

Ordinary Council

MINUTES

FOR THE MEETING TO BE HELD
WEDNESDAY, 24 OCTOBER 2018
IN COUNCIL CHAMBERS,
WALLCLIFFE ROAD, MARGARET RIVER
COMMENCING AT 5:30PM

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 24 October 2018, commencing at 5:30pm.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Gary Evershed', with a long horizontal flourish extending to the right.

GARY EVERSLED
CHIEF EXECUTIVE OFFICER

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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.

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ORDINARY COUNCIL MEETING 24 OCTOBER 2018

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Minutes of the Ordinary Council Meeting held on Wednesday 24 October 2018, in Council Chambers,
41 Wallcliffe Road, Margaret River, commencing at 5.30pm

Ordinary Council Meeting

1. DECLARATION OF OPENING

The Shire President thanked all in attendance and declared the meeting open at 5.30pm

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 Ian Earl 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
Manager Asset Services	:	Mr David Nicholson (seated in public gallery)
Governance / Council Support Officer (minutes)	:	Ms Claire Schiller
MEMBERS OF THE PUBLIC	:	10
MEMBERS OF THE PRESS	:	
Augusta Margaret River Times	:	Nil

2.1 Apologies

Cr Naomi Godden

2.2. Approved Leave of Absence

Nil

3. DISCLOSURES OF INTEREST

3.1 Item 11.2.1 Proposed Telecommunication Infrastructure (Mobile Phone Tower) – Reserve 51096 (Lot 331) Leeuwin Road, Augusta – Impartiality Interest – Cr Smart

Cr Smart verbally disclosed an impartiality interest in Item 11.2.1 Proposed Telecommunication Infrastructure (Mobile Phone Tower) – Reserve 51096 (Lot 331) Leeuwin Road, Augusta as he resides in close proximity to the reserve. Cr Smart advised the meeting he would remain present and vote impartially.

4. PUBLIC QUESTIONS

4.1. Response to Previous Public Questions Taken on Notice

4.1.1 Response to Rick Ensley - Mass Planting to the North of Wallcliffe Road and Merchant Reserve

At the 10 October 2018 Ordinary Council Meeting, Mr Rick Ensley asked the following questions which were taken on notice.

Responses to these questions were published as an addendum to this agenda on 18 October 2018.

Each question can be answered in two parts:

- **The mass planting to the north of Wallcliffe Road dual use path west of east Kevill and east of Trinder drive; and**
- **The planting in Merchant Reserve, north of Wallcliffe between Railway Terrace and Merchant Street.**

Q1: Can Council provide me with written advice on:

- a) How plant types and species were selected and their numbers?**
- b) How the timing of planting was determined?**
- c) The intended purpose and outcome of these plantings?**
- d) The cost breakdown of plants, bags, stakes and labour?**
- e) The percentage survival planned for?**

A1:

- a) A variety of plant types were selected based on the limited availability of seedlings and the health of available tube stock at the time. The Shire opportunistically purchased a large number of seedlings for a range of sites and the exact number and types planted at these sites has not been recorded in an itemised list. A number of species were chosen on anticipated access to portions of John Archibald Drive; however, access to this site did not eventuate, resulting in a need to install some plants in areas not initially planned to receive those species.
- b) The timing of planting was guided by seasonal weather patterns, availability of resources and under consideration of competing projects. This year has been one of the wettest winters for some time and it was considered that the plants had received sufficient water for establishment given that there will be some expected losses.
- c) The intended purpose is to provide understorey and infill planting in order to improve local amenity and provide a small biodiversity corridor and vegetation buffer along Wallcliffe Road. Planting of this area is also anticipated to reduce weed management efforts. The outcome is dependent on plant survival, which in turn is influenced by climatic and soil conditions, trampling and animal attack, plant disease, as well as initial condition at the time of planting.
- d) This is considered to be commercial in confidence information which may prejudice future purchasing activity for similar projects and provide inequality in the quotation process, if it were to be released to the public and competing contractors.
- e) This has not been specified and relies on a number of factors. The anticipated survival rates will also vary in relation to the location of planting. A higher planting density has been

chosen to account for some sacrificial planting as well as some loss of tube stock in order to ultimately achieve a reasonable understory.

Q2: Having known and worked with and under your Environmental Officer for many years, I'm absolutely certain these plantings were not of their decision. Who was responsible for the design and planning and what other groups or experts were consulted? Especially, what was the logic used to only plant on the north side of the Wallcliffe Track?

A2: Planting was undertaken by the Shire utilising in-house staff as well as a contractor. The project planning and design was the result of discussion with in-house staff, including trained horticultural staff, environment staff and an external contractor. The northern side of the Wallcliffe Road dual use path was chosen to maintain passive surveillance of the path from the road and vice versa, as well as low fuel separation zones close to Wallcliffe Road, as this road performs an important function for access in emergencies.

Q3: Are Council aware that the bags and stakes have generally been installed in such a way as to be ineffective for purpose?

A3: There may be an issue with the installation of some of the tree protection sleeves, insofar that some of the stakes could have been spaced further apart and hammered in more deeply into the ground as to stretch and thereby secure protection sleeves more tightly. Notwithstanding this observation, these protection sleeves have satisfactorily withstood a number of severe weather events, with damaging winds and dangerous gusts in excess of 100 kilometres per hour, with little to no loss, and they continue to provide a level of protection to seedlings from humans and animals, e.g. kangaroos, dogs or rabbits, and create a microclimate inside the sleeve which may aid plant growth. This is especially the case when rain collects and moisture runs down the side of the plastic. This may assist the survival rate of seedlings. Hence, protection sleeves will still be effective for purpose.

Q4: Having inspected the site on three evenings following plantings I noticed a lack of rootball teasing where appropriate, proper firming in, pruning, or even watering in. Is Council satisfied with the qualifications, experience and expertise of those responsible for the physical planting?

A4: Inspection of root ball teasing post planting requires removal of the plant from the planting hole. With the high number of plants used as part of this project, it would be difficult to arrive at such a conclusion or to generalise on a perceived lack of plant preparation during three cursory inspections. Notwithstanding, it is unfortunate that observations of a perceived lack of root ball teasing as well as suggestions of improper firming in, pruning, or even watering in were not raised directly and immediately with the Shire at the time and on the day following these three inspections, as this would have allowed the Shire to take appropriate improvement actions where necessary and at a time when planting was still new. In this way, any confirmed issues could have possibly been remediated and improved the chance of plant survival. It should be noted that parts of the Wallcliffe Road site were the subject of a post planting inspection following heavy rainfall, where large numbers of plants were inspected and replanted. The majority of the plants were installed during heavy rainfall and into damp soil and watering in was not considered necessary. Qualifications, experience and expertise of staff or contractors working for the Shire and their performance are all sensitive employee records and the information relating to employee and/or management issues are therefore confidential in nature and cannot be disclosed in public.

Q5: Can Council explain the logic of species selection particularly with respect to the very small numbers of marri, pebbie and their associated understorey species that support local fauna?

A5: Answer to question Q1 refers. In addition, the species selection for these sites was based on site constraints, including existing tree canopy cover and plant availability. The Shire acknowledges the fact that a great diversity of native plants has been utilised in this project and plant selection has not been ideal. The planting could have been more coordinated and better

executed; however; this is in part due to external factors preventing access to planned planting sites. There are shortcomings and opportunities for improvement. The Shire is a learning organisation and has embarked on the development of a procedure and more holistic approach to the implementation and quality control of similar projects to be followed in the future.

Q6: Can Council assure me and the community that no funds earmarked for environmental purposes were used in these plantings?

A6: Yes. Funds utilised were solely sourced from the operational maintenance budget.

Q7: What were the anticipated costs to support these plantings and will Council provide myself and the community with an assessment of the costs, survival rates and outcomes for these plantings on the 1 May 2019?'

A7: No specific budget has been established for the support of these plantings into the future and this will be managed under the operational provisions for maintenance. The Shire's does not currently track this expenditure in relation to individual verges. The site is publicly accessible allowing assessment of survival rates and the outcome of plantings.

Q8: Can Council guarantee me and the community that any such further mass plantings will be undertaken after consultation with appropriate local environmental groups? If not, why not?

A8: Where possible the Shire will endeavour to consult with relevant stakeholders in the planning of future projects of this nature. Consultation on projects is guided by the Shire's Community Consultation and Stakeholder Engagement Policy. This requires community engagement in policy-making and key projects, with key projects for the Shire being defined as any organisational project that falls within the following criteria:

- Projects classified as a major project – projects with a budget of \$150,000 plus
- Projects flagged as a CEO Priority
- Projects involving multiple funding providers or are politically sensitive, or
- Projects involving issues which may be high risk.

Hence, the Shire will not always consult local environmental groups on projects of this nature, as this would require significant additional resources to enable consultation processes for minor projects or operational works of a lower value. The Shire needs to be mindful of potential conflicts of interest in the process of consultation as local environmental groups also carry out rehabilitation work and employ local contractors, and may be in competition for these projects.

4.2. Public Question Time

4.2.1 Council Decision - Local Planning Policy No. 7 – Short Stay Accommodation (OM2018/231) – Mr Jamie McCall

Mr Jamie McCall, representing the Registered Accommodation Providers of the Margaret River Region (RAPMRR), asked the following questions in relation to Council's decision on 12 September 2018 regarding item 11.2.1 Local Planning Policy No. 7 – Short Stay Accommodation:

Q1: In part 2 of the decision \$15,000 was allocated towards engaging casual staff resources for the purpose of increasing planning compliance actions with particular focus on unauthorised holiday homes. Has this been actioned? What are the outcomes to date?

Q2: In part 4 contact was to be made with AirBnB to discuss ways in which holiday homes advertised can identify themselves as having the necessary Shire approvals. Has this been actioned? What are the outcomes to date?

Q3: In part 6 the CEO was to investigate engaging the services of a consultant or university research group to research and undertake a study into the economic, social and cultural, environmental impacts of holiday homes on our community so that Council is better informed and equipped to make sound planning decisions for the accommodation sector, the tourism industry and the community into the future. Has this been actioned? What are the outcomes to date? I would like to provide the Council with copies of data gathered by RPAMRR to date, published under the heading Not Fair B&B.

Q4: In part 7 the CEO was to prepare a report investigating options including any possible Local Planning Scheme amendments to decrease permissibility and tighten controls over short stay holiday house accommodation in the Shire's Local Planning Scheme in the Priority Agriculture, General Agriculture, Rural-Residential and Residential zones by November 2018. Has this been actioned? What are the outcomes to date?

Q5: In part 8 \$10,000 was allocated to allow engagement of a suitably qualified planning consultant, or employment of additional casual planning staff to prepare the report which will include qualitative and quantitative data that Council requested in Stage 2 of the Holiday Homes Policy Review. Has this been actioned? What are the outcomes to date?

