11.1 CHIEF EXECUTIVE OFFICER

11.1.1 REGISTER OF DELEGATIONS – DELEGATIONS FROM COUNCIL
Register of Delegations 2015

Delegations from Council

Adopted by Council XXXXXX
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Introduction

The Local Government Act 1995 (LGA) provides the power to delegate certain functions to the Chief Executive Officer (Section 5.42).

Section 5.43 LGA provides limitations on what powers and duties a local government can delegate to its CEO, stating that:

A local government cannot delegate to a CEO any of the following powers or duties —

(a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
(b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
(c) appointing an auditor;
(d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
(e) any of the local government’s powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
(f) borrowing money on behalf of the local government;
(g) hearing or determining an objection of a kind referred to in section 9.5;
(ha) the power under section 9.49A (4) to authorise a person to sign documents on behalf of the local government;
(h) any power or duty that requires the approval of the Minister or the Governor;
(i) such other powers or duties as may be prescribed.

Furthermore the Act allows for the Chief Executive Officer to sub-delegate powers or duties to other employees (Section 5.44), other than the power to delegate, and to place conditions on any delegations if desired (Section 5.44(4)). Delegations are to be in writing and are to be reviewed on an annual basis.

Recipients of delegated powers and duties are required to keep a record of each occasion in which they exercise the powers or discharge the duties. Regulation 19 of the LG (Admin) Regulations 1996 states that:

Where a power or duty has been delegated under the Act to the CEO or to any other local government employee, the person to whom the power or duty has been delegated is to keep a written record of —

(a) how the person exercised the power or discharged the duty; and
(b) when the person exercised the power or discharged the duty; and
(c) the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

Other Acts administered by local government also provide the power to delegate or appoint officers authorisation to exercise particular powers or discharge of duties.

This document consists of delegations by Council to the Chief Executive Officer under the Local Government Act, and delegations to the Chief Executive Officer and staff under other Acts administered by local government. Each delegation provides information on the respective head of power.
Local Government Act 1995

Delegation 1 Administrative structure of the local government

Power of Delegation

Under s5.42 LGA the Council of the Shire of Augusta Margaret River hereby delegates to the Chief Executive Officer the exercise of power and discharge of duties under s5.2 LGA to ensure there is an appropriate structure for administering local government including the power to change the structure as required to administer the local government.

Records to be kept by delegates

Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected.

The delegate is to keep a record of all memoranda outlining Council of the revised structure, reports to Council and ensure that any evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996. All records are to be retained on the Shire’s record keeping database.

Power to Sub-delegate

s5.44 LGA CEO may delegate powers and duties to other employees

References

Power to delegate:

s 5.42 LGA Delegation of some powers or duties to CEO

s5.43 LGA Limits on delegations to CEO

Power/duty delegated:

s 5.2 LGA Administration of local governments

_________________________              __________________________
Michael Smart  Gary Evershed
Shire President   Chief Executive Officer

Delegation reviewed:

Minute:
Delegation 2 Administering Local Laws

Power of Delegation
Under s5.42 LGA the Council of the Shire of Augusta Margaret River hereby delegates authority to the Chief Executive Officer to determine applications received in accordance with any AMR Local Law made under Division 2 of Part 3 LGA, to enforce the provisions of those local laws and to otherwise exercise the powers and discharge the duties of the local government under those local laws.

Records to be kept by delegates
Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected.
The delegate is to keep a record of all notices, correspondence, permits, and licenses and ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996. All records are to be retained on the Shire’s record keeping database.

Power to Sub-delegate
s5.44 LGA CEO may delegate powers and duties to other employees

References
Power to delegate:

s 5.42 LGA Delegation of some powers or duties to CEO
s5.43 LGA Limits on delegations to CEO

Power/duty delegated:

Part 3 LGA Functions of local governments
Part 9 LGA Miscellaneous provisions
Shire of Augusta Margaret River Local Laws

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Michael Smart              Gary Evershed
Shire President            Chief Executive Officer

Delegation reviewed:

Minute:
Delegation 3  Issuing notices requiring certain things to be done by owner or occupier of land

Power of Delegation
Under s5.42 LGA, the Council of the Shire of Augusta Margaret River hereby delegates to the Chief Executive Officer the exercise of powers and discharge of duties under s3.25 LGA, to give a person who is the owner, or the occupier of land a notice in writing requiring the person to do anything to the land that is specified in Schedule 3.1, and inform the owner if the occupier is not the owner of the notice given.

Records to be kept by delegates
Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected.

The delegate is to keep a record of all notices, correspondence and ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996. All records are to be retained on the Shire's record keeping database.

Power to Sub-delegate
s5.44 LGA CEO may delegate powers and duties to other employees

References
Power to delegate:
s 5.42 LGA Delegation of some powers or duties to CEO
s5.43 LGA Limits on delegations to CEO
Power/duty delegated:
s3.25 LGA Notices requiring certain things to be done by owner or occupier of land
Schedule 3.1 LGA Powers under notices to owners or occupiers of land

Explanatory Notes – Schedule 3.1 LGA Powers under notices to owners or occupiers of land
[Section 3.25(1)]

Division 1 — Things a notice may require to be done
1. Prevent water from dripping or running from a building on the land onto any other land.
2. Place in a prominent position on the land a number to indicate the address.
3. Modify or repair, in the interests of the convenience or safety of the public, anything constructed as mentioned in Schedule 9.1, clause 8, or repair any damage caused to the public thoroughfare or other public place mentioned in that clause.

4. (1) Ensure that land that adjoins a public thoroughfare or other public place that is specified for the purposes of this item by a local law —
   
   (a) is suitably enclosed to separate it from the public place; and
   
   (b) where applicable, is enclosed with a close fence, to the satisfaction of the local government, suitable to prevent sand or other matter coming from the land onto the public place.

   (2) The notice cannot be given to an occupier who is not an owner.

5. (1) Ensure that unsightly land is enclosed, to the satisfaction of the local government, with a fence or other means suitable to prevent the land, so far as is practicable, from being unsightly.

   (2) In this item —

   **unsightly**, in relation to land, means having an appearance that, because of the way in which the land is used, does not conform with the general appearance of other land in the locality.

   (3) The notice cannot be given to an occupier who is not an owner.

5A. (1) Ensure that overgrown vegetation, rubbish, or disused material, as specified, is removed from land that the local government considers to be untidy.

   (2) In this item —

   **disused material** includes disused motor vehicles, old motor vehicle bodies and old machinery.

5B. Ensure that graffiti that is —

   (a) applied with the consent of the owner or occupier; and

   (b) visible from a public place; and

   (c) considered by the local government to be unsightly or offensive,

   is obliterated in a manner acceptable to the local government.

6. Take specified measures for preventing or minimising the movement of sand, silt, clay or rocks on or from the land if, in the opinion of the local government, that movement would be likely to adversely affect other land.

7. Ensure that land that adjoins a public thoroughfare or other public place that is specified for the purposes of this item by a local law is not overgrown.
8. Remove all or part of a tree that is obstructing or otherwise prejudicially affecting a thoroughfare that is under the local government’s control or management and adjoins the land where the tree is situated.

9. Ensure that a tree on the land that endangers any person or thing on adjoining land is made safe.

10. Take specified measures for preventing or minimizing —
   (a) danger to the public; or
   (b) damage to property,
   which might result from cyclonic activity.

11. Remove bees that are likely to endanger the safety of any person or create a serious public nuisance.

12. Ensure that an unsightly, dilapidated or dangerous fence or gate that separates the land from land that is local government property is modified or repaired.

13. Take specific measures to prevent —
   (a) artificial light being emitted from the land; or
   (b) natural or artificial light being reflected from something on the land,
   creating a nuisance.

14. (1) Remove or make safe anything that is obstructing or otherwise prejudicially affecting a private thoroughfare so that danger to anyone using the thoroughfare is prevented or minimised.

   (2) In this item —

   **private thoroughfare** has the same meaning as in Schedule 9.1 clause 7(1).

[Division 1 amended in Gazette 29 Apr 1997 p. 2144; amended by No. 49 of 2004 s. 72; No. 17 of 2009 s. 46.]

**Division 2 — Provisions contraventions of which may lead to a notice requiring things to be done**

1. Regulations under Schedule 9.1, clause 3 (Obstructing or encroaching on public thoroughfare).

1A. Regulations under Schedule 9.1, clause 5(1) (Gates and other devices across public thoroughfares) requiring a person to remove a gate or other device from across a public thoroughfare when requested by a local government to do so.

2. Regulations under Schedule 9.1, clause 6 (Dangerous excavation in or near public thoroughfare).

2A. Regulations under Schedule 9.1, clause 7(2) (Crossings from public thoroughfares to private land or to private thoroughfares) that —
(a) prohibit a person from constructing a crossing; or

(b) by means of a notice in writing given to a person by the Commissioner of Main Roads, require the person to bring a crossing into accordance with an approval by the Commissioner of Main Roads or to remove a crossing and restore the place where it was to its former condition.

3. Regulations under Schedule 9.1, clause 8(1) (Constructing private works on, over, or under public places).

4. Regulations under Schedule 9.1, clause 9 (Protection of watercourses, drains, tunnels and bridges).

5. Regulations under Schedule 9.1, clause 10 (Protection of thoroughfares from water damage).

6. Regulations under Schedule 9.1, clause 12 (Wind erosion and sand drifts).

[Division 2 amended in Gazette 24 Jun 1996 p. 2862.]

