Ordinary Council

MINUTES

FOR THE MEETING TO BE HELD
WEDNESDAY, 11 DECEMBER 2019
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 11 December 2019, commencing at 5:30pm.

Yours faithfully

[Signature]

STEPHANIE ADDISON-BROWN
CHIEF EXECUTIVE OFFICER
ATTENTION/DISCLAIMER

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

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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 Ian Earl

Councillors : Cr Paula Cristoffanini
Cr Naomi Godden
Cr Brian Daniel
Cr Kylie Kennaugh
Cr Pauline McLeod
Cr Julia Meldrum

Chief Executive Officer : Ms Stephanie Addison-Brown

Director Sustainable Development : Dr Dale Putland

Director Infrastructure Services : Dr Markus Botte

Acting Director Corporate and Community Services : Mr Andrew Ross

Manager Planning and Development : Mr Nick Logan

Manager Legal and Governance Services : Mr Ian McLeod

Governance Officer / Council Support : Ms Claire Schiller

MEMBERS OF THE PUBLIC : 13

MEMBERS OF THE PRESS : Warren Hately, AMR Times

2.1 Apologies
Nil

2.2 Approved Leave of Absence
Nil
3. DISCLOSURES OF INTEREST

3.1 Item 11.3.5 RFT 05-20 Margaret River Main Street – Financial and Proximity Interest – Cr McLeod

Cr McLeod disclosed a financial and proximity interest in item 11.3.5 as her family owns a business on the Main Street.

3.2 Item 11.2.3 Draft Climate Action Plan – Impartiality Interest - Cr Cristoffanini

Cr Cristoffanini disclosed an impartiality interest in Item 11.2.3 Draft Climate Action Plan, the nature of the interest being:

'I am a member and non elected volunteer executive officer of Augusta Margaret River Clean Community Energy Incorporated and I can remain impartial.'

4. PUBLIC QUESTIONS

4.1. Response to Previous Public Questions Taken on Notice
Nil

4.2. Public Question Time

4.2.1 Shut Down of Gravel Pit on Calgardup Road – Mr Darren Gardner

Mr Darren Gardner of Gardners Earthmoving, asked the following questions in relation to the gravel pit on Calgardup Road:

1. Why is it safe for other trucks to use the road including ours (line in, fuel, cattle)?

2. Why, up until this point in time, we had no complaints or requests for the intersection to be upgraded from Main Roads WA?

3. Why has our pit been shutdown until conditions are met but other pits in the area are allowed to continue operating while upgrades are conducted?

4. Why do the rules seem to be different for private businesses compared to Government?

The Director Sustainable Development advised that the shut down of the gravel pit relates to conditions of a planning approval that had not been met. The Director Sustainable Development took the questions on notice.

Responses to public questions taken on notice will be published in the 22 January 2020 Ordinary Council Meeting Agenda.

Acting Director Corporate and Community Services left Chambers at 5.34pm

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil
6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 Ordinary Council Meeting held 27 November 2019

MOTION / COUNCIL DECISION
CR CRISTOFFANINI, CR MCLEOD OM2019/243
That Council confirms the minutes of the Ordinary Council Meeting held on 27 November 2019 to be a true and correct record of the meeting.

CARRIED 7/0

Acting Director Corporate and Community Services re-entered Chambers at 5.36pm

7. DEPUTATIONS
Nil

8. PETITIONS
Nil

9. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

9.1 Welcome to the New Director of Corporate and Community Development

The Shire President welcomed the newly appointed Director Corporate and Community Development, Mr James Shepherd, seated in the public gallery, due to commence with the Shire on 13 January 2020.

9.2 Local Fire Brigade Members assist in Forrestania

The Shire President recognised and thanked local fire brigade members who were deployed to assist with fire fighting in Forrestania.

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

Before moving on to consider Item 11., the Shire President suggested Council consider the outcomes of the General Electors’ Meeting, held at 4.30pm, as New Business of an Urgent Nature as they relate to Item 11.3.5 of this agenda.

Cr Meldrum moved the following procedural motion:

MOTION / COUNCIL DECISION
CR MELDRUM, CR GODDEN OM2019/244
That Council suspends Standing Order 4.3 Order of Business to consider items 14.2.1 Outcomes of General Electors’ Meeting held 11 December 2019 and 11.3.5 RFT 05-20 Margaret River Main Street Redevelopment Construction, and accepts 14.2.1 as New Business of an Urgent Nature.

CARRIED 7/0

Item 14.2.1 was then brought forward for consideration.
14.2.1 Outcome of General Electors’ Meeting – 11 December 2019 4.30pm

Cr McLeod left Chambers at 5.37pm as she disclosed a financial and proximity interest at Item 3.1.

That Council considers the decisions made at the 11 December 2019 General Electors Meeting:

**MOTION / COUNCIL DECISION**

CR GODDEN, CR CRISTOFFANINI OM2019/245

**MOTION / ELECTOR DECISION**

MOVED: LINTON HODSDON SECONDED: MICK GRAHAM EM2019/3

That Council NOT enter into contracts for the construction of this project until the plans are amended and advertised for public comment in accordance with Council’s Town Planning Consultation Policy, including reporting to Council for decision.

CARRIED 10/3

LOST 6/0

CRS EARL, CRISTOFFANINI, GODDEN, KENNAUGH, DANIEL, AND MELDRUM VOTED AGAINST

**REASON**

Council is satisfied that the tender documentation has been appropriately prepared and that the community engagement in relation to the project has been a thorough process.

**MOTION / COUNCIL DECISION**

CR DANIEL, CR MELDRUM OM2019/246

**MOTION / ELECTOR DECISION**

MOVED: LINTON HODSDON SECONDED: JENNIFER GHERARDI EM2019/4

That Council amend the Main Street redevelopment plans to:

- Show a maximum reduction in carparking in the works area of 20.
- Show roundabouts as round, with a minimum diameter of 26m.
- Rationalise landscaping and staging to ensure the whole of Bussell Highway works are completed within a budget of $8.4m.
- And defer works on the Fearn Avenue event space pending a Traffic Modelling report and further funding.

Such amended drawings can be produced within 30 days of this decision, for resolution by Council in February 2020 with some works to commence before winter and all completed before winter 2021.

CARRIED 9/3

LOST 6/0

CRS EARL, CRISTOFFANINI, GODDEN, KENNAUGH, DANIEL, AND MELDRUM VOTED AGAINST

**REASON**

Council is satisfied that the tender documentation has been appropriately prepared and that the community engagement in relation to the project has been a thorough process.

**MOTION / COUNCIL DECISION**

CR MELDRUM, CR DANIEL OM2019/247

**MOTION / ELECTOR DECISION**

MOVED: JENNIFER GHERARDI SECONDED: LLOYD SHEPHERDSO EM2019/5

That if Council enters into a contract for the construction of this project, with delegated authority to the CEO to manage variations but the Council excludes from this delegated authority, all variations pertaining to the streetscape and car parking bays. That given the misinformation and lack of consultation on the final design, the Council will provide
final drawings to the public, with a reasonable period for comment and that this response will be reported back to Council for approval.

CARRIED 11/3

LOST 6/0

CRS EARL, CRISTOFFANINI, GODDEN, KENNAUGH, DANIEL, AND MELDRUM VOTED AGAINST

REASON
Council is satisfied that the CEO’s current community engagement model for the implementation of the project is satisfactory and will enable community input into variations.

Council then went on to consider Item 11.3.5.

Cr McLeod remained absent from Chambers as she disclosed a financial and proximity interest at Item 3.1.
11.3.5 RFT 05-20 MARGARET RIVER MAIN STREET REDEVELOPMENT CONSTRUCTION

LOCATION/ADDRESS  Bussell Highway and Fearn Avenue, Margaret River

APPLICANT/LANDOWNER  N/A

FILE REFERENCE  COR/397

REPORT AUTHOR  Peter Brown, Project Manager

AUTHORISING OFFICER  Stephanie Addison-Brown, Chief Executive Officer

This Item was published as a late report on 5 December 2019.

IN BRIEF

- A Request for Tender (RFT) was advertised for the provision of construction services, for the Margaret River Main Street Redevelopment (Project).
- The Project is to be funded through a combination of Shire municipal funds, reserves and grants, with the majority of funding coming from the State’s Royalties for Regions grant, through the South West Development Commission.
- Due to funding constraints, the tendered construction works were split into separable, geographical portions, with the Shire maintaining the option to contract the final phase of works (phase 3) subject to future funding being obtained.
- Two tenders were received by the tender deadline.
- Tenders were assessed by an evaluation panel (Panel) made up of Shire officers, and a recommendation prepared.

RECOMMENDATION

That Council:
1. Accepts the tender submitted by Busselton Civil Pty Ltd as the most advantageous tender to form a contract; and
2. Delegates power and authority to the Chief Executive Officer to:
   a) Negotiate and agree with Busselton Civil Pty Ltd variations in accordance with Regulations 20 and 21A of the Local Government (Functions and General) Regulations 1996, subject to such variations not causing the contract price to exceed the available project funding; and
   b) Enter into a contract with Busselton Civil Pty Ltd.

LOCATION PLAN
The Project site runs along the Bussell Highway from approximately Higgins Street at the northern end, to south of the Forrest/Wallcliffe Road intersection, and incorporates part of Fearn Avenue.

**TABLED ITEMS**

Nil

**BACKGROUND**

The State Government – through the South West Development Commission – and the Shire of Augusta Margaret River are jointly funding the Margaret River Main Street Redevelopment. The redevelopment commenced in 2012 as part of a State Government SuperTowns Program. Stage One of works being completed in 2013.

The redevelopment includes road surface and pavement rehabilitation works and upgrades, new drainage infrastructure, new and improved lighting, the creation of new public spaces, intersection improvements, new and improved pathways, new and improved pedestrian crossings, cycling infrastructure, signs and line marking renewals, new street furniture and new hard and soft landscaping, as well as associated civil and electrical works.

In October 2018, the Shire undertook a public open tender process to appoint a suitable contractor for the provision of construction services for the remaining Project works. A number of quality tenders were received, however all tendered prices exceeded the available funding, and as such all tenders were rejected.

Significant work has been undertaken since rejection of the tenders in an effort to restructure the funding agreement with the State Government, as well as revise the scope of works through the introduction of works staging and value engineering.

In October 2019, following these amendments, the Shire again undertook a public open tender process for the Project.

The RFT document made clear that the Project was subject to funding constraints, and that the award of a contract would rely on tendered prices meeting the funding constraints. The RFT document also noted that the Project would be staged, to allow for partial construction and completion of the Project independent of funding for Phase 3 of the Project being secured.

**CONSULTATION AND ADVICE**

**External Consultation**

The Shire continues to liaise with the funding partner, the South West Development Commission, including discussion of the Project at a Project Control Group Meeting on 18 November 2019.

Officers have sought reference checks and have obtained external financial viability assessments for both tenderers.

**Internal Consultation**

- Chief Executive Officer
- Director Infrastructure Services
- Manager Asset Services/Acting Director Infrastructure Services
- Manager Corporate Services/Acting Director Corporate and Community Services
- Coordinator Technical Services
- Project & Procurement Officer

**DISCUSSION / OFFICER COMMENTS**

RFT 05-20 Margaret River Main Street Redevelopment Construction was issued as a public tender on Wednesday 23 October 2019, and closed Friday 22 November 2019. The invitation to tender was advertised in the West Australian and Augusta Margaret River Times newspapers, as well as on the Shire’s website.

Twenty-six organisations requested – and were provided with – a copy of the RFT documents.
A non-mandatory RFT briefing formed part of this tender process and was held at 10:30am on Friday 1 November 2019 at the Margaret River Shire Civic Administration Centre. Representatives from six organisations attended this briefing.

Two addenda were issued during the RFT Open Period and a number of clarifications were provided.

Details of organisations provided with RFT documents, as well as details of clarifications sought and given plus addenda issued were all recorded in an RFT Open Period Log.

The Shire received two tender responses from the following organisations:

- Busselton Civil Pty Ltd (BCP)
- Georgiou Group Pty Ltd (Georgiou).

Both tender submissions were received before the deadline stated in the RFT document.

Each tender response was evaluated by a Panel consisting of:

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<th>Title</th>
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<tr>
<td>Chris Yates</td>
<td>Coordinator Technical Services, Shire of Augusta Margaret River</td>
</tr>
<tr>
<td>Dr. Markus Botte</td>
<td>Director Infrastructure Services, Shire of Augusta Margaret River</td>
</tr>
<tr>
<td>Peter Brown</td>
<td>Project Manager, Shire of Augusta Margaret River</td>
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The evaluation process was facilitated by Mel Aylett, Project and Procurement Officer.

In accordance with the evaluation process outlined in the RFT document, the assessment included, amongst other things:

- Assessing tenders received against relevant compliance criteria. The compliance criteria were not point scored. Each submission was assessed on a Yes/No basis as to whether each criterion was satisfactorily met.

- Assessing tenders against the following qualitative criteria:

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<td>Relevant Experience</td>
<td>25%</td>
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<tr>
<td>Tenderer’s Resources</td>
<td>25%</td>
</tr>
<tr>
<td>Demonstrated Understanding</td>
<td>30%</td>
</tr>
<tr>
<td>Occupational Safety, Health and Environmental Management</td>
<td>10%</td>
</tr>
<tr>
<td>Sustainability Considerations</td>
<td>10%</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>100%</strong></td>
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A scoring and weighting system was used to assess the tenders against these qualitative criteria, with the extent to which a tender demonstrated greater satisfaction of each of the qualitative criteria resulting in a greater score.

- The Panel then assessed tendered prices together with the weighted qualitative criteria, and the tenders were ranked to determine the most advantageous outcome for the Shire, based on the principle of achieving best value for money. That is, although price was a consideration, the tender containing the lowest price will not necessarily be accepted, nor will the tender ranked the highest on qualitative criteria.

- The Panel also undertook due diligence checks to inform an assessment of risks involved in implementing the Officer’s recommendation.

Outcomes of the tender evaluation are outlined in Confidential Attachment 1 – Tender Evaluation Report and can be summarised as follows:
Both tenders were deemed compliant
- Georgiou scored marginally higher than BCP on qualitative criteria
- BCP were the only tenderer to submit a tender price for Phases 1 and 2 of the Project which fell within the funding constraints
- Some potential risk was highlighted in relation to BCP’s capacity to deliver the Project based on their organisational size. Clarification was sought on a number of items from BCP. Responses provided gave the evaluation panel some confidence that, with implementation of security arrangements as outlined in the RFT document and adequate contract management, BCP would have the capacity to undertake the Project. These concerns and clarifications are detailed in Confidential Attachment 3 – Shire financial viability assessment.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS
The contract value is greater than $250,000 and therefore, in accordance with section 5.43(b) of the Local Government Act 1995 (the Act), read with Delegation 9, the award decision in relation to this contract must be made by Council.

Section 3.57 of the Act requires local government to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.

Part 4 of the Local Government (Functions and General) Regulations 1996 (Regulations) requires that tenders be publicly invited for such contracts where the consideration under the contract is, or is expected to be, more, or worth more, than $150,000. The Regulations also stipulate the statutory framework for inviting and assessing tenders and awarding contracts, pursuant to this process.

In regards to RFT 05-20, Shire officers have complied with the abovementioned legislative requirements.

The Regulations also contain provisions relating to the variation of requirements before entry into contract, and variations after entering into a contract as follows:

Regulation 20 allows local government to make variations to the goods or services required after inviting tenders and choosing a successful tenderer, but before entering into contract, on the condition that such variations is considered minor by the local government, having regards to the total goods or services that tenderers were invited to supply.

Regulation 21A allows for the variation of a contract after it has been entered into, only on certain conditions such as:
- The variation being necessary in order for the goods or services to be supplied, and does not change the scope of the contract; or
- The variation being a renewal or extension of the term of the contract, where the original tender and contract allowed for such renewal or extension.

STRATEGIC PLAN / POLICY IMPLICATIONS
Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2019-2023
Key result area 3: Ensuring sustainable development
Community Outcome 6: Connected and safe transport network
Strategic Response: Manage traffic flows, parking and pedestrian safety in town and village centres
Service level strategy/plan: Secure funding to deliver the Margaret River Town Centre Revitalisation Project (Main Street and Fearn Avenue)

PLANNING FRAMEWORK
Nil

FINANCIAL IMPLICATIONS
The Project is being funded as follows:

<table>
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<th>Project Funding Available</th>
<th>$5,290,000</th>
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<td>State Royalties for Regions (less $200,000 drawdown)</td>
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Interest on Royalties for Regions funding (estimate) $257,846
Shire of Augusta Margaret River – reserves $2,732,536
Shire of Augusta Margaret River – municipal funds $400,000
Total Project Funding $8,680,382
Spent to date – 2019/20 ($127,606)
Remaining Project Funding¹ $8,552,776

¹ Figures are current as at 30 November 2019. As well as the construction contract, further costs can be expected for internal project resourcing, insurances, contingency, and consultants.

As expected by the Shire, no tenderer submitted an offer with a total tendered price within the above funding parameters.

BCP, who are recommended for award of the contract, were the only tenderer to have submitted a tender price within the Shire’s above funding constraints for works in Phases 1 and 2.

**Long Term Financial Plan**
The Margaret River Main Street Redevelopment is a key project, included in the Long Term Financial Plan.

**Whole of Lifecycle considerations**
A lifecycle cost analysis has not been conducted. However, all components of the Project will require renewal at some stage during their expected useful lives. The Shire will be required to financially depreciate new assets created or transferred as part of the delivery of this Project, including the road and drainage assets associated with Bussell Hwy and currently under the care, control and management of Main Roads Western Australia. The Shire will need to plan for the management and renewal of these assets into the future.

**SUSTAINABILITY IMPLICATIONS**

**Environmental**
The Project will deliver a number of key environmental improvements, including:
- A rain garden included in Fearn Avenue Square;
- Improved verge landscaping included in the Main Street;
- A cycle lane, which will help create a culture of using alternative transport modes;
- Increased tree planting, which will reduce the urban heat island effect and provide habitat for fauna; and
- New energy efficient LED street lighting.

**Social**
Social benefits expected to be derived from delivery of the Project include:
- The curated streetscape will provide extensive opportunities for community engagement;
- A safe pedestrian environment will contribute to increased amenity;
- Improvements to the streetscape will provide a safer and more equitable pedestrian and cyclist environment; and
- Improved quality of life for local residents.

**Economic**
The Project is expected to benefit the long term economic sustainability of the Margaret River town centre through provision of:
- A safe pedestrian environment will contribute to increased retail opportunities;
- Streetscape curation which will provide opportunities for pop up shops and increased retail activity;
- Increases in tourism visitation to Margaret River and the region;
- Increases in economic activity (from tourism expenditure and enhanced commercial opportunities in the main street);
- Improvement in brand value of Margaret River;
- Increases in the ability of Margaret River to attract future residents and employees;
- Reductions in street lighting costs and maintenance costs; and
- Increased development opportunities in the Main Street.
ADVOCACY
Nil

ALTERNATE OPTIONS
Council may consider the following alternative options:

1. Awards the tender to the alternative tenderer. This would be unlawful however, as the Shire does not have sufficient funding to enter into a contract with the other tenderer for their tendered price.

2. Rejects all tenders. This would mean either not going ahead with the Project, or else needing to go back out to tender, resulting in significant delays to the Project and/or possible loss of State funding.

For the reasons provided in this report, the abovementioned options are not recommended.

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council:

1. Accepts the tender submitted by Busselton Civil Pty Ltd as the most advantageous tender to form a contract; and

2. Delegates power and authority to the Chief Executive Officer to:

   a) Negotiate and agree with Busselton Civil Pty Ltd variations in accordance with Regulations 20 and 21A of the *Local Government (Functions and General) Regulations 1996*, subject to such variations not causing the contract price to exceed the available project funding; and

   b) Enter into a contract with Busselton Civil Pty Ltd.

ADVICE TO APPLICANT / PROONENT
Nil

ATTACHMENTS
1. CONFIDENTIAL Tender Evaluation Report
2. CONFIDENTIAL Illion Financial Risk Report – Busselton Civil Pty Ltd
3. CONFIDENTIAL Shire Financial Viability Assessment – Busselton Civil Pty Ltd

RECOMMENDATION / COUNCIL DECISION
CR DANIEL, CR KENNAUGH OM2019/248

That Council:

1. Accepts the tender submitted by Busselton Civil Pty Ltd as the most advantageous tender to form a contract; and

2. Delegates power and authority to the Chief Executive Officer to:

   a) Negotiate and agree with Busselton Civil Pty Ltd variations in accordance with Regulations 20 and 21A of the *Local Government (Functions and General) Regulations 1996*, subject to such variations not causing the contract price to exceed the available project funding; and

   b) Enter into a contract with Busselton Civil Pty Ltd.

CARRIED 6/0

Cr McLeod re-entered Chambers at 5.43PM

*Standing Order 4.3 was resinstated and the order of business resumed. Council went on to deliberate Item 11. Reports of Committees and Employee Reports.*
11.1.
Chief Executive Officer
11.1.1 CAPES REGION ORGANISATION OF COUNCILS (CAPEROC) MINUTES - 15 NOVEMBER 2019

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  Stephanie Addison-Brown, 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 15 November 2019 and 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 (ToR) adopted 24 September 2009, and further reviewed on 18 August 2018 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 Busselton brands;
- To explore opportunities to undertake projects of mutual benefit to the two local governments eg Rails to Trails network, joint waste management facilities, joint funding of infrastructure requirements;
- To develop opportunities to undertake capacity building activities for Councillors and staff in the Shire and the City
- 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 six 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
External Consultation
• Ms Julie Rawlings, Strategic Projects/Grants Officer, City of Busselton

Internal Consultation
Nil

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

Business Arising from Previous Meetings
• Capes Region Tourist Directional Signage Strategy. Jennifer May provided members with a brief overview of the outcomes resolved at the last meeting on 9th August, 2019 that included support for the trial to implement the proposed tourism directional signage at the intersection of Bussell Highway and Metricup Road that includes removing existing signage and including layby signage on Metricup Road. Jennifer advised officers are reviewing resourcing to implement this initiative.
• Regional Trails Strategy. David Nicholson advised the consultant is currently preparing a draft report, which is now scheduled for completion in December. The intent is to present the report to the first CapeROC meeting in 2020.

GENERAL UPDATES
Joint Public Health Plan Expenditure update
In August 2018 CapeROC resolved to allocate an amount of $18,300 toward contextual planning and the epidemiological data analysis requirements for Local Public Health Plans.

As requested by CapeROC a Terms of Reference (TOR) for co-operation between the Local Governments on how this funding would be allocated was finalised in February 2019. A Request for Quote (RFQ) process was used to secure a suitably qualified consultant and Melissa Stoneham and Associates was appointed to carry out the work in April 2019.

The work was completed in June 2019 and separate reports were provided to AMRSC and COB which identify the priority public health risks to be considered in the Local Public Health Plans.

The funding allocation was $18,300 of which $16,800 was spent and used effectively on a joint basis to complete the initial research and data analysis required as part of the Local Public Health Plan process. This money has now been spent and the acquittal process is completed.

The Shire of Nannup indicated their interest during the planning process and indicated they will be using the same method for the development of their plan. There is an informal agreement between the City/Shires to share the information and the work that has been completed.

RECOMMENDATION
That CapeROC:
1. Acknowledges the expenditure of $16,800 has been spent and the acquittal process is completed; and
2. Receives the ‘Health Status Reports’ for both AMRSC and COB.
Rails to Trails – Wadandi Project
Each year, the City of Busselton and the Shire of Augusta Margaret River allocate $100,000 and $50,000 respectively towards the Wadandi Track (Rail Trail) project. David Nicholson and Stephen Wesley gave a PowerPoint presentation providing an update on the project comprising a brief history, progress to date, planned future works and external funding challenges.

RECOMMENDATION
That CapeROC notes the information.

My Community Directory
The City of Busselton (City) and Shire of Augusta Margaret River (Shire) have been progressing the implementation of the My Community Directory with the intended launch dates being Wednesday 27 November 2019 at the Shire and Thursday 28 November 2019 at the City. Marketing and promotion of the directory will include:

- Shire to host a Community Leaders Forum Thursday 28 November 2019 to celebrate the launch and discuss future actions;
- A series of A3 poster stands with business cards, to be positioned in community spaces throughout the Shire district. Four weeks advertising scheduled for local newspapers from 29 November. Media release / radio interview 2 Oceans FM on 27 November 2019. City purchasing promotional pens and notebooks with details of website;
- Four community groups have signed on as “Community Champions” for the project to support its promotion in the community; this includes Augusta Community Resource Centre (Augusta Directory), Rotary Margaret River (Rotary Directory), Margaret River Community Centre, and Transition Margaret River;
- City staff working with community organisations, groups and service providers to create an online community directory that can be printed and distributed or access via the app;
- Working with Augusta Directory and Rotary Directory to deliver a data-share for their 2020 directories, and reciprocal advertising to reinforce the partnership;
- Regular liaison with the Augusta Margaret River Community Mental Health and Wellbeing Alliance, Vasse Human Service Alliance and Capes Early Years Network;
- Data compiled of all known community groups and health services is 70% complete and submitted to My Community Directory who are data-checking. Remaining 30% to be completed this week.

RECOMMENDATION
That CapeROC notes the ‘My Community Directory’ project update.

