Meeting Notice

Dear Councillor

I advise that an Ordinary Council Meeting of the Shire of Augusta Margaret River will be held in Council Chambers, Wallcliffe Road, Margaret River on Wednesday 22 August 2018, commencing at 2:00pm.

Yours faithfully

GARY EVERSHED
CHIEF EXECUTIVE OFFICER
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.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>SUBJECT</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>DECLARATION OF OPENING</td>
<td>5</td>
</tr>
<tr>
<td>2.</td>
<td>ATTENDANCE</td>
<td>5</td>
</tr>
<tr>
<td>2.1</td>
<td>APOLOGIES</td>
<td>5</td>
</tr>
<tr>
<td>2.2</td>
<td>APPROVED LEAVE OF ABSENCE</td>
<td>5</td>
</tr>
<tr>
<td>3.</td>
<td>DISCLOSURES OF INTEREST</td>
<td>6</td>
</tr>
<tr>
<td>3.1</td>
<td>ITEM 11.2.2 PROPOSED FAMILY DAYCARE AT 19 (LOT 65) CASSELTON GROVE,</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>MARGARET RIVER – IMPARTIALITY INTEREST - MR DALE PUTLAND</td>
<td></td>
</tr>
<tr>
<td>3.2</td>
<td>ITEM 12.1 INVESTIGATION INTO HERITAGE LISTING FOR CAVES ROAD – PROXIMITY</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>INTEREST – CR LANE</td>
<td></td>
</tr>
<tr>
<td>3.3</td>
<td>ITEM 11.1.1 COUNCILLOR ATTENDANCE AT UPCOMING EVENTS – FINANCIAL INTEREST</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>– CR MELDRUM</td>
<td></td>
</tr>
<tr>
<td>3.4</td>
<td>ITEM 11.1.1 COUNCILLOR ATTENDANCE AT UPCOMING EVENTS – FINANCIAL INTEREST</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>– CR TOWNSHEND</td>
<td></td>
</tr>
<tr>
<td>3.5</td>
<td>ITEM 11.4.2 CSRF SMALL GRANT ROUND APPLICATIONS SEPTEMBER 2018 -</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>FINANCIAL INTEREST - CR MELDRUM</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>PUBLIC QUESTIONS</td>
<td>6</td>
</tr>
<tr>
<td>4.1</td>
<td>RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE</td>
<td>6</td>
</tr>
<tr>
<td>4.2</td>
<td>PUBLIC QUESTION TIME</td>
<td>6</td>
</tr>
<tr>
<td>5.</td>
<td>APPLICATIONS FOR LEAVE OF ABSENCE</td>
<td>6</td>
</tr>
<tr>
<td>5.1</td>
<td>CR PETER LANE – 12 SEPTEMBER 2018</td>
<td>6</td>
</tr>
<tr>
<td>6.</td>
<td>CONFIRMATION OF MINUTES OF PREVIOUS MEETING</td>
<td>7</td>
</tr>
<tr>
<td>6.1</td>
<td>ORDINARY COUNCIL MEETING HELD 8 AUGUST 2018</td>
<td>7</td>
</tr>
<tr>
<td>7.</td>
<td>DEPUTATIONS</td>
<td>7</td>
</tr>
<tr>
<td>7.1</td>
<td>ITEM 11.2.2 PROPOSED FAMILY DAYCARE AT 19 (LOT 56) CASSELTON GROVE,</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>MARGARET RIVER – MS MARIE CARRE</td>
<td></td>
</tr>
<tr>
<td>7.2</td>
<td>ITEM 11.2.3 PROPOSED HOLIDAY HOUSE (LARGE) AT 159 (LOT 81) WILDERNESS</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>ROAD, MARGARET RIVER – MR MICHAEL WHITBREAD AND MR LUCA ALLEGRETTI</td>
<td></td>
</tr>
<tr>
<td>7.3</td>
<td>ITEM 12.1 INVESTIGATION INTO HERITAGE LISTING FOR CAVES ROAD – CR MCLE</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>OED – MR BARRY HOUSE</td>
<td></td>
</tr>
<tr>
<td>7.4</td>
<td>ITEM 12.1 INVESTIGATION INTO HERITAGE LISTING FOR CAVES ROAD – CR MCLE</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>OED – MS JINNI WILSON</td>
<td></td>
</tr>
<tr>
<td>7.5</td>
<td>ITEM 12.1 INVESTIGATION INTO HERITAGE LISTING FOR CAVES ROAD – CR MCLE</td>
<td>11</td>
</tr>
<tr>
<td></td>
<td>OED – MR STEVE HARRISON</td>
<td></td>
</tr>
<tr>
<td>11.2.2</td>
<td>PROPOSED FAMILY DAY CARE AT 19 (LOT 65) CASSELTON GROVE, MARGARET RIVER</td>
<td>13</td>
</tr>
<tr>
<td>11.2.3</td>
<td>PROPOSED HOLIDAY HOUSE (LARGE) AT 159 (LOT 81) WILDERNESS ROAD, MARGARET</td>
<td>23</td>
</tr>
<tr>
<td>12.</td>
<td>MOTIONS FROM MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</td>
<td>33</td>
</tr>
<tr>
<td>12.1</td>
<td>INVESTIGATION INTO HERITAGE LISTING FOR CAVES ROAD – CR MCLEOED</td>
<td>33</td>
</tr>
<tr>
<td>8.</td>
<td>PETITIONS</td>
<td>34</td>
</tr>
<tr>
<td>9.</td>
<td>ANNOUNCEMENTS FROM THE PRESIDING MEMBER</td>
<td>34</td>
</tr>
<tr>
<td>10.</td>
<td>QUESTIONS FROM MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN</td>
<td>34</td>
</tr>
<tr>
<td>11.</td>
<td>REPORTS OF COMMITTEES AND EMPLOYEE REPORTS</td>
<td>34</td>
</tr>
<tr>
<td>11.1</td>
<td>CHIEF EXECUTIVE OFFICER</td>
<td>35</td>
</tr>
<tr>
<td>11.1.1</td>
<td>COUNCILLOR ATTENDANCE AT UPCOMING CONFERENCES</td>
<td>36</td>
</tr>
<tr>
<td>11.1.2</td>
<td>APPOINTMENT OF CONSULTANT FOR RECRUITMENT OF CHIEF EXECUTIVE OFFICER</td>
<td>43</td>
</tr>
</tbody>
</table>
Ordinary Council Meeting

1. DECLARATION OF OPENING

The Shire President welcomed all in attendance and declared the meeting open at 2.01pm

The Shire President gave an Acknowledgement of Country:

‘I acknowledge and respect the traditional custodians of this land and pay our respects to elders past and present and emerging, whose lands we share.’

2. ATTENDANCE

Shire President : Cr Pam Townshend

Councillors : Cr Naomi Godden
Cr Peter Lane
Cr Pauline McLeod
Cr Julia Meldrum
Cr Mike Smart

Chief Executive Officer : Mr Gary Evershed

Director Sustainable Development : Mr Dale Putland

Director Infrastructure Services : Mr Markus Botte

Director Corporate and Community Services : Ms Annie Riordan

Acting Manager Planning and Development : Mr Matt Cuthbert

Minute Secretary : Ms Claire Schiller

MEMBERS OF THE PUBLIC : 18

MEMBERS OF THE PRESS
Augusta Margaret River Times : Warren Hately, AMR Times

2.1 Apologies
Nil

2.2 Approved Leave of Absence
Cr Ian Earl
3. DISCLOSURES OF INTEREST

3.1 Item 11.2.2 Proposed Family Daycare at 19 (Lot 65) Casselton Grove, Margaret River – Impartiality Interest - Mr Dale Putland

On the 2 August 2018, the Director Sustainable Development, Mr Dale Putland, disclosed at impartiality interest in Item 11.2.2 Proposed Family Daycare at 19 (Lot 65) Casselton Grove, Margaret River as he is related by marriage to the owners of the adjoining property.

3.2 Item 12.1 Investigation into Heritage Listing for Caves Road – Proximity Interest – Cr Lane

On the 15 August 2018, Cr Lane disclosed a proximity interest in Item 12.1 Investigation into Heritage Listing for Caves Road, as Cr Lane’s property fronts onto Caves Road.

3.3 Item 11.1.1 Councillor Attendance at Upcoming Events – Financial Interest – Cr Meldrum

Cr Meldrum submitted a disclosure of financial interest in writing to the Shire President in relation to Item 11.1.1 Councillor Attendance at Upcoming Events. The nature of Cr Meldrum’s financial interest is that she will be attending (if it is approved) the Team Town Conference.

3.4 Item 11.1.1 Councillor Attendance at Upcoming Events – Financial Interest – Cr Townshend

Cr Townshend disclosed a financial interest in Item 11.1.1 Councillor Attendance at Upcoming Events as she wishes to attend the conference.

3.5 Item 11.4.2 CSRFF Small Grant Round Applications September 2018 - Financial Interest - Cr Meldrum

Cr Meldrum submitted a disclosure of financial interest in writing to the Shire President in relation to Item 11.4.2 CSRFF Small Grant Round Applications September 2018. The nature of Cr Meldrum’s financial interest is that her children are both financial members of the Cowaramup BMX Club.

4. PUBLIC QUESTIONS

4.1. Response to Previous Public Questions Taken on Notice

Nil

4.2. Public Question Time

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE

5.1 Cr Peter Lane – 12 September 2018

Cr Lane requested that Council grant him leave of absence from the 12 September 2018 Ordinary Meeting of Council.

MOTION / COUNCIL DECISION

CR MELDRUM, CR MCLEOD OM2018/198
That Cr Lane be granted approved leave of absence for the 12 September 2018 Ordinary Meeting of Council.
6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 Ordinary Council Meeting held 8 August 2018

MOTION / COUNCIL DECISION

CR MCLEOD, CR MELDRUM OM2018/199

That Council confirms the minutes of the Ordinary Council Meeting held on 8 August 2018 to be a true and correct record of the meeting.

CARRIED 6/0

7. DEPUTATIONS

7.1 Item 11.2.2 Proposed Family Daycare at 19 (Lot 56) Casselton Grove, Margaret River – Ms Marie Carre

Ms Marie Carre of 19 Casselton Grove, Margaret River, addressed the meeting in relation to Item 11.2.2 Proposed Family Daycare at 19 (Lot 56) Casselton Grove, Margaret River. A summary of her deputation is as follows:

**Personal FDC Relevant Background**

I was born in Margaret River being the eleventh child of a local pioneering family. I have many early Italian memories of continuously looking after babies even though I was a mere child myself. This upbringing prepared me from an early age to protect young people and keep them safe and I have since professionally cared for children as a career.

I am also a fully qualified FDC Educator and my career prior to having my toddler was with the Department of Child Protection and Family Services specialising in caring for traumatised children. This developed to focusing on children and individuals living with disabilities and mental health.

I have previously operated a FDC (when my first children were young) at 9 Le Souef Street, Margaret River which was a successful undertaking with NO complaints from either Shire or the community.

FDC home care is a unique, flexible form of child care where the care of your child is provided in the safety and comfort of a home by an approved Educator. In Home Care is an excellent option when mainstream child care services do not meet the individual family's needs or is not accessible.

**Family Day Care Facts**

In operating a FDC, you are required to be registered and licensed through a compliance body. The local organisation is YMCA WA who are based in Busselton. YMCA WA have been working in local communities across Australia since 1851.

YMCA WA is governed by both the Education and Care Regulatory Unit (ECRU) and the Australian Children's Education and Care Quality Authority (ACECQA).

The Department of Communities approves and monitors education and care services through the Education and Care Regulatory Unit. They assess applications for provider approvals, service approvals, approvals for certified supervisors, and assess education and care services against the National Quality Standard. They support and promote quality improvements in education and care services, investigate incidents and complaints, monitor and enforce compliance and seek to protect children from harm and stop unlawful conduct; ensuring compliance with the law.

The Australian Children’s Education and Care Quality Authority (ACECQA) is an independent national authority that assists governments in implementing the National Quality Framework (NQF) for children's education and care. ACECQA works with the Australian, state and territory governments to implement changes that benefit children birth to 13 years of age and their families, monitor and promote
the consistent application of the Education and Care Services National Law across all states and territories and support the children’s education and care sector to improve quality outcomes for children.

**19 Casselton Grove MR Family Day Care Approval Background**

Some background of this matter is that I had previously applied for a FDC license at 19 Casselton over two years ago which was fully approved by AMRS. I agreed to meeting the needs of our neighbours and built a fully enclosed pine lap fence around the day care area (at our expense) so that our neighbours’ privacy and noise concerns were respected. I then fell pregnant and asked for an extension of one year which was granted. I had honestly expected I would start my FDC operations during that extended year however life with a toddler got in the way and unbeknown to us, our license lapsed.

When I requested some more time to finish meeting the strict guidelines of the FDC compliance body YMCA WA, I was advised I would have to completely re-apply for AMRS approval.

So, this brings us to today with me re-requesting approval for my FDC at 19 Casselton Grove, Margaret River.

**Difference Between a FDC and a Childcare Centre**

To clarify FDC as a business, there is a noticeable difference between a childcare centre and a FDC. The most significant is the number of children who can be educated and cared for —

- An Educator must not educate and care for more than 7 children at any one time.
- No more than 4 children can be preschool age or under—that includes an Educators own child.

**Request for Amended Condition 10 of the Proposed Approval**

Secondly, we would like to request Condition 10 of our current proposed approval is amended which is…

(Certification is to be provided by an accredited Bushfire Consultant that all bushfire management actions outlined in the approved Emergency Evacuation Plan have been implemented prior to commencement of use of the FDC)

We would like to request that we are able to submit the Emergency Evacuation Plan in accordance with the guidelines for planning in bushfire prone areas, to the satisfaction of the Shire.

This is because we have called some accredited Bushfire Consultants for quotes and were shocked to receive estimates of up to $3000.00. We feel that being required to hire a costly consultant to prepare this document is excessive given our circumstances of being a small residential home business in the heart of town with no staff other than myself as an owner operator.

Moreover, we feel confident and competent of our abilities to create this plan as I have prepared numerous professional emergency evacuation plans for large commercial businesses in my career and my husband has been in the AMR Wallcliffe Bushfire Brigade for over 12 years. Therefore, we feel we have sound bushfire planning experience.

Regarding Fire Evacuation, FDC also must adhere to the Education and Care Services National Regulations 2012 which state that up-to-date risk assessments are conducted to identify potential emergencies that are relevant to the service and rehearsed every 3 months by each FDC educator and the children being educated and cared for by the FDC educator with penalties of $2000 for each requirement if not conducted.

Just to reiterate the points discussed today are…

- A FDC educator must not educate and care for more than 7 children at a FDC.
- No more than 4 children can be preschool age or under; one being an Educators own child.
- FDC is governed by YMCA, The Education and Care Regulatory Unit (ECRU) and the Australian Children’s Education and Care Quality Authority (ACECQA).
- Regarding Fire Evacuation, FDC also must adhere to the Education and Care Services National Regulations 2012.

*The Shire President thanked Ms Carre for her deputation.*
7.2 Item 11.2.3 Proposed Holiday House (Large) at 159 (Lot 81) Wilderness Road, Margaret River – Mr Michael Whitbread and Mr Luca Allegretti

Mr Michael Whitbread of Hallsal and Associates and Mr Luca Allegretti, owner of 159 Wilderness Road, addressed the meeting in relation to Item 11.2.3 Proposed Holiday House (Large) at 159 (Lot 81) Wilderness Road, Margaret River. A summary of their deputation is as follows:

Michael Whitbread:
Marc Halsall and Associates represent the owners of Lot 81 (No. 159) Wilderness Road, Margaret River, which is a 3 hectare parcel of land near Prevelly and we note that the minimum lot area for a holiday house in this locality is 1 hectare. The land has been developed and contains a two-storey dwelling which is located approximately 90-metres from the Wilderness Road Street alignment (this is about the maximum width of a football Oval)

Our client is pleased with the officer’s report, not only because it recommends approval, but an examination of the conditions proposed reveals that these are standard and appropriate for this form of development. My client has no objection to any of these being imposed on the approval should Council see fit to issue one.

We therefore wish to outline our clients support for the officers’ recommendation acknowledging that the proposal will:

- Limit renting the land use of ‘holiday house’ to 12 months only. And that to continue the land use would require a fresh application for Council to consider.
- Acknowledges that a maximum of 10 persons can stay at the dwelling at any one time.
- The change of use and the works to remove the fuel load outlined in the BMP will facilitate a much improved fire buffer to the house and improve safety as a result.
- In terms of compliance the application not only meets the criteria for consideration under the current planning policy, but would also comply with the Draft Local Policy currently being considered by Council.

As outlined in the Shire planner’s report two submissions were received during the public consultation phase of the assessment process.

As stated in our letter to Councillors last week, we sought to address the issue of additional traffic or the number of people that can stay in the house would constitute sufficient reason on planning grounds not to approve the application in its current format.

Just briefly then, the road width of Wilderness Road is according to Austroads standards, wide enough for two-way traffic and to handle a much larger capacity than the 120 odd cars that use this section of Wilderness Road would handle daily.

In terms of the submission received concerning numbers of people that can use the house the difference between a maximum of 6 persons and a maximum of 10 persons would have little amenity impact, due to the location and relative isolation of the site from its neighbours’.

Also vacancy rates for these larger dwellings varies seasonally and it would be very unlikely that each and every booking would have 10 person.

Our client is here this afternoon, having arrived from sydney yesterday and wish to speak briefly on their reasons for their application for a holiday house use approval in the short term.

Luca Allegretti:
- I love Margaret River and have been coming here for the last five years.
- I would like to make a home here with my partner.

The Shire President thanked Mr Whitbread and Mr Allegretti for their deputations.
7.3 Item 12.1 Investigation into Heritage Listing for Caves Road – Cr Mcleod – Mr Barry House

Mr Barry House, President of the Margaret River Wine Industry Association, representing the wine industry, addressed the meeting in relation to Item 12.1 Investigation into Heritage Listing for Caves Road. A summary of his deputation is as follows:

- Referred to letter of support from MRWA (Attachment 7.3)
- Tourism is Region's most important industry/ employer.
- Built on-Wine & Surf (Largely responsible for 1/N recognition & reputation)
- Food, Coast Forests, National Park, Creative Industries, Farming, Landscapes.
- Caves Rd is major tourist road; Dunsborough to Augusta.
- Provides access, amenity & vista's to best the Region can offer.
- Some of Regions best Wine, Viticulture, Tourist Infrastructure on Caves Rd
- EG; Caves House Hotel, Credaro's, Windance, Swings & Roundabouts, Yallingup Maze, Gabriels Chocolate, House of Cards, Windows, Amelia Park, Lenten Brae, Robert Oatley (Chick on Stick), Black Brewing Co, Moss Wood, Woodlands, Cullens, Pierro, Cheeky Monkey, Vasse Felix, Gralyn, Brookland Valley, Deer Farm, Sunflower Farm, Boranup Forest, Caves (Tourist -Ngilgi, Lake, Mammoth, Jewel + eco adventure and wild caves. Artists Studio's
- Vista's/Landscapes to vineyards, farms, forest, National Park
- Access/ gateway to coast- Yallingup, Injidup, Gracetown, Prevelly, Kilcarnup, Redgate, Hamelin bay
- Hinterland to Wineries, studio's, farms, etc.
- Has rich history-settlers, caves, followed aboriginal tracks.
- VALUE is tied up in all this- unique, provides experience not easy to gain in many parts of the world. Where there is diversity, industry alongside nature in harmony.
- This value is Economic as much as history, environmental expressed in motion.
- Recommend consider addition of Economic to motion.
- Doesn't need to be another major high speed access road - Bussell Highway just a few kms to east does this for Region.
- Main Roads have duty to look at safety/ accident statistics - but this can be done with reduced speed limits (SOkmh ?), sealing broken edges to verge, rumble strips, protective barriers, signage for "keep left" (tourists driving!) without major clearing of vegetation.
- Encouraged most of these things were mentioned in invitation to Consultative group meeting in last 2 days.
- If Heritage Listing will protect and enhance the importance of Caves Road to this Region for these reasons - MRWA support it being assessed.
- In assessment will also want to know if/ what restrictions/ caveats may result on any wine tourism development along Caves Road as well?
- On this basis support investigation of Heritage Listing as possibility for Caves Road to protect and enhance it's value (in all respects) to the Region.