Q6: In part 9 a workshop was to be held with Councillors and planning staff at the commencement of this project and at the completion of the project a comprehensive briefing is provided to Councillors before consideration of the report. Has this workshop been held? If so, what are the outcomes?

Q7: The following questions relate to the issue generally, not the specific Council item.

- How many holiday homes have been approved in the inland residential zones of the Shire (meaning those not located in Gracetown, Prevelly, Gnarabup and Augusta, as per the Local Planning Strategy definition in relation to the location of holiday homes)?
- How many of these are in residential and rural residential areas respectively?
- How many holiday houses have been approved in the agricultural zones of the Shire?

The Shire President advised Mr McCall that the issues referred to in his questions were in progress. Cr Townshend advised Mr McCall that on 11 October 2018 Councillors attended a comprehensive workshop on short stay accommodation and that, although no conclusion had been drawn, they were very satisfied by the material covered.

Cr Townshend advised the meeting that Council are taking the matter very seriously and continue looking into it for the whole of the community.

The Shire President then took the questions on notice.

Responses to questions taken on notice will be published in the 14 November 2018 Ordinary Council meeting agenda.

4.2.2 Old Settlement Management Plan – Mr Linton Hodsdon

Mr Linton Hodsdon of 11 Mann Street, Margaret River, asked the following questions in relation to the Old Settlement:

Q1: Why is there no Old Settlement Management Plan, as required by Council's decision of August 2010 and is it appropriate for a community asset of this type?

The Shire President recognised there was no Old Settlement Management Plan and acknowledged previous discussions with Mr Hodsdon on this subject. Cr Townshend advised that Council are looking into the Old Settlement as part of a wholistic plan for the whole area.

Q2: Why are there no comprehensive financial statements for the Old Settlement Reserve Fund?

The Shire President advised financial statements would be sent to Mr Hodsdon personally.

Q3: Why has there been no progress on these vital documents since I raised them with you 12 and 6 months ago respectively?

The Shire President advised, as per the response to question 1, that Council are giving consideration to a wholistic plan for the whole of the area.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 Ordinary Council Meeting held 10 October 2018

MOTION / COUNCIL DECISION

CR EARL, CR MCLEOD OM2018/262

That Council confirms the minutes of the Ordinary Council Meeting held on 10 October 2018 to be a true and correct record of the meeting.

CARRIED 6/0

7. DEPUTATIONS

7.1 Item 11.2.1 Proposed Telecommunications Infrastructure (mobile phone tower) – Reserve 51096 (Lot 331) Leeuwin Road, Augusta - Nick Belyea

Mr Nick Belyea, Chairman of the South West Development Commission (SWDC), addressed the meeting in relation to Item 11.2.1 Proposed Telecommunications Infrastructure (mobile phone tower) – Reserve 51096 (Lot 331) Leeuwin Road, Augusta. A summary of his deputation is as follows:

Nick Belyea disclosed an interest as he resides in Augusta, however stated he could put that interest aside in representing the SWDC.

- On behalf of the SWDC, we do not want to see this opportunity lost.
- The telecommunications tower is a key aspect of safety, e.g. mobile phone coverage for emergency services
- It would improve facilities including eftpos, and wifi and therefore improve tourism.
- Do not believe there would be any visual impact if it was in the boat harbour itself.
- It is in the SWDC's blueprint. On page 95 it states 'better mobile coverage'.
- SWDC supports the application, please do not let the opportunity go, it could be difficult to get back.

The Shire President thanked Mr Belyea for his deputation.

7.2 Item 11.2.1 Proposed Telecommunications Infrastructure (mobile phone tower) – Reserve 51096 (Lot 331) Leeuwin Road, Augusta – Mr Martin Wittek

Mr Martin Wittek, State Manager of Radio Networking Engineering, addressed the meeting in relation to Item 11.2.1 Proposed Telecommunications Infrastructure (mobile phone tower) – Reserve 51096 (Lot 331) Leeuwin Road, Augusta. A summary of their deputation is as follows:

- Coordinates specific – contracted locations

- Coverage objectives
- Cost parameters can't be exceeded
- The MBSP contract build time deadlines
- Safety for the region – another layer of communications in an emergency
- Economic benefits for the region
- Candidates investigated
- Government representations about this site
- Questions

Cr Lane left Chambers at 5.48pm

Cr Lane re-entered Chambers at 5.49pm

The Shire President thanked Mr Wittek for his deputation.

8. PETITIONS

8.1 Petition of Support – Shire of Augusta Margaret River being Part of the Movement to Promote Peace – 32 signatures

Cr Townshend presented the following petition from Karen Majer of Edwards Place, Margaret River, in support of the Shire of Augusta Margaret River being part of the Movement to Promote Peace.

The petition read as follows:

'Mayors for Peace is an international organisation of cities dedicated to the promotion of peace.

Mayors for Peace was established in 1982 at the initiative of then Mayor of Hiroshima, Takeshi Araki, in response to the deaths of around 140,000 people due to the atomic bombing of the city on August 6, 1945.

7614 member cities in 163 countries and regions around the world.

When Mayors (or Shire Presidents!) sign on, it means they support the '2020 Vision' to eliminate all nuclear weapons by the year 2020.

I support Augusta Margaret River Shire being part of this movement to promote peace.'

PROCEDURAL MOTION / COUNCIL DECISION

CR TOWNSHEND, CR MELDRUM OM2018/263

That Council requests the CEO to prepare a report on the process for the Shire of Augusta Margaret River to join the International Organisation dedicated to the promotion of peace, Mayors for Peace.

CARRIED 6/0

9. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

9.1 Chief Executive Officer, Gary Evershed - Ten Year Service Milestone

The Shire President presented the CEO, Gary Evershed, with a Ten Year Service Milestone certificate.

The Shire President acknowledged that it was Mr Evershed's last meeting as CEO and thanked him for his loyalty and service to the Shire.

The Shire President also acknowledged that it was Annie Riordan's, Director Corporate and Community Services, last meeting and congratulated her on her new appointment as Chief Executive Officer for the Shire of Harvey.

CEO FAREWELL COMMENTS

I wish to put on the record that it has been a great honour and privilege to serve the community as the Shire CEO for what will be more than ten years of loyal service finishing when my contract expires in January next year. During that I have had the great fortune to have been able to work very effectively with a number of “big picture” strategic thinking and highly effective elected members who have worked well with the CEO and leadership team to achieve some pleasing results on behalf of the community. Also I’ve had the good fortune to work with a highly skilled and innovative team of staff members. This is not only my opinion but a fact that has been recognised by the wider industry. On this point I heartily congratulate Annie Riordan on breaking through the glass ceiling and winning the CEO’s job at the Shire of Harvey from a highly competitive field. I know she will do a great job and bring a fresh face and new ideas to the Harvey Shire. Also I would like to congratulate Dr Dale Putland on his appointment as the Acting CEO and wish him well with this appointment. Our newest Director Infrastructure Dr Markus Botte is already making a significant contribution to the advancement of the Shire’s assets and infrastructure. Andrew Ross has been an exceptional finance professional “par excellence” and all managers, coordinators and staff thanks for the valuable contributions you have made. The tangible results achieved I think speak for themselves and the evidence suggests the Shire across a range of benchmarks is in a much better state than when I found it. I particularly refer to tackling a significant infrastructure backlog, improving the Shire’s finances, improved integrated strategic planning and reporting along with increased staff productivity.

Some very courageous achievements have been made including the sale of the dilapidated Shire Offices in Town View Terrace to Woolworths (Fabcot) and the construction of the new Shire Offices. With the cost of annual loan repayments reduced by rates from the Shopping Centre and savings on the adjacent office leasing the loan repayments, constitute less than two cents in every rate dollar. Other key projects have been the Margaret River Library upgrading, the Surfers Point redevelopment, the new SES building which became a \$1.1 million facility when we were only eligible for a \$650,000 build, Turner Caravan Park Chalets, the Margaret River Youth Zone, Augusta Recreation Centre through the asbestos removal program now the construction of the HEART Complex in Margaret River. The Centre if supported by an adequate funding arrangement, will become a well-loved and highly utilised community facility, which will bring in additional grant funds and economic benefits to the wider community. The cost of running this facility will increase but will compare favourably with the cost of other comparable Council facilities such as the Aquatic Centre, Shire Libraries and sporting fields. The Main Street project is the next major project to commence next February and this will not be without its major challenges, but the effort will be worth it resulting in a more vibrant pedestrian friendly precinct and smoother traffic flow.

I would also like to acknowledge the local community and the many community organisations and clubs, which make this community so active and caring – a rich tapestry of community connectedness. I thank the community for the friendship you have given my family and me and for your wonderful sense of participation and engagement. It is a very healthy community with a high level of volunteerism and social capital. This is the glue which holds the community together what we have should be the envy of most other local governments not as fortunate as we are. As CEO, I was able to contribute during and after the 2011 Fires where community resilience and mateship came to the fore and more recently responding to the terrible Osmington filicide.

I would also like to acknowledge the love and support of my wife Nerolie. She has been a tower of strength and encouragement through the ups and downs of my public life as a CEO. Noticeably she is not here tonight as she made a vow some years ago never to attend a Council meeting. A wise decision as she would never get that time back again.

I am retiring to live in the local community and I will no doubt maintain a keen interest in Council affairs as a spectator. I wish the Shire Council under President Pam Townshend my very best wishes for the future governance of the Shire and to all staff members I cherish the friendships made which hopefully will continue well into the future.’

Cr Earl moved the following motion as a vote of thanks for the CEO's ten years of service.

MOTION / COUNCIL DECISION

CR EARL, CR TOWNSHEND OM2018/264

That Council give a vote of thanks to the CEO.

CARRIED 6/0

9.2 Augusta's Kings Park – the Donovan St Bushland Book

The Shire President presented to the meeting a book titled 'Augusta's Kings Park – the Donovan St Bushland' which she advised had been put together by an extraordinary number of professors. Cr Townshend informed the meeting that the Shire was acquiring copies for Councillors and the Executive Leadership Team and that copies will also be available in Shire libraries.

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 CAPES REGION ORGANISATION OF COUNCILS (CAPEROC) MINUTES - 31 AUGUST 2018

LOCATION/ADDRESS	Shire of Augusta Margaret River
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	COR/22
REPORT AUTHOR	Megan Smith, Executive Assistant
AUTHORISING OFFICER	Gary Evershed, Chief Executive Officer

IN BRIEF

- Councils of the Shire of Augusta Margaret River and the City of Busselton established a Voluntary Regional Organisation of Councils known as the Capes Region Organisation of Councils (CapeROC).
- The CapeROC meets on a quarterly basis, to discuss and identify opportunities to enhance the capacity of both local governments in delivering social, economic and environmental benefits to their communities and the region.
- Decisions made at the CapeROC meetings to date are presented to Council to be noted or endorsed for action.