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Michael Smart  Gary Evershed
Shire President   Chief Executive Officer

Delegation reviewed:

Minute:
Delegation 4  Carrying out the required works and recovery of costs

Power of Delegation

Under s5.42 LGA, the Council of the Shire of Augusta Margaret River hereby delegates to the Chief Executive Officer the exercise of powers and discharge of duties under s3.26 LGA, where if the person who is given a notice fails to comply with it, the delegated officer may do anything that is considered necessary to achieve the purpose for which the notice was given and continue to undertake works that are not carried out by the owner or occupier and recover the costs as a debt.

Records to be kept by delegates

Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected.

The delegate is to keep a record of all notices, correspondence, actions and ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996. All records are to be retained on the Shire’s record keeping database.

Power to Sub-delegate

s5.44 LGA CEO may delegate powers and duties to other employees

References

Power to delegate:

s 5.42 LGA Delegation of some powers or duties to CEO

s5.43 LGA Limits on delegations to CEO

Power/duty delegated:

s3.26 LGA Additional powers when notices given

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Michael Smart  Gary Evershed
Shire President   Chief Executive Officer

Delegation reviewed:

Minute:
Delegation 5 Closure of thoroughfares

Power of Delegation

Under section 5.42 LGA the Council of the Shire of Augusta Margaret River hereby delegates to the Chief Executive Officer the exercise of powers and discharge of duties to:

1. Close any thoroughfare that the Shire manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks and to give order of public closure by local public notice pursuant to s3.50 LGA.

2. Partially and temporarily close a thoroughfare, without giving public notice if the closure-
   a) is for the purpose of carrying out repairs or maintenance; and
   b) is unlikely to have a significant adverse effect on users of the thoroughfare; pursuant to s3.50A LGA.

3. Give notice to the owners of the land or any land that is likely to be adversely affected, of any repairs or maintenance to be done, giving details of the proposal and inviting submissions pursuant to s3.51 LGA.

Records to be kept by delegates

Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected.

The delegate is to keep a record of all notices, correspondence, actions and ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996. All records are to be retained on the Shire’s record keeping database.

Power to Sub-delegate

s5.44 LGA CEO may delegate powers and duties to other employees

References

Power to delegate:

s 5.42 LGA Delegation of some powers or duties to CEO

s5.43 LGA Limits on delegations to CEO

Power/duty delegated:

s3.50 LGA Closing certain thoroughfares to vehicles

s 3.50A LGA Partial closure of thoroughfare for repairs or maintenance

s3.51 LGA Affected owners to be notified of certain proposals

Regulation 4 – 6 Local Government (Functions and General) Regulations 1996
Delegation reviewed:

Minute:
Delegation 6 Inviting and awarding tenders

Power of Delegation

Under s5.42 LGA, the Council of the Shire of Augusta Margaret River hereby delegates to the Chief Executive Officer the exercise of powers and the discharge of duties to invite tenders and expressions of interest before entering into a contract for the supply of goods or services, pursuant to s3.57 LGA, and the power to award tenders for a contract up to and including $200,000.00 exclusive of GST.

Records to be kept by delegates

Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected.

The delegate is to keep a record of all advertisements, tender documents, submissions, notifications to successful/unsuccessful tenderers, appointment of contractor for tender notices, and ensure tender register is maintained. All evidentiary documents must meet the requirements of r19 LG (Admin) Regulations 1996. All records are to be retained on the Shire’s record keeping database.

Power to Sub-delegate

s5.44 LGA CEO may delegate powers and duties to other employees

References

Power to delegate:

s 5.42 LGA Delegation of some powers or duties to CEO

s5.43 LGA Limits on delegations to CEO

Power/duty delegated:

s3.57 LGA Tenders for providing goods or services

Regulation 11 – 24 Local Government (Functions and General) Regulations 1996

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Michael Smart              Gary Evershed
Shire President           Chief Executive Officer

Delegation reviewed:

Minute:
Delegation 7  Entering into and renewing leases

Power of Delegation

Under s5.42 LGA the Council of the Shire of Augusta Margaret River hereby delegates to the Chief Executive Officer the exercise of powers and discharge of duties under s3.58 LGA to lease, sub lease, renew or reassign a lease or property where the disposition is exempt under s3.58(5).

Records to be kept by delegates

Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected.

The delegate is to keep a record of all advertisements, submissions, and expressions of interest/tender documents, lease documentation, and deeds of assignment. All evidentiary documents must meet the requirements of r19 LG (Admin) Regulations 1996 be retained on the Shire’s record keeping database.

Power to Sub–delegate

s5.44 LGA CEO may delegate powers and duties to other employees

References

Power to delegate:

s 5.42 LGA Delegation of some powers or duties to CEO

s5.43 LGA Limits on delegations to CEO

Power/duty delegated:

s3.58 LGA Disposing of Property

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Michael Smart              Gary Evershed
Shire President            Chief Executive Officer

Delegation reviewed:

Minute:
Delegation 8  Disposal of minor property

Power of Delegation

Under s5.42 LGA the Council of the Shire of Augusta Margaret River hereby delegates to the Chief Executive Officer the exercise of powers and discharge of duties under s3.58 LGA, to dispose of property where the disposition is exempt under r30 Functions and General Regulations 1996.

Records to be kept by delegates

Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected.

The delegate is to keep a record of all public notices, business plans, market valuations, contracts, tender documents, and disposal forms. All evidentiary documents must meet the requirements of r19 LG (Admin) Regulations 1996 and be retained on the Shire’s record keeping database.

Power to Sub-delegate

s5.44 LGA CEO may delegate powers and duties to other employees

References

Power to delegate:

s 5.42 LGA Delegation of some powers or duties to CEO
s5.43 LGA Limits on delegations to CEO

Power/duty delegated:

s3.58 LGA Disposing of Property

Regulation 30 Functions and General Regulations 1996 Dispositions of property excluded from Act s3.58

Explanatory Notes - Regulation 30 Functions and General Regulations 1996

30.  Dispositions of property excluded from Act s. 3.58

(1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.

(2) A disposition of land is an exempt disposition if —

(a) the land is disposed of to an owner of adjoining land (in this paragraph called the transferee) and —

(i) its market value is less than $5 000; and

(ii) the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee;
or

(b) the land is disposed of to a body, whether incorporated or not —

(i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and

(ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body’s transactions;

or

(c) the land is disposed of to —

(i) the Crown in right of the State or the Commonwealth; or

(ii) a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or

(iii) another local government or a regional local government;

or

(d) it is the leasing of land to an employee of the local government for use as the employee’s residence; or

(e) it is the leasing of land for a period of less than 2 years during all or any of which time the lease does not give the lessee the exclusive use of the land; or

(f) it is the leasing of land to a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the medical profession to be used for carrying on his or her medical practice; or

(g) it is the leasing of residential property to a person.

(2a) A disposition of property is an exempt disposition if the property is disposed of within 6 months after it has been —

(a) put out to the highest bidder at public auction, in accordance with section 3.58(2) (a) of the Act, but either no bid is made or any bid made does not reach a reserve price fixed by the local government; or

(b) the subject of a public tender process called by the local government, in accordance with section 3.58(2) (b) of the Act, but either no tender is received or any tender received is unacceptable; or

(c) the subject of State-wide public notice under section 3.59(4) of the Act, and if the business plan referred to in that notice described the property concerned and gave details of the proposed disposition including —

(i) the names of all other parties concerned; and
(ii) the consideration to be received by the local government for the disposition; and

(iii) the market value of the disposition as ascertained by a valuation carried out not more than 12 months before the proposed disposition.

(2b) Details (see section 3.58(4) of the Act) of a disposition of property under sub regulation (2a) must be made available for public inspection for at least 12 months from the initial auction or tender, as the case requires.

(3) A disposition of property other than land is an exempt disposition if —

(a) its market value is less than $20,000; or

(b) it is disposed of as part of the consideration for other property that the local government is acquiring for a consideration the total value of which is not more, or worth more, than $50,000.


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Michael Smart  Gary Evershed
Shire President   Chief Executive Officer

Delegation reviewed:

Minute:
Delegation 9  Power to make payments

Power of Delegation

Under s5.42 LGA the Council of the Shire of Augusta Margaret River hereby delegates to the Chief Executive Officer the exercise of powers and discharge of duties under Part 6 of the LGA to make payment from the Municipal Fund, the Trust Fund and the Reserve Fund in accordance with the Annual Budget to a variance of 10% from the budget and not more than an amount of $10,000.00.

Records to be kept by delegates

Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected.

The delegate is to keep a record of all cheques and EFT remittances. All evidentiary documents must meet the requirements of r19 LG (Admin) Regulations 1996 and be retained on the Shire’s record keeping database.

Power to Sub–delegate

s5.44 LGA CEO may delegate powers and duties to other employees

References

Power to delegate:

s 5.42 LGA Delegation of some powers or duties to CEO

s5.43 LGA Limits on delegations to CEO

Power/duty delegated:

Part 6 of the LGA

____________________________  __________________________
Michael Smart  Gary Evershed
Shire President  Chief Executive Officer

Delegation reviewed:

Minute:
Delegation 10  Write off debts

Power of Delegation
Under s5.42 LGA the Council of the Shire of Augusta Margaret River hereby delegates to the Chief Executive Officer the exercise of powers and discharge of duties under s6.12 LGA to waive or grant concessions (excluding rate concessions) and to write off debts not exceeding $3,000.

