flood event are considered to be low due to the low population density, but it could result in some localised damage to Rowe Road West.
- No sign of the water table were observed in any of the geographical test holes of effluent pits.
- Lower northern portions proposed Lots 6, 7, 8 of and flatter portions of Lots 10, 12 and 15 may experience short term saturation in periods of high extended rainfall, however subsurface water flow downhill will allow dissipation.
- Building Envelopes are recommended to ensure sufficient buffer to water bodies and to ensure domestic activities are within acceptable limits.
- Water supply for the proposed lots will be through harvesting rainfall on roofs and storage of water tanks to comply with Local Government and WA Health Department with minimum size of 135,000 litres.

The format of the draft Local Water Management Strategy is not a format required by the DoW, and does not address some issues that a level of detail is required. There is currently insufficient information for a full and comprehensive assessment of local water management issues.

An Effluent Study Report was carried out by Civil/Structural Consulting, and concluded:

- Effluent disposal systems should not be sited to the lower (northern) portions of Lots 6, 7, 8, 9, 10 and 11 or the flatter sections of Lots 10, 12 and 15.
- All soils in the subject area are underlain with clays which typically have a moderate to high phosphate retention / assimilation capacity. It is advised that as long as the minimum separation distances of 50 metres from sensitive areas such as the dam and dam catchment, seasonal creek lines are provided and maintained the phosphorous assimilation into receivable environments is expected to be acceptable.
- Maintain a minimum of 30 metre separation from existing or proposed table drains and roads.

### **SUSTAINABILITY IMPLICATIONS**

#### **Economic**

The addition of 15 Rural Residential lots will benefit existing businesses in the Witchcliffe area and the Tourist Precinct will create employment and also benefit businesses.

#### **Environment**

Providing the necessary setbacks are achieved and shown on the Structure Plan there will be minimal impact on the environment and the retention of the vegetation through the inclusion of the Bushland Protection Zone.

**Social**

N/A

**FINANCIAL IMPLICATIONS**

The scheme amendment is being charged to the applicant as per the set fees and charges.

**CONCLUSION**

The initiation of an amendment and structure planning process for the rezoning of Location 1035 Rowe Road and part of Lot 12 is consistent with the Local Planning Strategy and the Witchcliffe Village Strategy. Accordingly, it is recommended that Council initiate the proposed Scheme Amendment and Structure Plan. The inclusion of new provisions in the Scheme that introduce the 'Bushland Protection' zone are also important as these will provide the statutory basis for land identified in Councils Biodiversity Incentives Strategy.

**RECOMMENDATION**

That Council resolves:

- 1) Pursuant to Section 75 of the Planning and Development Act (2005), initiate Amendment 10 to the Local Planning Scheme No.1 for the purpose of:
  - 1.1 Rezoning Location 1035 Rowe Road, Witchcliffe from 'Priority Agriculture' to 'Rural Residential' and 'Local Reserve' as depicted on the Scheme Amendment Map.
  - 1.2 Amending the Scheme Text by inserting in 'Schedule 11 – Special provisions relating to development on land zoned Rural Residential, as follows:

Scheme Map Ref No.	Site Description	Specific conditions and requirements
R-R28	Location 1035 Rowe Road, Witchcliffe	<ol style="list-style-type: none"> <li>1. The lot size and configuration shall generally be in accordance with the structure plan dated ***** and adopted under Part 6 of the Scheme.</li> <li>2. At the time of subdivision and development the relevant components of the Fire Management Plan shall be endorsed by the Local Government and the Fire and Emergency Service Authority including implementation.</li> <li>3. The land is considered a 'Bush Fire Prone Area' for the purpose of the Building Code of Australia and accordingly all dwellings within the zone shall comply with AS3959 – Construction of Buildings in Bushfire Prone Areas (as amended from time to time).</li> <li>4. The Fire Management Plan may be varied from time to time by the Local Government provided the owner/s of any land affected by the variation is notified in writing of the terms of the variation.</li> <li>5. At the time of subdivision a Landscape Management Plan shall be prepared and implemented that addresses:                             <ul style="list-style-type: none"> <li>- Mitigation of visual impact through screening dwellings from Bussell Highway and the Rails to Trails walk/cycle trail;</li> <li>- Mitigation of land use conflict through the continued operation of agricultural land use in the locality; and</li> <li>- The objective to balance vegetation protection with the requirements of the endorsed Fire Management Plan.</li> </ul> </li> </ol>

SHIRE OF AUGUSTA-MARGARET RIVER  
ORDINARY COUNCIL MEETING MINUTES: 18 January 2012

		<p>6. Boundary setbacks are to be as per Schedule 13 of the Scheme provided that such setbacks comply with the requirements of the Fire Management Plan.</p> <p>7. At the time of subdivision a Local Water Management Plan will be required to be prepared to the satisfaction of the Local Government and implemented prior to subdivision clearance.</p> <p>8. At the time of subdivision the intersection of Rowe Road and Bussell Highway will be formalised to an appropriate standard by the subdivider.</p>
--	--	---

1.3 Amending Table No.1 (Zoning Table) of the Scheme by including the following under the general heading of 'Conservation Zones'.

Use Class	Bushland Protection
Dwelling	P
Ancillary Accommodation (added)	A
Home Occupation	A
Holiday House (added)	A
Plant Nursery	X
Agriculture-extensive	A
Agriculture-intensive	A
Family Day Care	A

1.4 Amending the Scheme Text by including the new provisions 4.2.1.4 as follows:

**Bushland Protection Zone**

**4.2.1.4. Bushland Protection Zone**

Purpose of the Bushland Protection Zone:

- a) To encourage the protection of natural area on privately owned properties within rural localities which are considered to have high environmental, conservation, and biodiversity values.
- b) To restrict the type, scale and distribution of land uses and development that will be considered on lands possessing special biodiversity values to those that will not adversely affect those values.
- c) In some instances provide for the opportunity for subdivision as an incentive for the protection of special biodiversity values and perpetuity.

Objectives of the Bushland Protection Zone:

- a) Ensure the preservation and protection of significant natural areas on private land by:
  - i) Minimising the clearing of natural areas;
  - ii) Encouraging the retention and protection of existing natural areas;
  - iii) Encouraging the rehabilitation of natural areas where appropriate;
  - iv) Encouraging the development and protection of corridors/ linkages on private land as well as rehabilitating these areas where appropriate;
  - v) Controlling the introduction and spread of alien species of flora and fauna;
  - vi) Protecting aboriginal heritage and cultural and historical values;
  - vii) Retaining visual amenity and landscape values, and
  - viii) Ensuring the protection of water features, karst, acid sulphate soils, sensitive landforms etc.
- b) To give the preservation of natural area an economic values by providing a limited subdivision incentive in some instances, through the creation of conservation lots, in exchange for protecting natural areas.

- c) To encourage land owners to include significant natural areas within the Bushland Protection zone and have these areas protected in perpetuity via the provision of the zone and a conservation covenant.
- d) To ensure development and subdivision is consistent where relevant with a Structure Plan approved by the Local Government and adopted by the WAPC.
- e) To support subdivision only where there is no detrimental impact on the aesthetic, conservation or biodiversity values of the land, where the objective of retention of these values in perpetuity will be achieved, and where further protection will be ensured by way of enabling the application of a restrictive covenant to the land.

#### 4.14 Development in the Bushland Protection Zone

- 4.15.1 Development shall be contained within the approved building envelope designated for each lot on any approved Structure Plan or plan of subdivision. Each building envelope is to be located to the satisfaction of the local government which shall, in determining such ensure.
  - a) Where available, a cleared area is used for the location of the building envelope.
  - b) The preservation of remnant vegetation is maximised.
  - c) That the envelope is not located within an area of poorly represented vegetation and will not impact on any declared rare flora and fauna.
  - d) There is no adverse or potential impacts on watercourses, wetlands, river or estuary systems or groundwater; and
  - e) Maintenance of landscaping values of the site and the general area.
- 4.15.2 Consistent with the purpose and objectives of this zone, development shall:
  - a) Provide for the protection of remnant vegetation, where practicable;
  - b) Provide for the rehabilitation of cleared and degraded areas;
  - c) Be sited and designed so as to minimise impact on the rural character, amenity, and the landscape elements of the locality; and
  - d) Not impact on any sensitive dune structures.
- 4.15.3 Development shall comply with any approved Structure Plan, approved Landscape Management Plan and Fire Management Plan which will ensure;
  - a) Provide for the protection of remanet vegetation, where practicable;
  - b) Provide for the rehabilitation of cleared and degraded areas;
  - c) To be sited and designed so as to minimise impact upon the rural character, amenity, and the landscape elements of the locality;
  - d) Not to impact any sensitive dune structures.
- 4.15.4 No agriculture or grazing shall be undertaken within the vegetated or wetland areas of a lot within the Bushland Protection Zone.
- 4.15.5 In considering applications for Agriculture Intensive or Extensive in the Bushland Protection Zone the local government shall ensure:
  - a) There are no adverse or potential impact on watercourse, wetlands, river or estuary systems or groundwater;
  - b) The proposal does not conflict with any restrictive covenant applying to the land; and
  - c) Adequate buffer are provided between the agricultural use and vegetated areas, wetlands or watercourses. Where Declared Rare Flora is present, advice from the Department of Environment shall be sought in determining an adequate buffer separation distance.
- 4.15.6 No wetlands on any lot in the Bushland Protection Zone may be filled, drained, cleared or excavated.
- 4.15.7 Liquid and solid wastes shall be disposed of on-site by means of an effluent disposal system approved by the Council. Effluent disposal area shall be set back a minimum of 50 metres from any watercourse or dam or as approved by Council.

4.15.8 Subdivision of land included in the Bushland Protection zone will only be considered in accordance with a subdivision incentive details in Local of State Government Policy. Where such an incentive has already been applied and a restrictive covenant applied to the land, further subdivision is considered inconsistent with the provisions of the zone.

1.5 Amending Clause 5.20 of the Scheme to read as follows:

**5.20 Land Clearing**

**5.20.1 Land Clearing**

a) Notwithstanding the Zoning Table, and unless otherwise specifically stated in this Scheme, no person shall clear and within areas **zoned** Rural Residential, Priority Agriculture, General Agriculture, **Bushland Protection**, LNR Conservation, LNR Landscape Amenity and Southern Ocean Foreshore Protection without the prior planning approval of the local government will take into account proposals, including arrangements for entering into covenants with the local government, for the retention and protection of other remnant vegetation, or any existing covenant of similar effect.