CapeROC budget update
In 2019-2020, the Shire of Augusta Margaret River and the City of Busselton have allocated up to $40,000 of their respective budgets (up to $80,000 in total) towards CapeROC approved regional economic development initiatives. This report provides an update on financial activities for the 2019-2020 financial year.

<table>
<thead>
<tr>
<th>PROPOSED 2019/20 CapeROC Projects</th>
<th>In principle Allocation</th>
<th>Expenditure (AMR) $40,000</th>
<th>Expenditure (BSN) $40,000</th>
<th>Total Expenditure 2019/2020</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>CapeROC Calendar of Events 2019/20 – Spring, Summer, Autumn Winter</td>
<td>21,200.00</td>
<td>10,600.00</td>
<td>10,600.00</td>
<td>5,300.00</td>
<td>Spring 2019 $4,770 Summer 2019/20 $4,770 Autumn 2020 $4,770 Winter 2020 $4,770 Additional standalone copies (3,000 per edition $530 + gst) to be split between CoB and SAMR</td>
</tr>
</tbody>
</table>
SHIRE OF AUGUSTA MARGARET RIVER
ORDINARY COUNCIL MEETING 11 DECEMBER 2019

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget 2019/2020</th>
<th>Budget 2020/2021</th>
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</thead>
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<tr>
<td>My Community Directory</td>
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<td>$20,406.50</td>
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<td></td>
<td></td>
<td>$20,406.50</td>
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<tr>
<td>Event Calendars</td>
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<td>($20,406.50)</td>
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</table>

<table>
<thead>
<tr>
<th>Year</th>
<th>Expenditure</th>
<th>Commitment</th>
<th>Potential / Total Expenditure (excluding gst)</th>
<th>Total Unallocated</th>
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</thead>
<tbody>
<tr>
<td>2018/2019</td>
<td>7,985.00</td>
<td>15,000.00</td>
<td>64,591.50</td>
<td>15,408.50</td>
</tr>
<tr>
<td></td>
<td>800.00</td>
<td>15,000.00</td>
<td>21,603.25</td>
<td>18,396.75</td>
</tr>
<tr>
<td></td>
<td>7,185.00</td>
<td></td>
<td>42,988.25</td>
<td>($2,988.25)</td>
</tr>
</tbody>
</table>

RECOMMENDATION
That CapeROC notes the current status of the CapeROC 2019-2020 budget

REPORTS
Plastic Free Event Guidelines
There are more than 250 event applications processed and held in the Capes region each year. Of these, there are several events which cross boundaries between both local government areas, either as a moving event (ie cycle events), or multiple fixed site events (ie Gourmet Escape, Cabin Fever).

The growth in the number of events annually combined with a global desire to reduce the environmental footprint of events, has led to a need for a unified approach to event sustainability.

Consultation has taken place between the Shire of Augusta Margaret River and City of Busselton, with an agreement reached that a collaborative approach is important to ensure that a consistent message is put forward.

To that effect, it is recommended that both the Shire and City undertake the following:

1. Production of a sustainable events guide, to distribute to event organisers. This guide will cover the following areas:
   i. Pre event planning and communications - including marketing of the event
   ii. Waste management – including reduction of single use items, implementation of 3 bin system, food providers using compostable packaging, ban of balloons and confetti
   iii. Water stations – encourage BYO drink bottles
   iv. Green transport – encourage walk/cycle initiatives, public transport where available, car pooling
   v. Care of our spaces and places – leave no trace
   vi. Information on where to source products and infrastructure to assist with waste reduction initiatives, with preference on local suppliers where possible

2. Inclusion of environmental conditions in sponsorship funding agreements with key events. Dependant on the level of funding, events will be expected to comply with a minimum number of items from the guide.

Acknowledging that there are sometimes financial or resourcing barriers that inhibit or deter event organisers from seeking green alternatives when planning their event, more generally there is a broad level of community expectation and desire to see waste reduction initiatives implemented where possible. This has resulted in many events already seeking advice on ways to reduce their environmental footprint. Such measures need to be balanced to ensure they are both practical and financially viable. It is recommended that a staged approach is applied, with a view to full compliance.
within two years. Investment in infrastructure such as portable bike racks and water refill stations are practical ways to assist events towards event sustainability.

In achieving this, appropriate processes and resources need to be in place to support the recommendations being made. While the Shire of Augusta Margaret River has full roll-out of Food Organics, Garden Organics (FOGO) service, Busselton is still in a trial phase with FOGO in one suburb. Once full use of FOGO services is implemented throughout the City of Busselton, it will become much easier to encourage events to implement collection of organic waste.

The Shire of Augusta Margaret River have already produced a Sustainable Events Information Sheet, outlining some of the key areas to address when planning an event. Officers of the City of Busselton are currently drafting guidelines. Once completed, these guides will be cross referenced with each other to ensure the message is consistent.

RECOMMENDATION
That CapeROC notes the report.

CapeROC Meeting Dates 2020
Meetings of CapeROC are held on a quarterly basis, generally held on a Friday morning in the months of February, May, August and November. Currently, meetings are scheduled to commence at 10.00am with business concluding prior to a member’s lunch.

CAPEROC DECISION
That CapeROC for 2020 will commence at 9.30am with a morning tea and networking opportunity with a 10am start to the meeting, on the following dates:
- 19 February 2020 – Busselton
- 20 May 2020 – Busselton
- 19 August 2020 – Augusta Margaret River
- 18 November 2020 – Augusta Margaret River

GENERAL DISCUSSION ITEMS
Regional Business/Tourism Attraction
With the announcement of regular passenger flights between Busselton and Melbourne, commencing in March 2020 and the potential for an elevated level of interest in the area CapeROC could consider the opportunities this represents including working with the South West Development Commission to attract conferences and other business and/or tourism to the area.

Cr. Henley advised there is an opportunity to have a joint approach to attraction of conferences etc., but he believed it would be very difficult to implement. Ms Addison Brown suggested looking at existing events and local industries and identify champions to assist with bringing conferences etc., into the area. Cr. Earl asked what support is needed from the AMRSC to assist with the Airport. Mr Archer advised that the City will provide a briefing on the Airport to the next CapeROC meeting for discussion.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS
Nil

STRATEGIC PLAN / POLICY IMPLICATIONS
Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2019-2023
Key Result Area 5: Effective leadership and governance
Outcome 4 Community and Customer Focus
Strategy 4 Encourage and support community/Shire projects and partnerships
5.4.4.4 Participate in CapeROC meetings

PLANNING FRAMEWORK
Nil
FINANCIAL IMPLICATIONS
Implications
Job CEO13 has an allocated budget for 2019-2020 of $40,000 with $12,588 expended at 31 October 2019.

Long Term Financial Plan
Nil

Whole of Lifecycle considerations
Nil

SUSTAINABILITY IMPLICATIONS
Environmental
Nil

Social
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.

Economic
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.

ADVOCACY
Nil

ALTERNATE OPTIONS
Nil

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council notes the CapeROC meeting minutes dated 15 November 2019 and the recommendations made at the meeting.

ADVICE TO APPLICANT / PROONENT
Nil

ATTACHMENTS
1. Minutes of the CapeROC meeting held on 15 November 2019

RECOMMENDATION / COUNCIL DECISION
CR CRISTOFFANINI, CR KENNAUGH OM2019/249
That Council notes the CapeROC meeting minutes dated 15 November 2019 and the recommendations made at the meeting.

CARRIED 7/0
11.2.
Sustainable Development
11.2.1 SOLAR PV ANALYSIS OF SHIRE BUILDINGS

LOCATION/ADDRESS  Shire of Augusta Margaret River

APPLICANT/LANDOWNER  Shire of Augusta Margaret River

FILE REFERENCE  ENV/119

REPORT AUTHOR  Jared Drummond, Sustainability Planning Officer

AUTHORISING OFFICER  Dale Putland, Director Sustainable Development

IN BRIEF
- A Business Case (Attachment 1) was undertaken to assess the viability of installing solar photovoltaics (PV) at the: Margaret River Shire Offices; Recreation and Aquatic Centre and north facing car park; and Shire Depot.
- The report considered the optimum size (kW) of a PV system, capital investment for each installation, return of investment, battery storage and various purchasing arrangements.
- Based on the report, it is recommended that the Shire install solar PV systems at the Shire Depot during 2019/20 and the Shire Offices during the 2020/21 financial year.
- No battery storage is recommended due to inadequate payback periods.

RECOMMENDATION
That Council:
1. Utilises funds from the TNP16 (sustainability Initiatives) 2019/20 budget to install a 20kW solar PV system at the Margaret River Shire Depot;
2. Allocates $160,000 in the 2020/21 budget for installation of a 100kW solar PV system at the Shire offices;
3. Notes that Shire staff will undertake a solar PV review at the HEART in the first half of 2021, with the intent of determining the feasibility of installing a solar PV system during the 2021/22 financial years; and
4. Notes the recommendation to investigate a large scale solar PV installation at Tanah Marah Road, Reserve No. R23495.

LOCATION PLAN
Details provided in discussion section below.

TABLED ITEMS
Nil

BACKGROUND
The solar PV analysis was initiated in response to the Local Energy Action Plan (LEAP) 2018, which included an action to undertake an analysis of Shire buildings to determine suitable locations for solar PV installation. This action was borne out of a need to not only reduce emissions, but also reduce electricity costs. This is also a ‘priority project’ identified in the Corporate Plan 2019-2023, which requires the Shire to investigate installation of additional renewable energy installations. A desk top study was undertaken to determine the most suitable roof spaces on Shire buildings available to install solar. A detailed solar PV business case was prepared for the Recreation Centre, Shire offices and the Shire depot by solar energy professionals.

The business case builds on the existing solar installations in the Shire which include the Recreation Centre (two installations totalling 80kW), Augusta Civic Centre (14kW) and Margaret River library (10kW). A review of annual energy consumption was undertaken for all Shire buildings. The above sites were identified above others due to the fact that these buildings have suitable roof area capable of installing solar and use large amounts of energy during peak solar generation.

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CONSULTATION
The report was circulated to Shire staff to review the financial aspects of the report. Shire staff met with a local electrician and structural engineers to determine the feasibility of installing solar at each of the sites.

PLANNING DISCUSSION
Table 1 provides an overview of the overall outcomes from the business case for each site. The assumptions are based on specific solar panels and inverters that are similar to what the Shire has already installed. It provides a reasonable understanding as to what to expect should Council decide to install solar at these locations.

The business case is based on the Shire’s current ‘un-bundled’ tariff structure. In an unbundled tariff structure the charges incurred at a $/kWh rate are the only charges that can be directly reduced from solar PV. Some electricity billing fees such as some network distribution charges cannot be offset from solar in an un-bundled tariff. In a bundled tariff structure there are only $/Day and $/kWh charges. As almost all of the electricity charges incurred are in the form of a $/kWh charge, higher savings can be achieved through the installation of solar PV under a bundled tariff. It is recommended that a review of the Shire’s electricity tariff occur in early 2022 when the electricity contract expires, to determine the most suitable tariff to maximise the financial return for solar.

The capital expenditure (CAPEX) assumptions below take into account government rebates for solar installation (Small-scale Technology Certificates or STC’s). Despite STC’s reducing in quantity as at the start of 2020 (by approximately 6%), solar panels continue to drop in price. Therefore, the capital expenditure should remain relatively close to what has been specified in the table below. Capital expenditure, Return on Investment etc. may be modified dependent on the solar products installed, additional structural design requirements and so forth. The following section provides a more detailed review of each of these sites.

<table>
<thead>
<tr>
<th>Table 1 – Overview of Solar PV analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recreation and Aquatic Centre</td>
</tr>
<tr>
<td>System Size (kW)</td>
</tr>
<tr>
<td>Total PV Energy Yield (kWh p.a)</td>
</tr>
<tr>
<td>PV Energy Consumed (kWh p.a)</td>
</tr>
<tr>
<td>Consumption covered by PV</td>
</tr>
<tr>
<td>PV Energy Exported (kWh p.a)</td>
</tr>
<tr>
<td>CAPEX Estimate after STC rebate (ex. GST)</td>
</tr>
<tr>
<td>Total Savings p.a</td>
</tr>
<tr>
<td>Return on Investment</td>
</tr>
<tr>
<td>Internal Rate of Return (IRR)</td>
</tr>
<tr>
<td>CO2 Offset (tonnes/year)</td>
</tr>
<tr>
<td>Equivalent trees planted per year</td>
</tr>
</tbody>
</table>

While it may be possible to combine these individual assessment to create favourable ROI and IRR for all projects, the installation at the Recreation Centre is not recommended for the reasons detailed below.

Margaret River Recreation & Aquatic Centre
There is an existing 21kW rooftop PV system installed at the Recreation Centre, with an additional 60kW system completed in June 2019 installed on Court 3 of the Recreation Centre (shown in red below). Due to the Recreation Centre having significant night-time energy consumption, the proposed size of the solar PV system has been limited to an additional 80 kW system which occupies the area of roof outlined in Figure 1 below.
The tariff structure is different for the Recreation Centre than for other Shire buildings. Unlike other sites that are charged Network costs per kWh of usage, the Recreation Centre is charged Network costs depending on the peak instantaneous power value measured at the site (per kVA), which can also increase the payback period for solar. In addition, due to the existing PV systems (21kW and 61kW systems) installed at the Recreation Centre already reducing the daytime peak power value of the site, the proposed 80kW addition provides limited reduction in peak power draw (see Figure 2 below) and therefore lower reductions in savings. This situation is reflected in Table 1, which identifies a 10.6 year pack period, and a low Internal Rate of Return of only 8%. While 8% is still a reasonable IRR, the key issue is that the system would be in excess of requirements, mostly serving to export energy to the grid for no return.

Installation of the proposed system increases the total solar array capacity at the Recreation Centre to 161kW. Systems in excess of 100kW at any one site must become an “accredited power station” with Clean Energy Regulator. This means that the metering needs to be changed, and generated electricity must be accurately tracked and recorded each year. In addition to increased application fee for applications over 100kW, they are also ineligible for STC credits at the point of sale. In the case of the proposed additional 80kW solar PV system, 60kW would be ineligible for STC
credits, therefore increasing capital expenditure and reducing Return of Investment. Based on this and the limited reduction in peak power anticipated, further installation of solar PV at the Recreation Centre is not recommended.

**Shire Offices**
Two roof locations were explored for solar PV potential as discussed herein:

*South facing roof (main roof)*
The Shire offices consist of mainly South facing roof structures, which require tilted solar PV installations for the system to achieve maximum generation. The additional mounting equipment required for tilted systems increases the capital expenditure (CAPEX) and maintenance costs of the system and has been included in the financial analysis of this system. A 60kW solar PV system has been considered for the south facing (main) roof. Additional structural engineering requirements are required for this roof to accommodate a solar PV system, which are currently being explored.

*East facing roof (above entrance foyer to the building)*
An East facing, flush mount solar array was chosen for this part of the roof. Locating panels flush to the east-facing roof also maximises morning generation which coincides with the spike in consumption experienced within the Shire offices. A 40kW solar PV system is proposed in this location. Further advice provided indicates that a 70kW system could be installed on this roof. This option may be considered if the structural requirements on the main roof prove unsuitable for installing solar.

**Figure 3: Margaret River Civic Administration Centre**

The combined system is 100kW in size, which is the maximum size that can be installed and still attract STC credits. The combined system has a 4.1 year payback period, and an annual electricity savings of $26,683. This presents an attractive business case, especially considering solar arrays have an approximate life span of 25 years or more. Figure 4 demonstrates that should a 100kW solar array be installed then the majority of electricity consumption currently consumed from the grid would be offset through the introduction of solar. This is equivalent to 44% of the site’s annual consumption. Approximately 29% of solar generation would be exported back to the grid, with the majority of this relating to solar electricity generated over the weekend when the building is mostly shut down. It has a good Internal Rate of Return of 26%.
A structural feasibility study is currently being prepared to determine the suitability of installing solar arrays at each roof location. Due to the existing structural support in place, it is anticipated that the east-facing roof will be suitable to accommodate the proposed solar PV installation without significant structural reinforcement. Based on discussions with the engineer, it is expected that additional structural support will be required for the main roof in order to accommodate solar in this location. This is due to the large spacing in between beams where solar panels can be attached (heightened by the fact solar panels are proposed to be tilted to orientate north). The additional structural support will incur additional costs, which will be detailed in the feasibility study currently being prepared.

The final design and size of the system will be subject to the outcomes of the structural feasibility study. It is recommended that $160,000 is allocated in the 2020-21 budget to allow additional funds for structural design and variations in solar equipment. Should the system require the full $160,000, then the payback period would increase from 4 to 6 years, which is still considered favourable, especially considering the anticipated $26,000 per annum reduction in electricity expenditure. It is recommended that a 100kW solar PV be installed at the Shire offices.

Shire Depot
The business case proposes a 20kW solar PV system that attached to the east side of the new machinery shed built in 2017. The proposed system will generate electricity that coincides with the assumed electricity consumption at the site (see Figure 5 below).
A review of the building plans for the machinery shed suggests there is adequate structural support to accommodate the proposed solar array. Structural integrity and associated solar PV addition will be configured during building permit stage. A 3 phase electricity sub-board is located on the southern wall of the machinery shed. As confirmed (on site) by a local electrician, it is anticipated that solar PV can be connected to this sub-board with additional sub-surface trenching (potentially required) back to the main switchboard (approximately $3,000 - $5,000).

The proposed 20kW system has a cost estimate of $22,050, a 2.5-year payback period, and an annual electricity savings of $7,864, with an IRR of 41%. Figure 6 demonstrates that the system will generate 42% of the site’s electricity. At an Internal Rate of Return of 41%. There is $23,500 in the 2019-20 budget for solar PV installs. It is recommended that a 20kW solar array be installed during the 2019-20 financial year.

**Figure 6: Weekly Consumption Profile – Shire Depot**

![Weekly Consumption Profile](image)

### Car Park

Installing solar PV was explored for the northern carpark at the Recreation Centre carpark, which would be constructed on mounts above vehicles. Significant additional costs are anticipated for this installation due to the structural framing that is required for the PV modules to be installed on. This greatly increases the CAPEX of the carpark system. It is not considered optimal as the electricity load of the Administration and Recreation Centre do not require larger carpark systems to offset the electricity consumed. The payback period for a carpark solar array at the Shire Offices is approximately 14 years, and 20+ years at the Recreation Centre. For these reasons, they are not supported at this time.

### Battery Storage

A ‘Solar Business Case – Battery Storage’ report was prepared to explore the suitability of battery storage at the Recreation Centre and Shire offices (Attachment 2). Battery storage does not provide an attractive return on investment due to the need for a battery size that is able to deliver a large amount of energy and power during the night on high cost. Incorporating battery storage at the Shire offices allows excess energy generated from the solar array for use during the evening and night time when the PV system is not generating, to produce a reduction in the amount of electricity purchased from the grid. Lower off-peak electricity prices are incurred during the night and therefore the battery would be offsetting a lower cost, which contributes to a high Return of Investment. This is highlighted in Table 2 below.

Using a discount rate of 4% (for both sites), the Discounted Cash Flow has been calculated over a 20 year period. The initial capital expenditure and extensive payback period does not warrant inclusion of battery storage at this point in time.
Table 2 – Financial Analysis of Battery Storage.

<table>
<thead>
<tr>
<th>Recreation Centre</th>
<th>Discounted Cash Flow</th>
<th>CAPEX</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recreation Centre (80kw – Solar PV only)</td>
<td>$143,594</td>
<td>$133,217</td>
</tr>
<tr>
<td>Recreation Centre (80kW rooftop + 130kW carpark Solar + Battery)</td>
<td>-$764,056</td>
<td>$926,737</td>
</tr>
<tr>
<td>Shire offices (100kW - Solar PV only)</td>
<td>$374,928</td>
<td>$112,839</td>
</tr>
<tr>
<td>Shire offices (100kW – Solar + Battery)</td>
<td>$396,788</td>
<td>$293,347</td>
</tr>
</tbody>
</table>

**Power Purchase Agreements**

The cash price for a commercial solar system is generally always the lowest, as fees and charges involved with finance or leasing increase the overall cost of a system. Power Purchase Agreements (PPA’s) are a type of solar leasing arrangement. The core idea is that a third party retailer installs a commercial system on your property (meaning it legally owns it, and is obligated to maintain it), and enters into an agreement to sell the Shire a set amount of electricity over a long-term agreement. The main benefits to the Shire are that electricity costs overall are lower, because the price for electricity under a PPA will be less than what we currently pay, and there is no upfront cost of installing the system.

A PPA may provide the Shire with the benefit of having a percentage of their electricity consumption generated from a renewable energy source, while also delivering a portion of the financial benefits mentioned above, without the up-front capital expenditure required to purchase the system outright. Due to the tariff structure and low peak and off peak rates incurred at the Recreation and Aquatic Centre, a PPA tariff will exceed the current electricity costs incurred by the Shire, and therefore the focus has been on the Shire offices only. The business case outlines an electricity price which could be offered for the Shire offices. The current electricity rates for the Shire offices are $0.246/kWh (Peak 6am -10pm) and $0.11/kWh (Off-Peak).

<table>
<thead>
<tr>
<th>Shire Offices</th>
<th>Electricity tariff</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current tariff</td>
<td>$0.246/kWh (Peak)</td>
</tr>
<tr>
<td></td>
<td>$0.11/kWh (Off-Peak)</td>
</tr>
<tr>
<td>Tariff with PPA agreement</td>
<td>$0.147/kWh (Peak)</td>
</tr>
<tr>
<td></td>
<td>$0.06/kWh (Off-Peak)</td>
</tr>
</tbody>
</table>

It is recommended that the Shire purchase solar PV systems using capital expenditure rather than through a PPA as it is anticipated Return of Investment is considered more profitable in the medium to long term.

**Other potential solar PV sites (excluded from the Business Case)**

At present, the Shire has installed solar PV installation equivalent to offsetting 5% of the Shire organisations emissions. The draft Climate Action Plan seeks to offset 50% of the Shire organisation emissions through the installation of renewable energy by 2030. A significant uptake in solar PV installation is required as a means of reaching this target.

**Large-scale solar installation**

The proposed increase of solar generation at the Shire Offices and Recreation Centre is expected to increase offsets from renewable energy to 12%. Further large-scale installations are required to meet the proposed 50% target by 2030. The draft Climate Action Plan includes an action to investigate development of a large-scale solar PV installation at Shire reserve R23495 (unused gravel site) on Tanah Marah Road (see below). One potential scenario could be to prepare an Expression of Interest, inviting renewable energy companies to develop a large-scale solar PV farm on the land. In return, the Shire could make the land available at a peppercorn lease rate, and purchase renewable energy at a reduced rate. This would seek to achieve adopted targets, and may provide opportunities for local community to purchase renewable energy. At the same time, the Shire is supporting the progress of AMRCCE’s large scale project, which is anticipated to provide up to 50% of the Shire community’s electricity requirements.
HEART Centre
There is potential to install solar at the new HEART centre. One viable location could be on the flat roof adjacent to Wallcliffe Road, at the front of the building (yellow shaded area). Some notable aspects of this roof include limited over shadowing, and its potential to showcase renewable energy on a high profile community building. Prior to installing solar in this location, 12 months of energy consumption data needs to be obtained to design a system suitable to buildings electricity requirements. A structural assessment of the roof will also need to be conducted. These preliminary investigations could be implemented in the first half of 2021, with potential installation occurring in 2021/22 budget, (subject to outcomes of the preliminary investigation).

STRATEGIC PLAN / POLICY IMPLICATIONS
Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2019-2023
Key result area 1: Ensuring sustainable development
Community Outcome: Climate change mitigation and response
Strategic Response: Reduce the Shire’s corporate carbon emissions including energy use and corporate waste, to meet adopted targets.
Service level strategy/plan: **Priority project:** Identify opportunities and implement renewable energy initiatives.

**PLANNING FRAMEWORK**
The draft Climate Action Plan seeks to offset 50% of the Shire organisation’s emissions through the installation of renewable energy by 2030.

**FINANCIAL IMPLICATIONS**
**Implications**
The 2019/20 Sustainability Initiatives budget (TNP16) has a budget allocation of $23,500 for solar PV installation. It is recommended that this be used to install a 20kW solar PV installation at the Margaret River Shire depot. In Year 2 (2020/21), it is recommended that $160,000 is considered as an allocation towards installation of a solar PV system on the roof of the Margaret River Civic and Administration centre building.

The Return on Investment for the proposed installations is significant from an economic viewpoint. It is anticipated that the proposed systems (combined) will offset electricity costs by $33,000 per annum.

**Long Term Financial Plan**
The Long Term Financial Plan does not include an allocation for renewable energy, but will need to include the proposed installation of solar at the Shire offices and other locations. This may result in other projects being deferred.

**Whole of Lifecycle considerations**
Solar PV systems are generally designed to last 25 years or longer, depending on the products used. For example, the recent solar installation at the Recreation Centre has a 25 year warranty on solar panels and a maintenance schedule included as part of the contract agreement. On-going annual maintenance (after the contract period) i.e. cleaning is expected to be in the vicinity of $500 per annum for any installation.

**SUSTAINABILITY IMPLICATIONS**
**Environmental**
If the proposed solar PV systems were installed, it would generate renewable energy power capable of offsetting approximately 140 tonnes of CO2 emissions from entering the atmosphere each year, equivalent to planting 980 trees.