RECOMMENDATION

That Council notes the CapeROC meeting minutes dated 31 August 2018 and endorses the recommendations made at the meeting.

LOCATION PLAN

Nil

TABLED ITEMS

Nil

BACKGROUND

The Councils of the local governments of Augusta Margaret River (AMR Shire) and City of Busselton (CoB) resolved to reactivate and formalise the Voluntary Regional Organisation of Councils to be known as the Capes Region Organisation of Councils (CapeROC).

The objectives of the CapeROC, contained in the Terms of Reference adopted 24 September 2009, are outlined below:

- To explore opportunities to foster Economic Development in the Capes Region;
- To explore avenues to foster tourism in the Capes Region and improve the coordination of major regional events;
- To safeguard, strengthen and grow the Margaret River and Geographe brands;
- To explore opportunities to undertake projects of mutual benefit to the two local governments eg Rails to Trails network;
- To develop opportunities to undertake capacity building activities for Councillors and staff in the two Local Governments;
- To explore opportunities to develop funding submissions on a regional basis;
- To evaluate possible resource sharing arrangements between the two local governments;
- To identify skill shortages and to undertake workforce planning on a regional basis;
- To explore opportunities to simplify and standardise policies in the region where appropriate;
- To consider the feasibility of establishing a Capes Regional Council.

The CapeROC meets on a quarterly basis or as required. Thirty two meetings have taken place since the formation of the body. The meeting proceedings are conducted in accordance with the accepted rules of conduct for the two local governments Council and Committee meetings.

The CapeROC has no delegated powers and is a facilitation, advocacy and advisory body established to assist both Councils to achieve greater effectiveness and efficiency. CapeROC decisions made are not binding to the two Councils and require endorsement by either Council. This report presents a summary of the CapeROC decisions at the relevant meeting and proposes that Council notes and endorses the decisions for action.

CONSULTATION AND ADVICE

- CEO, Shire of Augusta Margaret River

DISCUSSION / OFFICER COMMENTS

CapeROC members discussed a number of issues including updates and progress on budgeted projects and strategies at the meetings.

Presentations by External Organisations

No presentations were given

Business Arising from Previous Meetings

Nil

REPORTS

Shark Attack Mitigation and Response

Ms Lisa Clack from the Department of Primary Industries and Regional Development attended the meeting and gave feedback on the progress made since the debriefing meeting held after the incident at Gracetown.

Responses from the Minister to questions raised relating to the detrimental impact on tourism and the cancellation of the Margaret River Surf Pro were tabled.

Each local government will consider advocating for a state-wide approach to shark response outside the CapeROC forum. Tanya Gillet (Manager Environmental Services, City of Busselton) and Mick O'Regan (Coordinator Ranger Services, Shire of Augusta Margaret River) will continue to meet to discuss means of consolidation/cooperation between the Shire and the City of Busselton.

CapeROC Budget

The table below shows CapeROC approved allocations for the 2018-2019 financial year

2018-2019 Proposed Allocations					
2018-2019 CapeROC Projects	In Principle Allocation \$100,000	Expenditure (AMR) \$50,000	Expenditure (BSN) \$50,000		Comments
CapeROC Calendar of Events 2018-2019 (Spring, Summer, Autumn and Winter)	\$21,700	\$10,850	\$10,850		
Joint Trail Strategy Development	\$30,000	\$15,000	\$15,000		
Tourism Signage Strategy	\$30,000	\$15,000	\$15,000		
Potential Total Expenditure:	\$81,700	\$40,850	\$40,850		
Total Unallocated:	\$18,300	\$9,150	\$9,150		

Comment

After discussion around item 5.3, Joint Public Health Plan, CapeROC made the following decision:

CapeROC DECISION

1. That CapeROC notes the current status of the CapeROC 2018-2019 budget.
2. That \$18,300 be allocated provisionally toward formulating a joint public health plan to cover the contextual planning and the epidemiological data analysis requirements for the Local Public Health Plan

Joint Public Health Plan

Tanya Gillett, Manager, Environmental Services gave an overview of the requirements for the Local Public Health Plan.

Points to note:

- Five stages of implementation – stages 1&2 already in effect. Stage 3 relates to changes in terminology, stage 4 to commencement of provisions relating to communicable disease control and emergency management and stage 5 is the roll of the complete Public Health Act
- Stage 5 will take two years and will require the Local Public Health Plan to align with the State Public Health Plan which will be published in 2018, so the Local Public Health Plan needs to be finalised by 2020
- About 75% of the information required is already available and has been implemented in various ways – just need to collate and formulate the data. Some aspects not necessarily provided by all Local Governments
- There is a shared resourcing opportunity for the CoB and the Shire of Augusta Margaret River to work on this and this could commence immediately – need to develop a shared ToR for a working group, with specific outcomes in order to apply for funding, and working group also needs to come up with a determination

Caves Road Heritage Listing

The Shire of Augusta Margaret River will be investigating the possibility of seeking Heritage Listing of Caves Road, following advice from Main Roads that it is investigating options to make Caves Road safer and will be setting up a community reference group.

Points to note:

- Not a great deal of analysis of the requirements has been done at this stage, but some work has already been done by a member of the community which has identified the many historic and cultural significances of the road.
- AMR Shire has had discussions with Main Roads who appear to support the listing – there was a level of urgency initially as in the past Main Roads have undertaken works which have changed the character of roads in the region without consultation, but this doesn't appear to be the situation with Caves Road
- Some stretches not as significant as others – suggest that the stretch south from the turnoff at Yallingup all the way to the Bussell Highway intersection is of most importance
- Listing would have some downsides in terms of another layer of bureaucracy for local government and adjacent landowners to deal with. Also have to consider the cost of making such an application

CapeROC supported the investigation of heritage listing in broad terms but more investigation is required

Noosa Biosphere

Gary Evershed gave an overview of the Noosa Biosphere presentation which was made to the recent LGCOG conference.

Update of Caves Region Tourist Directional Signage and Roadside Visitor Information.

A report was tabled which updated CapeROC on the status of the project. GHD Pty Ltd have commenced with the first part of the Cape Region Tourist Directional Signage and Roadside Visitor Information: Supply of audit, condition and cost report project, being the Survey and Data Collection.

It is anticipated the first part of the project will be completed in August 2018 and GHD Pty Ltd will present the date for review by CoB and SAMR by the end of August 2018.

An update of the findings will be provided to the CapeROC committee at the next meeting.

CapeROC DECISION

1. That CapeROC notes the updated status of the Cape Region Tourist Directional Signage and Roadside Visitor Information: Supply of audit, condition and cost report project.

VERBAL UPDATES OF MAJOR PROJECTS AND GENERAL DISCUSSION ITEMS

Major Project Updates

Opening of Youth precinct – Gary Evershed

- Opening event was held on the 3rd of June – opening went well and being used on a regular basis.

Cultural Centre – Gary Evershed

- Demolition and asbestos removal undertaken and construction underway – completion scheduled for July 2019
- Total cost \$9.46m, construction and equipment \$8.7m
- Funding sources - \$3m Royalties for Regions \$1.8 National Stronger Regions. \$1.4m Lottery West, (for community use areas), \$1.1m developer contributions
- Site visit to be arranged for next CapeROC meeting.

Busselton Margaret River Airport – Mike Archer

- Airside and landside almost complete, but no works on the terminal. If the City are successful in acquiring the Qantas flight training academy, then funding should be given
- Not paying holding fees, otherwise would have had to cancel the project

Infrastructure Projects – Mike Archer

- Foreshore playground in October, then toddlers playground – these are the last civic components - private components expected to commence at the end of next financial year
- Townscape still being mooted – timing being discussed.
- Busselton Entertainment and Arts Cultural Hub (BEACH). Two designs going out for community consultation shortly. Proposing 625 seats – intention is that this complement facilities in Bunbury and Margaret River rather than compete with them. Digital rather than fly tower operation. Sunken seating – building will be raised so that the floor can slide over the seating, which will enable the venue to be used for concerts and conferences.

General Discussion

Changes in Recycling Costs

- Suez have advised the Shire that they need to cover their costs by increasing their collection fee - have also communicated this to other local governments.
- Real cost of waste will escalate and needs to be considered at federal and state levels.
- City of Busselton currently undertaking a three month trial of carting waste to external sites – will bring results to the next CapeROC.

Osmington Response

- Response was an example of extraordinary community mobilisation
- Massive media interest from news agencies from all over the world
- Recovery meetings held to establish an overview of shire role
- Health professional and community networks set up
- Red Cross support excellent with provision of training
- Funding for .5 of Shire officer for health provided for work on analysis and planning for the future
- One outcome could be for the City of Busselton to use AMR template in order to be prepared for emergency management should a comparable situation arise

POLICY IMPLICATIONS

The adopted Augusta Margaret River Shire Governance and Business Excellence Policy Manual - 1.9 Council Delegates - provides guidance to Council's delegates in participating and contributing to decision making for external committees and bodies.

PLANNING FRAMEWORK

Community Strategic Plan 2036 (CSP)

Corporate Business Plan 2018-2022

Key Result Area 5: Effective leadership and governance

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Joint media releases following CapeROC meetings will provide a promotional tool to keep the communities informed on CapeROC issues and will demonstrate that the Shire of Augusta Margaret River and the City of Busselton are actively cooperating, sharing resources and identifying issues of commonality to enhance the provision of social, economic and environmental benefits to their communities and region.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council notes the CapeROC meeting minutes dated 31 August 2018 and endorses the recommendations made at the meeting.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

1. Minutes of the CapeROC meeting held on 31 August 2018

RECOMMENDATION / COUNCIL DECISION

CR MCLEOD, CR SMART OM2018/265

That Council notes the CapeROC meeting minutes dated 31 August 2018 and endorses the recommendations made at the meeting.

CARRIED 6/0

11.1.2 FUNDING AND GRANT AVAILABILITY FOR ENVIRONMENTAL PROJECTS AND INITIATIVES

LOCATION/ADDRESS	Shire of Augusta Margaret River
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	PER/05708/TDE
REPORT AUTHOR	Gary Evershed, Chief Executive Officer
AUTHORISING OFFICER	Gary Evershed, Chief Executive Officer

IN BRIEF

- A KPI which was decided at the CEO performance review which was carried out on 17 August 2018 was “*The CEO provide a report to Council on what funds are available and what the Shire is eligible for with regards to grants for the environment, and position the Shire for applications if time permits.*”

RECOMMENDATION

That Council:

1. Receives the information provided in this report; and
 2. Investigates future applications for:
 - Lotterywest Conservation of Natural Heritage funding
 - Coastwest funding
 - Ian Potter Foundation Environment and Conservation grant
 - Wettenhall Environmental Trust – Small Environment Grants Scheme
-

LOCATION PLAN

Nil

TABLED ITEMS

Nil

BACKGROUND

Council undertakes a review of the CEO’s performance annually. At the Ordinary Council Meeting of 13 June 2018, Council made the following recommendation.