The Shire President thanked Mr House for his deputation.

7.4 Item 12.1 Investigation into Heritage Listing for Caves Road – Cr Mcleod – Ms Jinni Wilson

Ms Jinni Wilson of Margaret River, addressed the meeting in relation to Item 12.1 Investigation into Heritage Listing for Caves Road. A summary of her deputation is as follows:

Today Council is considering the heritage listing of Caves Road. There is overwhelming community support, and many potential benefits. Listing may help protect the physical integrity of the most iconic road in the region; but it will also enhance community identity by raising awareness of the spectacular histories along the way.
Listing Caves Road provides the opportunity to improve sense of place for locals, and to offer a richer experience for visitors. Both are important for building a sustainable future. The population of the region has expanded rapidly, with the danger that local histories, identities, and sense of place could be lost.

Caves Road possesses unique values which fulfil the criterion for heritage listing, on local, state, and federal levels. It traverses the Leeuwin-Naturaliste Ridge, a unique limestone formation. The road carries the traveller through a variety of different landscape types along the karst system, with vistas including vineyards, valleys wooded with marri, jarrah, and banksia, with creek crossings, karri forest, and of course the caves, which have been attracting visitors from across the world for close on 150 years. The aesthetic values of this landscape are unique, and the road itself has become a landmark feature within it.

Caves Road is the oldest tourist drive in the south west, perhaps the oldest outside of Perth. In 1908 Percy Bignell imported a motor car direct from the UK especially for the caves run. This was the first car purchased for use south of the capital. Since then, countless visitors have driven the coastal route to the caves, marvelling at the roadside trees along the way. Caves Road was, and is, instrumental to the economic development of the region.

It travels west from Busselton to the Cape Naturaliste area, named by a French scientific expedition; from Ngilgi Cave, which opened in 1901, south past the first wineries, past historic Ellensbrook homestead and Burnside, across the lower Margaret bridge and past the old Bridge house; past the ruin of Ravenswood, and the cemetery on the corner of Walcliffe Road, past the goldworkings at Boodjidup and the shipwreck at Redgate.

It crosses over Mammoth Cave, the first palaeontology site in Western Australia, where Ludwig Glauer discovered and named three new species of megafauna. It travels past historic Lake, Brides, and Giants Caves to the famous Karri bend, images of which have become a social media sensation; past Devil’s Lair, which holds a record of the early human occupation of Australia; past relics of the timber industry at Boranup, Jarrahdene, Karridale and Hamelin Bay, then past Jewel and Moondyne caves, before finally emerging at Augusta, one of the oldest, and most historic towns in Western Australia.

Protecting Caves Road is not just about keeping bends and saving trees. Let’s make a Cape to Cape heritage trail, and offer a journey through our cultural history. A means of exploring and connecting with the landscape, with the lighthouses shining forth at either end, guiding us on into the future.

Locals are passionate about keeping Caves Road just as it is. Depth of feeling runs way beyond, as Main Roads might say, it being “just a service road.” Caves Road means much more than that. It has become the trackway along which storylines are woven, shaping the patterns of history. Caves is the way to the coast, to vineyards, to surf; the very fabric of life in the region.

The social value of roads is often overlooked. England has its ancient trackways. The Ridgeway across the southern downs has been in use for over 5000 years, and is now an official National Trail, travelled by many seeking reconnection with the human history in the landscape.

Perhaps Caves Road began as a Wardandi track. Local custodians have been crossing country for thousands of years, caring for and maintaining it as they go. Let’s follow in their footsteps, and become better custodians of country. Protect Caves road, and I like to think that the journey will be shaping the patterns of history for millennia to come.

*The Shire President thanked Ms Wilson for her deputation.*

### 7.5 Item 12.1 Investigation into Heritage Listing for Caves Road – Cr Mcleod – Mr Steve Harrison

*Mr Steve Harrison, Acting CEO, Margaret River Busselton Tourism Association (MRBTA), addressed the meeting in relation to Item 12.1 Investigation into Heritage Listing for Caves Road. A summary of his deputation is as follows:*
MRBTA is a self-funded, not-for-profit membership-based organisation, representing more than 700 local businesses in the Margaret River Region’s tourism and hospitality sector. MRBTA members are located throughout the region from Cape Leeuwin to Cape Naturaliste, with many of those businesses located adjacent to Caves Road.

As well as providing transport access, Caves Road forms an important part of the experience for visitors. The caves managed and operated by MRBTA at Ngilgi, Mammoth, Lake and Jewel, are also located on Caves Road. The high quality nature-based experience of these amazing caves is enhanced greatly by the natural beauty and scenic nature of the road.

Caves Road is a very special scenic drive that allows drivers to enjoy a unique experience combining natural beauty, superb agricultural and viticultural vistas, and access to a variety of high quality amenities, both natural and man-made. It is far more than a service road. Caves Road is a tourist attraction of huge significance and importance, in its own right. Feedback on their journey along the road is overwhelmingly positive from visitors, with many ranking it among the world’s best driving experiences. It isn’t just the scenery, it is also the winding nature of the road that makes it special, in a way that a straighter faster road through equally beautiful areas would never achieve.

MRBTA strongly believes that Caves Road is the route that provides an important connection and coherence through our region. It allows visitors and locals to access areas of the region that have a very long history and important story to tell about this land and the people who have lived here for many thousands of years. The nature of Caves Road in its current form provides both the route that enables access to, and the feeling of connection with, the places that are special to the region. MRBTA is currently working with other stakeholders to construct a world-class ‘geotrail’ that helps to tell the story of the region. Heritage status for Caves Road could be a huge advantage to this project.

Nobody could argue that road safety isn’t important. Safety concerns do need to be addressed. Sealing of rough edges, protection barriers, pruning and speed reduction may well be necessary in some sections. However, widening and removal of vegetation that impacts on the scenic values of the road should be resisted.

The Margaret River Busselton Tourism Association fully supports the investigation of heritage status for Caves Road.

The Shire President thanked Mr Harrison for his deputation.

Before the Council moved on to deliberate Item 8 Petitions, the Shire President suggested that Council change the order of business to bring forward and consider items relating to the deputation.

Cr Townshend moved the following procedural motion:

PROCEDURAL MOTION / COUNCIL DECISION

CR TOWNSEND, CR SMART OM2018/200

That Council suspends Standing Order 4.3 Order of Business, and brings forward and considers the following items:

- 11.2.2 Proposed Family DayCare at 19 (Lot 65) Casselton Grove, Margaret River;
- 11.2.3 Proposed Holiday House (Large) at 159 (Lot 81) Wilderness Road, Margaret River; and
- 12.1 Investigation into Heritage Listing for Caves Road – Cr McLeod

CARRIED 6/0

REASON

To allow the items be considered while concerned members of the public remained present in the public gallery.
11.2.2 PROPOSED FAMILY DAY CARE AT 19 (LOT 65) CASSELTON GROVE, MARGARET RIVER

LOCATION/ADDRESS 19 (Lot 65) Casselton Grove, Margaret River
APPLICANT/LANDOWNER Marie and Hugh Carre
FILE REFERENCE PTY/7126, P218264
REPORT AUTHOR Leigh Medlen, Planning Officer
AUTHORIZING OFFICER Matt Cuthbert, Manager Planning and Development Services

IN BRIEF
- Planning approval is sought for a Family Day Care at 19 (Lot 65) Casselton Grove, Margaret River.
- The proposal is to provide a child care service for up to seven children within an existing dwelling and a designated outdoor play area. No staff are proposed to be employed and the use will be operated solely by the landowner of the property.
- 5 submissions have been received during the consultation period, objecting to the proposal.

RECOMMENDATION
That Council approve the development application for a Family Day Care at 19 (Lot 65) Casselton Grove, Margaret River, subject to conditions.

LOCATION PLAN
The site is a 2012m² residential property in an established residential area of Margaret River.

Figure 1: Location Plan
TABLED ITEMS
Nil

BACKGROUND
On 17 November 2015 the Shire issued approval for a Family Day Care on the site – P215355. The conditions of this approval are summarised as follows:
- Approval period limited to 12 months;
- Maximum number of seven (7) children to be cared for at any given time;
- Two sign posted car bays to be provided for the Family Day Care;
- All vehicles parked in excess of 15m from the front boundary were to have adequate turn around areas to allow vehicles to exit the property in forward gear;
- All vehicles, which include loading and unloading activities, must be undertaken within the boundaries of the site;
- Vehicle pick up and drop offs were to be staggered;
- The following operating hours include 7.00 am to 6.30pm Monday to Saturday and 9.00am to 6.30pm on Sundays and Public Holidays.

On 5 August 2016 the Shire granted an extension of term to the planning approval. The extension of term expired on 19 November 2017.

The proposal was considered by the Shire’s Delegated Assessment Unit (DAU) on 10 July 2018 and recommended for approval. Council subsequently requested that the matter be brought before full Council for final determination.

THE PROPOSAL
The proposal as presented is consistent with the previous application and approval granted in 2015 in that it:
- Will occupy the same portions of the property;
- Is intended to operate 7 days a week;
- Will be for a maximum of seven children; and
- Will be limited in terms of its hours of operation.

CONSULTATION AND ADVICE
A total of 5 submissions were received from adjoining landowners during the public submission period. All submissions objected to the proposal. The submissions raised the issues of noise both from children and cars entering and exiting the property, and also of traffic, which it is said would increase dramatically given the cul-de-sac nature of the street which otherwise has low vehicle movements.

PLANNING FRAMEWORK
Local Planning Scheme No. 1
The site is zoned as ‘Residential R5.’ A Family Day Care is classified by the following land use definition under LPS1:

‘Means a premises used to provide a ‘family day care service’ as defined by the Child Care Services Act 2007.’

The Child Care Services Act 2007 refer to a Family Day Care as a type of child care services prescribed as a family day care.

Under the Local Planning Scheme (LPS1) a Family Day Care use is classified as an ‘A’ use. An ‘A’ use has the following meaning under LPS1:

“A - Means that use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with clause 64 of the deemed provisions.”

PLANNING COMMENTS
Noise
Concern has been raised that the Family Day Care will result in adverse noise impacts to adjoining properties. A Family Day Care offers valuable education and care services for up to seven children, including the educators own children, at any one time. In this case, the educator has one child and up
to six non family members can be cared for on site. Of the seven children cared for, a maximum of four may be up to 4 years of age and three additional children up to 12 years are permitted.

The Family Day Care is required to comply with the Environmental Protection (Noise) Regulations which provide maximum noise levels during the day and night. The Child Care Services Act limits the number of children allowed to be cared for at any one time at the property. As a result, the proposed Family Day Care will have no more children on the premises than a large family. Considering this, the potential impact of noise would be considered to be minimal and consistent with a normal residential use. A Family Day Care can be applied for on any 'Residential' zoned parcel of land. The intended purpose of a Family Day Care is to provide care for children from within family homes. The majority of family homes are located within residential zoned parcels of land and hence an application can be applied for.

The property is a large 2012m² property and intends to operate from within the existing dwelling and a dedicated outdoor play area which is located on the northern side of the dwelling. The outdoor play area is not intended to be undertaken from all of the available open space at the property however, is limited to a designated area which abuts one adjoining neighbour. No submission was received from the adjoining property abutting the outdoor play area. The outdoor play area is adequately screened from the adjoining property via existing vegetation and an existing 2.4 metre high solid pine lap fence. The screening intends to reduce noise and increase privacy between the adjoining properties which is shown in Figure 3 and 4. The next closest adjoining property to the outdoor play area has approximately a 22 metre separation distance from the designated play area, it is therefore considered unlikely that the adjoining property could be adversely impacted from noise created within the outdoor play area. The remaining adjoining properties have approximately a 38 metre and 43 metre separation distance from the outdoor play area.

With the separation distances in mind (as shown in Figure 2), the screening provided, (as shown in Figures 3 and 4) and the maximum number of children allowed at the property, the proposed use is considered unlikely to adversely impact adjoining properties. The Family Day Care will also operate from within the existing dwelling. Potential noise created from within the dwelling is considered to be no greater than a large family and considered consistent with the residential use of the property on these grounds, the proposal is considered to be no greater risk of generating noise than any other residential dwelling.
Figure 2: Separation Distances from adjoining properties to the designated outdoor play area.

Figure 3: Designated outdoor play area, facing the northern adjoining neighbour.
Traffic
Concern has been raised that the Family Day Care will result in increased traffic along Casselton Grove and The Boulevard, creating additional noise and traffic implications to adjoining landowners.

Casselton Grove is a cul-de-sac which connects to The Boulevard. The site is located at the end of the cul-de-sac which is approximately 215 metres in length. The Family Day Care would have minor and almost negligible impacts to traffic levels and residential amenity in the immediate vicinity, due to the maximum number of children being seven. The likely traffic movements associated with the Family Day Care are consistent with the expected demand in a residential area and is likely to be two drop-offs and pick-ups per day. It is unlikely that the proposal would create a noticeable increase to vehicle movements along The Boulevard. It is considered unlikely that any traffic associated with the Family Day Care along The Boulevard could be differentiated from normal residential traffic.

Carparking will be wholly contained on site and is therefore unlikely to impact any adjoining property within the area.

Non Residential Uses in Residential Areas
Suburbs have been much criticised by town planning and sustainability experts as being ‘unproductive’ places, which can often be substantially unoccupied during work hours. By allowing more activity to occur in residential areas it will provide work from home opportunities, increase productivity, support emerging businesses, reduce car-based transport in terms of trips to work and improve public safety by increasing occupancy during work hours. In short, providing scope for increased use of residential areas for ancillary uses improves the sustainability of suburbs.

This intent is recognised by LPS1 which denotes Family Day Care as an ‘A’ use and thus provides scope for it to be approved. Increasingly, Family Day Care centres form an integral part of any community given the work demands of parents and effectively perform an essential service. As previously described, Family Day Care centres, by their definition are located in residential areas. The subject land does not appear to have any unique and distinguishing features which would set it apart from other residential areas to the point that it would be inappropriate in this location.

Timeframe of approval
Approval was originally given for a period of 12 months and subsequently extended by a further 12 months. If Council are of the view that this timeframe should be replicated to allow the owner to demonstrate the ability operate in harmony with neighbours, condition 2 could be altered to reflect a one year approval term.
STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2018-2022
Key result area 3: Managing Growth Sustainably
Community Outcome: 3.1 – Clearly defined areas for growth and renewal
Strategic Response: 3.1.1 – Implement Local Planning Scheme No.1

FINANCIAL IMPLICATIONS
Nil

SUSTAINABILITY IMPLICATIONS

Environmental
No vegetation is required to be removed to undertake the proposed use.

Social
Family Day Care centres provide a necessary service to society.

Economic
The proposal provides an income to the operator and also allows other parents to continue to engage in work.

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council, in accordance with regulation 68 (2) of the Planning and Development (Local Planning Scheme) Regulations 2015 grant Planning Consent for a Family Day Care at 19 (Lot 65) Casselton Grove, Margaret River, subject to compliance with the following conditions:

CONDITIONS
1. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with Council’s stamp, except where amended by other conditions of this consent.

| Plans and Specifications | P1 – P3 received at the Shires offices on 1 June 2018. |

2. The Family Day Care use is limited to a period of **three (3) years** from this date of this approval. (Refer to advice note ‘a’)

3. A maximum of seven (7) children at any one time are permitted to attend the Family Day Care including the operators/residents own children.

4. Two sign posted car parking bays shall be provided for the Family Day Care use. Two car parking bays shall be provided for the residents of the dwelling.

5. All vehicles connected with the Family Day Care including loading and unloading activities must be within the boundaries of the premises at all times.

6. Vehicle visits to set down and pick up children must be staggered to ensure that vehicles park within the boundaries of the premises at all times.

7. The Family Day Care shall not operate outside the following timeframes:
   i) 7.00am to 6.30pm Monday to Saturday; and
   ii) 9.00am to 6.30pm on Sundays and Public Holidays.

8. The Family Day Care approval does not affect the entitlement to use the dwelling for permanent residential purposes.

9. Preparation of an Emergency Evacuation Plan inclusive of a statement against the bushfire protection criteria in accordance with the Guidelines for Planning in Bushfire Prone Areas, to the
satisfaction of the Shire. The Emergency Evacuation Plan shall be submitted to the Shire for approval prior to the commencement of the use of the Family Day Care.

10. Certification is to be provided by an accredited Bushfire Consultant that all bushfire management actions outlined in the approved Emergency Evacuation Plan have been implemented prior to commencement of use of the Family Day Care.

ADVICE NOTES

a) Following satisfactory performance of the approved use, and in the absence of any substantiated complaints over the three (3) year approval period, the Shire may grant further planning approval for the continuation of the use for a further period of time. A new planning application seeking such approval should be submitted 90 days before the expiry of this approval, along with the appropriate planning fee.

b) You are advised of the need to comply with the requirements of the following other legislation:

   (i) This is not a Building Permit. A Building Permit must be issued by the relevant Permit Authority before any work commences on site as per the Building Act 2011;

   (ii) Health (Miscellaneous Provisions) Act 1911 and Department requirements in respect to the development and use of the premises; and


c) The Family Day Care, hereby approved, needs at all times to comply with the Education & Care Services National Law (WA) Act 2012 and Education & Care Services Regulations 2012.

d) Should food be provided for children, notification shall be made in the approved form to the Shire in accordance with the Food Act 2008 and subsequent compliance shall be achieved in relation to the Food Standards Code.

e) The proposal is to provide a potable water source in accordance with the Shire of Augusta Margaret River Health Local Laws 1999.

f) Noise emissions (sound levels) resulting from the use of the premises for a Family Day Care shall not exceed the assigned levels in the Environmental Protection (Noise) Regulations 1997 and shall not unreasonably interfere with the health, welfare, convenience, comfort, or amenity of an occupier of any other premises.

ADVICE TO APPLICANT / PROPOONENT

Nil

ATTACHMENTS

Nil

RECOMMENDATION

CR GODDEN, CR LANE

That Council, in accordance with regulation 68 (2) of the Planning and Development (Local Planning Scheme) Regulations 2015 grant Planning Consent for a Family Day Care at 19 (Lot 65) Casselton Grove, Margaret River, subject to compliance with the following conditions:

CONDITIONS

1. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with Council’s stamp, except where amended by other conditions of this consent.

   - Plans and Specifications: P1 – P3 received at the Shires offices on 1 June 2018.

2. The Family Day Care use is limited to a period of three (3) years from this date of this approval. (Refer to advice note ‘a’)

19
3. A maximum of seven (7) children at any one time are permitted to attend the Family Day Care including the operators/residents own children.

4. Two sign posted car parking bays shall be provided for the Family Day Care use. Two car parking bays shall be provided for the residents of the dwelling.

5. All vehicles connected with the Family Day Care including loading and unloading activities must be within the boundaries of the premises at all times.

6. Vehicle visits to set down and pick up children must be staggered to ensure that vehicles park within the boundaries of the premises at all times.

7. The Family Day Care shall not operate outside the following timeframes:
   iii) 7.00am to 6.30pm Monday to Saturday; and
   iv) 9.00am to 6.30pm on Sundays and Public Holidays.

11. The Family Day Care approval does not affect the entitlement to use the dwelling for permanent residential purposes.

12. Preparation of an Emergency Evacuation Plan inclusive of a statement against the bushfire protection criteria in accordance with the Guidelines for Planning in Bushfire Prone Areas, to the satisfaction of the Shire. The Emergency Evacuation Plan shall be submitted to the Shire for approval prior to the commencement of the use of the Family Day Care.

13. Certification is to be provided by an accredited Bushfire Consultant that all bushfire management actions outlined in the approved Emergency Evacuation Plan have been implemented prior to commencement of use of the Family Day Care.