Records to be kept by delegates
Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected.

The delegate is to keep a record of all fee waiver, in-kind support requests, and requests to write off debts. All evidentiary documents must meet the requirements of r19 LG (Admin) Regulations 1996 and be retained on the Shire’s record keeping database.

Power to Sub-delegate
s5.44 LGA CEO may delegate powers and duties to other employees

References
Power to delegate:

s 5.42 LGA Delegation of some powers or duties to CEO
s5.43 LGA Limits on delegations to CEO

Power/duty delegated:

Section 6.12 Local Government Act 1995: Power to defer, grant discounts, waive or write off debts

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Michael Smart  Gary Evershed
Shire President   Chief Executive Officer

Delegation reviewed:

Minute:
Delegation 11  Power to invest

Power of Delegation

Under s5.42 LGA the Council of the Shire of Augusta Margaret River hereby delegates to the Chief Executive Officer the exercise of power and discharge of duties to invest surplus funds in accordance with s6.14 LGA, r19 Local Government (Financial Management) Regulations 1996 and Council’s adopted policies.

Records to be kept by delegates

Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected.

The delegate is to keep a record of all correspondence, product information, and letters of engagement. All evidentiary documents must meet the requirements of r19 LG (Admin) Regulations 1996 and be retained on the Shire's record keeping database.

Power to Sub-delegate

s5.44 LGA CEO may delegate powers and duties to other employees

References

Power to delegate:

s 5.42 LGA Delegation of some powers or duties to CEO
s5.43 LGA Limits on delegations to CEO

Power/duty delegated:

s6.14 LGA Power to invest

Regulation 19 Local Government (Financial Management) Regulations 1996 Management of investments
AMRSC Investments Policy adopted October 2014

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Michael Smart  Gary Evershed
Shire President   Chief Executive Officer

Delegation reviewed:

Minute:
Delegation 12  Taking action on unpaid rates

Power of Delegation

Under s5.42 LGA the Council of the Shire of Augusta Margaret River hereby delegates to the Chief Executive Officer the exercise of power and discharge of duties under s6.64 LGA, to, if any rates or service charges remain unpaid for at least 3 years, take possession of the land and hold the land against a person having an estate or interest in the land, lease or sell the land, or transfer it to the Crown or itself.

Records to be kept by delegates

Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected.

The delegate is to keep a record of all correspondence, and advice to authorities. All evidentiary documents must meet the requirements of r19 LG (Admin) Regulations 1996 and be retained on the Shire’s record keeping database.

Power to Sub-delegate

s5.44 LGA CEO may delegate powers and duties to other employees

References

Power to delegate:

s 5.42 LGA Delegation of some powers or duties to CEO

s5.43 LGA Limits on delegations to CEO

Power/duty delegated:

s6.64 LGA Actions to be taken

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Michael Smart  Gary Evershed
Shire President   Chief Executive Officer

Delegation reviewed:

Minute:
Delegation 13  Agreement as to payment of rates and service charges

Power of Delegation

Under s5.42 LGA the Council of the Shire of Augusta Margaret River hereby delegates to the Chief Executive Officer the exercise of power and discharge of duties under s6.49 LGA to accept payment of a rate or service charge due by a person in accordance with an agreement made with the person.

Records to be kept by delegates

Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected.

The delegate is to keep a record of all correspondence including confirmation letters. All evidentiary documents must meet the requirements of r19 LG (Admin) Regulations 1996 and be retained on the Shire’s record keeping database.

Power to Sub-delegate

s5.44 LGA CEO may delegate powers and duties to other employees

References

Power to delegate:

s 5.42 LGA Delegation of some powers or duties to CEO

s5.43 LGA Limits on delegations to CEO

Power/duty delegated:

s6.49 LGA Agreement as to payment of rates and service charges

____________________________  __________________________
Michael Smart               Gary Evershed
Shire President             Chief Executive Officer

Delegation reviewed:

Minute:
Delegation 14  Appointment of authorised persons –  
Local Government Act 1995

Power of Delegation

Under s5.42 LGA the Council of the Shire of Augusta Margaret River hereby delegates to the Chief Executive Officer the exercise of power and discharge of duties under s9.10 LGA to in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions under the LGA, including the functions listed below:

1. s9.16 LGA, to give an infringement notice for an offence committed against a regulation or any AMR Local Law made under the LGA.
2. s9.17 LGA, to receive payment from infringement notices for offences committed against a regulation or any AMR Local Law made under the LGA.
3. s9.19, 9.20 LGA, to extend period of payment, withdrawal of notice for an offence committed against a regulation or any AMR Local Law made under the LGA.
4. s9.29 LGA, to represent the Shire of Augusta Margaret River in proceedings in the Magistrates Court, the Children’s Court or the State Administrative Tribunal.
5. s3.37 – 3.48 LGA, to impound abandoned vehicle wrecks and goods involved in certain contraventions.

Records to be kept by delegates

Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected.

Section 9.10 LGA, requires a certificate of authorisation to be issued to each person authorised under the LGA.

All evidentiary documents must meet the requirements of r19 LG (Admin) Regulations 1996 and be retained on the Shire’s record keeping database.

Power to Sub–delegate

s5.44 LGA CEO may delegate powers and duties to other employees

References

Power to delegate:

s 5.42 LGA Delegation of some powers or duties to CEO

s5.43 LGA Limits on delegations to CEO

Power/duty delegated:

Section 9.10 LGA Appointment of authorised persons
AMR Local Laws


Section 9.29 Local Government Act 1995: Representing local government in court

Section 3.37-3.48 Local Government Act 1995: Impounding abandoned vehicle wrecks and goods involved in certain contraventions

____________________________              __________________________
Michael Smart  Gary Evershed
Shire President   Chief Executive Officer

Delegation reviewed:

Minute:
LG (Miscellaneous Provisions) Act 1960

Delegation 15  

LG (Miscellaneous Provisions) Act 1960  
– Impounding of cattle

Power of Delegation

Under s5.42 LGA the Council of the Shire of Augusta Margaret River hereby delegates authority to the Chief Executive Officer the exercise of powers and the discharge of duties to appoint persons authorisation to establish and maintain public pounds, and impound cattle in accordance with s448-449 LG (Miscellaneous Provisions) Act 1960, and to otherwise exercise the powers and discharge the duties of the local government under Part XX LG (Miscellaneous Provisions) Act 1960.

Records to be kept by delegates

Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected.

Section 455 LG (Miscellaneous Provisions) Act requires local government to maintain a register of cattle impounded.

All evidentiary documents must meet the requirements of r19 LG (Admin) Regulations 1996 and be retained on the Shire’s record keeping database.

Power to Sub-delegate

s5.44 LGA CEO may delegate powers and duties to other employees

References

Power to delegate:

s 5.42 LGA Delegation of some powers or duties to CEO

s5.43 LGA Limits on delegations to CEO

s2 LG (Miscellaneous Provisions) Act 1960 Act to be read as part of LGA 1995.

Power/duty delegated:

Part XX Local Government (Miscellaneous Provisions) Act 1960 Cattle trespass, pounds, pound keepers and rangers
Delegations Register

Delegation reviewed:

Minute:
Building Act 2011

Delegation 16 Building

Power of Delegation

Under s127 Building Act 2011 the Council of the Shire of Augusta Margaret River hereby delegates to the Chief Executive Officer the exercise of power and discharge of duties to approve or refuse to grant permits and issue Building Orders, pursuant to the Building Act 2011, sections as listed:

1. Section 20 Building Permits
2. Section 21 Demolition Permits
3. Section 58 Granting, modifying or refusing to grant occupancy permit or building approval certificate
4. Section 65 Extension of period of duration of an occupancy permit or building approval certificate granted for a limited period of time.
5. Section 22 Further grounds for not granting an application
6. Section 110 Building Orders
7. Section 117 Revocation of a Building Order
8. Section 139 Presumptions about authority to do certain things

And, under s96 Building Act 2011, designate an employee of the local government as an authorised person for the purposes of this Act in relation to buildings and incidental structures located, or proposed to be located, in the district of the local government.

Records to be kept by delegates

s130 Building Act 2011 and regulation 12 Building Regulations 2012 requires delegates to keep a written record of applications for a building permit, demolition permit, occupancy permit and related documents, building certificates, building orders and related documents, notices of completion and cessation in relation to a building permit and documents relating to inspections.

s97 Building Act 2011 requires all authorised officers to be issued with an identity card, identifying the person as an authorised person.

All evidentiary documents must be retained on the Shire’s record keeping database.

Power to Sub-delegate

S127 (6A) Building Act 2011 CEO may delegate powers and duties of local government to other employees
References

Power to delegate:

s127 Building Act 2011 Special permit authorities and local governments

Power/duty delegated:

s20-22, 58, 65, 110, 117 and 139 Building Act 2011

____________________________  __________________________
Michael Smart  Gary Evershed
Shire President  Chief Executive Officer

Delegation reviewed:

Minute:
Local Planning Scheme No 1

Delegation 17  Planning

Power of Delegation

Under Clause 11.3.1 of the Local Planning Scheme No.1, the Council of the Shire of Augusta Margaret River hereby delegates to the Chief Executive Officer the exercise of power and discharge of duties to:

1. Make determinations on the sufficiency of information provided with applications for planning consent pursuant to Clause 9.2 and 9.5 of LPS1.