**Social**
Increasing the Shire’s solar PV portfolio signals to the community that the Shire is genuine about achieving the targets proposed in the Climate Action Plan. A high level of communication with the community is required to demonstrate the Shire’s commitment to renewable energy, and highlight the positive outcomes of each project.

**Economic**
Local electrical firms will be invited to tender for installation of the solar cells, creating a local economic benefit.

**ADVOCACY**
Nil

**ALTERNATE OPTIONS**
Install solar PV systems at all three sites as an overall package, taking into account the overall IRR and ROI identified for all installations.

**VOTING REQUIREMENTS**
Simple Majority

**RECOMMENDATION**
That Council:
1. Utilises funds from the TNP16 (sustainability Initiatives) 2019/20 budget to install a 20kW solar PV system at the Margaret River Shire Depot;
2. Allocates $160,000 in the 2020/21 budget for installation of a 100kW solar PV system at the Shire offices;
3. Notes that Shire staff will undertake a solar PV review at the HEART in the first half of 2021, with the intent of determining the feasibility of installing a solar PV system during the 2021/22 financial years; and
4. Notes the recommendation to investigate a large scale solar PV installation at Tanah Marah Road, Reserve No. R23495.

ADVICE TO APPLICANT
Nil

ATTACHMENTS
1. Solar PV Business Case
2. Solar PV Business Case – Battery Storage

RECOMMENDATION / COUNCIL DECISION
CR DANIEL, CR MELDRUM OM2019/250
That Council:
1. Utilises funds from the TNP16 (sustainability Initiatives) 2019/20 budget to install a 20kW solar PV system at the Margaret River Shire Depot;
2. Allocates $160,000 in the 2020/21 budget for installation of a 100kW solar PV system at the Shire offices;
3. Notes that Shire staff will undertake a solar PV review at the HEART in the first half of 2021, with the intent of determining the feasibility of installing a solar PV system during the 2021/22 financial years; and
4. Notes the recommendation to investigate a large scale solar PV installation at Tanah Marah Road, Reserve No. R23495.

CARRIED 7/0
11.2.2 LIMESTONE CLIFF STABILITY ASSESSMENT

IN BRIEF
- The Shire prepared a Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) in 2016 which identify required responses to coastal hazards, including increased risk from sea level rise. Actions included the need to address risks from an unstable rocky coast.
- In August 2019, the Shire commissioned a Limestone cliff stability assessment to provide detailed responses to mitigate risk to public and assets from rockfall/ground instability risk.
- Subject sites include the coastal areas of Gracetown, Prevelly, and Gnarabup.
- An overview of detailed responses for each site is provided in the report below.
- The report identifies the need to inform community of the risks, and recommends actions for each site.
- The total costs to implement recommendations is approximately $230,000, however measures are included in this report to minimise these costs.

RECOMMENDATION
That Council:
1. Notes the formation of an internal working group to oversee project implementation and cliff stability;
2. Notes that staff will undertake engagement including community briefing sessions and information sharing using various sources, informing the community of the risks present at each site, and an overview of recommended actions, together with engagement with traditional owners;
3. Authorises the CEO to undertake the following rock fall risk mitigation measures which have been budgeted for in the 2019-20 budget as follows:
   a) Remove the overhang at Site ID: GC5 – 75, south of Gracetown stairs.
   b) Install a protection fence in accordance with the Limestone Cliff Stability Assessment 2019 at Site ID: PR6 - 85 at the northern end of Riflebutts Beach, Prevelly...
   c) Install additional signage and extension of the balustrade at Site ID: PR4 – 30; Surfers Point, Prevelly.
   d) Undertake underpinning at Site ID: GN5 – 5 White Elephant Stairs, Gnarabup.
4. Considers an allocation in the 2020/21 and following budgets, and the Long Term Financial Plan to undertake the following work, subject to funding being available:

<table>
<thead>
<tr>
<th>Works component</th>
<th>Year</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Install underpinning at Site ID: GN5 – 5 White Elephant Stairs, Gnarabup</td>
<td>2020-21</td>
<td>$150,000</td>
</tr>
<tr>
<td>Install additional balustrading at Site ID: PR4 – 30; Surfers Point, Prevelly</td>
<td>2020-21</td>
<td>$20,000</td>
</tr>
<tr>
<td>Install underpinning (subject to further monitoring of the use of the site) at Site ID: PR4 – 30; Surfers Point, Prevelly</td>
<td>2021-22</td>
<td>$150,000</td>
</tr>
</tbody>
</table>

5. Notes that staff will investigate external funding opportunities for the works and submit grant applications where appropriate.

LOCATION PLAN
See images provided in the body of the report.
TABLED ITEMS

BACKGROUND
The CHRMAP was prepared in 2016 to better inform the Shire of the potential impacts from sea level rise and other coastal processes, and how these may affect the Shire over a 100-year timeframe. Specifically the CHRMAP recommended undertaking an assessment of limestone cliffs to better understand the vulnerability of such areas in the context of public safety, and Shire and private assets. On this basis, a study was undertaken in 2017 titled “Limestone Cliff Stability Assessment” with a focus on limestone cliffs identified at Gracetown, Prevelly, Gnarabup Headland and Grunters Beach.

A number of recommendations from the 2017 report have since been implemented. This included installation of coastal safety signage where limestone cliff hazard risks were identified and removal of viewing platforms at Surfer’s Point and Southpoint Gracetown where cliff risk hazards were identified as posing unacceptable risks. The report provided options for undertaking mitigation measures at other identified sites but did not provide detailed responses as to how to proceed with the implementation of these options. In August 2019, the Shire commissioned a review of the 2017 limestone assessment. The scope of this study was to provide a more detailed approach as to how to undertake works from 2017 report, and reassess risks in areas where the Shire had completed works.

CONSULTATION AND ADVICE
External Consultation
The areas of the coastline addressed by this report are highly prominent and actions required are significant in the context of the coastal environment. It will be necessary to inform the community of the proposed actions recommended in this council report and share the technical information received. Prior to implementing actions, it is important that a high level of pre works consultation is undertaken with the broader community, explaining the risks present at each site and the necessity for undertaking risk mitigation measures. It is also recommended that stakeholder consultation is undertaken with relevant government agencies. Owing to the location of the works, engagement with traditional custodians will be required before confirming works.

Internal Consultation
Shire Staff from Sustainable Development and Infrastructure Directorate held a councillor briefing session in October 2019 along with the consultant who prepared the report. An overview of limestone stability was presented at each site followed by an outline of proposed recommendations for discussion.

DISCUSSION / OFFICER COMMENTS
The ‘Limestone Cliff Stability Report’ 2019 (the report) deals with two specific issues. Firstly and most importantly, it provides designs and procedures as to how to implement proposed recommendations. Secondly, the report outlines a procedure for monitoring those risks that do not have a works component, but still require regular monitoring. A risk assessment (based on Landslide Guidelines AGS 2007) was undertaken for all locations, which considers the probability of the risk occurring, the significance of the risk and likelihood of risk affecting an individual or group of people. The discussion below addresses recommendations with a physical works component.

Site ID: GC5 – 75 (Gracetown – cliffs south of stairs)
In 2017, the Shire removed the lookout at GC6 – 15 and this area is now considered to pose an acceptable risk. There are two 5 metre long sections of limestone overhang approximately 10 metres above the beach level (see image below). The site is subject to continuous wind erosion, which continues to further erode the limestone rock. The report notes a facture associated with the overhang, with the report suggesting that the overhang may collapse in the near future, the risk of which may be exacerbated following a storm event.
It is a popular beach, with children occasionally exploring the overhangs and undercuts, particularly during surf events. The very action of scrambling around this area could be a trigger for a rockfall. The slope below the overhang is heavily vegetated and there is a chance of material hanging up on the slope once fallen from the overhang, reducing the risk of debris impacting people exiting the Southpoint carpark stairs as they traverse the beach towards Huzza beach. Nonetheless some material could reach the beach as noted in images in Attachment 1 depicting historic rockfall. The risk assessment for people traversing the beach resulted in relatively small risks. However, due to the large number of people traversing this beach each year to access the popular surf breaks, cumulative individual risks are considered relatively high.

Following an investigation of various options, the report recommends that the hazard is removed using needle drilling and hand barring to remove the rock on predetermined break lines. It is recommended that this action is implemented in 2020. The cost of implementing this action is $25,000. There are funds available in the existing budget to implement this action. It is recommended this action be implemented following detailed project scoping and preliminaries, including community engagement.

Site ID: PR4 - 30 (Surfers Point)
A cliff outcrop/overhang exists mid-way down the cliff face of Surfer’s Point directly adjacent to the stairway. To reduce the risk from potential collapse of the overhang, the 2017 report recommended removing the viewing platform and beach midway down the stairway. The viewing platform was removed on this basis (see image below). The scope of works (for this study) required an analysis to be undertaken to determine the resultant risk to public from the overhang and response required (if any). The study also provides advice on the most suitable measure to address risk mitigation, should the Shire wish to re-install the platform in the future.

Removal of the bench and lower viewing platform resulted in the main risk now coming from people sitting on top of the outcrop during surf events or at other times, rather than a risk to people using the stairway. The recommended mitigation response in the report is to underpin the overhang using mass concrete and architectural block work. This not only supports the overhang from collapse but also protects the overhang from future wind erosion. The consultant advised that should this be undertaken it would be safe to re-instate the viewing platform in the future.
The report assumes that up to 20 people use this area during events up to two times each year, resulting in a significant risk to large numbers of the public. Numbers of this proportion were reported in the past, associated with surfing events. During the Surf Pro in May, one person was spotted using the concrete plinth below the overhang (where the viewing platform was previously located) as a camera location. One person was also recorded sitting atop of the overhang. The very low number of people recorded at this site reduces the risk of people being impacted from rockfall collapse. This area is highlighted as an exclusion zone for any events at Surfer’s Point, with relevant development approvals prohibiting public from accessing this area. This may have contributed to reduced numbers recorded at this site. However, a significant risk remains to people who may use the area when crowd control is not present.

Further risk mitigation works have commenced, with the first stage including installation of additional cliff safety signage, followed by extension of the balustrading. These works are intended to provide added protection to public and substantiate the exclusion zone. It should be noted that if the underpinning works do not proceed the risk of cliff collapse remains, which could result in retreat of the cliff face due to collapse and subsequent erosion.

In response to the above, it is recommended that the Shire manage this risk through preventive means (i.e. development approval conditions, signage, extended balustrading, inspections, monitoring during surf events etc.) rather than underpinning as recommended in the report. Underpinning may be required in the future if increased visitation is recorded at this site, but will be subject to ongoing monitoring. If required, underpinning could be implemented as part of future budget considerations.

**Site ID: PR6 - 85 (Cliffs at Riflebutts Beach)**

The limestone report from 2017 referred to imminent rockfall risk in the next 1 – 10 years for this stretch of beach (see image below) and recommended closing the beach by way of signage. A large sign has been installed warning ‘imminent rockfall beyond this point’ but people continue to use this area. As part of the scope of works for the current study, the consultant was required to:

- Determine and detail a suitable method for removal of the identified hazard;
- Undertake and/or oversee removal of the hazard (provide indicative sub-contractor costings, if required);
- Identify a permanent exclusion zone at the base of the cliffs to discourage people from entering ‘at risk’ areas and recommend a method for excluding people from the area i.e. fencing or otherwise.
A risk scenario was developed based on the risk of rockfall occurring and the anticipated use of the site by sunbathers and walkers/ dog walkers accessing the hazard zone area. The calculated risk exceeds the tolerable thresholds set out in the AGS 2007 Guidelines (which recommends risk mitigation measures are undertaken to minimise the anticipated risk to public). The report investigated a number of risk mitigation options and included exploring installation of a fence at the base of the cliffs as referred to in the scope of works. This option was discounted due to practicality, primarily due to the significant distance the fence would need to be setback from the cliff base, resulting in it being affected by coastal processes. The report recommends installing a substantial fence (consisting of 4 X 125mm diameter steel posts 1.5 – 2m in height and high tensile wire strands) with do not pass this point signage across the full width of the beach, starting at the toe of the cliff and extending into the surf zone.

Implementation of the fence will clearly signal to the public that the area beyond the fence is prohibited. Despite the anticipated effectiveness of the fence and improved safety standards, there are also a number of concerns, which are expressed below:

- Unsightly visual impact upon the coastal landscape resulting in negative community/visitor outcomes;
- Unknown level of maintenance and on-going costs resulting from potential corrosion protection, durability over the long term and during large storm events, seaweed removal, changes in sand levels and other coastal processes; and
- Potential hazard from people being swept along the ocean into the fence wires/poles or running into these.

The cost of this option is estimated at $25,000. This can be implemented using available funds in the 2019-20 budget. Prior to implementing works, there are a number of preliminary stages (consultation, design, procurement) that first must be undertaken.

An alternative option could be to install several additional signs in a line across the beach perpendicular to the cliff face (before the hazard area starts) warning people of the risks ahead. An educational sign, explaining the nature of the limestone risk ahead, and the importance of not entering this area could also be developed alongside the safety signage. Following installation of the signs, the subject area could be monitored over the summer period through an agreed approach to determine whether the exclusion zone is still being frequented. A risk rating could then be developed using the revised numbers recorded over the reporting period. The risk may be deemed low if members of the public have avoided this area. If following installation of signage visitation numbers to this area are still high, then a reasonable approach would be to install the proposed fence. At the briefing session it was advised that this could be a viable option should council wish to pursue it. As discussed in the report, existing signage has been ignored in the past, however a series of signs across the beach (inclusive of educational
signage) may assist in reducing people from entering the area. Some concerns with additional signage include:

- Unsightly visual impacts;
- Potential to be ignored or misunderstood;
- Accuracy of recording visitation numbers via a pedestrian counting system is not considered feasible; and
- Maintenance etc., particularly of those signs located close to the wave zone.

Regardless of the option decided for this site, it will be important to undertake well considered consultation with local community groups, government agencies (Marine Parks, DBCA), and Traditional Owners prior to implementation of works.

**Site ID: GN5 - 5 (Stairs leading to upper car park from White Elephant)**

Stairs leading down to the White Elephant Café from the upper car park area at Gnarabup are built directly on top of an overhang (see image below). The hazard at this location is largely associated with collapse of the overhang while recreational users are using the stairs. In response to the scope of works, the consultant has installed monitoring equipment and prepared detailed designs to underpin the overhang using concrete, similar to the approach presented for Surfers Point.

Underpinning will significantly reduce the risk of incident should the overhang collapse. The proposed underpinning is likely to be screened by vegetation from most parts of the beach. It will however, still be visible from the shoreline, jetty and from the ocean. To minimise visual impacts, it is recommended that rockwork similar to the surrounding area (with a rough surface) be applied to the exterior of the concrete (similar to the approach for Surfer’s Point). At the briefing session, a query was raised as to whether the stairway could be relocated to another section of the cliff. The consultant has further considered this option and advised it is considered problematic to realign the stairway. This is mainly due to the existing rock fall hazards identified within the realignment area, the cost of removing rock fall hazards, and the cost of assessing the realignment. There would also be costs associated with removing the existing stairs, and undertaking erosion control in newly exposed areas. The estimated cost of implementing underpinning is $100,000; however, with architectural rockwork it may cost up to $150,000.

**Overview of actions/costs**

A summary of proposed actions and associated costs at each site is proposed in the table below.

<table>
<thead>
<tr>
<th>Location</th>
<th>Proposed Action</th>
<th>Anticipated Cost ($$)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gracetown – Cliffs south of stairs</td>
<td>Physical removal</td>
<td>$25,000</td>
</tr>
</tbody>
</table>
Surfers Point | Additional signs and balustrade extension | $30,000
Riflebutts Beach | Fence | $25,000
Gnarabup (White Elephant stairs) | Underpinning | $150,000
**TOTAL** |  | **$230,000**

**STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**
Nil

**STRATEGIC PLAN / POLICY IMPLICATIONS**
- *Community Strategic Plan 2036 (CSP)*
- *Corporate Business Plan 2019-2023*
  
  Key result area 1: Valuing, protecting and enhancing the natural environment
  Community Outcome 4: Continued unique and iconic coastal landscapes
  Strategic Response: Manage responsibly coastal areas under the Shire’s control
  Service level strategy/plan: Implement the Limestone Cliff Stability Assessment and Landcare Management plans for coastal areas

**PLANNING FRAMEWORK**
These preventative works are exempt from the need to obtain planning consent. The relevant standards for assessment are based on Landslide Risk Management Guidelines AGS 2007.

**FINANCIAL IMPLICATIONS**

Implications
$60,000 in PAP15 (*Huzzas Stairs remedial works*) is available in the 2019-20 budget. This was allocated on the basis that the Shire would need to carry out works to the stairs as an outcome of the limestone assessment report. As works are no longer required for this area, that money could potentially be used to implement other recommendations of the report. There is also $6,000 left in LCA55, which was allocated towards preparation of the Limestone Cliff Stability Report which could be used towards preliminary consultation. There is also $10,000 available for coastal warning signs under MR31. These funds are sufficient to undertake the following works in the 2019/20 financial year:

- Removal of overhang Site ID: GC5 - 75 - south of Gracetown stairs.
- Installation of a protection fence at Site ID: PR6 - 85 at Riflebutts Beach, Prevelly.
- Installation of coastal warning signs at PR4 – 30; Surfers Point, Prevelly.

The proposed works may meet the criteria for grant funding provided by Department of Transport Coastal Adaptation Protection grants however eligibility is uncertain as is the success of any application, therefore works should be fully budgeted for and if grants are successful, these be realised as budget savings.

**Long Term Financial Plan**
The full scope of costs for these works is provided below, and are based on implementing all works identified in the report.

<table>
<thead>
<tr>
<th>Works component</th>
<th>Year</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Remove the overhang at Site ID: GC5 - 75 - south of Gracetown stairs.</td>
<td>2019-20 (existing budget)</td>
<td>$25,000</td>
</tr>
<tr>
<td>Install beach exclusion fence at Site ID: PR6 - 85 - Riflebutts Beach, Prevelly</td>
<td>2019-20 (existing budget)</td>
<td>$25,000</td>
</tr>
<tr>
<td>Install additional coastal safety signage at Site ID: PR4 – 30;</td>
<td>2019-20 (existing budget)</td>
<td>$10,000</td>
</tr>
<tr>
<td>Install underpinning at Site ID: GN5 – 5 White Elephant Stairs, Gnarabup</td>
<td>2020-21</td>
<td>$150,000</td>
</tr>
<tr>
<td>Install additional balustrading at Site ID: PR4 – 30; Surfers Point, Prevelly</td>
<td>2020-21</td>
<td>$20,000</td>
</tr>
</tbody>
</table>
Install underpinning (subject to monitoring of the site) at Site ID: PR4 – 30; Surfers Point, Prevelly

<table>
<thead>
<tr>
<th></th>
<th>2021-22</th>
<th>$150,000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>$380,000</td>
</tr>
</tbody>
</table>

**Whole of Lifecycle considerations**
Ongoing monitoring and replacement of fence, if installed.

**Conclusion**
There is a clear risk in the coastal area that requires positive action. There are several alternatives that may be explored to limit the extent of prosecution works. In addition, additional consultation, engagement and detailed project definition is required prior to implementation. It is recommended these risks are addressed by, in order:

- Formation of internal project group.
- Engagement and project definition.
- Budgeting and implementation of works.

**SUSTAINABILITY IMPLICATIONS**

**Environmental**
The environmental impacts are not considered significant. Some minor disturbance of vegetation is anticipated at White Elephant and Gracetown, which may require rehabilitation with suitable species.

**Social**
The report identifies substantial risk to public from rockfall should no mitigation measures be implemented. The proposed risk mitigation measures seeks to improve the safety to the public and visitors.

**Economic**
Although the initial costs are substantial for the proposed risk mitigation works, the on-going costs for actions such at White Elephant stairs will aid in the protection of the asset, which if it were to collapse without underpinning then the cost of replacement and relocating the stairs would be even greater.

**ADVOCACY**
Nil

**ALTERNATE OPTIONS**
As an alternative approach to installing additional signage across Riflebutts Beach, Council may wish to replace part 3 b), c) and d) of the recommendation with the following:

3. Undertake the following rock fall risk mitigation measures as follows:
   3.  b) Install additional signage warning public ‘imminent rockfall ahead - do not go beyond this point’ at Site ID: PR6 - 85 Riflebutts Beach, Prevelly.

Reason: This is an alternative approach to the recommendation in the limestone report, it may have less visual impacts in comparison to the proposed fence.

   3.  c) Install underpinning at Site ID: PR4 – 30; Surfers Point, Prevelly.

Reason: The report recommends installation of underpinning. This recommendation is based on the assumption that up to 20 people could rest atop of the overhang (which exceeds numbers currently recorded at this site.)

   3.  d) Investigate an alternative alignment for installation of a new stairway at Site ID: GN5 – (White Elephant Stairs, Gnarabup) and only undertake underpinning if an alternative alignment is not considered feasible.

Reason: This is an alternative approach to the recommendation in the limestone report.

**VOTING REQUIREMENTS**
Simple Majority
RECOMMENDATION
That Council:
1. Notes the formation of an internal working group to oversee project implementation and cliff stability;
2. Notes that staff will undertake engagement including community briefing sessions and information sharing using various sources, informing the community of the risks present at each site, and an overview of recommended actions, together with engagement with traditional owners;
3. Authorises the CEO to undertake the following rock fall risk mitigation measures which have been budgeted for in the 2019-20 budget as follows:
   a) Remove the overhang at Site ID: GC5 – 75, south of Gracetown stairs.
   b) Install a protection fence in accordance with the Limestone Cliff Stability Assessment 2019 at Site ID: PR6 - 85 at the northern end of Riflebutts Beach, Prevelly.
   c) Install additional signage and extension of the balustrade at Site ID: PR4 – 30; Surfers Point, Prevelly.
   d) Undertake underpinning at Site ID: GN5 – 5 White Elephant Stairs, Gnarabup.
4. Considers an allocation in the 2020/21 and following budgets, and the Long Term Financial Plan to undertake the following work, subject to funding being available:

<table>
<thead>
<tr>
<th>Works component</th>
<th>Year</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Install underpinning at Site ID: GN5 – 5 White Elephant Stairs, Gnarabup</td>
<td>2020-21</td>
<td>$150,000</td>
</tr>
<tr>
<td>Install additional balustrading at Site ID: PR4 – 30; Surfers Point, Prevelly</td>
<td>2020-21</td>
<td>$20,000</td>
</tr>
<tr>
<td>Install underpinning (subject to further monitoring of the use of the site) at Site ID: PR4 – 30; Surfers Point, Prevelly</td>
<td>2021-22</td>
<td>$150,000</td>
</tr>
</tbody>
</table>

5. Notes that staff will investigate external funding opportunities for the works and submit grant applications where appropriate.

ADVICE TO APPLICANT / PROPOSED
Nil

ATTACHMENTS

RECOMMENDATION
CR GODDEN, CR CRISTOFFANINI
That Council:
1. Notes the formation of an internal working group to oversee project implementation and cliff stability;
2. Notes that staff will undertake engagement including community briefing sessions and information sharing using various sources, informing the community of the risks present at each site, and an overview of recommended actions, together with engagement with traditional owners;
3. Authorises the CEO to undertake the following rock fall risk mitigation measures which have been budgeted for in the 2019-20 budget as follows:
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</tbody>
</table>
Install underpinning (subject to further monitoring of the use of the site) at Site ID PR4 – 30; Surfers Point, Prevelly | 2021-22 | $150,000

5. Notes that staff will investigate external funding opportunities for the works and submit grant applications where appropriate.

Cr Daniel moved the following amendment:

AMENDMENT
CR DANIEL, CR
That 3 b) be omitted and replaced with:

3. Undertake the following rock fall risk mitigation measures as follows:
   b. Install additional signage warning public ‘imminent rockfall ahead - do not go beyond this point’ at Site ID: PR6 - 85 Riflebutts Beach, Prevelly.

Following questions from Councillors, Cr Daniel withdrew the amendment.

Debate continued on the primary motion.

PRIMARY MOTION / COUNCIL DECISION
CR GODDEN, CR CRISTOFFANINI OM2019/251
That Council:
1. Notes the formation of an internal working group to oversee project implementation and cliff stability;
2. Notes that staff will undertake engagement including community briefing sessions and information sharing using various sources, informing the community of the risks present at each site, and an overview of recommended actions, together with engagement with traditional owners;
3. Authorises the CEO to undertake the following rock fall risk mitigation measures which have been budgeted for in the 2019-20 budget as follows:
   a) Remove the overhang at Site ID: GC5 – 75, south of Gracetown stairs.
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   d) Undertake underpinning at Site ID: GN5 – 5 White Elephant Stairs, Gnarabup.
4. Considers an allocation in the 2020/21 and following budgets, and the Long Term Financial Plan to undertake the following work, subject to funding being available:

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<td>$150,000</td>
</tr>
</tbody>
</table>

5. Notes that staff will investigate external funding opportunities for the works and submit grant applications where appropriate.