1.6 Including part Lot 12 Bussell Highway, Witchcliffe within the Bushland Protection Zone as depicted on the Scheme Amendment Map.

1.7 Modifying the Scheme Maps accordingly.

2) The proposed Structure Plan for Lot 12 and Portion of Location 1035 Bussell Highway, Witchcliffe is determined satisfactory for the purpose of advertising subject to the following modifications:

a) That 10m wide visual landscape buffers are shown for the north, west and eastern boundaries within the rural residential area.

b) A Building Envelope is identified for Lot 12.

c) Proposed Lot 4 being modified to allow for a new Reserve to facilitate the Rails to Trails alignment and a notation requiring the owner of proposed Lot 3 enter into a lease with Council for the portion of the Reserve covered by the existing dam and curtilage.

d) Exclusion areas being identified in accordance with the setback provisions provided within the Draft Fire Management Plan, Local Water Management Plan and Effluent Study.

e) Renaming of the 'Conditions' on the Structure Plan to Planning Policy Statements and these shall read as follows:

1) At the time of subdivision and development the relevant components of the Fire Management Plan endorsed by the Local Government and Fire and Emergency Services Authority shall be implemented.

2) At the time of subdivision a Landscape Management Plan shall be prepared and implemented that addresses:

- Mitigation of visual impact through screening dwellings from Bussell Highway and the Rails to Trails walk/cycle trail;
- Mitigation of land use conflict through the continued operation of agricultural land use in the locality; and
- The objective to balance vegetation protection with the requirements of the endorsed Fire Management Plan.

3) At the time of subdivision a Local Water Management Plan will be required to be prepared to the satisfaction of the Local Government and implemented prior to subdivision clearance.

4) At the time of subdivision the intersection of Rowe Road and Bussell Highway will be formalised to an appropriate standard by the subdivider and Rowe Road will be upgraded to the satisfaction of the Shire.

- 5) At the time of subdivision the owner of proposed Lot 4 enters into a lease agreement with the Council for that portion of Reserve 47049 covered by the existing dam and curtilage.
  
- 6) No buildings are to be constructed in the fire hazard and building protection zone.

**ATTACHMENTS**

1. Proposed Structure Plan

**RECOMMENDATION / COUNCIL DECISION**

**CR SMART, CR BELL OM1201/7**

**That Council resolves:**

- 1) Pursuant to Section 75 of the Planning and Development Act (2005), initiate Amendment 10 to the Local Planning Scheme No.1 for the purpose of:
  - 1.1 Rezoning Location 1035 Rowe Road, Witchcliffe from 'Priority Agriculture' to 'Rural Residential' and 'Local Reserve' as depicted on the Scheme Amendment Map.
  
  - 1.2 Amending the Scheme Text by inserting in 'Schedule 11 – Special provisions relating to development on land zoned Rural Residential, as follows:

Scheme Map Ref No.	Site Description	Specific conditions and requirements
R-R28	Location 1035 Rowe Road, Witchcliffe	9. The lot size and configuration shall generally be in accordance with the structure plan dated ***** and adopted under Part 6 of the Scheme.  10. At the time of subdivision and development the relevant components of the Fire Management Plan shall be endorsed by the Local Government and the Fire and Emergency Service Authority including implementation.  11. The land is considered a 'Bush Fire Prone Area' for the purpose of the Building Code of Australia and accordingly all dwellings within the zone shall comply with AS3959 – Construction of Buildings in Bushfire Prone Areas (as amended from time to time).  12. The Fire Management Plan may be varied from time to time by the Local Government provided the owner/s of any land affected by the variation is notified in writing of the terms of the variation.  13. At the time of subdivision a Landscape Management Plan shall be prepared and implemented that addresses: <ul style="list-style-type: none"> <li>- Mitigation of visual impact through screening dwellings from Bussell Highway and the Rails to Trails walk/cycle trail;</li> <li>- Mitigation of land use conflict through the continued operation of agricultural land use in the locality; and</li> <li>- The objective to balance vegetation protection with the requirements of the endorsed Fire Management Plan.</li> </ul> 14. Boundary setbacks are to be as per Schedule 13 of the Scheme provided that such setbacks comply with the requirements of the Fire Management Plan.

		<p>15. At the time of subdivision a Local Water Management Plan will be required to be prepared to the satisfaction of the Local Government and implemented prior to subdivision clearance.</p> <p>16. At the time of subdivision the intersection of Rowe Road and Bussell Highway will be formalised to an appropriate standard by the subdivider.</p>
--	--	--

1.3 Amending Table No.1 (Zoning Table) of the Scheme by including the following under the general heading of 'Conservation Zones'.

Use Class	Bushland Protection
Dwelling	P
Ancillary Accommodation (added)	A
Home Occupation	A
Holiday House (added)	A
Plant Nursery	X
Agriculture-extensive	A
Agriculture-intensive	A
Family Day Care	A

1.4 Amending the Scheme Text by including the new provisions 4.2.1.4 as follows:

**Bushland Protection Zone**

**4.2.1.4. Bushland Protection Zone**

**Purpose of the Bushland Protection Zone:**

- a) To encourage the protection of natural area on privately owned properties within rural localities which are considered to have high environmental, conservation, and biodiversity values.
- b) To restrict the type, scale and distribution of land uses and development that will be considered on lands possessing special biodiversity values to those that will not adversely affect those values.
- c) In some instances provide for the opportunity for subdivision as an incentive for the protection of special biodiversity values and perpetuity.

**Objectives of the Bushland Protection Zone:**

- a) Ensure the preservation and protection of significant natural areas on private land by:
  - i) Minimising the clearing of natural areas;
  - ii) Encouraging the retention and protection of existing natural areas;
  - iii) Encouraging the rehabilitation of natural areas where appropriate;
  - iv) Encouraging the development and protection of corridors/ linkages on private land as well as rehabilitating these areas where appropriate;
  - v) Controlling the introduction and spread of alien species of flora and fauna;
  - vi) Protecting aboriginal heritage and cultural and historical values;
  - vii) Retaining visual amenity and landscape values, and
  - viii) Ensuring the protection of water features, karst, acid sulphate soils, sensitive landforms etc.
- b) To give the preservation of natural area an economic values by providing a limited subdivision incentive in some instances, through the creation of conservation lots, in exchange for protecting natural areas.

- c) To encourage land owners to include significant natural areas within the Bushland Protection zone and have these areas protected in perpetuity via the provision of the zone and a conservation covenant.
- d) To ensure development and subdivision is consistent where relevant with a Structure Plan approved by the Local Government and adopted by the WAPC.
- e) To support subdivision only where there is no detrimental impact on the aesthetic, conservation or biodiversity values of the land, where the objective of retention of these values in perpetuity will be achieved, and where further protection will be ensured by way of enabling the application of a restrictive covenant to the land.

#### 4.14 Development in the Bushland Protection Zone

4.15.1 Development shall be contained within the approved building envelope designated for each lot on any approved Structure Plan or plan of subdivision. Each building envelope is to be located to the satisfaction of the local government which shall, in determining such ensure.

- a) Where available, a cleared area is used for the location of the building envelope.
- b) The preservation of remnant vegetation is maximised.
- c) That the envelope is not located within an area of poorly represented vegetation and will not impact on any declared rare flora and fauna.
- d) There is no adverse or potential impacts on watercourses, wetlands, river or estuary systems or groundwater; and
- e) Maintenance of landscaping values of the site and the general area.

4.15.2 Consistent with the purpose and objectives of this zone, development shall:

- a) Provide for the protection of remnant vegetation, where practicable;
- b) Provide for the rehabilitation of cleared and degraded areas;
- c) Be sited and designed so as to minimise impact on the rural character, amenity, and the landscape elements of the locality; and
- d) Not impact on any sensitive dune structures.

4.15.3 Development shall comply with any approved Structure Plan, approved Landscape Management Plan and Fire Management Plan which will ensure;

- a) Provide for the protection of remanet vegetation, where practicable;
- b) Provide for the rehabilitation of cleared and degraded areas;
- c) To be sited and designed so as to minimise impact upon the rural character, amenity, and the landscape elements of the locality;
- d) Not to impact any sensitive dune structures.

4.15.4 No agriculture or grazing shall be undertaken within the vegetated or wetland areas of a lot within the Bushland Protection Zone.

4.15.5 In considering applications for Agriculture Intensive or Extensive in the Bushland Protection Zone the local government shall ensure:

- a) There are no adverse or potential impact on watercourse, wetlands, river or estuary systems or groundwater;
- b) The proposal does not conflict with any restrictive covenant applying to the land; and
- c) Adequate buffer are provided between the agricultural use and vegetated areas, wetlands or watercourses. Where Declared Rare Flora is present, advice from the Department of Environment shall be sought in determining an adequate buffer separation distance.

4.15.6 No wetlands on any lot in the Bushland Protection Zone may be filled, drained, cleared or excavated.

4.15.7 Liquid and solid wastes shall be disposed of on-site by means of an effluent disposal system approved by the Council. Effluent disposal area shall be set back a minimum of 50 metres from any watercourse or dam or as approved by Council.