2. Advertise and provide notice of applications for planning approval or consent pursuant to clause 9.4 of LPS1.

3. Determine applications pursuant to Part 10 of LPS1 for planning approval including:
   a) any conditions to be imposed;
   b) the period of validity of the approval or consent; and
   c) extension to the term of planning approval pursuant to Clause 10.5.2 where no variations to Council Policy or Scheme Standards are proposed.

4. Determine applications where variations to Development requirements of LPS1 pursuant to clauses 4.21.2 (variation to Building Envelope), 5.5 (variations to site development standards), 5.10.2 (variation to building envelopes), and 6.2.8.4(a) (variations to Detailed Area Plans) are proposed.

5. Any matter prescribed under the Residential Planning Codes including variations and determinations under performance criteria.

6. Remove or require the repair of any advertisement pursuant to clause 11.2 of LPS 1

7. Prescribe, vary, specify and determine any requirements, standards or limitations which may be prescribed, varied, specified or determined under the Scheme with respect to the use or development of land or buildings where not inconsistent with Council Policy;

8. Accept and determine cash-in-lieu payments;

9. Issue notices and directions pursuant to clause 11.7 of LPS1.

10. Determine amended applications for planning approval lodged pursuant to clause 8.3.

11. Determine pursuant to clause 10.11 of LPS1 any application lodged for reconsideration of a planning approval, or refusal of a planning approval determined under delegated authority. Where the CEO or Director of Sustainable Development determine that there should be no
change to the original determination made under delegated authority the application for reconsideration shall be referred to Council for determination.

12. Make determinations to vary provisions pursuant to clause 7.5 of LPS1 to facilitate the conservation of a place entered in the Register of Places under the Heritage of Western Australia Act 1990 or listed in the Heritage List under clause 7.1.1

13. Make any determinations and exercise any discretionary powers contained LPS1 and in any schedules of the LPS1;

14. Determine land use pursuant to clause 4.4 of LPS1

15. Determine built strata applications that have been delegated to the Shire of Augusta Margaret River by the WAPC pursuant to Section 25(1) of the Strata Title Act 1985 and impose any relevant planning conditions.

16. Appoint officers authorisation to, at all reasonable times and with such assistance as may be required, enter any building or land for the purpose of ascertaining whether the provisions of the Scheme are being observed, pursuant to clause 11.1.2 LPS1.

Records to be kept by delegates

Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected.

The delegate is to keep a record of all correspondence, notices and approvals/refusals. All evidentiary documents must meet the requirements of r19 LG (Admin) Regulations 1996 and be retained on the Shire’s record keeping database.

Power to Sub-delegate

Clause 11.3.2 Local Planning Scheme No 1: The CEO may delegate to any employee of the local government the exercise of any of the CEO’s powers or the discharge of any of the CEO’s duties under clause 11.3.1.

References

Power to delegate:

Clause 11.3.1 Local Planning Scheme No 1: The local government may delegate to the CEO, within the meaning of those expressions under the LGA 1995, the exercise of any of its powers or discharge of any of its duties under the Scheme, other than this delegation.

Clause 11.3.4 LPS1: s5.46 and related regulations apply to a delegation made under this clause as if the delegation were made under Part 5 of the LGA.

Planning and Development Act 2005

Power/duty delegated:

Local Planning Scheme No 1
Delegations from Council

Delegations Register

____________________________  __________________________
Michael Smart  Gary Evershed
Shire President  Chief Executive Officer

Delegation reviewed:

Minute:
Planning and Development Act 2005

Delegation 18  Directions under s214 Planning and Development Act 2005

Power of Delegation

Under s5.42(1)(b) LGA, the Council of the Shire of Augusta Margaret River hereby delegates to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties to give directions under the Planning and Development Act 2005 section 214(2), (3) and (5).

Records to be kept by delegates

Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons directly affected. The delegate is to keep a record of all correspondence, notices and directions. All evidentiary documents must meet the requirements of r19 LG (Admin) Regulations 1996 and be retained on the Shire’s record keeping database.

Power to Sub-delegate

s5.44 LGA CEO may delegate powers and duties to other employees

References

Power to delegate:

s 5.42 (1)(b) LGA A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under the Planning and Development Act 2005 section 214(2), (3) or (5).

Power/duty delegated:

s214 Planning and Development Act 2005 Illegal development, responsible authority’s powers as to.

____________________________              __________________________
Michael Smart  Gary Evershed
Shire President   Chief Executive Officer

Delegation reviewed:

Minute:
Food Act 2008

Delegation 19   Functions under the Food Act 2008

Power of Delegation

Under s118(2)(b) Food Act 2008 the Council of the Shire of Augusta Margaret River hereby delegates authority to the Chief Executive Officer the exercise of powers and discharge of duties of any Local Government functions under the Food Act 2008, including the functions listed below:

1. s122, to appoint persons to be authorised officers for the purposes of the Food Act 2008;
2. s126, designate authorised officers to perform certain functions under the Food Act 2008;

Under s118(2)(b) Food Act 2008 the Council of the Shire of Augusta Margaret River hereby delegates authority to the Manager Environmental Health and Waste Services, Coordinator Environmental Health and Environmental Health Officers the exercise of powers and discharge of duties of any Local Government functions under the Food Act 2008, excluding the powers to appoint officers authorisation under s122 and designate authorised officers to perform certain functions under s126 Food Act 2008.

Records to be kept by delegates

Section 121 Food Act 2008 requires local government to report to the Department of Health on the performance of all functions and works taken under the Food Act 2008 by the local government.

s123 Food Act 2008 requires all authorised officers to be issued with a certificate of authority as an authorised officer in the prescribed form.

Power to Sub-delegate

S118(4) Food Act 2008 Sub-delegation only permissible if expressly provided in regulations.

References

Power to delegate:

s118(2)(b) Food Act 2008 Local Government (enforcement agency) may delegate a function conferred on it

s118(3) Food Act 2008 Delegation subject to conditions (s119) and guidelines adopted

Regulation 5 Food Regulations 2009: Appropriate enforcement agency: local government

Power/duty delegated:

Section 118 Food Act 2008: Functions of enforcement agencies and delegation

Section 122,123 Food Act 2008: Appointment of authorised officers
Delegations from Council

Delegations Register

Section 126 Food Act 2008: Infringement notices

____________________________              __________________________
Michael Smart  Gary Evershed
Shire President   Chief Executive Officer

Delegation reviewed:

Minute:
Bush Fires Act 1954

Delegation 20  Bush fires, prohibited burning times, restricted burning times and prosecution of offences

Power of Delegation

Under s48 Bush Fires Act 1954 the Council of the Shire of Augusta Margaret River hereby delegates authority to the Chief Executive Officer, the exercise the powers and discharge of duties of any Local Government functions under the Bushfires Act 1954.

Under s17(10) BFA 1954 the Council of the Shire of Augusta Margaret River hereby delegates authority to the Shire President and Chief Bushfire Control Officer to vary prohibited burning times under sections 17 and vary restricted burning times under sections 18 BFA.

Under s59(3) BFA 1954, the Council of the Shire of Augusta Margaret River hereby delegates authority to the Bush Fire Control Officers, Coordinator Ranger Services and Rangers to prosecute offences committed against this Act, and issue infringement notices pursuant to s59 & 59A BFA 1954.

Records to be kept by delegates

Section 41 BFA requires local government to keep a register of bush fire brigades and their members.

Section 50 BFA requires local government to maintain records of all bush fire control officers and bush fire brigade officers appointed, and particulars of the bush firefighting equipment and appliances available within the district.

The delegate is to keep a record of all permits, investigation documents, infringement notices, photographs and correspondence. All evidentiary documents must be retained on the Shire’s record keeping database.

Power to Sub-delegate

S48(3) BFA A delegation under this section does not include the power to Sub-delegate.

References

Power to delegate:

Section 48 Bush Fires Act 1954: Delegation by local governments

Power/duty delegated:

Section 17 Bush Fires Act 1954: Prohibited burning times may be declared by Minister
Section 18 Bush Fires Act 1954: Restricted burning times may be declared by Minister

Section 59 Bush Fires Act 1954: Prosecution of offences

Michael Smart  Gary Evershed

Shire President   Chief Executive Officer

Delegation reviewed:

Minute:
Cat Act 2011

Delegation 21   Functions of the Cat Act 2011

Power of Delegation

Under s44 Cat Act 2011 the Council of the Shire of Augusta Margaret River hereby delegates to the Chief Executive Officer the exercise of powers and discharge of duties to administer and enforce the provisions of the Cat Act 2011, and to appoint officers authorisation for the purposes of performing particular functions under the Act in accordance with s48 Cat Act 2011.

Records to be kept by delegates

The delegate is to keep a record of all permits, registrations, investigation documents, infringement notices, photographs and correspondence. All evidentiary documents must be retained on the Shire’s record keeping database.

All authorised persons are to be issued with a certificate stating that the person is an authorised person for the purposes of the Cat Act 2011.

Power to Sub-delegate

s45 Cat Act 2011 A CEO may delegate to any employee of the local government the exercise of any of the CEO’s powers or discharge of duties under another provision of this Act. A power or duty under s63, 64 or 65 Cat Act, (the receiving payment of, extension of time, and withdrawal of an infringement notice) cannot be delegated to an authorised person.