CARRIED 7/0
IN BRIEF

- The Climate Action Plan (CAP) responds to a decision of Council to replace the previous Local Energy Action Plan (LEAP) with the CAP.
- The CAP introduces new emission reduction targets to respond to international science on climate change.
- Actions have been developed with a focus on reducing both emissions from the Shire organisation and assisting Community to reduce their emissions.
- The Shire held a Climate Action Summit in May 2019, which has led to a number of actions for the Council to consider.
- Actions have been prioritised following a review of the previous LEAP, inclusion of priority actions from the Climate Action Summit, and discussions with internal staff from each business unit.

RECOMMENDATION

CAP will be prepared and recommended to Council inclusive of relevant comments provided during the consultation period.

**PLANNING FRAMEWORK**

Climate change forms one of the core principles of the Community Strategic Plan 2036, acknowledging the pivotal role the Shire and community play in addressing climate change over the next 20 years.

The CAP is based on a 10 year period of 2020 – 2030, with a substantial review of the CAP occurring in 2030, marking the date of the first major emission reduction target. The CAP is a two-part plan, with this document concentrating on **Part 1 - Mitigation**. Mitigation involves reducing the flow of heat-trapping greenhouse gases into the atmosphere. This document proposes a number of actions targeted towards emission reduction to meet 65% emission reduction target by 2030 and net zero emissions by 2050.

**Part 2 – Adaptation** will be developed in conjunction with a second Climate Action Summit themed ‘adaptation’, scheduled for 2020. The goal of the adaptation phase will be to reduce the Shire organisation and community’s vulnerability to the harmful effects of climate change (like sea-level encroachment, more intense extreme weather events or food insecurity). The adaptation phase will involve conducting a risk assessment of the potential impacts of climate change, to both Council and community activities. Adaptation planning will involve embedding ‘planning for climate change’ into all Shire functions such as bushfire planning, health and well-being, biodiversity and built form. The framework for the CAP is illustrated below.

![CAP Framework](image)

**DISCUSSION**

The following sections are the main components of the CAP.

**Review of Emission targets**

The targets in the previous LEAP were based on the previous global framework ‘Cities for Climate Protection’ program from 1990. These targets were not based on international climate projections, and as such, were considered more of an initial response rather than being based on scientific evaluation. A key message of the Intergovernmental Panel on Climate Change is to reduce global temperature to a 1.5 degrees (Celsius) increase by 2100. An increase beyond 1.5 degrees is expected to have extremely serious consequences including loss of land from sea level rise, loss of biodiversity, impacts on health and well-being, loss of water resources and other impacts. In recognition of advice from IPCC, Council endorsed a motion on 25 September, where it formally declared a climate emergency.
In October 2018, the IPCC prepared a special report on the impacts of global warming of 1.5°C above pre-industrial levels. The report outlines that global emissions of carbon dioxide (CO2) would need to fall by about 45 percent from 2010 levels by 2030, reaching ‘net zero’ around 2050. These targets are required to be met in order to curb temperature to a 1.5°C increase by 2100.

On 30 May 2019, 21 councils from across the state, hosted by the Climate Council’s Cities Power Partnership, identified the lack of a state-level renewable energy and emissions target as a major barrier to local work to tackle climate change, and have urged the state to step up its ambitions. Specifically, the councils want a 50% state-wide renewable energy target by 2030, a 65% state-wide emissions reduction target by 2030, and a 100% emissions reduction target by 2050. These targets are consistent with the IPCC targets with the exception of the proposed 65% 2030 target. The push for an increase to 65% target by 2030 (above 45%) is outlined in a report prepared by Climate Change Authority (CCA) as follows:

In 2015, the Climate Change Authority (CCA) recommended an economy-wide emissions reduction target of 45-65% below 2005 levels by 2030. This target was developed based on scientific evidence, Australia’s national interest, and action pledged by comparable countries. Since then, Australia’s emissions have continued to rise. In addition, the Paris Agreement ramped up international ambition by enshrining a goal of limiting temperature increase to 1.5°C. As a result, an economy wide emissions reduction of 65% by 2030 – the upper end of the CCA’s recommended target – should now be the minimum target.

Nationally, emissions per person are three-and-a-half times the global average and Western Australia’s emissions per person are just short of six times the global average. Data from Climate Council Australia for 2016 identifies Western Australia as having the fourth largest emissions per capita in the world. This data highlights the need for the proposed 2030 emissions target, as it will lead to a reduction in emissions down to acceptable levels by 2030, in line with IPCC recommendations.

At a local level, the Shire as an organisation has already reduced emissions by 31% below 2007 levels. A 65% emission reduction target by 2030 is considered possible based on the actions proposed in the CAP. The community has reduced emissions by 17% below 2007 levels. Major renewable energy installations will need to be developed in order to meet the proposed community target. Despite the ambitious target, should the proposed targets be met, then it will significantly lessen the requirements to achieve emission reduction targets between 2030 and 2050. Adoption of a higher target demonstrates the Shire’s leadership in addressing climate change.

The proposed targets are expressed below, and have been adopted for the purposes of developing the CAP.

<table>
<thead>
<tr>
<th>Sector</th>
<th>Target</th>
</tr>
</thead>
</table>
| Shire Organisation | 1. Reduce Shire emissions by 65% below 2007 levels by 2030 and Net Zero by 2050.  
|                  | 2. Source 50% of the Shire’s electricity from renewable energy sources by 2030. |
| Community       | 1. Support Community to reduce emissions by 65% below 2007 levels by 2030 and Net Zero by 2050.  
|                  | 2. Support Community to source 50% of its electricity from renewable energy sources by 2030. |

The Base Year of 2007 has been adopted as the year against which emission targets are assessed. The base year is closely aligned with the federal government’s base year of 2005. The proposed targets below are integrated into the CAP. These are separated into ‘Shire organisation’ and ‘Community’ sectors. The intent is to directly offset Shire emissions through asset development/efficiency measures, whilst playing an advocacy role (education, supporting community initiatives) to support the community to reduce emissions.

Situation analysis
The following section provides an overview of current emissions and forecasted targets for the Shire organisation and Community sectors.

**Shire organisation**
As at the end of the 2018-19 financial year, the Shire has reduced emissions by **31% below base year (2007) emissions**.

The Shire has implemented a number of actions aimed at lowering emissions, predominantly purchase of carbon offsets (i.e. tree planting), solar PV installation and retrofitting of Shire buildings (i.e. heat pump conversion, LED lighting, pool blankets) and improved vehicle fleet (i.e. hybrid vehicles and vehicles with lower emissions). The graph below identifies Shire emissions present at the base year (2007), current emissions (as at 2018-19), and proposed emission reduction targets for 2030 and 2050.

**Figure 2: Shire organisation – Emissions Base Year, Current and Proposed**

![Shire Emissions T/CO₂](chart)

**Community**
As at the end of the 2018-19 financial year, the Community has reduced emissions by **17% below base year emissions**.

The majority of these reductions have been achieved through an increase in renewable energy onto the electricity grid through the installation of major wind/solar farms installed across the SWIS network. The second factor relates to an increase in solar PV installation on roof tops across the Shire of Augusta Margaret River. Based on current statistics available from the Australian Photovoltaic Institute, approximately 19% of Shire households have installed solar. Despite the increase in solar installation across the Shire, it is still low when compared to nearby local government areas such as Busselton (26%) and Nannup (28%). It is estimated that approximately 13% of emission reduction has stemmed from energy behaviour improvements, improved building standards, and retrofitting to more energy efficient standards. Figure 3 below identifies Community emissions present at the base year (2007), current emissions (as at 2018-19), and proposed emission reduction targets for 2030 and 2050.
Achieving renewable energy targets
The CAP highlights current solar PV generation for both Shire and Community sectors. Table 2 below identifies the level of solar PV installation currently installed (as at 2019) on Shire buildings, and outlines solar PV requirements required by the Shire to achieve the proposed target of 50% uptake of renewable energy by 2030. A substantial shift to renewable energy is required to achieve the proposed target. In considering how to achieve this target, the following are potential contributing actions:

- Substantial increase of Shire organisation and Community roof top solar PV;
- Installation of one or more large scale renewable energy installations;
- Developing battery storage; and
- Implementation of emerging micro grid technologies.

Determination of input capacity in the SWIS to accommodate large amounts of renewable energy will be required prior to implementation of proposed large scale renewable energy projects.

Table 2: Review of Renewable Energy Targets

<table>
<thead>
<tr>
<th>Sector</th>
<th>Renewable at 2018-19</th>
<th>Additional Renewable Energy to achieve target</th>
<th>Total Renewable Energy Required to achieve 50% target by 2030</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shire</td>
<td>105kW</td>
<td>525kW</td>
<td>630kW</td>
</tr>
<tr>
<td>Community</td>
<td>7,575kW</td>
<td>17,675kW</td>
<td>25,250kW</td>
</tr>
</tbody>
</table>

Climate Action Summit
The objective of the Climate Action Summit was to provide a process by which the community could prioritise a number of foundational projects and within different categories. These projects were then further developed through a project planning exercise to initiate greater depth in thinking for each project and feed actions into the CAP. Overall, 50 projects were presented to Summit attendees across various key activity areas. Attendees were asked to vote for their top three projects under each theme. Summit attendees agreed on the following 11 Priority Actions to be further developed. Project Plans have been developed for each priority action, which form Appendix 1 of the CAP. Priority actions have also been embedded into the proposed actions recommended through the CAP.

Table 3 – Climate Summit Priority Actions

<table>
<thead>
<tr>
<th>Item</th>
<th>Priority Action</th>
<th>Stakeholders</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Assist Augusta Margaret River Clean Community Energy group to develop a major community renewable energy project.</td>
<td>Community</td>
</tr>
</tbody>
</table>
### Proposed Actions

Actions have been developed to respond to the proposed targets, specifically the 2030 emission reduction target and 50% uptake of renewables by 2030 for the Shire organisation and Community. Proposed actions were identified from the following sources:

- A review of LEAP actions
- Incorporating the 11 Priority Actions from the Climate Action Summit. Priority Actions stemming from the Climate Action Summit have been developed into detailed Project Plans 1-11, forming Appendix 1 of the CAP, and incorporated into each of the key focus areas.
- Internal consultation with staff and planned broader consultation with the community.

Actions are addressed under four key focus areas as follows:

- Policy & Education
- Energy Conservation
- Sustainable Transport
- Waste Reduction

### Implementation

The proposed actions outline timeframes and responsibilities for implementation, aimed to achieve the 2030 target. Further review of the document will focus on actions required to achieve the 2050 target. Annual reviews will also be undertaken to evaluate progress towards meeting targets. The flow chart below highlights the process for identifying and implementing proposed actions.

<table>
<thead>
<tr>
<th>Proposed Action</th>
<th>Responsible Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Develop a community renewable energy power sharing system.</td>
<td>Community/Shire</td>
</tr>
<tr>
<td>3. Revegetate riparian zones, buffers, shelter belts, corridors, catchments,</td>
<td>Community / Shire</td>
</tr>
<tr>
<td>parks.</td>
<td></td>
</tr>
<tr>
<td>4. Support agricultural transition to regenerative farming.</td>
<td>Business/Shire</td>
</tr>
<tr>
<td>5. Incorporate sustainability planning regulations into the Local Planning</td>
<td>Shire</td>
</tr>
<tr>
<td>Scheme.</td>
<td></td>
</tr>
<tr>
<td>6. Develop and promote programs to think local, buy local, swap, share and</td>
<td>Business / Community/Shire</td>
</tr>
<tr>
<td>exchange.</td>
<td></td>
</tr>
<tr>
<td>7. Support the development of new, sustainable and local industries.</td>
<td>Business / Community/Shire</td>
</tr>
<tr>
<td>8. Provide low carbon public, tourist and school transport.</td>
<td>State Government/Shire (advocacy role)</td>
</tr>
<tr>
<td>9. Support transition to electric vehicles.</td>
<td>Shire/Business</td>
</tr>
<tr>
<td>10. Coordinate, champion and implement the AMR Climate Action Plan.</td>
<td>Community</td>
</tr>
<tr>
<td>11. Lobby for change at the state and federal political level.</td>
<td>Community / Shire</td>
</tr>
</tbody>
</table>
Figure 4: Implementation of CAP

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS
Nil

STRATEGIC PLAN / POLICY IMPLICATIONS

**Community Strategic Plan 2036 (CSP)**
**Corporate Business Plan 2019-2023**
Key result area 1: Valuing, protecting and enhancing the natural environment
Community Outcome 5: Ecological resilience in the face of changing climate
Strategic Response: Develop partnerships and community education to implement environmental components of the Climate Change Response Plan.
Service level strategy/plan: Assist the Sustainability Advisory Committee and broader community to develop and implement the ‘mitigation’ component of the Climate Action Plan, utilising outcomes from the Climate Action Summit

FINANCIAL IMPLICATIONS

Implications
The CAP identifies levels of expenditure required to implement actions in various financial years. The majority of the proposed actions can be implemented through the annual Sustainability Initiatives budget, which included an allocation of $58,500. The proposed actions in the CAP total $232,000 (excludes projects already funded in 2019-20). The majority of these projects do not require significant funding to implement, and therefore can be factored into the annual Sustainability Initiatives budget. The Sustainability Planning Officer will implement the proposed projects, with these projects representing approximately 0.5 of their FTE. Some staff support from other business units may also be required to assist in the implementation of some of the proposed projects.

Whole of lifecycle considerations
Whole of lifecycle considerations have been assessed for proposed solar PV installations on Shire buildings, showing a favourable Return on Investment and expected life span of 25 years. Other
initiatives such as large-scale solar, conversion to LED street lighting will require an assessment of whole of life considerations.

**Long Term Financial Plan**
The proposed solar PV installation at the Shire offices, which if supported, will require a separate line item in the 2020-21 budget to fund the $160,000 estimated system, and factored into the Long Term Financial Plan. Business cases will need to be developed for other initiatives such as large-scale solar, conversion to LED street lighting etc. and plan accordingly for them in the Long Term Financial Plan.

**SUSTAINABILITY IMPLICATIONS**

**Environmental**
The CAP seeks to reduce the carbon emissions across the Shire. The CAP signifies the Shire’s intent to reduce the effects from global warming, and respond to international advice on climate change mitigation.

**Social**
The proposed CAP signifies to the community an ‘environment first' approach, as described in the Shire’s Environmental Sustainability Strategy. A number of the proposed actions involve a partnership between the community, business and the Shire, especially for large-scale projects such as renewable energy farms.

**Economic**
The CAP outlines potential expenditure required to implement actions, mostly relating to development of renewable energy installations. Initial capital expenditure with renewables are significant, however the payback period over the medium to long term is favourable. In general terms, all actions are developed with a view to being both financially and economically beneficial.

**ADVOCACY**
Nil

**ALTERNATE OPTIONS**
Not to adopt the Climate Action Plan.

**VOTING REQUIREMENTS**
Simple Majority

**RECOMMENDATION**
That Council adopt the Draft Climate Action Plan for a period of public consultation.

**ADVICE TO APPLICANT / PROPOSPENT**
Nil

**ATTACHMENTS**
1. Draft Climate Action Plan

**RECOMMENDATION / COUNCIL DECISION**
CR MCLEOD, CR MELDRUM OM2019/252
That Council adopts the Draft Climate Action Plan for a period of public consultation. CARRIED 7/0
11.2.4 SUSTAINABILITY REFERENCE GROUP - AMENDMENT TO INSTRUMENT OF APPOINTMENT AND DELEGATION

IN BRIEF
- The term of office for members of the Sustainability Reference Group (SRG) expired following the 19 October 2019 Local Government elections.
- A call for nominations from community members occurred in the weeks before the election.
- At the 23 October 2019 Special Council Meeting, Council resolved to readvertise for community held positions on the SRG as only four nominations had been received.
- The Shire received a total of eight additional nominations for the seven positions vacant following the close of submission period.
- It is recommended that Council amend the Instrument of Appointment and Delegation to increase membership from ‘11’ to ‘12 community members’.

RECOMMENDATION
That Council:
1. Amends the Sustainability Reference Group’s Instrument of Appointment and Delegation membership to allow ‘up to 12 community members’ as per Attachment 1; and
2. Appoints the following representatives as members of the Sustainability Reference Group for a period of two years, expiring with the 2021 local government elections:
   a) Nick Dornan;
   b) Lyn Serventy;
   c) Laura Bailey;
   d) Andreas Frutiger;
   e) Pam Townshend;
   f) Ingvar Anda;
   g) Amanda McCluskey; and
   h) Jeff Thierfelder.

BACKGROUND
A review of all membership to advisory committees and reference groups of Council, in accordance with instruments of appointment and delegation, occurs following the local government elections which are held every two years. The local government elections were held 19 October 2019 and a call for nominations from community members occurred in the weeks before the election.

Prior to the elections, the Shire advised members of the SRG that their term of office would expire following the elections, and encouraged members to re-nominate and continue volunteering on the committee. A call for nominations of community members was advertised in the Augusta Margaret River Times on the 20 and 27 September 2019. The Shire received a total of four nominations for community representatives. As per the Instrument of Appointment and Delegation, membership on the SRG allows
up to 11 community members with interest and expertise in environmental matters, appointed by the Council.

At the 23 October 2019 Special Council Meeting, Council appointed the four nominees as members and resolved to re-advertise for community held positions (SM2019/10).

A call for nominations was readvertised in the Augusta Margaret River Times on the 1 and 8 November 2019, previous SRG members were contacted and encouraged to renominate. The Shire received a total of 8 nominations for the 7 positions vacant.

CONSULTATION AND ADVICE
External Consultation
Call for nominations advertised in the AMR Times and Community Consultation page on the Shire’s website.

Internal Consultation
Director Sustainable Development
Governance Officer / Council Support

DISCUSSION / OFFICER COMMENTS
The SRG’s Instrument of Appointment and Delegation allows up to 11 community members with interest and expertise in environmental matters. As the Shire has received a total of 12 nominations it is recommended that the Instrument of Appointment and Delegation be amended to allow ‘up to 12 community members.’

Given the extended advertising period and encouragement of community members to nominate and volunteer their time it is recommended that rather than going through a selection process to refuse one nomination, Council amend the Instrument of Appointment and Delegation to increase membership to allow all community member nominees be appointed.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS
Nil

STRATEGIC PLAN / POLICY IMPLICATIONS
Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2019-2023
Key Result Area 1: Valuing, protecting and enhancing the natural environment
Community Outcome 1: Ecology and biodiversity protection
Strategic Response 1: Develop partnerships with governments and the community to identify ecological values, inform best management practice and protect the biodiversity of the shire

PLANNING FRAMEWORK
Nil

FINANCIAL IMPLICATIONS
Implications
Nil

Long Term Financial Plan
Nil

Whole of Lifecycle considerations
Nil

SUSTAINABILITY IMPLICATIONS
Environmental
The SRG has an important role to play in terms of promoting environment practices within the Shire and across the community.

Social
Nil

Economic
Nil

ADVOCACY
Nil

ALTERNATE OPTIONS
Nil

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council:
1. Amends the Sustainability Reference Group’s Instrument of Appointment and Delegation membership to allow ‘up to 12 community members’ as per Attachment 1; and
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   b) Lyn Serventy;
   c) Laura Bailey;
   d) Andreas Frutiger;
   e) Pam Townshend;
   f) Ingvar Anda;
   g) Amanda McCluskey; and
   h) Jeff Thierfelder.

ADVICE TO APPLICANT / PROPONENT
Nil

ATTACHMENTS
1. SRG Instrument of Appointment and Delegation with tracked changes.

RECOMMENDATION / COUNCIL DECISION
CR MELDRUM, CR KENNAUGH OM2019/253
That Council:
1. Amends the Sustainability Reference Group’s Instrument of Appointment and Delegation membership to allow ‘up to 12 community members’ as per Attachment 1; and
2. Appoints the following representatives as members of the Sustainability Reference Group for a period of two years, expiring with the 2021 local government elections:
   a) Nick Dornan;
   b) Lyn Serventy;
   c) Laura Bailey;
   d) Andreas Frutiger;
   e) Pam Townshend;
   f) Ingvar Anda;
   g) Amanda McCluskey; and
   h) Jeff Thierfelder.

CARRIED 7/0
11.2.5 SCHEME AMENDMENT NO.58 AND RELATED STRUCTURE PLAN – EXMOOR DRIVE FOR FINAL ADOPTION

LOCATION/ADDRESS
Lots 3, 4, 111, 112 and 113 Brumby Place, Lots 1, 101 and 102 Exmoor Drive and Lots 103, 104, 105, 107 and 108 Boodjidup Road, Margaret River

APPLICANT/LANDOWNER
Halsall & Associates Town Planning Consultants

FILE REFERENCE
LND/1/58

REPORT AUTHOR
Matt Cuthbert, Strategic Projects Officer

AUTHORISING OFFICER
Dale Putland, Director Sustainable Development

IN BRIEF
- The proposal is to rezone fifteen (15) Rural Residential lots located on Exmoor Drive, Boodjidup Road, and Brumby Place. The rezoning will facilitate future subdivision of the lots into smaller (1ha) lots.
- Council initiated the amendment in December 2017, with consultation commencing thereafter.
- The proposal is consistent with state and local planning requirements that promote rural residential infill subdivision to achieve more efficient use of already developed land.
- There is some discrepancy of opinion between government departments with regard to proposed fire management measures.
- Given DFES’s objection to the proposal, the Shire are not in a position to be able to support the related Structure Plan unconditionally.
- It is recommended that the proposal be forwarded to the West Australian Planning Commission (WAPC) for final determination.

RECOMMENDATION
That Council recommends to the WAPC that Amendment 58 be approved noting that the related Structure Plan is subject to further consideration and discussion between the WAPC and DFES before a final determination can be made.

LOCATION PLAN
Lots 3, 4, 111, 112 and 113 Brumby Place, Lots 1, 101 and 102 Exmoor Drive and Lots 103, 104, 105, 107 and 108 Boodjidup Road Margaret River (the land), range between 2.02ha and 3.97ha in area and are zoned Rural Residential. The lots are located approximately 4.2km to the southwest of the Margaret River town centre along Boodjidup Road (refer to Figure 1 below):
The land is predominantly flat in nature, with a gentle slope towards the south west of the site. The majority of the lots have limited remnant vegetation, with introduced species being planted as windbreaks and forming landscape screening throughout the area. There are two main areas of remnant vegetation within the subdivision area, to the north east within lots 102 - 103 Exmoor Drive and Lot 104 Boodjidup Road, and towards the south of the subdivision area on Lot 108 Boodjidup Road.

The lots are serviced by on site effluent disposal systems and are not supplied with reticulated mains water.

**TABLED ITEMS**

Nil

**BACKGROUND**

The subject amendment was presented to Council for initiation on the 13 December 2017 and was initiated subject to the provision of further information and modifications to the amendment and structure plan documents prior to consultation. This included the preparation of a flora/fauna assessment and a land capability assessment.

**CONSULTATION AND ADVICE**

**External Consultation**

A total of 18 responses were received during the consultation period, 12 from community members and 6 from Government agencies (see Attachment 2). With the exception of the Department of Fire and Emergency Services (DFES), all Government agencies support the proposal. Bushfire issues are discussed in more detail below.

Of the 12 submissions from the community, 5 were of objection, 5 of support and two were indifferent.

The issues raised by objectors centre around the perceived change to the amenity of the area through increased development, traffic and people, concerns regarding impact on surface water flows and the ability for effluent disposal systems to operate effectively, and the removal of vegetation. These matters are discussed in more detail below.

**DISCUSSION / OFFICER COMMENTS**

**Removal of vegetation**

Objectors raised concerns regarding vegetation removal and its impact on amenity and biodiversity. An access way which was shown on the advertised Structure Plan and which provided a link to Boodjidup Road was of particular concern. This has been removed on the basis of advice from the Bushfire consultant that it is not required in order to achieve compliance with the Bushfire Protection Guidelines.

The subdivision of Lot 108 was cited as being of specific concern given that the lot contains one of three ‘blocks’ of remnant vegetation. As observed by Councillors at a site visit on the 13 December 2017, the location of building envelopes for the proposed lots are located outside the areas of remnant vegetation.
and the boundary between the lots can be demarcated by fire proof pegs rather than boundary fencing as recommended by the Department of Biodiversity Conservation and Attractions (DBCA).

The 4m wide emergency access way linking Brumby Place with Exmoor Drive was also of concern to objectors. The location of this driveway is outside of the areas of remnant vegetation and due to its narrow width will have very minimal impact on vegetation.

The flora survey undertaken by the proponent at the request of Council confirms that no significant vegetation will be impacted. At the request of DBCA an additional spring survey was conducted and DBCA are now satisfied that no declared rare species are located on the subject land.

**Stormwater**

Concerns were raised that the addition of houses and rainwater tanks would diminish the flow of stormwater into dams and creek lines. The addition of 12 houses would have minimal impact in this regard given the relatively minor addition of impervious area compared with the size of the overall catchment. Furthermore, no concerns with respect to this issue were raised by environmental agencies.

**Effluent disposal**

Concerns were raised regarding areas of the site which are known to be wet and where on site effluent disposal may be problematic. In response, the proponent commissioned a geotechnical report to determine the location of groundwater at the identified building envelope sites. It was found that groundwater levels range from 600mm to 1500mm below ground, which is in excess of the minimum 500mm separation distance required. Both the Health Department and Shire health officers raise no objections to the proposal on the basis that a site by site assessment is undertaken at the time of development to determine the most appropriate type of effluent disposal system having regard to the soil conditions at that location.