**4.15.8 Subdivision of land included in the Bushland Protection zone will only be considered in accordance with a subdivision incentive details in Local of State Government Policy. Where such an incentive has already been applied and a restrictive covenant applied to the land, further subdivision is considered inconsistent with the provisions of the zone.**

**1.5 Amending Clause 5.20 of the Scheme to read as follows:**

**5.20 Land Clearing**

**5.20.1 Land Clearing**

**a) Notwithstanding the Zoning Table, and unless otherwise specifically stated in this Scheme, no person shall clear and within areas zoned Rural Residential, Priority Agriculture, General Agriculture, Bushland Protection, LNR Conservation, LNR Landscape Amenity and Southern Ocean Foreshore Protection without the prior planning approval of the local government will take into account proposals, including arrangements for entering into covenants with the local government, for the retention and protection of other remnant vegetation, or any existing covenant of similar effect.**

**1.6 Including part Lot 12 Bussell Highway, Witchcliffe within the Bushland Protection Zone as depicted on the Scheme Amendment Map.**

**1.7 Modifying the Scheme Maps accordingly.**

**2) The proposed Structure Plan for Lot 12 and Portion of Location 1035 Bussell Highway, Witchcliffe is determined satisfactory for the purpose of advertising subject to the following modifications:**

**a) That 10m wide visual landscape buffers are shown for the north, west and eastern boundaries within the rural residential area.**

**b) A Building Envelope is identified for Lot 12.**

**c) Proposed Lot 4 being modified to allow for a new Reserve to facilitate the Rails to Trails alignment and a notation requiring the owner of proposed Lot 3 enter into a lease with Council for the portion of the Reserve covered by the existing dam and curtilage.**

**d) Exclusion areas being identified in accordance with the setback provisions provided within the Draft Fire Management Plan, Local Water Management Plan and Effluent Study.**

**e) Renaming of the 'Conditions' on the Structure Plan to Planning Policy Statements and these shall read as follows:**

**1) At the time of subdivision and development the relevant components of the Fire Management Plan endorsed by the Local Government and Fire and Emergency Services Authority shall be implemented.**

**2) At the time of subdivision a Landscape Management Plan shall be prepared and implemented that addresses:**

- Mitigation of visual impact through screening dwellings from Bussell Highway and the Rails to Trails walk/cycle trail;**
- Mitigation of land use conflict through the continued operation of agricultural land use in the locality; and**
- The objective to balance vegetation protection with the requirements of the endorsed Fire Management Plan.**

**3) At the time of subdivision a Local Water Management Plan will be required to be prepared to the satisfaction of the Local Government and implemented prior to subdivision clearance.**

**4) At the time of subdivision the intersection of Rowe Road and Bussell Highway will be formalised to an appropriate standard by the subdivider and Rowe Road will be upgraded to the satisfaction of the Shire.**

- 5) **At the time of subdivision the owner of proposed Lot 4 enters into a lease agreement with the Council for that portion of Reserve 47049 covered by the existing dam and curtilage.**
  - 6) **No buildings are to be constructed in the fire hazard and building protection zone.**  
**CARRIED 6-NIL**
- 

*Two members of the public left Council Chambers at 6.15pm.*

## 12.3

### Infrastructure Services

## 12.3 Infrastructure Services

### 12.3.1 HEAVY PLANT QUOTATIONS 2011/2012 TRACTOR GLOUCESTER PARK AND AUGUSTA

---

<b>LOCATION/ADDRESS</b>	N/A
<b>APPLICANT/ LANDOWNER</b>	Shire of Augusta-Margaret River
<b>FILE REFERENCE</b>	PLT/2
<b>REPORT AUTHOR</b>	Russell Pratt/Wayne Gailey
<b>AUTHORISING OFFICER</b>	Wayne Prangnell – Director, Infrastructure Services

---

#### IN BRIEF

- Quotes have been called from the WALGA preferred supplier contract and evaluated for the supply and delivery of two new 60KW tractors, and sale of Council's existing Zettlemeyer front end loader P10670, by trade or outright purchase. The existing Tractor at Gloucester Park will be handed to the Cowaramup Sporting field group replacing the shire's existing Massey Ferguson Tractor (P701) which had been identified as a substantial age related OHS risk.
- Evaluations are attached and recommendations are made for preferred purchase and disposal options.

#### RECOMMENDATION

That Council:

1. Awards quotations PLT/2 – Gloucester Park, supply of one (1) 60KW 4WD tractor to Nicholls machinery for a Kubota MX95 540DHC-DS for a changeover price including trade and selected options of \$69,390.00 GST incl.
  2. Awards quotations PLT/2 - Augusta, supply of one (1) 60KW 4WD tractor to Nicholls machinery for a Kubota MX95 540DHC-DS including front end loader and attachment for a changeover price including trade and selected options of \$80,830.00 GST incl.
- 

#### LOCATION PLAN

N/A

#### TABLED ITEMS

N/A

#### BACKGROUND

Council's Fleet Unit prepares annual quotations for the provision of heavy plant. Under the Local Government (Functions and General) regulations a tender exemption applies to WALGA's preferred supplier contracts. WALGA contracts are rigorously market tested using a compliant procurement process to ensure that the highest quality offerings are delivered at the best possible value to local government in Western Australia.

#### Items within the approved program that have been quoted are:

One new 60KW 4 WD tractor Gloucester Park (Parks and Gardens)  
One new 60KW 4 WD tractor Augusta including front end loader (Parks and Gardens)

Quotes were requested on Thursday 8 September 2011 and closed at 4.00pm on Thursday 29 September 2011.

Prices shown below reflect the base price for the Tractors based upon the Shires minimum specification, the trade in price and the final prices including applicable options.

---

<b>Quotation PLT/2 2011-12 – Gloucester Park</b>			
<b>Supplier</b>	<b>Nicholls Machinery</b>	<b>Greenline</b>	<b>McIntosh and Sons</b>
<b>Model</b>	<b>Kubota MX95540-dcs</b>	<b>John Deere 5090R</b>	<b>New Holland 5050</b>
<b>Supply 60KW tractor (inc GST)</b>	\$73,150.00	\$87,340.00	\$94,600.00
<b>Total price (including options)</b>	\$74,890.00	\$90,242.00	\$96,442.00
<b>P701 trade in price</b>	\$5,500.00	\$4,400.00	\$8,800.00
<b>Outright purchase</b>	Not offered	Not offered	Not offered
<b>Nett change over price (including options)</b>	\$69,390.00	\$85,842.00	\$87,642.00

**Refer to Confidential Attachment 1**

<b>Quotation PLT/2 2011-12 – Augusta with loader</b>			
<b>Supplier</b>	<b>Nicholls Machinery</b>	<b>Greenline</b>	<b>McIntosh and Sons</b>
<b>Model</b>	<b>Kubota MX95540-dcs</b>	<b>John Deere 5090R</b>	<b>New Holland 5050</b>
<b>Supply 60KW tractor (inc GST)</b>	\$86,185.00	\$104,068.00	\$102,300.00
<b>Total price (including options)</b>	\$92,930.00	\$106,970.00	\$113,162.00
<b>P10670 trade in price</b>	\$12,100.00	\$16,500.00	\$28,600.00
<b>Outright purchase</b>	Not offered	Not offered	Not offered
<b>Nett change over price (including options)</b>	\$80,830.00	\$90,470.00	\$84,562.00

**Refer to Confidential Attachment 2**

**CONSULTATION AND ADVICE**

- External consultation was held with Busselton Shire Council and McHenry Hohen Vineyards.
- Internal consultation was arranged internally with operators from Parks and Gardens including Parks and Gardens Supervisor and Manager of Works.

**DISCUSSION/OFFICER COMMENTS**

The replacement program aims to maintain an efficient plant fleet for the construction and maintenance of Council's assets and maximise best trade-in values on existing plant. The program also seeks to minimise unscheduled maintenance and plant downtime, which impacts substantially on workshop work load and operational efficiency. Quotations are ranked according to qualitative criteria specified in the Request for Quotations and rankings are detailed in confidential attachments. Noted below are operator and mechanical staff comments on preferred options:

**Quotation PLT/2 2011-12 – 60KW Tractor Gloucester Park:**

On site demonstrations were conducted for the John Deere, Kubota and New Holland tractors. The highest ranked option is the Kubota MX95540-dcs. The operator and mechanical staff have listed the following occupational safety and health and operational points in favour of this vehicle.

- Larger cab with better ergonomic layout
- Excellent operator controls
- Better gear ratios 32 speeds
- Best turning circle
- Greater visibility
- Best cab egress and hand holds
- Best warranty and extended warranty deals.
- Best tyre offer

**Quotation PLT/2 2011-12 – 60KW Tractor complete with front end loader Augusta:**

On site demonstrations were conducted for the John Deere, Kubota and New Holland tractors. The highest ranked option is the Kubota MX95540-dcs. The operator and mechanical staff have listed the following occupational safety and health and operational points in favour of this vehicle.

- Larger cab with better ergonomic layout
- Excellent operator controls
- Better gear ratios 32 speeds
- Best turning circle
- Greater visibility
- Best cab egress and hand holds
- Best warranty and extended warranty deals

**STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**

Quotations are called in line with the Local Government (Functions and General) regulations. A tender exemption applies to WALGA's preferred supplier contracts. WALGA contracts are rigorously market tested using a compliant procurement process to ensure that the highest quality offerings are delivered at the best possible value.

**POLICY IMPLICATIONS**

Compliance with Policy FI.7 Purchasing

**PLANNING FRAMEWORK**

N/A

**FINANCIAL IMPLICATIONS**

As per council's 2011/12 budget, provision has been made for purchase of:

- One new 60KW 4WD tractor fitted with Turf flotation tyres  
And the sale or trade in of council's existing Massey Ferguson tractor P701
- one new 60KW 4 WD tractor complete with removable front end loader and pallet fork/parrot beak ;  
And sale of Council's existing:
- Front end loader P10670 (registration AU 10670)

The total plant replacement program is within the overall plant replacement budget:

<b>Budgeted amounts and purchase price</b>		
<b>Quotations</b>	<b>Budgeted Amount</b>	<b>Purchase Price (ex GST)</b>
60KW Tractor Gloucester Pk	\$96,364	\$63,081
60KW tractor Augusta	\$100,000	\$73,481

20011/12 Budget for income from vehicle disposals is \$15,000 Revenue from disposals based on trade in prices is \$16,000 being \$1,000 more than budgeted .

**SUSTAINABILITY IMPLICATIONS**

- Environmental  
The provision of a modern and up to date plant fleet with the latest technologies in fuel efficiencies and exhaust emissions reduces the impact on the natural environment.
- Social  
The Plant Replacement Program provides Council with the plant to meet its Customer Service Charter to its Stakeholders. A well maintained fleet provides a positive impact on safety for Council staff and road users as plant routinely operates to and from and within worksites on public roads. Council also requires particular safety and operational standards from plant suppliers that should be reflected in its own fleet.
- Economic  
The plant replacement program is based on a ten year plan which aims to maximise safety, efficiency and cost effectiveness with optimum replacement times.