References

Power to delegate:

s44 Cat Act 2011 Delegation by local government

Power/duty delegated:

Functions conferred or imposed on the Local Government under the Cat Act 2011

____________________________              __________________________
Michael Smart  Gary Evershed
Shire President   Chief Executive Officer

Delegation reviewed:

Minute:
**Dog Act 1976**

**Delegation 22 Administration and enforcement of the Dog Act 1976**

**Power of Authorisation**

Under s10AA of the *Dog Act 1976*, the Council of the Shire of Augusta Margaret River hereby delegates to the Chief Executive Officer the exercise of powers and discharge of duties to administer and enforce the provisions of the *Dog Act 1976*, and to appoint officers authorisation for the purposes of performing particular functions under the Act in accordance with s10AA of the *Dog Act 1976*.

**Records to be kept**

s14 *Dog Act 1976* requires local government to maintain a dog register.

The delegate is to keep a record of all permits, registrations, investigation documents, infringement notices, photographs and correspondence. All evidentiary documents must be retained on the Shire’s record keeping database.

All authorised persons are to be issued with a certificate stating that the person is an authorised person for the purposes of the *Dog Act 1976* (s11(3) *Dog Act 1976*).

**Power to Sub-delegate**

s10AA (4) The delegation [from Council to the CEO] may expressly authorise the delegate to further delegate the power or duty.

**References**

s10AA *Dog Act 1976*: Delegation of local government powers and duties

s14 *Dog Act 1976*: Register of dogs

____________________________  __________________________
Michael Smart              Gary Evershed
Shire President            Chief Executive Officer

Delegation reviewed:

Minute:
11.1 CHIEF EXECUTIVE OFFICER

11.1.2 MINUTES OF CAPEROC MEETING – 13 FEBRUARY 2015
### CITY OF BUSSELTON

**MINUTES FOR THE CAPEROCC MEETING HELD ON 13 FEBRUARY 2015**

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MINUTES

MINUTES OF CAPEROC HELD IN COUNCIL CHAMBERS, ADMINISTRATION BUILDING, SOUTHERN DRIVE, BUSSELTON, ON 13 FEBRUARY 2015 AT 10:00.

1. ATTENDANCE & APOLOGIES

Presiding Member:                Members:
Cr Ian Stubbs Mayor,             Cr John McCallum, Busselton
Busselton                        Cr Mike Smart, Shire President, Augusta-Margaret River
                                         Cr Felicity Haynes, Augusta-Margaret River

Officers:
Mr Mike Archer, Chief Executive Officer, Busselton (from 10.35am)
Mr Gary Evershed, Chief Executive Officer, Augusta-Margaret River
Mrs Naomi Searle, Director, Community and Commercial Services, Busselton
                                         (until 11.32am)
Mr Jon Berry, Economic and Business Development Coordinator, Busselton (until 11.32am)
Mr Shane Walsh, Events Coordinator, Busselton (from 10.30am until 10.50am)
Mrs Tracey King, Strategic Projects Officer, Busselton
Mrs Katie Banks, Executive Assistant, Busselton

Apologies
Cr Tom Tuffin, Busselton
Cr Ian Earl, Augusta-Margaret River
Mr Oliver Darby, Director, Engineering and Works Services, Busselton
Mr Iliya Hastings, Director, Sustainable Development, Augusta-Margaret River
Ms Amanda Russell, Marketing & Events Officer, Augusta-Margaret River
Mrs Joanne Burges, Regional Cooperation Manager, WALGA

2. CONFIRMATION OF MINUTES

That the minutes of a meeting of the Capes Region Organisation of Councils held on 11 December 2014 be confirmed as a true and correct record.

Minutes confirmed

3. PRESENTATIONS

Naomi Searle, Director, Community and Commercial Services, Busselton presented an update on the proposed Busselton Performing Arts Centre.

10.30am At this time Mr Shane Walsh entered the meeting.

10.35am At this time Mr Mike Archer entered the meeting.
4. BUSINESS ARISING FROM PREVIOUS MEETINGS

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The meeting schedule for CapeROC meetings throughout 2015 was noted.
5. REPORTS

Note: The Presiding Member allowed for item 5.3 to be presented prior to items 5.1 & 5.2.

5.3 EVENTS CALENDAR (Verbal Update)

| RESPONSIBLE OFFICER: | Shane Walsh, Events Coordinator, City of Busselton  
Amanda Russell, Marketing and Events Officer, Shire of Augusta Margaret River |
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<td>ATTACHMENTS:</td>
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Shane Walsh informed the group that:

- Tourism association members have already nearly run out of copies of the Cape to Cape calendar of events. Although the publication is very popular with visitors, it is a concern that some information in print can be outdated. Shane advised that the preferred way forward is to load the calendar of events onto the MRBTA website, allowing event information to be updated regularly.

- The new City of Busselton website is due to be launched soon and will feature the top 25-30 events throughout the region.

- Shane also suggested that left over marketing funds could be allocated to the costs associated with directing online traffic to the CapeROC events website. Shane advised that the events website will be linked to the CoB and AMR websites and the new MRBTA website (when launched).

- The group were also informed that the City of Busselton, Shire of Augusta-Margaret River and City of Bunbury are working closely to attract winter festival events into the region.

**OUTCOME**

That MRBTA representatives be invited to attend future meeting of CapeROC (May 22 or August 21) to present their finalised branding. In conjunction with the presentation, a unified branding approach for the current Cape to Cape events calendar can be considered.

10.50am At this time Mr Shane Walsh left the meeting and did not return.
5.1 PRE-FEASIBILITY STUDY – SOUTH WEST CAPES HIGHER EDUCATION STUDY

RESPONSIBLE OFFICER: Jon Berry (Economic and Business Development Coordinator, City of Busselton)

IN BRIEF

The Capes Region Higher Education and Training Taskforce, chaired by the Hon. Nola Marino MP, Federal Member for Forrest, includes membership from both local governments in the Capes Region. The Taskforce is pursuing interest from Australian Universities to consider participation in the delivery of Higher Education courses in the Capes Region.

In the second half of 2014 Curtin University successfully responded to a Request for Quotation (RFQ) for appropriately qualified consultants to conduct desktop research to determine the viability of higher education services in the Capes region of the South-West of Western Australia.

This RFQ was funded jointly by CapeROC, the South West Development Commission, and Regional Development Australia – South West. The scope of the pre-feasibility study was endorsed by the Taskforce and subsequently Curtin University was engaged by the City of Busselton (auspicing grant funds on behalf of the Taskforce) to conduct the study.

The final report was completed by Curtin University in December 2014. The Taskforce will consider the report’s recommendations in March 2015 and is seeking formal comment from individual organisations which participate as members.

BACKGROUND

The Capes Region Higher Education Taskforce is chaired by the Federal Member for Forrest (Ms Nola Marino MP) and includes representatives from the Shire of Augusta Margaret River, the City of Busselton, regional development organisations, educationalists, business and community representatives. The Taskforce aims to deliver the recommendations of the CapeROC initiated Higher Education Forum held in 2010.

The Taskforce is advocating improvements to higher education and training across the Capes Region by way of a collaborative and coordinated approach with other educational institutions, to ensure a flexible and cost-effective approach to service delivery.

In June 2014 a Request for Quotation (RFQ) invited submissions from appropriately qualified consultants to conduct desktop research to determine the viability of higher education services in the Capes region. The RFQ document was distributed widely including inviting registrations of interest from the Higher Education Research and Development Society of Australasia - a scholarly society for people committed to the advancement of higher and tertiary education.

The pre-feasibility study was funded jointly by CapeROC ($29,044), the Southwest Development Commission ($10,000) and Regional Development Australia – South West ($10,000) and awarded to Curtin University (one of two respondents) at a cost of $49,044 (ex GST).
The project scope was to:

1. **Conduct a desktop review of various Australian higher educational models, that integrate vocational and university courses to provide a dual sector approach to course delivery in regional areas of a similar population size to the Capes Region.** The assessment to include an evaluation of physical building requirements for a range of courses (as identified below) to facilitate this.

2. **Identify a strategy for the delivery of higher education in the South West with special emphasis on the Capes region based on the development scenarios highlighted in the Draft SW Regional Blueprint (SWDC and RDA).**

3. **Investigate the viability of higher education based on:**
   
   I. **Current and forecast student numbers (based on planning and population projections).**
   
   II. **Courses that may be viable currently and in the future.**
   
   III. **Staffing requirements including likely supply and demand for academics interested in working in the district.**
   
   IV. **Accommodation for students (potential multi-use facilities based on optimising resource usage).**
   
   V. **Any impact of Busselton Regional Airport and implications of direct flights from the eastern seaboard in future years.**
   
   VI. **Review possible course generation suggestions and their alignment with courses offered and research conducted by existing Universities.**
   
   VII. **Requirements and viability of ancillary services (e.g. child care centre, café etc)**
   
   VIII. **Transport and accessibility, including catchment area issues outside the Capes Region.**
   
   IX. **Liaison with existing tertiary education providers (e.g. Edith Cowan University in Bunbury; Curtin University/Centre of Excellence in viticulture in Margaret River) equipment and infrastructure requirements for mixed-mode delivery including on-line courses.**
   
   X. **Profile existing facilities (e.g senior high school services, Busselton Community Resource Centre; Busselton Health Campus ,Geographe Leisure Centre and Busselton Trade Training Centre etc.) that may be suitable for an interim/introductory period for delivery of courses or supplement facilities required.**
   
   XI. **Review funding sources and requirements for infrastructure that may be available to help achieve the above delivery models.**
   
   XII. **Investigate applied research opportunities that may be suitable/viable to be undertaken in the Capes Region as an adjunct to academic course/learning offerings.**
   
   XIII. **Investigate opportunities for the further establishment of pathways from senior high school/colleges (e.g. Manea College in Bunbury).**
   
   XIV. **Assessment of the possible increased quantum of students studying in the region as a result of improved availability of higher education courses based on 2014 benchmarks.**
   
   XV. **To consider likely timeframes for the options to be delivered in light of forecast population growth within a recommended catchment area for students.**

The final report was delivered in December 2014 incorporating feedback given to the authors on two occasions by the Taskforce.
There are ten recommendations contained in the Study (refer attached) commencing in section eight (page 40) which identifies the lead agency and supporting organisations for each of the recommendations.