ALTERNATIVE MOTION / COUNCIL DECISION

CR MELDRUM, CR LANE OM2018/135

That Council undertakes a review of the CEO’s performance for the period 1 July 2017 to 30 June 2018 with the engagement of an independent consultant (the reviewer) to be selected by Council. Council will obtain three quotes from potential consultants and present to Council for decision at the OCM of the 27 June. The review will be done in accordance with clauses 4.2 to 4.4 of the CEO’s contract.

CARRIED 5/0

Following the appointment of Price Consulting Group to the position of independent consultant, the CEO performance review was undertaken and further KPI’s formulated, which included the provision of a report to council on the availability of funding and grants for the environment.

A summary of funding sources, including actions already taken and restrictions applying to the funding follows:

Federal Funding

Department of the Environment and Energy

Green Army – closed on 30 June 2018

National Landcare Program (NLP) – phase 2. Regional Land Partnerships

This is administered by the South West Catchments Council (SWCC). This recently went through a national competitive five year tender process and the SWCC were awarded a very small amount of money to allocate in funding. Future NLP applications will be available from 2023 and onwards.

SWCC currently have the following funding program:

Threatened Species Regional Events Fund

SWCC is offering grants for incorporated community groups to hold events over 2018-19 that support community engagement in the conservation of the western ringtail possum, numbat, woylie, chuditch or malleefowl.

All incorporated organisations operating in the South West NRM region are eligible to receive funding. Local governments are also eligible, if applying in partnership with or on behalf of a community group.

Events must be directly related to supporting community engagement in the conservation of the following threatened species:

- western ringtail possum
- numbat
- woylie
- chuditch
- malleefowl

Some examples of eligible events are wildlife first aid and fauna rehabilitation training, feral predator control training, night-stalks, nest box construction workshops, camera survey training workshops, BioBlitz events etc.

Nature Conservation Margaret River Region have secured funding for Western ringtail possum research, which will include revegetation and citizen science in the Margaret River catchment on a collaborative basis with the Shire.

In a Good Place – administered by the Foundation for Rural and Regional Renewal (FRRR)

In a Good Place is a national grants program that provides support for community-driven initiatives that reduce social isolation, increase social participation and connectedness, and encourage people in rural, regional and remote communities who are at risk of, or are experiencing, mental health issues to seek help.

There are three objectives for this program:

- Reduce social isolation;
- Increase social participation and connectedness;
- Increase help-seeking.

By supporting local solutions and using a multi-faceted approach focused on enhancing people, place and wellbeing, our donor partner, CCI Giving, aims to give back to those overcoming challenges and adversity, and to the most marginalised in society.

The Shire has applied for grants for a series of conservation planting and healing events as part of the Osmington recovery program.

State Government funding

Heritage grants

These offer financial incentives to owners of State heritage-listed places and are not open to local government

Lotterywest Conservation of Natural Heritage

Funding can be provided for:

Conservation of natural heritage:

- Support to conserve natural habitats and maintain the diversity of animal and plant species
- Support planting, fencing, marketing material, conservation equipment and control activities

Conservation of cultural heritage:

- Support conservation work on places or objects of significant heritage value
- Support conservation plans, 'movable' museum items, and building preservation for broader community use

Interpretation of cultural heritage:

- To explain and help us to understand more about ourselves and our environment
- Support interpretive signage, publications, an education program and interpretation plans

Community histories:

- To help people or a community record and share their history
- Support an oral history, Aboriginal language preservation, a community history or significant historical event

Criteria for Assessing Applications

- Community benefit and significance
- Community access and support
- Skills and capability to carry out the project
- Planning and project management
- Adherence to conservation practices and standards
- Consultation with stakeholders
- Consent under the Aboriginal Heritage Act (if works may impact on an Aboriginal heritage site)

The Shire may qualify for funding under this scheme and further investigation will be carried out. However, the Shire may not be eligible as we have outstanding grants for the Cowaramup Hall and rail trail projects.

Coastal Adaptation and Protection Grant – administered by the Department of Transport (DoT)

Coastal Adaptation and Protection (CAP) grants provides financial assistance for local projects that identify and manage coastal hazards. The aim of CAP grants is to ensure coastal managers understand and adapt sustainably to coastal hazards for the public benefit.

CAP grants are available to coastal managers with vested responsibility or active involvement in coastal management, including:

- Local government authorities
- State government agencies and authorities
- Aboriginal Land Councils
- Other corporate bodies directly involved in coastal management

The Shire have a current grant with them for the Gnarabup foreshore and Flinders Bay studies, so are not eligible to apply for further funding until this grant is acquitted in June 2019.

Coastal Management Plan Assistance – administered by the WA Planning Commission (WAPC)

The Coastal Management Plan Assistance Program (CMPAP) grants support coastal land managers, primarily local government authorities, to implement State Planning Policy 2.6 - State Coastal Planning Policy through preparation of coastal management plans, coastal strategies and coastal hazard risk management and adaptation plans.

The Coastal Management Plan Assistance Program (CMPAP) grants are administered by the Department of Planning on behalf of the Western Australian Planning Commission.

Funding is available for:

- Coastal local government authorities
- Aboriginal corporations / land councils with responsibilities for coastal land management
- Coastal NRM organisations in partnership with either of the above mentioned.

The Shire has previously been awarded funding under the Coastal Management Plan so is not currently eligible.

Coastwest – administered by the WA Planning Commission (WAPC)

Western Australia's coastal environments face a range of challenges including the effects of climate change, population growth and competing land uses. Coastwest grants support projects designed as a response to these challenges, and improve the condition and amenity of these coastal environments.

Coastwest grants are administered by the Department of Planning on behalf of the WAPC and are aimed at providing opportunities for Western Australians to learn about, conserve and protect our coast. Western Australia's coastal environments have unique and diverse values, and face a range of difficult challenges including the effects of climate change, population growth, competing uses and degradation. Coastwest grants support projects designed as a response to these challenges, which improve the condition and amenity of coastal environments.

The grants also look to build the skills and capacity of Western Australian communities, to encourage and maintain their involvement in coastal and natural resource management.

Projects should support the implementation of coastal management plans and strategies. Best practice land use planning is essential to balance these competing factors to achieve the long term sustainability of the coastal zone.

The Shire has previously been successful in obtaining grant funding for works at Gnarabup, Gracetown and Augusta. The grants usually open in April each year and consideration will be given to submitting a funding application should a suitable project be identified

Better Bins program – administered by the WA Waste Authority

The \$20 million Better Bins Kerbside Collection Program is a State Government program that provides funding to local governments to implement better practice kerbside collection services to support higher recovery and the achievement of the State Government's 2020 municipal solid waste targets.

Better Bins encourages the use of a three bin system (general waste, co-mingled recycling and organic/green waste) to support greater source separation and higher recovery. The program also encourages local governments to provide households with greater recycling capacity as a proportion of total waste, and requires local governments to transition to Australian Standards bin colours.

The Better Bins program will pay local governments up to \$30 for each household that receives a better practice kerbside collection service.

The Shire will be putting in an application – the closing date is 31st December 2018

Community and Industry Engagement Program – administered by the WA Waste Authority

The Community and Industry Engagement Program (CIE) provides funding for the development and implementation of waste management projects, initiatives and events that promote the diversion of waste from landfill and/or recognise the adoption of improved waste management practices and achievements.

CIE is based on a transparent and competitive assessment and selection process and will provide funding for industry, local governments, regional councils, peak industry organisations, research and educational organisations and community groups. A wide range of projects and events may be eligible for funding, providing they meet the eligibility criteria. These may include, implementation of waste management initiatives and programs; educational programs; development and implementation of waste management guidelines; research; training; and events that promote and recognise improved waste management practices.

Eligible projects and events may include:

- projects and research that contribute to the diversion of waste from landfill
- research, development and implementation of waste management guidelines
- development and implementation of programs that contribute to improved waste management practices
- development and implementation of targeted training and knowledge sharing programs
- events that promote, recognise or provide education on improved waste management practices.

Activities that are not eligible for funding include:

- the purchase or development of infrastructure
- projects that are nearing completion
- ongoing operational activities
- activities to meet legislative requirements
- projects that do not promote and clearly report on waste diversion from landfill.

The Shire will be putting in an application – the closing date is February 2019.

Community Gardens Grants Program – administered by the Department of Local Government and Communities (DLGC)

Funding of up to \$10,000 per community garden is available for local governments and community organisations to plan, develop and implement a community garden project. The grants program aims to encourage community members to participate in community life more actively; connect with the environment and other people within their community; implement and develop their skills; and to give back to the community.

Community Development wrote and auspiced a successful application last year for the Cowaramup Community Garden as a one off to help capacity building and development of the community group. The Shire are currently working with the Augusta Playgroup who will be applying for the next funding round.

State NRM Community Stewardship

These Community Stewardship Grants support community-based projects that serve to protect and restore the local environment. They are a component of the State NRM Program, an initiative of the Western Australian Government and support the Western Australian Natural Resource Management framework. Shire applied for a 3 year project (\$270,000 of grant funding) in August 2018 to improve pollution management in the Margaret River

Non Government organisations

Ian Potter Foundation Environment and Conservation grant

The Ian Potter Foundation is a major Australian philanthropic foundation that supports and promotes excellence and innovation, facilitating positive social change, and developing Australia's creativity and capacity as a nation.

The Foundation will be considering making large grants (over \$100,000) within two themes, fostering biodiversity and water and/or land management.

Projects that have a strong volunteer component, work with multiple stakeholders, promote sustainable approaches to agriculture and/or incorporate a strong science underpinning will be viewed favourably. Applicants are required to submit projects which have up to three long term goals.

Technical long-term outcomes are:

- Fostering biodiversity
- Water and/or land management
- Increased adoption of sustainable industry practices

Strategic long-term outcomes are:

- Mobilise and significantly increase financial resources from all sources to conserve and sustainably use biodiversity and ecosystems (SDG)
- Promotion/dissemination of best practice/new knowledge

- Increased knowledge base
- Improved quality of policy dialogue and development
- Improved community capacity/engagement

Applications open in March 2019.

Wettenhall Environmental Trust – Small Environment Grants Scheme

The Wettenhall Environmental Trust provides support for people undertaking projects that will make a positive difference to the natural living environment, in land, sea or air, rural or urban. Projects which qualify for funding are those which directly make positive changes to biodiversity conservation in Australia, have long term objectives and values, show enthusiasm, collaboration, passion and innovation, use citizen science and are about community education relating to conservation.

