

# Ordinary Council

# MINUTES

FOR THE MEETING TO BE HELD  
WEDNESDAY, 27 MARCH 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 27 March 2019, commencing at 5:30pm.

Yours faithfully



**DALE PUTLAND**  
**ACTING CHIEF EXECUTIVE OFFICER**

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Minutes of the Ordinary Council Meeting held on Wednesday 27 March 2019, in Council Chambers,  
41 Wallcliffe Road, Margaret River, commencing at 5.30pm

# Ordinary Council Meeting

## 1. DECLARATION OF OPENING

*The Shire President thanked all in attendance and declared the meeting open at 5.31pm*

*The Shire President gave an Acknowledgement of Country:*

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

## 2. ATTENDANCE

Shire President : Cr Pam Townshend

Councillors : Cr Ian Earl  
Cr Naomi Godden  
Cr Peter Lane  
Cr Julia Meldrum  
Cr Mike Smart

Acting Chief Executive Officer : Dr Dale Putland

Acting Director Sustainable  
Development : Mr Nick Logan

Director Infrastructure Services : Mr Markus Botte

Acting Director Corporate and  
Community Services : Mr Andrew Ross

Manager Waste, Health and  
Ranger Services : Ms Ruth Levett

Governance / Council Support  
Officer : Ms Claire Schiller

**MEMBERS OF THE PUBLIC** : 17

**MEMBERS OF THE PRESS** : AMR Times, Warren Hatley

### 2.1 Apologies

Acting Manager Planning and Development, Mr Matt Cuthbert

### 2.2. Approved Leave of Absence

Cr Paulie McLeod

**3. DISCLOSURES OF INTEREST**

Nil

**4. PUBLIC QUESTIONS**

**4.1. Response to Previous Public Questions Taken on Notice**

**4.1.1 Response to Mr Ken John - Unnamed Gazetted Road**

*Mr Ken John asked the following question in relation to an 'Unnamed Gazetted Road', which was taken on notice by the Shire President at the 13 March 2019 Ordinary Council Meeting:*

**Q: Why hasn't it been graded since 2017?**

A: Based on the Shire's grading records for Latch Road this financial year the grader has attended 6 times so far and 6 times in 17/18. The farm access track to Lot 50 is included in the grading only when it is deemed to be in a condition that is unsuitable or unsafe for the purpose of serving a single property. The decision is made by the operator based on visual assessment. The Shire does not keep any specific record for this access track.

**4.2. Public Question Time**

Nil

**5. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**6.1 Ordinary Council Meeting held 13 March 2019**

**MOTION / COUNCIL DECISION**

**CR EARL, CR MELDRUM OM2019/54**

**That Council confirms the minutes of the Ordinary Council Meeting held on 13 March 2019 to be a true and correct record of the meeting.**

**CARRIED 6/0**

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**7. DEPUTATIONS**

**7.1 Item 11.2.3 Request to Amend Condition 3 of Development Approval P219147 Margaret River Surf Pro – Mr Sol Mackenzie**

*Mr Sol Mackenzie, on behalf of Cowboy Boardriders, addressed the meeting in relation to Item 11.2.3 Request to Amend Condition 3 of Development Approval P219147 Margaret River Surf Pro. A summary of his deputation is as follows:*

- CBBR backs the Margaret River Pro as it has only ever been a positive influence for our Junior Boardriders Club.
- Last year, in particular, the athletes mentored the local junior surfers in and out of the surf. The junior boardriders also had the opportunity to caddy for their idols. We found this to be very positive on many levels.

- The contest gives the kids and adults of this region a chance to meet and watch (in person) some of their idols surf and compete at the highest of International levels. The Pro itself is a highly anticipated event for most of the local young surfers and non-surfers.
- I personally have been involved in the 'clean up' of the Northpoint competition zone for the past three years (from main beach to the back of northpoint) and each year we have only ever collected X of a garbage bag of rubbish. 80% of that was rubbish left before the event! I have not seen any damage to the vegetation or any land structures after the event.
- As long as the guidelines and recommendations of the Shire and DBCA (D PAW) are followed and met (including proper infrastructure and environmental management) we see no reason that Northpoint shouldn't be utilized to complete the event if the weather conditions are not favourable to complete it at Main break.

*The Shire President thanked Mr Mackenzie for his deputation.*

**7.2 Item 11.2.3 Request to Amend Condition 3 of Development Approval P219147  
Margaret River Surf Pro – Ms Sharna Kearney**

*Ms Sharna Kearney on behalf of Margaret River Busselton Tourism Association (MRBTA), addressed the meeting in relation to Item 11.2.3 Request to Amend Condition 3 of Development Approval P219147 Margaret River Surf Pro. A summary of her deputation is as follows:*

- Deputation made on behalf of the 700+ members of the MRBTA, and the 185 members of the MRCCI.
- Steve Castan, President, MRCCI sends his apologies.
- The Surfers Pro is critical to the region's tourism & business community.
- Clearly illustrated last year when the event concluded early, with many local businesses reporting a detrimental impact on their business, and as a result, their employees.
- Accommodation providers had room nights cut short, retailers were left with surplus stock and restaurants/cafes were forced to dispose of un-used food.
- The reduction in expected business over this time meant that businesses had to cut the hours of their employees.
- Tourism, hospitality and retail workers, such as wait staff, shop assistants and cleaners are often employed on a casual basis and their livelihoods rely on the additional hours provided by events and tourism visitation.
- In addition to the reduction in visitation and spend over the event period, the global event broadcast was also cut short reducing the opportunity to promote our region's oceans and coastline, wine and produce, caves and forests – all of which contribute to our green and clean image, and help attract future visitation to the region.
- MRBTA & MRCCI recognise that the environment is inherent to the health of the economy and generates employment opportunities for the local community.
- Having reviewed Surfing WA's Environmental and Sustainable Management Plan, we are confident that Surfing WA are invested in protecting our natural environment and will work closely with stakeholders to achieve this end.
- In addition, should North Point be required, we understand Surfing WA have planned measures to protect potentially sensitive dune areas, manage waste, and manage vehicle pedestrian traffic.
- Surfing WA's also has a strong commitment to local employment, with the event employing 70% locals, and works closely with local board riding clubs, Augusta Margaret River Football Club, local businesses, youth groups, disable groups and school students.
- The Surfers Pro is one of our region's iconic events. It is one of only 11 World Championship events globally. It is an event our region has proudly hosted for more than 33 years and is no doubt a part of our community's DNA.
- The event delivers for our region. Each year it attracts more than 6,000 visitors who spend more than \$5.5 million. A further \$37 million in media coverage is generated each year.



- We strongly encourage Council to support the use of North Point for up to four days, including finals, to mitigate the risk of the event not being completed in the region, and the subsequent adverse impact this would have on local businesses and their employees.
- MRBTA and MRCCI understand that Surfers Point is the primary and preferred location for the competition, as moving the event to North Point increases event running costs.
- North Point will only be used in the event that the competition cannot be completed at Surfers Point due to unfavourable surf conditions.
- Thank you for your consideration.

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

### **7.3 Item 11.2.3 Request to Amend Condition 3 of Development Approval P219147 Margaret River Surf Pro – Mr Rob Alder**

*Mr Rob Alder of 14 Walton Way, Gracetown, addressed the meeting in relation to Item 11.2.3 Request to Amend Condition 3 of Development Approval P219147 Margaret River Surf Pro. A summary of his deputation is as follows:*

- I'm here as I'm concerned resident and ratepayer to voice my observations and opinions about the application of SurfWA/WSP to expand its use of Nth Point for professional surfing.
- We are very concerned that the original proposal is now morphing dramatically. When armies are invading or occupying other countries, I believe it's called 'Mission Creep'. There's been a huge increase in the numbers of surfers in the water in the 14 years that I've been here, and the laid back mood that makes this place so special is changing for the worse. Additionally it's becoming increasingly dangerous as more and more beginners and novices are paddling out when conditions are literally 'over their heads'.
- Around \$6m, partially subsidised by me and other ratepayers, was spent to improve the facilities and viewing area at mainbreak for commercialised and competitive surfing events.
- Some of the 'high value' aspects of the Pro at Main Break that are not going to be possible at North Point are interactions with surfers by youngsters wanting autographs, carry boards etc. Mainbreak is 'open and inclusive' compared to North Point enclosure which is not.
- This is way beyond the original application for the Pro at Margaret River, and then 'a couple of days if North Point is pumping', now it's semis and finals too. You already got the Box, where next?
- We're here discussing the Margaret River Pro, not the Cowaramup Bay Pro. There is not the infrastructure in Gracetown to be Main Break. And when it's put in place like the last two years it's intrusive and exclusive. The boatramp is blocked off, and the enclosure lit up like a Gulag all night. It actually hurts my heart to see that. To see Gracetown hosting what looks like a concentration camp.
- Do not devalue that by allowing greed for internet clicks and ad revenue to destroy the reputation of the entire event by forcing the majority of people who have come down to witness the event in person, to watch it 12km away.
- I'd like the decision makers to put themselves in the position of being one of the 'heads on pillows' that Tourism WA wants to come and spend money in the region when they think about this: I've driven all the way from ....., and expected to be able to watch the finals, and now it's been moved, a limit put on the number of cars allowed in.

#### **Ecosystem**

- In the 14 years I've been here I've seen dramatic change in the ecology of Cowaramup Bay, mainly due to fire.
- There's a 'window' been cut in the windward Meleluca at Nth Point Carpark, presumably for photographers to shoot wedding photos with a clear view of 5th Point and the Bay in the background.
- The combination of a slowly eroding coastline and stable, dense and diverse vegetation has created a microclimate below the protective canopy where plants are normally too delicate to

grow on the coast can be found. On the lower slopes is a plant unique to the area, the prostrate form of the shrub *Darwinea citriodora*.

- In recent years two things have happened to threaten the canopy, thus most of the vegetation of North Point. In 2012 was the fire. In late 2013 a hole was illegally cut into the vegetation at the top carpark, enabling access to the previously undisturbed slopes. The Cape to Cape walkers then turned it into a track from the top to the bottom of North Point, and it is becoming a disaster of water erosion in winter.
- People are now able to access pretty much all of North Point. The protective canopy is being broken and the delicate understorey plants crushed. There is no infrastructure at all, no marked paths or signs, nothing to let people know that they are destroying what they have come to see.
- On the other side of the bay is the limestone cliff system, which is unstable and very susceptible to human damage, as evidenced by the huzzas cliff fall. It can be accessed from any of the beaches or paths from Percy St to South Point.
- Anything that encourages people to come to the Bay to look at or photograph surfing is putting this very fragile and mostly unprotected environment at great risk. Please reconsider.

### **Traffic Management**

- I've heard there's a proposal for 300 vehicles to be allowed in. Is there a limit on the number of people per vehicle? Is there a limit on the number of people? What toilets and other facilities will be provided? Will food and drink vendors be expected to uproot from Main Break? If there's a limit of cars, does that mean there'll be shuttle buses? What about guests in Gracetown rental houses? How will they get in and out, and are those numbers factored into the total?
- Once the 300 cars are in, what happens to close the road at Caves? And where does the excess traffic go? Will it be a 'one out - one in' system? Where will those hoping to be one of the 'one out- one in' queue, while they wait their turn?
- What will be the 'turnaround area' there? I see chaos and danger. Fatal accidents have occurred at that intersection. Everyone travelling North and South on Caves will be affected, not just those wanting to see the surfing.