**Lot design/size**

Objector’s raised the issue of proposed Lot 201 being less than 1ha (9651m²). The Shire’s Local Planning Strategy allows rural residential lots to be as small as 4000m² as long as an average of 1ha is maintained. This is the case in this instance. In some instance it is evident that the proposed lot boundaries have been designed to maintain a minimum size of 1ha rather than to respond to the specifics of the site and create regular lot shapes. It is recommended that some modifications be required in this regard (see Attachment 3).

**Amenity**

Objectors concerns regarding loss of amenity due to the potential for additional houses to be built in the locality are understood. However, these must be balanced with the Shire’s policy on using land more efficiently as one of the ways to limit the sprawl of new development areas into agricultural land.

In this instance the proposal has a clear majority of support from affected neighbours, and results in a relatively low number of additional dwellings. The design of the subdivision to avoid the removal of remnant vegetation and in some cases the addition of screening vegetation will help to avoid amenity impacts.

**Bushfire safety**

DFES have provided advice that the proposed BMP is not compliant with various elements of the Planning for Bushfire Prone Area Guidelines. The proponent made amendments to the BMP, however DFES comments remain the same. Ultimately, the decision as to whether or not the BMP is acceptable will be made by the WAPC, who will determine the Structure Plan, and Minister for Planning who will determine the Amendment. The decision makers however, will give weight to the advice provided by the Shire and DFES, and therefore it is appropriate that the DFES comments be closely considered and advice provided to the WAPC as to whether they are supported by the Shire or not.

The primary issue of concern to DFES is the lack of road connectivity through the subdivision. This is a legacy of the original pattern of subdivision. Notwithstanding, DFES consider this to be an appropriate opportunity to rectify the situation. Their suggestion is to connect Brumby Place with Exmoor Drive to the north of the precinct and east to Boodjidup road, to provide more options for access and egress in the event of an emergency. This suggestion is not supported for the following reasons:

- It would involve land which is not subject to this proposal and is therefore impractical;
• It would result in the removal of vegetation.
• It would create an amenity issue for residents by introducing greater levels of traffic.
• It is counter to the objective to reduce access points on Boodjidup Road due to safety concerns.
• The solution put forward in the BMP which relies on emergency access way easements is compliant with the Planning for Bushfire Prone Area Guidelines.

The other issues which DFES have identified as being ‘non compliant’ are outlined at Attachment 4 together with responses to those issues from both the bushfire consultant and Shire staff. The Shire are of the view that a recommendation of unconditional support for the proposal is not possible due to the objections raised by DFES. The Shire is concerned that acting against the DFES officer’s advice could potentially create liability issues for the organisation and its officers should there be a significant fire incident on the subject land at any time in the future. As such, and if Council are of a view to support the proposal, the recommendation should be one of conditional support subject to the WAPC and DFES being able to agree on an acceptable bushfire outcome.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS
Nil

STRATEGIC PLAN / POLICY IMPLICATIONS
Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2019-2023
Key Result Area 3: Managing Growth Sustainably
Community Outcome: Clearly defined areas for growth and renewal
Strategic Response: Implement Local Planning Scheme.
Service level strategy/plan: Provide Planning Services.

PLANNING FRAMEWORK
Leeuwin Naturalise Ridge Statement of Planning Policy (LNRSPP)
The Leeuwin Naturaliste Ridge State Planning Policy promotes subdivision and development design that facilitates better use of land already committed for Rural Residential development.

Local Planning Scheme No.1
Local Planning Scheme No.1 states that the minimum lot size for subdivision of land within the Rural Residential zone is 3ha, unless specific provisions have been included at Schedule 7 of the Scheme providing for a lower minimum lot size.

The subject land is located within a Developer Contribution Area meaning that subdivision will result in contributions being made to community facilities.

Local Planning Strategy (LPS)
The LPS contains criteria for the assessment of infill rural residential subdivision. A summary of these requirements is provided below:

Locational Criteria
Presumption against subdivision of areas that are:

• Significantly vegetated – subdivision of densely vegetated land would result in an undesirable environmental outcome, would likely put future residents at higher risk of bushfire, and have greater potential to be inconsistent with the environment and landscape provisions of the Leeuwin Naturaliste Ridge Statement of Planning Policy (LNRSPP).
• Located along Caves Road – Caves Road is identified as a travel route corridor by the LNRSPP wherein development should be sited so as to be invident from the road. Subdivision would result in additional development and thus a greater potential for adverse visual impact.
• Located in an identified Environment Corridor (LPS) or National Park Influence Area (LNRSPP).
• Located in areas which have been developed around the maximisation of views, by additional development would impact upon such views and landscape character
• Isolated from all other lots having potential for subdivision so that subdivision would commence rather than complete a pattern of subdivision inconsistent with the character of the locality.
• Located in areas which have an extreme fire risk and have poor fire management characteristics.
• Not easily accessible for example – no direct road frontage, located at end of long cul de sac etc.
Subdivision Criteria
Once an area has been determined to be suitable for re-subdivision proposals are required to meet the following criteria:

- Subdivision at a ratio of less that 1ha (average) will not be supported.
- Lots of not less than 4000m² may be considered where a clustered subdivision approach is appropriate notwithstanding that the 1ha average lot size will still need to be met.
- Rezoning and structure planning necessary to support subdivision should be undertaken on a precinct (rather than lot by lot) basis unless completing a pattern of subdivision.
- Subdividers will be required to contribute to the proportional upgrade of infrastructure necessary to adequately service the intended additional population.
- Opportunities for re-subdivision should seek to provide enhanced environmental outcomes.
- A bushfire hazard assessment and Bushfire Management Plan is to be prepared and implemented at the time of subdivision.

A detailed assessment against the locational and subdivision criteria was undertaken at the time that the amendment was initiated, with Council determining that the proposal was broadly consistent with the above.

FINANCIAL IMPLICATIONS
Implications
The cost of any road upgrading that may be required, will be borne by subdividers.

Long Term Financial Plan
Nil

Whole of Lifecycle considerations
New infrastructure assets required to service the proposed subdivision are limited to a water tank and emergency access way.

SUSTAINABILITY IMPLICATIONS
Environmental
A flora and fauna survey was conducted at the request of Council. The findings of the study have informed sensitive placement of building envelopes and the proposal is supported by environmental agencies.

Social
The proposal will result in a small population increase of approximately 40 people, within the immediate locality.

Economic
Subdividers will be responsible for the cost of providing the necessary infrastructure to service the newly created lots.

ADVOCACY
Nil

ALTERNATE OPTIONS
That Council:
1. In pursuance of Section 75 of the Planning and Development Act 2005, amends Local Planning Scheme No.1 by;

   a. Inserting the following into Schedule 11:

   | R-R 38 | Lots 3, 4, 110, 111 112 and 113 Brumby Place; Lot 1, 2, 101 and 102 Exmoor Drive; and | 1. The local government will not support any proposal to re-subdivide the land until such time as a Structure Plan has been prepared and adopted for the land in accordance with the Scheme or subsequent Structure Plan approved by the West Australian Planning Commission, in accordance |
Lot 103, 104, 105, 106 and 107 & 108 Boodjidup Road, Margaret River

with the processes set out in Part 4 of the Deemed Provisions.

2. Notwithstanding the provisions of Clause 4.21 of the Scheme, the average lot size for any re-subdivision of the land shall be 1 hectare.

b. Inserting the following into Schedule 10 under 1.2 Margaret River (DCP2):
   "1.2.5 Exmoor Drive Upgrade Area (DCP2e)"

c. Inserting the following into Schedule 10

<table>
<thead>
<tr>
<th>Scheme Reference</th>
<th>DCP2e – Exmoor Drive Upgrade Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development</td>
<td>DCA2e</td>
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<tr>
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<td>10 years</td>
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<td>Priority and Timing</td>
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<tr>
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<td>Annually</td>
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d. Amending the Scheme map to include Lots 3, 4, 110, 111 112 and 113 Brumby Place; Lot 1, 2, 101 and 102 Exmoor Drive; and Lot 103, 104, 105, 106 and 107 & 108 Boodjidup Road, Margaret River within the Rural Residential designation ‘R-R38’.

e. Amending the Scheme map to include Lots 3, 4, 110 - 113 Brumby Place and Lots 1, 2, 101 and 102 Exmoor Drive, Margaret River within Development Contribution Area DCP2e.

2. Recommends in accordance with clause 20(2)(e) of the Deemed Provisions of LPS1, that the ‘Exmoor Drive Structure Plan’ dated April 2019, be approved, subject to modifications being made to lot boundaries generally consistent with those outlined at Attachment 3.

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

That Council:

1. In pursuance of Section 75 of the *Planning and Development Act 2005*, amends Local Planning Scheme No.1 by;

   a. Inserting the following into Schedule 11:

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b. Inserting the following into Schedule 10 under 1.2 Margaret River (DCP2): “1.2.5 Exmoor Drive Upgrade Area (DCP2e)”

c. Inserting the following into Schedule 10

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d. Amending the Scheme map to include Lots 3, 4, 110, 111 112 and 113 Brumby Place; Lot 1, 2, 101 and 102 Exmoor Drive; and Lot 103, 104, 105, 106 and 107 & 108 Boodjidup Road, Margaret River within the Rural Residential designation ‘R-R38’.

e. Amending the Scheme map to include Lots 3, 4, 110 - 113 Brumby Place and Lots 1, 2, 101 and 102 Exmoor Drive, Margaret River within Development Contribution Area DCP2e.

2. Advises the Western Australian Planning Commission that Council is not in a position to be able to recommend final approval to the “Exmoor Drive Area Structure Plan dated April 2019” due to the significance of the objection raised by DFES. With the exception of the bushfire issues, Council are supportive of the proposal and would raise no objection to the Structure Plan being approved subject to the WAPC satisfying itself that the Bushfire Management Plan (latest version dated November 2019) and resultant subdivision design outcome are compliant.

3. Requests that in the event that approval is given, modifications be made to lot boundaries generally consistent with those outlined at Attachment 3.

**ADVICE TO APPLICANT / PROPOUNENT**

Nil

**ATTACHMENTS**

1. Proposed Structure Plan
2. Schedule of Submissions
3. Responses to DFES advice
4. Recommended boundary changes

It is to be noted that the report contains an administrative error, it states the proposal is to rezone fifteen (15) Rural Residential lots, the correct number of lots is sixteen (16).

For clarification, the 15 lots included in the original proposal were increased by 1 to 16 when Council initiated the Amendment. The lots subject to the amendment are now: Lots 3, 4,110, 111, 112 and 113 Brumby Place, Lots 1,2, 101 and 102 Exmoor Drive and Lots 103, 104, 105,106,107 and 108 Boodjidup Road Margaret River.

**RECOMMENDATION / COUNCIL DECISION**

*CR DANIEL, CR EARL OM2019/254*

That Council:

1. In pursuance of Section 75 of the *Planning and Development Act 2005*, amends Local Planning Scheme No.1 by;
a. Inserting the following into Schedule 11:

| R-R 38 | Lots 3, 4, 110, 111 112 and 113 Brumby Place; Lot 1, 2, 101 and 102 Exmoor Drive; and Lot 103, 104, 105, 106 and 107 & 108 Boodjidup Road, Margaret River |

3. The local government will not support any proposal to re-subdivide the land until such time as a Structure Plan has been prepared and adopted for the land in accordance with the Scheme or subsequent Structure Plan approved by the West Australian Planning Commission, in accordance with the processes set out in Part 4 of the Deemed Provisions.

4. Notwithstanding the provisions of Clause 4.21 of the Scheme, the average lot size for any re-subdivision of the land shall be 1 hectare.

b. Inserting the following into Schedule 10 under 1.2 Margaret River (DCP2):

“1.2.5 Exmoor Drive Upgrade Area (DCP2e)”

c. Inserting the following into Schedule 10

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d. Amending the Scheme map to include Lots 3, 4, 110, 111 112 and 113 Brumby Place; Lot 1, 2, 101 and 102 Exmoor Drive; and Lot 103, 104, 105, 106 and 107 & 108 Boodjidup Road, Margaret River within the Rural Residential designation ‘R-R38’.

e. Amending the Scheme map to include Lots 3, 4, 110 - 113 Brumby Place and Lots 1, 2, 101 and 102 Exmoor Drive, Margaret River within Development Contribution Area DCP2e.

2. Advise the Western Australian Planning Commission that Council is not in a position to be able to recommend final approval to the “Exmoor Drive Area Structure Plan dated April 2019” due to the significance of the objection raised by DFES. With the exception of the bushfire issues, Council are supportive of the proposal and would raise no objection to the Structure Plan being approved subject to the WAPC satisfying itself that the Bushfire Management Plan (latest version dated November 2019) and resultant subdivision design outcome are compliant.

3. Requests that in the event that approval is given, modifications be made to lot boundaries generally consistent with those outlined at Attachment 3.

CARRIED 4/3

CRS MELDRUM, GODDEN AND CRISTOFFANINI VOTED AGAINST
During debate, Cr Cristoffanini foreshadowed the following motion:

FORESHADOWED MOTION
That Council resolves not to support Scheme Amendment No. 58.
11.2.6 WALGA DECLARATION ON CLIMATE CHANGE

LOCATION/ADDRESS  Shire of Augusta Margaret River
APPLICANT/LANDOWNER  Shire of Augusta Margaret River
FILE REFERENCE  LND/83
REPORT AUTHOR  Matt Cuthbert, Strategic Projects Officer
AUTHORISING OFFICER  Dale Putland, Director Sustainable Development

IN BRIEF
- The Western Australian Local Government Association (WALGA) has invited the Shire to sign a Climate Change Declaration.
- WALGA advises that this “will support WALGA to advocate for the appropriate funding and development of legislative mechanisms to support Local Government climate change management”.
- The declaration is consistent with the Shire’s response to climate change
- It is recommended that the Shire sign the declaration and advise WALGA accordingly.

RECOMMENDATION
That Council:
1. Supports the WALGA position on climate change; and
2. Authorises the Shire President to sign the WALGA Climate Change Declaration (Attachment 1).

LOCATION PLAN
Nil

TABLED ITEMS
Nil

BACKGROUND
On 25 September 2019, Council resolved to declare a climate emergency. In doing so, the Shire joined a growing number of governments and organisations across the world, who are calling for urgent action on climate change.

CONSULTATION AND ADVICE
External Consultation
The Shire’s approach to climate change is informed by policies and plans, each of which have been the focus of significant public consultation.

Internal Consultation
Nil

DISCUSSION / OFFICER COMMENTS
The WALGA Climate Change Declaration template is attached. The actions outlined in the declaration to which the Shire will ‘commit’ to are already underway, and hence the declaration does not require that the Shire take on any additional tasks.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS
Nil

STRATEGIC PLAN / POLICY IMPLICATIONS
Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2019-2023
Key Result Area 3: Managing Growth Sustainably
Community Outcome: Climate change mitigation and response
Strategic Response: Reduce the Shire’s corporate carbon emissions including energy use and corporate waste, to meet adopted targets
Service level strategy/plan: Identify opportunities and implement renewable energy initiatives

PLANNING FRAMEWORK
Nil

FINANCIAL IMPLICATIONS
Implications
Nil

Long Term Financial Plan
Nil

Whole of Lifecycle considerations
Nil

SUSTAINABILITY IMPLICATIONS
Environmental
Climate Change is a significant factor impacting upon biodiversity.

Social
Climate Change is a significant factor impacting human health and wellbeing.

Economic
The global transition to a ‘zero carbon’ economy will create both economic costs and opportunities.

ADVOCACY
The subject proposal is an opportunity to advocate for urgent action on climate change.

ALTERNATE OPTIONS
That Council decline to sign the WALGA Climate Change Declaration.

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council:
1. Supports the WALGA position on climate change; and
2. Authorises the Shire President to sign the WALGA Climate Change Declaration (Attachment 1).

ADVICE TO APPLICANT / PROONENT
Nil

ATTACHMENTS
1. WALGA Climate Change Declaration

RECOMMENDATION / COUNCIL DECISION
CR CRISTOFFANINI, CR KENNAUGH OM2019/255
That Council:
1. Supports the WALGA position on climate change; and
2. Authorises the Shire President to sign the WALGA Climate Change Declaration (Attachment 1).

CARRIED 7/0
11.3. Infrastructure Services
11.3.1 RFT 01-20 PROVISION OF HORTICULTURAL SERVICES

LOCATION/ADDRESS  Shire of Augusta Margaret River

APPLICANT/LANDOWNER  Shire of Augusta Margaret River

FILE REFERENCE  COR/389 COR/390

REPORT AUTHOR  Sadie Breslin, Works Project Administration Officer

AUTHORISING OFFICER  Markus Botte, Director Infrastructure Services

IN BRIEF
- On 14 August 2019 the Shire of Augusta Margaret River (Shire) publicly advertised an open tender for RFT 01-20 Provision of Horticultural Services, with the tender period closing at 2pm on 9 September 2019.
- Seven (7) submissions were received and evaluated by the Shire in line with the evaluation criteria specified in the RFT document.
- The proposed contract provides for an initial contract term of two (2) years with the Shire reserving the right to exercise a one (1) year contract extension.

RECOMMENDATION
That Council:
1. Accepts the Tender submitted by Vinepower Margaret River Pty Ltd as the most advantageous Tender to form a Contract, subject to contracting and satisfaction of minor variations;
2. Delegates the formation of the Contract to the Chief Executive Officer; and
3. Delegates authority to the Chief Executive Officer to exercise the extension option available to the Shire of Augusta Margaret River to extend the contract RFT 01-20 Provision of Horticultural Services, subject to satisfactory performance of the Contractor, as determined through a formal review process undertaken towards the end of the initial contract term.

LOCATION PLAN
Nil

TABLED ITEMS
Nil

BACKGROUND
The Shire has an ongoing need for the services of a suitably qualified and experienced horticultural contractor to complement its own internal resourcing during time of peak horticultural activity, e.g. during planting season and to undertake services of vegetation under powerline program.

The previous horticultural services contract expired on 30 June 2019. With the value of services over the contract term continuing to exceed $150,000, the Shire has advertised a public open tender for the ongoing provision of these horticultural services, as required by Section 3.57 of the Local Government Act 1995.

CONSULTATION AND ADVICE
External Consultation
Nil

Internal Consultation
Consultation was undertaken with:
- Acting Coordinator Environment/Landcare Services
- Senior Technical Officer, Parks and Gardens (who will be reliant on the provision of the tendered services);
DISCUSSION / OFFICER COMMENTS
An evaluation report for tenders has been undertaken which is attached as Confidential Attachment 1.

The Evaluation Report had initially been completed for six (6) respondents and was due to be decided at the Council meeting on 27 November 2019. Due to a technical error information submitted by a seventh respondent was not included in the evaluation assessment and following advice from WALGA and the Shire’s Manager Legal and Governance, the decision was made to remove the report from the agenda for 27 November 2019 and perform a re-evaluation to include the submission of a seventh respondent.

ADDENDUM – ITEM WITHDRAWN

11.3.1 RFT 01-20 PROVISION OF HORTICULTURAL SERVICES

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<td>COR/393   COR/250</td>
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<td>REPORT AUTHOR</td>
<td>Sadie Braslin, Works Project Administration Officer</td>
</tr>
<tr>
<td>AUTHORIZING OFFICER</td>
<td>Markus Berte, Director Infrastructure Services</td>
</tr>
</tbody>
</table>

This item has been withdrawn from 27 November 2019 Ordinary Council Meeting agenda, and will be put back to Council on the 11 December 2019 Ordinary Council Meeting

REASON
A prospective tenderer has provided evidence that they sent an email attaching a tender to the Shire’s correct email address. No email was ever received by the Shire from the prospective tenderer and it is likely that delivery failed due to the size of the attachment.

Based on advice from WALGA and the Shire’s Legal and Governance Unit, it is considered that there is insufficient evidence to establish that the prospective tenderer did not submit their tender appropriately. As a result the Shire will need to reevaluate all tenders including the one not previously received.

The Shire is investigating measures including an electronic tender management system to avoid a situation like this reoccurring in the future.

Tenders were received from the following entities:-
(a) Cape Life Pty Ltd
(b) Environmental Industries Pty Ltd
(c) HC Parke-Gailey & D Santich trading as Greenwave Landscapes
(d) Landscape and Maintenance Solutions Pty Ltd
(e) Sanpoint Pty Ltd T/A LD Total
(f) Tranen Pty Ltd
(g) Vinepower Margaret River Pty Ltd trading as Margaret River Tree Planting & Landcare Services

Tenders were assessed by an evaluation panel against a range of compliance and qualitative criteria. Price was also evaluated. The weighting applied to the qualitative and price criteria were as follows:

- Relevant Experience – 20%
- Tenderers Resources – 20%
- Key Personnel Skills and Experience – 20%
- OSH and Environmental Management – 10%
Sustainability Considerations – 10%
Price – 20%

A regional price preference was applied to the tendered prices of eligible tenderers prior to evaluation, in line with the Shire’s Regional Price Preference Policy (November 2018).

Based on the tender assessment, it is recommended that the tender be awarded to Vinepower Margaret River Pty Ltd (Vinepower), trading as Margaret River Tree Planting & Landcare Services.

It should be noted that, as part of the proposed contract terms and conditions outlined to Tenderers, the Shire maintains the right to approach other contractors to perform similar works throughout the Contract Term. The proposed contract also allows the Shire to exclude small coastal and bushland management planting projects of less than $2,000 from the proposed contract, as it has been identified previously that these services are best managed on a job-by-job basis by the Environment/Landcare team.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

Section 3.57 of the Local Government Act 1995 states:

“A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services”.

Part 4 Division 2 Regulation 11 of the Local Government (Functions and General) Regulations 1996 states:

“Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than $150,000”.

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2019-2023

Key result area 1: Valuing, protecting and enhancing the natural environment
Community Outcome 3: Healthy forests and natural landscapes
Strategic Response: Proactively manage Shire reserves and provide incentives for weed control, feral animal control and bushland management to extend Shire support for conservation action on private property.

Key result area 4: Vibrant and diverse economy
Community Outcome 4: Competitive and sustainable business environment
Strategic Response: Ensure the Shire’s procurement policies support local business and help generate local employment

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

Implications
The Shire of Augusta Margaret River budgets for an ongoing need for horticultural services, in particular for times when projects which the Shire’s Parks and Gardens team may be insufficiently resourced to complete within the required timeframe.

Long Term Financial Plan
The maintenance of parks, gardens and reserves is a core activity of the Shire of Augusta Margaret River, and as such included within the Long Term Financial Plan.

Whole of Lifecycle considerations
Parks and environmental assets are maintained in a scheduled manner to appropriate service levels. This ensures ongoing maintenance efforts can be optimised and activities timed to achieve sustainable outcomes.
SUSTAINABILITY IMPLICATIONS

Environmental
Continued maintenance and care of the Shire of Augusta Margaret River’s coastal and bushland areas including reserves, parks, gardens, ovals, community space etc.

Social
Supports local businesses.

Economic
Value for money, goods and services.

ADVOCACY
Nil

ALTERNATE OPTIONS
1. Council could reject all tenders and appoint additional internal horticultural labour. This is not recommended, as the horticultural contractor is only required on an ad-hoc, project-specific basis and is offering competitive rates to deliver the required services. Employing internal horticultural labour would not allow for the varying quantities of work to be undertaken at various times of the year, such as to adequately respond to peak demand periods.

2. Council could reject all tenders and invite quotes from horticultural contractors on as as-required basis. However this option is not recommended as the Shire has a need for ongoing horticultural services, and the cumulative value of these services would exceed the limit for which the Shire is legislatively required to appoint a contractor through the advertising of a public tender.

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council:
1. Accepts the Tender submitted by Vinepower Margaret River Pty Ltd as the most advantageous Tender to form a Contract, subject to contracting and satisfaction of minor variations;
2. Delegates the formation of the Contract to the Chief Executive Officer; and
3. Delegates authority to the Chief Executive Officer to exercise the extension option available to the Shire of Augusta Margaret River to extend the contract RFT 01-20 Provision of Horticultural Services, subject to satisfactory performance of the Contractor, as determined through a formal review process undertaken towards the end of the initial contract term.

ADVICE TO APPLICANT / PROponent
Nil

ATTACHMENTS

RECOMMENDATION / COUNCIL DECISION
CR CRISTOFFANINI, CR KENNAUGH OM2019/256
That Council:
1. Accepts the Tender submitted by Vinepower Margaret River Pty Ltd as the most advantageous Tender to form a Contract, subject to contracting and satisfaction of minor variations;
2. Delegates the formation of the Contract to the Chief Executive Officer; and
3. Delegates authority to the Chief Executive Officer to exercise the extension option available to the Shire of Augusta Margaret River to extend the contract RFT 01-20 Provision of Horticultural Services, subject to satisfactory performance of the Contractor, as determined through a formal review process undertaken towards the end of the initial contract term.