Projects which can be considered by the Shire for making an application include flora and fauna conservation and threatened mammal conservation. These projects should involve:

- monitoring, recording and sharing data;
- delivering community education;
- providing community capacity building (e.g. training); or
- research and science

The next round opens on the 18th of September 2018

CONSULTATION AND ADVICE

External Consultation

- Department of Environment and Energy
- Foundation for Rural and Regional Renewal
- Department of Transport
- WA Planning Commission
- Lotterywest
- WA Waste Authority
- Department of Local Government and Communities
- Ian Potter Foundation
- Wettenhall Environmental Trust

Internal Consultation

- Coordinator Environment and Landcare Services
- Manager Asset Services
- Coordinator Community Planning and Development
- Waste Education and Project Officer

DISCUSSION / OFFICER COMMENTS

Application for funding for environmental projects and initiatives has been an ongoing strategy for the Shire and various resources are used to identify opportunities, including online databases, government departments, grant opportunity newsletters etc.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

Nil

STRATEGIC PLAN / POLICY IMPLICATIONS

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

Key result area 3: Ensuring sustainable development

Community Outcome 2: Liveable, sustainable and well designed places that are inclusive for all culture and demographics

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Environmental

Grant funding assists in delivering a range of environmental programs.

Social

Grant funding assists in delivering a range of social programs associated with the environment.

Economic

Grant funding assists in delivering a range of economic programs associated with the environment.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council:

1. Receives the information provided in this report; and
2. Investigates future applications for:
 - Lotterywest Conservation of Natural Heritage funding
 - Coastwest funding
 - Ian Potter Foundation Environment and Conservation grant
 - Wettenhall Environmental Trust – Small Environment Grants Scheme

ATTACHMENTS

Nil

RECOMMENDATION / COUNCIL DECISION

CR EARL, CR MCLEOD OM2018/266

That Council:

1. Receives the information provided in this report; and
2. Investigates future applications for:
 - Lotterywest Conservation of Natural Heritage funding
 - Coastwest funding
 - Ian Potter Foundation Environment and Conservation grant
 - Wettenhall Environmental Trust – Small Environment Grants Scheme

CARRIED 6/0

11.2. Sustainable Development

**11.2.1 PROPOSED TELECOMMUNICATIONS INFRASTRUCTURE (MOBILE PHONE TOWER) -
RESERVE 51096 (LOT 331) LEEUWIN ROAD, AUGUSTA**

LOCATION/ADDRESS	Reserve 51096 (Lot 331) Leeuwin Road, Augusta
APPLICANT/LANDOWNER	Planning Solutions Urban And Regional Planning
FILE REFERENCE	RES/51096
REPORT AUTHOR	Matt Slocomb, Acting Strategic Projects Officer and Senior Planning Officer
AUTHORISING OFFICER	Dale Putland, Director Sustainable Development

Cr Smart disclosed an impartiality interest as he lives 900m away. Cr Smart stated he could put that aside and vote impartially.

IN BRIEF

- The Shire has received a proposal for the development of telecommunications infrastructure (41.3m high monopole for mobile phone transmission) at Reserve 51096, Leeuwin Road, Augusta (the site);
- The proposal was publically advertised and eleven (11) submissions were received, one (1) of which was in support of the proposal, one (1) indifferent with the other nine (9) opposed. Those opposed were primarily concerned about the visual impact associated with the tower, conflicting with the high landscape amenity of the area and impact upon the adjacent tourist/travel route corridor (Leeuwin Road);
- The officer's recommendation to refuse the proposal is made based on visual impacts of the tower.

RECOMMENDATION

That Council refuses the proposed Telecommunications Infrastructure (Mobile Phone Tower) at Reserve 51096 (Lot 331) Leeuwin Road, Augusta.

LOCATION

Reserve 51096 (Lot 331) Leeuwin Road, Augusta is located approximately 4km south of the Augusta town site and forms part of the Augusta Marina. Development is confined to a 63m² compound located within the 8.5ha site. The location of the development area is identified below at Figure 1.

The subject site is currently zoned Public Purposes (Harbour Purposes) with management vested in Department of Transport.



**Figure 1. Aerial Location Plan
PROPOSAL**

The proposal involves the installation of new telecommunications infrastructure by Telstra, specifically comprising of the following:

- 41.3m monopole;
- Four panel antennas mounted at the top of the monopole on a triangular headframe and 2 parabolic antennas on the monopole below;
- One equipment shelter and ancillary equipment located within a fenced compound at ground level.

The tower and associated infrastructure will be enclosed within a secure compound, which measures approximately 63m² in area. The proposed development will be setback 85m from the Leeuwin Road (eastern boundary) and the compound will be located at the intersection of the Flinders Bay to harbour footpath and the vehicle access way to the northern groyne.

The proposal is part of the mobile blackspot program that is being funded by co-investment between federal and state governments in order to improve coverage in regional areas. The basis for this particular location, as provided by the applicant, is to improve coverage in the area surrounding the harbour facility.

The details associated with the proposal have been included as an attachment to this report (see Attachment 1).

TABLED ITEMS

Nil

BACKGROUND

Nil

PLANNING FRAMEWORK

State Planning Policy 5.2 – Telecommunications Infrastructure (SPP5.2)

SPP 5.2 provides a range of matters to be considered when determining applications for telecommunications infrastructure. The matters to be considered include:

- Achieving a balance between the social and economic benefits of access to modern telecommunications services for people and business throughout the state whilst minimising visual impacts wherever possible;
- Infrastructure being sited so as not to be visually prominent from significant viewing locations (scenic routes, lookout sites, lookouts and recreation sites) or detract from a significant view of a

heritage item or place, a landmark, streetscape vista or panorama, whether viewed from public or private land;

- Not located on sites where environmental, cultural heritage, social and visual landscape values may be compromised and incorporate design features that are sympathetic to the surrounding landscape;
- Located to facilitate continuous network coverage and improved telecommunications for the community;
- Be co-located wherever possible.

Assessment against the above policy requirements is discussed further in the consultation section of the report.

Local Planning Strategy

The tower is proposed to be located within Visual Management Area C pursuant to the Shires Local Planning Strategy, which allows development to be prominent within the landscape, but borrow from the naturally established form, line, colour and texture to be compatible with the existing landscape.

Visual Management Area C is the least sensitive of the three classification applied by the LPS.

Leeuwin Naturaliste Ridge Statement of Planning Policy 6.1

The proposal is located along a Travel Route Corridor as identified in clause 4.33.1 of the LPS and under the Leeuwin Naturaliste Ridge Statement of Planning Policy (LNRSP), which requires compliance with Travel Route Corridor and Landscape policy objectives of the LNRSP.

The specific use classification that the site is located within under the LNRSP is 'Travel Route Corridors within Natural Landscape Significance', to which the following policy is provided under PS 3.4:

"In areas of Natural Landscape Significance, including where they are in Travel Route Corridors, the significant natural characteristics will be protected and provide adequate development setbacks. In these areas, development will be screened from Travel Route Corridors except public recreation or safety facilities that may be seen in the foreground".

CONSULTATION

External Consultation

The proposal was advertised to landowners within 1km radius of the proposed development site. Information was placed on the Shire's website and the proposal was advertised in a locally circulating newspaper for a duration of two weeks. At the closure of the consultation period the Shire had received a total of eleven (11) submissions.

For a detailed description of the submissions and related officer comments and recommendations, please refer to the Schedule of Submissions (**Attachment 2**). The main areas of concern have been taking into account in the final assessment of the proposal.

Some concerns were raised in respect to human health impacts associated with the proposal. The predicted EME radiation for the types of radio systems being proposed by the applicant represents 0.25% of the exposure limit provided under the standard. It is to be noted that the applicant is capable of emitting up to 100% of this guideline, accordingly the proposal is consistent with the limits set by the Australian Radiation Protection and Nuclear Safety Agency.

DISCUSSION / OFFICER COMMENTS

There are four key questions which are relevant for a decision maker to ask in arriving at a decision with respect to this application, arising from the specific policy requirements of the two applicable State Planning Polices (5.2 and 6.1). They are addressed in turn below:

Q1. Is Co-location possible?

Coverage from telephone towers varies depending on a large numbers of factors. These factors include the position of the infrastructure in the landscape (higher points will achieve more coverage), the height at which receivers are positioned on the mast or pole (higher placed receivers achieve a greater area of coverage) as well as the direction that the receivers face. A provider could have a greater density of

infrastructure throughout an area at lower heights, whereas another provider may achieve similar results with fewer better-placed receivers.

There are four existing towers within the broad vicinity of the proposed site as depicted in Figure 2. Two of the towers already contain Telstra infrastructure, the exception being the Osnaburg Road Tower (Site 3) and the tower located adjacent to Allnut Drive which is a dedicated NBN tower (site 5). A summary of the towers and their locations relative to the site has been provided below:



Site	Location	Infrastructure
1	Proposed Tower Location	Nil
2	Lot 11 Hillview Road, Augusta	65m telecommunications tower containing Telstra, Optus and Vodaphone Infrastructure
3	Osnaburg Road Site – Osnaburg /Leeuwin Road, Augusta	37m guyed mast containing Optus Infrastructure
4	Lot 4 Ellis Street, Augusta	23m tower containing Telstra Infrastructure
5	110 (Lot 830) Allnut Terrace Augusta	40m tower containing NBN infrastructure

Figure 2. Other Telecommunications Facilities within area.

Of the above locations, sites three (3) and five (5) do not currently contain Telstra Infrastructure.

A coverage map has been provided (**Attachment 3**), but this does not differentiate between the coverage currently provided by the existing Telstra Infrastructure in the locality. Additionally, mapped comparison between the coverage of the proposal and that which could be achieved through collocation on the Optus Tower (site 3) has not been provided. The applicant has advised that the main purpose of the proposal is to provide improved coverage along Leeuwin Road, and to the Flinders Bay area and Augusta Boat Harbour. These areas are located on the southern slope of the Leeuwin Ridgeline, and the applicant advises that adequate coverage would not be achieved through collocation at the Optus site.

One objective of the mobile black spot program is to address mobile coverage limitations on the State's major regional highways, which supports the proposed location within close proximity to Leeuwin Road. This differs somewhat from previous telecommunications applications considered by the Shire where the key objective is to maximise the number of dwellings able to be connected to the service. Telstra contends that collocation is unlikely to achieve the same coverage outcomes as intended by the blackspot program and that this provides rationale for the proposed location and that this aspect of SPP 5.2 is fulfilled by the proposal..

Q2. What are the “significant viewing locations”?

A visual impact assessment commissioned by the proponent is enclosed as an attachment to this report (Attachment 4). The assessment considers the level of visual impact likely to be caused by the proposal when viewed from three locations being:

- the Flinders Bay settlement (images taken from Storm Bay Road),
- Skippy Rock Road; and
- Leeuwin Road.

Figures 3a-c are simulations provided by the proponent as to of what the proposal is likely to look like when viewed from the chosen locations.

Of the locations assessed, only one (Leeuwin Road) is considered to meet the definition of a ‘significant viewing location’; examples of which are given by the policy as “scenic routes, lookout sites, lookouts and recreation sites”. This judgement is informed and supported by SPP6.1, which specifically designates Leeuwin Road as a ‘travel route corridor’ from which surrounding development is required to be screened except where the development is associated with public recreation or a safety facility.