### **People Management**

- How to stop people crawling all over the foreshore vegetation, escarpment and ridge?
- Bushfire risk. What's the management plan for evacuation in case of bushfire?
- Fencing off with chain-link every plant and tussock outcrop, rock clinger as well as all the established vegetation from Outer North Point to Outer South Point.

### **First Year**

Contractors:

- When the viewing platform was erected for the first time at North Point I went down to watch as so much had been made of the 'care' that would be taken of the fragile ecosystem. It was a very hot day, and the contractors were not following the windy 'goat trail' between the rocks, but the shortest straightest route. They were carrying heavy scaffold and large fencing sections, so it's understandable, but there was no-one there to ensure compliance with the requirement to not damage the vegetation. They were either not briefed adequately, or were ignoring instructions. When I asked them to be mindful careful, the response was quite hostile. When the viewing platform was removed there was minor but extensive visible damage to the vegetation all the way from the carpark to the platform. In the end the platform wasn't used.

### **Second Year:**

- On big days Northies gets over run with people already. On the days during the comp that Northies was not used for heats, there were more people watching pros at Northies than there were watching MainBreak heats. There was no management plan and there were people all over the place. Walking down the road where there's no footpath 2 and 3 abreast, and climbing the escarpment to get an elevated view or get up onto the ridge. That also happened one day when Taj put on a kind of demonstration. The place was packed but with no crowd control there were people all over the place - the foreshore, foreshore vegetation, escarpment, and ridge.
- I thought the people management was half hearted at best. I left the bay at about 10-11am and there were people streaming down the road sometimes 2 or 3 abreast cos there's no footpaths

there except at the shop. It was a minor inconvenience that I had to crawl in the car from the shop to the top of the hill, but it was a clear demonstration of the near impossibility of doing comprehensive management, even though the marshals were doing their best. And that's just the road. The actual foreshore was packed including the vegetated mounds, and there were people all over the rocks where there are tenuous shrubbies.

- How will contractors be supervised in future, and even more critically how will contractors erecting chainlink fencing sections around every shrub and tussock on the main swimming beach be supervised.

**Conclusion:**

- If any day of Pro competition is to be held at North Point, all foreshore vegetation to being fenced with chainlock from North Point to South Point including the Meleleucas for the entire period of the Comp, just in case the Bay gets used.
- Chainlink fencing and/or marshalls to ensure no-one crosses the road and tries to view the event from the ridge or elevated positions on the escarpment.
- Before the fires the escarpment and ridge were impenetrable on foot so the only access was along the powerline track from the creek.
- Environmental Officer to oversee the erection and take down of protective fencing.
- If there is any consideration of North Point being used for the finals 'because Main Break is unsurfable' a group of experienced Main Break surfers to advise the CEO on whether Main Break is surfable, so there is community representation not just vested interests. Main break as a 'deep ocean big wave' is part of the tour, and part of watermanship is to be able to handle that. That's what they get paid for, and are trying to prove they're the best at.
- What benefit to the locals, and the environment here? Donations? Support for environmental campaigns? Foreshore rehabilitation? Where is the 'trickle down effect'? or the 'multiplier effect'? Word of opinion to Tourism WA: don't let one of WA's best assets get its' reputation degraded by short term greed. The Pro is not 'set in stone', ...all the money spent on infrastructure and courting the WSP could be wasted by a viral outpouring of disgruntled spectator participants.

*The Shire President thanked Mr Alder for his deputation.*

**7.4 Item 11.2.3 Request to Amend Condition 3 of Development Approval P219147 Margaret River Surf Pro – Mr Mark Lane**

*Mr Mark Lane, CEO of Surfing WA, on behalf of Surfing WA, addressed the meeting in relation to Item 11.2.3 Request to Amend Condition 3 of Development Approval P219147 Margaret River Surf Pro. A summary of his deputation is as follows:*

- The cancellation of this event could be damaging for many reasons.
- Last year was the first time a surfing event has been cancelled in 43 years, costing approximately \$4.3m to move the event to Indonesia.
- 100's of hours have been spent seeing out the existing contract and seeking out the possibility of the event staying longer.
- Thank you for extending five years, it would be catastrophic if cancelled.
- Mainbreak is the preferred location, North Point is a back up only.
- We have a full comprehensive environment plan of the North Point area, will have many volunteers staff and local clubs, as well as two full time DBCA staff to oversee management of the area.
- Gracetown residents will be issued vehicle permits.
- Vehicles will be monitored.
- There will be a visual message board providing event information .

*The Shire President thanked Mr Lane for his deputation.*

**8. PETITIONS**

Nil

**9. ANNOUNCEMENTS FROM THE PRESIDING MEMBER**

Nil

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

Nil

**11. REPORTS OF COMMITTEES AND EMPLOYEE REPORTS**

# 11.1. Chief Executive Officer

### 11.1.1 COUNCIL DECISION ACTION LIST JULY - DECEMBER 2018

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<b>LOCATION/ADDRESS</b>	Shire of Augusta Margaret River
<b>APPLICANT/LANDOWNER</b>	Shire of Augusta Margaret River
<b>FILE REFERENCE</b>	GOV/61
<b>REPORT AUTHOR</b>	Claire Schiller, Governance / Council Support Officer
<b>AUTHORISING OFFICER</b>	Dale Putland, Acting Chief Executive Officer

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#### IN BRIEF

- This report is provided to Council to show the action status of Council resolutions for the period July 2018 to December 2018 and to provide a comparison in reporting statistics from the previous six months.
- Attachment 1 lists the decisions which have been made since July 2018 and allows Councillors to track the progress of resolutions of Council.

#### RECOMMENDATION

That Council:

1. Notes the 109 resolutions of Ordinary and Special Meetings for the period July 2018 to December 2018 contained in Attachment 1, of which 98 have been completed or require no further action;
  2. Notes the progress of the 11 incomplete items.
- 

#### LOCATION PLAN

Nil

#### TABLED ITEMS

Nil

#### BACKGROUND

The Council is charged with the duty to responsibly govern the local government's affairs (s2.7 *Local Government Act (1995)*), and does so by making well informed and duly considered decisions at its fortnightly Ordinary Meetings and any other Special Meetings that are called.

On a fortnightly basis, or as actions occur, updates on the progress status of Council decisions are made within the Council Meeting Decisions Action List. Of the 109 decisions that were determined by Council during Ordinary and Special Council Meetings between July 2018 and December 2018, 98 have been completed or required no further action. Those items marked 'In Progress' have been rolled over for continued reporting, updating and completion.

#### CONSULTATION AND ADVICE

##### External Consultation

Nil

##### Internal Consultation

Acting Chief Executive Officer

Directors

Reporting Officers

#### DISCUSSION / OFFICER COMMENTS

According to the Shire's Corporate Plan 2018-2022, one of the Chief Executive Officer's key responsibilities is to ensure that Council decisions are implemented in a timely manner. A Council Decisions Action List is used by the CEO and staff to regularly update the action status of all Council

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resolutions so that timely implementation of decisions can be tracked, and so that relevant and accurate information can be passed on to Councillors and the community.

The following information provides a breakdown of how many items have been raised by the directorates, Councillors, and Special Meetings (and which require a Council decision) in the six months between July 2018 and December 2018.

	Number of items	Action Status
Chief Executive's Office	18	all actions completed/no further action
Sustainable Development	28	2 action in progress actions completed/no further action
Infrastructure Services	17	4 actions in progress actions completed/no further action
Corporate and Community Services	41	2 action in progress actions completed/no further action
Members of Council	5	3 actions in progress actions completed/no further action
Special Meetings	0	n/a
<b>Total number of decisions made</b>	<b>109</b>	<b>11 actions in progress 98 actions completed or no further action required</b>

The following table lists the decisions that are still being actioned for the period July 2018 – December 2018.

Council Decisions – Actions in Progress			
Date	Item	Decision Number	Progress Status
12.12.18	Augusta St John Ambulance Sub Centre Lease – Tallinup Augusta Airport	OM2018/321	Draft lease agreed and has Minister consent. Currently being signed by St John Ambulances.
	Eagles Heritage – Margaret River Raptor Wildlife Centre Lease	OM2018/323	Draft lease drafted and being reviewed by Eagles Heritage.
	Local Law Determination in relation to Wallcliffe Cliffs and River	OM2018/237	Public Notice given of the determination which now has effect. Meeting with Undalup to discuss proposed revegetation, fencing. Seeking advice regarding removal of climbing bolts.
	Application to permanently Close Portion of Waddingham Road, Gracetown	OM2018/328	In progress
28.11.18	Turner Caravan Park Master Plan	OM2018/301	In progress
14.11.18	Report on Strategies to Encourage and Support Local Businesses – Cr Meldrum	OM2018/291	In progress

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<b>24.10.18</b>	RFT 04-19 Provision of Cleaning Services for Buildings, Reserve Tables, BBQ's, Public Amenities	OM2018/271	Part 2 in progress.
<b>10.10.18</b>	Leeuwin Naturaliste 2050 Cycling Strategy - for Adoption	OM2018/247	Report to Council in April 2019.
	Closure of Old Burnside Road Alignment, Burnside	OM2018248	Pending approval from Planning, Lands and Heritage
	Proposal For Transition Of Bush Fire Brigades To Department Of Fire And Emergency Services	OM2018/254	An independent facilitator has been engaged to assist the brigades through the process. A steering committee meeting was held on Monday 18 2019 at 6pm with delegates, DFES officer's, Shire officer's and the facilitator. Another Steering Committee meeting is scheduled for 25 March 2019 and following this the Brigades will vote for/against the transition during April 2019. The result will be brought to BFAC in May 2019 and it is expected the recommendation from BFAC will then be presented to Council in June 2019.
<b>25.07.18</b>	2018-19 Icon Events Funding Allocation	OM2018/172	Part 6 is being progressed but may not be completed in 2018-19  6. That the Icon Events Sponsorship Policy is revised to align with the Events Strategy when finalised, and that the Icon Events Sponsorship Policy and Events Strategy are finalised in the 2018/19 Financial Year.

In the 6 months previous to this reporting period (January to June 2018), 111 decisions were determined by Council, 102 of which have been actioned or required no further action. The following table lists the decisions that are still being actioned for the period January – June 2018:

<b>Council Decisions – Actions in Progress</b>			
<b>Date</b>	<b>Item</b>	<b>Decision Number</b>	<b>Progress Status</b>
<b>27.06.18</b>	Trail between Augusta Boat Harbour and Dead Finish – Cr Smart	OM2018/162	In progress.
<b>13.06.18</b>	Review of Governance Charter	OM2018/134	The Governance Officer is currently redrafting the document, will be brought back to Council before the calendar year.
<b>05.06.18</b>	Cape to Cape Winter Diversion Track	SM2018/2 SM2018/3 SM2018/4 SM2018/5 SM2018/6	SM2018/2 – part 1-5 complete, part 6 in progress SM2018/3 – action complete SM2018/4 – in progress SM2018/5 – action complete SM2018/6 – action complete
<b>09.05.18</b>	Climate Change Initiatives	OM2018/116	Climate Change Resources Plan prepared. Adoption plan funded through 18-19 budget.