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

That Council:

1. Awards quotations PLT/2 – Gloucester Park, supply of one (1) 60KW 4WD tractor to Nicholls machinery for a Kubota MX95 540DHC-DS for a changeover price including trade and selected options of \$69,390.00 GST incl.
2. Awards quotations PLT/2 - Augusta, supply of one (1) 60KW 4WD tractor to Nicholls machinery for a Kubota MX95 540DHC-DS including front end loader and attachment for a changeover price including trade and selected options of \$80,830.00 GST incl.

**ADVICE TO APPLICANT/PROPONENT**

N/A

**ATTACHMENTS**

Confidential Attachment 1 – Final Assessments of quotation PLT/2 – Gloucester Park Tractor  
Confidential Attachment 2 – Final Assessments of quotation PLT/2 – Augusta Tractor

**RECOMMENDATION / COUNCIL DECISION**

---

**CR SERVENTY, CR EARL OM1201/8**

That Council:

1. Awards quotations PLT/2 – Gloucester Park, supply of one (1) 60KW 4WD tractor to Nicholls machinery for a Kubota MX95 540DHC-DS for a changeover price including trade and selected options of \$69,390.00 GST incl.
2. Awards quotations PLT/2 - Augusta, supply of one (1) 60KW 4WD tractor to Nicholls machinery for a Kubota MX95 540DHC-DS including front end loader and attachment for a changeover price including trade and selected options of \$80,830.00 GST incl.

**CARRIED 6-NIL**

---

### 12.3.2 MARGARET RIVER FIRE - DAMAGE TO SHIRE INFRASTRUCTURE

---

<b>LOCATION/ADDRESS</b>	Fire Damaged Area Between Gracetown and Redgate Beach
<b>APPLICANT/ LANDOWNER</b>	Shire of Augusta Margaret River
<b>FILE REFERENCE</b>	EMS/57
<b>REPORT AUTHOR</b>	David Nicholson, Manager Asset Services
<b>AUTHORISING OFFICER</b>	Wayne Prangnell, Director Infrastructure Services

---

#### IN BRIEF

The November 2011 Margaret River bushfire resulted in the loss of 32 houses, 9 chalets and 5 sheds and damage to many others. Over \$600,000 of Shire infrastructure was also destroyed or damaged in the bushfire and considerable officer time has been invested in cataloguing the damaged assets, arranging temporary repairs, preparing information needed for an insurance claim and liaison with Emergency Services WA regarding access to WA Natural Disaster Relief and Recovery (WANDRRA) funding for uninsured assets.

#### RECOMMENDATION

That Council:

1. Notes that the fire caused over \$600,000 damage to Shire infrastructure as outlined in the Attachment to this report.
  2. Notes that the costs of replacing or repairing this infrastructure will be recoverable through insurance or WANDRRA.
  3. Notes that any shortfall in funding needed for additional works will be addressed in the 2011/12 mid year budget review.
- 

#### LOCATION PLAN

Refer to Attachment 1.

#### TABLED ITEMS

Nil

#### BACKGROUND

At its 30 November 2011 Special Meeting, Council considered a report prepared by the CEO regarding the Shire's participation in the emergency response to the 23 November 2011 fire and the commencement of recovery arrangements. Council resolved:

---

*CR EARL, CR MCGREGOR SM1111/13*

*That Council:*

1. *Notes the Shire's extensive participation in the incident response;*
  2. *Receives the minutes of the Augusta-Margaret River Recovery Committee held on 24, 25 and 29 November;*
  3. *Authorises the expenditure of the additional funds identified in the report required to respond to the emergency including funds which will be reimbursable by the State and Federal Governments;*
  4. *Endorses the CEO's actions in expanding the Shire's December 5 Volunteer Appreciation Event into a wider community appreciation event;*
  5. *Reallocates the \$3,000 approved by Council to conduct the civic reception for the Premiership Margaret River Hawks Football and Netball teams and thanks the two clubs for such a magnanimous gesture to the community; and*
  6. *Writes to the Premier thanking him;*
-

- *for announcing that there will be a full investigation into the DEC controlled burns getting out of control;*
- *pledging the Shire's full participation and cooperation in the process on behalf of the many affected residents who would like to have their questions and concerns about the incident answered;*
- *for the financial assistance and support given to date by the State Government; and*
- *advising of the Council's wish to develop a close working relationship with the State Government through the recovery process.*

CARRIED 6-NIL  
BY ABSOLUTE MAJORITY

---

Considerable work has been undertaken by Shire officers in the five weeks since that meeting to progress the reinstatement of damaged assets and the protection of the fire damaged environment. This work has been overseen by a number of committees that have been established with internal, public agency and community group representatives, to coordinate the post-fire recovery arrangements. This report addresses the damage to Shire infrastructure/assets resulting from the fire and the processes that have been implemented to replace or repair these assets. This report does not address the recovery of costs associated with the emergency response and operation of the evacuation centre, or damage to private property.

As soon as the Incident Controller permitted access, Shire officers commenced the process of cataloguing destroyed and damaged Shire assets. Staff from the Asset Services business unit inspected all of the fire damaged areas at Gracetown, Kilcarnup, Prevelly, Gnarabup, Wilderness and Redgate. Each damaged asset was photographed and the location recorded. There were a broad range of assets damaged including numerous signs, fencing and gates, roads, paths, stairs, guide posts, playground equipment and picnic facilities. In some cases, the damage was caused by the by the movement of fire fighting equipment rather than the fire itself. Despite the large area burnt and the intensity of the fire, only minor damage was sustained to Shire buildings – the fire passed within metres of toilet blocks at Rivermouth, Surfers Point and Gnarabup without causing any significant damage.

The replacement cost of each asset was determined and included in a spreadsheet – refer to Attachment 2. The location of each damaged asset was also mapped – refer to Attachment 3.

The fire was officially designated by the Premier of WA as a natural disaster and this has provided access to funding available through the WA Natural Disaster Relief and Recovery Arrangements (WANDRRA) program. WANDRRA provides funding for any uninsured items that were damaged as a direct result of the fire.

#### **CONSULTATION AND ADVICE**

- External consultation – Emergency Management WA, Local Government Insurance Services
- Internal consultation – Manager Finance, Senior Technical Officer – Asset Management, Senior Environment/Landcare Officer, Parks and Gardens Coordinator

#### **DISCUSSION/OFFICER COMMENTS**

The estimated cost to repair or replace damaged assets is over \$600,000. The inventory is constantly being updated as more detailed information becomes available. The more urgent works been arranged in advance of the outcome of the insurance and WANDRRA claims.

Works undertaken to date include temporary fencing of fire damaged coastal areas where public access needs to be restricted to allow recovery of vegetation, and temporary replacement of burnt stairs. In the days following the fire, sightseers were observed climbing over denuded sand dunes and vehicles also were observed parking in sensitive areas that were not previously accessible. Much of this initial work has been done by low security prisoners from Bunbury Regional Prison.

The inventory has been forwarded to Local Government Insurance Services and preliminary feedback from the Loss Adjuster indicates that:

- None of the assets damaged by the fire we specifically insured so the claim is being considered under the "Miscellaneous Structures and Equipment" cover afforded by the policy;
- The limits to claims for individual items under this section of the policy are currently being investigated;

- The policy will cover the cost of removal the damaged item, purchase and installation of the replacement item;
- The policy does not cover general clean up of debris from the fire;
- Damage to roads, paths, vegetation, installation of new fencing is not covered;
- Damage to the Margaret River Aerodrome landing lights and the Shire loader that were sustained during the fire are not covered under the policy; and
- Any damaged assets that are not insured are to be claimed through the WANDRRA program.

There has been ongoing liaison with the administrators of the WANDRRA program to determine eligibility for various clean up and rehabilitation activities that have been conducted including:

- General clean up of fire affected areas;
- Pruning of fire damaged trees that posed a risk to public safety;
- Removal of asbestos;
- Temporary fencing of sensitive coastal areas to restrict public access;
- Installation of information signage asking the public to stay off fire damaged areas;
- Printing of information brochures;
- Weed control; and
- Rabbit control to prevent loss of new growth.

It may not be possible to recover the costs for some of these post fire rehabilitation activities either through the Shire's insurance policy or through WANDRRA. Any shortfall in funding will therefore be addressed through the 2011/12 mid year budget review.

#### **STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**

Legal implications of the fire will be considered following release of the state government commissioned investigation.

#### **STRATEGIC PLAN / POLICY IMPLICATIONS**

Not applicable.

#### **PLANNING FRAMEWORK**

Not applicable.

#### **FINANCIAL IMPLICATIONS**

Over \$600,000 of Shire assets were destroyed or damaged in the fire and require either replacement or repair. Officers are endeavouring to recover the total costs of replacement/repair through the Shire's insurance policy and through the WANDRRA program.

#### **SUSTAINABILITY IMPLICATIONS**

- Environmental
  - The fire has significantly damaged coastal vegetation that will take years to fully recover.
  - The loss of vegetation has increased the potential for erosion of sand dunes by wind and/or rain.
  - Public access must to be limited to fire damaged areas to allow natural regeneration.
- Social
  - Access to some coastal recreational areas may be prohibited or limited for some time to allow time for the environment to recover.
- Economic
  - The Shire is seeking to recover the costs of repair or replacement of damaged assets through insurance or WANDRRA funding.
  - Additional cost have been incurred in taking

#### **VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

That Council:

1. Notes that the fire caused over \$600,000 damage to Shire infrastructure as outlined in the Attachment to this report.
2. Notes that the costs of replacing or repairing this infrastructure will be recoverable through insurance or WANDRRA.
3. Notes that any shortfall in funding needed for additional works will be addressed in the 2011/12 mid year budget review.

**ADVICE TO APPLICANT/PROPONENT**

Not applicable.

**ATTACHMENTS**

1. DEC Map of the Extent of the Fire
2. Inventory of Destroyed/Damaged Shire Assets
3. Map of the Destroyed/Damaged Assets

**RECOMMENDATION / COUNCIL DECISION**

---

**CR EARL, CR VEITCH OM1201/9**

That Council:

1. Notes that the fire caused over \$600,000 damage to Shire infrastructure as outlined in the Attachment to this report.
2. Notes that the costs of replacing or repairing this infrastructure will be recoverable through insurance or WANDRRA.
3. Notes that any shortfall in funding needed for additional works will be addressed in the 2011/12 mid year budget review.