CARRIED 7/0
11.3.2 RFQ 091918 PURCHASE OF ARTICULATED WHEEL LOADER

**LOCATION/ADDRESS**  Shire Works Depot, Margaret River

**APPLICANT/LANDOWNER**  Shire of Augusta Margaret River

**FILE REFERENCE**  PLT/9

**REPORT AUTHOR**  Melanie Aylett, Project and Procurement Officer

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

**IN BRIEF**
- The Shire of Augusta Margaret River (Shire) undertook a Request for Quotation (RFQ) process to engage a supplier for the provision of a wheel loader to replace its existing, outgoing wheel loader as part of the annual budgeted plant replacement program for 2019-2020.
- The procurement process was undertaken via the National Procurement Network’s Preferred Supply Contract NPN 2.15 for the Supply of Plant Machinery Equipment, available through the WALGA Preferred Supplier Arrangement.
- Four organisations submitted quotes for a total of eight different wheel loader models.

**RECOMMENDATION**
That Council awards contract RFQ 091918 for the purchase of Articulated Wheel Loader to CJD Equipment Pty Ltd for the supply and delivery of a Volvo L60F Wheel Loader, and delegates formation of the Contract to the Chief Executive Officer.

**LOCATION PLAN**
Nil

**TABLED ITEMS**
Nil

**BACKGROUND**
On Wednesday 11 September 2019 the Shire issued a Request for Quotation (RFQ) for the supply and delivery of one articulated wheel loader, as part of its budgeted plant replacement program. The purchased wheel loader shall replace the existing wheel loader, which will be sold by the Shire under a separate disposal process.

The procurement of the wheel loader was undertaken through the WALGA Preferred Supplier Arrangement (National Procurement Network) NPN 2.15 Supply of Plant Machinery Equipment, benefiting from a tender-exemption for such purchases permitted under the Local Government (Functions and General) Regulations 1996.

**CONSULTATION AND ADVICE**
External Consultation
Nil

Internal Consultation
Consultation was undertaken with the Storeman/Technical Officer, Mechanic and Loader Operator, along with the Project and Procurement Officer.

**DISCUSSION / OFFICER COMMENTS**
Quotations were received from the following suppliers:
- CJD Equipment Pty Ltd (2 models of Volvo loader, 1 model of SDLG loader)
- Hitachi Construction Machinery (Australia) Pty Ltd (1 model of Hitachi loader)
• Komatsu Australia (2 models of Komatsu loader)
• WesTrac Pty Ltd (2 models of CAT loader)

Details of quotes received and the evaluation process undertaken are included in Confidential Attachment 1 to this report.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS
Local Government (Functions and General) Regulations 1996
Regulation 11(2)(e):

Tenders do not have to be publicly invited according to the requirements of this Division if the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government

STRATEGIC PLAN / POLICY IMPLICATIONS
Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2019-2023

Key Result Area 5: Effective Leadership and Governance
Outcome 3: Develop Long Term Informing Strategy including asset and financial management aligned to the Community Strategic Plan

Strategic Response: Implement the Annual Plant and Light Fleet Replacement Programs

PLANNING FRAMEWORK
Nil

FINANCIAL IMPLICATIONS
Implications

The replacement of the current Shire wheel loader was budgeted as part of the annual plant replacement program for 2019/20.

However all quotes received exceed the budgeted allocation quite significantly, and the purchase of a new wheel loader will require a further transfer of funds from the Plant Reserve to cover the shortfall in budget. Adequate Reserves exist for this purchase and there are no ongoing implications to rates anticipated from this purchase.

The existing wheel loader is to be disposed by way of auction / tender following the proposed purchase of the new wheel loader. The budgeted income from this asset sale was $15,000. A recent valuation obtained by the Manager Works indicated the sale proceeds to be approximately $65,000, which will partially offset the additional cost of the new wheel loader.

Long Term Financial Plan
The ongoing replacement of plant under a Plant Replacement Program is included in the Long Term Financial Plan.

Whole of Lifecycle considerations
The wheel loader forms part of the Shire’s Plant Replacement Program.

SUSTAINABILITY IMPLICATIONS
Environmental
The chosen supplier provided an Environmental Policy. Key areas of their policy include:

• Integrate environmental protection into business strategy and planning;
• Reducing environmental impact by identifying environmental impacts of CJD Equipment’s operations;
• Maintain systems to identify and manage risks to the environment and the communities;
• Measure environmental impact performance to monitor improvement;
• Allocate resources to effectively manage CJD Equipment’s environmental impacts;
• Comply with relevant environmental legislation and regulations and with CJD Equipment’s environmental management systems;
• Audit environmental systems regularly to verify risk management control effectiveness;
• Communicate environmental protection priorities and ensure those who work with CJD Equipment are trained in, and have effective tools to achieve environmental impact and incident free operations; and
• The company has a branch within the Peel Region who have a number of suppliers from within the local community.

Social
The chosen supplier provided an Equal Opportunity, Affirmative Action & Anti-Discrimination Policy. Key areas of this policy include:

• Conscious efforts are made to eliminate all forms of direct and indirect discrimination by all members of the company management team. Sexual harassment and racial harassment are prohibited in all company activities;
• Seek to actively implement affirmative action programs to encourage the representation of women in employment and particularly under representation in senior/management positions; and
• The principal object of CJD Equipment Pty Ltd’s Equal Opportunity, Affirmative Action and Anti-Discrimination Policy is to ensure that its structures and practices are free from direct and indirect sex discrimination;

Economic
The recommended wheel loader evaluated as presenting best value for money for the Shire.

ADVOCACY
Nil

ALTERNATE OPTIONS
Lease – the Shire could lease a wheel loader rather than purchase one outright. The Shire has been leasing a second construction loader of the equivalent size and specification to the proposed loader from SG Fleet at a cost of $4,500 per month. Over an eight year term, being the anticipated life of a purchased loader, this would equate to a total cost of $432,000.

Defer purchase of new wheel loader – the Shire could defer the purchase of a new wheel loader until a future date. The price of a new wheel loader is not expected to decrease over time, however the residual value of the current wheel loader is likely to decrease.

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council awards contract RFQ 091918 for the purchase of Articulated Wheel Loader to CJD Equipment Pty Ltd for the supply and delivery of a Volvo L60F Wheel Loader, and delegates formation of the Contract to the Chief Executive Officer.

ADVICE TO APPLICANT / PROPONENT
Nil

ATTACHMENTS
1. CONFIDENTIAL Evaluation Report

RECOMMENDATION / COUNCIL DECISION
CR KENNAUGH, CR MELDRUM OM2019/257
That Council awards contract RFQ 091918 for the purchase of Articulated Wheel Loader to CJD Equipment Pty Ltd for the supply and delivery of a Volvo L60F Wheel Loader, and delegates formation of the Contract to the Chief Executive Officer.

CARRIED 7/0
11.3.3 REVIEW OF INFRASTRUCTURE SERVICES POLICIES

LOCATION/ADDRESS  Shire of Augusta Margaret River
APPLICANT/LANDOWNER  Shire of Augusta Margaret River
FILE REFERENCE  ENG/75
REPORT AUTHOR  Bronwyn Granville, Executive Assistant Infrastructure Services
AUTHORISING OFFICER  Markus Botte, Director Infrastructure Services

IN BRIEF
- The majority of Infrastructure Services policies are due for review.
- Staff from Infrastructure Services have reviewed and approved changes to the policies (attached) for the purpose of public advertising prior to formal adoption.

RECOMMENDATION
That Council:
1. Accepts the suite of amended Infrastructure Services policies (as amended in Attachment 1) for the purpose of public advertising for a period of 28 days; and
2. Should no substantial changes or requests for further amendments arise through the public consultation process, that the suite of Infrastructure Services Policies as presented in Attachment 1 be adopted under delegation by the Chief Executive Officer.

LOCATION PLAN
Nil

TABLED ITEMS
Nil

BACKGROUND
The suite of Infrastructure Services policies listed below were advertised and adopted on 14 November 2016 and are now due to be reviewed. A part of the review process includes advertising for public comment.

<table>
<thead>
<tr>
<th>Ref</th>
<th>Title</th>
<th>Date adopted</th>
</tr>
</thead>
<tbody>
<tr>
<td>ISP1</td>
<td>Asset Management Policy</td>
<td>14 November 2016</td>
</tr>
<tr>
<td>ISP2</td>
<td>Unconstructed Road Reserves</td>
<td>14 November 2016</td>
</tr>
<tr>
<td>ISP3</td>
<td>Naming and Renaming of Roads, Reserves and Localities</td>
<td>14 November 2016</td>
</tr>
<tr>
<td>ISP4</td>
<td>Developments</td>
<td>14 November 2016</td>
</tr>
<tr>
<td>ISP5</td>
<td>Works on Public Land</td>
<td>14 November 2016</td>
</tr>
<tr>
<td>ISP6</td>
<td>Removal of Obstructions from Public Land</td>
<td>14 November 2016</td>
</tr>
<tr>
<td>ISP7</td>
<td>Extra Mass Vehicles</td>
<td>14 November 2016</td>
</tr>
<tr>
<td>ISP8</td>
<td>Signage on Public Roads</td>
<td>14 November 2016</td>
</tr>
<tr>
<td>ISP9</td>
<td>Roads and Infrastructure</td>
<td>14 November 2016</td>
</tr>
<tr>
<td>ISP10</td>
<td>Replacement of Plan and Vehicle Fleet</td>
<td>14 November 2016</td>
</tr>
<tr>
<td>ISP11</td>
<td>Aerodrome Use</td>
<td>14 November 2016</td>
</tr>
<tr>
<td>ISP12</td>
<td>Bushfire Risk</td>
<td>14 November 2016</td>
</tr>
<tr>
<td>ISP13</td>
<td>Dangerous Trees</td>
<td>14 November 2016</td>
</tr>
<tr>
<td>ISP14</td>
<td>Townsite Street Trees</td>
<td>14 November 2016</td>
</tr>
<tr>
<td>ISP15</td>
<td>Wadandi Track</td>
<td>14 February 2019</td>
</tr>
<tr>
<td>ISP16</td>
<td>Management of Vegetation on Shire Reserves</td>
<td>08 August 2018</td>
</tr>
</tbody>
</table>
CONSULTATION AND ADVICE

External Consultation
Submissions will be invited throughout the 28 day public advertising period.

Internal Consultation
- Manager Asset Services;
- Technical Officer, Assets & Administration;
- Senior Technical Officer – Developments;
- Coordinator Asset Management;
- Coordinator Environment/Landcare Services;
- Manager Works.

DISCUSSION / OFFICER COMMENTS
The following amendments to policies are proposed:

<table>
<thead>
<tr>
<th>Policy No</th>
<th>Title and proposed alterations</th>
</tr>
</thead>
<tbody>
<tr>
<td>ISP 1</td>
<td>Asset Management</td>
</tr>
<tr>
<td></td>
<td>Clarify purpose of Policy by referencing Shires Strategic Plans and acknowledgement of climate change;</td>
</tr>
<tr>
<td></td>
<td>Refine Policy objectives to incorporate legislative requirements, development of asset management plans and systematic review of asset classes.</td>
</tr>
<tr>
<td></td>
<td>Minor rewording and formatting changes.</td>
</tr>
<tr>
<td>ISP 2</td>
<td>Road Closure of Gazetted Roads and Unconstructed Road Reserves</td>
</tr>
<tr>
<td></td>
<td>Minor grammatical amendments and terminology clarifications.</td>
</tr>
<tr>
<td>ISP 3</td>
<td>Naming and Renaming of Roads, Parks, Reserves and Localities</td>
</tr>
<tr>
<td></td>
<td>Amendment to comply with the Geographic Names Committee Policies and Standards for Geographical Naming in WA.</td>
</tr>
<tr>
<td></td>
<td>Change to retain a list of potential road names submitted by individuals;</td>
</tr>
<tr>
<td></td>
<td>Addition of point 3 to gain support from traditional owners for use of a word from traditional language.</td>
</tr>
<tr>
<td>ISP 4</td>
<td>Developments</td>
</tr>
<tr>
<td></td>
<td>Clarification amendments on current standards;</td>
</tr>
<tr>
<td></td>
<td>Inclusion of Water Sensitive Urban Design, Shires standard requirements and operational areas removed to be incorporated into Guidelines instead of Policy;</td>
</tr>
<tr>
<td></td>
<td>Minor grammatical amendments and update of document names.</td>
</tr>
<tr>
<td>ISP 5</td>
<td>Works on Shire Land</td>
</tr>
<tr>
<td></td>
<td>Distinguish works on Shire land includes landscaping but excludes grass mowing;</td>
</tr>
<tr>
<td></td>
<td>Add reference to ISP 16 that removal of vegetation from reserves and road reserves is prohibited without consent from the Shire;</td>
</tr>
<tr>
<td></td>
<td>Rewording and minor formatting changes.</td>
</tr>
<tr>
<td>ISP 6</td>
<td>Removal of Objects on Shire Land</td>
</tr>
<tr>
<td></td>
<td>Include reference to ISP 16 that removal of vegetation on reserves is prohibited without consent from the Shire;</td>
</tr>
<tr>
<td></td>
<td>Include related Policies, Procedures and Guidelines.</td>
</tr>
<tr>
<td>ISP 7</td>
<td>Restricted Access Vehicles</td>
</tr>
<tr>
<td></td>
<td>Add - the Shire may not support a new route or withdraw support for an approved route at anytime for the following reasons:</td>
</tr>
<tr>
<td></td>
<td>Add Related Policies, Procedures and Guidelines to include application to Main Roads WA.</td>
</tr>
<tr>
<td>ISP 8</td>
<td>Signage on Public Land</td>
</tr>
<tr>
<td></td>
<td>‘Public’ Land changed to ‘Shire’ Land – for consistency purposes.</td>
</tr>
</tbody>
</table>
ISP 9  Roads and Infrastructure

A major change has been made to the Roads and Infrastructure Policy to address road funding priorities by adding that 25% of Shire's annual Roads to Recovery grant allocation will be set aside for renewal/upgrading of 'lower order rural roads'.

Funding for road projects comes from several different sources:
- Roads to Recovery – annual federal government grant program where allocated funds can be utilised on any road project.
- Main Roads WA direct allocation – annual untied allocation provided through South West Regional Road Group and can be utilised on any road project.
- South West Regional Road Group – some higher order local roads are included in the State Government's Roads 2030 Strategy and are therefore eligible for RRG funding. This is a competitive program with comprehensive eligibility guidelines and provides 2/3 funding.
- Federal and state accident black spot programs – available for road sections and intersections that meet minimum crash severity and frequency requirements. There are also minimum Benefit Cost Ratio requirements. The federal program provides 100% funding and the state program 2/3 funding.
- Developer contributions – received from private developers for construction or upgrading of specified roads within or serving their developments.
- Shire funding.

In November 2017, the Shire received correspondence from the Rural Roads Action Group in which they expressed concern that many lower order rural roads, mostly within the southern portion of the Shire, were not being maintained to a standard they considered safe or equitable. These roads are not eligible for Regional Road Group funding and, because of their low traffic volumes, are a low priority for upgrading and/or renewal.

In response to this situation, Council included the following action in its 2018-19 Corporate Plan: “Conduct long-term planning for rural roads maintenance and upgrades which take into consideration needs of industry, safety and risk to ensure Shire roads are fit for purpose.” Officers have since commissioned a condition assessment of all Shire roads and this information is informing preparation of a ten-year forward works program. The forward works program is based on optimising investment in roads based on a number of factors, including road condition, road hierarchy and grant funding entitlements. This programming process favours more highly trafficked higher order roads.

As a first step towards giving a higher priority to renewal of these lower order rural roads, the 2019-20 budget included an allocation of $150,000 specifically for “Lower order road renewals.” Officers recommend that a similar allocation be set aside in future annual budgets to continue this program. Allocating 25% of the federal government's Roads to Recovery (R2R) grant to lower order road renewals would achieve this. For the five-year period from 2019-20 to 2023-24 the Shire's R2R grant will be $649,022 per annum and 25% of this equates to $161,255 per annum. This allocation will result in an investment of approximately $800,000 into lower order rural roads over the five-year period to 2024.

For the purpose of this policy, lower order rural roads are defined as sealed roads that are classified as rural access roads in the Shire’s road hierarchy and service rural land uses. This specifically excludes:
- all roads in urban/residential areas
- higher order distributor roads (many of which are eligible for Regional Road Group funding)
- local access roads servicing solely rural residential areas (ie Kevill Road, Exmoor Drive and Matthews Road)
- gravel roads (almost all of which are located in rural areas and already have a separate annual funding allocation for gravel resheeting)
Policy No | Title and proposed alterations
--- | ---
ISP 10 | Replacement of Plant and Vehicle Fleet
- Reference to considering impacts of climate change in selecting plant and equipment.
ISP 11 | Aerodrome Use
- No change
ISP 12 | Bushfire Risk
- Include reference to ISP 16 that removal of vegetation on reserves is prohibited without consent from the Shire.
ISP 13 | Dangerous Trees
- Minor clarifications for consistency;
- Include related Policies, Procedures and Guidelines.
ISP 14 | Townsite Street Trees
- Include reference to ISP 16 that removal of vegetation on reserves is prohibited without consent from the Shire;
- Add Related Policies, Procedures and Guidelines.
ISP 15 | Wadandi Track
- Change review timeframe to every three years to align with other policies.
ISP 16 | Management of Vegetation on Shire Reserves
- Change review timeframe to every three years to align with other policies.

Policies are to be as clear and concise as possible and do not include day to day operational procedures and instructions.

The suite of Infrastructure Services Policies will enable the Shire’s functions to be carried out with services and facilities to be provided to the community in an ethical, innovative and responsive manner.

**STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**

Policies are an important component of governance by which responsibilities to stakeholders are identified, and effective systems of leadership, authority, accountability and control are implemented.

The *Local Government Act 1995* specifies the key roles of the Council of which Council has four main roles:

1. Direct and control the Local Government’s affairs;
2. Be responsible for the local government’s functions;
3. Oversee the allocation of the local government’s finances and resources, and
4. Determine the local government’s policies.

Policies are guidelines to provide a consistent approach and framework for Council decision making and for the CEO and staff to action Council’s requests. Policies are not legislation and there may be circumstances where a position needs to be taken which is at variance with an existing policy. In these circumstances, Council should make a decision, which departs from an existing policy.
STRATEGIC PLAN / POLICY IMPLICATIONS
Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2019-2023
Key Result Area 5: Effective leadership and governance
Community Outcome 5.5: A culture of innovation, quality and continuous improvement.

PLANNING FRAMEWORK
Nil

FINANCIAL IMPLICATIONS
Implications
Policies have varying degrees of financial implications which are incorporated into the annual budget each year. No additional funding is sought for the review of a new suite of governance policies.

Long Term Financial Plan
Nil

Whole of Lifecycle considerations
Nil

SUSTAINABILITY IMPLICATIONS
Environmental
Policies support the Shire’s environmental objectives and values.

Social
Policies support the Shire’s social objectives and values.

Economic
The policies indicate sustainable management/governance of shire assets.

ADVOCACY
Nil

ALTERNATE OPTIONS
Nil

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council:
1. Accepts the suite of amended Infrastructure Services policies (as amended in Attachment 1) for the purpose of public advertising for a period of 28 days; and
2. Should no substantial changes or requests for further amendments arise through the public consultation process, that the suite of Infrastructure Services Policies as presented in Attachment 1 be adopted under delegation by the Chief Executive Officer.

ADVICE TO APPLICANT / PROONENT
Nil

ATTACHMENTS
1. Draft Infrastructure Services Policies (including Track Changes):
   ISP 1 Asset Management
   ISP 2 Road Closure of Gazetted Roads and Unconstructed Road Reserves
   ISP 3 Naming and Renaming of Roads, Parks, Reserves and Localities
   ISP 4 Development
   ISP 5 Works on Shire Land
   ISP 6 Removal of Objects on Public Land
   ISP 7 Restricted Access Vehicles
   ISP 8 Signage on Public Land
ISP 9 Roads and Infrastructure
ISP 10 Replacement of Plant and Vehicle Fleet
ISP 11 Aerodrome Use
ISP 12 Bushfire Risk
ISP 13 Dangerous Trees
ISP 14 Townsite Street Trees
ISP 15 Wadandi Track
ISP 16 Management of Vegetation on Shire Reserves

2. Final amended policies (with changes incorporated for ease of reading)

RECOMMENDATION

CR, CR
That Council:
1. Accepts the suite of amended Infrastructure Services policies (as amended in Attachment 1) for the purpose of public advertising for a period of 28 days; and
2. Should no substantial changes or requests for further amendments arise through the public consultation process, that the suite of Infrastructure Services Policies as presented in Attachment 1 be adopted under delegation by the Chief Executive Officer.

Cr Earl moved the following procedural motion:

PROCEDURAL MOTION / COUNCIL DECISION
CR EARL, CR GODDEN OM2019/258
That the item be deferred to February 2020.

CARRIED 7/0
11.3.4 LOT 50 WOODITCH ROAD, MARGARET RIVER - ACQUISITION OF PRIVATE ROAD FOR WINTER DIVERSION TRACK

LOCATION/ADDRESS Lot 50 Wooditch Road, Margaret River

APPLICANT/LANDOWNER Shire of Augusta Margaret River

FILE REFERENCE ENG/86 PTY/3304

REPORT AUTHOR John McKinney, Coordinator Environment Landcare Services

AUTHORISING OFFICER Markus Botte, Director Infrastructure Services

IN BRIEF
- Council has previously resolved to develop a walk trail (known as the Winter Diversion Track) along the southern bank of the Margaret River from Caves Road to the Pedestrian Access Way off St Alouarn Place.
- A Working Group was formed in April 2018 to guide the completion of the trail. Council subsequently adopted recommendations from the Working Group.
- Negotiations to purchase a portion of Lot 4 Wooditch Road have been completed with the WAPC issuing subdivision approval on 18 November 2019.
- It is proposed to request the Minister to close a small portion of a private road under Section 52 of the Land Administration Act 1997 to allow the trail to be progressed.

RECOMMENDATION
That Council:
1. Supports the closure of a portion of private road known as Lot 50 on Diagram 4781 in Certificate of Title Volume 123 Folio 31 (Lot 50), identified as Lot 501 on the Deposited Plan 416110 in Attachment 1;
2. Notes the Shire, in accordance with section 52(3) of the Land Administration Act 1997 has taken all reasonable steps to give notice of a request to acquire a portion of Lot 50 to the holder of the freehold in Lot 50; and actual notice of the request has been given to the holders of freehold in adjoining land and all suppliers of utilities – with one objection being received from an adjoining neighbour;
3. Requests the Minister for Lands to acquire as Crown land a portion of Lot 50, pursuant to section 52(1)(b) of the Land Administration Act 1997, for the purpose of completing the construction of the Cape to Cape Winter diversion walking trail between Caves Road and St Alouarn Place Margaret River; and
4. Authorises the affixing of the Shire’s Common Seal to any document required to give effect to the closure or the request to acquire.

LOCATION PLAN
Location of Lot 50 (red outline)

TABLED ITEMS
Nil
**BACKGROUND**
Council has made a number of resolutions relating to the Winter Diversion Track since 2016 at eight separate Council meetings, most recently at the Special Council Meeting on 5 June 2018.