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<b>11.04.18</b>	Winter Diversion Track – Apology re, mistakes made in relation to Aboriginal Heritage – Cr Godden	OM2018/103 OM2018/104 OM2018/105	OM2018/103 action complete OM2018/104 in progress. Council's Reconciliation Action Plan commencing in 2018/19 OM2018/105 in progress. Briefing to be scheduled.
<b>28.03.18</b>	Additional Purpose to Reserve 28928 – Poole Road, Kudardup	OM2018/87	Pending approval from Planning, Lands and Heritage
<b>28.03.18</b>	Cape to Cape Track – Winter Diversion	OM2018/73	Point 3 in progress
<b>28.02.18</b>	Boundary Realignment of Reserve 45243 and Reserve 12298 – Wallcliffe Bush Fire Brigade	OM2018/49	Pending approval from Planning, Lands and Heritage
<b>14.02.18</b>	Augusta Margaret River Events Strategy 2018	OM2015/27	Council briefing by consultant completed. Councillor workshop pending staff resource availability.

The following table lists the decisions that are still being actioned for the period of July – December 2017:

<b>Council Decisions – Actions in Progress</b>			
<b>Date</b>	<b>Item</b>	<b>Decision Number</b>	<b>Progress Status</b>
<b>13.12.17</b>	Flinders Bay Boat Ramp	OM2017/341	Part 4 in progress.
<b>08.11.17</b>	Proposed Addition of Reserve 12951 to Scott National Park and Conservation Reserve	OM2017/259	In progress. Have emailed Department of Biodiversity Conservation and Attractions advising of Council decision, awaiting response regarding a briefing.
<b>27.09.17</b>	Obstruction of Waddingham Road Thoroughfare	OM2017/235	Previously delayed at owners request. Action now in progress.
<b>09.08.17</b>	Turner Caravan Park Masterplan	OM2017/197	Progressing the overall site master plan and underpinning business plan for future staged development which is to be completed in October 2018.

The following table lists the decisions that are still being actioned for the period of January – June 2017:

<b>Council Decisions – Actions in Progress</b>			
<b>Date</b>	<b>Item</b>	<b>Decision Number</b>	<b>Progress Status</b>
<b>28.06.17</b>	Adoption of Economic Development Strategy	OM2017/145	In progress. Awaiting review by Sustainable Economy Advisory Committee.
<b>24.05.17</b>	CEO Policy Review	OM2017/119	One outstanding policy on Council Attendance at Sponsored Events.
<b>26.04.17</b>	Rotary Forest Playground – Nature Play Concept Plan	OM2017/104	Project on hold pending future budget allocation.
<b>08.02.17</b>	Road Dedication and Proposed Road closure of Unrequired Road Reserve – McDonald Road, Karridale	OM2017/34	Pending approval from Planning, Lands and Heritage

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<b>08.02.17</b>	Formation of Working Group – Indigenous Engagement – Cr Pam Townshend	OM2017/41	The wording of the motion makes it difficult to implement. The Shire is working with the <i>South West</i> Boojarah Working Party and the Department of Lands, Planning and Heritage to progress works on the Margaret River.
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The following table lists the decisions that are still being actioned for the period of July – December 2016:

Council Decisions – Actions in Progress			
Date	Item	Decision Number	Progress Status
<b>14.12.16</b>	Proposed Amalgamation of Reserves – Flinders Bay Caravan Park	OM2016/284	Pending approval from Planning, Lands and Heritage
<b>14.09.16</b>	Bush Fire Advisory Committee Meeting Minutes - Transfer Bush Fire Brigades to DFES	OM2016/196	Part 3 in progress

The following table lists the decisions that are still being actioned for the period of January 2016 – June 2016:

Council Decisions – Actions in Progress			
Date	Item	Decision Number	Progress Status
<b>27.01.16</b>	11.3.1 Proposed Improvements to Tourist Directional Signage on Main Roads and Roadside Visitor Information	OM2016/13	In progress. Cape ROC have received GHD report. City of Busselton and SAMR to review previous work to develop an overall Joint Tourism Directional Signage Strategy for the region.

Reports relating to monthly financial data, lists of payments and updates on investment activity generally require no action but are required to be reported to Council under the *Local Government (Financial Management) Regulations 1996*, Regulation 13(1).

Reports relating to Committees of Council often require no further action by Shire staff but are provided to Council in order to keep elected members informed of the Committees' progress.

**STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**

s5.20 *Local Government Act (1995)*

**STRATEGIC PLAN / POLICY IMPLICATIONS**

***Community Strategic Plan 2036 (CSP)***

***Corporate Business Plan 2018-2022***

Key Result Area 5: Effective leadership and governance

Community Outcome 1: Effective governance and corporate leadership

Strategic Response 1.4: Provide Councillors with high quality and current information for effective decision making.

**PLANNING FRAMEWORK**

Nil

**FINANCIAL IMPLICATIONS**

Nil

## **SUSTAINABILITY IMPLICATIONS**

### **Environmental**

Where applicable, environmental implications are considered by Councillors when making decisions, as Council has made a commitment to ensure an integrated approach to protecting the natural environment for current and future generations.

### **Social**

Decisions of Council are made in the best interests of the community, so timely and effective implementation of these resolutions by the CEO leads to a better resourced and better serviced community.

### **Economic**

Efficient and well-planned implementation of Council decisions by CEO direction and high quality staff leads to fewer staff hours spent on projects and better risk mitigation, which can lead to cost savings into the future.

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

That Council:

1. Notes the 109 resolutions of Ordinary and Special Meetings for the period July 2018 to December 2018 contained in Attachment 1, of which 98 have been completed or require no further action; and
2. Notes the progress of the 11 incomplete items.

## **ADVICE TO APPLICANT / PROPONENT**

Nil

## **ATTACHMENTS**

1. Council Meeting Decision Action List July 2018 – December 2018

## **RECOMMENDATION / COUNCIL DECISION**

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### **CR MELDRUM, CR EARL OM2019/55**

That Council:

1. Notes the 109 resolutions of Ordinary and Special Meetings for the period July 2018 to December 2018 contained in Attachment 1, of which 98 have been completed or require no further action; and
2. Notes the progress of the 11 incomplete items.

**CARRIED 6/0**

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# 11.2. Sustainable Development

### 11.2.1 APPOINTMENTS TO SUSTAINABLE ECONOMY ADVISORY COMMITTEE

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<b>LOCATION/ADDRESS</b>	Shire of Augusta Margaret River
<b>APPLICANT/LANDOWNER</b>	Shire of Augusta Margaret River
<b>FILE REFERENCE</b>	ECD/109
<b>REPORT AUTHOR</b>	Saul Cresswell, Sustainability Economics Officer
<b>AUTHORISING OFFICER</b>	Nick Logan, Acting Director Sustainable Development

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#### IN BRIEF

- At the Ordinary Meeting of 12 September 2018, Council resolved to adopt the Instrument of Appointment and Delegation to form the Sustainable Economy Advisory Committee.
- A call for nominations from appointed groups occurred in February 2019.
- Nominations have been received in accordance with the Instrument of Appointment and Delegation.
- All appointments to committees of Council must be by absolute majority, and in accordance with s5.8 of the *Local Government Act 1995*.

#### RECOMMENDATION

That Council, in accordance with the Instrument of Appointment and Delegation of the Augusta Margaret River Sustainable Economy Advisory Committee and ss 5.10 & 5.11A *Local Government Act 1995*:

1. Appoints the Shire President, if desirous of participating, and Councillor \_\_\_\_\_, as members of the Sustainability Economy Advisory Committee;

*OR if the Shire President declines:*

Appoints Councillor \_\_\_\_\_ and Councillor \_\_\_\_\_, as members of the Sustainability Economy Advisory Committee; and

2. Appoints the nominated representatives as members of the Augusta Margaret River Sustainability Economy Advisory Committee for a period of eight months, expiring with the 2019 local government elections.
- 

#### LOCATION PLAN

Nil

#### TABLED ITEMS

Nil

#### BACKGROUND

On 23 May 2018 Council resolved to establish a Sustainable Economy Advisory Committee, with the CEO to draft an Instrument of Appointment and Delegation. On 12 September 2018 the Instrument of Appointment and Delegation was adopted, with the following purpose:

“To formulate for Council’s consideration recommendations on policy, programs and projects to support the Augusta Margaret River community to transition to livelihoods and enterprises that are sustainable, climate-resilient, diverse and locally-owned in a circular economy, a regenerative and improving environment and a just community that upholds the rights of everyone”.

Objectives:

1. To recognise the fundamental importance of a healthy natural environment as the most importance base for supporting sustainable economic activity in the Shire and to ensure that economic activities conducted in the Shire do not damage or denigrate the natural environment;

2. To provide a forum for key stakeholder representatives to participate in developing a sustainable economy and provide relevant advice to Council;
3. To foster the creation of sustainable livelihoods and enterprises which reduce inequality and social disadvantage;
4. To foster the creation of sustainable livelihoods and enterprises which are climate resilient;
5. To foster the transition from the linear economy (take, make, dispose) to a regenerative circular economy (reduce, reuse, recycle);
6. To develop strategies for Aboriginal, Culturally and Linguistically Diverse communities to fully participate in sustainable economic activity;
7. To foster economic vibrancy in towns, villages and hamlets and assist local businesses to remain viable and successful; and
8. To develop strategies to achieve the Shire's Vision 2036 and the key objectives of the Sustainable Economy Strategy.

## **CONSULTATION AND ADVICE**

### **External Consultation**

Shire staff have engaged with the organisations involved and preferred committee members have been identified and consulted.

### **Internal Consultation**

Nil

## **DISCUSSION / OFFICER COMMENTS**

As per Council's resolution on 12 September 2018 (OM2018/228) membership of the Committee shall be:

- a) One Councillor appointed by the Council plus the Shire President or two Councillors should the Shire President decline to participate;
- b) One representative of the South West Development Commission (SWDC);
- c) One representative of the Margaret River Chamber of Commerce and Industry (MRCCI);
- d) One representative of the Augusta Chamber of Commerce and Industry (Augusta CCI);
- e) One representative of the Margaret River Wine Industry Association (MRWIA);
- f) One representative of the Margaret River Busselton Tourism Association (MRBTA);
- g) One representative of the Cowaramup Retailers Association (CRA);
- h) One representative of the Scott River Growers Group;
- i) One representative of the Margaret River Regional Producers Association (MRRPA);
- j) One representative of Nature Conservation Margaret River Region (NCRM);
- k) One representative of Creative Corner Inc;
- l) One local representative representing the digital economy;
- m) One representative of the Margaret River Regional Environment Centre;
- n) One representative each from two local social justice groups;
- o) One representative of Transition Margaret River; and
- p) One representative of Registered Accommodation Providers Margaret River Region once they are properly constituted.