ADVICE NOTES
a) Following satisfactory performance of the approved use, and in the absence of any substantiated complaints over the three (3) year approval period, the Shire may grant further planning approval for the continuation of the use for a further period of time. A new planning application seeking such approval should be submitted 90 days before the expiry of this approval, along with the appropriate planning fee.

b) You are advised of the need to comply with the requirements of the following other legislation:
   (i) This is not a Building Permit. A Building Permit must be issued by the relevant Permit Authority before any work commences on site as per the Building Act 2011;
   (ii) Health (Miscellaneous Provisions) Act 1911 and Department requirements in respect to the development and use of the premises; and

c) The Family Day Care, hereby approved, needs at all times to comply with the Education & Care Services National Law (WA) Act 2012 and Education & Care Services Regulations 2012.

d) Should food be provided for children, notification shall be made in the approved form to the Shire in accordance with the Food Act 2008 and subsequent compliance shall be achieve in relation to the Food Standards Code.

e) The proposal is to provide a potable water source in accordance with the Shire of Augusta Margaret River Health Local Laws 1999.

f) Noise emissions (sound levels) resulting from the use of the premises for a Family Day Care shall not exceed the assigned levels in the Environmental Protection (Noise) Regulations 1997 and shall not unreasonably interfere with the health, welfare, convenience, comfort, or amenity of an occupier of any other premises.
Cr Godden moved the following amendment:

**AMENDMENT / COUNCIL DECISION**

CR GODDEN, CR MELDRUM OM2018/201

That the words ‘one (1) year’ be added to condition 2 of the recommendation to read as follows:

2. The Family Day Care use is limited to a period of one (1) year from the date of this approval.

**CARRIED 6/0**

**REASON**

In light of the noise and traffic concerns from neighbours with the opening hours for the family day care, the amendment allows for the proponent to demonstrate the ability to operate the facility in harmony with neighbours.

This then became the primary motion:

**PRIMARY MOTION / COUNCIL DECISION**

CR GODDEN, CR LANE OM2018/202

That Council, in accordance with regulation 68 (2) of the Planning and Development (Local Planning Scheme) Regulations 2015 grant Planning Consent for a Family Day Care at 19 (Lot 65) Casselton Grove, Margaret River, subject to compliance with the following conditions:

**CONDITIONS**

1. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with Council’s stamp, except where amended by other conditions of this consent.

| Plans and Specifications | P1 – P3 received at the Shires offices on 1 June 2018. |

2. The Family Day Care use is limited to a period of one (1) year from the date of this approval. (Refer to advice note ‘a’)

3. A maximum of seven (7) children at any one time are permitted to attend the Family Day Care including the operators/residents own children.

4. Two sign posted car parking bays shall be provided for the Family Day Care use. Two car parking bays shall be provided for the residents of the dwelling.

5. All vehicles connected with the Family Day Care including loading and unloading activities must be within the boundaries of the premises at all times.

6. Vehicle visits to set down and pick up children must be staggered to ensure that vehicles park within the boundaries of the premises at all times.

7. The Family Day Care shall not operate outside the following timeframes:

   v) 7.00am to 6.30pm Monday to Saturday; and
   vi) 9.00am to 6.30pm on Sundays and Public Holidays.

8. The Family Day Care approval does not affect the entitlement to use the dwelling for permanent residential purposes.

9. Preparation of an Emergency Evacuation Plan inclusive of a statement against the bushfire protection criteria in accordance with the Guidelines for Planning in Bushfire Prone Areas, to the satisfaction of the Shire. The Emergency Evacuation Plan shall be submitted to the Shire for approval prior to the commencement of the use of the Family Day Care.
10. Certification is to be provided by an accredited Bushfire Consultant that all bushfire management actions outlined in the approved Emergency Evacuation Plan have been implemented prior to commencement of use of the Family Day Care.

ADVICE NOTES
a) Following satisfactory performance of the approved use, and in the absence of any substantiated complaints over the one (1) year approval period, the Shire may grant further planning approval for the continuation of the use for a further period of time. A new planning application seeking such approval should be submitted 90 days before the expiry of this approval, along with the appropriate planning fee.

b) You are advised of the need to comply with the requirements of the following other legislation:
   i) This is not a Building Permit. A Building Permit must be issued by the relevant Permit Authority before any work commences on site as per the Building Act 2011;
   ii) Health (Miscellaneous Provisions) Act 1911 and Department requirements in respect to the development and use of the premises; and

c) The Family Day Care, hereby approved, needs at all times to comply with the Education & Care Services National Law (WA) Act 2012 and Education & Care Services Regulations 2012.

d) Should food be provided for children, notification shall be made in the approved form to the Shire in accordance with the Food Act 2008 and subsequent compliance shall be achieve in relation to the Food Standards Code.

e) The proposal is to provide a potable water source in accordance with the Shire of Augusta Margaret River Health Local Laws 1999.

f) Noise emissions (sound levels) resulting from the use of the premises for a Family Day Care shall not exceed the assigned levels in the Environmental Protection (Noise) Regulations 1997 and shall not unreasonably interfere with the health, welfare, convenience, comfort, or amenity of an occupier of any other premises.

CARRIED 6/0
11.2.3 PROPOSED HOLIDAY HOUSE (LARGE) AT 159 (LOT 81) WILDERNESS ROAD, MARGARET RIVER

LOCATION/ADDRESS 159 (Lot 81) Wilderness Road, Margaret River
APPLICANT/LANDOWNER Halsall & Associates / Shirley Hondris
FILE REFERENCE PTY/1218, P218167
REPORT AUTHOR Clare Hamilton, Planning Officer
AUTHORISING OFFICER Dale Putland, Director Sustainable Development

IN BRIEF
• The Shire has received an application to use an existing dwelling as a Holiday House (Large) at 159 (Lot 81) Wilderness Road, Margaret River.
• The proposed Holiday House is to be used for up to ten (10) short stay guests at any one time, managed by a local agent.
• The proposal was advertised to nearby/adjoining property owners and two submissions were received during the consultation period, one objecting and one in support (with concerns raised) to the proposal.
• The application meets the provisions of Local Planning Scheme No.1 (LPS1) and is consistent with Local Planning Policy 7 – Holiday Houses (LPP7).
• The proposed Holiday House is recommended for conditional approval.

RECOMMENDATION
That Council grants approval for a Holiday House (Large) at 159 (Lot 81) Wilderness Road, Margaret River for an initial 12-months subject to conditions.

LOCATION PLAN
The site is located on the southern side of Wilderness Road, approximately 8km south west of Margaret River townsite (refer to Figure 1 below). The site is located within the Rural Residential zone and is 3.07ha in area. The site is developed with a single two-storey dwelling, garage and water tanks.

Figure 1: Location Plan
TABLED ITEMS
Nil

PROPOSAL
Planning approval is sought to use the existing 5-bedroom 2-storey dwelling as a Holiday House (Large) for a maximum of ten (10) short stay guests at any one time. The dwelling is located centrally within a cleared area of the Site.

Substantial vegetation screening exists along all boundaries of the Site and neighbouring properties.

The proponent has nominated a local manager for the proposed Holiday House and duration of the approval sought in this case is one (1) year.

BACKGROUND
The proposal was considered by the Shire’s Development Assessment Unit (DAU) on 31 July 2018. The DAU provisionally approved the proposal subject to conditions, however, Councillors have requested that the matter be brought before Council for final determination.

PLANNING FRAMEWORK

Local Planning Scheme No.1 (LPS1)
A Holiday House is an ‘A’ use within the Rural Residential zone, meaning it can be considered within this zone following consultation.

Clause 5.26 Development of Holiday Houses sets a series of broad standards for the assessment of holiday houses, which have been summarised as follows:
• Management required to ensure that a holiday house activity will not cause nuisance or annoyance to the owners of adjoining or nearby properties;
• Additional parking may be required for the use;
• Any approval granted for a holiday house will be for a period of one year renewable by subsequent application;
• Holiday houses are generally considered appropriate within coastal communities of the local government area or within close proximity to major tourist attractions, but are not considered appropriate within residential districts of inland settlements.

Specific criteria on acceptable locations of holiday homes within the rural residential zone and sites located in close proximity to the coast are contained in Local Planning Policy 7, which has been discussed below.

Local Planning Policy 7– Holiday Houses (LPP7)
The policy provides guidance on the appropriate location, scale and use of single and grouped dwellings for ‘Holiday Houses’ and ‘Holiday Houses’ (Large) in the Shire. LPP7 supports Holiday Houses within the Rural Residential zone.

The policy identifies a number of elements to be considered in the assessment of any application. These elements comprise location, occupancy, amenity, design/layout and management. The policy provides a set of acceptable development standards for each of the elements plus performance criteria to guide any discretionary decision-making where the acceptable design standards are not met.

The proposal requires consideration against the performance criteria relating to ‘Location’ due to the fact that the boundaries of the property abut 4 other properties rather than 3. The relevant performance criteria are:

PC1.1 Holiday Houses, and Holiday Houses (Large) are located in areas of the Shire which have a close proximity to the coast and/or to areas of significant tourist attraction.
PC1.2 The operation of the use has not resulted in adverse impacts on the amenity of neighbouring properties or the surrounding area.
Leeuwin Naturaliste Ridge Statement of Planning Policy 6.1 and Local Planning Strategy
The site is located within an area of Natural Landscape Significance under the Leeuwin-Naturaliste Ridge Statement of Planning Policy and in the Local Planning Strategy Visual Management Area ‘A’ which requires that development should be in-evident in the landscape.

CONSULTATION
The proposal was advertised to nearby/adjoining property owners, and at the conclusion of the advertising period two (2) submissions were received, one objecting and one in support (with concerns raised).

The primary concerns raised are noted and discussed below:

10 guests too large, suggest 4-6 guests more appropriate
The dwelling is of sufficient size to accommodate two people per bedroom and therefore the dwelling is considered to be adequate for the proposed capacity of 10 guests.

Concern over how large groups of guests will be managed and amenity of neighbouring properties
The application includes house rules and nomination of a property manager (local agent) close to site to deal with issues should they arise. House rules provided by the proponent require guests to behave in a courteous manner in order to prevent adverse noise impact to neighbouring residents. A bond is also taken on booking and any infringement of the house rules may result in eviction from the premises, loss of bond and/or a forfeit of all monies paid.

The presence of dense vegetation screening and considerable setbacks to all boundaries mitigates the likelihood of adverse impacts to neighbouring dwellings.

Should approval be granted the Holiday House use is recommended to be limited to an initial 12 months to gauge the success of the proposed management measures.

Increase in the number of visitors who may not be fire aware in this extreme fire risk area
An Emergency Evacuation Plan (EEP) was submitted with the application in accordance with the Guidelines for Planning in Bushfire Prone Areas. The EEP was referred to DFES for comment and has been accepted.

As required by Statement of Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP3.7) a Bushfire Attack Level assessment (BAL) and Bushfire Management Plan (BMP) were also prepared. The BMP demonstrates that through implementation of an Asset Protection Zone (APZ) amongst other management measures, the BAL risk rating can be reduced from ‘FZ’ which is unacceptable to BAL-29 as required.

Implementation of the APZ would involve modification of approximately 1000m² of vegetation around the dwelling. No standing trees will be removed with modifications being limited to pruning and clearing of understory to a ‘parkland’ state. It is noted in this regard that the planning approval for the existing dwelling (July 2007) identified a low fuel zone to be maintained around the dwelling of up to 25m. The current proposed APZ is a marginal increase to this low fuel zone with modification required up to 33m from the dwelling.

The BMP is supported by the Shire’s Emergency Service’s Manager and DFES. The vegetation modification reflects the minimum APZ which would be required for a house in this area under contemporary fire safety standards and therefore the proposal does not necessitate the removal of additional vegetation beyond what would otherwise be required to keep a dwelling safe from radiant heat.

Increase in the volume of traffic on a road that is badly designed and very poorly maintained
The traffic volumes generated by the proposal would not be any greater than that generated by the ordinary residential use of the property. The road network is also suitably designed for the intended capacity of the proposed use.
Would like to have a contact number of the management should a problem arise
The use will be serviced by a 24 hour contactable manager with details displayed, along with those of the owner, by way of a sign at the front of the site.

Effect on flora and fauna
Bushfire management actions do not require significant vegetation removal on site.

DISCUSSION
In addition to the concerns of adjoining neighbours as discussed, the proposal requires consideration against the performance criteria relating to the 'Locational' element of LPP7 given that the site abuts the boundaries of four (rather than three) adjoining properties. It is important to note that a failure to comply with one or more acceptable development criteria, is not automatic grounds for refusal. The performance criteria form part of the policy and provide guidance to decision makers where a merit based variation is sought, such as the case in this instance.

In this regard it is noteworthy that only one objection from an adjoining resident was received. In response to the performance criteria relating to adverse amenity impacts, it is recommended that the management regime to be applied be monitored over an initial one year period to determine its adequacy.

Notwithstanding the number of boundaries which this property abuts, the dwelling is located centrally within the lot and well away from surrounding dwellings. It is very well screened by substantial vegetation on the lot and on adjoining properties and all but a small portion of the vegetation can be retained whilst still meeting bushfire requirements. For this reason, it is recommended that the proposal meets the intent of the policy and specifically addresses the performance criteria given that its location is unlikely to have a detrimental impact on neighbours.

Given that the proposal meets the acceptable development and performance criteria of LPP7 and the concerns of an adjoining neighbour can be addressed it is recommended for approval subject to conditions.

STRATEGIC PLAN / POLICY IMPLICATIONS
Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2018-2022
Key Result Area 3: Managing Growth Sustainably
Community Outcome 3.1: Clearly defined areas for growth and renewal
Strategic Response: Implement Local Planning Scheme No. 1
Service level strategy/plan: Provide planning services

FINANCIAL IMPLICATIONS
Nil

SUSTAINABILITY IMPLICATIONS
Environmental
Clearing for fire management is limited to the modification of understory vegetation within a 1000m² area.

Social
Subject to appropriate management actions being incorporated into the use, Holiday House uses can occur when responsive to the surrounding built environment and adjoining properties without detriment to the amenity of nearby/adjoining properties.

Economic
Holiday Houses are a recognised form of tourist accommodation that provides economic value to the area.

VOTING REQUIREMENTS
Simple Majority
RECOMMENDATION
That Council grant planning approval for a Holiday House (Large) at 159 (Lot 81) Wilderness Road, Margaret River subject to compliance with the following conditions:

1. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with Council’s stamp, except where amended by other conditions of this consent.

<table>
<thead>
<tr>
<th>Plans and Specifications</th>
<th>P1 and P2 received by the Shire on 26 July 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>P3 and P4 received by the Shire on 26 July 2018</td>
</tr>
</tbody>
</table>

2. The Holiday House use is limited to a period of twelve (12) months from the date of this approval. (Refer to advice note a)

3. The short stay use of the dwelling shall not occupied by more than ten (10) people at any one time.

4. A Manager or a contactable employee of the Manager that permanently resides no greater than a 1-hour drive from the site shall be nominated for the Holiday House and this person shall attend to any callout within 1 hour of a reported incident. The Manager or contactable employee is to be retained at all times during the use of the site as a Holiday House. (Refer advice note b).

5. The 24-hour contact details of the Manager and Owner of the Holiday House shall be visible on the property from the nearest street frontage and maintained to the satisfaction of the Shire (Refer to advice note ‘f’).

6. All vehicles & boats connected with the premises shall be parked within the boundaries of the property.

7. Amplified music shall not be played outside of the Holiday House between the hours of 10pm and 10am.

8. ‘House Rules’ shall be developed prior to the commencement of use. Thereafter the ‘House Rules’ shall be provided to all guests and shall be displayed within a prominent position within the Holiday House. (Refer advice note ‘e’)

9. The Bushfire Management Plan and Emergency Evacuation Plan (prepared by Bushfire Prone Planning and dated the 19 March 2018) shall be revised to the specifications of the Department of Fire and Emergency Services and to the satisfaction of the Shire. The revised Bushfire Management Plan and Emergency Evacuation Plan shall be submitted for the acceptance of the Shire prior to commencement of the Holiday House use (Refer to advice note ‘d’).

10. The revised and accepted Bushfire Management Plan and Emergency Evacuation Plan, required in above-mentioned condition 9, shall be implemented on site prior to commencement of the Holiday House use and at all times thereafter.

11. The Emergency Evacuation Plan shall be displayed in a conspicuous location within the dwelling at all times.

12. Certification is to be provided to the Shire by an accredited Bushfire Consultant that all bushfire management actions detailed in the approved Bushfire Management Plan have been implemented prior to commencement of use.

ADVICE NOTES
a) Following satisfactory performance of the approved use, and in the absence of any substantiated complaints over the twelve (12) month approval period, the Shire may grant further planning approval for the continuation of the use for a further three (3) years. A new planning application seeking such approval should be submitted 90 days before the expiry of this approval, along with the appropriate planning fee.
b) If at any time there is not an appointed manager or a contactable employee of the manager for the site, the use must cease until such time as a manager is appointed.

c) Works to implement the actions of the Bushfire Management Plan, including any upgrade to the private driveway, should be conducted with regard to retention of significant native trees where possible.

d) The Emergency Evacuation Plan should contain a simple extract for guest use and display consistent with the template example provided by the Shire (refer to the attached document).

e) The ‘House Rules’ document shall be consistent with key elements of the NSW Code for Holiday Houses (please refer to the attached document).

f) A sign limited to a maximum of 0.2 square metres and not exceeding 1.5 metres in height from ground level may be erected at the property frontage and within the property.

g) This approval does not affect the entitlement to use the dwelling for permanent residential purposes.

h) You are advised of the need to comply with the requirements of the following other legislation:

   i. Health (Miscellaneous Provisions) Act 1911 and Department requirements in respect to the development and use of the premises.

   ii. The WA Building Regulations 2012 (r.59) requires that the owner of a dwelling (as defined in the Building Code of Australia) must not make the dwelling available for hire unless hard wired, battery backup smoke alarms are installed, complying with the Building Code of Australia and AS3786.

i) The development is to provide a potable water source in accordance with Shire of Augusta Margaret River Health Local Laws 1999 (e.g. water to be treated by filter and ultra violet light).

j) Rain water storage tank(s) should be sealed to prevent the ingress and to prevent mosquito breeding. A first flush diverter should be installed in line to enable flushing of dust and other sources of contamination deposited on roof catchment and in drainage lines, to minimise contaminants entering water storage tank.

ATTACHMENTS
Nil

RECOMMENDATION
CR SMART, CR MCLEOD
That Council grant planning approval for a Holiday House (Large) at 159 (Lot 81) Wilderness Road, Margaret River subject to compliance with the following conditions:

1. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with Council’s stamp, except where amended by other conditions of this consent.

   Plans and Specifications
   P1 and P2 received by the Shire on 26 July 2018
   P3 and P4 received by the Shire on 26 July 2018

2. The Holiday House use is limited to a period of twelve (12) months from the date of this approval. (Refer to advice note a)

3. The short stay use of the dwelling shall not occupied by more than ten (10) people at any one time.
4. A Manager or a contactable employee of the Manager that permanently resides no greater than a 1-hour drive from the site shall be nominated for the Holiday House and this person shall attend to any callout within 1 hour of a reported incident. The Manager or contactable employee is to be retained at all times during the use of the site as a Holiday House. (Refer advice note b).

5. The 24-hour contact details of the Manager and Owner of the Holiday House shall be visible on the property from the nearest street frontage and maintained to the satisfaction of the Shire (refer to advice note ‘f’).

6. All vehicles & boats connected with the premises shall be parked within the boundaries of the property.

7. Amplified music shall not be played outside of the Holiday House between the hours of 10pm and 10am.

8. ‘House Rules’ shall be developed prior to the commencement of use. Thereafter the ‘House Rules’ shall be provided to all guests and shall be displayed within a prominent position within the Holiday House. (Refer advice note ‘e’)

9. The Bushfire Management Plan and Emergency Evacuation Plan (prepared by Bushfire Prone Planning and dated the 19 March 2018) shall be revised to the specifications of the Department of Fire and Emergency Services and to the satisfaction of the Shire. The revised Bushfire Management Plan and Emergency Evacuation Plan shall be submitted for the acceptance of the Shire prior to commencement of the Holiday House use (refer to advice note ‘d’).