Figure 3a. Tower as viewed from Storm Bay Road

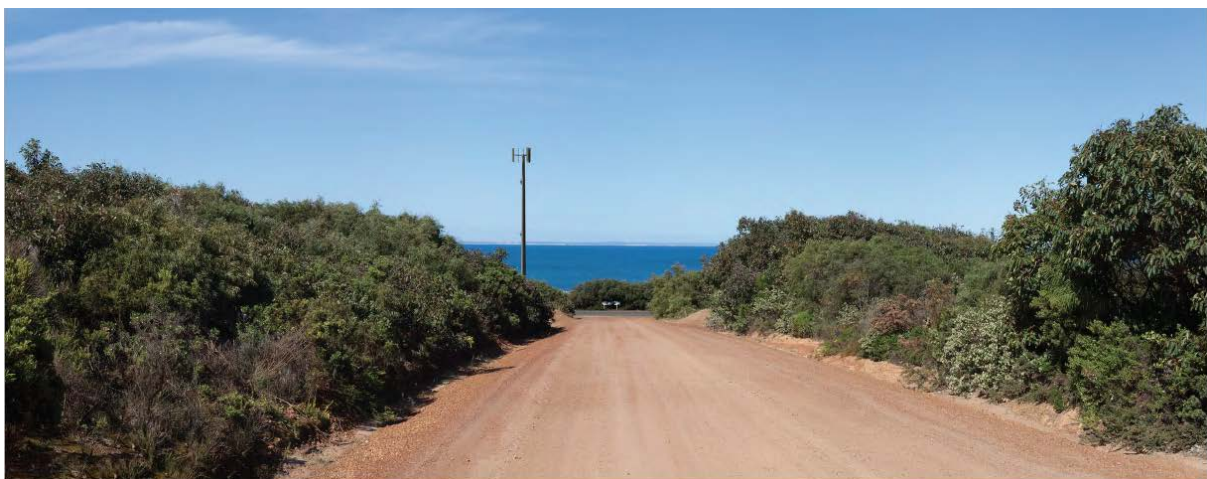


Figure 3b. Tower as viewed from Skippy Rock Road



Figure 3c. Tower as viewed from Leeuwin Road on the southern side of the tower site

Q3. Will the development be visually prominent (from significant viewing locations)?

The overall significance of the visual impact caused by the proposal when viewed from Leeuwin Road to the south has been classified by the visual impact assessment as 'moderate'. This judgement is made taking into account the sensitivity of the site which is recommended by the impact assessment to be moderate due to the panoramic views available in the location, including some views of Cape Leeuwin. It also takes into account the visual absorption of this location, which is said to be 'high' being largely attributable to the power lines running alongside Leeuwin road, as well as the base of the facility being screened by the headland.

Whilst the recommendations of the visual impact assessment are noted, staff recommend that the proposal will be visually prominent in the natural and coastal landscape as a man made structure of this size would not be generally be anticipated in the context of the surrounding landscape.

Q4. Does the proposal represent a 'safety facility'?

The improvement of communications in and around the Augusta Marina, including near shore waters, is likely to provide significant safety benefits to users of this facility. Additionally, the applicant has advised that a component of the black spot program is to allow emergency service providers to collocate onto the infrastructure created. The relocation of the Augusta Sea Rescue to the harbour may provide an opportunity for further use of the tower for improved community safety outcomes.

Conclusion

The Shire is presented with a difficult scenario where provisions of key state planning policies conflict on this matter.

SPP5.2 states that telecommunications infrastructure should be located where it will not be prominently visible from 'significant viewing locations' such as scenic routes, whereas the visual management standards of the LNRSP do not apply to structures categorised as safety facilities.

There is no hierarchical difference between the respective policy provisions, the LNRSP is more location specific, but was published in 1998 when the visual impacts of telecommunications infrastructure were less understood. SPP5.2 applies state-wide so is more generalised in nature, but was written when there was a better understanding of the visual impacts of telecommunications facilities.

Although there are some factors that may make a decision to refuse the proposal difficult to sustain, a key objective of the harbour development was to provide an opportunity for increased tourism development in the locality. It is considered that the visual impacts of telecommunications infrastructure within such a prominent location of the harbour could detract from the amenity and future development potential of the site, particularly the development investigation area towards the northern boundary that could be developed for tourism purposes in the future.

In addition to the above, it is considered that the location is of unique scenic value within the Shire, in that Leeuwin Road runs both parallel to and within close proximity to the coastline. It is considered that

prominent visual impacts would need to be balanced by substantive coverage improvements, which is not considered the case in this instance.

The degree of coverage improvement is not considered to outweigh the visual impact associated with the proposal, accordingly the application is recommended for refusal.

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)

Corporate Business Plan 2018-2012

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

The proposal does not involve the removal of any vegetation and is compliant with the limits in respect to electromagnetic energy emissions.

Social

As outlined above there will be visual amenity impacts experienced as a consequence of development which is required to be balanced in response to the broader provisions telecommunications services which can be beneficial from a from a community safety perspective.

Economic

Increased and reliable access to telecommunications is beneficial for economic development, particularly for business and people working from home within the area.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council refuses the application for Telecommunications Infrastructure (Mobile Phone Tower) at Reserve 51096 (Lot 331) Leeuwin Road, Augusta, for the following reasons:

1. The development does not meet the requirements of clause 5.1.1 of the State Planning Policy 5.2 Telecommunications Infrastructure as the proposal will prominently visible from Leeuwin Road which is scenic route;
2. The proposal is inconsistent with the Deemed Provisions of *Local Planning Scheme No. 1*, Matters to be Considered, at clause 67, with specific regard to the following subclauses:
 - a) The proposal is inconsistent with the orderly and proper planning of the Scheme area.
 - b) Approval to the application will set an undesirable precedent for similar applications within areas of high landscape amenity.

ATTACHMENTS

1. Development Plans and EME Report
2. Schedule of Submissions
3. Coverage Map
4. Visual Impact Assessment

RECOMMENDATION

CR , CR

That Council refuses the application for Telecommunications Infrastructure (Mobile Phone Tower) at Reserve 51096 (Lot 331) Leeuwin Road, Augusta, for the following reasons:

1. The development does not meet the requirements of clause 5.1.1 of the State Planning Policy 5.2 Telecommunications Infrastructure as the proposal will prominently visible from Leeuwin Road which is scenic route;
2. The proposal is inconsistent with the Deemed Provisions of *Local Planning Scheme No. 1, Matters to be Considered*, at clause 67, with specific regard to the following subclauses:
 - a) The proposal is inconsistent with the orderly and proper planning of the Scheme area.
 - b) Approval to the application will set an undesirable precedent for similar applications within areas of high landscape amenity.

0/0

Cr Smart moved the following procedural motion:

PROCEDURAL MOTION / COUNCIL DECISION

CR SMART, CR LANE OM2018/267

That the item be deferred to the 14 November 2018 Ordinary Council meeting in order to give the proponent an opportunity to consider alternative locations.

**CARRIED 5/1
CR MELDRUM VOTED AGAINST**

REASON

To give the proponent opportunity to consider alternative locations.

11.2.2 PLANNING CONSULTATION GUIDELINES

LOCATION/ADDRESS	Rural Zones
APPLICANT/LANDOWNER	N/A
FILE REFERENCE	LND/52
REPORT AUTHOR	Matt Cuthbert, Acting Manager Planning and Development Services
AUTHORISING OFFICER	Dale Putland, Director Sustainable Development

IN BRIEF

- Council has requested a report detailing options, which will allow greater community consultation, with particular reference to planning proposals for non rural uses in the rural zone.
- The Scheme stipulates that certain uses require a process of consultation be carried out before they can be considered for approval.
- Currently, it is at the assessing officers' discretion as to how widely the proposal should be advertised.
- It is recommended that Council note the intention of staff to implement the consultation guideline outlined in this report.

RECOMMENDATION

That Council note Shire officers' intention to implement the Planning Consultation Guideline as per Attachment 1, which has the effect of increasing the extent to which direct consultation will occur in respect to development applications for non-rural uses in the rural zone.

TABLED ITEMS

Nil

BACKGROUND

On the 25 July 2018, Council resolved to:

Request(s) that the CEO prepare a report on options for a policy which describes the advertising requirements for various land uses including non rural uses in rural zones. The policy should have a focus on allowing greater community participation and input into the decision making process.

PLANNING FRAMEWORK

The Scheme identifies all permissible land uses as having a classification of either 'P', 'D', 'A' or 'X'. An 'A' use is one that:

"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"

Figure 1 identifies non rural uses which have an 'A' designation.

Use Class	Rural Zones		
	Priority Agriculture	General Agriculture	Cluster Farm
Tourism Uses			
Camping Ground	A	A	X
Caravan Park	A	A	X

Use Class	Rural Zones		
	Priority Agriculture	General Agriculture	Cluster Farm
Chalet	A	A	X
Guest House	A	A	X
Holiday House	A	A	X
Licensed Premises			
Brewery	A	A	X
Licensed Restaurant	A	A	X
Winery	P	P	A
Commercial Uses			
Café	A	A	D
Place of Assembly	A	A	X
Landscape Supplies	A	A	X
Reception Centre	A	A	X
Restaurant	A	A	X
Storage	A	A	X

The Deemed Provisions provide that:

The local government may advertise, or require the applicant to advertise, an application for development approval in one or more of the following ways –

*(a) by giving notice of the proposed use or development to owners and occupiers of properties in the vicinity of the development who, **in the opinion of the local government, are likely to be affected** by the granting of development approval, including a statement that submissions may be made to the local government by a specified day being a day not less than 14 days from the day on which the notice is given to the person;*

DISCUSSION

In most cases, planning officers would generally only write to adjoining property owners regarding development proposed on their neighbouring property. The exception would be large scale proposals likely to have greater impacts, such as on local road use.

In order to standardise Shire officers' approach to advertising and in line with Council's request, a simple guideline has been developed in order to set out how widely consultation in the Shire's rural areas should occur.

The guideline (not a local planning policy) is the appropriate mechanism to guide consultation. This is due to the fact that it will be used for internal (Shire) purposes only given that the consultation process is managed by Shire staff and is a purely administrative and operational task.

The Guideline contains the following elements:

Objectives:

To increase awareness amongst the Shire's rural community of nearby development proposals.

To provide greater scope for community input in the planning decision making process.

Application:

This guideline applies to developments consisting of one or more of the following 'A' uses where proposed within the rural zones within the Shire:

- Camping Ground
- Caravan Park
- Chalet
- Guest House
- Holiday House
- Brewery
- Licensed Restaurant
- Winery
- Café
- Place of Assembly
- Landscape Supplies
- Reception Centre
- Restaurant
- Storage

Requirements:

The Shire will contact in writing surrounding properties within a radius of not less than 2km from the boundaries of the subject site.