**CARRIED 6-NIL**

---

**12.3.3 PROPOSAL TO NAME UNNAMED ROAD RESERVE OFF BUSSELL HIGHWAY,  
MARGARET RIVER**

<b>LOCATION/ADDRESS</b>	Road reserve between Boodjidup Road and Bussell Highway – opposite Rosa Brook Road, Margaret River
<b>APPLICANT/ LANDOWNER</b>	Shire of Augusta Margaret River
<b>FILE REFERENCE</b>	RDS/0170
<b>REPORT AUTHOR</b>	Chris Yates, Undergraduate Engineer Doug Sims, Technical Officer – Assets and land Administrations
<b>AUTHORISING OFFICER</b>	David Nicholson – Manager Asset Services Wayne Prangnell – Director Infrastructure Services

**IN BRIEF**

The purpose of this report is to deal with the request to name the unnamed road reserve that runs east – west between Boodjidup Road and Bussell Highway to Wilkes Road with the support of the Margaret River and Districts Historical Society.

The Shire has sought public comment from adjoining land owners.

**RECOMMENDATION**

That Council:

1. Names the unnamed road reserve Wilkes Road.
2. Informs the abutting land owners and the Department of Regional Development and Lands of this decision.

**LOCATION PLAN**

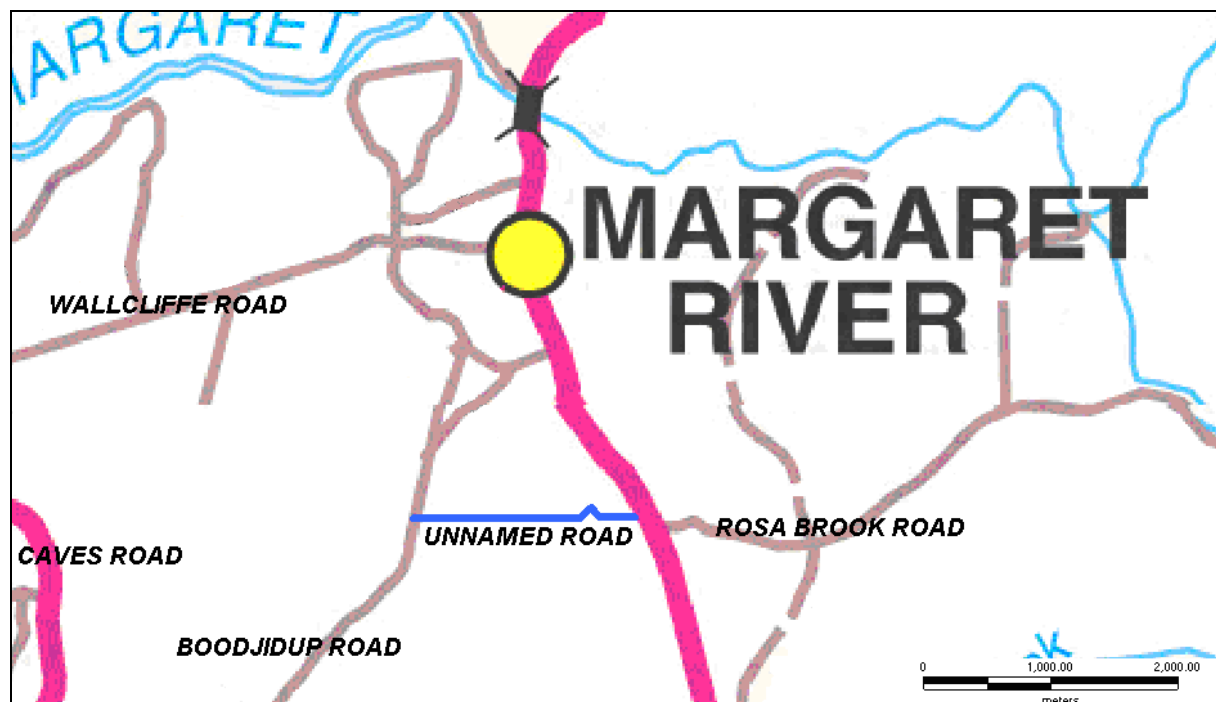


Figure 1 – Unnamed Road Reserve Location Plan

## **TABLED ITEMS**

Nil

## **BACKGROUND**

Within the road the reserve, there is a gravel section of road for approximately 120m west of Bussell Highway that serves as access to two properties. However, neither of these two properties use this unnamed road as their postal or property address. The gravel road to the west of Bussell Highway is approximately 4m wide. The reserve to the east of Boodjidup Road is unformed and consists of a two-wheel track that is primarily accessible during the dryer months.

The original 1950 Title for Lot 106 Bussell Highway (now Margaret River Chalets) suggests that the constructed road is Kinsella Road (a disjointed continuation of Kinsella Road from the nearby Light Industrial Area).

If the un-named road reserve was to be named Kinsella Road, this may create confusion as two built sections would be separated by the unconstructed reserve running parallel to the rail trail reserve. To avoid confusion, it is proposed that the unnamed road reserve be named Wilkes Road. The name Wilkes has been on the Shire's Reserved Road Name Register since 4 January.2001 (refer to file 2518/974V5 p872).

Francis Eric Wilkes owned a block of land on Railway Terrace in the 1930's. He built a brick house himself on the property and worked in a butter factory on Station Road. He was a strong supporter of the St John Ambulance Association, receiving the Order of St Johns Medal for his services.

## **CONSULTATION AND ADVICE**

Surrounding land owners and the Margaret River & Districts Historical Society were consulted about the proposal to name the road reserve 'Wilkes Road' by means of a personal letter. The closing date for submissions was 31 August 2011. The proposal was 'heartily endorsed' by the Margaret River & Districts Historical Society. The current owner of Lot 106 Bussell Highway suggested that it be named Kinsella Road (prior to the Wilkes Road proposal) as this appears on his Certificate of Title. No other responses were received.

## **DISCUSSION/OFFICER COMMENTS**

The suggestion to name the unnamed road in the reserve Kinsella Road, as a continuation from Kinsella Road in the Margaret River Light Industrial Area, is not supported as it could cause confusion because there is unbuilt section in between. It has been proposed that the unnamed reserve running east-west be named Wilkes Road, and the road reserve running north-south along the rail trail corridor to the 'kink' in Wilkes Road be retained as Kinsella Road (Refer to Figure 2 below). This will allow the Certificates of Title to remain unchanged and will provide a clear distinction between the two roads if, in the future, the unbuilt portions are constructed.

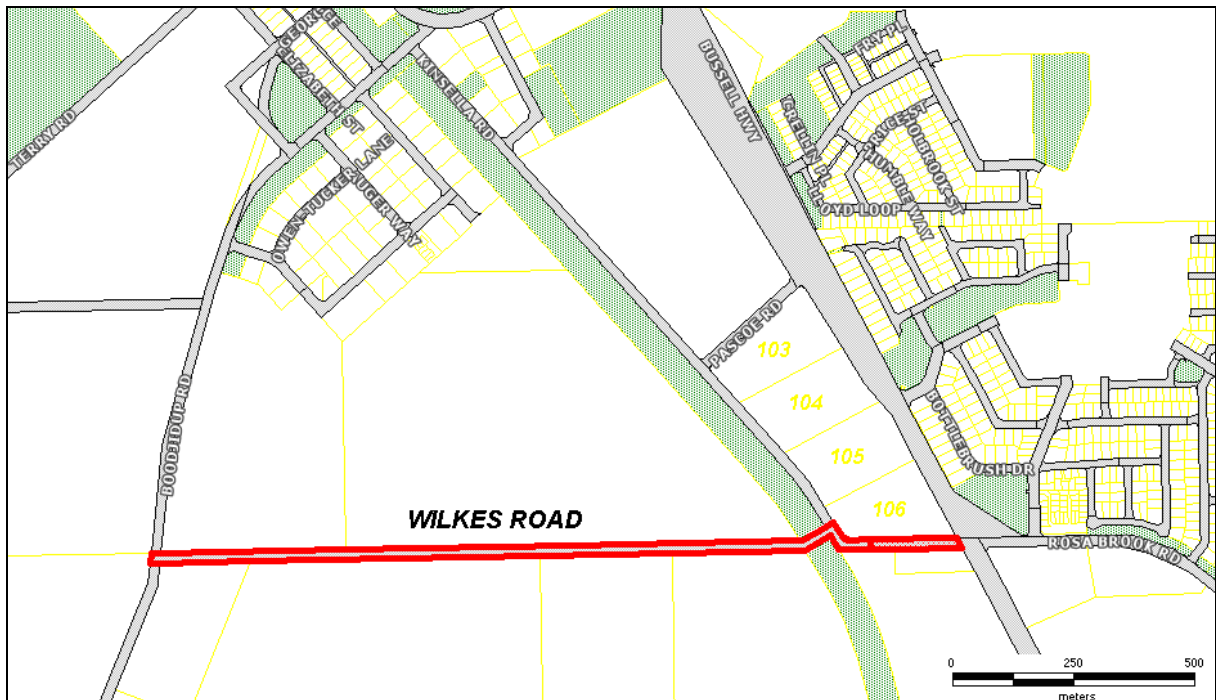


Figure 2 – Wilkes Road Reserve

The proposed name WILKES ROAD satisfies both the;

- Guiding Principles of Nomenclature and Road Naming Guidelines by the Geographic Names Committee (see extract below) and,
- AS/NZS 4819:2011 for Australian Road types.

#### **Naming Roads**

Extract from Principles, Guidelines and Procedures – Geographic Names Committee:

*Preferred sources of names include names from Aboriginal languages currently or formerly identifies with the general area, pioneers of the State or area, citizens who have made a significant community contribution, war casualty lists and thematic names.*

*Name duplication within local governments or adjoining local governments shall be avoided. When a duplicated name is proposed elsewhere, it must not be duplicated more than 5 times in the metropolitan region, must be at least 10km from the existing duplication and must have a different road type.*

*(Existing) unnamed roads should be treated in a like manner to new roads. Proposals for renaming roads should follow the (above) guideline and be submitted through local government. Proposals should be accompanied by a map showing the extent of the name and full details on the name, including the reason for the selection.*

#### **STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**

The Land Administration Act 1997 - Part 2 Clause 26(2) (c) deals with the naming and renaming of roads and provides that the Minister for Land Information may by order name, rename and cancel the name of any topographical feature, road or reserve.