10. The revised and accepted Bushfire Management Plan and Emergency Evacuation Plan, required in above-mentioned condition 9, shall be implemented on site prior to commencement of the Holiday House use and at all times thereafter.

11. The Emergency Evacuation Plan shall be displayed in a conspicuous location within the dwelling at all times.

12. Certification is to be provided to the Shire by an accredited Bushfire Consultant that all bushfire management actions detailed in the approved Bushfire Management Plan have been implemented prior to commencement of use.

ADVICE NOTES

a) Following satisfactory performance of the approved use, and in the absence of any substantiated complaints over the twelve (12) month approval period, the Shire may grant further planning approval for the continuation of the use for a further three (3) years. A new planning application seeking such approval should be submitted 90 days before the expiry of this approval, along with the appropriate planning fee.

b) If at any time there is not an appointed manager or a contactable employee of the manager for the site, the use must cease until such time as a manager is appointed.

c) Works to implement the actions of the Bushfire Management Plan, including any upgrade to the private driveway, should be conducted with regard to retention of significant native trees where possible.

d) The Emergency Evacuation Plan should contain a simple extract for guest use and display consistent with the template example provided by the Shire (refer to the attached document).

e) The ‘House Rules’ document shall be consistent with key elements of the NSW Code for Holiday Houses (please refer to the attached document).
f) A sign limited to a maximum of 0.2 square metres and not exceeding 1.5 metres in height from ground level may be erected at the property frontage and within the property.

g) This approval does not affect the entitlement to use the dwelling for permanent residential purposes.

h) You are advised of the need to comply with the requirements of the following other legislation:

i. Health (Miscellaneous Provisions) Act 1911 and Department requirements in respect to the development and use of the premises.

ii. The WA Building Regulations 2012 (r.59) requires that the owner of a dwelling (as defined in the Building Code of Australia) must not make the dwelling available for hire unless hard wired, battery backup smoke alarms are installed, complying with the Building Code of Australia and AS3786.

i) The development is to provide a potable water source in accordance with Shire of Augusta Margaret River Health Local Laws 1999 (e.g. water to be treated by filter and ultra violet light).

j) Rain water storage tank(s) should be sealed to prevent the ingress and to prevent mosquito breeding. A first flush diverter should be installed in line to enable flushing of dust and other sources of contamination deposited on roof catchment and in drainage lines, to minimise contaminants entering water storage tank.

Cr Godden moved the following amendment:

AMENDMENT / COUNCIL DECISION
CR GODDEN, CR MCLEOD OM2018/203
That advice note c becomes condition 13.

CARRIED 6/0

REASON
Cr Godden spoke to the amendment stating the change reinforces Councils position that bushfire prevention is paramount.

This then became the primary motion:

PRIMARY MOTION / COUNCIL DECISION
CR SMART, CR MCLEOD OM2018/204
That Council grant planning approval for a Holiday House (Large) at 159 (Lot 81) Wilderness Road, Margaret River subject to compliance with the following conditions:

1. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with Council’s stamp, except where amended by other conditions of this consent.

<table>
<thead>
<tr>
<th>Plans and Specifications</th>
<th>P1 and P2 received by the Shire on 26 July 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>P3 and P4 received by the Shire on 26 July 2018</td>
</tr>
</tbody>
</table>

2. The Holiday House use is limited to a period of twelve (12) months from the date of this approval. (Refer to advice note a)

3. The short stay use of the dwelling shall not occupied by more than ten (10) people at any one time.
4. A Manager or a contactable employee of the Manager that permanently resides no greater than a 1-hour drive from the site shall be nominated for the Holiday House and this person shall attend to any callout within 1 hour of a reported incident. The Manager or contactable employee is to be retained at all times during the use of the site as a Holiday House. (Refer advice note b).

5. The 24-hour contact details of the Manager and Owner of the Holiday House shall be visible on the property from the nearest street frontage and maintained to the satisfaction of the Shire (refer to advice note ‘f’).

6. All vehicles & boats connected with the premises shall be parked within the boundaries of the property.

7. Amplified music shall not be played outside of the Holiday House between the hours of 10pm and 10am.

8. ‘House Rules’ shall be developed prior to the commencement of use. Thereafter the ‘House Rules’ shall be provided to all guests and shall be displayed within a prominent position within the Holiday House. (Refer advice note ‘e’)

9. The Bushfire Management Plan and Emergency Evacuation Plan (prepared by Bushfire Prone Planning and dated the 19 March 2018) shall be revised to the specifications of the Department of Fire and Emergency Services and to the satisfaction of the Shire. The revised Bushfire Management Plan and Emergency Evacuation Plan shall be submitted for the acceptance of the Shire prior to commencement of the Holiday House use (refer to advice note ‘d’).

10. The revised and accepted Bushfire Management Plan and Emergency Evacuation Plan, required in above-mentioned condition 9, shall be implemented on site prior to commencement of the Holiday House use and at all times thereafter.

11. The Emergency Evacuation Plan shall be displayed in a conspicuous location within the dwelling at all times.

12. Certification is to be provided to the Shire by an accredited Bushfire Consultant that all bushfire management actions detailed in the approved Bushfire Management Plan have been implemented prior to commencement of use.

13. Works to implement the actions of the Bushfire Management Plan, including any upgrade to the private driveway, should be conducted with regard to retention of significant native trees where possible.

ADVICE NOTES
a) Following satisfactory performance of the approved use, and in the absence of any substantiated complaints over the twelve (12) month approval period, the Shire may grant further planning approval for the continuation of the use for a further three (3) years. A new planning application seeking such approval should be submitted 90 days before the expiry of this approval, along with the appropriate planning fee.

b) If at any time there is not an appointed manager or a contactable employee of the manager for the site, the use must cease until such time as a manager is appointed.

c) The Emergency Evacuation Plan should contain a simple extract for guest use and display consistent with the template example provided by the Shire (refer to the attached document).

d) The ‘House Rules’ document shall be consistent with key elements of the NSW Code for Holiday Houses (please refer to the attached document).
e) A sign limited to a maximum of 0.2 square metres and not exceeding 1.5 metres in height from ground level may be erected at the property frontage and within the property.

f) This approval does not affect the entitlement to use the dwelling for permanent residential purposes.

g) You are advised of the need to comply with the requirements of the following other legislation:

   i. **Health (Miscellaneous Provisions) Act 1911** and Department requirements in respect to the development and use of the premises.

   jj. The **WA Building Regulations 2012** (r.59) requires that the owner of a dwelling (as defined in the Building Code of Australia) must not make the dwelling available for hire unless hard wired, battery backup smoke alarms are installed, complying with the Building Code of Australia and AS3786.

h) The development is to provide a potable water source in accordance with Shire of Augusta Margaret River **Health Local Laws 1999** (e.g. water to be treated by filter and ultra violet light).

i) Rain water storage tank(s) should be sealed to prevent the ingress and to prevent mosquito breeding. A first flush diverter should be installed in line to enable flushing of dust and other sources of contamination deposited on roof catchment and in drainage lines, to minimise contaminants entering water storage tank.

   CARRIED 6/0
12. MOTIONS FROM MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.1 Investigation into Heritage Listing for Caves Road – Cr Mcleod

Cr Lane disclosed a proximity interest in this item and left Chambers at 2.59pm.

At the 8 August 2018 Ordinary Meeting of Council, Cr Mcleod gave notice of the following motion:

MOTION
That Council expresses its "in principal" support to have Caves Road heritage listed in its current form to ensure that it is safeguarded as an iconic tourism experience with significant European and Aboriginal heritage and environmental values. Furthermore that Council seeks the support of the City of Busselton through CapeROC to support the investigation of the heritage listing and preservation of Caves Road as a major priority project.

REASON
The cultural, environmental and heritage values of Caves Road are significant to both locals and visitors. Caves Road, a recognised tourism scenic drive, is an integral visitor interpretative experience, linking a diverse range of deep rich cultural and natural environment engagements ie caves, forests, beaches, heritage and wineries from north to south between Cape Leeuwin and Cape Naturaliste. It was the original road for the early settlers in the region and has served as a major link to the caves since the 1900s. With Main Roads now considering works to improve safety on Caves Road between Yallingup and Rainbow Caves Rd it is important on all fronts, environmentally, economically and culturally, that the heritage values of the road are accessed in terms of its indigenous, natural and built environment to ensure the cultural, social and environmental values of the road are preserved.

On 21 August 2018, Cr McLeod amended the motion as follows:

AMENDMENT
That Council expresses its "in principal" support to have Caves Road National heritage listed in its current form to ensure that it is safeguarded as an iconic tourism experience with significant Aboriginal and European heritage and environmental values. Council requests the CEO write to City of Busselton Council seeking their support and together, through CapeROC to support the undertaking of national heritage listing and preservation of Caves Road as a major priority project. Council requests that the Main Roads defer any action on the road, including the formation of the Community Reference group until the community has had the opportunity to have the road heritage assessed.

MOTION / COUNCIL DECISION
CR MCLEOD, CR GODDEN OM2018/205
That Council is committed to safeguarding Caves Road as an iconic tourism experience and to protect its Aboriginal and European heritage and environmental values and expresses its support to have Caves Road heritage assessed with a view to attaining National Heritage listing for the road. Council requests the CEO write to City of Busselton Council seeking their support and together, through CapeROC, undertake the investigation of national heritage listing of Caves Road as a major priority project. Council requests that the Main Roads do not to take any action, specifically widening and/or any works of a capital nature on the road and requests that Main Roads defer the formation of the Community Reference group until the community has had the opportunity to have the road heritage assessed.

CARRIED 5/0

Cr Lane re-entered Chambers at 3.08pm

The order of business then resumed and Council went on to deliberate Item 8 Petitions.
8. PETITIONS
Nil

9. ANNOUNCEMENTS FROM THE PRESIDING MEMBER
Nil

10. QUESTIONS FROM MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN
Nil

11. REPORTS OF COMMITTEES AND EMPLOYEE REPORTS
11.1.
Chief Executive Officer
11.1.1 COUNCILLOR ATTENDANCE AT UPCOMING CONFERENCES

The Shire President, Cr Townshend, left Chambers at 3.10pm as she disclosed a financial interest in this item at Item 3.4.

The Deputy Shire President, Cr Meldrum, left Chambers at 3.10pm as she disclosed a financial interest in this item at Item 3.3.

In the absence of the Shire President and Deputy Shire President, the CEO took the position of Chair.

The CEO then called for nominations for position of Presiding Member.

Cr Smart nominated Cr Lane and subsequently moved the following motion:

MOTION / COUNCIL DECISION
CR SMART, CR MCLEOD OM2018/206
That Cr Lane chair the meeting in the absence of the Shire President and Deputy Shire President.
CARRIED 4/0

Cr Lane then took position of Chair.

IN BRIEF

- The Shire has recently been advised that Up Beat Events are holding a Town Team Movement Conference in September and that WALGA are holding a Waste and Recycle Conference also in September.
- Crs Townshend and Meldrum have requested to attend the Town Team conference for councillor training.
- Cr Townshend has requested to attend the Waste and Recycle Conference as councillor training.
- Cr Meldrum has requested attendance at the International Cities, Town Centres and Communities Conference.
- Under Council policy a Councillor is entitled to attend some WALGA, LG Professionals (formerly LGMA), Planning Institute of Australia (PIA) and other specific training without requiring a further Council decision.
- Council authorisation is required for Councillors to attend the training programs.

RECOMMENDATION

That Council:
1. Approves the attendance of Councillors Townshend and Meldrum at the Town Team Conference to be held on 14-15 September 2018 in Perth;
2. Approves the attendance of Cr Townshend at the Waste and Recycle Conference to be held on 5-7 September 2018 in Perth;
3. Amends the Policy on Councillor Training by adding the word “conferences” in approved training list as follows, “WALGA Elected Member Training Modules, Conferences, seminars, forums and workshops”; and
4. Does not authorise the attendance of Cr Meldrum at the International Cities, Town Centres and Communities Conference on 14-16 November 2018 in Fremantle as there are likely to be more relevant training opportunities in the current financial year.
BACKGROUND
TOWN TEAM CONFERENCE
The Shire was advised on 16 July 2018 that the Town Team Movement Conference 2018 is scheduled to be held on 14-15 September 2018 in Perth. The Town Team Movement (TTM) is a non-profit organisation helping ‘Town Teams’ to organise, engage and empower their communities and create better places. The conference aspires to do something different, something fun, something interactive, that will not only inform but leave a positive impression and a desire for inspired action. The event is designed as a festival-conference experience, which will consist of inspiring renovated venues and activation examples throughout the West End Arts Precinct. Place Leaders throughout Australia will communicate in different ways to engage with the attendees. Topics include:

- Place Making
- Place Activation
- Place Leadership & Management
- Organisational Cultural Shifts and facilitating ‘Yes’ Attitudes
- Capacity Building
- Retail & Town Centre Management
- Economic & Community Development
- Effective Public Engagement
- Prioritising People
- Town Team Discussions
- Local & International Case Studies
- Interactive Activities

Attendance includes members of the town team community, community leaders, and professionals from a diverse range of sectors and disciplines.

Crs Townshend and Meldrum have requested to attend the conference on behalf of the Shire.

Council’s adopted policy on councillor training provides guidance for approving councillor attendance at training programs outside of the normal automatic approvals.

**Authorised Training / Conferences**

This policy permits Councillors to attend training up to a total value of $3,000 in expenditure per annum without requiring further Council authorisation from the following list of conferences and workshops:

- WALGA Elected Member Training Modules, seminars, forums and workshops;
- WALGA Local Government Convention and associated training courses;
- LG Professionals WA Annual State Conference, SW Conference and other LG Professionals WA seminars and workshops
- The Planning Institute of Australia (PIA) Annual State Conference, seminars and forums;
- Breakfast or workshop speakers identified by the President in liaison with the CEO and advertised by email;

The Shire will arrange for any registrations or bookings to be made as per the advice in the section of this policy referring to training and conference costs

**Additional Training / Conference Opportunities require Council Approval**

Alternatively, a Councillor may apply in writing to the CEO to participate in a relevant alternative conference or training program requiring the approval of Council.

The following matrix provides a numerical score to assist in determining whether the training opportunity will be of sufficient benefit to warrant Councillor attendance.

**Conference / Training Assessment Matrix Assessment for Town Team Conference**
<table>
<thead>
<tr>
<th>Criteria</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Relevance to Councillors’ governance role under LGA, as opposed to officers’ operational role</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Value for Money &amp; Cost/Benefit</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alignment with Council’s Strategic Plan and Current Priorities</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Lack of alternative training opportunities to gain same skills</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Level of quality networking opportunities with peers</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Assessment Comments
1. Due to the redevelopment of the Margaret River Main Street relevance is rated to be 4/5 as several of the topics listed in the previous dot points are relevant.
2. Value for money is rated at 4/5 as the conference is in Perth and the registration cost is $350. Other costs (accommodation, travel and meals) would bring the total cost to around $1,730 per person.
3. Alignment with Council’s strategic plan and current priorities is rated at 4/5 due to the Main Street Redevelopment.
4. This conference is about motivating participants and in particular focussing on reactivating spaces that have suffered downturn whereas the Margaret River Main Street has some bigger challenges which need to be addressed. The Australian Main Street organisation and other groups offer more holistic main street conferences which would provide a more comprehensive overview of case studies into main street development and management to develop a longer term strategy.
5. Networking opportunities is rated at 5/5 as the conference is expected to attract the town team community, community leaders, and professionals from a diverse range of sectors and disciplines.

The total point score is 20 which means the Councillor requests to attend the conference is recommended for approval.

Conference Costs
In accordance with Council policy, the Shire will meet the costs of all the Councillor’s accommodation, travel, meals and conference costs and associated insurance costs. Councillors will be required to meet the costs of any additional accommodation and expenses incurred as the Shire will not meet any costs for private travel over and above the number of nights’ accommodation and expenses required to attend the conference. Anticipated costs are:

- Registration $350
- Travel cost to and from Perth if using private vehicle (based on previous travel) - $570
- Accommodation (based on $220 per night for three nights) - $660.
- Meals approximately $150 (based on previous claims).
  Total = $1,730

Costs can be reduced by car pooling, using public transport, reducing nights away or staying with friends or family.

WALGA WASTE AND RECYCLE CONFERENCE
The Shire was advised on 31 July 2018 that the WALGA Waste and Recycle Conference is scheduled to be held on 5-7 September 2018 in Perth. The Waste & Recycle Conference will once again be held at Crown Towers, Perth from 5-7 September 2018. This year’s Conference theme is – “Moving forward with local solutions”. The Conference, hosted by the Waste Management Association of Australia (WMAA), Department of Water and Environmental Regulation (DWER), and Western Australian Local Government Association (WALGA), is still the leading waste and resource recovery event in Western Australia.

Topics being discussed include:
- Effective Landfill management
• Behaviour change and community engagement
• Container Deposit Scheme implementation
• Waste to Energy
• Kerbside collection systems
• Problematic wastes
• Innovative approaches to Waste Management

Cr Townshend has requested to attend the conference as councillor training.

According to Council policy:

**Authorised Training / Conferences**

*This policy permits Councillors to attend training up to a total value of $3,000 in expenditure per annum without requiring further Council authorisation from the following list of conferences and workshops:*

- WALGA Elected Member Training Modules, seminars, forums and workshops;
- WALGA Local Government Convention and associated training courses;
- LG Professionals WA Annual State Conference, SW Conference and other LG Professionals WA seminars and workshops
- The Planning Institute of Australia (PIA) Annual State Conference, seminars and forums;
- Breakfast or workshop speakers identified by the President in liaison with the CEO and advertised by email;

It is recommended that Cr Townshend be authorised to attend this conference as it is a WALGA Conference and managing waste into the future is one of the Shire’s highest strategic priorities. Also to eliminate any doubt in interpreting the policy to add the word “conferences” in the first dot point of the policy to read – WALGA Elected Member Training Modules, **Conferences**, seminars, forums and workshops.

**Conference Costs**

Registration Full conference registration (which includes networking events) is $1020. Accommodation for three nights – approximately $660. Meals $150 based on previous reimbursements. Total conference cost $1830

Again costs can be reduced by car pooling, use of public transport, reducing nights away or staying with friends or family.

**International Cities, Town Centres and Communities – 14-16 November – Fremantle**

Cr Meldrum has requested attendance at this conference. Concurrent session topics include:

- Digital marketing and the digitisation of the urban environment
- Inner city revitalization
- Main Street Management
- Making Perth a liveable city
- Affordable housing for owner occupiers
- Cossack’s heritage precinct
- Bondi’s evening economy
- Biophilic urbanism
- The definition of Place
- Parking strategies
- Facilities relating specifically for dogs
- A vision for Hobart
- Art in Transport Infrastructure
- Reinventing a Regional City – Queanbeyan
- Temporary activation of city centres
- Urban renewal in Fremantle, urban design and the olfactory dimension
- Using data to enhance community consultation
• The use of 3D modelling
• Creating an enabling local business environment
• Embedding placemaking into urban design
• Food and beverage tendering processes
• Local government and creative industries
• Emergency planning

Matrix Assessment

<table>
<thead>
<tr>
<th>Criteria</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Relevance to Councillors’ governance role under LGA, as opposed to officers’ operational role</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Value for Money &amp; Cost/Benefit</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alignment with Council’s Strategic Plan and Current Priorities</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lack of alternative training opportunities to gain same skills</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Level of quality networking opportunities with peers</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Criteria 1
Three of the six key note speakers are from large overseas cities (Boston, Seattle, London) and the overview of their presentations specifically references development in cities, so therefore some content will not be relevant to the Shire. Session by Peter Newman from Curtin University regarding the ‘Rise and Fall of the Renewable City’ could have relevance to the Shire, as could the presentation from the Executive General Manager of the RAC on ‘Integrated Mobility’, however these are only two of the keynote sessions out of the three day program. One session on reinvigorating rural and regional towns appears to be very relevant. The concurrently run field trips and walking tours of Fremantle, Perth and Scarborough may or may not be as relevant to our setting or could be picked up informally on visits to those Perth based locations or on a separate Shire convened field trip. The catchment for Fremantle, Scarborough and Perth is the whole metropolitan area which is on the doorstep, plus interstate and international. The regional setting is very different. A rating of 3/5 has been given.