**RECOMMENDATION**

That:

i. CapeROC receives the final report ‘Capes Region Higher Education Strategy: Pre-feasibility study’ (December 2014) as tabled;

ii. CapeROC endorses the ten recommendations of the Study, and;

iii. Individual local governments assess any future resourcing requirements resulting from the recommendations contained in the Study.

Note: Rather than endorse the recommendations of the study, the group agreed to indicate their support of the general thrust of the study as it was yet to be agreed to by the Higher Education Taskforce. The group also agreed that an additional recommendation iv. was necessary to indicate their support of the provision of flexibility and availability of non-traditional courses.

**CAPEROCC DECISION**

That:

i. CapeROC receives the final report ‘Capes Region Higher Education Strategy: Pre-feasibility study’ (December 2014) as tabled;

ii. CapeROC supports the general thrust of the Study;

iii. Individual local governments assess any future resourcing requirements resulting from the recommendations contained in the Study; and

iv. CapeROC requests the Higher Education Taskforce to consider advocating integration of non-traditional courses (such University of the Third Age, television broadcasts and publicly available educational videos on the internet) as supplementary resources to formal course delivery and further expand cross accreditation between VET and university courses.

**ATTACHMENTS**

Attachment A  Published Under Separate Cover

Pre-feasibility study
### CapeROC 2015 Initiatives

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<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Calendar of Events - 2015/16</td>
<td>$100,000</td>
<td>$17,500</td>
<td>*tba</td>
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<tr>
<td>($60K over 2014-2016: $25k, $17.5k+$17.5k)</td>
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<td>Print</td>
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<tr>
<td>Website</td>
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<td>*tba</td>
<td>*tba</td>
<td>*tba</td>
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</tr>
<tr>
<td>Higher Education Pre-feasibility Study</td>
<td>$20,000</td>
<td>$10,000</td>
<td>$10,000</td>
<td>$20,000</td>
<td></td>
</tr>
<tr>
<td>$10,000 grant from SWDC</td>
<td>$10,000</td>
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<tr>
<td>$10,000 grant from RDA</td>
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<tr>
<td>$10,000 carry over from 2013/14 CapeROC budget</td>
<td>$10,000</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Total Higher Education Report Cost:</td>
<td>$50,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Waste Management / Regional Landfill Investigations</td>
<td>$30,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

**Sub Total** | $67,500 | $10,000 | $10,000.00 | $20,000.00 |
**Funds available for further projects** | $32,500 |
**TOTAL** | $100,000 |

### OUTCOME

That the CEO’s request that Executive Staff put forward project concepts that may require funding from the $32,500 unallocated budget.

11.32am At this time Mrs Naomi Searle & Mr Jon Berry left the meeting and did not return.
5.3 **EVENTS CALENDAR (Verbal Update)**

This item was presented earlier in the meeting (page 4)

5.4 **UPDATE ON REGIONAL WASTE FACILITY**

| RESPONSIBLE OFFICER: | Oliver Darby, Director, Engineering & Works Services – City of Busselton  
|                       | Iliya Hastings, Director, Sustainable Development - Shire of Augusta Margaret River |
| ATTACHMENTS:         | Nil |

Both Directors were an apology as they were attending a Regional Landfill meeting at the Shire of Augusta Margaret River.

**OUTCOME**

An update on the Regional Waste Facility will be provided at the 22 May 2015 CapeROC meeting.
6. GENERAL DISCUSSION ITEMS

6.1 VOLUNTEER FIREFIGHTERS UNDER STATE GOVERNMENT CONTROL?

Gary Evershed informed the group that following the publication of the above article, the Margaret River Bushfire Advisory Committee sought feedback from their brigades which is yet to be collated. Gary advised that he had contacted John Tillman, DFES Superintendent, seeking information on the Government’s intention however, is still waiting on a response from Mr Tillman.

OUTCOME
That an update on DFES control be provided at the 22 May 2015 CapeROC meeting.

6.2 BUSSELTON REGIONAL AIRPORT (BRA) UPDATE

Mike Archer provided the group with a brief update on the BRA, advising that the business case submission has now been with the State Government for consideration since May 2014. On 17 February 2015, the business case will be presented to the Combined Development Commission to proceed to cabinet level from the Department of Regional Development.

6.3 TOURISM DIRECTIONAL SIGNAGE UPDATE

Mike Archer informed the group that Peter Hill (Economic Development Officer, Busselton) presented the signage strategy to the MRBTA board at their meeting held on Tuesday 10 February 2015 and the board indicated their support of the strategy.

OUTCOME
That the updated signage strategy be presented to CapeROC at the 22 May 2015 meeting.
7. **NEXT MEETING DATE**

Friday, 22 May 2015

8. **CLOSURE**

The meeting closed at 11.50am.

THESE MINUTES CONSISTING OF PAGES 1 TO 11 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON FRIDAY, 22 MAY 2015.

DATE:_________________    PRESIDING MEMBER:
_________________________
11.1 CHIEF EXECUTIVE OFFICER

11.1.2 MINUTES OF CAPEROC MEETING – 25 MAY 2015
## CITY OF BUSSELTON

### MINUTES FOR THE CAPEROC MEETING HELD ON 22 MAY 2015

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<th>ITEM NO.</th>
<th>SUBJECT</th>
<th>PAGE NO.</th>
</tr>
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<td>2.1</td>
<td>Minutes of the CapeROC held on 13 February 2015</td>
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<td>3.</td>
<td>PRESENTATIONS</td>
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<td>4.</td>
<td>BUSINESS ARISING FROM PREVIOUS MEETINGS</td>
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<td>5.</td>
<td>REPORTS</td>
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<td>5.1</td>
<td>ATTENDANCE AT SOUTH WEST SENSATIONS SHOWCASE - CANBERRA</td>
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<td>5.2</td>
<td>2015 EVENTS CALENDAR BUDGET AND MANAGEMENT</td>
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<td>5.3</td>
<td>CAPEROC BUDGET</td>
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<td>5.4</td>
<td>UPDATE ON REGIONAL WASTE FACILITY</td>
<td>11</td>
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<td>6.</td>
<td>GENERAL DISCUSSION ITEMS</td>
<td>13</td>
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<tr>
<td>7.</td>
<td>NEXT MEETING DATE</td>
<td>13</td>
</tr>
<tr>
<td>8.</td>
<td>CLOSURE</td>
<td>13</td>
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</tbody>
</table>
MINUTES

MINUTES OF CAPEROC HELD IN COUNCIL CHAMBERS, ADMINISTRATION BUILDING, SOUTHERN DRIVE, BUSSELTON, ON 22 MAY 2015 AT 10:00AM.

1. ATTENDANCE & APOLOGIES

Presiding Member: Members:
Cr Ian Stubbs Mayor, Cr John McCallum, Busselton
Busselton (left the meeting at Cr Tom Tuffin, Busselton
11.15am) Cr Mike Smart, Shire President, Augusta-Margaret River
Cr Tuffin (assumed the Chair from 11.15am) Cr Felicity Haynes, Augusta-Margaret River (from
1.00am)
Cr Ian Earl, Augusta-Margaret River

Officers

Mr Mike Archer, Chief Executive Officer, Busselton
Mr Iliya Hastings, A/ Chief Executive Officer, Augusta-Margaret River (from 10.07am)
Mrs Naomi Searle, Director, Community and Commercial Services, Busselton
(until 10.43am)
Mr Oliver Darby, Director, Engineering and Works Services, Busselton
(from 10.45am - until 11.07am)
Ms Alison Edmunds, Manager, Waste Services, Augusta- Margaret River (from 10.07am)
Mr Shane Walsh, Events Coordinator, Busselton (from 10.05am – until 10.43am)
Mr Vitor Martins, Waste Coordinator, Busselton (from 10.45am – until 11.07am)
Ms Amanda Russell, Marketing & Events Officer, Augusta-Margaret River (from 10.07am)
Mrs Tracey King, Strategic Projects Officer, Busselton
Mr Peter Hill, Economic Development Officer, Busselton
Mrs Katie Banks, Executive Assistant, Busselton

Presenters

Mrs Joanne Burges, Regional Cooperation Manager, WALGA

Apologies

Mr Gary Evershed, Chief Executive Officer, Augusta-Margaret River
Mr Jon Berry, Economic and Business Development Coordinator, Busselton

Approved Leave of Absence

Nil

10.05am At this time Cr Haynes entered the meeting.