Where for reasons specific to a particular proposal offsite impacts are likely to be wider than 2km, all potentially impacted property owners will be consulted.

Where a proposal is located on a local road and is likely to generate significantly high amounts of traffic, all property owners likely to be affected will be consulted.

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)

Corporate Business Plan 2018-2022

Key Result Area 3: Managing Growth Sustainably

Community Outcome: Clearly defined areas for growth and renewal

Strategic Response: Implement Local Planning Scheme No. 1 (LPS1)

Service Level Strategy/Plan: Provide Planning Services

FINANCIAL IMPLICATIONS

Nil. Additional consultation will be carried out within the Shire's operational budget.

SUSTAINABILITY IMPLICATIONS

Environmental

Nil

Social

The proposal has the potential to increase community engagement and empowerment by providing a greater opportunity for involvement in the Shire's decision making process.

Economic

The proposal will not have a negative impact on the timeliness of approvals.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council notes Shire officers' intention to implement the Planning Consultation Guideline as per Attachment 1, which has the effect of increasing the extent to which direct consultation will occur in respect to development applications for non-rural uses in the rural zone.

ATTACHMENTS

1. Consultation Guideline

The word 'Shire Officer' was omitted and replaced with the word 'CEO'.

RECOMMENDATION / COUNCIL DECISION

CR MELDRUM, CR LANE OM2018/268

That Council note CEO's intention to implement the Planning Consultation Guideline as per Attachment 1, which has the effect of increasing the extent to which direct consultation will occur in respect to development applications for non-rural uses in the rural zone.

CARRIED 6/0

11.2.3 MEMBERSHIP WITH THE PERON NATURALISTE PARTNERSHIP

LOCATION/ADDRESS	Shire of Augusta Margaret River
APPLICANT/LANDOWNER	Peron Naturaliste Partnership (PNP)
FILE REFERENCE	ENV/128
REPORT AUTHOR	Dale Putland, Director Sustainable Development
AUTHORISING OFFICER	Gary Evershed, Chief Executive Officer

IN BRIEF

- The Chairman of the Peron Naturaliste Partnership (PNP) has written to the Shire advising that the group is open to future collaboration with the Shire of Augusta Margaret River.
- Officers understand that the form of collaboration that is proposed by the PNP is for the Shire to join the PNP as a full member
- Membership to the PNP is not costly and provides a number of benefits, including becoming a member of a group of coastal councils to advocate strongly for State and Commonwealth Government action on climate change.

RECOMMENDATION

That Council:

1. Advises the Chairman of the Peron Naturaliste Partnership that it wishes to become a member of the group; and
 2. Enters into negotiation with the Peron Naturaliste Partnership to determine the terms and conditions of membership and budgets to pay annual membership fees.
-

LOCATION PLAN

Nil

TABLED ITEMS

Nil

BACKGROUND

The Peron Naturaliste Partnership is an incorporated collective group of nine local governments between Cape Peron and Cape Naturaliste in the southwest of Western Australia – Bunbury, Busselton, Capel, Dardanup, Harvey, Mandurah, Murray, Rockingham, Waroona.

The PNP was formed in 2011 through a volunteer agreement but recognising the long-term benefits of the partnership and the importance of dealing with coastal matters, the PNP became an incorporated group in 2015. Three key documents set out the aims, objectives and current direction of the PNP, and the responsibilities of Member Local Governments:

- A constitution which formally sets out the vision, objectives and operation of the PNP. (Attachment 1)
- A memorandum of understanding which is a non-legally binding document establishes the roles and responsibilities of the PNP and Member Local Governments. (Attachment 2)
- A Strategic Plan 2016 – 2019 establishes the Guiding Principles, Vision, Objectives and Strategic Direction of the PNP for the next four years and informs the annual operation plan. The Strategic Plan provides PNP Member Local Governments, stakeholders and the community with background and current information on the PNP and its strategic direction. (Attachment 3)

Since its inception in 2011, the PNP has been successful in receiving around \$700,000 in funding from State and Commonwealth Government grants.

The PNP is supported by two part-time (0.5 FTE) Coastal Adaptation Coordinators whose salaries are paid from member Council contributions. The coordinators are currently hosted by the City of Mandurah.

Member Local Governments are represented by an elected member at a board level, with meetings also attended by senior technical officers from each local government.

On 9 May 2018, Council received a briefing from representatives of the Peron Naturaliste Partnership outlining the PNP's purpose and activities. During the briefing, Councillors discussed the possibility of the Shire joining the partnership and the potential benefits that might ensue.

On 28 September 2018, the Shire received a letter (Attachment 4) from the Chairman of the PNP stating that the PNP member Councils were open to discussion with the Shire regarding future collaboration between the Shire and the PNP. Subsequent discussions between the Shire's Director Sustainable Development and the PNP Chairperson confirmed that the PNP is open to requests from the Shire to join the PNP as a full member.

CONSULTATION

Telephone conversations between the Director Sustainable Development and the Peron Naturaliste Partnership Chairperson and Coastal Adaptation Coordinator to discuss the level of collaboration that would likely be supported by the group and potential benefits to the Shire from membership.

DISCUSSION

The PNP, which was formed as an independent body, whose main purpose is to provide a vehicle for a collaborative approach by the Member Councils to identify and address issues related to coastal risk and climate change induced sea level rise has proved a successful collaboration for the Member Councils. In addition to being the successful recipient of around \$700,000 in grant funding, the PNP has also been effective as a lobby and advocacy group for the Member Councils.

During discussions with the Chairperson and Coordinator, both noted that the PNP board made an effort to ensure that the benefits of membership were commensurate with the cost to each member Council, with the larger Councils with larger metropolitan areas on the coast contributing more to the partnership and received more in return. Member costs for smaller Councils with limited coastal infrastructure were significantly lower. Councils could also nominate the areas of coastline to be included in the PNP studies, reducing their contribution.

While there are limited urban areas within AMR Shire that are potentially at future risk from storm surge or sea level rise (notably some parts of Augusta and Molloy Island), there is potential for studies to be undertaken in the Shire by the PNP. Two such studies might be to identify future impacts on natural estuarine systems in the Margaret and Blackwood Rivers, and the potential for sea level rise to undermine cliff stability in some areas. Membership to the PNP will also improve the Shire's ability to advocate for more State and Commonwealth efforts to address climate change.

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)

Key result area 1: Valuing the Natural Environment

Outcome 5: Ecological resilience in the face of changing climate

Key result area 3: Ensuring sustainable development

Outcome 3: Climate change mitigation and response

FINANCIAL IMPLICATIONS

The PNP constitution states that the financial contribution by each Member Local Government towards costs of the PNP shall be apportioned on the following basis:

- a) An annual membership fee used for officer wages and administration costs calculated on the average of the coastline length and rates revenue for each Member Local Government shall be determined annually at the Annual General Meeting. (The rates revenue used for such calculation shall be based upon rates revenue figures in the Western Australian Local Government Authority (WALGA) directory of the preceding year).

- b) A further supplementary contribution used for project funding may be sought, calculated on the average of the coastline length and rates revenue for each Member Local government, shall be determined annually at the Annual General Meeting. (The rates revenue used for such calculation shall be based upon rates revenue figures in the Western Australian Local Government Authority (WALGA) directory of the preceding year).

However, the PNP Chairperson stated that Member Councils were able to identify the area of coastline within their shire that would be considered in studies, and suggested that the member contribution for the AMR Shire would be in the order of \$5,000 to \$10,000 per annum.

The cost for the Shire in the 2017/2018 financial year is likely to be in the order of \$2,500 to \$5,000.

SUSTAINABILITY IMPLICATIONS

Environmental

Membership to the PNP will assist the Shire to identify and mitigate the predicted impacts of climate change on coastal and estuarine environments.

Social

Membership to the PNP will assist the Shire to identify and plan to responses to the impacts of climate change on community infrastructure, such as coastal access ways, walkways and other coastal and marine infrastructure.

Economic

Membership will improve the Shire's ability to respond to potential impacts through planning and advocacy efforts to ensure that key tourism attributes and facilities are retained.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council:

1. Advises the Chairman of the Peron Naturaliste Partnership that it wishes to become a member of the group; and
2. Enters into negotiation with the Peron Naturaliste Partnership to determine the terms and conditions of membership and budgets to pay annual membership fees.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

1. Constitution
2. Memorandum of Understanding
3. Strategic Plan

Cr Meldrum requested the word 'chairman' be omitted and replaced with the word 'chair'.

RECOMMENDATION / COUNCIL DECISION

CR MELDRUM, CR LANE OM2018/269

That Council:

1. **Advises the Chair of the Peron Naturaliste Partnership that it wishes to become a member of the group; and**
2. **Enters into negotiation with the Peron Naturaliste Partnership to determine the terms and conditions of membership and budgets to pay annual membership fees.**

CARRIED 6/0

11.3. Infrastructure Services

11.3.1 RFT 04-19 PROVISION OF CLEANING SERVICES FOR BUILDINGS, RESERVE TABLES, BBQ'S, PUBLIC AMENITIES.

LOCATION/ADDRESS	Shire of Augusta Margaret River
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	COR/371
REPORT AUTHOR	David Nicholson, Manager Asset Services
AUTHORISING OFFICER	Markus Botte, Director Infrastructure Services

IN BRIEF

- The Request for Tender (RFT) 04-19 Provision of Cleaning Services for Buildings, Reserve Tables, BBQ's, Public Amenities was advertised state-wide as public tender for the provision of cleaning services at various sites within the Shire, including nominated Shire buildings, public amenities (some incorporating lock up services), BBQ's and picnic tables.
- The tender was split into three (3) separable portions to allow for the potential appointment of one or more contractors to provide cleaning services based on the most advantageous tender for the services sought, being:
 - Separable Portion 1 – Operational Buildings - North
 - Separable Portion 2 – Public Amenities – North
 - Separable Portion 3 – Operational Buildings and Public Amenities – South
- A total of eight (8) submissions were received and evaluation of submissions was undertaken in accordance with the Shire's Procurement Policy with professional support of WALGA Procurement Services, ranking BrightMark Group Pty Ltd as the preferred tenderer for all separable portions based on value for money assessment.

RECOMMENDATION

That Council awards Tender RFT 04-19 Provision of Cleaning Services for Buildings, Reserve Tables, BBQ's, Public Amenities to BrightMark Group Pty Ltd for their tender submission and price basis outlined in the Evaluation Report (Confidential Attachment 1) for a period of three (3) years, with the option to extend the contract term for up to a further period of two (2) years, subject to satisfactory performance and to be executed at the discretion of the Shire's Chief Executive Officer.

LOCATION PLAN

Nil

TABLED ITEMS

RFT 04-19 Provision of Cleaning Services for Buildings, Reserve Tables, BBQ's, Public Amenities

BACKGROUND

In October 2015, Council resolved to approve two three (3) year contracts for:

- a) Office Cleaning Services; and
- b) Amenities Cleaning and Lock Up Services.