Criteria 2
Cost of the conference is $1300 (including function). This does not include costs of separate workshops, concurrent sessions, and some components of the walking tours and field trips. Other costs to consider would be:
• Travel cost to and from Perth if using private vehicle (based on previous travel) - $570
• Accommodation (based on $220 per night for three nights) - $660.
• Meals approximately $150 (based on previous claims).

Compared to the WALGA Convention and the Town Team ($350) or the Waste and Recycle Conference it appears to offer less value for money for the Shire and has been rated 2/5.

Criteria 3
Alignment with strategic plan and current priorities. This is difficult to evaluate as the actual content is very diverse, but the conference would appear to align with key result area 3, (ensuring sustainable development) and key result area 4 (vibrant and diverse economy) in general terms. There is a focus on international cities which makes it less relevant to our own situation. A rating of 3/5 has been allocated.

Criteria 4.
There appears to be more relevant and Shire specific conferences to attend which can be researched and which will become available later in the financial year. Rated 3/5.

Criteria 5
Level of quality networking opportunities with peers.

Target group for conference marketing is:
- Local Government (Mayors, Councillors, CEO’s, Directors, Managers and other decision makers), State and Federal Government
- Private firms
- Main Street Businesses and Consultants
- Business Associations
- Academics
- Industry Groups

With interests in:
- Planning, Urban Design, Development, Property
- Main Streets, Retail, Shopping and Town Centres
- Economic Development, Demography
- Place making, Project Management, Marketing
- Architecture, Landscape, Environment
- Infrastructure, Resources, Energy, Transport
- Engineering, Surveying, Public Works
- Banking, Law, Finance, Technology

This covers a wide range of industry groups and business sectors. The networking opportunities appear to be excellent and a rating of 5/5 is given.

The rating is 16/25, which is equivalent to 12.8/20, does not reach the required 20 points and leads to a recommendation of not supporting the request.

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council:
1. Approves the attendance of Crs Townshend and Meldrum at the Town Team Conference to be held on 14-15 September 2018 in Perth;
2. Approves the attendance of Cr Townshend at the Waste and Recycle Conference to be held on 5-7 September 2018 in Perth;
3. Amends the Policy on Councillor Training by adding the word “conferences” in approved training list as follows, “WALGA Elected Member Training Modules, Conferences, seminars, forums and workshops”; and
4. Does not authorise the attendance of Cr Meldrum at the International Cities, Town Centres and Communities Conference on 14-16 November 2018 in Fremantle as there are likely to be more relevant training opportunities in the current financial year.

ATTACHMENTS
1. GL4 Councillor Professional Development
2. Town Team Movement Brochure & Prospectus
3. WALGA Waste & Recycle Conference Program
4. International Cities, Town Centres and Communities Conference Program

RECOMMENDATION
CR MICLEOD, CR SMART
That Council:
1. Approves the attendance of Crs Townshend and Meldrum at the Town Team Conference to be held on 14-15 September 2018 in Perth;
2. Approves the attendance of Cr Townshend at the Waste and Recycle Conference to be held on 5-7 September 2018 in Perth;
3. Amends the Policy on Councillor Training by adding the word “conferences” in approved training list as follows, “WALGA Elected Member Training Modules, Conferences, seminars, forums and workshops”; and
4. Does not authorise the attendance of Cr Meldrum at the International Cities, Town Centres and Communities Conference on 14-16 November 2018 in Fremantle as there are likely to be more relevant training opportunities in the current financial year.

Cr Godden moved the following amendment:

AMENDMENT / COUNCIL DECISION
CR GODDEN, CR LANE OM2018/207
That the following be added as point 5 to the recommendation:

5. Updates Policy GL4 Councillor Professional Development to include information on childcare, carers support and associated travel and accommodation costs.

CARRIED 4/0

REASON
The addition of Point 4 aligns the policy with Department of Local Government requirements and other Council policies regarding childcare and carers support for Councillors.

This then became the primary motion:

PRIMARY MOTION / COUNCIL DECISION
CR MCLEOD, CR SMART OM2018/208
That Council:
1. Approves the attendance of Crs Townshend and Meldrum at the Town Team Conference to be held on 14-15 September 2018 in Perth;
2. Approves the attendance of Cr Townshend at the Waste and Recycle Conference to be held on 5-7 September 2018 in Perth;
3. Amends the Policy on Councillor Training by adding the word “conferences” in approved training list as follows, “WALGA Elected Member Training Modules, Conferences, seminars, forums and workshops”; 
4. Does not authorise the attendance of Cr Meldrum at the International Cities, Town Centres and Communities Conference on 14-16 November 2018 in Fremantle as there are likely to be more relevant training opportunities in the current financial year; and
5. Updates Policy GL4 Councillor Professional Development to include information on childcare, carers support and associated travel and accommodation costs.

CARRIED 4/0

Crs Townshend and Meldrum re-entered Chambers at 3.14pm

Cr Lane returned to his allocated seating position and Cr Townshend returned to position of Chair.
11.1.2 APPOINTMENT OF CONSULTANT FOR RECRUITMENT OF CHIEF EXECUTIVE OFFICER

LOCATION/ADDRESS  Shire of Augusta Margaret River
APPLICANT/LANDOWNER Shire of Augusta Margaret River
FILE REFERENCE PER/20
REPORT AUTHOR Claire Schiller, Council Minutes and Agenda Officer
AUTHORISING OFFICER Gary Evershed, Chief Executive Officer

IN BRIEF
- The Chief Executive Officer has tendered his resignation effective 25 January 2019.
- The CEO is the elected Council’s only employee and so Council is required to undertake the process of recruitment of a new CEO.
- In accordance with legislative requirements Council in required to confirm the method of appointing a consultant for the recruitment of a new CEO.

RECOMMENDATION
That Council:

1. Receives the resignation of the current CEO and notes that the resignation will be effective from 25 January 2019; and

2. In accordance with Regulation 18C of the Local Government (Administration) Regulations) approves the following process to be used for the selection and appointment of a new CEO before the position of the CEO is advertised:

   a) Council calls for quotations from the following consultants deemed to have the necessary knowledge and experience in Executive Recruitment to assist Council with the recruitment and appointment of a new CEO, namely WALGA, Logo Appointments, Lester Blades, Beilby and Hays.

   b) Council appoints a consultant consultants at the 12 September 2018 Ordinary Council meeting on the basis of the following criteria:
   - Experience of Consultant and/or Key Personnel – 34%
   - Methodology to be used – 34%
   - Price – 33%

   c) Council undertakes the following steps with the assistance of the successful consultant:

   - Review the CEO Position Description
   - Finalise the Selection Criteria for the Position from PD
   - Finalise the draft contract or employment
   - Finalise the salary range that the position will be publicly advertised at (Required under LG Act)
   - Finalise the term of the contract e.g. 3-5 years
   - Finalise the advertisement for the position and the range of advertising to be undertaking in newsprint and on-line
   - Advertising of position
   - Short-listing of applicants and check of qualifications, google search, industry feedback
   - Arrangement of preliminary interviews if required
   - Arrangement of final interviews and presentations
   - Designation of preferred applicant
   - Referee checking, medical and police clearances
   - Offer of employment and finalisation of contract
LOCATION PLAN
Nil

TABLED ITEMS
Nil

BACKGROUND
The current CEO commenced employment with the Shire on 20 October 2008 and will conclude his employment with the Shire on 25 January 2019.

The *Local Government Act 1995* requires a designated position of CEO to carry out specific functions enshrined in Section 5.41 of the Act. These are as follows:

1. Advise the council in relation to the functions of a local government under this Act and other written laws; and
2. Ensure that advice and information is available to the council so that informed decisions can be made; and
3. Cause council decisions to be implemented; and
4. Manage the day to day operations of the local government; and
5. Liaise with the mayor or president on the local government’s affairs and the performance of the local government’s functions; and
6. Speak on behalf of the local government if the mayor or president agrees; and be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and
7. Ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and
8. Perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO

CONSULTATION AND ADVICE
External Consultation
Nil

Internal Consultation
CEO

DISCUSSION / OFFICER COMMENTS
The process of selecting and appointing a CEO is dealt with in the *Local Government (Administration) Regulations 1996*, regulation 18C:

**18C. Selection and appointment process for CEO’s**

*The local government is to approve a process to be used for the selection and appointment of a CEO for the local government before the position of CEO of the local government is advertised.*

[Regulation 18C inserted in Gazette 31 Mar 2005 p. 1038.]

Council is required to undertake the recruitment process of a new CEO. This process can be made ‘in-house’ or outsourced to a recruitment consultant. Generally recruitment consultants provide professional services and a wide range of knowledge and skills in staff recruitment, especially if they have local government recruitment experience, which will effectively assist Council in its selection of a CEO. It is therefore recommend that a recruitment consultant be appointed.
The CEO has recommended quotes be sourced from the following providers:

- WALGA
- LOGO Appointments
- Lester Blades
- Beilby
- Hays

As per the Shire's Purchasing Policy 5.2.9 it is required that written quotations for a recruitment consultant be sought. The CEO has recommended that consultants be appointed on the basis of the following criteria:

- Experience of Consultant and/or Key Personnel – 34%
- Methodology to be used – 34%
- Price – 33%

The scope of the contract would be to work with Councillors to achieve the step by step deliverables listed in the recommendation.

**STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**

Section 5.36(2)(a) and (b) of the *Local Government Act 1995* (the Act) provides that a local government is not to employ a person to fill the position of CEO unless council believes that the person is suitably qualified for the position and is satisfied with the provisions of the proposed employment contract. Section 5.39 contains provisions for the contracts of CEOs. Section 5.40 requires that all employees are to be selected in accordance with the principles of merit and equity.

**STRATEGIC PLAN / POLICY IMPLICATIONS**

*Community Strategic Plan 2036 (CSP)*

*Corporate Business Plan 2018-2022*

Key result area 5: Effective Leadership and governance

Community Outcome 3: Highly capable and engaged people

Strategic Response 1: Recruit, train and retain high achieving employees

**FINANCIAL IMPLICATIONS**

A sum of $40,000 is included in the 2018/19 budget to cover the costs of the recruitment consultant, costs of attendance of short listed applicants at the interviews, relocation expenses of the incoming CEO if required.

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

That Council:

1. Receives the resignation of the current CEO and notes that the resignation will be effective from 25 January, 2019, and
2. Approves the following process to be used for the selection and appointment of a new CEO before the position of the CEO is advertised:

   a) Council calls for quotations from the following consultants deemed to have the necessary knowledge and experience in Executive Recruitment to assist Council with the recruitment and appointment of a new CEO, namely WALGA, Logo Appointments, Lester Blades, Beilby and Hays.

   b) Council appoints a consultant consultants at the 12 September 2018 Ordinary Meeting of Council on the basis of the following criteria:

      - Experience of Consultant and/or Key Personnel – 34%
      - Methodology to be used – 34%
      - Price – 33%
c) Council undertakes the following steps with the assistance of the successful consultant:

- Review the CEO Position Description
- Finalise the Selection Criteria for the Position from PD
- Finalise the draft contract or employment
- Finalise the salary range that the position will be publicly advertised at (Required under LG Act)
- Finalise the term of the contract e.g. 3-5 years
- Finalise the advertisement for the position and the range of advertising to be undertaking in newsprint and on-line
- Advertising of position
- Short-listing of applicants and check of qualifications, google search, industry feedback
- Arrangement of preliminary interviews if required
- Arrangement of final interviews and presentations
- Referee checking, medical and police clearances
- Assistance with offer of employment and finalisation of contract
- Finalise report to Council
- Resolution to appoint new CEO

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

1. Department of Local Government and Communities: Local Government Operational Guidelines – Appointing a CEO

RECOMMENDATION

CR, CR

That Council:

1. Receives the resignation of the current CEO and notes that the resignation will be effective from 25 January, 2019, and
2. Approves the following process to be used for the selection and appointment of a new CEO before the position of the CEO is advertised:

   a) Council calls for quotations from the following consultants deemed to have the necessary knowledge and experience in Executive Recruitment to assist Council with the recruitment and appointment of a new CEO, namely WALGA, Logo Appointments, Lester Blades, Beilby and Hays.

   b) Council appoints a consultant consultants at the 12 September 2018 Ordinary Meeting of Council on the basis of the following criteria:
      - Experience of Consultant and/or Key Personnel – 34%
      - Methodology to be used – 34%
      - Price – 33%

   c) Council undertakes the following steps with the assistance of the successful consultant:

      - Review the CEO Position Description
      - Finalise the Selection Criteria for the Position from PD
      - Finalise the draft contract or employment
      - Finalise the salary range that the position will be publicly advertised at (Required under LG Act)
      - Finalise the term of the contract e.g. 3-5 years
      - Finalise the advertisement for the position and the range of advertising to be undertaking in newsprint and on-line
      - Advertising of position
- Short-listing of applicants and check of qualifications, google search, industry feedback
- Arrangement of preliminary interviews if required
- Arrangement of final interviews and presentations
- Referee checking, medical and police clearances
- Assistance with offer of employment and finalisation of contract
- Finalise report to Council
- Resolution to appoint new CEO

Cr Townshend foreshadowed the following alternative motion:

**FORESHADOWED MOTION**

That Council:
1. Receives the resignation of the current CEO and notes that the resignation will be effective from 25 January 2019;
2. Notes the Local Government Operational Guidelines No 10 at the attachment and agrees that they are the minimum essential steps to follow for the recruitment of a CEO,
3. Holds a workshop on 12 September 2018 to discuss items, including
   a) which consultants to request quotations from,
   b) which steps to undertake and in what order,
   c) the key elements of the position description, the contract of employment and the level of salary,
   d) other key elements of the CEO position.

As there was no mover for the officers recommendation, Cr Townshend moved the foreshadowed alternative motion:

**ALTERNATIVE MOTION / COUNCIL DECISION**

**CR TOWNSHEND, CR MELDRUM OM2018/209**

That Council:
1. Receives the resignation of the current CEO and notes that the resignation will be effective from 25 January 2019;
2. Notes the Local Government Operational Guidelines No 10 at the attachment and agrees that they are the minimum essential steps to follow for the recruitment of a CEO,
3. Holds a workshop on 12 September 2018 to discuss items, including
   a) which consultants to request quotations from,
   b) which steps to undertake and in what order,
   c) the key elements of the position description, the contract of employment and the level of salary,
   d) other key elements of the CEO position.

**CARRIED 6/0**

**REASON**

Cr Townshend provided the following reason:

‘That, as our only employee, it is important that Councillors share an understanding of the issues prior to the engagement and initial discussions with a consultant. It is also important that Councillors understand the expertise of consultants available for the task of assisting Council with this important staff selection and are comfortable with the selection of the consultants. A workshop with an experienced person providing facilitation will assist Council to understand all the issues involved in the CEO selection process prior to engaging a consultant.’

The Shire President acknowledged and thanked the CEO, Mr Gary Evershed, for his service over the last 10 years, noting the enormous difference he had made to the Shire. Cr Townshend stated she has enjoyed working with Mr Evershed and has built a good working relationship that is open, frank, fearless and honest. The Shire President went on to say that Mr Evershed was leaving ‘big shoes to fill’ and Council is taking the process very seriously.
11.2. Sustainable Development
11.2.1 PROPOSED SINGLE DWELLING AND ANCILLARY DWELLING AT 87 (LOT 108) BAUDIN DRIVE, GNARABUP

LOCATION/ADDRESS 87 (Lot 108) Baudin Drive, Gnarabup
APPLICANT/LANDOWNER Andrew and Karin Masters
FILE REFERENCE PTY/7950, P218275
REPORT AUTHOR Leigh Medlen, Planning Officer
AUTHORISING OFFICER Dale Putland, Director Sustainable Development

IN BRIEF
- Planning approval is sought for a single dwelling and ancillary dwelling at 87 (Lot 108) Baudin Drive, Gnarabup.
- The property is zoned 'Residential' with an applicable density coding of 'R5'. The dwelling involves a variation to the 5 metre side setback requirement for a total length of 4.3 metres on the southern elevation and for a total length of 9.4 metres on the northern elevation, which is proposed across two small portions of the northern wall.
- One submission was received during the consultation period, objecting to the proposal.

RECOMMENDATION
That Council grants approval for a single dwelling and an ancillary dwelling at No. 87 (Lot 108) Baudin Drive, Gnarabup, subject to conditions.

LOCATION PLAN
The site is a 2037m² residential property located on Baudin Drive in Gnarabup. The site abuts existing dwellings to the north, south and west of the property.

Figure 1: Location Plan
TABLED ITEMS
Nil

BACKGROUND
The proposal was considered by the Shire’s Development Assessment Unit (DAU) on 17 July 2018 and recommended for approval. Council subsequently requested that the matter be brought before full Council for final determination.

THE PROPOSAL
The proposal involves a single storey dwelling of stumped construction and a separate ancillary dwelling. No variations are proposed to the ‘deemed to comply’ standards under the Residential Design Codes in relation to setbacks, visual privacy, open space, height or for the proposed ancillary dwelling.

The dwelling involves the following variations to the side setback guidelines for R5 coded lots under Local Planning Scheme No. 1 (LPS1):
   a) For a portion of the southern wall of 4.3 metres in length the setback is only 3.5 metres in lieu of the 5 metre requirement of LPS1;
   b) For a portion of the northern wall of 4.5 metres in length the setback is between 2.3 metres to 2.6 metres in the lieu of the 5 metre requirement of LPS1;
   c) For a portion of the northern wall 4.9 metres in length the setback is between 4.5 metres to 4.9 metres in lieu of the 5 metre requirement of LPS1 (see Figure 2).

CONSULTATION
External Consultation
The application was advertised to adjoining landowners for comments due to the setback variation proposed (listed above). One submission was received from the adjoining landowners of one lot, objecting to the proposed setback variation along the northern elevation. The submission raised a number of issues which are summarised below:
   • The north-western setback is only 2.245 metres which is less than half the required distance;
   • The site has the potential to be considered for short stay accommodation and therefore separation distances are relevant in terms of noise and privacy;
   • The non-compliant section is an ensuite bathroom. While occupants of the room are unlikely to have outward views, the presence of the bathroom will be visually intrusive and may expose to unpleasant noise;
   • There would be no opportunity for the site to provide plant screening in the non-compliant section as tall shrubs and trees are prohibited within 2 metres of a building and there will only be a 2.245 metre setback; and
   • Unnecessary for a 31 metre wide block, which allows a 21 metre wide frontage to encroach into setback areas.
Figure 2: Proposed Site Plan

PLANNING FRAMEWORK
Local Planning Scheme No. 1
Clause 4.21.2(f) requires that:
“side boundary setbacks shall be 5 metres unless the local government, following consultation with affected adjoining owners, otherwise approves;”

PLANNING COMMENT
The setback variation on the southern elevation is for a short section of wall (4.3 metres) which does not contain major openings and no objection has been received from the adjoining neighbour. It is therefore supported.
In relation to the two setback variations on the northern elevation, these need to be considered against a range of criteria including the concerns of the adjoining neighbours as follows:

**Extent of variations**
The majority of the northern and southern elevations maintain the required 5 metre side setback distance. The extent of the variation proposed is over a minor portion (total length of 9.4 metres) of the northern boundary which is the equivalent to 14% of the 65 metre long boundary. Both portions of the northern wall involving a variation to the side setback requirement contain non-habitable rooms without any major openings, instead only highlight windows are proposed.

The proposed variations will not adversely impact solar access or ventilation between properties. The portion of the ensuite wall involving the variations abuts, at the closest point, a carport on the adjoining property whilst maintaining a minimum 7.5 metre setback between the structures on the two lots.

**Existing pattern of development**
The 5 metre setback requirement that relates to low density residential areas has been routinely varied as is possible by way of the wording of the requirement at clause 4.21.2(f) of LPS1. The intent of the 5 metre setback and its inclusion in the Scheme was to create an open feel by creating substantial open spaces between dwellings and therefore maintaining a unique character and streetscape.