### Winter Diversion Trail – Decision matrix

<table>
<thead>
<tr>
<th>Date of meeting</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>28 September 2016</strong></td>
<td>CR TOWNSHEND, CR HASTIE OM2016/210</td>
</tr>
<tr>
<td></td>
<td>Council resolves that all further work (including funding applications and ethnographic studies and indigenous consultation) on the Winter diversion track be halted excepting rehabilitation, revegetation, weed control and erosion repair and prevention, until alternatives to the current plans for the track are explored.</td>
</tr>
<tr>
<td></td>
<td>CARRIED 5/1 CR EARL VOTED AGAINST</td>
</tr>
<tr>
<td><strong>12 October 2016</strong></td>
<td>CR TOWNSHEND, CR LANE OM2016/228</td>
</tr>
<tr>
<td></td>
<td>That Council undertakes an information gathering process, namely:</td>
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<tr>
<td></td>
<td>1. Undertakes a comprehensive environmental assessment of the Margaret River from Caves Road to St Alouarn Place by an independent consultant who has an in depth knowledge of the Margaret River;</td>
</tr>
<tr>
<td></td>
<td>2. Undertakes indigenous engagement in a comprehensive manner about the appropriateness of the public works activities along the Margaret River;</td>
</tr>
<tr>
<td></td>
<td>3. Undertakes an assessment of the alternative track along Caves Road from Pierce Bridge to Wallcliffe Road; and</td>
</tr>
<tr>
<td></td>
<td>4. Allocates up to $20,000 to undertake the required work.</td>
</tr>
<tr>
<td></td>
<td>CARRIED 7/0</td>
</tr>
<tr>
<td><strong>14 December 2016</strong></td>
<td>CR TOWNSHEND, CR HAYNES OM2016/287</td>
</tr>
<tr>
<td></td>
<td>That Council resolves not to proceed with the current advertised brief for environmental assessment of the Caves Road to St Alouarn’s stretch of the Margaret River and readvertises a brief for the project with similar wording as the larger brief for an environmental assessment of the Margaret River with the focus of the study on the southern Riparian zone.</td>
</tr>
<tr>
<td></td>
<td>CARRIED 7/0</td>
</tr>
<tr>
<td><strong>25 January 2017</strong></td>
<td>CR TOWNSHEND, CR HAYNES OM2017/17</td>
</tr>
<tr>
<td></td>
<td>That Council revokes point 1 of OM2016/228 dated 12 October 2016:</td>
</tr>
<tr>
<td></td>
<td>‘That Council undertakes an information gathering process, namely: Undertakes a comprehensive environmental assessment of the Margaret River from Caves Road to St Alouarn Place by an independent consultant who has an in depth knowledge of the Margaret River.’</td>
</tr>
<tr>
<td></td>
<td>CARRIED BY ABSOLUTE MAJORITY 7/0</td>
</tr>
<tr>
<td></td>
<td>CR TOWNSHEND, CR LANE OM2017/18</td>
</tr>
<tr>
<td></td>
<td>That Council in relation to the proposed Winter Diversion Track resolves:</td>
</tr>
<tr>
<td></td>
<td>1. That no bicycle access is allowed on the track; and</td>
</tr>
<tr>
<td></td>
<td>2. That further negotiations be undertaken for the purchase of land adjacent to the melaleuca section and monies for purchase be sought from grants for this purchase.</td>
</tr>
<tr>
<td></td>
<td>CARRIED 7/0</td>
</tr>
<tr>
<td></td>
<td>CR TOWNSHEND, CR HASTIE OM2017/19</td>
</tr>
<tr>
<td></td>
<td>1. That Council renegotiates a major contract variation for the Foreshore Management Action Plan Consultancy with the Cape to Cape Catchment Group in order to provide additional funding of up to $10,000 allocated as an over budget expenditure to undertake a more in depth and detailed strategies to maintain and improve the ecological health of the Margaret River and to recommend appropriate ways of evaluating the effectiveness of the implemented strategies over time.</td>
</tr>
<tr>
<td></td>
<td>CARRIED 7/0</td>
</tr>
<tr>
<td><strong>14 June 2017</strong></td>
<td>CR LANE, CR TOWNSHEND / OM2017/134</td>
</tr>
<tr>
<td>Date</td>
<td>Action Description</td>
</tr>
<tr>
<td>------------</td>
<td>--------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>28 February 2018</td>
<td>FORESHADOWED MOTION / COUNCIL DECISION                                CR TOWNSHEND, CR GODDEN OM2018/48</td>
</tr>
<tr>
<td></td>
<td>That Council,</td>
</tr>
<tr>
<td></td>
<td>1. Requests the CEO to immediately organise a meeting with three representatives of Friends of the Cape to Cape Track, to dialogue with Councillors about an alternative option for a safe Winter Diversion Track along the existing firebreak sections within the private boundaries of the properties on Caves Road between Pierce Bridge and Wallcliffe Rise;</td>
</tr>
<tr>
<td></td>
<td>2. In partnership with the CEO and relevant staff, fully explores a safe walk trail along the existing firebreak sections within the boundaries of the private properties on Caves Road between Pierce Bridge and Wallcliffe Rise, considering:</td>
</tr>
<tr>
<td></td>
<td>a) Assessing and costing the fencing requirements to move the fence to the inside of the firebreaks;</td>
</tr>
<tr>
<td></td>
<td>b) Assessing the surface treatment necessary to make the track an adequate all-weather surface;</td>
</tr>
<tr>
<td></td>
<td>c) Engaging in respectful and positive dialogue with the relevant landholders about securing this land for a walk trail in perpetuity, the construction of the walking track along the firebreaks, and a management plan for the ongoing use of the track by walkers;</td>
</tr>
<tr>
<td></td>
<td>d) Engaging with stakeholders such as the South West Boorajah Working Party, Friends of the Cape to Cape Track and Rotary Club of Margaret River to decide on the appropriate interpretative treatments along the track; and</td>
</tr>
<tr>
<td></td>
<td>e) Developing a plan for screening planting and wildflower planting along the track for walkers to experience the beautiful endemic flora of this area,</td>
</tr>
<tr>
<td></td>
<td>3. That the Caves Rd firebreak track option is returned to Council for consideration at the Ordinary Meeting of Council on 28 March 2018.</td>
</tr>
<tr>
<td></td>
<td>CARRIED 6/1</td>
</tr>
<tr>
<td></td>
<td>CR MCLEOD VOTED AGAINST</td>
</tr>
<tr>
<td>28 March 2018</td>
<td>PRIMARY MOTION / COUNCIL DECISION                                                                       CR TOWNSHEND, CR MCLEOD OM2018/73</td>
</tr>
<tr>
<td></td>
<td>That Council:</td>
</tr>
<tr>
<td></td>
<td>1. Form a Working Group consisting of representatives of the Friends of the Cape to Cape Track (2), Nature Conservation Margaret River Region Officers (2), Margaret River Regional Environment Centre (2) (excluding adjoining landowners), Indigenous representatives (Suggest Wayne Webb and maybe one other elder if workable) and Shire staff (CEO or DIS if CEO not available and Landcare Officer John McKinney) to identify conservation, Aboriginal cultural heritage and other measures necessary to guide successful and culturally safe implementation of the Winter Diversion Track along the river. This group is to be chaired by an independent person with environmental credentials to be selected by Council.</td>
</tr>
<tr>
<td></td>
<td>2. Receives a report from the Working Group in May 2018.</td>
</tr>
<tr>
<td></td>
<td>3. Shire applies for Section 18 applications for the sections of the track within the registered Aboriginal heritage Site 4495 Margaret River if and when a</td>
</tr>
</tbody>
</table>
Section 18 Clearance is received then these parts of the track are subject to intensive remedial action, such as re-planting, under the guidance of Nature Conservation Margaret River Region and cultural monitors to prevent further degradation of the environment.

4. Continue negotiations to purchase the McKenzie land and include a budgetary item in the 2018/19 draft Budget for consideration.

5. No other developments are approved along the river foreshore from Rotary Park to the Rivermouth until the Nature Conservation Margaret River Margaret River Foreshore Reserve Action Plan report is received in full and endorsed by Council.

CARRIED 5/2

CRS GODDEN AND MELDRUM VOTED AGAINST

05 June 2018

CR MELDRUM, CR LANE SM2018/2

That Council:

1. Receives the report "A Way Forward prepared by the Working Group to formed to identify conservation, Aboriginal cultural heritage and other measures necessary to guide the successful and culturally safe implementation of the Winter Diversion Track along the river;

2. Sincerely thanks the Working Group Chair, Mr Stuart Hicks OA, and all of the Working Group members for their dedication and valuable input into the report

3. Adopts recommendations 1-15 of the report for immediate implementation and inclusion into strategic documents;

4. In relation to Recommendation 16, resolves to consider funding in the 2018-19 budget to protect and enhance the Margaret River and to include an annual amount in the 10 Year Financial Plan for ongoing programs, but notes that any funding arrangements for the delivery of programs would need to comply with the Shire Procurement Processes which may require a tender or competitive quotations to be called;

5. In relation to Recommendation 17, notes that it has already resolved (OM2018/73) for no further developments to occur along the River Foreshore from Rotary Park to the Rivermouth until the Nature Conservation Margaret River Margaret River Foreshore Reserve Action Plan report is received in full and endorsed by Council, but resolves to remove the reference to a the trail from the Corporate Plan until the Margaret River Protection Strategy has been developed and adopted for the whole Margaret River.

6. In relation to recommendation 18, receives a further report on any financial, legal, land tenure, community and stakeholder consultation requirements before proclaiming the proposed five Wild-ness Zones along the Lower Margaret River.

CARRIED 7/0

SUPPLEMENTARY MOTION 1 / COUNCIL DECISION
CR GODDEN, CR MCLEOD SM2018/3

7. All future decisions about the trail along the river foreshore between Rotary Park and the Rivermouth are to be informed by the Lower Margaret River Protection Strategy.

CARRIED 6/1

CR EARL VOTED AGAINST

Cr Godden then moved the second supplementary motion, an additional point 8:

SUPPLEMENTARY MOTION 2 / COUNCIL DECISION
CR GODDEN, CR MCLEOD SM2018/4

8. In respect of Indigenous practice of low-impact, single file walking in small groups in sensitive environmental areas, that the Implementation
Reference Group (Rec. 14) advises on policies necessary to ensure no damage is inflicted on the track or the reserve by any groups. 

CARRIED 7/0

Cr Godden then moved the third supplementary motion, an additional point 9:

SUPPLEMENTARY MOTION 3 / COUNCIL DECISION  
CR GODDEN, CR MELDRUM SM2018/5  
9. In respect of the fragility of the foreshore environment as expressed in the Working Group Report, there is a presumption against but not an exclusion of the use of machinery for rehabilitation and construction purposes on the Track. 

CARRIED 7/0

Cr Godden then moved the fourth supplementary motion, an additional point 10: 

SUPPLEMENTARY MOTION 4 / COUNCIL DECISION  
CR GODDEN, CR MCLEOD SM2018/6  
10. Council reinforces the desire of the working party to fully investigate the opportunity for Wild-ness Zones and bring them to fulfilment.  

CARRIED 7/0

Purchase and Subdivision of Lot 4 Wooditch Road

The Shire has previously entered into a contract to purchase part of Lot 4 Wooditch Road, Margaret River to allow the trail to be constructed away from the Margaret River floodplain. This sale and subdivision process will create a Crown Reserve over the land shown as Lot 402 on Figure 1 below. WAPC approval 158202 was received on 18 November 2019.

The Deposited Plan is now in the process of being endorsed by the WAPC. Once this takes place settlement will ensue to enable new Certificate of Titles to be created. Lot 402 will be vested in the Crown as a reserve by operation of section 152 of the Planning and Development Act 2005.
Figure 1 – Proposed subdivision Lot 4 Wooditch Road.

Acquisition of private road- Lot 50 on Diagram 4781, CT 123/31
Lot 50 on Diagram 4781 is a private road approximately 10m wide with a length of approximately 1.38km from near Caves Road to the Shire Reserve 43268 adjacent to the Margaret River as shown in red in Figure 2 below.

Figure 2 – Lot 50 Portion proposed to be closed (shown in blue).
It is proposed to close the portion of Lot 50 that is directly adjoining Lot 4 Wooditch Road and transfer it to Crown Land to allow the construction of the trail. The area of Lot 50 proposed to be closed is shown as Lot 501 in Figure 3 below with an area of approximately 243m² (the Road).

Figure 3 – Portion of Lot 50 to be closed (identified as Lot 501)

To enable part of Lot 50 to be closed, the Shire must take all reasonable steps to give notice to the holder of freehold land, adjoining freehold holders of land and all suppliers of public utility services to the subject land.

Before the Shire can request acquisition of a portion of the private road under section 52(1)(b) of the Land Administration Act, we need to give the Minister written confirmation of such Council resolution.

CONSULTATION AND ADVICE

External Consultation

In accordance with section 52(3) of the Land Administration Act 1997 (the LAA) the Shire has taken all reasonable steps to give notice to the holder of the freehold in the Road; the owners of the land adjoining the Road; and all suppliers of public utility services to the Road. The notice period cannot be less than 30 days from the day of that notice and the local government is to provide with the notice a sketch plan showing the future disposition of the land after it has been acquired.

Notice to landowner:

As the person noted on the Certificate of Title for Lot 50 was George Brown Milne who died in 1932, his estate was left to his wife and sole beneficiary Helena Maude Milne. Ms Milne is also deceased and a search of the Supreme Court registry records undertaken in 2011 found no grant of probate for Mrs Milne. As the whereabouts of Mrs Milne’s representatives and beneficiaries are unknown, the Shire gave notice of its request to acquire the private road to the Executors or Administrators of the estate of Helena Maude Milne by giving state-wide public notice in accordance with section 1.8 of the Local Government Act. In addition to publishing the notice in The West Australian newspaper, the Shire also exhibited the notice on the noticeboard of the Shire offices, library and website for over 4 weeks.

Notice to owners of adjoining land
Seven Adjoining Land Owners have been notified of the proposed acquisition.

One submission was received from a landowner whose land further to the east (Lot 3 Caves Road) is bisected by the Private Road. At the Ordinary Council Meeting of 23 April 2014, Council considered a request from the owner of Lot 3 to close the entire Lot 50 to allow a rezoning and subdivision process of Lot 3 to occur. At the time there were a number of outstanding matters including finalising a structure plan and undertaking a traffic assessment that were required to be completed prior to Council initiating the request. Officers at the time had no objection to the proposed closure and Council resolved at OM2014/67:

That Council supports, in principle, the closure of the private road at Lot 50 Caves Road, Margaret River and dedication of road reserve subject to the location of the new road being presented to Council as part of the future scheme amendment process.

The submission from the owner of Lot 3 requests that Lot 50 is retained as a private access for adjoining lots. Since 2014 the outstanding matters have not been resolved by the owner of Lot 3 Caves Road and the current proposal to create Lot 501 does not affect any future subdivision proposal for Lot 3 Caves Road. Their submission is in Attachment 2.

Notice to public utility service providers:
Shire staff have notified the Water Corporation, WAPC, Alinta, Telstra and ATCO Gas Australia with no objections to the acquisition being received.

The South West Boojarah Working Party expressed support for the Winter Diversion Trail to be completed with the trail to be located as far from the river as possible. The proposed partial closure of Lot 50 will allow the trail to be located further from the river.

Internal Consultation
Legal & Governance Services and Asset Services.

The Shire has also received legal advice from Jackson McDonald, the law firm acting on behalf of the Shire in the purchase and acquisition of the land for the Winter Diversion track advising that previous Council resolutions were not specific enough to meet the formal requirements of section 52 of the Land Administration Act 1997. Those requirements are extracted under the Statutory Environment heading in this report.

DISCUSSION / OFFICER COMMENTS
The proposal for the private road to be acquired as Crown land will allow the completion of the trail as per recommendations of the Winter Diversion Working Group report adopted by Council in June 2018.

The recommended resolution is one the final formal steps in the legal process required under the Land Administration Act 1997.

The Shire will not be required to pay compensation for the acquisition of the portion of Lot 50.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS
Pursuant to Section 52 of the LAA a local government may request the Minister for Lands to acquire as Crown land any private road within the district of the local government.

Section 52- Local government may ask Minister to acquire as Crown land certain land in district

1. Subject to this section, a local government may request the Minister to acquire as Crown land —
   (a) any alienated land designated for a public purpose on a plan of survey or sketch plan lodged with the Registrar; or
   (b) any private road; or
   (c) any alienated land in a townsite which the Minister proposes to abolish under section 26, within the district of the local government (in this section called the subject land).

2. A request made under subsection (1) is to be accompanied by —
   (a) a plan of survey or sketch plan —
      (i) showing the subject land; and
      (ii) approved by the Planning Commission;
and
(b) copies of all objections lodged with the local government during the period referred to in subsection (3)(b)(i) or (ii), as the case requires.

(3) Before making a request under subsection (1), a local government must —
(a) take all reasonable steps to give notice of that request to —
   (i) the holder of the freehold in the subject land unless the local government holds that freehold; and
   (ii) the holders of the freehold in land adjoining the subject land unless the local government holds that freehold; and
   (iii) all suppliers of public utility services to the subject land;

and
(b) in the case of —
   (i) alienated land referred to in subsection (1)(a) or a private road referred to in subsection (1)(b), state in the notice a period of not less than 30 days from the day of that notice during which period persons may lodge objections with it against the making of that request; or
   (ii) any land referred to in subsection (1)(c), advertise or take such steps as may be prescribed to notify interested persons of an intention to make the request and state in the notification a period of not less than 30 days from the day of that notification during which period persons may lodge objections with it against the making of that request.

(4) The Minister may, on receiving a request made under subsection (1), the accompanying plan of survey or sketch plan referred to in subsection (2)(a) and copies of all objections referred to in subsection (2)(b) —
(a) by order grant that request; or
(b) direct the local government to reconsider that request, having regard to such matters as he or she thinks fit to mention in that direction; or
(c) refuse to grant that request.

(5) On the registration of an order made under subsection (4)(a), the subject land —
(a) ceases to belong to the holder of its freehold; and
(b) is freed from all encumbrances; and
(c) becomes Crown land.

(6) Subject to subsection (7), compensation is payable under Part 10 to any holder of the freehold in the subject land who suffers loss on the registration of an order referred to in subsection (5) as if that loss resulted from a taking under Part 9.

(7) A person with an interest in land that is a private road (including a person who has the benefit of an easement created under section 167A of the TLA) the subject of an order under subsection (4)(a) who suffers loss on the registration of the order is not entitled to compensation under Part 10.

(8) Sections 188, 189, 190 and 191 do not apply to a private road or an interest in land that is a private road if the land is the subject of an order under subsection (4)(a) and the land was taken or resumed or purportedly taken or resumed under a written law for the purpose of a right of way or a right of way and recreation.

Regulation 6 of the *Land Administration Regulations 1998* provides that prior to the local government requesting the Minister to acquire a private road as Crown land the local government must provide the Minister with the following information:

- The Council resolution to make the request;
- Reasons for the request;
- A sketch plan, approved by the Western Australian Planning Commission, showing the proposed future disposition of the land after it has been acquired;
- Written advice that the local government has taken all reasonable steps to identify the persons who are required to be given notice to under LAA;
- Copies of any submissions relating to the request and the local government’s comments on those submissions; and
- Written confirmation that the local government has complied with section 52(3) of the LAA.

Section 87 of the LAA provides for the disposition of the Crown land to the owners of land abutting the private road and provides for the amalgamation of the Crown land with the abutting land.
STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2019-2023

Key result area 3: Ensuring Sustainable Development
Community Outcome 6: Connected and safe transport network
Strategic Response: Strategy 1: Develop and maintain a high quality road, cycleway and footpath network throughout the shire in partnership with all levels of government
Service level strategy/plan: 3.6.1.1 Finalise the construction of the Winter Diversion Track in alignment with the Working Group Report and commence ongoing environmental and cultural management.

PLANNING FRAMEWORK
Nil

FINANCIAL IMPLICATIONS

Implications
No additional funding is required to acquire the private road as it has allocated funding in the 2019/20 budget which includes legal representation to finalise the private road acquisition and subdivision. If the Minister by order grants the request to acquire the private road under section 52(4)(a) LAA, compensation is not payable under Part 10 to any holder of the freehold in the subject land who suffers loss on the registration of the order.

Long Term Financial Plan
Nil

Whole of Lifecycle considerations
Nil

SUSTAINABILITY IMPLICATIONS

Environmental
The proposed partial closure of Lot 50 will allow the trail to be constructed outside of the Margaret River floodplain, avoiding impact on the adjacent Melaleuca wetland.

Social
The proposal will allow walkers to enjoy a safe and spectacular trail.

Economic
Long term preservation of the environment and development of a sensitive walk trail will have long term benefit to the economy of the region.

ADVOCACY
Nil

ALTERNATE OPTIONS
If Council refuses to adopt the officer recommendation to request the acquisition there will be a section of trail that is unable to be formally constructed or used. This could potentially result in the public crossing into private property or sensitive wetland areas in order to continue traversing the track.

VOTING REQUIREMENTS
Simple Majority

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council:
1. Supports the closure of a portion of private road known as Lot 50 on Diagram 4781 in Certificate of Title Volume 123 Folio 31 (Lot 50), identified as Lot 501 on the Deposited Plan 416110 in Attachment 1;
2. Notes the Shire, in accordance with section 52(3) of the *Land Administration Act 1997* has taken all reasonable steps to give notice of a request to acquire a portion of Lot 50 to the holder of the freehold in Lot 50; and actual notice of the request has been given to the holders of freehold in adjoining land and all suppliers of utilities – with one objection being received from an adjoining neighbour;

3. Requests the Minister for Lands to acquire as Crown land a portion of Lot 50, pursuant to section 52(1)(b) of the *Land Administration Act 1997*, for the purpose of completing the construction of the Cape to Cape Winter diversion walking trail between Caves Road and St Alouarn Place Margaret River; and

4. Authorises the affixing of the Shire's Common Seal to any document required to give effect to the closure or the request to acquire.

**ADVICE TO APPLICANT / PROPOSENT**

Nil

**ATTACHMENTS**

1. Deposited Plan 41610
2. Submission

**RECOMMENDATION / COUNCIL DECISION**

CR MCLEOD, CR DANIEL OM2019/259

That Council:

1. Supports the closure of a portion of private road known as Lot 50 on Diagram 4781 in Certificate of Title Volume 123 Folio 31 (Lot 50), identified as Lot 501 on the Deposited Plan 416110 in Attachment 1;

2. Notes the Shire, in accordance with section 52(3) of the *Land Administration Act 1997* has taken all reasonable steps to give notice of a request to acquire a portion of Lot 50 to the holder of the freehold in Lot 50; and actual notice of the request has been given to the holders of freehold in adjoining land and all suppliers of utilities – with one objection being received from an adjoining neighbour;

3. Requests the Minister for Lands to acquire as Crown land a portion of Lot 50, pursuant to section 52(1)(b) of the *Land Administration Act 1997*, for the purpose of completing the construction of the Cape to Cape Winter diversion walking trail between Caves Road and St Alouarn Place Margaret River; and

4. Authorises the affixing of the Shire's Common Seal to any document required to give effect to the closure or the request to acquire.

**CARRIED 7/0**
### 11.3.5 RFT 05-20 MARGARET RIVER MAIN STREET REDEVELOPMENT CONSTRUCTION

<table>
<thead>
<tr>
<th><strong>LOCATION/ADDRESS</strong></th>
<th>Bussell Highway and Fearn Avenue, Margaret River</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>APPLICANT/LANDOWNER</strong></td>
<td>N/A</td>
</tr>
<tr>
<td><strong>FILE REFERENCE</strong></td>
<td>COR/397</td>
</tr>
<tr>
<td><strong>REPORT AUTHOR</strong></td>
<td>Peter Brown, Project Manager</td>
</tr>
<tr>
<td><strong>AUTHORISING OFFICER</strong></td>
<td>Stephanie Addison-Brown, Chief Executive Officer</td>
</tr>
</tbody>
</table>

This Item was brought forward and considered by Council after Item 10 Questions from Members of Which Due Notice Has Been Given (page 9).
11.4. Corporate and Community Services
11.4.1 LIST OF PAYMENTS FOR OCTOBER 2019

<table>
<thead>
<tr>
<th>LOCATION/ADDRESS</th>
<th>Shire of Augusta Margaret River</th>
</tr>
</thead>
<tbody>
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<td>APPLICANT/LANDOWNER</td>
<td>Shire of Augusta Margaret River</td>
</tr>
<tr>
<td>FILE REFERENCE</td>
<td>FIN/42</td>
</tr>
<tr>
<td>REPORT AUTHOR</td>
<td>Belinda Browning, Finance Officer</td>
</tr>
<tr>
<td>AUTHORISING OFFICER</td>
<td>Andrew Ross, Acting Director Corporate and Community Services</td>
</tr>
</tbody>
</table>

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

RECOMMENDATION
That Council notes the October 2019 List of Payments for $11,324,508.14 as certified correct by the Chief Executive Officer.

LOCATION PLAN
Nil

TABLED ITEMS
Nil

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

CONSULTATION AND ADVICE
External Consultation
Nil

Internal Consultation
Nil

DISCUSSION / OFFICER COMMENTS
Table 1 below provides a summary of the payments made and Table 2 makes comparison between payments for the 2018-19 and 2019-20 financial years.

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

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

In order to improve operational efficiency and reduce costs, the Shire’s Finance team continually liaise with creditors paid by cheque to encourage them to switch to EFT.
### TABLE 1 – SUMMARY OF PAYMENTS MADE IN THE MONTH OCTOBER 2019

<table>
<thead>
<tr>
<th>MODE OF PAYMENT</th>
<th>CHEQUE / EFT NUMBERS</th>
<th>SUB-TOTAL</th>
<th>AMOUNT</th>
</tr>
</thead>
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<td>$593.05</td>
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<td>72721 - 73271</td>
<td>$10,141,356.94</td>
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<tr>
<td>Direct Debits</td>
<td></td>
<td>$1,182,558.15</td>
<td>$11,323,915.09</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
<td>$11,324,508.14</td>
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</tbody>
</table>

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

<table>
<thead>
<tr>
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<th></th>
<th></th>
<th></th>
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</tr>
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<tbody>
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<td>0.00</td>
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<td>12,793,409.94</td>
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<td>OCTOBER</td>
<td>16,100.80</td>
<td>12,583,756.59</td>
<td>12,599,857.39</td>
<td>25,393,267.33</td>
<td>593.05</td>
<td>11,323,915.09</td>
<td>11,324,508.14</td>
</tr>
<tr>
<td>NOVEMBER</td>
<td>18,922.59</td>
<td>4,513,582.09</td>
<td>4,532,504.68</td>
<td>29,925,772.01</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DECEMBER</td>
<td>26,683.06</td>
<td>4,637,340.93</td>
<td>4,664,023.99</td>
<td>34,589,796.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JANUARY</td>
<td>39,638.36</td>
<td>3,969,206.46</td>
<td>4,008,844.82</td>
<td>38,598,640.82</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FEBRUARY</td>
<td>24,695.30</td>
<td>3,222,690.77</td>
<td>3,247,386.07</td>
<td>41,846,026.89</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MARCH</td>
<td>23,851.36</td>
<td>3,494,760.00</td>
<td>3,518,611.36</td>
<td>45,364,638.25</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>APRIL</td>
<td>51,672.65</td>
<td>3,701,615.40</td>
<td>3,753,288.05</td>
<td>49,117,926.30</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MAY</td>
<td>21,246.69</td>
<td>4,085,730.80</td>
<td>4,106,977.49</td>
<td>53,224,903.79</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JUNE</td>
<td>39,968.10</td>
<td>4,897,066.12</td>
<td>4,937,034.22</td>
<td>58,161,938.01</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>325,499.43</td>
<td>57,836,438.58</td>
<td>58,161,938.01</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
STANATORY ENVIRONMENT / LEGAL IMPLICATIONS
Local Government Act 1995, s 6.10, and
Local Government (Financial Management) Regulations 1996, r 13

STRATEGIC PLAN / POLICY IMPLICATIONS
Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2019-2023
Key Result Area 5: Effective leadership and governance
Community Outcome 2: Effective and integrated strategy, planning, financial and asset management

PLANNING FRAMEWORK
Nil

FINANCIAL IMPLICATIONS
Implications
Nil
Long Term Financial Plan
Nil
Whole of Lifecycle considerations
Nil

SUSTAINABILITY IMPLICATIONS
Environmental
Nil
Social
Nil
Economic
Nil

ADVOCACY
Nil

ALTERNATE OPTIONS
Nil

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council notes the October 2019 List of Payments for $11,324,508.14 as certified correct by the Chief Executive Officer.