The Geographic Names Committee (GNC) is established to provide the Minister for Land Information with:

- Advice on geographical nomenclature matters; and
- Guidelines to facilitate the approval and processing of nomenclature applications.

### **STRATEGIC PLAN / POLICY IMPLICATIONS**

Council Policy TE.10 - Naming Of Roads, Street, Parks & Reserves, ensures compliance with the Geographic Names Committee's Guiding Principles of Nomenclature. This Policy deals with the application of new names generally; however it does state that "*all names must be submitted to the Geographic Names Committee for confirmation and official status*".

### **PLANNING FRAMEWORK**

Not applicable

### **FINANCIAL IMPLICATIONS**

If the name change is approved by Council, further officer time will be required to implement the name change in Shire and state government records. The cost to install a new road sign on Bussell Highway will be approximately \$250.

### **SUSTAINABILITY IMPLICATIONS**

- **Environmental**  
No further clearing is required as the built section is established, and there are no immediate plans to extend the current formed road.
  
- **Social**  
As no properties use the unnamed reserve as a postal or property address, no properties would be disadvantaged.  
The local community and tourists benefit from roads being named and sign posted rather than unnamed.
  
- **Economic**  
A \$250 cost to the Shire to install a road name sign.  
Road maps, street maps, car navigational systems, etc, will require amendment.

### **VOTING REQUIREMENTS**

Simple Majority

### **RECOMMENDATION**

That Council:

1. Names the unnamed road reserve Wilkes Road.
2. Informs the abutting land owners and the Department of Regional Development and Lands of this decision.

### **ADVICE TO APPLICANT/PROPONENT**

### **ATTACHMENTS**

Nil

### **RECOMMENDATION / COUNCIL DECISION**

**CR SERVENTY, CR EARL OM1201/10**

That Council:

1. **Names the unnamed road reserve Wilkes Road.**
2. **Informs the abutting land owners and the Department of Regional Development and Lands of this decision.**

**CARRIED 6-NIL**

---

## 12.4

### Corporate and Community Services

**12.4 Corporate and Community Services**

**12.4.1 LIST OF PAYMENTS FOR NOVEMBER 2011**

---

<b>LOCATION/ADDRESS</b>	Shire of Augusta-Margaret River
<b>APPLICANT/LANDOWNER</b>	N/A
<b>FILE REFERENCE</b>	FIN/42
<b>REPORT AUTHOR</b>	Amy Lindsay, Finance Officer
<b>AUTHORISING OFFICER</b>	Annie Riordan, Director Corporate and Community Services

---

*The Director Corporate & Community Services discloses interest in the credit card expenses which is certified by the Chief Executive Officer.*

**IN BRIEF**

It is a requirement of the Local Government (Financial Management) Regulations 1996 that payments made under delegated authority by the CEO are reported to Council on a monthly basis showing details of each account paid since the last such list was prepared .

**RECOMMENDATION**

That Council notes the November 2011 List of Payments of \$4,090,406.91 as certified as correct by the Director of Corporate & Community Services.

---

**BACKGROUND**

Where council has delegated authority to the CEO to make payments from the Shire's bank accounts then under Local Government (Financial Management) Regulations 1996, Regulation 13 (1) a list of such payments is to be prepared each month for noting by council.

**DISCUSSION/ OFFICER COMMENTS**

Table 1 below provides a summary of the payments made and Table 2 makes comparison between payments for the 2010/11 and 2011/12 financial years.

The List of Payments attachment provides further details as required under Regulation 13 (1). These details are as follows.

- (a) The payee's name;
- (b) The amount of the payment;
- (c) The date of the payment; and
- (d) Sufficient information to identify the transaction.

In order to improve operational efficiency and reduce costs the Shire's Finance team continually liaise with creditors paid by cheque to encourage them to switch to EFT.

**TABLE 1 – SUMMARY OF PAYMENTS MADE IN THE MONTH**

Mode of Payment	Cheque / EFT Numbers		Amount
Cheques (includes reimbursement of credit cards)	40709-40768		\$73,654.80
EFT	EFT 28838-29351	\$3,336,728.73	
	Direct Debits	\$680,023.38	\$4,016,752.11
<b>TOTAL</b>			<b>\$4,090,406.91</b>

**TABLE 2 – COMPARISON WITH PRIOR YEAR OF PAYMENTS**

MONTH	CHEQUES	EFT	TOTAL PMTS	CHEQUES	EFT	TOTAL PMTS
	2010/11	2010/11	2010/11	2011/12	2011/12	2011/12
JULY	96,900.41	3,191,121.37	3,288,021.78	45,734.77	3,762,376.59	3,808,111.36
AUGUST	62,070.93	2,848,404.48	2,910,475.41	15,721.72	3,163,890.98	3,179,612.70
SEPTEMBER	44,527.26	1,990,085.97	2,034,613.23	19,291.26	3,269,689.69	3,288,980.95
OCTOBER	18,392.05	1,741,942.73	1,760,334.78	15,329.90	3,227,419.52	3,242,749.42
NOVEMBER	32,435.40	2,713,830.87	2,746,266.27	73,654.80	4,016,752.11	4,090,406.91
DECEMBER	27,545.17	2,985,640.03	3,013,185.20			
JANUARY	45,773.39	2,545,575.11	2,591,348.50			
FEBRUARY	64,759.58	3,137,240.53	3,202,000.11			
MARCH	36,982.18	2,664,254.37	2,701,236.55			
APRIL	35,998.01	2,669,802.49	2,705,800.50			
MAY	23,924.53	3,498,004.46	3,521,928.99			
JUNE	21,298.80	3,535,323.35	3,556,622.15			
	<b>510,607.71</b>	<b>33,521,225.76</b>	<b>34,031,833.47</b>	<b>169,732.45</b>	<b>17,440,128.89</b>	<b>17,609,861.34</b>

**STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**

Local Government Act 1995, s 6.10, and  
Local Government (Financial Management) Regulations 1996, r 13

**POLICY IMPLICATIONS**

Finance Policy 1.3 - Payment of Accounts  
Payments are made in accordance with relevant Council policies.

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

That Council notes the November 2011 List of Payments of \$4,090,406.91 as certified as correct by the Director of Corporate & Community Services.

**ATTACHMENTS**

- List of Payments for November 2011.

**RECOMMENDATION / COUNCIL DECISION**

**CR BELL, CR VEITCH OM1201/11**

That Council notes the November 2011 List of Payments of \$4,090,406.91 as certified as correct by the Director of Corporate & Community Services.

**CARRIED 6-NIL**

## 12.4.2 FINANCIAL ACTIVITY STATEMENT REPORT – NOVEMBER 2011

---

**LOCATION/ADDRESS** Shire of Augusta-Margaret River

**APPLICANT/LANDOWNER** N/A

**FILE REFERENCE** FIN/14

**REPORT AUTHOR** Paul Kilgren, Finance Manager

**AUTHORISING OFFICER** Paul Kilgren, Finance Manager

---

### IN BRIEF

- The monthly financial activity statement report is a standard financial reporting item prepared in accordance with the provisions of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1996 “FM Regs”.
- Council to consider the financial results for the period ending 30 November 2011.

### RECOMMENDATION

That Council receives the Monthly Financial Report – November 2011 in accordance with Section 6.4 of the Local Government Act 1995.

---

### BACKGROUND

As per FM Regs 34 the Shire is to prepare each month a Statement of Financial Activity reporting on the sources and applications of funds, as set out in the annual budget under FM Regs (1) (d), for that month with the following details:

- (a) annual budget estimates,
- (b) budget estimates to the end of the month to which the statement relates,
- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates,
- (d) material variances between the comparable amounts referred to in (b) and (c), and
- (e) Net current assets at the end of the month to which the statement relates.

Also under FM Regs 34(5) Council are to adopt each year a material variance threshold. At the Special Meeting of Council on 20 July 2011 (**SM11/07 05**) Council adopted a monthly variance for reporting of material variances, where financial activity is greater than 10% and \$10,000

### DISCUSSION/ OFFICER COMMENTS

Council's Executive and Finance staff are committed to providing financial reports to the Council which will provide fiscal information in an understandable and consistent format. The information is designed to represent in an accurate manner the financial position of the Shire at the end of the particular month in question. This will assist Council with monitoring its financial position and the decision making process.

The commentary contained in the body of this report is in line with FM Regs (2) (b) that requires commentary on material variances to the Statement of Financial Activity at the nature/type, program or business unit level.

SHIRE OF AUGUSTA-MARGARET RIVER  
ORDINARY COUNCIL MEETING MINUTES: 18 January 2012

**As a result of a number of budget amendments the following changes have been made to the FINANCIAL ACTIVITY STATEMENT REPORT**

1. The Statement of Financial Activity has been rounded to \$'000 to allow the inclusion of the amended budget column.
2. To keep better track of adopted budget changes an update to note 1 in the attachments contains details of each budget amendment adopted by council during the year. This allows the reader to view all changes on a summary page instead of individual notations in the business unit.