In the subject context, the character of the area is one of large dwellings, often double storey typical of Gnarabup where views of the ocean are highly sought after. Notwithstanding, Baudin Drive is abutted on its eastern side by the Leeuwin Naturaliste National Park which provides an open feel and visual ‘relief’.

In this case, the small reductions to the 5 metre setback would be consistent with the existing pattern of development as evidenced by the location of the two adjoining properties which have setbacks of 5.3 metres on the southern adjoining property and a 5 metre setback of the carport on the northern adjoining property.

The variation would not be out of context or character with the locality, nor would it be detrimental to the streetscape of the residential area. The applicant advises the house has been designed to be unobtrusive and taking into consideration the site is confined by the sloping nature of the lot. Minimal impact to the surrounding properties has been sought by keeping a low roof line (maximum 6.5 metre height proposed), stumped construction and a single storey.

**Potential for Short Stay Accommodation**
Concern has been raised that the dwelling will be used for short stay accommodation. No application has been lodged for short stay accommodation at the site. All short stay uses require prior planning approval under a separate development application to be considered. It is noteworthy that the Shire’s draft short stay policy (if approved as advertised) will prevent the use of ancillary dwellings for short stay purposes.

**Noise and privacy**
Concern has been raised that the walls subject to the variations could be visually intrusive, impacting the adjoining landowner through noise and loss of privacy. The ensuite wall, subject to the variation, abuts a carport and a storeroom/stairwell on the adjoining northern property and the separation distance between the ensuite walls and the carport and storeroom/stairwell on the adjoining property are 7.5 metres and 10 metres respectively. These are considered to be adequate distances between non-habitable rooms with no major openings and would not be expected to result in any loss of privacy or impacts from noise to the adjoining northern landowner.

The closest major opening to a habitable room on the adjoining northern property is a living room on the upper floor. The living room wall of the adjoining northern property is not in line with the ensuite wall, subject to the variation. Notwithstanding, a 23 metre separation distance would exist between the closest habitable room (living room) of the adjoining northern property and the closest point of the proposed dwelling. The proposed variation is therefore not considered to impact any major living or habitable areas of the adjoining northern property. There is adequate separation distances to the
habitable living areas in between the adjoining properties which could be argued would pose no greater impacts from noise or privacy than a compliant development.

**Fencing and Landscaping**

Concern has been raised that the side setback variation will result in a loss of the existing vegetation in between the properties and that the construction of non-masonry fencing would be required in lieu of vegetation buffers in order to retain Bushfire Attack Levels of the northern adjoining property. There is an existing landscaping buffer between the adjacent properties, which is located on the site, the subject of this application.

The applicant has advised that the existing vegetation will be retained with only necessary vegetation removed in order to construct the proposed dwelling. The applicant is also willing to undertake further landscape screening along both adjoining lot boundaries. It is recommended that a landscaping plan be required as a condition of any approval granted.

**FINANCIAL IMPLICATIONS**

Nil

**SUSTAINABILITY IMPLICATIONS**

**Environmental**

Some existing coastal shrubs are required to be removed on site for the erection of the dwelling and ancillary dwelling. The applicant has indicated they are willing to undertake landscape screening along the adjoining property boundaries to limit the visual impact of the design.

**Social**

While one objection was received to the proposal during the advertising period there are no broader adverse social implications likely to arise as a result of the proposal.

**Economic**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

That Council, in accordance with regulation 68 (2) of the Planning and Development (Local Planning Scheme) Regulations 2015 grants Planning Consent for a Dwelling and an Ancillary Dwelling at 87 (Lot 108) Baudin Drive, Gnarabup, subject to compliance with the following conditions:

**CONDITIONS:**

1. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with Council’s stamp, except where amended by other conditions of this consent.

<table>
<thead>
<tr>
<th>Plans and Specifications</th>
<th>P1 received at Shires offices on 5 July 2018 and P2 – P7 received at the Shires offices at 30 May 2018.</th>
</tr>
</thead>
</table>

2. If the development, the subject of this approval, is not substantially commenced within two (2) years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has lapsed, development is prohibited without further approval being obtained. (P)

3. All stormwater and drainage run-off from the development shall be detained within the lot boundaries managed to pre-development flow regimes and/or disposed offsite by an approved connection to the Shire’s drainage system in accordance with the Shire of Augusta Margaret River Standards & Specifications

4. The crossover shall be designed, constructed, sealed, and drained in accordance with the Shire’s standards and specifications.
5. A Landscape Plan shall be prepared to the satisfaction of the Shire and shall be submitted to prior to the issue of a building permit for the approval of the Shire. The Landscape Plan shall be drawn to scale and shall show the following:
   a) The location, name and mature heights of existing and proposed trees, shrubs and ground covers as a landscape buffer along the north boundary adjacent to the dwelling to provide landscape screening to the development;
   b) Any paved areas to be established including access ways; and
   c) Any natural landscaped areas to be retained.

6. Landscaping shall be implemented, in accordance with the approved Landscape Plan, prior to occupation/use of the development and shall be maintained at all times.

7. The walls and roof of the Dwelling and Ancillary Dwelling shall be clad in a non-reflective material and/or painted in a colour of natural or earth toning consistent with the existing landscape and existing development. To this end, reflective materials (including but not limited to ‘silver’ sheeting) or reflective colours as cladding/external painting (including but not limited to white, cream, off white or pale grey) are prohibited.

ADVICE NOTES
a) You are advised of the need to comply with the requirements of the following other legislation:
   (i) This is not a Building Permit. A Building Permit must be issued by the relevant Permit Authority before any work commences on site as per the Building Act 2011;
   (ii) Health (Miscellaneous Provisions) Act 1911 and Department requirements in respect to the development and use of the premises; and

b) In relation to condition 5, the intent of the landscaping is to screen the northern elevation of the proposed dwelling to reduce its visual impact on the streetscape and adjoining properties.

ADVICE TO APPLICANT / PROPOSED
Nil

ATTACHMENTS
Nil

RECOMMENDATION / COUNCIL DECISION
CR LANE, CR MELDRUM OM2018/210
That Council, in accordance with regulation 68 (2) of the Planning and Development (Local Planning Scheme) Regulations 2015 grants Planning Consent for a Dwelling and an Ancillary Dwelling at 87 (Lot 108) Baudin Drive, Gnarabup, subject to compliance with the following conditions:

CONDITIONS:
1. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with Council’s stamp, except where amended by other conditions of this consent.

| Plans and Specifications | P1 received at Shires offices on 5 July 2018 and P2 – P7 received at the Shires offices at 30 May 2018. |

2. If the development, the subject of this approval, is not substantially commenced within two (2) years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has lapsed, development is prohibited without further approval being obtained. (P)

3. All stormwater and drainage run-off from the development shall be detained within the lot boundaries managed to pre-development flow regimes and/or disposed offsite by an
approved connection to the Shire's drainage system in accordance with the Shire of Augusta Margaret River Standards & Specifications

4. The crossover shall be designed, constructed, sealed, and drained in accordance with the Shire's standards and specifications.

5. A Landscape Plan shall be prepared to the satisfaction of the Shire and shall be submitted to prior to the issue of a building permit for the approval of the Shire. The Landscape Plan shall be drawn to scale and shall show the following:
   a) The location, name and mature heights of existing and proposed trees, shrubs and ground covers as a landscape buffer along the north boundary adjacent to the dwelling to provide landscape screening to the development;
   b) Any paved areas to be established including access ways; and
   c) Any natural landscaped areas to be retained.

6. Landscaping shall be implemented, in accordance with the approved Landscape Plan, prior to occupation/use of the development and shall be maintained at all times.

7. The walls and roof of the Dwelling and Ancillary Dwelling shall be clad in a non-reflective material and/or painted in a colour of natural or earth toning consistent with the existing landscape and existing development. To this end, reflective materials (including but not limited to 'silver' sheeting) or reflective colours as cladding/external painting (including but not limited to white, cream, off white or pale grey) are prohibited.

ADVICE NOTES
a) You are advised of the need to comply with the requirements of the following other legislation:
   (i) This is not a Building Permit. A Building Permit must be issued by the relevant Permit Authority before any work commences on site as per the Building Act 2011;
   (ii) Health (Miscellaneous Provisions) Act 1911 and Department requirements in respect to the development and use of the premises; and

b) In relation to condition 5, the intent of the landscaping is to screen the northern elevation of the proposed dwelling to reduce its visual impact on the streetscape and adjoining properties.

CARRIED 6/0
<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>11.2.2</td>
<td>PROPOSED FAMILY DAY CARE AT 19 (LOT 65) CASSELTON GROVE, MARGARET RIVER</td>
</tr>
</tbody>
</table>

**LOCATION/ADDRESS**
19 (Lot 65) Casselton Grove, Margaret River

**APPLICANT/LANDOWNER**
Marie and Hugh Carre

**FILE REFERENCE**
PTY/7126, P218264

**REPORT AUTHOR**
Leigh Medlen, Planning Officer

**AUTHORISING OFFICER**
Matt Cuthbert, Manager Planning and Development Services

*This Item was brought forward and considered by Council after Item 7 Deputations (page 13).*
11.2.3 PROPOSED HOLIDAY HOUSE (LARGE) AT 159 (LOT 81) WILDERNESS ROAD, MARGARET RIVER

<table>
<thead>
<tr>
<th>LOCATION/ADDRESS</th>
<th>159 (Lot 81) Wilderness Road, Margaret River</th>
</tr>
</thead>
<tbody>
<tr>
<td>APPLICANT/LANDOWNER</td>
<td>Halsall &amp; Associates / Shirley Hondris</td>
</tr>
<tr>
<td>FILE REFERENCE</td>
<td>PTY/1218, P218167</td>
</tr>
<tr>
<td>REPORT AUTHOR</td>
<td>Clare Hamilton, Planning Officer</td>
</tr>
<tr>
<td>AUTHORISING OFFICER</td>
<td>Dale Putland, Director Sustainable Development</td>
</tr>
</tbody>
</table>

*This Item was brought forward and considered by Council after Item 7 Deputations (page 23).*
11.3.
Infrastructure Services
11.3.1 COUNCILLOR REPRESENTATION TO EXTERNAL COMMITTEE - MAIN ROADS CAVES ROAD WIDENING COMMUNITY REFERENCE GROUP

**LOCATION/ADDRESS**  Caves Road

**APPLICANT/LANDOWNER**  Main Roads WA

**FILE REFERENCE**  GOV/44, RDS/M43

**REPORT AUTHOR**  Claire Schiller, Executive Assistant Infrastructure

**AUTHORISING OFFICER**  Markus Botte, Director Infrastructure Services

**IN BRIEF**
- The Shire is represented on a number of external committees and bodies.
- Council is asked to appoint delegates to represent the Shire on the following external committees:
  - Main Roads WA – Caves Road Widening Community Reference Group

**RECOMMENDATION**
That Council appoints Cr ___________ as the Shire of Augusta Margaret River representative to the Main Roads WA Caves Road Widening Community Reference Group and Cr ____________ as deputy.

**LOCATION PLAN**
Nil

**TABLED ITEMS**
Nil

**BACKGROUND**
By representing the views of the larger community on the external committees across a broad spectrum of issues, Councillors can continue to provide up to date information on issues to their constituents and to Council.

Main Roads WA are seeking community involvement, including Councillor representation, on a Community Reference Group for the purpose of investigating options to improve safety on the section of Caves Road between Cape Naturaliste and Cape Leeuwin.

Further information from the Main Roads WA website:

*Caves Road Widening - Yallingup to Rainbow Cave Road*
We are developing a project to improve safety on Caves Road between Yallingup and Rainbow Cave Road. The project will involve increasing the seal width to reduce the number of serious crashes, after significant consultation with the community. Works are expected to be delivered in stages over several financial years, potentially starting in 2019/20, subject to funding.

**Latest news**
We are seeking community involvement to help us investigate options to improve safety on this section of Caves Road runs between Cape Naturaliste and Cape Leeuwin and provides access to natural attractions and tourism operations over a large area.

The aim of the project is to increase the seal width to improve road user safety. This treatment has been demonstrated to have a significant impact in reducing the number of serious crashes with recent evidence, including assessments following completion of similar projects, suggesting that sealed shoulders reduce the likelihood and severity of crashes that result in serious and fatal injuries by up to 50 per cent.
To date, no planning has been undertaken to determine the extent of the works. This will be influenced by workshops with community representatives. Our aim is to work together to develop a solution that is fundamentally acceptable to all. It is expected that the initial focus will be on the northern section between Yallingup and Margaret River (Rainbow Caves Road).

We have successfully completed a number of similar road upgrades across the South West Region which involved the construction of sealed shoulders to improve road environments. These upgrades have involved significant engagement with a range of interest groups to discuss project impacts including minimising clearing of existing roadside vegetation, while providing essential road safety improvements.

Our plan is to engage with the community in several ways, including establishing two Community Reference Groups (CRG) – one each in the northern and southern sections. The CRG is a community sounding board that:

- Assists in identifying, discussing and providing advice on community issues.
- Receives information from Main Roads to share with the community.
- Provides representative community and stakeholder input into development of solutions.
- Advises of any preferred ways to communicate with all communities.

Membership may include representatives from environmental, resident and other interest groups, businesses along Caves Road, Chambers of Commerce, tourism and bus operators, emergency services, local government, and others.

**Scope of Works**

The scope does not include geometric improvement or major intersection improvements. It may involve widening and sealing the shoulders to achieve a wider sealed road surface. In addition, treatments for right turning vehicles will be provided at intersections where practicable. The scope will be determined in consultation with surrounding communities.

**Key benefits**

- Sealing the road shoulders has been shown to improve traffic safety by reducing the likelihood and severity of crashes.
- A safe, consistent and comfortable driving environment will be provided for all road users.
- Roadside drainage and existing culverts will be improved.

**Key dates**

We plan to have some works ready to be delivered in 2019/20, subject to funding. Current planning is for the project to be delivered in stages over several financial years as funding becomes available.

Below is a summary of the role of the Main Roads Cave Widening Community Reference Group that the Shire is recommended to be represented on.

<table>
<thead>
<tr>
<th>External Committee</th>
<th>Purpose &amp; Status</th>
<th>Required Delegate</th>
</tr>
</thead>
</table>
| Main Roads WA - Caves Road Widening – Yallingup to Rainbow Caves Road - Community Reference Group | This CRG will assist Main Roads in investigating options to improve safety on the section of Caves Road that runs between Cape Naturaliste and Cape Leeuwin and provides access to natural attractions and tourism operations over a large area.  
- Assists in identifying, discussing and providing advice on community issues.  
- Receives information from Main Roads to share with the community. | 1 x Councillor  
1 x Councillor as Deputy |
• Provides representative community and stakeholder input into development of solutions.
• Advises of any preferred ways to communicate with all communities.

CONSULTATION AND ADVICE
External Consultation
Main Roads WA

Internal Consultation
Director Infrastructure Services

DISCUSSION / OFFICER COMMENTS
In accordance with the Shire’s Governance and Business Excellence Policy 1.9, Council Delegates, appointments to committees should only be considered where the body/group/organisation:
• Represents state or regional interests that are likely to impact upon the Shire of Augusta Margaret River;
• Represents local interests and the Council has a direct financial interest in the affairs of that group; or
• Represents local interests and the group occupies Council property.

In light of the policy, and CEO’s previous advice to Council that it is preferable to keep Council and staff participation in committees to a minimum and in order to limit additional pressures upon Council members and staff, Council should consider whether participation in these committees should continue.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS
The decisions of the committees are not binding upon Council.

STRATEGIC PLAN / POLICY IMPLICATIONS
Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2018-2022
Kay Result Area 4: Vibrant and diverse economy
Community Outcome 4.1: Strong agriculture and viticulture sectors
Strategic Response 4.1.1: Ensure Shire processes support the development of strong agricultural and viticultural sectors
Community Outcome 4.2: Sustainable tourism industry
Strategic Response 4.2.2: Work collaboratively with the tourism sectors to promote and develop eco tourism

PLANNING FRAMEWORK
Nil

FINANCIAL IMPLICATIONS
Councillors attending meetings and events as a Council appointed delegate are entitled to travel reimbursements and other costs in accordance with Council policy. The wages for staff time (often after hours) for staff attending committees to provide technical or administrative support should also be considered.

SUSTAINABILITY IMPLICATIONS
Environmental
Participation on other bodies can assist in protecting the environment.

Social
Participation on other bodies can assist in strengthening our community.

Economic
Participation on other bodies can assist in fostering economic development.
VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council appoints Cr ____________ as the Shire of Augusta Margaret River representative to the Main Roads WA Caves Road Widening Community Reference Group and Cr ____________ as deputy.

ADVICE TO APPLICANT / PROPOSENT
Nil

ATTACHMENTS
Nil

Cr Lane left Chambers at 3.44pm as he disclosed a proximity interest in this item at item 3.2.

RECOMMENDATION
CR, CR
That Council appoints Cr ____________ as the Shire of Augusta Margaret River representative to the Main Roads WA Caves Road Widening Community Reference Group and Cr ____________ as deputy.

Cr Godden moved the following procedural motion:

PROCEDURAL MOTION / COUNCIL DECISION
CR GODDEN, CR MCLEOD OM2018/211
That the item be deferred until Council receives a response from Main Roads regarding Council’s request to defer formation of the community reference group.

CARRIED 5/0

REASON
At Item 12.1 Investigation into Heritage Listing for Caves Road, the following text formed part of Council’s decision:
‘Council requests that the Main Roads do not to take any action, specifically widening and/or any works of a capital nature on the road and requests that Main Roads defer the formation of the Community Reference group until the community has had the opportunity to have the road heritage assessed.”

Cr Lane re-entered Chambers at 3.46pm.
11.4. Corporate and Community Services
11.4.1 LIST OF PAYMENTS FOR JULY 2018

<table>
<thead>
<tr>
<th>LOCATION/ADDRESS</th>
<th>Shire of Augusta Margaret River</th>
</tr>
</thead>
<tbody>
<tr>
<td>APPLICANT/LANDOWNER</td>
<td>Shire of Augusta Margaret River</td>
</tr>
<tr>
<td>FILE REFERENCE</td>
<td>FIN/42</td>
</tr>
<tr>
<td>REPORT AUTHOR</td>
<td>Anja Gerganoff, Accounts Payable Officer</td>
</tr>
<tr>
<td>AUTHORISING OFFICER</td>
<td>Annie Riordan, Director Corporate Community Services</td>
</tr>
</tbody>
</table>

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 July 2018 List of Payments for $5,447,673.43 as certified correct by the Chief Executive Officer.

LOCATION PLAN
Nil

TABLED ITEMS
Nil

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.