10.07am At this time Mr Iliya Hastings, Mr Shane Walsh, Ms Amanda Russell and Ms Alison Edmunds entered the meeting.
2. CONFIRMATION OF MINUTES

2.1 Minutes of the CapeROC held on 13 February 2015

That the minutes of a meeting of the Capes Region Organisation of Councils held on 13 February 2015 be confirmed as a true and correct record, noting that the typographical error relating to the calendar of events 2015/2016 (Item 5.2 – CapeROC Budget) has been corrected to read 14/15 in Item 5.3 of this agenda.

MINUTES CONFIRMED

3. PRESENTATIONS

Joanne Burges from WALGA provided some feedback in relation to a previous CapeROC discussion item regarding Volunteer Firefighters potentially coming under State Government Control. Joanne informed the group that a trial had taken place with Kimberley Local Governments which was quite successful however acknowledged that fire incidents are completely different to those experienced in the South West region.

Joanne also provided a general update in relation to WALGA activities.

4. BUSINESS ARISING FROM PREVIOUS MEETINGS

Nil
5. REPORTS

5.1 ATTENDANCE AT SOUTH WEST SENSATIONS SHOWCASE - CANBERRA

REPORTING OFFICER: Economic Development Officer - Peter Hill
ATTACHMENTS: Attachment A  Photo of Exhibit

IN BRIEF

The third South West Showcase, coordinated by the office of Nola Marino MP, Federal Member for Forrest, will be held at Parliament House, Canberra, from 6:30 to 8:30pm on Tuesday September 8, 2015.

The City of Busselton and Shire of Augusta-Margaret River have been invited to exhibit at the Showcase which provides the opportunity to promote the region and meet with Federal government organisations, Ministers and/or Parliamentary Secretaries.

BACKGROUND

The Federal Member for Forrest, Nola Marino, sponsors the South West Sensations Showcase to raise the profile of the South West with the nation’s policy and decision makers by taking industry and local produce exhibitors to Canberra.

The Showcase was held in 2011, 2013 and is scheduled to be held again at Parliament House, Canberra, from 6:30pm to 8:30pm, Tuesday September 8, 2015. There is no charge to attend this event; however participants must pay for their own transportation, accommodation and stall set up.

Regional produce, the natural environment, tourist attractions along with key business and industries, accompanied by the region’s top food and wine are showcased for Ministers, Parliamentarians, and Government officials in this one night event.

Local groups representing their businesses, industry and region have the chance to liaise directly and build relationships with key policy decision makers and industry leaders.

To date, the following organisations have registered to attend:

<table>
<thead>
<tr>
<th>Alcoa</th>
<th>Bonking Frog Wines</th>
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</thead>
<tbody>
<tr>
<td>Lenco Resources Australia/Griffin Coal</td>
<td>Nannup Wooden Clocks</td>
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<tr>
<td>RDA South-West</td>
<td>Destiny Olives - Boyanup</td>
</tr>
<tr>
<td>Collie Chamber of Commerce</td>
<td>Stonebarn Truffles &amp; Winery Pemberton</td>
</tr>
<tr>
<td>Cullen Wines</td>
<td>Shire of Collie</td>
</tr>
<tr>
<td>Margaret River Busselton Tourism Ass.</td>
<td>AusIndustry</td>
</tr>
<tr>
<td>Bunbury Wellington Economic Alliance</td>
<td>Shire of Dardanup</td>
</tr>
<tr>
<td>John Streeter Fine Furniture Gallery</td>
<td>SW Catchments Council</td>
</tr>
<tr>
<td>Southern Forest’s Food Council</td>
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</tbody>
</table>
Whilst supporting the newly established Margaret River Busselton Tourism Association to deliver the new regional brand the CapeROC local governments will have the opportunity to promote;

- Hotel and other investment opportunities;
- Busselton Regional Airport opportunities;
- Local wine and food production;
- NBN possibilities;
- Education opportunities;
- Tourism & cruising; and,
- Events.

**CapeROC Decision / Recommendation**

That CapeROC supports the 2015 South West Showcase event by allocating $5,000 towards accommodation and airfares for two officers, one from the City of Busselton and one from the Shire of Augusta-Margaret River. The allocation also includes provision to update the display of the CapeROC stand and for other materials.

**ENDORSED**

10.25am At this time Mr Peter Hill left the meeting and did not return.
5.2 2015 EVENTS CALENDAR BUDGET AND MANAGEMENT

REPORTING OFFICER: Events Coordinator, Busselton - Shane Walsh
Marketing and Events Officer, Augusta-Margaret River – Amanda Russell

ATTACHMENTS: Nil

IN BRIEF

Through CapeROC an annual calendar of events is produced for the two local government authorities. This report requests an allocation of $17,500 for the continuance of the Calendar of Events project in 2015/16. Further, consideration of a proposal by the Margaret River Busselton Tourism Association (MRBTA) to provide management and support for the Calendar of Events website and the renaming of the calendar and URL reflecting the new regional tourism brand is sought.

BACKGROUND

For a number of years CapeROC has financially supported a ‘Cape to Cape Region Calendar of Events’ publication, which incorporates all events within the City of Busselton and Shire of Augusta-Margaret River local government districts for the year ahead. 22,000 calendars are printed and distributed through The Times newspapers in Busselton and Dunsborough, and Augusta Margaret River. A further 3,000 calendars are provided to both the Geographe Bay Tourism Association and Augusta Margaret River Tourism Association. Anecdotal feedback is that the publication has been successful in promoting and marketing the upcoming events, and has contributed to additional visitor night stays in the region.

In 2013/14 CapeROC financially supported the development of a ‘Cape to Cape Region Calendar of Events’ website. The costs associated with the initial development of the website was $10,000, however an annual budget of $2,500 per year is required for website hosting. To date Officers of both local government authorities have been responsible for the general updating and maintenance of the website, which is proving time consuming. With the recent amalgamation of the two tourism associations, there is now an opportunity for the new Margaret River Busselton Tourism Association (MRBTA) to take over the management and maintenance of the website, which will not only alleviate the current workload of staff, but will also provide increased marketing and revenue generating opportunities for the Association, in addition to consistent marketing and promotion of the region.

With the amalgamation of the two tourism associations and rebranding of the tourism region, there is an opportunity to rebrand the ‘Cape to Cape Region Calendar of Events’ in both physical and digital formats. The MRBTA has been approached to take on the responsibility of managing and maintaining the website, and as such has recommended that in doing so, that it be rebranded ‘The Margaret River Region Calendar of Events’. This is in line with the current branding development being undertaken by the amalgamated tourism association. The costs associated with the hosting of the website, $2,500 per year, will still be required to be funded through CapeROC. The development and printing of the calendar publication will remain the responsibility of the two local government authorities.
Website management

Naming: It is proposed the events calendar is renamed, in line with the new regional tourism brand, ‘The Margaret River Region Calendar of Events’. The existing name ‘Cape-to-Cape Calendar of Events’ is currently being phased out by tourism associations and is less recognisable to visitors.

Website URL: The MRBTA has requested that the CapeROC calendar URL be changed to an extension of the MRBTA URL (eg. margaretriver.com/events) for an initial trial period of 12 months from 1 July 2015.

The primary benefit of changing the URL is that web traffic will be directed to the MRBTA, allowing the organisation to capitalise on potential accommodation/tour/package bookings. The traffic would otherwise be received by a third party data repository website that is highly functional but doesn’t offer the economic value add of the MRBTA website.

Design: The MRBTA proposes to design the events calendar and website in line with the endorse MRBTA brand.

Feeds to the CapeROC website will feature the branding elements under this proposal. Due to the lack of a ‘CapeROC’ brand it is proposed the hardcopy publication also featured the MRBTA brand elements and colours.

Management: In exchange for web traffic received, the MRBTA will provide ongoing administration support for the calendar. The engaged web-consultants will scan newspapers weekly and enter additional events received. Under the current arrangements, the administration consumes a significant amount of staff resources which would be reduced by having a third party manage the service.

To ensure the intent and integrity of the website is maintained, it is recommended that a Memorandum of Understanding (MOU) be drafted between the two local government authorities and the MRBTA. Further, it is recommended that CapeROC allocates $15,000 for the 2015/16 ‘The Margaret River Region Calendar of Events’ publication and that $2,500 be allocated towards the website hosting.

OFFICER RECOMMENDATION

That CapeROC:

1. Approves the renaming of the ‘Cape to Cape Calendar of Events’ to ‘The Margaret River Region Calendar of Events’
2. Confirms the allocation of $17,500 in 2015/16 financial year for the continuance of the ‘The Margaret River Region Calendar of Events’ publication and website hosting
3. Approves the Margaret River Busselton Tourism Association to manage the ongoing administration of ‘The Margaret River Region Calendar of Events’ website
4. Supports the development of a Memorandum of Understanding between the City of Busselton, Shire of Augusta-Margaret River and Margaret River Busselton Tourism Association outlining the ongoing administration responsibilities of the website.
Note: As the MRBTA Board were yet to officially endorse the new regional tourism brand, the group felt that it was premature to endorse the renaming of the events calendar.

Also, the group felt it was important that the MRBTA be required to recognise CapeROC’s funding contribution towards the continuance of the calendar of events publication and website hosting by featuring the logos of both Local Governments.