<b>SHIRE OF AUGUSTA - MARGARET RIVER STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 30 November 2011</b>							
<b>BUSINESS UNIT</b>	<b>11/12 Approved Budget \$000</b>	<b>11/12 Amended Budget \$000</b>	<b>11/12 YTD Budget \$000</b>	<b>11/12 YTD Actual \$000</b>	<b>YTD Variance Fav (Unfav)</b>	<b>YTD Variance &gt;10% &amp; &gt;\$10,000</b>	<b>Comments</b>
<b>OPERATING REVENUES</b>							
Revenue	(14,847)	(14,847)	(14,793)	(14,892)	1%	0	
General Financing	(1,365)	(1,365)	(659)	(667)	1%	0	
Members of Council	(260)	(260)	(108)	(111)	3%	0	
Chief Executive Officer	0	0	0	(2)	-	0	
Director Corporate & Community	(22)	(22)	(3)	(3)	0%	0	
Director Planning & Development	0	0	0	0	-	0	
Director Infrastructure	(10)	(10)	0	0	-	0	
Finance	0	0	0	0	-	0	
Records	0	0	0	0	-	0	
Customer & Information Services	(13)	(13)	(13)	(6)	-54%	0	
Customer Relations	(185)	(185)	(82)	(73)	-11%	0	
Info & Communication Technology	0	0	0	0	-	0	
Human Resources	(13)	(13)	0	0	-	0	
Community Development	(52)	(52)	(42)	(8)	-81%	34	Perm - Op Grants received in 10/11
Emergency and Fire Services	(225)	(225)	(97)	(111)	14%	(14)	Timing - CESM contribution
Rangers	(143)	(143)	(70)	(53)	-24%	17	Timing - section 33 works reimbursement to be reviewed
Libraries	(19)	(19)	(8)	(8)	0%	0	
Health	(94)	(94)	(13)	(14)	8%	0	
Child Care	(173)	(173)	(72)	(83)	15%	(11)	Increased usage of facility
Waste Services	(2,848)	(2,848)	(2,591)	(2,600)	0%	0	
Town Planning	(260)	(260)	(110)	(332)	202%	(222)	Perm-Supertown offset by fewer applications due to

SHIRE OF AUGUSTA-MARGARET RIVER  
ORDINARY COUNCIL MEETING MINUTES: 18 January 2012

							economic downturn
Community Buildings	0	0	0	0	-	0	
Margaret River Recreation Centre	(633)	(633)	(265)	(258)	-3%	0	
Other Sport & Recreation	(103)	(103)	(48)	(51)	6%	0	
Parks and Gardens	(10)	(10)	0	(1)	-	0	
Asset Services	(94)	(94)	(27)	(20)	-26%	0	
Construction	0	0	0	0	-	0	
Maintenance	(9)	(534)	(405)	(253)	-38%	152	Timing - Augusta Boat Harbour recoveries
Plant Program	0	0	0	0	-	0	
Caravan Parks	(1,306)	(1,306)	(230)	(310)	35%	(79)	Greater than expected occupancy rates
Building Control	(257)	(257)	(120)	(113)	-6%	0	
Works Overheads	0	0	0	0	-	0	
Plant Operation Costs	0	0	0	0	-	0	
Other Property & Services	0	0	0	(12)	-	(12)	Permanent - workers comp recovery offset by claims costs
<b>TOTAL REVENUES</b>	<b>(22,941)</b>	<b>(23,466)</b>	<b>(19,756)</b>	<b>(19,981)</b>	<b>1%</b>	<b>0</b>	

**SHIRE OF AUGUSTA - MARGARET RIVER  
STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDING 30 November 2011**

BUSINESS UNIT	10/11 Approved Budget \$000	10/11 Amended Budget \$000	11/12 YTD Budget \$000	11/12 YTD Actual \$000	YTD Variance Fav (Unfav)	YTD Variance >10% & >\$10,000	Comments
<b>OPERATING EXPENSES</b>							
Revenue	396	396	124	97	-22%	(27)	Timing of budget cash flows
General Financing	832	832	130	129	-1%	0	
Members of Council	262	270	108	106	-2%	0	
Chief Executive Officer	633	623	292	230	-21%	(62)	Perm Staff vacancy and budget timing
Director Corporate & Community	472	472	299	153	-49%	(147)	Timing of budget cash flows
Director Planning & Development	500	500	214	181	-15%	(32)	Timing - Greater than expected leave taken
Director Infrastructure	415	380	164	147	-10%	(16)	Timing - Grant to be refunded
Finance	383	383	159	156	-2%	0	
Records	169	169	73	57	-22%	(15)	Timing of budget cash flows
Customer & Information Services	765	765	529	480	-9%	0	
Customer Relations	299	299	128	101	-21%	(26)	Permanent - Vacancy to be filled
ICT	760	760	344	345	0%	0	
Human Resources	599	599	249	180	-28%	(68)	Perm - Staff vacancy and Financial Integration project cancelled

SHIRE OF AUGUSTA-MARGARET RIVER  
ORDINARY COUNCIL MEETING MINUTES: 18 January 2012

Community Development	392	392	176	123	-30%	(53)	Perm - Staff vacancy Timing - Budget cash flows
Emergency and Fire Services	682	682	318	329	3%	0	
Rangers	638	638	320	196	-39%	(124)	Timing of budget cash flows
Libraries	603	603	263	234	-11%	(29)	Timing of budget cash flows
Health	406	406	167	150	-10%	(17)	Permanent - staff vacancy
Child Care	218	218	93	89	-4%	0	
Waste Services	2,108	2,108	891	887	0%	0	
Town Planning	1,195	1,245	498	360	-28%	(138)	Timing of budget cash flows
Community Buildings	1,225	1,225	534	427	-20%	(107)	Timing - several projects delayed due to contractor schedules.
Margaret River Recreation Centre	1,423	1,423	621	463	-25%	(158)	Timing of budget cash flows and reduced staff levels
Other Sport & Recreation	299	299	125	106	-15%	(19)	Timing of budget cash flows
Parks and Gardens	1,499	1,499	629	629	0%	0	
Asset Services	808	811	366	311	-15%	(54)	Perm - officer on secondment and grant projects unsuccessful
Construction	0	0	0	0	-	0	
Maintenance	5,521	6,046	2,698	2,784	3%	0	
Plant Program	13	13	20	18	-10%	0	
Caravan Parks	828	828	324	293	-10%	0	
Building Control	387	387	162	146	-10%	0	
Works Overheads	(98)	(98)	42	(8)	-119%	(50)	Timing of budget OH allocation
Plant Operation Costs	(102)	(102)	(32)	(140)	338%	(109)	Timing of budget cash flows
Other Property & Services	(6,309)	(6,309)	0	8	-	0	
<b>TOTAL EXPENSES</b>	<b>18,221</b>	<b>18,762</b>	<b>11,028</b>	<b>9,767</b>	<b>11%</b>	<b>(1,260)</b>	
<b>NET OPERATING (SURPLUS)/DEFICIT</b>	<b>(4,720)</b>	<b>(4,704)</b>	<b>(8,728)</b>	<b>(10,214)</b>	<b>17%</b>	<b>(1,485)</b>	
<b>NON OPERATING REVENUES</b>							
Emergency and Fire Services	(1,314)	(1,314)	(1,000)	0	-	1,000	Timing of new SES building funding
Waste Services	(27)	(27)	(27)	0	-	27	Timing of budget cash flows
Community Buildings	(309)	(637)	(14)	(14)	0%	0	
Other Sport & Recreation	(275)	(275)	(275)	(137)	-50%	137	Timing of budget cash flows
Parks and Gardens	(777)	(544)	0	0	-	0	
Asset Services	(126)	(126)	(65)	0	-	65	Timing of budget cash flows
Construction	(2,592)	(2,642)	(646)	(1,509)	134%	(862)	Timing of budget cash flows. Roads to Recovery project brought forward
<b>TOTAL NON OPERATING REVENUES</b>	<b>(5,420)</b>	<b>(5,565)</b>	<b>(2,027)</b>	<b>(1,660)</b>	<b>-18%</b>	<b>367</b>	
<b>NET RESULT</b>	<b>(10,140)</b>	<b>(10,269)</b>	<b>(10,755)</b>	<b>(11,874)</b>	<b>10%</b>	<b>(1,118)</b>	

SHIRE OF AUGUSTA-MARGARET RIVER  
ORDINARY COUNCIL MEETING MINUTES: 18 January 2012

<b>SHIRE OF AUGUSTA - MARGARET RIVER STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 30 November 2011</b>							
<b>BUSINESS UNIT</b>	<b>10/11 Approved Budget \$000</b>	<b>10/11 Amended Budget \$000</b>	<b>11/12 YTD Budget \$000</b>	<b>11/12 YTD Actual \$000</b>	<b>YTD Variance Fav (Unfav)</b>	<b>YTD Variance &gt;10% &amp; &gt;\$10,000</b>	<b>Comments</b>
<b>FUNDING BALANCE ADJUSTMENTS</b>							
Add back Depreciation	(5,427)	(5,427)	(2,261)	(2,186)	-3%	0	
Add back Profit(Loss) Asset Disposal	6,352	6,352	2	0	-	0	
Add back Profit(Loss) Investment	0	0	0	0	-	0	
Add back movement in Prepayments	0	0	0	0	-	0	
Add back movement in Provisions & Accruals	0	0	0	(112)	-	(112)	Budget is based on no change to provisions
Fair value adjust to financial assets	0	0	0	0	-	0	
	<b>925</b>	<b>925</b>	<b>(2,259)</b>	<b>(2,298)</b>	<b>2%</b>	<b>(112)</b>	
<b>CAPITAL EXPENDITURE</b>							
Purchase of Land & Buildings	8,855	8,934	5,893	4,832	-18%	(1,061)	Timing of budget cash flows
Purchase of Infrastructure Assets	6,853	6,926	2,858	1,166	-59%	(1,692)	Timing of budget cash flows. Carpark expansion projects have been delayed.
Purchase of Plant & Equipment	1,611	1,665	951	627	-34%	(324)	Timing of budget cash flows
Purchase of Furniture & Equipment	44	42	32	7	-78%	(25)	Timing of budget cash flows
Repayment of Debentures	13,658	13,658	164	164	0%	0	
Community Group Advances	6	6	0	0	-	0	
Transfers to Cash Reserves	1,422	1,422	0	0	-	0	
	<b>32,449</b>	<b>32,653</b>	<b>9,898</b>	<b>6,796</b>	<b>-31%</b>	<b>(3,103)</b>	
<b>CAPITAL REVENUE</b>							
Proceeds from Asset Sales	(7,046)	(7,046)	(64)	(5,789)	8945%	(5,725)	Timing of TVT settlement. Budget cash flows in December.
Proceeds from Investment Sales	0	0	0	0	-	0	
Proceeds from New Loans	(13,819)	(13,819)	0	0	-	0	
Self Supporting Loans Repaid	(6)	(6)	(5)	(5)	0%	0	
Transfers from Cash Reserves	(751)	(751)	0	0	-	0	
	<b>(21,622)</b>	<b>(21,622)</b>	<b>(69)</b>	<b>(5,794)</b>	<b>-8297%</b>	<b>(5,725)</b>	
<b>DEFICIT/(SURPLUS)</b>							
JULY 1 BROUGHT FWD	(1,611)	(1,611)	(1,611)	(1,598)	-1%	0	
TO BE CARRIED FWD	1	76	(4,796)	(14,768)	208%	(9,972)	

### **Investments**

As at the 30 November 2011 the Shire's cash deposits and CDO investments were \$14,152,036 and total investment interest earned for the month of November 2011 was \$43,480.