CONSULTATION AND ADVICE

External Consultation
Nil

Internal Consultation
Nil

DISCUSSION / OFFICER COMMENTS

Table 1 below provides a summary of the payments made and Table 2 makes comparison between payments for the 2017-18 and 2018-19 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 JULY 2018

<table>
<thead>
<tr>
<th>MODE OF PAYMENT</th>
<th>CHEQUE / EFT NUMBERS</th>
<th>SUB-TOTAL AMOUNT</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cheques (includes reimbursement of credit cards)</td>
<td>42319-42326</td>
<td>$26,103.88</td>
<td>$26,103.88</td>
</tr>
<tr>
<td>EFT</td>
<td>65767-66238</td>
<td>$4,311,528.76</td>
<td></td>
</tr>
<tr>
<td>Direct Debits</td>
<td></td>
<td>$1,110,040.79</td>
<td>$5,421,569.55</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>$5,447,673.43</strong></td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>JULY</td>
<td>11,911.90</td>
<td>4,058,767.09</td>
<td>4,070,678.99</td>
<td>3,693,703.78</td>
<td>26,103.88</td>
<td>5,421,569.55</td>
<td>5,447,673.43</td>
<td>5,447,673.43</td>
</tr>
<tr>
<td>AUGUST</td>
<td>12,189.23</td>
<td>3,345,515.25</td>
<td>3,357,704.48</td>
<td>7,417,044.16</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SEPTEMBER</td>
<td>22,462.49</td>
<td>9,460,770.44</td>
<td>9,483,232.93</td>
<td>15,746,398.37</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>OCTOBER</td>
<td>14,248.57</td>
<td>6,213,632.69</td>
<td>6,227,881.26</td>
<td>20,776,246.78</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NOVEMBER</td>
<td>16,796.25</td>
<td>3,002,051.85</td>
<td>3,018,848.10</td>
<td>23,314,937.30</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DECEMBER</td>
<td>16,784.55</td>
<td>3,486,311.03</td>
<td>3,503,095.58</td>
<td>26,037,639.47</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FEBRUARY</td>
<td>23,253.79</td>
<td>3,016,860.48</td>
<td>3,040,114.27</td>
<td>28,570,044.69</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FEBRUARY</td>
<td>8,323.20</td>
<td>3,158,631.14</td>
<td>3,166,954.34</td>
<td>31,081,914.60</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MARCH</td>
<td>13,755.44</td>
<td>3,754,347.57</td>
<td>3,768,103.01</td>
<td>33,900,567.24</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>APRIL</td>
<td>21,948.61</td>
<td>3,759,184.07</td>
<td>3,781,132.68</td>
<td>38,890,752.20</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MAY</td>
<td>12,777.70</td>
<td>4,065,100.21</td>
<td>4,077,877.91</td>
<td>41,953,695.96</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JULY</td>
<td>63,421.26</td>
<td>7,100,844.90</td>
<td>7,164,266.16</td>
<td>46,063,662.23</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>237,872.99</td>
<td>54,422,016.72</td>
<td>54,659,889.71</td>
<td>54,659,889.71</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS
Local Government Act 1995, s 6.10, and
Local Government (Financial Management) Regulations 1996, r 13

STRATEGIC PLAN / POLICY IMPLICATIONS
Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2018-2022
Key Result Area 5: Effective leadership and governance
Community Outcome 2: Effective strategy, planning and asset management
Strategic Response: Ensure the Shire’s financial performance is well managed and leads to a strong financial position
Service level strategy/plan: Continue to monitor and analyse monthly, year to date and annual financial performance.

PLANNING FRAMEWORK
Nil

FINANCIAL IMPLICATIONS
Nil

SUSTAINABILITY IMPLICATIONS
Environmental
Nil
Social
Nil
Economic
Nil

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council notes the July 2018 List of Payments for $5,447,673.43 as certified correct by the Chief Executive Officer.

ADVICE TO APPLICANT / PROPONENT
Nil

ATTACHMENTS
1. List of Payments for July 2018

RECOMMENDATION / COUNCIL DECISION
CR LANE, CR MELDRUM OM2018/212
That Council notes the July 2018 List of Payments for $5,447,673.43 as certified correct by the Chief Executive Officer.

CARRIED 6/0
IN BRIEF

- All Community Sporting and Recreation Facilities Fund (CSRFF) applications are required to be endorsed by Council and ranked in order of merit before forwarding to the Department of Local Government, Sport and Cultural Industries (DLGSC), with small grant round applications to be received by DLGSC by 31 August 2018.
- One CSRFF small grant round application is being submitted by the Cowaramup BMX Club. The application is for Cowaramup BMX Track Upgrade and Redesign.

RECOMMENDATION

That Council endorses the CSRFF small grant application from the Cowaramup BMX Club for the upgrade and redesign of the Cowaramup BMX track facilities.

BACKGROUND

The CSRFF provides financial assistance to community groups and local governments to develop basic, sustainable infrastructure for sport and recreation.

The DLGSC requires all CSRFF applications to be submitted with the local government authority. Council then endorses the applications received and assigns a priority ranking before forwarding them to the DLGSC.

One application for the CSRFF small grant round has been received by the Shire and is being submitted to Council for endorsement.

Application
Submitted by the Cowaramup BMX Club

**Project:** Upgrade and redesign of the existing Cowaramup BMX track

**Project Cost:** $57,000

**CSRFF Grant Request:** $18,000

**Project Description:**
This project will redesign and upgrade the existing Cowaramup BMX track located on Augusta Margaret River Shire land in public open space within an area zoned for recreational purposes. This project will occur within the existing BMX track footprint. No additional area is required to achieve this track upgrade.

The project is a collaborative approach between the Cowaramup BMX Club, BMX WA, the Shire of Augusta Margaret River (Shire), skilled businesses and a local professional. Dirtz Design have provided
the project concept design and will provide management of works on ground. Dirtz Design are a BMX Australia approved BMX Design Company. This project is also supported by BMX WA who will carry out the final track inspection, in partnership with the Shire.

The project aims to:

- Increase and encourage physical activity in the community
- Increase community participation and membership in this fast growing sport in Australia
- Increase longevity of existing BMX track facility for all users
- Upskill existing riders
- Provide a pathway for all club members and community to enjoy the health, lifestyle and social benefits of BMX at all levels locally.

This will be achieved by:

- Development of concept design (already completed by Dirtz Design (in-kind))
- Ground works to develop and construct new track design and upgrade. It is envisaged that works will take one week to complete providing ideal weather conditions occur in December 2018. Ground works will be completed by paid professionals and supported by manual labour provided in-kind by Cowaramup BMX Club members and associated family members
- Safety checks and track inspection to take place by relevant authorities prior to BMX track reopening. BMX WA and the Shire to perform inspection
- Project completion and funding support will be widely communicated on site through signage, on social media and in the local papers within the Shire, and through BMX Australia.

All items as listed in the application are eligible for consideration of CSRFF funding.

Planning for Application
In planning for this project there has been justification for the project recognised by the club and community. The plans do align to the Shire’s:

**Community Strategic Plan 2036**

*Outcome 5 - Strategy 2*

*Shire Augusta Margaret River Community Infrastructure Report 2012 - Community priority - Short Term (1-5yrs) BMX Track Upgrade*

**CONSULTATION AND ADVICE**

*External Consultation*

Department Local Government, Sport and Cultural Industries
Dirtz Design
BMX Australia
BMX WA
Shire of Augusta Margaret River’s Sport and Recreation Advisory Committee

*Internal Consultation*

Nil

**DISCUSSION / OFFICER COMMENTS**

The primary judgment used by the DLGSC to evaluate the merits of a CSRFF application is the ability of the project to lead to increased physical activity in sport and recreation.

**Redevelopment of the Cowaramup BMX track**

The Cowaramup BMX track was established in the mid-seventies and been in operation for over 30 years. During this time, it has under gone a track upgrade in 2012; annual track maintenance in the form of volunteer busy bees involving the local BMX community, and utilisation of their appropriate skills to ensure the track is race ready at the commencement of racing season. The season runs annually from October to March.

Club committee members and riders have communicated on numerous occasions over the last six years at club meetings, the need for a track upgrade and redesign to both attract new members and to maintain existing riders as their skill levels increase. BMX is a well-loved weekly sport and family event
in Cowaramup involving the surrounding community and it has been identified that once riders reach a particular level of riding they plateau in ability as the track no longer offers further skills extension.

Currently riders are then required to leave the club and travel to Bunbury to further their skills and training, as this is the closest track offering riders the next level of track classification.

The Cowaramup BMX Club believes that the proposed track upgrade and redesign will attract new membership of all ages, levels and gender, and maintain local riders from both the Shire and City of Busselton into the future. Currently, there is no other track available to further skills or increase participation as proposed in this application.

Furthermore, this project has already attracted skilled in-kind contributions that will ensure project success and longevity. This project meets objectives outlines in the following documents:

**BMX Australia Strategic Plan 2015-2018**
- Participation 2.1 Enhance opportunities for Australians to participate in BMX
- 2.2 Enhance participants’ experience
- 2.3 Improve availability of quality BMX facilities

**Shire Augusta Margaret River Community Infrastructure Report 2012**
Community priority - Short Term (1-5yrs) BMX Track Upgrade

**Ranking**
It is a requirement of the DLGSC that all CSRFF applications be given a priority ranking by the local government. The Shire is submitting one application as a priority project for the Shire.

It is considered that due to the current in-kind funding and local club funding that the Cowaramup BMX have secured they have the ability to be able to be progress with the project if their application for CSRFF funding is successful.

**STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**
Nil

**STRATEGIC PLAN / POLICY IMPLICATIONS**
*Community Strategic Plan 2036 (CSP)*
*Corporate Business Plan 2018-22*
Key Result Area 2: Welcoming and inclusive communities
Community Outcome 2.5: Active and healthy lifestyles
Strategic Response: Provide the community with high standard recreational facilities and sporting grounds

**PLANNING FRAMEWORK**
Nil

**FINANCIAL IMPLICATIONS**
Upgrade and redesign of the existing Cowaramup BMX track

Under the CSRFF guidelines, applicants are eligible for up to one half the of the total project budget. (Criteria Regional remote location and increased participation).

The redevelopment project of Cowaramup BMX facilities are recognised and supported by the Shire of Augusta Margaret River’s Sport and Recreation Advisory Committee.

The club has recently confirmed club funding of $18,000 towards the project to match the Shire of Augusta Margaret River funding of $18,000 as endorsed in the 2018-19 budget. The club will also be providing $3,000 worth of volunteer labour and design to the project.
A request of up to one-third projected project total funding from DLGSC is submitted for $18,000.

<table>
<thead>
<tr>
<th>Source of funding</th>
<th>Amount ex GST</th>
<th>Amount inc GST</th>
<th>Funding confirmed</th>
<th>Comments to support claim (please attach relevant support)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local government</td>
<td>18,000</td>
<td>LGA cash and in-kind</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>Applicant cash</td>
<td>18,000</td>
<td>Organisation’s cash</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>Volunteer labour</td>
<td>3,000</td>
<td>Cannot exceed applicant cash and LGA contribution – max $50,000</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>Donated materials</td>
<td></td>
<td>Cannot exceed applicant cash and LGA contribution</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Government fund</td>
<td></td>
<td>Loans, sponsorship etc.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal Government fund</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other funding – to be listed</td>
<td></td>
<td>Loans, sponsorship etc.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CSRFF requested</td>
<td>18,000</td>
<td>up to 1/3 project cost</td>
<td>N</td>
<td>1/3 project cost</td>
</tr>
<tr>
<td>Development Bonus</td>
<td></td>
<td>Up to 1/2 project cost</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Total project funding</td>
<td>57,000</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**SUSTAINABILITY IMPLICATIONS**

**Environmental**
Nil

**Social**
The social and community development benefits of both projects could include:
- Increase recreation and sporting activity within the shire and region
- Increase the diversity and quality of our community infrastructure and promote great opportunities for social inclusion and interaction for all walks of life
- Increase the level of physical and mental health wellbeing within the community through the provision of integrated recreational and sporting facilities
- Enhance our social infrastructure by creating a centralised community hub that is conducive to bringing people together for sport, recreation, events, functions, socialising, meetings and play
- Links to BMX Australia Strategic Plan 2015-2018.

**Economic**
Nil

**VOTING REQUIREMENTS**
Simple Majority

**RECOMMENDATION**
That Council endorses the CSRFF small grant application from the Cowaramup BMX Club for the upgrade and redesign of the Cowaramup BMX track facilities.

**ADVICE TO APPLICANT / PROPOSENT**
Nil
ATTACHMENTS
1. CSRFF application – Cowaramup BMX Club

RECOMMENDATION / COUNCIL DECISION
CR MCLEOD, CR LANE OM2018/213
That Council endorses the CSRFF small grant application from the Cowaramup BMX Club for the upgrade and redesign of the Cowaramup BMX track facilities.
CARRIED 5/0

Cr Meldrum re-entered Chambers at 3.49pm
11.4.3 OPERATIONAL PLAN 2017-18 QUARTER 4 REPORT

IN BRIEF
- Council adopted the Operational Plan (OP) 2017-18 at OM 23 August 2017
- The Operational Business Plan (OP) 2017-18 is a sub plan of the Corporate Business Plan (CBP) 2017-21 and outlines the activities, delivery of projects and infrastructure in reference to the Shire’s Informing Strategy to achieve the priorities set by Council.
- The OP confirms the Shire’s ability to achieve priorities in alignment with the CBP 2017-21, Long Term Financial Plan 2017-27, Workforce Plan and Asset Management Plan, and addresses the objectives and strategies outlined in the Community Strategic Plan 2033.
- The OP allocates responsibility to business units, sets performance measures for evaluating projects, services and delivery of priorities in the short term and is aligned to the budget including the capital works program.
- It is a requirement for the Shire to report quarterly to Council on the OP.

RECOMMENDATION
That Council receives the Operational Plan 2017-18 Quarter 4 Report (Attachment 1)

BACKGROUND
Under the Local Government (Administration) Regulations 1996 (LGAR), all local governments in Western Australia are required to have developed and adopted two key documents: a Strategic Community Plan (CSP) and a Corporate Plan (CP) which are supported and informed by resourcing and delivery strategies. These plans drive the development of each local government’s annual budget.

The Shire’s CSP underwent a major review over 2016-17, with the final plan for 2036 endorsed by Council on 27 September 2017. The CSP 2036 will be implemented through the next CP 2018-22 and OP 2018-19. The current CP 2017-21 and OP 2016-17 is based on the previous CSP 2033. The plan outlines the goals that will be achieved through the strategies and actions that are provided in the CP. The CP integrates the informing strategy, which is comprised of the Shire’s Workforce Plan, Asset Management Plan and the Long Term Financial Plan.

The CP sets out the projects and services the Shire will deliver over the next four years that work towards achieving the outcomes identified in the CSP. The CP is achieved through the annual OP, which includes information on individual actions and projects programmed to be completed throughout the year (year 1 of the CP) and incorporates the CEO Performance Targets as adopted by Council. The annual OP is reported quarterly to Council.

The Integrated Planning and Reporting Framework and Guidelines (2016) issued by the Department of Local Government, Sport and Cultural Industries provides guidance in the reporting requirements of local government in relation to the integrated plans. Performance monitoring of the annual OP is
required to be undertaken quarterly and reported to Council. This is the fourth quarter report of the OP 2017-18 to be received by Council.

CONSULTATION AND ADVICE
External Consultation
No external consultation is required as part of the Quarterly Report review.

Internal Consultation
Executive Leadership Team
Business Unit Managers and Coordinators

DISCUSSION / OFFICER COMMENTS
In accordance with the LGAR, Council is required to receive quarterly updates on the annual OP 2017-18 and to be cognisant of the resourcing required by the Shire to implement Council’s CSP and CP. The quarterly review provides a description of planned activities for the financial year. Each action indicates the responsible person and provides an opportunity to understand how the projects, activities and services are developing according to key business unit indicators whilst gaining an insight to highlights and challenges encountered on the way.

Fourth quarter progress on the OP 2017-18 as reported in the Quarterly Report indicates:

OVERVIEW

<table>
<thead>
<tr>
<th>Action Title: 5.3.1.3 Undertake annual records disposal program</th>
</tr>
</thead>
<tbody>
<tr>
<td>Responsible Person</td>
</tr>
<tr>
<td>David Mittnacht - Coordinator Information Management</td>
</tr>
</tbody>
</table>

Of the 325 reportable actions, 294 are green (on track and have achieved their target), 23 actions are amber (achieving between 40-60% of their target) and 8 actions are red (achieving less than 40% of their target).

The 8 actions achieving less than 40% of their target are:
Action Progress Comments:
Primary records disposal (destruction) generally scheduled for quarter two each financial year. Will defer to the end of 2018 calendar year due to changes in State Records rules. Our procedures will require updating to accommodate these changes.
Last Updated: 18-Jul-2018

Action Title: 5.2.1.4 Undertake desktop review of ICT Strategic Framework

<table>
<thead>
<tr>
<th>Responsible Person</th>
<th>Status</th>
<th>Start Date</th>
<th>End Date</th>
<th>Complete %</th>
<th>Target</th>
<th>On Target %</th>
</tr>
</thead>
<tbody>
<tr>
<td>David Mittnacht - Coordinator Information Management</td>
<td>Not Started</td>
<td>01-Jul-2017</td>
<td>30-Jun-2018</td>
<td>0.00%</td>
<td>100.00%</td>
<td>RED</td>
</tr>
</tbody>
</table>

Action Progress Comments:
Deferred to 2019 - 20 due to workload and higher priorities.
Last Updated: 23-Jul-2018

Action Title: 5.3.2.5 Review of Information and Communication Technology Strategic Plan

<table>
<thead>
<tr>
<th>Responsible Person</th>
<th>Status</th>
<th>Start Date</th>
<th>End Date</th>
<th>Complete %</th>
<th>Target</th>
<th>On Target %</th>
</tr>
</thead>
<tbody>
<tr>
<td>David Mittnacht - Coordinator Information Management</td>
<td>Not Started</td>
<td>01-Jul-2017</td>
<td>30-Jun-2018</td>
<td>0.00%</td>
<td>100.00%</td>
<td>RED</td>
</tr>
</tbody>
</table>

Action Progress Comments:
This is incorporated into the ICT Strategic Framework which has been deferred to occur in 2019 - 20 due to workload and higher priorities.
Last Updated: 23-Jul-2018

Action Title: 1.1.2.1 Ongoing implementation of Cape Mentelle to Gas Bay Foreshore Plan (subject to funding)

<table>
<thead>
<tr>
<th>Responsible Person</th>
<th>Status</th>
<th>Start Date</th>
<th>End Date</th>
<th>Complete %</th>
<th>Target</th>
<th>On Target %</th>
</tr>
</thead>
<tbody>
<tr>
<td>David Nicholson - Manager Asset Services</td>
<td>Not Started</td>
<td>01-Jul-2017</td>
<td>30-Jun-2021</td>
<td>0.00%</td>
<td>10.00%</td>
<td>RED</td>
</tr>
</tbody>
</table>

Action Progress Comments:
There were no funded projects for this in the 2017-18 budget.
Last Updated: 13-Jul-2018

Action Title: 3.2.2.2 Implement actions in the Margaret River Foreshores upgrade (subject to funding)

<table>
<thead>
<tr>
<th>Responsible Person</th>
<th>Status</th>
<th>Start Date</th>
<th>End Date</th>
<th>Complete %</th>
<th>Target</th>
<th>On Target %</th>
</tr>
</thead>
<tbody>
<tr>
<td>John McKinney - Coordinator Environment/Landcare Services</td>
<td>Not Started</td>
<td>01-Jul-2017</td>
<td>30-Jun-2021</td>
<td>0.00%</td>
<td>10.00%</td>
<td>RED</td>
</tr>
</tbody>
</table>

Action Progress Comments:
No funding has been available to implement this action in the 2017-18 budget.
Last Updated: 24-Jan-2018
Action Title: 3.2.1.10 Prepare a Parking and Road Management Plan for the Carters Road - Bussell Highway intersection

<table>
<thead>
<tr>
<th>Responsible Person</th>
<th>Status</th>
<th>Start Date</th>
<th>End Date</th>
<th>Complete %</th>
<th>Target %</th>
<th>On Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>Markus Botte - Director</td>
<td>In Progress</td>
<td>01-Jul-2017</td>
<td>30-Jun-2018</td>
<td>36.00%</td>
<td>100.00%</td>
<td>Red</td>
</tr>
</tbody>
</table>

**Action Progress Comments:**
Scope of project in preparation. Site meeting held. Investigating intersection treatment at Carters Road. Road Safety Audit currently being scheduled with the view of potentially lodging a Black Spot Application. Handover of Bussell Hwy management, care and control by MRWA pending. Once road reserve is transferred to the Shire, this will offer more opportunities for road management. Project may be delayed further due to lack of staff resources and recent change of scope, with Council requesting an integrated approach to prepare a comprehensive Masterplan for the Margaret River Precinct.