The newly-appointed Sustainable Economy Officer has undertaken a series of meetings and exchanges with the above organisations, and has received nominations of delegates from these organisations as follows:

- a) South West Development Commission – Primary Delegate: Mat Lewis; Proxy Delegate: Jack Carlsen;
- b) Margaret River Chamber of Commerce and Industry – Primary Delegate: Steve Castan; Proxy Delegate: Rebecca Young;
- c) Augusta Chamber of Commerce and Industry – Primary Delegate: Andrea Lindsay; Proxy Delegate: TBA;
- d) Margaret River Wine Association – Primary Delegate: Amanda Whiteland; Proxy Delegate: TBA;
- e) Margaret River Busselton Tourism Association – Primary Delegate: Sharna Kearney; Proxy Delegate: Steve Harrison;
- f) Cowaramup Retailers Association – Primary Delegate: Jill Turton; Proxy: TBA;
- g) Scott River Growers Group – Primary Delegate: Barbara Dunnet; Proxy Delegate: Joanna Wren;

- h) Margaret River Regional Producers Association – Primary Delegate: Andreas Frutiger; Proxy Delegate: Kat Lombardo;
- i) Nature Conservation Margaret River – Primary Delegate: Stuart Hicks; Proxy Delegate: Boyd Wykes;
- j) Creative Corner – Primary Delegate: Peter Griffyn; Proxy Delegate: TBA;
- k) Representative of the digital economy – Primary Delegate: Tim Kerr (Mix Tape); Proxy Delegate: Tony Fletcher;
- l) Margaret River Regional Environment Centre – Primary Delegate: Ray Swarts; Proxy Delegate: Peta Goodwin;
- m) Social Justice Groups – TBA
  - 1. Margaret River Community Centre – Primary Delegate: Lydell Huntley; Proxy Delegate: Lyn Moorfoot
  - 2. TBA;
- n) Transition Margaret River – Primary Delegate: Britta Sorenson; Proxy Delegate: TBA; and
- o) Registered Accommodation Providers – N/A (not yet constituted).

At this point in time numerous organisations have supplied a Primary Delegate only, with a Proxy Delegate yet to be identified. In addition, it has been challenging to identify and get a response from social justice groups in the region. Candidates have been sought from Undalup Association and Just Home Margaret River, but representatives have not been secured at the date of this report. Given the inability to finalise the second Social Justice Group representative, three options are presented:

- 1) Hold off on forming the Committee until all delegates have been established;
- 2) Remove second Social Justice group from membership of the Committee; and
- 3) Resolve to form the Committee with the current delegates, and add additional delegates from a second Social Justice group once adequate communication has taken place.

The Sustainable Economy Advisory Committee is the first step in moving forwards on producing a Sustainable Economy Strategy for the AMR Shire, and further delay would be unfortunate. Given the importance of creating an inclusive economic strategy, it is not recommended to remove Social Justice groups from the Committee's membership. It is felt that continued efforts to communicate with the aforementioned Social Justice groups, and identifying other potential groups to contact, will lead to their agreement to participate in the Committee within a short period of time. As such, it is advised that Council forms the Committee with the current delegates, and adds further delegates representing Social Justice issues in the near future. It is likely these delegates would be confirmed and ready to join the second official Sustainable Economy Advisory Committee meeting on 16 May 2019 and be formally appointed by Council in due course.

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

All Council Committee meetings are bound by the same Standing Orders as Special and Ordinary Meetings of Council.

Part 5 Division 2 *Local Government Act 1995* – Committees and their meetings details relevant statutory requirements.

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

***Community Strategic Plan 2036 (CSP)***

***Corporate Business Plan 2018-2022***

Key Result Area 4: Vibrant and diverse economy

Key Result Area 5: Effective leadership and governance

Economy Outcome 4.4.4.1: **Priority project:** Establishment of the Sustainable Economy Advisory Committee

Governance Strategy 5.4.4: Encourage and support community – Shire projects and partnerships

Governance Outcome 5.7: Leadership in climate change mitigation and adaptation

#### **PLANNING FRAMEWORK**

Nil

**FINANCIAL IMPLICATIONS**

The main costs associated with running committees are staff time and wages involving mostly out of hours work. Other costs include catering in the form of food and beverages. Council needs to be strategic about the use of resources involving staff time to gain the best advantage for the community.

**SUSTAINABILITY IMPLICATIONS**

Committees should use a triple bottom line assessment process whereby an integrated approach to meeting the needs of current and future generations is utilised.

**VOTING REQUIREMENTS**

Absolute Majority

**Process for nominating Councillors as representatives on a committee:**

*The Shire President will call for nominations. Nominations will be accepted verbally or in writing. If a Councillor is nominated by another Councillor, the nominated Councillor must advise the meeting if they accept the nomination.*

*The nomination period will then close.*

*If there are a greater number of nominations than positions vacant, ballot papers will be distributed to Councillors and a vote conducted.*

*Votes will be counted and announced by the Shire President.*

**RECOMMENDATION**

That Council, in accordance with the Instrument of Appointment and Delegation of the Augusta Margaret River Sustainable Economy Advisory Committee and ss 5.10 & 5.11A *Local Government Act 1995*:

1. Appoints the Shire President, if desirous of participating, and Councillor \_\_\_\_\_, as members of the Sustainability Economy Advisory Committee; and

*OR if the Shire President declines:*

Appoints Councillor \_\_\_\_\_ and Councillor \_\_\_\_\_, as members of the Sustainability Economy Advisory Committee; and

2. Appoints the nominated representatives as members of the Augusta Margaret River Sustainability Economy Advisory Committee for a period of eight months, expiring with the 2019 local government elections;

i.	South West Development Commission:	Matt Lewis – Delegate Jack Carlson - Proxy
ii.	Margaret River Chamber of Commerce and Industry:	Steve Castan – Delegate Rebecca Young - Proxy
iii.	Augusta Chamber of Commerce and Industry:	Andrea Lindsay – Delegate
iv.	Margaret River Wine Association:	Amanda Whiteland – Delegate
v.	Margaret River Busselton Tourism Association:	Sharna Kearney – Delegate Steve Harrison – Proxy
vi.	Cowaramup Retailers Association:	Jill Turton – Delegate
vii.	Scott River Growers Group:	Barbara Dunnet – Delegate Joanna Wren – Proxy
viii.	Margaret River Regional Producers Association:	Andreas Frutiger – Delegate Kat Lombardo – Proxy
ix.	Nature Conservation Margaret River:	Stuart Hicks – Delegate Boyd Wykes – Proxy
x.	Creative Corner:	Peter Griffyn – Delegate



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xi.	Representative of the Digital Economy:	Tim Kerr – Delegate Tony Fletcher – Proxy
xii.	Margaret River Regional Environment Centre:	Ray Swarts – Delegate Peta Goodwin – Proxy
xiii.	Social Justice Groups – Margaret River Community Centre:	Lydell Huntley – Delegate Lyn Moorfoot - Proxy
xiv.	Transition Margaret River:	Britta Sorenson - Delegate

**ADVICE TO APPLICANT / PROPONENT**

Nil

**ATTACHMENTS**

Nil

*The Shire President informed the meeting of the following nominations, received in writing on 26 March 2019:*

- The Shire President, Cr Townshend, nominating herself.
- Cr Earl nominating himself.
- Cr Meldrum nominating Cr McLeod.

*The Shire President called for further nominations:*

*Cr Earl verbally withdrew his nomination.*

*As there were no further nominations, Cr McLeod was added to point one of the motion.*

*The Acting Director Sustainable Development advised the meeting of two additional representatives, received subsequent to the publishing of the agenda:*

*Just Home: Geraldine Clark – Delegate  
Shelley Cullen - Proxy*

*Cr Godden then disclosed an impartiality interest as she is the Chair of Just Home Margaret River.*

**RECOMMENDATION / COUNCIL DECISION**

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**CR MELDRUM, CR EARL OM2019/56**

**That Council, in accordance with the Instrument of Appointment and Delegation of the Augusta Margaret River Sustainable Economy Advisory Committee and ss 5.10 & 5.11A *Local Government Act 1995*:**

- 1. Appoints the Shire President and Councillor McLeod, as members of the Sustainability Economy Advisory Committee; and**
- 2. Appoints the nominated representatives as members of the Augusta Margaret River Sustainability Economy Advisory Committee for a period of eight months, expiring with the 2019 local government elections;**

i.	South West Development Commission:	Matt Lewis – Delegate Jack Carlson - Proxy
ii.	Margaret River Chamber of Commerce and Industry:	Steve Castan – Delegate Rebecca Young - Proxy
iii.	Augusta Chamber of Commerce and Industry:	Andrea Lindsay – Delegate
iv.	Margaret River Wine Association:	Amanda Whiteland – Delegate

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v.	<b>Margaret River Busselton Tourism Association:</b>	<b>Sharna Kearney – Delegate Steve Harrison – Proxy</b>
vi.	<b>Cowaramup Retailers Association:</b>	<b>Jill Turton – Delegate</b>
vii.	<b>Scott River Growers Group:</b>	<b>Barbara Dunnet – Delegate Joanna Wren – Proxy</b>
viii.	<b>Margaret River Regional Producers Association:</b>	<b>Andreas Frutiger – Delegate Kat Lombardo – Proxy</b>
ix.	<b>Nature Conservation Margaret River:</b>	<b>Stuart Hicks – Delegate Boyd Wykes – Proxy</b>
x.	<b>Creative Corner:</b>	<b>Peter Griffyn – Delegate</b>
xi.	<b>Representative of the Digital Economy:</b>	<b>Tim Kerr – Delegate Tony Fletcher – Proxy</b>
xii.	<b>Margaret River Regional Environment Centre:</b>	<b>Ray Swarts – Delegate Peta Goodwin – Proxy</b>
xiii.	<b>Social Justice Groups – Margaret River Community Centre: Just Home Margaret River:</b>	<b>Lydell Huntley – Delegate Lyn Moorfoot – Proxy Geraldine Clark - Delegate Shelley Cullen - Proxy</b>
xiv.	<b>Transition Margaret River:</b>	<b>Britta Sorenson - Delegate</b>

**CARRIED BY ABSOLUTE MAJORITY 6/0**

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## 11.2.2 SUSTAINABILITY ADVISORY COMMITTEE MINUTES - 13 DECEMBER 2018

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<b>LOCATION/ADDRESS</b>	Shire of Augusta Margaret River
<b>APPLICANT/LANDOWNER</b>	Shire of Augusta Margaret River
<b>FILE REFERENCE</b>	LND/115
<b>REPORT AUTHOR</b>	Jared Drummond, Sustainability Planning Officer
<b>AUTHORISING OFFICER</b>	Nick Logan, Acting Director Sustainable Development

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### IN BRIEF

On 13 December 2018, SAC received a briefing on the Environmental Sustainability Fund. This formed the basis of the committee meeting.

### RECOMMENDATION

That Council receives the minutes of the Sustainability Advisory Committee held on 13 December 2018.