### **Held for Trading CDO's**

The Shire's safe custody custodians ANZ Nominees Pty Ltd will supply ongoing monthly reports for the Investment Portfolio. These valuations are in the Investment update report when they become available.

### **In-Kind Support**

To be reported quarterly.

### **STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**

As per FM Regs 34 the Shire is to prepare each month a Statement of Financial Activity reporting on the sources and applications of funds, as set out in the annual budget under FM Regs 22(1) (d).

### **FINANCIAL IMPLICATIONS**

The overall financial performance of the Shire is as summarised in this report.

### **SUSTAINABILITY IMPLICATIONS**

#### **Environmental**

N/A

#### **Social**

N/A

#### **Economic**

As stated in the report.

### **VOTING REQUIREMENTS**

Simple Majority

### **RECOMMENDATION**

That Council receives the Monthly Financial Report – 30 November 2011 in accordance with Section 6.4 of the Local Government Act 1995.

### **ATTACHMENTS**

1. Monthly Financial Reports consisting of:
  - a. Notes to and forming part of the Statement of Financial Activity
  - b. Financial Reports by Business Units

### **RECOMMENDATION / COUNCIL DECISION**

---

#### **CR EARL, CR SERVENTY OM1201/12**

**That Council receives the Monthly Financial Report – 30 November 2011 in accordance with Section 6.4 of the Local Government Act 1995.**

**CARRIED 6-NIL**

---

### 12.4.3 INVESTMENT PORTFOLIO UPDATE NOVEMBER 2011

---

**LOCATION/ADDRESS** Shire of Augusta-Margaret River

**APPLICANT/LANDOWNER** N/A

**FILE REFERENCE** FIN/7

**REPORT AUTHOR** Paul Kilgren, Manager Finance

**AUTHORISING OFFICER** Paul Kilgren, Manager Finance

---

#### IN BRIEF

- The Monthly Investment Portfolio Update is a standard financial reporting item prepared for Council in accordance with Section 6.4(2) (c) of the Local Government Financial Management Regulations 1996.
- Council is requested to note the November 2011 Monthly Investment Portfolio Update.

#### RECOMMENDATION

That Council notes the November 2011 Monthly Investment Portfolio Update.

---

#### BACKGROUND

The Local Government Act 1995, Section 6.14 empowers local governments to invest money for the time being not required by them, in accordance with Part III of the Trustees Act 1962.

The report attempts to represent in an understandable, consistent and accurate manner the financial position of the Shire's Investment Portfolio at the end of the particular month in question. This will assist Council with monitoring its Investment Portfolio and the decision making process.

#### CONSULTATION AND ADVICE

ANZ  
Western Australian Treasury Corporation (WATC)  
Reserve Bank of Australia (RBA)  
Piper Alderman

#### DISCUSSION/ OFFICER COMMENTS

The Shire receives a portfolio valuation report from ANZ who are the safe custody providers for our CDO's. The report includes market commentary and a market valuation of the structured credit products (CDO's) held by the Shire. Whilst ANZ provide credit market commentary the officer will include any relevant findings in the Economic Review section of this report.

The following table represents a summarised version of the Shire's structured credit products (CDO's) portfolio valuation as per the ANZ report.

#### Portfolio Valuation - Market Value Components as at 30/11/2011

	Maturity Call	Credit Rating	Face Value	Current Coupon	Accrued Interest	Market Value	Book Value
Scarborough	23/06/2014	CCC-	350,000	6.5583	2,753	6,253	3,850
Kakadu	20/03/2014	CCC	500,000	6.1100	5,943	69,092	124,550
Coolangatta	20/09/2014	NR	300,000	N/A	0	N/A	0
Miami	20/03/2017	NR	50,000	N/A	0	N/A	0
Flinders AA	20/03/2012	NR	50,000	6.2100	349	48,229	35,000
			<b>1,250,000</b>		<b>5,319</b>	<b>123,574</b>	<b>163,400</b>

**Portfolio Valuation Notice:**

Scarborough has a capital price of \$1 per coupon is on the verge of default and Kakadu's market value is well below book value so the officer will be reviewing the carrying values of the CDO investments in January.

**WATC Market Highlights November 2011**

- *The RBA reduced rates by 25 points to 4.50% at their November meeting citing the recent negative global economic outlook and the underlying Australian inflation looking to be around 2 to 3 percent.*

**ANZ November 2011 Credit Market Review**

- *The Euro-zone sovereign debt crisis continued to dominate markets with Europe's core feeling the impact. French and German bond yields rose, Italian 10 year yield climbed back above 7% and Portugal's sovereign credit rating was downgraded by Fitch to BB+ (junk bond status).*
- *Elsewhere weaker than expected PMI data from China indicated the Chinese economy might be slowing.*
- *Credit Events to occur in November were PMI Group Inc and AMR Corporation.*

**STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**

Local Government Act 1995, Local Government Financial Management Regulations 1996 and Trustees Act 1962.

**POLICY IMPLICATIONS**

Section 6.14 of the Local Government Act and Shire Finance Policy 1.4 Investments

**FINANCIAL IMPLICATIONS**

As stated in the body of the report.

**SUSTAINABILITY IMPLICATIONS**

**Environmental**

N/A

**Social**

N/A

**Economic**

As outlined in comments above.

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

That Council notes the November 2011 Monthly Investment Portfolio Update.

**ATTACHMENTS**

Nil

**RECOMMENDATION / COUNCIL DECISION**

**CR BELL, CR EARL OM1201/13**

**That Council notes the November 2011 Monthly Investment Portfolio Update.**

**CARRIED 6-NIL**

---

**12.4.4 MINUTES OF LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD 22 NOVEMBER 2011**

---

<b>LOCATION/ADDRESS</b>	AMRSC
<b>LANDOWNER</b>	AMRSC
<b>FILE REFERENCE</b>	EMS/4
<b>REPORT AUTHOR</b>	Brendan Jordan, Community Emergency Services Manager
<b>AUTHORISING OFFICER</b>	Paul Gravett, Manager Community Development and Safety Vicky Small, Acting Director Corporate and Community Services

---

**IN BRIEF**

The following report is a summary of the Shire's Local Emergency Management Committee (LEMC) meeting held on 22 November 2011 in the Council Chambers, Augusta.

**RECOMMENDATION**

That Council receives the minutes of the Local Emergency Management Committee held 22 November 2011.

---

**CONSULTATION AND ADVICE**

N/A

**SUMMARY OF LEMC MINUTES**

The Shire's Community Emergency Services Manager (CESM), Brendan Jordan spoke to the meeting regarding recommendation 7, of the recently released Keelty Report into the Perth Hills Fires in February 2011 which suggested in part that '*FESA should also consider including the community in pre-season exercising, in consultation with the Department for Child Protection and local governments*'. It was noted that there were no timelines given within the recommendation and that significant planning would be required in order to facilitate such an exercise. One possible scenario discussed was the evacuation of Molloy Island due to flood surge down the Blackwood River. Further consultation is to be undertaken between Brendan Jordan and Vik Cheema, Community Emergency Management Officer (FESA).

The CESM then spoke briefly on the previously distributed 'file note' regarding a meeting held to discuss all the recommendations of the Keelty Report and their ramifications, if any, for the Shire.

The meeting was then advised of the changes to The Australasian Inter-service Incident Management System (AIIMS) under which all attending services operate.

Delegates were then given the opportunity to update the meeting on events which have occurred within their individual organisations since the August 2011 meeting.

One area of concern for all delegates was the recent 'approval in principle' given by the Shire for the Southbound Concert to be held on rural land near Cosy Corner Road. It was requested that the Shire ensures that:-

- All emergency services are kept informed
- The Health Department "risk matrix" be completed by the proponents
- LEMC has the ability to give advice/suggestions on any conditions imposed

The Emergency Contacts and Resource Directory was distributed to delegates with the request that changes/inclusions, if any, be forwarded to the CESM within 14 days of the meeting.

**STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**

Compliance with the requirements of the Emergency Management Act 2005

**STRATEGIC IMPLICATIONS**

*Stronger Communities - Safer Communities*

*Outcome: Ensure the Shire in partnership with other agencies is ready and has the capacity to respond quickly and effectively to an emergency*

*Strategy 1: Maintain a strong Local Emergency Management Committee in full compliance with the Emergency Management Act.*

*Strategy 2: Maintain an effective current Emergency Management Plan and conduct a minimum of two annual tabletop exercises to test the Plan's effectiveness in responding to any emergency*

**POLICY IMPLICATIONS**

N/A

**FINANCIAL IMPLICATIONS**

N/A

**SUSTAINABILITY IMPLICATIONS**

**Economic**

Nil

**Social**

An effective LEMC will assist the community in the response and recovery phases of an emergency.

**Environmental**

Timing, response and support to local emergencies will reduce any impact on the environment.

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

That Council receives the minutes of the Local Emergency Management Committee held 22 November 2011.

**ADVICE TO APPLICANT/PROPONENT**

N/A

**ATTACHMENTS**

1. Minutes of the Local Emergency Management Committee meeting 22 November 2011.
2. The Public Information Function

**RECOMMENDATION / COUNCIL DECISION**

---

**CR EARL, CR SERVENTY OM1201/14**

**That Council receives the minutes of the Local Emergency Management Committee held 22 November 2011.**

**CARRIED 6-NIL**

---

**13.0 Motions of which previous notice has been given**

Nil

**14.0 Motions for consideration at the next meeting**

Nil

**15.0 New Business of an urgent nature**

**15.1 Members**

Nil

**15.2 Employees**

Nil

**16.0 Confidential Business**

Nil

**17.0 Closure of Meeting**

*The Chair thanked all in attendance and declared the meeting closed at 6.20pm.*