Last Updated: 16-Apr-2018

Action Title: 3.2.2.13 Complete carpark upgrades including the eastern car park expansion for the Margaret River Youth Precinct

<table>
<thead>
<tr>
<th>Responsible Person</th>
<th>Status</th>
<th>Start Date</th>
<th>End Date</th>
<th>Complete %</th>
<th>Target %</th>
<th>On Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peter Brown - Manager Works</td>
<td>In Progress</td>
<td>01-Jul-2017</td>
<td>30-Jun-2021</td>
<td>30.00%</td>
<td>100.00%</td>
<td>Red</td>
</tr>
</tbody>
</table>

**Action Progress Comments:**
Survey and concept design completed. Works placed on hold pending completion of HEART complex development as well as Wallcliffe Road Drainage and Verge Landscaping yet to be completed. Interim arrangements made to improve Shire staff parking in support of additional parking available for users of the MRYP. Car parking around the entire Gloucester Park, MRYP, HEART and Shire Admin precinct to be reviewed, and comprehensive plan to be developed. In the interim parking will be monitored and projects scheduled accordingly. Works are currently unfunded in the 18/19 budget.

Last Updated: 30-Jul-2018

Action Title: 3.2.1.3 Seek to identify suitable joint venture partner to develop and manage the proposed Augusta Retirement Village

<table>
<thead>
<tr>
<th>Responsible Person</th>
<th>Status</th>
<th>Start Date</th>
<th>End Date</th>
<th>Complete %</th>
<th>Target %</th>
<th>On Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>Matt Cuthbert - Acting Manager Planning and Development</td>
<td>Not Started</td>
<td>01-Jul-2017</td>
<td>30-Jun-2018</td>
<td>0.00%</td>
<td>10.00%</td>
<td>Red</td>
</tr>
</tbody>
</table>

**Action Progress Comments:**
This action is currently not being progressed with the support of Council

Last Updated: 29-Jan-2018

**Completed actions over the 2017-18 financial year include:**

- 5.2.2.8 Undertake full review with ongoing desktop review of the Long Term Financial Plan
- 5.7.1.3 Conduct external audit and interim audit annually and remediate any problems within timeframes
- 4.2.3.1 Complete construction and commissioning of three Chalets and a service storage facility at Turner Caravan Park. Subject to the success of the initial Chalets and the progression of an overall site design and funding strategy, construct a further three Chalets utilising Caravan Park Reserve funds
- 4.2.3.2 Implement Dekker ablution block renovation and hot water system upgrade over 2017-18 for Caravan Parks
- 2.1.1.3 Develop a Welcome to Country and Acknowledge of Country Policy
Below is a brief road map on reading the quarter report:

**Position responsible for completing the action**

<table>
<thead>
<tr>
<th>Action Plan: 5.6.2.2</th>
<th>Nature and reporting administration of Customer and Information Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Responsible Person</td>
<td>Status</td>
</tr>
<tr>
<td>Nick Scott - Coordinator Revenue &amp; Customer Service</td>
<td>In Progress</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Indicates the percentage of work complete for 2017-18**

**Unique numbering of actions as listed in the OP 2017-18**

**STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**

Section 5.56 (1) Local Government Act 1995 requires local governments to have in place a plan for the future.
STRATEGIC PLAN / POLICY IMPLICATIONS
Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2018-2022
Key Result Area 5: Effective leadership and governance
Outcome 5.7: Measure and report on success and sustainability
Strategic Response 5.7.2 Report on our success and sustainability to the community and stakeholders

PLANNING FRAMEWORK
Nil

FINANCIAL IMPLICATIONS
The actions and projects which are detailed in the OP 2017-18 and the Quarter 4 Report are aligned with the Annual Budget 2017-18 and the Long Term Financial Plan.

SUSTAINABILITY IMPLICATIONS
The Community Strategic Plan fosters an identification and integration of environmental protection, social advancement and economic prosperity which is enacted through the Corporate and Operational Plan.

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council receives the Operational Plan 2017-18 Quarter 4 Report (Attachment 1).

ADVICE TO APPLICANT / PROponent
Nil

ATTACHMENTS
1. Operational Plan 2017-18 Quarter 4 Report

RECOMMENDATION / COUNCIL DECISION
CR GODDEN, CR MELDRUM OM2018/213
That Council receives the Operational Plan 2017-18 Quarter 4 Report (Attachment 1).
CARRIED 6/0
11.4.4 OPERATIONAL PLAN 2018-19

LOCATION/ADDRESS  Shire of Augusta Margaret River

APPLICANT/LANDOWNER  Shire of Augusta Margaret River

FILE REFERENCE  COR/130

REPORT AUTHOR  Katie Taylor, Community Development Officer

AUTHORISING OFFICER  Annie Riordan, Director Corporate and Community Services

IN BRIEF

- The Operational Business Plan (OP) 2018-19 is a sub plan of the Corporate Business Plan (CP) 2018-22 and outlines the activities, delivery of projects and infrastructure in reference to the Shire’s Informing Strategy to achieve the priorities set by Council.
- The OP confirms the Shire’s ability to achieve priorities in alignment with the CP 2018-22, Long Term Financial Plan 2018-28, Workforce Plan and Asset Management Plan, and addresses the objectives and strategies outlined in the Community Strategic Plan 2036.
- The OP allocates responsibility to business units, sets performance measures for evaluating projects, services and delivery of priorities in the short term and is aligned to the budget including the capital works program.
- It is a not a legislative requirement for Council to adopt the OP however as the Shire will report quarterly against actions in the Plan, it is presented to Council to receive the OP 2018-19.

RECOMMENDATION
That Council receives the Operational Plan 2018-19 (Attachment 1).

LOCATION PLAN
Nil

TABLED ITEMS
Nil

BACKGROUND
Under the Local Government (Administration) Regulations 1996 (LGAR), all local governments in Western Australia are required to have developed and adopted two key documents: a Community Strategic Plan and a Corporate Business Plan. These plans drive the development of each local government’s annual budget and are supported by an Informing Strategy.

The Community Strategic Plan (CSP) 2036 was endorsed by Council in September 2017 (OM2017/238), following a major review over a 12 month process and with a dedicated 36 member Community Reference Group. The community’s plan outlines six guiding principles and five key result areas, that will be achieved through the strategies and actions articulated in the CP. The CP 2018-22 integrates the 10 year Informing Strategy, which is comprised of the Shire’s Workforce Plan, Asset Management Plan and the Long Term Financial Plan.

The CP sets out the projects the Shire will deliver over the next four years that work towards achieving the priority areas in the CSP 2036. The CP is achieved through the annual OP, which details projects by business areas, which are programmed to be completed throughout the year (Year 1 of the CP), and incorporates the CEO Performance Targets as adopted by Council.

The Integrated Planning and Reporting Framework and Guidelines issued by the Department of Local Government, Sport and Cultural Industries provides guidance in the reporting requirements of local government in relation to the integrated plans. Performance monitoring of the OP is required to be undertaken quarterly and reported to Council.
CONSULTATION AND ADVICE
External Consultation
No external consultation is required as part of the OP development.

Intensive internal engagement was undertaken with Senior Leadership and Management, within each of the Shire’s 23 business units during 2017-18 for the development of the CP 2018-22. A draft plan was refined through engagement with Councillors in May and June 2018, including a half day priority setting workshop on 5 June 2018 and a series of 2018-19 budget workshops.

As the OP is Year 1 of the CP 2018-22 most of the consultation has occurred through development of the CP. In July 2018, there has been frequent consultation with Business Unit Managers and Coordinators and the Executive Leadership Team to complete content for the OP such as setting KPIs and determining quarters for implementing actions.

DISCUSSION / OFFICER COMMENTS
The OP 2018-19 development was undertaken by the Executive Leadership Team and Business Unit Managers in relation to the resourcing capabilities of the review of the CP. The OP 2018-19 was then developed and provides a detailed description of planned activities for the financial year, responsible Business Unit, allocated budget and when activities are scheduled to be undertaken.

Overall, the key changes made to the OP from previous financial years include:

- Actions in the OP are now project orientated only, with service information moved to the start of each key result area highlighting the difference between the Shire’s legislative, community and organisational support services. Due to this change there are now a few service teams without actions, these being Revenue, Building Services, Survey and Design and Workshop (Works). These teams still have quarterly KPIs reported on through Interplan.
- A focus on better management of Service Levels, including Service Trackers by key strategic area for quarter reporting to Council. This is designed to show better monitoring of some essential and core services, to support decision making which impacts on workforce resourcing.
- KPIs have been reduced to only 3-4 per business areas focused on performance of services. This does not include the service trackers. Interplan is set up to deliver the quarterly Council dashboard for the 19 Service Trackers, and a separate quarter KPI report is set up with remaining KPIs to go to ELT.
- A new symbol has been added to show cross-departmental partnerships integral to project delivery. This is included in the business areas for each, with one responsible officer. Interplan will then link each business unit as a key stakeholder for reporting. This helps to highlight workload across business areas, and reinforce cross-organisational collaboration for complex projects.
- A budget column has been added in this OP, which specifies 2018-19 budgets for key projects.
- Language used for directorates and business areas match the organisational chart as shown at the start of the document and in the CP. There is a focus on language of Business Area (for Manager’s area) and then Business Unit for the Service teams below that, in accordance with language used in the CP 2018-22.

The Shire is continuing to work towards developing the OP to further integrate with the Workforce Plan and Asset Management Plan.
Road map to reading the OBP 2018-19:

**Library Services**

<table>
<thead>
<tr>
<th>Community Outcome</th>
<th>Shire Strategic Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.4 Lifelong learning in the community</td>
<td>2.4.1 Support libraries and other spaces as community hubs and centres of information, learning, creativity and innovation</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Actions</th>
<th>Responsibility</th>
<th>Stakeholders</th>
<th>2018-19</th>
<th>Q1</th>
<th>Q2</th>
<th>Q3</th>
<th>Q4</th>
<th>Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.4.1.1 Review the long term needs of library services</td>
<td>Manager Library Services</td>
<td>Internal staff and Community</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>2.4.1.2 Assess funding arrangements and agreement between state government and Shire libraries</td>
<td>Manager Library Services</td>
<td>State government and internal staff</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td>✔</td>
<td></td>
</tr>
</tbody>
</table>

2.4.2 Encourage programs that foster learning in the community

| 2.4.2.1 Provide learning events at the libraries | Manager Library Services | Internal staff and Community | ✔ | ✔ | ✔ | ✔ | ✔ | $722,000 |

3.2 Liveable, sustainable and well-designed places that are inclusive for all culture and demographics

3.2.3 Develop and implement management plans for Shire facilities and projects so they are well designed, sustainable, have aesthetic appeal and are accessible by all

| 3.3.3.5 Implement new Library equipment and review future equipment needs | Manager Library Services | Internal staff | ✔ | ✔ |

- The orange represents Goal 2: Welcoming, inclusive and healthy communities and the blue represents Goal 3: Ensuring Sustainable Development and both supports the Community Strategic Plan 2036.
- Community Outcomes headings are aligned to respective goals as identified in the Corporate Business Plan 2018-22.
- Sub headings such as 2.4.1 Support libraries and other spaces as community hubs and centres of information, learning, creativity and innovation is the Shire’s strategic response. That is what Council has agreed with community on how it anticipates to deliver the community outcome.
- 2.4.1.1 Review the long term needs of library services is the planned activity that comprise the Operational Plan (the delivery program)
- Each activity is committed within the Annual Budget funds allocation for delivery throughout all four quarters as indicated by the ticks.

**STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**

Section 5.56 (1) Local Government Act 1995 requires local governments to have in place a plan for the future.

**STRATEGIC PLAN / POLICY IMPLICATIONS**

*Community Strategic Plan 2036 (CSP)*

*Corporate Business Plan 2018-22*

Key Result Area 5: Effective leadership and governance

Outcome 2: Effective and integrated strategy, planning, financial and asset management

Strategy 3: Develop long term Informing Strategy including asset and financial management aligned to the Community Strategic Plan

5.2.3.3 Develop the Shire’s Operational Plan each year in line with the Corporate Plan and Annual Budget

**PLANNING FRAMEWORK**

Nil
FINANCIAL IMPLICATIONS
The actions and projects which are detailed in the OP 2018-19 are aligned with the Annual Budget 2018-19 and the Long Term Financial Plan 2018-28.

SUSTAINABILITY IMPLICATIONS
The Community Strategic Plan fosters an identification and integration of environmental protection, social advancement and economic prosperity, which is enacted through the CP and OP.

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council receives the Operational Plan 2018-19 (Attachment 1).

ADVICE TO APPLICANT / PROPOSENT
Nil

ATTACHMENTS
1. Operational Business Plan 2018-19

Cr Lane left Chambers at 3.53pm
Cr Lane re entered Chambers at 3.53pm

RECOMMENDATION / COUNCIL DECISION
CR GODDEN, CR MELDRUM OM2018/214
That Council receives the Operational Plan 2018-19 (Attachment 1).

CARRIED 6/0
11.4.5 OSMINGTON COMMUNITY RECOVERY 2018-19 BUDGET ALLOCATION

LOCATION/ADDRESS  Shire of Augusta Margaret River

APPLICANT/LANDOWNER  Shire of Augusta Margaret River

FILE REFERENCE  COR/219

REPORT AUTHOR  Jason Cleary, Coordinator Community Planning and Development

AUTHORISING OFFICER  Annie Riordan, Director Corporate and Community Services

IN BRIEF
- As per Ordinary Council Resolution OM2018/158 for the meeting of 27 June 2018 a report is submitted to Council to allocate the funds of $25,000 which has been budgeted to the Osmington Community Recovery
- The Health and Community Sub-Committee were consulted and endorsed the most appropriate way to utilise the funds
- The recommendation is for Council to allocate the funds towards 0.2 Full Time Equivalent (FTE) increase in the Community Planning and Development Team and for the balance of funds to be used for Osmington Recovery community programs and events.

RECOMMENDATION
That Council allocates the $25,000 in the 2018-19 budget for the Osmington Community Recovery towards a 0.2 FTE Community Development Officer with the balance to be used for Osmington Recovery community programs and events.

LOCATION PLAN
Nil

TABLED ITEMS
Nil

BACKGROUND
In May 2018, a tragic familicide took place at Osmington that has had a massive impact across the wider Shire of Augusta Margaret River. The Shire, predominately via the Community Planning and Development Team enacted emergency recovery processes to ensure the wellbeing of our community was supported and the community is provided opportunities for healing and education around the circumstances of the event and education opportunities to help prevent the likelihood of such events in future.

As per Ordinary Council Resolution OM2018/159 Council has allocated $25,000 for the Osmington Recovery in the 2018-19 budget.

CONSULTATION AND ADVICE
External Consultation
Emergency community consultation was undertaken via a community meeting on Monday 14 May following the Shire opening a community support centre on Saturday 12 May that was managed by the Red Cross for a number of weeks to provide health support to the community.

At this initial community meeting it was agreed that two sub committees be enacted informally, prior to the official Recovery Committee being enacted. These two sub-committees were then formally enacted and have provided input to the Shire on the services they deem are required for the ongoing community recovery.

The sub-committee have identified that no resource was available to work with the community on healing and resilience programs and projects as identified in the Shire’s Corporate Plan and this was
an additional service for the Community Planning and Development Team. The sub-committee recommended that a 0.2FTE, twelve month role would be a suitable resource to provide support to the affected community and deliver community healing outcomes to ensure long term recovery of the community whilst returning Shire Augusta Margaret River to business as usual. Cr Godden presented the recommendation to Council to allocate funds to the community recovery.

The Health and Community Sub-Committee have agreed to provide input to develop the position description for the position.

**Purpose**
The Health and Community Sub-Committee have endorsed the use of the funds to employ an internal staff member for the following reasons:
- Better utilisation of the available resource using already existing staff
- Internal Community Development Officer (CDO) has the required skill set for the role
- The position can feed directly into wider community resilience and recovery operations
- The internal CDO already has many of the community relationships in place and;
- The duties align with CDO core duties.

**Community Development Officer 0.2FTE Position Description**
As agreed by the Health and Community Sub-Committee:
- Work alongside the wider recovery team to deliver community outcomes
- Support the Health and Community sub-committee
- Work with community stakeholders on the Community Healing Program and to develop programs and projects in relation to the continued healing and resilience of the wider Margaret River community as identified by the Health and Community sub-committee
- Provide input to the Shire’s Community Resilience Planning and;
- Develop an internal and external Communication Strategy to support the delivery of community outcomes

**Internal Consultation**
A Recovery Committee and two relevant sub-committees of local health and welfare and community organisations have been enacted and continue to oversee the wider Osmington Recovery following the community consultation process.

**DISCUSSION / OFFICER COMMENTS**
The Health and Community sub-committee has endorsed two roles over the next 12 months;
1. A 0.5FTE Health and Welfare Community Officer funded by the state government through Department of Health and employed directly by GP Down South to measure and report on gaps in health and welfare service provision within the Shire of Augusta Margaret River and provide recommendations on the findings.
2. A 0.2FTE CDO funded by the Shire of Augusta Margaret River to support the community in the development of community led recovery and healing programs.

The sub-committee agreed that an existing employee from within the Shire was the best use of the funds and provided significant benefits to the use of these funds.

**STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**
*Local Government Act 1995*

**STRATEGIC PLAN / POLICY IMPLICATIONS**
*Community Strategic Plan 2036 (CSP)*
*Corporate Plan 2018-22*

Key Result Area 2: Welcoming, inclusive and healthy communities
Outcome 6: Community Health, safety and social justice in the face of changing climate
Strategy 4: Enhance local emergency response and disaster management through collaboration.

**PLANNING FRAMEWORK**
Nil
FINANCIAL IMPLICATIONS
There is a 2018-19 budget allocation for the Osmington Community Recovery of $25,000.

Salary costs for a 0.2 FTE CDO for twelve months is approximately $15,000, with remaining funding to be utilised for community healing and resilience programs identified and approved by the Health and Community Sub-Committee to be undertaken as part of the Osmington Recovery.

SUSTAINABILITY IMPLICATIONS
Environmental
A supported series of community healing events based around rehabilitation of degraded sites within the Shire.

Social
- Enhance our social infrastructure by creating a working committee that drives the community healing process;
- Increase the level of mental health wellbeing within the community through the provision of healing projects and resilience support programs to the community
- Develop dialogue and education around domestic violence, mental health and social wellbeing.

Economic
Utilisation of internal skilled Shire resource ensure provision of funds for program provision and management of the position.

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council allocates the $25,000 in the 2018-19 budget for the Osmington Community Recovery towards a 0.2 FTE Community Development Officer with the balance to be used for Osmington Recovery community programs and events.

ADVICE TO APPLICANT / PROPOSED
Nil

ATTACHMENTS
Nil

Cr Meldrum disclosed an impartiality interest in this item as she currently sits on the Health Sub Committee. Cr Meldrum stated that she was confident she would be fair and balanced in her deliberations and vote objectively.

Cr Godden disclosed an impartiality interest in this item as she currently sits on the Health Sub Committee.

Cr Townshend disclosed an impartiality interest in this item as she currently sits on the Health Sub Committee. Cr Townshend stated that she believed she could make an impartial decision.

RECOMMENDATION / COUNCIL DECISION
CR MCLEOD, CR SMART OM2018/215
That Council allocates the $25,000 in the 2018-19 budget for the Osmington Community Recovery towards a 0.2 FTE Community Development Officer with the balance to be used for Osmington Recovery community programs and events.

CARRIED 6/0
12. MOTIONS FROM MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.1 Investigation into Heritage Listing for Caves Road – Cr McLeod

This Item was brought forward and considered by Council after Item 7 Deputations (page 33).

12.2 Giant Light Steps Conservation Stewardship Alliance

On 15 August 2018, Cr Townshend gave notice of the following motion. The Giant Light Steps Charter is provided as Attachment 12.1.

MOTION
That Council resolves to join the Giant Light Steps conservation stewardship alliance as a founding member and participates in the relevant collaborative committee of Nature Conservation Margaret River Region.

MOTION / COUNCIL DECISION
CR TOWNSHEND, CR MCLEOD OM2018/216
That Council resolves to join the Giant Light Steps conservation stewardship alliance as a founding member and participates in the relevant collaborative committee of Nature Conservation Margaret River Region. CARRIED 6/0

13. MOTIONS FOR CONSIDERATION AT NEXT MEETING

Nil

14. NEW BUSINESS OF AN URGENT NATURE

14.1 Members

Nil

14.2 CEO

Nil

15. CONFIDENTIAL BUSINESS

Nil

16. CLOSURE OF MEETING

The Shire President thanked all in attendance and declared the meeting closed at 4.15pm