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### LOCATION PLAN

Nil

### TABLED ITEMS

Nil

### BACKGROUND

A meeting of the Sustainability Advisory Committee (SAC) was held on 13 December 2018. The minutes of this meeting are included as **Attachment 1**.

### CONSULTATION AND ADVICE

SAC did not adopt any motions at the 13 December meeting, which require further consideration and affirmation by Council. The SAC Minutes reflect that SAC received and discussed a briefing on the Environmental Sustainability Fund.

### DISCUSSION

#### Environmental Sustainability Fund

##### **Background**

The Shire's Environmental Elements of Sustainability Strategy (ESS) recommends:  
*Annual budgets (from 18-19 onwards) include an allocation of 3.0% of rate revenue towards environmental and sustainability projects (otherwise referred to as the Environmental and Sustainability Fund (ESF)).*

Committing a defined percentage of rate revenue from future budgets towards environmental sustainability means that as rate revenue rises over time, so too will the amount available for that purpose. The ESS recommends the Environmental Management Fund (EMF) form part of the Environmental and Sustainability Fund. The EMF represents approximately 1% of current rate revenue. The Environmental and Sustainability Fund sets out to achieve the following Focus Areas and Goals identified in the ESS:

FOCUS AREAS	GOALS
Climate change	A resilient Shire
Green energy	A low carbon Shire
Water	A water sensitive Shire
Natural areas	An ecologically healthy and self-sustaining Shire
Consumption	A responsible Shire

### Proposal

The 2018-19 rates revenue is \$21,154,609. The aspirational 3% ESF target represents \$634,638 of rates revenue. Shire officers discussed an earlier version of the ESF with councillors at a briefing session held 14 November 2018. This discussion focussed on which projects were considered to fall within the scope of the ESF i.e. what actual works constituted the ESF for 2018/19.

**Attachment 2 – Environmental Sustainability Fund** details the projects within the scope of the ESF and reveals that there is \$719,856 allocated in 2018-19 for the ESF, broadly in the focus areas as identified in the table below:

Green Energy	78,000.00
Natural Areas Management	421,856
Water	20,000
EMF	200,000.00
<b>Total</b>	<b>719,856</b>

Further consultation with SAC regarding development of the ESF was undertaken. This decision is consistent with the Shire's ESS which recommends oversight of ESF as one of the core functions of the SAC. In support of the ESF, the SAC adopted the following motion.

### MOTION / SAC DECISION

**MOVED: J. KRUGER      SECONDED: P.LANE      SAC2018/8**

1. Support the Environmental Sustainability Fund budget referred to as 'Attachment 1 – Environmental Sustainability Fund', accompanying the SAC Agenda.
2. Recommend criteria is developed in line with the Focus Areas set out in the Environmental Sustainability Strategy (ESF), known as Natural Areas, Green Energy, Climate Change, Consumption and Waste, and ensure that on-going ESF expenditure is consistent with the criteria.
3. Recommend that unspent funds from the ESF be transferred to the Shire's biodiversity reserve, starting in 2019/20.

**CARRIED 8/0**

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Shire officers are developing criteria (point 2) to ensure long-term expenditure on ESF is consistent with a set of agreed goals and objectives. A biodiversity reserve fund has been established that caters for unspent funds in the Landcare Special Projects budget (LC50) which is the major component of the ESF with \$438,676 budgeted in 2018/19.

**STRATEGIC PLAN / POLICY IMPLICATIONS**

***Community Strategic Plan 2036 (CSP)***

***Corporate Business Plan 2018-2022***

Key Result Area 3: Ensuring sustainable development

Community Outcome 3: Climate change mitigation and response

Strategic Response 1.2.1: Plan proactively and respond to climate change

Service level strategy/plan: Local Energy Action Plan

**PLANNING FRAMEWORK**

The discussion items are consistent with the SAC's Terms of Reference.

**FINANCIAL IMPLICATIONS**

The Environmental Sustainability Fund will form an appendix to the 2019/20 budget and reflect a 3% representation of budget allocation.

**SUSTAINABILITY IMPLICATIONS**

SAC has an important role to play in terms of overseeing the implementation of Council's sustainability objectives with applicable Shire projects.

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

That Council receives the unconfirmed minutes of the Sustainability Advisory Committee held on 13 December 2018.

**ATTACHMENTS**

1. Sustainability Advisory Committee Minutes – 13 December 2018
2. Environmental Sustainability Fund

**RECOMMENDATION / COUNCIL DECISION**

**CR MELDRUM, CR EARL OM2019/57**

**That Council receives the unconfirmed minutes of the Sustainability Advisory Committee held on 13 December 2018.**

**CARRIED 6/0**

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## LATE REPORT

### 11.2.3 REQUEST TO AMEND CONDITION 3 OF DEVELOPMENT APPROVAL P219147 - MARGARET RIVER SURF PRO.

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<b>LOCATION/ADDRESS</b>	Surfers Point, (Reserve 41545), the Box, (Reserve 8428), Rivermouth (Reserve 41545) in Prevelly and North Point, (Reserve 27618) in Gracetown as temporary contest locations for the Margaret River Pro. Along with associated Sites for parking which includes 622 (Lot 503) Wallcliffe Road, Rifflebutts (Reserve 41545), Mitchell Drive (Reserve 26228), Gnarabup Oval (Reserve 46732), portion of Bay view Drive (Reserve 27618) and Gracetown Oval (Reserve 37456)
<b>APPLICANT/LANDOWNER</b>	Surfing WA Tim Thirsk
<b>FILE REFERENCE</b>	PTY/11020
<b>REPORT AUTHOR</b>	Matt Cuthbert, Acting Manager Planning and Development Services
<b>AUTHORISING OFFICER</b>	Acting Director Sustainable Development

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#### IN BRIEF

- On the 27th February 2019, Council at its ordinary meeting approved the use of various Shire reserves for the purposes of conducting the annual World Surf League (WSL) International Surfing Event 'The Margaret River Pro' for a period of 5 years, subject to conditions.
- The applicant requests that Council amend condition 3 of the approval to allow North Point in Gracetown to be used for finals and for a period of up to 4 days.

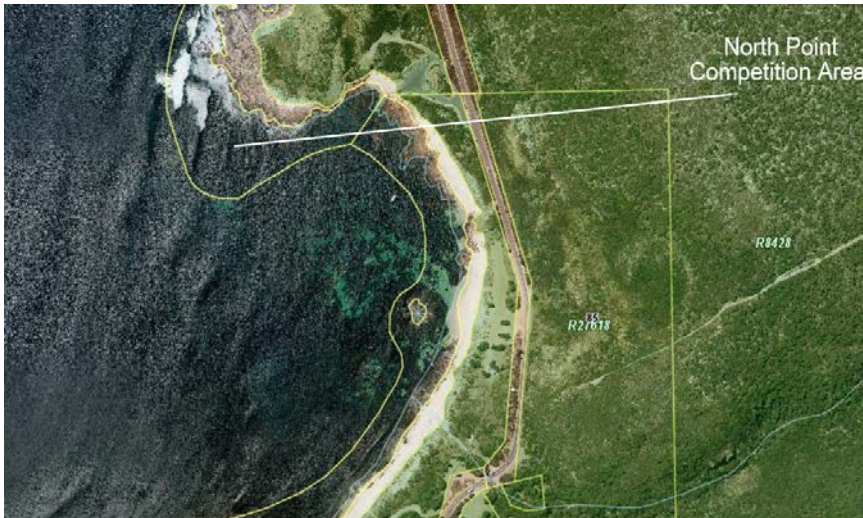
#### RECOMMENDATION

1. In accordance with clause 77 (4)(b), approve the applicants request to modify condition 3 relating to approval P218521 in part, by amending it such that it reads as follows:  
*North Point at Gracetown is approved to be used as a temporary competition location for a maximum of two (2) days, each year over the five (5) years from the date of this approval, with these two days not being utilised for either semi-final or final rounds of competition. A further two (2) days of competition may be held at North Point for the purpose of holding semi-final or final rounds of competition should conditions at approved alternative locations be agreed as unsuitable by the Shire. Prior to any semi-final or final rounds being held at North Point, the proponent is to provide a request to the Shire in writing to utilise North Point, outlining the basis as to why conditions at alternative locations are unsuitable. Semi-final or final rounds of competition may then not be held at North Point without the Shire's written approval.*
2. Add an additional advice note to the approval which reads:  
Management plans submitted as required by the Local Law Permit process, will be required to demonstrate measures to ensure that the number of spectators attending finals/semi-finals at North Point do not exceed the capacity of the infrastructure available to support those visitors. This may include security measures to discourage spectators where capacity has been reached and the provision of alternative viewing opportunities from other locations (e.g. televised coverage at Surfers Point).

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#### SITE AND SURROUNDS

The applicants request relates only to the North Point competition area which utilises infrastructure on two separate reserves. The first is zoned National Park and Nature Reserve (see **Figure 1** below) and is under the care, control and management of DBCA. The second is the southern portion of North Point, Reserve 27618, south of the boat ramp, which is zoned Parks and Recreation, and is within the responsibility of the Shire.



**Figure 1: Location of North Point**

### **BACKGROUND**

The officers report considered by Council on the 27<sup>th</sup> February 2019, recommended approval to the use of North Point for a total of 4 days or 32 hours during the competition period each year.

Council by way of its decision modified Condition 3 of the approval such that North Point can only be used for 2 days each year over the 5 year approval period and that semi-finals and finals cannot be held at North Point.

The reason listed in the minutes of the February 27<sup>th</sup> meeting relating to the modification to condition 3 is:

*“The use of North Point for the Margaret River Pro for up to four days falls outside the scope of the LPP8 and the definition of a Minor Event. Cowaramup Bay and North Point does not have appropriate infrastructure for spectators to view the surfing competition. Most spectators will congregate at Town Beach to view the surfing at North Point, an area which is not included in the development application and therefore not managed by the conditions of approval, including conditions regarding protection of vegetation. There is potential for significant numbers of spectators over four days to cause damage to native vegetation. In 2018, approval was granted for a maximum of two days of competition at North Point. An increase to four days for 2019 is significant, and is an unreasonable deviation from LPP8.”*

### **PROPOSAL**

Condition 3 currently reads as follows:

*“North Point at Gracetown is approved to be used as a temporary competition location for a maximum of two (2) days, each year over the five (5) years from the date of this approval and the semi-finals and finals shall not be held at North Point.”*

The applicant seeks rewording of Condition 3 such that it reads:

*“North Point at Gracetown is approved to be used as a temporary competition location for a maximum of four (4) days, each year over the five (5) years from the date of this approval.”*

The reasons given by the applicant in support of their request can be found at Attachment 1 but in summary are:

- In order to avoid any future cancellation of the event, having scope to use North Point for potentially up to four days is critical.
- Given the change in dates from March/April to May/June the likelihood of big surf is possible. If the swell size and wind is too unsafe to use the primary location at Surfers Point, then the event has the option to use North Point to complete the competition.
- The use of North Point will only be used as a backup location, if Surfers Point or the Box is completely un-surfable.
- The event will address all reasonable concerns in managing the environment at Town Beach and rigidly maintain responsible stewardship when the competition is on.