**CapeROC Decision**

That CapeROC:

1. Approves the renaming of the ‘Cape to Cape Calendar of Events’ to align with the Margaret River Region brand.
2. Confirms the allocation of $17,500 in 2015/16 financial year for the continuance of the Calendar of Events publication and website hosting
3. Approves the Margaret River Busselton Tourism Association to manage the ongoing administration of the Calendar of Events website
4. Supports the development of a Memorandum of Understanding between the City of Busselton, Shire of Augusta-Margaret River and Margaret River Busselton Tourism Association outlining the ongoing administration responsibilities of the website.
5. Requires that the Margaret River Busselton Tourism Association recognises CapeROC’s allocation of funding for the continuance of the calendar of events publication and website hosting by featuring the logos of both Local Governments within the calendar of events and website.

**ENDORSED**

10.43am At this time Mrs Naomi Searle and Mr Shane Walsh left the meeting and did not return.

10.45am At this time Mr Oliver Darby and Mr Vitor Martins entered the meeting.
### 5.3 CAPEROC BUDGET

**REPORTING OFFICER:** Strategic Projects Officer - Tracey King  
**ATTACHMENTS:** Nil

<table>
<thead>
<tr>
<th>2015 CapeROC Projects Initiatives Underway</th>
<th>Approved Allocation $100,000 2014/2015</th>
<th>Expenditure (AMR) $</th>
<th>Expenditure (BSN) $</th>
<th>Total Expenditure $</th>
<th>Comments</th>
</tr>
</thead>
</table>
| Calendar of Events-2014/15                | 17,500                               | 3,653.50           | 13,846.82         | 17,500            | *CoB to reimburse SAMR ~$5,000 from 2013/14 expenditure  
Invoice received from SAMR |
| *(~$60K over 3 years 2014,15,16)* Print  |
| Website                                  |                                      |                    |                   |                   |          |

| Higher Education Pre-feasibility Study   | 20,000                               | 10,000             | 10,000            | 20,000            | Report delivered and funding acquitted  
CoB invoiced SAMR $10,000  
Total $50,000 project |
| $10,000 grant from SWDC                  | 10,000                               |                    |                   |                   |          |
| $10,000 grant from RDA                   | 10,000                               |                    |                   |                   |          |
| $10,000 carry over from 2013/14 CapeROC budget | 10,000 | 5,000               | 5,000             |                   |          |

| Waste Management / Regional Landfill Investigations | 30,000 | 0 | 0 | 0 | Refer report to this meeting- funds to be spent prior to 30 June 2015 |

| Sub Total of committed funding | 67,500 | 13,654 | 23,847 | 37,500.32 |

| Funds available for further projects in 2014/15 | 32,500 | 16,250 | 16,250 |          |
| Provisional- South West Sensations, 2015 | 5,000 | 2,500 | 2,500 |          |
| Provisional funds remaining | 27,500 | 13,750 | 13,750 |          |

**TOTAL** 100,000

*Commitment in 2015/16: $17,500 for Calendar of Events*
RECOMMENDATION

Suggested by Mike Archer, CEO City Of Busselton, that:

i. Unless a further project (s) is identified and approved at this meeting, any unspent provisional funds, being $13,750 each for the City of Busselton and Shire of Augusta Margaret River, is to be retained by respective Councils;

and

ii. Both local governments agree to allocate an amount of $50,000 each towards a total budget of $100,000 in 2015/16 for CapeROC projects, which so far includes a $17,500 commitment towards the 2015/16 Calendar of Events.

Note: The group agreed that remaining funds from the CapeROC budget should be allocated to Waste Management / Regional Landfill Investigations, following receipt of the Regional Waste Management Strategy for the South West Region developed by Talis Consultants.

CapeROC Decision

That:

i. Up to $57,500 of funds be allocated to Waste Management / Regional Landfill Investigations and any remaining funds at 30 June 2015 will be retained by respective Councils.

ii. Both Councils agree to allocate an amount of $50,000 each towards a total budget of $100,000 in 2015/16 for CapeROC projects, which so far includes a $17,500 commitment towards the 2015/16 Calendar of Events.

ENDORSED
5.4 UPDATE ON REGIONAL WASTE FACILITY

REPORTING OFFICER: Director, Engineering and Works Services, Busselton - Oliver Darby
Director Sustainability, Augusta Margaret River -

ATTACHMENTS: Nil

IN BRIEF

This report is presented as an information update in relation to the Regional Waste Facility project.

BACKGROUND

City of Busselton infrastructure update:
- New lined landfill at Vidler Road has been approved by the DER and preliminary earth works have been awarded as resolved at Council meeting on 13/5/2015, works to be completed by the end of July.

The CapeROC Waste Working Group has been working on several fronts:
- Progressing geotechnical and hydrogeological survey and preliminary viability assessment at Slee Road (CoB) and Lawson Road (SAMR) sites – this has been awarded to Talis consultants. Kick-off meeting and site visits were held on 13/5/2015;
- Joint experimental recycling program already in place for recycling of mattresses and cardboard;
- Regional Recycling Education Officer: SAMR is currently considering contributing to ½ FTE position which will complement the ½ FTE position with the City – if approved, joint recruitment will ensue, which is expected during June 2015.

The update on the Regional Waste Management Strategy for the South West Region developed by Talis Consultants is as follows.

The report has been delivered by Talis on 30/04/2015 and City Officers have finalised its review.

The report provides a useful framework for the general direction going forward and, in that sense, is considered an important contribution to the set-up of a regional waste management solution for the Southwest.

Major conclusions of the study are as follows:
- There is a real potential for the Southwest Group to move towards developing a cost effective regional waste management solution and provide best practice services to residents that may not otherwise have been possible;
- Talis has assessed Anaerobic digestion, combustion and gasification as potential waste to energy technologies;
- Gasification is likely to be the most suitable technology (due to modular setting which can be adjusted to required capacity), but there remain a number of challenges (costs, tonnages, markets);
- A waste to energy opportunity exists with Worsley Alumina bauxite mine and refinery, through the direct sale of heat/and or energy;
- Talis recommends that a workshop be organised with Worsley Alumina to discuss the findings of the strategy and scope the feasibility assessment moving forward;
- If Worsley are not interested, Talis recommends pursuing waste to energy through other means;
- As part of an advanced integrated waste management solution, Talis recommends pursuing a best practice standard regional landfill facility to provide long term security to the region;
- Location 2 of the study (inland from Capel) is considered the most suitable location for a regional landfill based on the distances travelled because of its proximity to the major generating areas within the South West and its central location to the participant local government authorities;

- A regional systems should include, according to Talis:
  a) a local strategic options (for instance, green waste mulching, scrap metal recycling and organics bin, among others);
  b) a sub-regional waste management network (for instance, mattress recycling, a forced aeration composting facility);
  c) regional strategic options (for instance, waste-to-energy and a regional landfill, among others).

- the regional waste management system requires further consideration and investigations to determine which of the strategic options are feasible and which to apply to which participant local government.

The major limitations of the study are as follows:

- the study leaves out waste-to-energy model based on solid recovered fuel which, as a mechanical processing system, would allow a large fraction of the waste to be used in the manufacturing of fuel that could be profitably sold to industry (alumina refinery, power plants) or disposed of at a lower cost (co-combustion) in a waste-to-energy plant [solid recovered fuel plants are common in Europe and produce fuel that is considered as an alternative energy source that can be commercially traded amongst producers and users – it is produced to a specified industry and environmental standard: EN15359 (Standard from the European Standardisation Committee)];

- the feasibility of implementing different strategic options fails to provide a cost per tonne assessment of capital and operating costs of the different options (except the local vs. regional landfill options which are addressed in the report); this would be especially important for the waste to energy alternatives (and more so to the gasification option, which the study considers as the most viable for further assessment);

- discussion of waste to energy options have no reference to the disposal of fly-ash, the hazardous waste residue of such plants, and the potentially significant impacts this residual waste might have.

Information Only – Noted by CapeROC

11.07am At this time Mr Oliver Darby and Mr Vitor Martins left the meeting and did not return.
6. **GENERAL DISCUSSION ITEMS**

Cr Stubbs informed the group that that the City of Busselton had been selected to apply for funding from Round 1 of the Regional Growth Centres Program 2015/16. The City is hopeful that the application will be successful as the funding provided by the program is significant. Cr Stubbs also mentioned that if the City was successful with the funding application, it would be important to work closely with Augusta-Margaret River to align a growth plan with the Super Town plan in place at Margaret River, ensuring that both Local Governments are heading in the same direction.

Following on from this discussion, if the City was to be identified as a Regional Growth Centre, Iliya Hastings raised the importance of conducting a review of the Leeuwin Naturaliste Ridge LPP which has not been reviewed in over 20 years and underpins all local planning strategies.

11.15am At this time the Presiding Member left the meeting and did not return.

11.15am At this time Cr Tuffin assumed the chair.

Cr Smart commended the City on the success of the Busselton Regional Airport Expansion which had been supported by CapeROC since planning for the expansion project had commenced.

Cr Tuffin provided the group with an overview of the Capes Region Higher Education Strategy Pre Feasibility study.

7. **NEXT MEETING DATE**

Friday, 21 August 2015

8. **CLOSURE**

The meeting closed at 11.25am

THESE MINUTES CONSISTING OF PAGES 1 TO 13 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON FRIDAY, 21 AUGUST 2015.

DATE: ___________________  PRESIDING MEMBER: ___________________