ADVICE TO APPLICANT / PROPONENT
Nil

ATTACHMENTS
1. List of Payments for October 2019

RECOMMENDATION / COUNCIL DECISION
CR CRISTOFFANINI, CR KENNAUGH OM2019/260
That Council notes the October 2019 List of Payments for $11,324,508.14 as certified correct by the Chief Executive Officer.
CARRIED 7/0
11.4.2  FINANCIAL ACTIVITY STATEMENT REPORT - OCTOBER 2019

LOCATION/ADDRESS | N/A
APPLICANT/LANDOWNER | Shire of Augusta Margaret River
FILE REFERENCE | FIN/14
REPORT AUTHOR | Andrew Ross, Acting Director Corporate and Community Services
AUTHORIZING OFFICER | Stephanie Addison-Brown, Chief Executive Officer

IN BRIEF
- The monthly financial activity statement report is a standard financial reporting item prepared in accordance with the provisions of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1996.
- Council is to consider the financial results for the period ending 31 October 2019.

RECOMMENDATION

LOCATION PLAN
Nil

TABLED ITEMS
Nil

BACKGROUND
In accordance with Financial Management Regulation 34 the Shire is to prepare each month a Statement of Financial Activity reporting on the sources and applications of funds, as set out in the annual budget under Financial Management Regulation (1) (d), for that month with the following details:
(a) annual budget estimates;
(b) budget estimates to the end of the month to which the statement relates;
(c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
(d) material variances between the comparable amounts referred to in (b) and (c); and
(e) net current assets at the end of the month to which the statement relates.

Also under Financial Management Regulation 34(5) Council are to adopt each year a material variance threshold. At the Ordinary Meeting of Council on 24 July 2019 (OM2019/136) Council adopted a monthly variance for reporting of material variances, where financial activity is greater than 10% and $10,000.

CONSULTATION AND ADVICE
External Consultation
Nil

Internal Consultation
Business unit managers were provided the draft monthly financial reports for their business units and have provided their comments on variances greater than 10% and $10,000.

DISCUSSION / OFFICER COMMENTS
The commentary contained in the body of this report is in line with Financial Management Regulation (2)(b) that requires commentary on material variances to the Statement of Financial Activity at the nature/type, program or business unit level.
The Statement of Financial Activity shows a year to date actual closing position at 31 October of $22.243 million ($2.381 million lower than last month’s result of $24.624 million). This result was higher than the expected year to date budgeted position of $17.890 million. The following details the main reasons for this favourable variation to Budget.

Operating revenue is $0.250 million or 0.9% above budget (last month $0.177 million or 0.6% above budget). The main contributors to this favourable variance are higher than budget fees and charges in the waste, planning and caravan park areas. Offsetting this favourable variance are under budget operating grants due to timing differences, under budget interest received due to lower than budgeted interest rates and under budget rates.

Operating expenditure on a year to date basis is $1.275 million or 9.5% under budget (last month $3.459 million or 34.8% below budget). Variations include materials and contracts being $1.205 million or 30.7% under budget (last month $0.982 million or 33.4% under budget) with the Asset Services, Information Technology, Maintenance, Parks and Gardens, Waste and HEART areas having the largest variances; and interest being $0.090 million under budget due to the reversal of the end of year accrual. Over budget employee expenses of $0.044 million or 0.9% (last month $0.010 million or 0.3% over budget) and over budget depreciation of $0.117 million or 3.7% have partially offset these under budget expenditures.

Grants for capital works are $0.901 million or 42.8% below budget (last month $0.537 million or 31.0% below budget). The main reasons for this variation are:

- the initial claim for the $0.405 million Lotterywest grant for the Cowaramup Hall project that is in progress has been submitted but has not been received;
- the final instalment of $0.720 million for the National Stronger Regions Fund grant for the HEART project will be submitted after final construction invoices have been received;
- the $0.070 million Better Bins grant application is in progress; and
- over budget developer contributions, an unbudgeted bridge grant to be provided to Main Roads WA and higher than profiled Regional Road Group grant claims offset these under budget items.

Capital expenditure of $0.589 million during the month ($1.719 million last month) compared to the budget for the month of $2.327 million. On a year to date basis capital expenditure is $3.517 million under budget (last month $1.782 million under budget). Optimistic budget profiling has contributed to this variance and other causes include:

- the delayed receipt of construction invoices for the HEART project has resulted in an under budget variance of $0.392 million being recorded for this project;
- building projects including the Cowaramup Hall, Witchcliffe hall and the Margaret River Recreation Centre fire detection system, are collectively $0.538 million under budget due primarily to project commencement delays;
- various purchases for the HEART project such as furniture and signage totalling $0.115 million have not occurred in accordance with budget expectations;
- delays with approvals and consultation have contributed to under budget expenditure of $0.187 million for Asset Services;
- infrastructure upgrade projects are $0.503 million under budget with the main cause being the delayed start to the Margaret River main street project;
- infrastructure renewal projects are $0.702 million under budget with the main variations being the result of delays to road rehabilitation projects and path preservation projects;
- a tender for the purchase of 8 utilities was approved in November, however their purchase was budgeted for October and has contributed to an under budget variance of $0.404 million being recorded for plant and equipment purchases; and
- invoice and project delays as well as the deferral of the chalet project to May 2020 have contributed to caravan park works being $0.719 million under budget.

Capital expenditure for the month included:

- $40,702 for various building projects with the majority being for the HEART project;
- $32,818 on various parks and gardens projects with the purchase of equipment for the renewal of public open space being the main item of expenditure;
- $313,690 on road related projects of which $123,389 was spent on infrastructure upgrade projects and $190,301 was spent on infrastructure renewal projects. Drainage, the Margaret River main street upgrade, Warner Glen Road and Rosa Glen Road reconstruction, Courtney Road works, gravel re-sheeting and gravel reshouldering were the main areas of expenditure; and
- $95,831 to purchase a replacement crew cab tip truck.

Financial performance against budget is shown in the following charts.
Following is the Statement of Financial Activity for the year ending 31 October 2019.
### Shire of Augusta Margaret River

#### Ordinary Council Meeting

**11 December 2019**

**Statement of Financial Activity**

**For the Period Ending 31 October 2019**

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CIF includes F&amp;G paid in advance less write off of assets from previous years</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Revenue from Operating Activities

| Rates | $21,890,185 | $22,533,990 | $22,533,990 | $27,023,902 | $22,287,240 | $22,944,263 | 0 |
| General Financing | $2,434,801 | $1,565,093 | $1,565,093 | $72,544 | $467,489 | $464,248 | 0 |
| Members of Council | 81 | 200 | 200 | 320 | 50 | 160 | 0 |
| Chief Executive Officer | 3,000 | 0 | 0 | 0 | 0 | 0 | 0 |
| Director Corporate & Community | 2,610 | 0 | 0 | 0 | 0 | 0 | 0 |
| Director Sustainable Development | 5,443 | 0 | 0 | 0 | 0 | 0 | 0 |
| Finance | 31,738 | 20,100 | 20,100 | 1,100 | 1,040 | 0 | 0 |
| Records | 938 | 400 | 400 | 50 | 50 | 210 | 0 |
| Corporate Services | 724 | 0 | 0 | 0 | 0 | 0 | 0 |
| Customer Services | 183,110 | 183,800 | 183,800 | 15,401 | 60,000 | 57,727 | 0 |
| Information Comm. Technology | 1,604 | 1,440 | 1,440 | 89 | 48 | 230 | 0 |
| Community Planning & Development | 45,008 | 49,555 | 3,289 | 16,186 | 17,350 | 0 | 0 |
| Community Fire & Emergency Services | 625,597 | 531,013 | 531,013 | 113,809 | 263,450 | 129,905 | 133,550 |
| Rangers | 187,353 | 190,814 | 190,814 | 29,652 | 49,138 | 50,250 | 0 |
| Libraries | 55,698 | 59,720 | 59,720 | 4,543 | 15,382 | 15,850 | 0 |
| Environmental Health | 134,824 | 124,495 | 124,495 | 10,086 | 93,010 | 95,318 | 0 |
| Outside School Hours Care | 545,886 | 430,706 | 430,706 | 48,793 | 159,509 | 181,904 | 22,404 |

#### Timing: labour, printing, stock, projects, depreciation

| (2,911,900) | 1,160 | (12,079,589) | 6,000 | (436,327) | 0 | (1,052,550) | 346,438 |

#### Timing: maintenance of reserves

| 164,528 | 72,544 | (510,738) | 145,683 | 394,451 | 4,314,374 | 6,018,261 | 0 |

#### Timing: grants to be provided

| 3,000 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

#### Timing: invoicing for usage

| 2,329 | 41,000 | 29,652 | 264,745 | 0 | 3,587,167 | 0 | 0 |

#### Timing: RADS grant to be received

| 2,610 | 625,587 | (133,568) | (125,349) | (40,350) | 2,329 | 0 | 0 |

#### Timing: employees compensation recovered

| 8,950 | 2,887 | (10,684) | (297,554) | 190,814 | 9,380 | (1,311,826) | 0 |

#### Timing: of projects such as the community survey

| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

#### Timing: over-allocation of cost recovery

| 4,901,376 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

#### Timing: purchase of software delayed

| 0 | 39,029 | 183,110 | 222,078 | 0 | 0 | 0 | 0 |

#### Timing: Mitigation Activity Funding to be approved

| 2,610 | 625,587 | (133,568) | (125,349) | (40,350) | 2,329 | 0 | 0 |

#### Timing: fees and charges for applications

| 480 | $82,521 | Timing: fees and charges for applications |

#### Timing: of projects such as the community survey

| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

#### Timing: over-allocation of cost recovery

| 4,901,376 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

#### Timing: purchase of software delayed

| 0 | 39,029 | 183,110 | 222,078 | 0 | 0 | 0 | 0 |

#### Timing: Mitigation Activity Funding to be approved

| 2,610 | 625,587 | (133,568) | (125,349) | (40,350) | 2,329 | 0 | 0 |

#### Timing: fees and charges for applications

| 480 | $82,521 | Timing: fees and charges for applications |

#### Timing: of projects such as the community survey

| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

#### Timing: over-allocation of cost recovery

| 4,901,376 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

#### Timing: purchase of software delayed

| 0 | 39,029 | 183,110 | 222,078 | 0 | 0 | 0 | 0 |

#### Timing: Mitigation Activity Funding to be approved

| 2,610 | 625,587 | (133,568) | (125,349) | (40,350) | 2,329 | 0 | 0 |

#### Timing: fees and charges for applications

| 480 | $82,521 | Timing: fees and charges for applications |

#### Timing: of projects such as the community survey

| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

#### Timing: over-allocation of cost recovery

| 4,901,376 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

#### Timing: purchase of software delayed

| 0 | 39,029 | 183,110 | 222,078 | 0 | 0 | 0 | 0 |
Investments

At 31 October 2019 the Shire’s cash on hand, deposits and investments totalled $37,836,392 (an increase of $110,027 to last month’s total of $37,726,365). Total investment interest earned for the year was $192,931 and did not achieve the budget of $253,600. The recent decisions of the Reserve Bank to reduce the cash reference rate (0.75% at 1/10/19) have impacted the Shire’s ability to achieve its interest on investments projections which were based on a historically higher interest rate.

Term Deposits – Cash Management

At the end of October the Shire had the following short-term facilities (term deposits).

<table>
<thead>
<tr>
<th>Term Days</th>
<th>Maturity</th>
<th>Institution (ADI)</th>
<th>Principal $</th>
<th>Interest Rate</th>
<th>Interest $</th>
</tr>
</thead>
<tbody>
<tr>
<td>182</td>
<td>2/4/20</td>
<td>Bendigo Bank</td>
<td>1,000,000</td>
<td>2.45%</td>
<td>24,567</td>
</tr>
<tr>
<td>270</td>
<td>10/12/19</td>
<td>Bankwest</td>
<td>1,500,000</td>
<td>2.50%</td>
<td>27,740</td>
</tr>
<tr>
<td>365</td>
<td>10/4/20</td>
<td>National Australia Bank</td>
<td>2,500,000</td>
<td>2.45%</td>
<td>61,250</td>
</tr>
<tr>
<td>365</td>
<td>17/7/20</td>
<td>NAB</td>
<td>1,500,000</td>
<td>1.85%</td>
<td>27,750</td>
</tr>
<tr>
<td>365</td>
<td>8/5/20</td>
<td>National Australia Bank</td>
<td>1,500,000</td>
<td>2.36%</td>
<td>35,400</td>
</tr>
<tr>
<td>180</td>
<td>12/2/20</td>
<td>Bankwest</td>
<td>4,000,000</td>
<td>1.65%</td>
<td>65,284</td>
</tr>
<tr>
<td>180</td>
<td>4/3/20</td>
<td>Bankwest</td>
<td>2,000,000</td>
<td>1.65%</td>
<td>65,284</td>
</tr>
</tbody>
</table>
### Term Deposit Changes

During the month the following changes occurred to term deposits:
- A term deposit of $1.5 million with Bankwest matured on 3/10/19 and was rolled over for 6 months at 1.45% (previous interest rate was 2.20%).
- A total of $8 million was invested for 6 months terms with the following financial institutions - $2 million with Bank of Queensland at 1.55%, $2 million with Members Equity Bank at 1.55% and $4 million with Macquarie Bank at 1.60%.

The average rate of interest to be paid on all of the term deposits is 1.90% (last month 2.09%).

### Portfolio Diversity

![Portfolio Diversity Chart]

### Investment Maturity Timing

![Investment Maturity Timing Chart]

<table>
<thead>
<tr>
<th>Term Duration</th>
<th>A1+</th>
<th>A1</th>
<th>A2</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 days</td>
<td>1,500,000</td>
<td>4,000,000</td>
<td>5,000,000</td>
</tr>
<tr>
<td>120 days</td>
<td>8,500,000</td>
<td>8,500,000</td>
<td>8,500,000</td>
</tr>
<tr>
<td>180 days</td>
<td>2,500,000</td>
<td>2,500,000</td>
<td>2,500,000</td>
</tr>
<tr>
<td>210 days</td>
<td>1,500,000</td>
<td>1,500,000</td>
<td>1,500,000</td>
</tr>
<tr>
<td>&gt;210 days</td>
<td>1,500,000</td>
<td>1,500,000</td>
<td>1,500,000</td>
</tr>
</tbody>
</table>
The Shire also has an Overnight Cash Deposit Facility (OCDF) with WA Treasury Corporation (WATC) which is used to hold the Royalties for Regions funds allocated for the main street redevelopment project. The South West Development Commission are a joint signatory for this facility. During the month interest of $3,332 was earned (last month $4,323) and the current balance of the investment is $5.545 million. At 31 October 2019 the rate of interest earned on this facility is 0.70% and is set at 5 basis points lower than the Reserve Bank’s cash reference rate.

**In-Kind Support**
At 31 October 2019 fee waivers, donations and financial assistance sponsorships totalled $10,181 and included $7,800 of sporting sponsorships, $150 of donations and $2,231 of fee waivers.

**Reserves**
Movement to reserves represent interest earned on reserve funds. During the month no reserve transfers were processed.

**Budget Amendments**
No budget amendments are proposed.

**STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**
Financial Management Regulation 34 requires a local government to prepare each month a Statement of Financial Activity reporting on the sources and applications of funds, as set out in the annual budget under Financial Management Regulation 22(1) (d).

**STRATEGIC PLAN / POLICY IMPLICATIONS**
*Community Strategic Plan 2036 (CSP)*
*Corporate Business Plan 2019-2023*
Key Result Area 5: Effective leadership and governance
Outcome 6: Measure and report on success and sustainability
Strategy 1: effectively measure our success and progress to a sustainable future
Service level strategy/plan: Continue to monitor monthly, year to date and annual financial performance including preparation of the annual financial report.

**PLANNING FRAMEWORK**
Nil

**FINANCIAL IMPLICATIONS**
*Implications*
At 31 October 2019 the Shire’s financial performance is exceeding budget projections for liquidity and the net operating result. This is attributable to under budget capital and operating expenditure and over budget operating revenue.

**Long Term Financial Plan**
Monthly financial performance will influence the Long Term Financial Plan by providing actual revenue and expenditure parameters to compare against forecast results.

**Whole of Lifecycle considerations**
Nil

**SUSTAINABILITY IMPLICATIONS**
*Environmental*
Nil

*Social*
Nil

*Economic*
As stated in the report.
ADVOCACY
Nil

ALTERNATE OPTIONS
Nil

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION

ADVICE TO APPLICANT / PROPOSENT
Nil

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

RECOMMENDATION / COUNCIL DECISION
CR GODDEN, CR MELDRUM OM2019/261

CARRIED 7/0
11.4.3 MINUTES OF AUDIT AND RISK MANAGEMENT COMMITTEE MEETING HELD ON 27 NOVEMBER 2019

LOCATION/ADDRESS: N/A
APPLICANT/LANDOWNER: Shire of Augusta Margaret River
FILE REFERENCE: FIN/7
REPORT AUTHOR: Andrew Ross, Acting Director Corporate and Community Services
AUTHORIZING OFFICER: Stephanie Addison-Brown, Chief Executive Officer

This Item was published as a Late Report on 2 December 2019.

IN BRIEF

RECOMMENDATION
That Council:
1. Receives the unconfirmed minutes of the Audit and Risk Management Committee meeting held on 27 November 2019;
2. Endorses the attached letter to the Director General, Department of Local Government, Sport and Cultural Industries explaining the reasons for an adverse trend in the financial position of the Shire being reported in the Auditor’s report; and
3. Approves the attached letter of explanation being published on the Shire’s website.

LOCATION PLAN
Nil

TABLED ITEMS
Nil

BACKGROUND
Council’s Audit and Risk Management Committee (ARMC) comprises four members of Council and operates in accordance with the Augusta Margaret River Audit and Risk Management Committee Instrument of Appointment and Delegation. The Committee is required to discharge the legislative obligations outlined in the Local Government Act 1995 and the Local Government (Audit) Regulations 1996.

CONSULTATION AND ADVICE
External Consultation
Nil

Internal Consultation
Manager Legal and Governance provided advice following the receipt of an email from the Department of Local Government, Sport and Cultural Industries (DLGSC) after the attached letter had been submitted to the DLGSC on 28 November 2019. The DLGSC advised the attached letter must be endorsed by Council before it is submitted to the DLGSC and Council must also approve publishing the attached letter on its website. The Manager Legal and Governance advised Council endorsement is required, as audit functions cannot be delegated.
DISCUSSION / OFFICER COMMENTS

The meeting minutes are self-explanatory and there were no items raised during the meeting that required follow-up by Council. In brief the Committee:

- Reviewed the Annual Financial Report for 2018-19 including the Auditor’s Report for the year and recommended they be accepted by Council;
- Received the Auditor’s Management Report for 2018-19;
- Noted the Risk Dashboard Report for September 2019; and
- Received the report on legislative compliance requirements actioned during 2018-19 noting that 112 actions had been completed and 5 were in progress.

During the course of the meeting, committee members were advised a letter explaining the adverse trend raised about the Operating surplus ratio results had been prepared and would be submitted to the DLGSC and published on the Shire’s website. The attached letter was sent by email on 28 November 2019. On the following day the DLGSC advised the following.

"The expectation of the Department is that any report prepared under section 7.12A (4) of the Act is submitted to the Audit Committee and then Council for endorsement prior to being submitted via the Department for the Minister. That then means any report to the Minister under section 7.12A (4) of the Act that is published on a local governments website has been endorsed by the Council.”

To ensure compliance, Council is requested to endorse the attached letter of explanation as well as its publishing on the website.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

Regulation 16 of the Local Government (Audit) Regulations 1996 states that "An audit committee has the following functions —

(a) its functions under Part 6 of the Act;
(b) its functions relating to other audits and other matters relating to financial management;
(c) to review a report given to it by the CEO under regulation 17(3) (the CEO’s report) and is to — (i) report to the council the results of that review; and (ii) give a copy of the CEO’s report to the council.
(d) to monitor and advise the CEO when the CEO is carrying out functions in relation to a review under — (i) regulation 17(1); and (ii) the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);
(e) to support the auditor of the local government to conduct an audit and carry out the auditor’s other duties under the Act in respect of the local government;
(f) to oversee the implementation of any action that the local government — (i) is required to take by section 7.12A(3); and (ii) has stated it has taken or intends to take in a report prepared under section 7.12A(4)(a); and
(g) to perform any other functions conferred on the audit committee by these regulations or another written law.”

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2019-2023
Key Result Area 5: Effective leadership and governance
Community Outcome 2: Effective and integrated strategy, planning, financial and asset management
Strategy 4: Ensure information is managed in accordance with statutory requirements and is available for decision making

PLANNING FRAMEWORK

Nil
FINANCIAL IMPLICATIONS
Implications
There are no financial implications associated with the adoption of the Committee minutes.

Long Term Financial Plan
Nil

Whole of Lifecycle considerations
Nil

SUSTAINABILITY IMPLICATIONS
Environmental
Nil

Social
Nil

Economic
Nil

ADVOCACY
Nil

ALTERNATE OPTIONS
Nil

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council:
1. Receives the unconfirmed minutes of the Audit and Risk Management Committee meeting held on 27 November 2019;
2. Endorses the attached letter to the Director General, Department of Local Government, Sport and Cultural Industries explaining the reasons for an adverse trend in the financial position of the Shire being reported in the Auditor’s report; and
3. Approves the attached letter of explanation being published on the Shire’s website.

ADVICE TO APPLICANT / PROPOSEE
Nil

ATTACHMENTS
2. Letter dated 27 November 2019 to the DLGSC.

RECOMMENDATION / COUNCIL DECISION
CR CRISTOFFANINI, CR KENNAUGH OM2019/262
That Council:
1. Receives the unconfirmed minutes of the Audit and Risk Management Committee meeting held on 27 November 2019;
2. Endorses the attached letter to the Director General, Department of Local Government, Sport and Cultural Industries explaining the reasons for an adverse trend in the financial position of the Shire being reported in the Auditor’s report; and
3. Approves the attached letter of explanation being published on the Shire’s website.

CARRIED 7/0
12. MOTIONS FROM MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.1 Railway Barracks – Relocation of Margaret River Railway – Cr McLeod

At the 27 November 2019 Ordinary Council Meeting, Cr McLeod gave notice of the following motion:

MOTION
That Council requests the CEO explore the options and costs related to development of this site (Lot 136 Clarke Road, currently UCL) as a community precinct.

OFFICER COMMENT
An exploration of the options and costs related to relocation of the station and the creation of a community precinct are likely to have their own resource/financial implications. It is likely to involve the formation of project team with officers from each directorate reporting on a number of issues including:

- Strategic planning implications of creating a new precinct;
- Community consultation on needs and visions for new precinct and identification of potential users or lessees;
- Costs associated with relocation, structural assessments, connection to utilities and ongoing maintenance requirement;
- Funding sources in relation to above costs; and
- Legal and tenure arrangements with current owner and Department of Planning Lands and heritage depending upon the location of the land.

Cr Mcleod moved an amended motion:

MOTION / COUNCIL DECISION
CR MCLEOD, CR CRISTOFFANINI OM2019/263
That Council:
1. Requests the CEO explore the options and costs related to development of this site (Lot 136 Clarke Road, currently UCL) as a community precinct.
2. Authorises the CEO to write to the Margaret River Districts & Historical Society Inc and Margaret River Regional Environment Centre Inc to discuss costs and logistic of relocating the original railway station building to reserve 50552 (Lot 508 Clarke Rd) currently leased by the Margaret River Regional Environment Centre Inc.
3. Authorises the CEO to enter into an agreement with Mr Bevan McCann to:
   a) pay $500 for an option to purchase the railway barracks building from Mr McCann expiring in 30 June 2020; and
   b) reimburse all direct expenses incurred by Mr McCann

CARRIED 7/0

13. MOTIONS FOR CONSIDERATION AT NEXT MEETING

Nil

14. NEW BUSINESS OF AN URGENT NATURE

14.1. Members

Nil

14.2. CEO

14.2.1 Outcome of General Electors’ Meeting – 11 December 2019 4.30pm
15. CONFIDENTIAL BUSINESS

Nil

16. CLOSURE OF MEETING

The Shire President thanked all in attendance and declared the meeting closed at 6.33pm