- The use of North Point for an additional 2 days represents less than 1% of available days in a calendar year to use this location.

### **CONSULTATION AND ADVICE**

The request to amend conditions has not been subject to consultation and the time period within which the applicant has requested a decision be made does not allow for such. In any event the applicants request is consistent with the terms under which the application was originally advertised and therefore the results of the original consultation process remain valid.

Of the 65 submissions received, 7 objected to the use of Northpoint. Submitters objected to the perceived impact on the local environment and disruption to local amenity by way of noise and traffic, and a disruption to local access of the coastal area.

### **PLANNING FRAMEWORK**

#### **Local Planning Scheme (LPS1)**

Clause 77(b) of the Deemed Provisions of LPS1 allows an applicant to request that Council amend or delete any condition to which the approval is subject.

### **DISCUSSION / OFFICERS COMMENTS**

#### Four days vs Two days

North Point was initially approved as a potential contest venue in December 2015 for the 2016 MR Pro. In the years since, several days of competition heats have been held there. Progressive improvements have been made to the management measures for the event at North Point. It is likely that further improvements will be required and implemented through future years. This level of detail is largely included in the associated permit process and is refined and updated on an annual basis. These details relate to operational management matters such as traffic control, pedestrian movement, parking and other significant controls over the event.

North Point is identified by LPP8 as a competition area for Club Events and Minor Events. A Minor Event is defined as up to 70 competitors which the MR Pro complies with, having only 52 competitors. However, LPP8 also states that:

- i) Only two minor events will be approved in any calendar year;
- ii) Approval will be for a period of up to four continuous days in duration on a non-exclusive use basis; and
- iii) A 'Surfing Competition Ballot Application Form' must be submitted to the Shire by December 1st for the following calendar year.

Given that the policy allows for an event to be held at North Point for up to 4 days, this element of the subject proposal is consistent with the amount of competition use envisaged by the policy. The non-compliance arises as a result of the applicant requiring "exclusive use" of the break during the time that the competition is being held at that location. The reasons as to why the break is required to be used exclusively by surfers competing in a highly contested world class event are easily understood and it would be difficult to envisage a competition of this nature being managed in any other way.

The applicants arguments regarding the need to have flexibility are noted. North Point will only be used if conditions are unfavorable at Surfers Point. The uncertainties which arise from a reliance upon the weather to commence and then complete the event within a defined time-frame call for some form of contingency. On this basis staff remain supportive of a 4 day window, however only in the event of a genuine contingency, i.e. If conditions at alternative locations (Surfers Point, Southside or the Box) are unsurfable. It is proposed that two days of general heat competition to be permitted at North Point, and a further two days for semi-finals and finals as a contingency and subject to written approval of the Shire.

#### Finals at North Point

The recommendation put to Council at its previous meeting did not include conditions specifying the location of semi/finals. This is perhaps explained by the fact that in all previous years, finals have been held at Surfers Point and there was no indication provided by the applicant during the assessment of the proposal that this would change in 2019.



The applicant has advised that it *"is critical that semi-finals and finals are included in the Development Application as not having these defeats the purpose of holding the event at North Point"*. This however is not reflective of past years where North Point has been used for up to 2.5 days but never for semi finals or finals.

For the purposes of assessing this element of the proposal against LPP8, it would be difficult to arrive at a view that the most significant and highly anticipated part (finals) of the premier event in the Margaret River surfing calendar is in any way 'minor'. This is despite the fact that the number of competitors surfing in this part of the event (finals) would be less than in the heats.

The finals could be expected to generate a greater level of interest amongst the community with more people inclined to watch the event from the site. Substantial investment has been made into the Surfers Point location for the purposes of accommodating events such as the MR Pro on the basis that the majority of the event would be held at this location. Given that Cowaramup Bay has a limited carrying capacity due to its size, parking availability, and infrastructure, Council 's decision to include a condition to preclude North Point being used at this time could be considered appropriate. However, if Council was of a mind to reconsider this condition, a reasonable alternative condition is available which would insure against semi-finals and finals being held at North Point when acceptable conditions are present at alternative approved locations including Surfers Point.

#### Change to Conditions

There are three potential options available to Council in responding to the applicant's request. They are:

- To refuse the applicants request;
- To accept the applicants request in part by allowing potential use of North Point for up to 2 days but excluding semi-finals and finals, and a further 2 days as a contingency for semi-finals and final, by replacing condition 3 with the following:
  3. *North Point at Gracetown is approved to be used as a temporary competition location for a maximum of two (2) days, each year over the five (5) years from the date of this approval, with these two days not being utilised for either semi-final or final rounds of competition. A further two (2) days of competition may be held at North Point for the purpose of holding semi-final or final rounds of competition should conditions at approved alternative locations be agreed as unsuitable by the Shire. Prior to any semi-final or final rounds being held at North Point, the proponent is to provide a request to the Shire in writing to utilise North Point, outlining the basis as to why conditions at alternative locations are unsuitable. Semi-final or final rounds of competition may then not be held at North Point without the Shire's written approval.*
- 4. To accept the applicants request in full by replacing condition 3 with the following:
  3. *North Point at Gracetown is approved to be used as a temporary competition location for a maximum of four (4) days, each year over the five (5) years from the date of this approval. Prior to any final being held at North Point, the proponent is to provide a request to the Shire in writing outlining the basis as why conditions at Surfers Point are unsuitable. Finals may not be held without the Shire's written approval.*

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

##### **Community Strategic Plan 2036 (CSP)**

##### **Corporate Business Plan 2018-2022**

Key Result Area 3: Managing Growth and Sustainability

Community Outcome 3.1: Clearly defined areas for growth and renewal

Strategic Response: Implement Local Planning Scheme No. 1

Service level strategy/plan: Provide planning services

#### **FINANCIAL IMPLICATIONS**

Nil

#### **SUSTAINABILITY IMPLICATIONS**

##### **Environmental**

Surfing WA is required to run the event in such a manner that minimises any impact to the environment. Before and after Site inspections will be undertaken by both Shire staff and DBCA to

ensure Surfing WA returns the Sites to their original condition. If the Sites are not returned to the satisfaction of the Shire and DBCA, Surfing WA will be required to undertake the necessary rehabilitation measures.

Whilst Shire staff are of the view that the event is well run and causes minimal environmental disruption, there is understandably a high degree of concern amongst some members of the community that the increasing popularity of the event could lead to serious environmental degradation if not properly managed.

### **Social**

The Margaret River Pro is a free, family friendly event that promotes a healthy wellbeing message through elite sport. Surfing WA hosts a number of free behind the scenes tours for local people with a disability. Local school children and the Shire's Youth Advisory Committee are invited to meet world class surfing professionals and are exposed to opportunities for further information and training in the field of events management.

The event necessarily causes a disruption to the 'normal' use of the affected beaches and foreshore areas during the time the event is running which is of serious concern to some community members.

### **Economic**

International coverage of the event serves to promote the Margaret River Region for destination awareness purposes, as well as the Margaret River brand name for trade, export and investment opportunities. The reach impact of the coverage is measured by value of media imprints, which in 2017 was \$13.9m USD in news coverage, \$5m USD in event webcast/broadcast coverage and \$20.8 million USD value in social media imprints. In 2017 Surfing WA's direct expenditure into the region as a result of the Drug Aware Margaret River Pro was approximately \$1.5m.

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

That Council:

1. In accordance with clause 77 (4)(b), approve the applicants request to modify condition 3 relating to approval P218521 in part, by amending it such that it reads as follows:

*North Point at Gracetown is approved to be used as a temporary competition location for a maximum of two (2) days, each year over the five (5) years from the date of this approval, with these two days not being utilised for either semi-final or final rounds of competition. A further two (2) days of competition may be held at North Point for the purpose of holding semi-final or final rounds of competition should conditions at approved alternative locations be agreed as unsuitable by the Shire. Prior to any semi-final or final rounds being held at North Point, the proponent is to provide a request to the Shire in writing to utilise North Point, outlining the basis as to why conditions at alternative locations are unsuitable. Semi-final or final rounds of competition may then not be held at North Point without the Shire's written approval.*

2. Add an additional advice note to the approval which reads:

Management plans submitted as required by the Local Law Permit process, will be required to demonstrate measures to ensure that the number of spectators attending finals/semi-finals at North Point do not exceed the capacity of the infrastructure available to support those visitors. This may include security measures to discourage spectators where capacity has been reached and the provision of alternative viewing opportunities from other locations (e.g televised coverage at Surfers Point).

## **ATTACHMENTS**

1. Applicants Request

## **RECOMMENDATION**

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**CR GODDEN, CR EARL**

**That Council:**

1. In accordance with clause 77 (4)(b), approve the applicants request to modify condition 3 relating to approval P218521 in part, by amending it such that it reads as follows:

*North Point at Gracetown is approved to be used as a temporary competition location for a maximum of two (2) days, each year over the five (5) years from the date of this approval, with these two days not being utilised for either semi-final or final rounds of competition. A further two (2) days of competition may be held at North Point for the purpose of holding semi-final or final rounds of competition should conditions at approved alternative locations be agreed as unsuitable by the Shire. Prior to any semi-final or final rounds being held at North Point, the proponent is to provide a request to the Shire in writing to utilise North Point, outlining the basis as to why conditions at alternative locations are unsuitable. Semi-final or final rounds of competition may then not be held at North Point without the Shire's written approval.*

2. Add an additional advice note to the approval which reads:

Management plans submitted as required by the Local Law Permit process, will be required to demonstrate measures to ensure that the number of spectators attending finals/semi-finals at North Point do not exceed the capacity of the infrastructure available to support those visitors. This may include security measures to discourage spectators where capacity has been reached and the provision of alternative viewing opportunities from other locations (e.g. televised coverage at Surfers Point).

0/0

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*Cr Godden moved the following amendment:*

#### **AMENDMENT / COUNCIL DECISION**

**CR GODDEN, CR TOWNSHEND OM2019/58**

That the words 'and unsurfable' be added to the modified condition 3, following the word 'unsuitable'.

LOST 5/1

**CRS MELDRUM, LANE, TOWNSHEND, EARL AND MELDRUM VOTED AGAINST**

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#### **REASON**

Cr Godden spoke to the amendment, stating the additional wording reflects Surfing WA's position of only needing to use North Point if Main Break was unsurfable and assures a consensual position between Surfing WA and the Shire.