The current contracts expire on 30 November 2018. The current contracts contain a two-year extension option, exercisable at the absolute discretion of the Principal. Additional cleaning services are required to be carried out, which are outside the scope of works of current contracts, which include:

- additional cleaning of amenity blocks in peak periods;
- additional number of toilets to be cleaned at two locations;
- nappy bin supply and servicing;
- cleaning of Augusta Library (due to previous incumbent retiring);

- cleaning of the Margaret River Recreation Centre (due to previous contractor closing business); and
- cleaning of picnic tables.

Therefore, as per the *Local Government (Functions and General) Regulations 1996*, Regulation 21A, these existing contracts cannot be extended as the scope of the contract has changed and it is necessary to test the market.

The Executive Leadership Team (ELT) considered the above at its meeting on 15 August 2018 and recommended to:

1. Initiate a new RFT process for office cleaning services, incorporating the Augusta Library and the Margaret River Recreation Centre;
2. Initiate a new RFT process for public amenities cleaning and lock up services, incorporating the increased level of service requirements and separating the shire into north and south regions; and
3. Engage WALGA to conduct the RFT process.

In addition, since 2015, the Shire has developed a renewal and improvement program for public amenities, which considers population growth and increased tourist numbers visiting the Shire. This program sets out a 10-year renewal plan to be implemented to ensure that public amenity facilities can continue to meet community expectations and accessibility requirements whilst harnessing up to date design knowledge, techniques and materials. Cleaning requirements set out within this improvement program have been considered in this RFT.

RFT 04-19 Provision of Cleaning Services for Buildings, Reserve Tables, BBQ's, Public Amenities is split into three (3) separable portions, being:

- Separable Portion 1 – Operational Buildings – North;
- Separable Portion 2 - Public Amenities – North; and
- Separable Portion 3 – Operational Buildings and Public Amenities – South

Separable Portion 1– Operational Buildings - North

Facilities in Separable Portion 1 include:

Item	Description
1	Margaret River Civic Administration Centre (CAC)
2	Margaret River Recreation Centre
3	Margaret River Zone Room
4	Margaret River Shire Depot

Separable Portion 2 - Public Amenities – North

Facilities in Separable Portion 2 include:

Item	Description
Margaret River	
1	Fearn Avenue Public Toilets
2	Rotary Park Public Toilets, BBQs and picnic tables
3	Youth Precinct Public Toilets, BBQs and picnic tables
4	Memorial Park Public Toilets
5	Old Settlement Public Toilets
Cowaramup	
6	Pioneer Park Public Toilets, BBQs and picnic tables
7	District Hall Public Toilets, BBQs
8	Sale Yards Public Toilets
Gracetown	
9	Swimmers Beach Public Toilets

10	South Point Public Toilets
Prevelly/Gnarabup	
11	Rivermouth Public Toilets, BBQs
12	Surfers Point Public Toilets, BBQs
13	Riflebutts Public Toilets, BBQs
14	Gnarabup Public Toilets
Witchcliffe	
15	Witchcliffe Public Toilets

Separable Portion 3 – Operational Buildings and Public Amenities – South

Buildings in Separable Portion 3 include:

Item	Description
Operational Buildings	
1	Augusta Shire Offices
2	Augusta Shire Library
3	Augusta Shire Depot
Public Amenities, BBQs and picnic tables	
4	Lions Memorial Park Public Toilets, BBQ
5	Flinders Bay Public Toilets, BBQ and picnic tables
6	Museum Public Toilets
7	Main Street Public Toilets
8	Ellis Street Public Toilets, BBQ
9	Augusta Recreation Centre Cricket Clubrooms Public Toilets
10	Augusta Aerodrome Public Toilets

It is proposed that a separate contract be established for each of the three separable portions, with each contract period running for a three (3) year period, with a single two (2) year extension option per contract. This option is exercisable at the absolute discretion of the Principal.

CONSULTATION AND ADVICE

External Consultation

A pre-tender notification was published in the Margaret River Mail on 29 August. The tender was advertised state-wide as per tender regulations, in The Western Australian on 6 and 8 September 2018 and in the Margaret River Mail on 5 and 12 September 2018. It was also displayed on the Shire's website from 5 to 26 September 2018.

WALGA Procurement Services were engaged to facilitate the procurement process. The scope of WALGA's engagement included:

- Process Management;
- Provision of two evaluators;
- Management of the evaluation process; and
- Provision of a recommendation report.

Internal Consultation

Consultation was undertaken with the Shire's Procurement Officer, Manager Recreational Services, Manager Asset Services and Building Assets and Maintenance Coordinator.

DISCUSSION / OFFICER COMMENTS

An evaluation report for tenders has been prepared by WALGA and a copy is attached as Confidential Attachment 1.

The Tender period closed at 2pm on Wednesday 26 September 2018 and submissions were received from the following companies:

- Bay Cleaning Services;
- Brigade Facilities Management Pty Ltd;
- BrighMark Group Pty Ltd;
- DMC Cleaning Corporation Pty Ltd;
- Margritz Cleaning;
- Mikmarns Landscapes;
- Office Cleaning Experts; and
- Wilson Services.

The tender evaluation process included assessment of Compliance Criteria, Qualitative Criteria and Price, which included:

- Compliance criteria compliant / non-compliant basis (not scored);
- Relevant experience & demonstrated ability – 30%;
- Tenders resources , key personnel and experience – 30%;
- Occupational safety, health and environmental management – 10%;
- Demonstrated understanding – 20%;
- Local content commitment 10%; and
- Price – non-weighted.

A panel consisting of two (2) WALGA representatives and three (3) Shire staff was formed to evaluate the submissions. WALGA completed an assessment of each tender submission against the compliance criteria. Each member of the evaluation panel completed an independent assessment of each submission against the qualitative criteria. The panel then met to discuss results, agree on a consensus score and recommendations. Outcomes were then consolidated into an Evaluation Report (Refer to Confidential Attachment 1).

Price was also a consideration, but not weighted, as a ‘best value for money approach’ was utilised.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

Section 3.57 of the *Local Government Act 1995*.

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)

Corporate Business Plan 2018-2022

Key Result Area 2: Welcoming, inclusive and healthy communities

Community Building Maintenance

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

Council annually budgets for the external provision of cleaning services. Tenders are called to ensure Council receives value for money for its services and meets its obligation under section 3.57 of the *Local Government Act 1995*.

Prices will be fixed for the initial three (3) year term with an option to extend for a further two (2) years. If an extension is offered, the price variation mechanism, All Groups CPI for Perth %, will be utilised to update the Schedule of Rates, which will subsequently remain fixed for the extension period.

The current budget for cleaning services component of this tender is \$524,279 and is apportioned over three business units as follows:

Parks and Gardens – North and South	<ul style="list-style-type: none"> • BBQ Cleaning 	\$32,800
Indoor Recreation Centre	<ul style="list-style-type: none"> • Margaret River Rec Centre 	\$55,000
Community Buildings	<ul style="list-style-type: none"> • Shire Offices • Augusta Library • Margaret River Zone Room & public amenities 	\$436,479

SUSTAINABILITY IMPLICATIONS

Environmental

Some Tenderers use environmentally friendly cleaning products.

Social

Council provides public facilities that are regularly cleaned for the safety and comfort for all users.

Economic

Tendering of services encourages competitive pricing and allows the Shire to obtain value for money for the goods and services it purchases.

VOTING REQUIREMENTS

Absolute Majority

RECOMMENDATION

That Council awards Tender RFT 04-19 Provision of Cleaning Services for Buildings, Reserve Tables, BBQ's, Public Amenities to BrightMark Group Pty Ltd for their tender submission and price basis outlined in the Evaluation Report (Confidential Attachment 1) for a period of three (3) years, with the option to extend the contract term for up to a further period of two (2) years, subject to satisfactory performance and to be executed at the discretion of the Shire's Chief Executive Officer.

ADVICE TO APPLICANT / PROPONENT

Council's decision.

ATTACHMENTS

1. Confidential Attachment RFT 04-19 Evaluation Report

The CEO notified the meeting of an administrative correction to the confidential attachment.

RECOMMENDATION

CR SMART, CR EARL

That Council awards Tender RFT 04-19 Provision of Cleaning Services for Buildings, Reserve Tables, BBQ's, Public Amenities to BrightMark Group Pty Ltd for their tender submission and price basis outlined in the Evaluation Report (Confidential Attachment 1) for a period of three (3) years, with the option to extend the contract term for up to a further period of two (2) years, subject to satisfactory performance and to be executed at the discretion of the Shire's Chief Executive Officer.

0/0

During debate of the recommendation, Cr McLeod foreshadowed the following procedural motion:

FORESHADOWED PROCEDURAL MOTION

That the Item be deferred to a Special Meeting of Council to be held in one week's time.

Cr Meldrum then moved the following amendment:

AMENDMENT / COUNCIL DECISION

CR MELDRUM, CR LANE OM2018/270

That the following be included as an additional dot point:

That Council requests the CEO to prepare a proposal for consideration in the mid year budget review on the provision of additional contract management resources to ensure that the cleaning contract is undertaken to a high level of satisfaction in keeping with community expectations.

**CARRIED 4/2
CRS EARL AND MCLEOD VOTED AGAINST**

REASON

Cr Meldrum spoke to the motion stating that she would like to see an improvement in the criteria. Cr Meldrum went on to say it was the most important service the Shire provide and the Shire should be providing a high level of service.

This then became the primary motion:

PRIMARY MOTION / COUNCIL DECISION

CR SMART, CR EARL OM2018/271

That Council:

- 1. Awards Tender RFT 04-19 Provision of Cleaning Services for Buildings, Reserve Tables, BBQ's, Public Amenities to BrightMark Group Pty Ltd for their tender submission and tendered price of \$323,265.86 ex GST pa, for a period of three (3) years, with the option to extend the contract term for up to a further period of two (2) years, subject to satisfactory performance and to be executed at the discretion of the Shire's Chief Executive Officer; and**
- 2. requests the CEO to prepare a proposal for consideration in the mid year budget review on the provision of additional contract management resources to ensure that the cleaning contract is undertaken to a high level of satisfaction in keeping with community expectations.**

**CARRIED 5/1
CR MCLEOD VOTED AGAINST**

11.4. Corporate and Community Services

11.4. CORPORATE AND COMMUNITY SERVICES
Nil

12. MOTIONS FROM MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

13. MOTIONS FOR CONSIDERATION AT NEXT MEETING

Cr Meldrum gave notice of the following motion for consideration at the 14 November Ordinary Meeting of Council:

MOTION

Tha Council requests that the CEO prepare a report with strategies that the Shire could undertake to encourage and support local businesses to competitively tender for contracts to the AMR Shire.

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 7.07pm