*Debate then continued in the primary motion:*

#### **PRIMARY MOTION / COUNCIL DECISION**

**CR GODDEN, CR EARL OM2019/59**

That Council:

1. In accordance with clause 77 (4)(b), approve the applicants request to modify condition 3 relating to approval P218521 in part, by amending it such that it reads as follows:

*North Point at Gracetown is approved to be used as a temporary competition location for a maximum of two (2) days, each year over the five (5) years from the date of this approval, with these two days not being utilised for either semi-final or final rounds of competition. A further two (2) days of competition may be held at North Point for the purpose of holding semi-final or final rounds of competition should conditions at approved alternative locations be agreed as unsuitable by the Shire. Prior to any semi-final or final rounds being held at North Point, the proponent is to provide a request to the Shire in writing to utilise North Point, outlining the basis as to why conditions at alternative locations are unsuitable. Semi-final or final rounds of competition may then not be held at North Point without the Shire's written approval.*

2. Add an additional advice note to the approval which reads:

**Management plans submitted as required by the Local Law Permit process, will be required to demonstrate measures to ensure that the number of spectators attending finals/semi-finals at North Point do not exceed the capacity of the infrastructure available to support those visitors. This may include security measures to discourage spectators where capacity has been reached and the provision of alternative viewing opportunities from other locations (e.g televised coverage at Surfers Point).**

**CARRIED 6/0**

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# 11.3. Infrastructure Services

**11.3.1 AUTHORISATION TO EXECUTE A DOCUMENT BY COMMON SEAL - ELLIS STREET JETTY LICENCE**

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<b>LOCATION/ADDRESS</b>	Shire of Augusta Margaret River
<b>APPLICANT/LANDOWNER</b>	Shire of Augusta Margaret River
<b>FILE REFERENCE</b>	LND/149
<b>REPORT AUTHOR</b>	Bronwyn Granville, Executive Assistant Infrastructure Services
<b>AUTHORISING OFFICER</b>	Markus Botte, Director Infrastructure Services

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**IN BRIEF**

- The Shire adopted the Ellis Street Jetty Precinct Development Concept Plan on 8 July 2015 which approved construction of a floating jetty to be located adjacent to the Ellis Street boat ramp in Augusta.
- A Recreational Boating Facilities Scheme (RFBS) grant funded 75% of the cost of construction of the jetty.
- Installation of the floating jetty was completed in November 2018.
- The Department of Transport (DoT) now requires that the new floating jetty is appended to the Shire's existing jetty licence for the adjoining boat ramp.
- The Jetty Licence documentation requires Council approval to affix the Shire of Augusta Margaret River common seal.

**RECOMMENDATION**

That Council authorises the affixing of the common seal of the Shire of Augusta Margaret River to the Jetty Licence for Jetty No 1189, Ellis Street Jetty and Boat Ramp.

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**LOCATION PLAN**

N/A

**TABLED ITEMS**

Nil

**BACKGROUND**

The Capes Regional Boating Strategy (2011) recommended installation of a floating finger jetty adjacent to the Ellis Street boat ramp in Augusta, to improve the safety and efficiency of boat launching. Following Council adoption of this strategy, officers obtained a RBFS grant for design of the floating jetty and boat trailer parking. Subsequent RBFS grants were then obtained for construction of 20 boat trailer parking bays (completed in 2017/18) and a universal access floating finger jetty (completed in 2018/19).

The new jetty now requires a jetty license from the Department of Transport. As the existing boat ramp already has a jetty license, the Department of Transport proposed to append the jetty to the boat ramp jetty license. The document requires Council approval to affix the common seal.

**CONSULTATION AND ADVICE**

**External Consultation**

Department of Transport

**Internal Consultation**

CEO, Director Infrastructure Services

**DISCUSSION / OFFICER COMMENTS**

In accordance with s9.49a Local Government Act, any document requiring execution by common seal must have authorisation by Council decision.

The following document requires the affixing of the Shire's common seal for execution: Jetty Licence for Jetty Number 1189.

The original Ellis Street Jetty Licence was for the boat ramp only and has now been amended to include new terms and conditions associated with the new floating jetty.

Executing this document is a requirement of the *Jetties Act 1926*.

## **STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**

### **9.49A. Execution of documents**

- (1) A document is duly executed by a local government if —
  - (a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or
  - (b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.
- (2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.
- (3) The common seal of the local government is to be affixed to a document in the presence of —
  - (a) the mayor or president; and
  - (b) the chief executive officer or a senior employee authorised by the chief executive officer,each of whom is to sign the document to attest that the common seal was so affixed.
- (4) A local government may, by resolution, authorise the chief executive officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.
- (5) A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.
- (6) A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.
- (7) When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.

*[Section 9.49A inserted by No. 17 of 2009 s.43.]*

## **STRATEGIC PLAN / POLICY IMPLICATIONS**

***Community Strategic Plan 2036 (CSP)***

***Corporate Business Plan 2018-2022***

Key Result Area 3: Managing growth sustainably

Community Outcome 3.6: Connected and safe transport network

## **PLANNING FRAMEWORK**

Nil

## **FINANCIAL IMPLICATIONS**

Department of Transport Jetty Licence Fees - \$131.90

## **SUSTAINABILITY IMPLICATIONS**

### **Environmental**

Nil

### **Social**

Nil

### **Economic**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

That Council authorises the affixing of the common seal of the Shire of Augusta Margaret River to the Jetty Licence for Jetty No 1189, Ellis Street Jetty and Boat Ramp.

**ADVICE TO APPLICANT / PROPONENT**

Nil

**ATTACHMENTS**

1. Amended Jetty Licence

**RECOMMENDATION / COUNCIL DECISION**

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**CR MELDRUM, CR EARL OM2019/60**

**That Council authorises the affixing of the common seal of the Shire of Augusta Margaret River to the Jetty Licence for Jetty No 1189, Ellis Street Jetty and Boat Ramp.**

**CARRIED 6/0**

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# 11.4. Corporate and Community Services

#### 11.4.1 REVISED CREDIT CARD POLICY CCSP 6

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<b>LOCATION/ADDRESS</b>	Shire of Augusta Margaret River
<b>APPLICANT/LANDOWNER</b>	Shire of Augusta Margaret River
<b>FILE REFERENCE</b>	COR/11
<b>REPORT AUTHOR</b>	Andrew Ross, Acting Director Corporate and Community Services
<b>AUTHORISING OFFICER</b>	Dale Putland, Acting Chief Executive Officer

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#### IN BRIEF

- The Credit Card Policy has been reviewed and updated in accordance with recommendations arising from audit reports and to ensure best practice as outlined in Local Government Operational Guidelines.
- The updated policy is more concise with operational details included within a Corporate Credit Card Procedure and a Cardholder Use Agreement.
- The policy is to be considered for approval by Council.

#### RECOMMENDATION

That Council:

1. Approves the updated Credit Card Policy CCSP 6 as shown in Attachment 1; and
  2. Notes the associated Corporate Credit Card Procedure and Corporate Credit Card – Cardholder Use Agreement as shown in Attachment 2 and 3 respectively.
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#### LOCATION PLAN

Nil

#### TABLED ITEMS

Nil

#### BACKGROUND

The Credit Card Policy was last approved by Council at the meeting on 12 April 2017 (minute reference OM2017/92). The Policy states the date of the next review is April 2019.

#### CONSULTATION AND ADVICE

##### External Consultation

Feedback relating to how the policy and procedures could be improved has been received. Recommendation 7 of the Integrity Audit report 2018 prepared by the Department of Local Government, Sport and Cultural Industries, was that the CEO review the policies and procedures for the use of the Shire's corporate credit cards to ensure that best practice with proper audit standards are aligned with the recommended procedures contained in the Department's Use of Corporate Credit Cards Operational Guidelines number 11. These guidelines include an agreement to be signed by the cardholder, maintaining a register and ensuring cardholders are provided with the policies and procedures relevant to credit card use.

##### Internal Consultation

Finance staff researched other local government policies, local government operational guideline number 11 and the Department of Finance's purchasing card guidelines in order to inform the development of the updated policy and have also reviewed and provided comment on this policy.

#### DISCUSSION / OFFICER COMMENTS

The policy has been changed to reflect the new corporate style guide. Although the current policy broadly complies with the Operational Guidelines, a number of improvements were identified to strengthen compliance and included preparing an associated procedure and usage agreement that are referenced in the policy and cross reference back to the policy. The usage agreement in particular is

essential as it outlines the cardholder' obligations for usage of the card, record keeping requirements, credit card limits and penalties for non-compliance. Cardholders must sign this agreement which is kept in a register.

The changes to the policy include:

- Sections 1(a) and 1(b) have been retained.
- Procedures associated with the use of corporate credit cards that were included in section 1(c) such as conditions of use have been included in a separate Corporate Credit Card Procedure and have also been repeated in the Cardholder Use Agreement.
- Sections 2, 3, 4, 5 and 6 have been retained although the text for section 2 has been simplified, section 4 has been amended to include an Expenditure Authorisation column and section 5 now refers to the Corporate Credit Card Procedure.

After the policy has been approved by Council, all cardholders will be required to sign the Corporate Credit Card – Cardholder Use Agreement which replaces the document that was previously signed by card holders.

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

The policy ensures the Shire complies with the financial related legislation and regulations of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

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

***Community Strategic Plan 2036 (CSP)***

***Corporate Business Plan 2018-2022***

Key Result Area 4: Effective leadership and governance

Outcome 4: Community and customer focus

Strategy 2: Ensure Shire services and processes meet or exceed customer needs and recognised industry standard

#### **PLANNING FRAMEWORK**

Nil

#### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with the approval of this policy. However, adherence to the Credit Card Policy will ensure credit card expenditure is incurred appropriately with controls in place to limit possible fraudulent use.

#### **SUSTAINABILITY IMPLICATIONS**

**Environmental**

Nil

**Social**

Nil

**Economic**

Nil

#### **VOTING REQUIREMENTS**

Simple Majority

#### **RECOMMENDATION**

That Council:

1. Approves the updated Credit Card Policy CCSP 6 as shown in Attachment 1; and
2. Notes the associated Corporate Credit Card Procedure and Corporate Credit Card – Cardholder Use Agreement as shown in Attachment 2 and 3 respectively.

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

Nil

**ATTACHMENTS**

1. CCSP 6 Credit Card Policy
2. Corporate Credit Card Procedure
3. Corporate Credit Card – Cardholder Use Agreement

**RECOMMENDATION / COUNCIL DECISION**

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**CR EARL, CR MELDRUM OM2019/60**

**That Council:**

1. Approves the updated Credit Card Policy CCSP 6 as shown in Attachment 1; and
2. Notes the associated Corporate Credit Card Procedure and Corporate Credit Card – Cardholder Use Agreement as shown in Attachment 2 and 3 respectively.

**CARRIED 6/0**

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**11.4.2 LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING MINUTES - 12 FEBRUARY 2019**

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<b>LOCATION/ADDRESS</b>	Shire of Augusta Margaret River
<b>APPLICANT/LANDOWNER</b>	Shire of Augusta Margaret River
<b>FILE REFERENCE</b>	EMS/3
<b>REPORT AUTHOR</b>	Chris Lloyd, Community Emergency Services Manager
<b>AUTHORISING OFFICER</b>	Andrew Ross, Acting Director Corporate and Community Services

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**IN BRIEF**

- On 12 February 2019, the Local Emergency Management Committee (LEMC) held its quarterly meeting.
- The LEMC Delegates endorsed the Draft Local Risk Summary Report (Local Risk Register) which is attached to this report for Council to adopt.
- Marie Tweedie (Department of Health, Margaret River Hospital) informed delegates of a 'No Notice Bushfire Event' that may impact on the hospital and its normal business activities. The exercise was conducted on 19 December 2018.
- Nathan Hall (Department of Fire and Emergency Services) continued the Power Outage hypothetical exercise with LEMC and identified that there would be a short supply of generators to everyone in the community should one occur.
- James Von Funck (Western Power) gave a presentation detailing the infrastructure within the Shire and presented a likely scenario should the Margaret River Power Station suffer an outage. There was emphasis on community members and businesses to be better prepared by purchasing their own back-up generators rather than reliance on Western Power to supply.
- Department of Fire and Emergency Services have made changes to the Comprehensive Impact Assessment and Transfer of Control documentation to improve the process and better support Local Governments.

**RECOMMENDATION**

That Council:

1. Receives the unconfirmed minutes and attachments of the Augusta Margaret River Local Emergency Management Committee meeting held 12 February 2019;
  2. Notes the Local Risk Assessment Summary Report, as shown in confidential Attachment 2;
  3. Notes the Bushfire Event exercise held by the Margaret River Hospital on 19 December 2019, as shown in confidential Attachment 3; and
  4. Notes the power outage exercise completed by LEMC, as shown in confidential Attachment 4.
- 

**LOCATION PLAN**

Nil

**TABLED ITEMS**

Nil

**BACKGROUND**

The Local Emergency Management Committee meetings are held quarterly on the second Tuesday of the month.

**CONSULTATION AND ADVICE**

**External Consultation**

LEMC delegates

### **Internal Consultation**

Acting Director Corporate and Community Services  
Manager Human and Community Services (Shire Recovery Coordinator)  
Shire of Augusta Margaret River Community Emergency Services Manager  
Ranger Services

### **DISCUSSION / OFFICER COMMENTS**

#### **Finalisation of the Draft Local Risk Summary Report (Local Risk Register)**

The Shire of Augusta Margaret River has been participating in the State Risk Project led by the State Emergency Management Committee (SEMC) and Department of Fire and Emergency Services (DFES). Five of the Shire's top hazards were risk assessed through workshops and the scenarios and results are detailed within the attached report. The intent now is that LEMC review the highest risks and address them by assigning treatments/controls to reduce the risk. The State Government offers rounds of National Disaster Resilience Program (NDRP) funding to assist LEMC's with treating the identified risks. It should be noted that Council and its emergency management stakeholders (LEMC) are not solely responsible for treating the risk(s) as this is a multi-agency effort. These hazards present risk to the entire community and as such all agencies/organisations should work together to reduce the risk of the identified hazards impacting on the community. This process builds better community resilience and strengthens relations.

The SEMC have advised that Councils of other local governments have noted the risk report and for consistency propose the Council of the Shire of Augusta Margaret River also note the report rather than endorse it.

#### **Margaret River Hospital Bushfire Emergency Exercise Presentation**

On Wednesday, 19 December 2018 a No Notice Bushfire Event discussion exercise was conducted at the Margaret River Hospital. The aim of the exercise was to familiarise Margaret River Hospital staff leaders with the plan for a No Notice Bushfire Event.

Some of the issues/learnings identified included:

- Not knowing how long the generators would run for
- Single entry and egress to the hospitals
- Air conditioner maintenance requirements
- Building capacity time to withstand bushfire
- Emergency response plans used to be colour-coded but not anymore
- Listening to ABC 684 – all now have radios
- MOU with relevant transport providers for vulnerable community members
- Margaret River, Collie and Pemberton all participated in these exercises. Will be rolled out to all regional sites
- All staff have been trained to know how to turn oxygen off.

#### **Follow-up from the November Power Outage Hypothetical**

This exercise, which commenced at the November 2018 LEMC meeting, identified there is a shortage of fuel supply for generators due to expected over demand from community members, businesses, farmers, agencies and organisations that would require them during an extended outage. Nathan Hall (DFES) has identified local suppliers of fuel which will be included into the Shire's Local Emergency Management Arrangements.

Other issues identified included:

- Communications i.e. radio towers
- Who has Responsibility of towers? And how long will back up last?

Nathan Hall (DFES) has agreed to share the spreadsheet from the exercise to the LEMC to review and add notes. The intent is that this will be included as a Confidential Attachment in the Local Emergency Management Arrangements.

#### **Western Power Presentation**

James von Funck, from Western Power Emergency Management, gave a detailed presentation to LEMC about their services to the Shire, which included an overview of infrastructure, networks, assets and a likely power outage scenario that could affect this community. There was emphasis drawn on

community members and businesses being better prepared by purchasing their own back-up generators rather than having reliance on Western Power to supply. Western Power will provide support to the highest priority (e.g. Hospital, aged care) however, if they are not notified then they cannot prioritise. Western Power would like the community to notify them of every service outage or issue to allow them to better prioritise and log the issues. Every piece of information received allows them to better fault find and identify the issues/causes much quicker.

Some actions for James that came out of the meeting are as follows:

- James and Vik Cheema (DFES) to discuss liaison point in terms of notification of an incident to Western Power
- James to investigate if households with solar/batteries will have access to power or not during a power outage?

### **Recovery Management - Changes to the Comprehensive Impact Assessment and Transfer of Control (DFES)**

Vik Cheema spoke of the improvements being proposed to the impact assessments process/forms which is focused on streamlining the hand over process between the Incident Management Team or Hazard Management Agency and the Local Government Authority. The transfer of control is when the Local Government Bushfire Service hands over the control of the incident to DFES. This can occur if and when the event is beyond their capabilities, resources and requires State assistance/control. Usually from Level 2 incidents and above. Authorities are required to provide feedback on those proposed.

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

*Section 36(a) Emergency Management Act 2005*

*Section 38(1) Emergency Management Act 2005*

*Sections 41, 42 & 43 Emergency Management Act 2005*

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

***Community Strategic Plan 2036 (CSP)***

***Corporate Business Plan 2018-2022***

Key Result Area 2: Welcoming and inclusive communities

Community Outcome 3: Strong community groups and networks

Strategic Response: Support and value community organisations and volunteers across the region.

Community Outcome 6: Safer Communities

Strategic Response: Enhance the Shire's emergency and disaster management capabilities

### **PLANNING FRAMEWORK**

Nil

### **FINANCIAL IMPLICATIONS**

Nil

### **SUSTAINABILITY IMPLICATIONS**

#### **Environmental**

Preparedness, timing, response and support to local emergencies will reduce any impact on the environment from an emergency situation.

#### **Social**

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

#### **Economic**

An effective LEMC has the potential to reduce the likelihood and consequence of an emergency impacting on economic wellbeing of the local community.

### **VOTING REQUIREMENTS**

Simple Majority

### **RECOMMENDATION**

That Council:

1. Receives the unconfirmed minutes and attachments of the Augusta Margaret River Local Emergency Management Committee meeting held 12 February 2019;
2. Notes the Local Risk Assessment Summary Report, as shown in confidential Attachment 2;
3. Notes the Bushfire Event exercise held by the Margaret River Hospital on 19 December 2019, as shown in confidential Attachment 3; and
4. Notes the power outage exercise completed by LEMC, as shown in confidential Attachment 4.

**ADVICE TO APPLICANT / PROPONENT**

Nil

**ATTACHMENTS**

1. Unconfirmed Local Emergency Management Committee meeting minutes and attachments – 12 February 2019.
2. Final - Local Risk Assessment Summary Report for the Shire of Augusta Margaret River.
3. CONFIDENTIAL: Margaret River Hospital Bushfire Emergency Exercise Presentation.
4. CONFIDENTIAL: Power outage exercise completed by LEMC.

**RECOMMENDATION / COUNCIL DECISION**

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**CR EARL, CR GODDEN OM2019/61**

**That Council:**

1. **Receives the unconfirmed minutes and attachments of the Augusta Margaret River Local Emergency Management Committee meeting held 12 February 2019;**
2. **Notes the Local Risk Assessment Summary Report, as shown in Attachment 2;**
3. **Notes the Bushfire Event exercise held by the Margaret River Hospital on 19 December 2019, as shown in confidential Attachment 3; and**
4. **Notes the power outage exercise completed by LEMC, as shown in confidential Attachment 4.**

**CARRIED 6/0**

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

Nil

**13. MOTIONS FOR CONSIDERATION AT NEXT MEETING**

**13.1 Referral to Parliamentary Committee – Reform of Local Government Act**

Cr Meldrum gave notice of the following motion for consideration at the 11 April 2019 Ordinary Council Meeting:

**MOTION**

That Council notes that the composition of the current policy reference group for the reform of the Local Government Act excludes the public and councillors and:

- a) Requests that the Minister allow councillors not nominated by WALGA and members of the public to become involved at that level; and
- b) When the current process is finalised and legislation drafted, that it be referred to a Parliamentary Committee to allow public hearings and input into the proposed Act.

**14. NEW BUSINESS OF AN URGENT NATURE**

**14.1. Members**

Nil

**14.2. CEO**

Nil

**15. CONFIDENTIAL BUSINESS**

**15.1 Kerbside Collection Service**

**PROCEDURAL MOTION / COUNCIL DECISION**

**CR TOWNSHEND, CR EARL OM2019/62**

**That the meeting go behind closed doors.**

**CARRIED 6/0**

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*Members of the public / press left Chambers at 6.49pm*

**15.1 KERBSIDE COLLECTION SERVICE**

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<b>LOCATION/ADDRESS</b>	Shire of Augusta Margaret River
<b>APPLICANT/LANDOWNER</b>	Shire of Augusta Margaret River
<b>FILE REFERENCE</b>	WST32
<b>REPORT AUTHOR</b>	Ruth Levett, Manager Health Waste & Ranger Services
<b>AUTHORISING OFFICER</b>	Nick Logan, Acting Director Sustainable Development

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*The information contained in this report relates to a contract to be entered into and includes information of a commercial value and is therefore confidential under s5.32 of the Local Government Act.*

**RECOMMENDATION**

That Council:

1. Appoints Cleanaway as the preferred tenderer, and the prices stated in the Confidential Attachment for Alternative 2 utilising Euro 6 vehicles, to be accepted as having presented the most advantageous Offer and best value for money to the Shire; and
2. Delegates authority to the CEO to form the Contract inclusive of any satisfactory contract negotiations and resultant amendments.

**RECOMMENDATION / COUNCIL DECISION**

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**CR EARL, CR MELDRUM OM2019/63**

That Council:

1. **Appoints Cleanaway as the preferred tenderer, for the tendered price of \$1.420M pa for Alternative 2 utilising Euro 6 vehicles, to be accepted as having presented the most advantageous Offer and best value for money to the Shire; and**
2. **Delegates authority to the CEO to form the Contract inclusive of any satisfactory contract negotiations and resultant amendments.**

**CARRIED 6/0**

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**PROCEDURAL MOTION / COUNCIL DECISION**

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**CR GODDEN, CR MELDRUM OM2019/64**

**That the meeting come out from behind closed doors.**

**CARRIED 6/0**

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**16. CLOSURE OF MEETING**

*The Shire President thanked all in attendance and declared the meeting closed at 6.57pm*