Ordinary Council

AGENDA

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

Yours faithfully,

[Signature]

STEPHANIE ADDISON-BROWN
CHIEF EXECUTIVE OFFICER
ATTENTION/DISCLAIMER

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

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13. MOTIONS FOR CONSIDERATION AT NEXT MEETING

14. NEW BUSINESS OF AN URGENT NATURE

14.1 MEMBERS

14.2 CEO

15. CONFIDENTIAL BUSINESS

16. CLOSURE OF MEETING
Ordinary Council Meeting

1. DECLARATION OF OPENING

2. ATTENDANCE

3. DISCLOSURES OF INTEREST

4. PUBLIC QUESTIONS
   4.1. Response to Previous Public Questions Taken on Notice
   4.2. Public Question Time

5. APPLICATIONS FOR LEAVE OF ABSENCE

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING
   6.1 Ordinary Council Meeting held 13 November 2019

7. DEPUTATIONS

8. PETITIONS

9. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

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

11. REPORTS OF COMMITTEES AND EMPLOYEE REPORTS
11.1.
Chief Executive Officer
11.1.1  2020 SCHEDULE OF DATES AND VENUES FOR ORDINARY COUNCIL MEETINGS AND COMMITTEE MEETINGS

LOCATION/ADDRESS  Shire of Augusta Margaret River
APPLICANT/LANDOWNER  Shire of Augusta Margaret River
FILE REFERENCE  GOV/61
REPORT AUTHOR  Claire Schiller, Governance Officer / Council Support
AUTHORIZING OFFICER  Stephanie Addison-Brown, Chief Executive Officer

IN BRIEF

- Currently, Council conducts business through two Ordinary Meetings of Council per month, occurring on the second and fourth Wednesday of each month (with the exceptions of December and January and school holidays).
- The majority of the meetings are held in Margaret River, three meetings are held annually in Augusta.
- Council currently operates three committees.
- In accordance with regulation 12 of the Local Government (Administration) Regulations 1996, at least once each year a local government is to give local public notice of the dates, times and venues at which the Ordinary Council Meetings and Committee meetings are to be held in the next 12 months.

RECOMMENDATION

That Council:
1. Adopts the following schedules of dates, times and venues for 2020:
   a) Ordinary Meetings of Council for 2020;
   b) Augusta Margaret River Audit and Risk Management Committee meetings for 2020;
   c) Augusta Margaret River Local Emergency Management Committee meetings for 2020; and
   d) Augusta Margaret River Bushfire Advisory Committee meetings for 2020.

2. Advertises a public notice of the schedule of dates, times and venues for 2020 for the Ordinary Councils and Committee meetings, in accordance with the Local Government (Administration) Regulations 1996 (r.12 (1)).

LOCATION PLAN
Nil

TABLED ITEMS
Nil

BACKGROUND

Ordinary Meetings of Council
At the Ordinary Meeting of Council held 22 February 2006, Council adopted a schedule for Council meeting times and locations. Council business would be conducted through two Ordinary Meetings of Council per month, occurring on the second and fourth Wednesday of each month (with the exceptions of December and January). The location of meetings would rotate between Margaret River, Cowaramup and Augusta, with the majority held in Margaret River, and two meetings held in both Augusta and Cowaramup.

The 2006 format was amended at the Ordinary Meeting of Council held 12 December 2007, when Council adopted the recommendation to reduce the number of offsite meetings to two per year in Augusta and one per year in Cowaramup.
In March 2009, the decision to change the meeting days for Ordinary Council Meetings from Wednesday to Thursday was adopted by Council. In December 2009, Council resolved to revert the meeting days back to a Wednesday as many local community groups and organisation’s meeting dates are scheduled to occur on a Thursday evening, thus allowing Councillors to participate in those community group meetings.

In November 2017, Council resolved not to hold Ordinary Council meetings or Committee meetings during school holidays in acknowledgement of the caring responsibilities of Councillors, staff and community members, resulting in deletion of the second meeting in April, the first meeting in July and the second meeting in September. Council also resolved to hold one additional meeting each in Augusta and Cowaramup, a total of three in Augusta, and two in Cowaramup. Council also resolved to hold one daytime meeting to encourage student attendance.

In November 2018 Council resolved that meetings no longer be held in Cowaramup due to several occupational health and safety hazards that were identified with use if the Duggan Pavilion.

Committee Meetings
Council currently operates three committees:
- Augusta Margaret River Audit and Risk Management Committee (ARMC)
- Augusta Margaret River Local Emergency Management Committee (LEMC)
- Augusta Margaret River Bush Fire Advisory Committee (BFAC)

The Instrument of Appointment and Delegations for the following Committees determine the number of meetings to be held each year. As such the:
- ARMC shall meet at least three times per year;
- BFAC shall meet on the third Wednesday in February, May, August and November;

The LEMC is established under the Local Government Act 1995, the Emergency Management Act 1995 and the guidance of the State Emergency Management Committee guidelines (Policy 2.5).

CONSULTATION AND ADVICE
External Consultation
Local Government Act 1995
Local Government (Administration) Regulations 1996
Emergency Management Act 1995

Internal Consultation
CEO
Directors
Managers
Committee Meeting Minute Secretaries
Reporting Officers

DISCUSSION / OFFICER COMMENTS
Ordinary Meetings of Council
Currently, Ordinary Meetings of Council are held on the second and fourth Wednesday of each month, with the exceptions of January and December, which each have one meeting only, on the fourth and second Wednesday respectively, and April and July which each have one meeting to allow for no meetings held during the school holidays. The majority of the meetings are held in Council Chambers on Wallcliffe Road, Margaret River. Three meetings are held annually in the Augusta Council Chambers.

Meetings during School Holidays
In adopting the 2018 and 2019 meeting dates, Council resolved not to hold Council or Committee meetings during school holidays in acknowledgement of the caring responsibilities of Councillors, staff and community members. This resulted in deletion of three meetings per year which meant only one meeting held per month in April, July and September, causing a four week gap between meetings. This four week gap has the potential to affect the Shire meeting statutory timeframe requirements.

It is therefore recommended that for the purpose of giving local public notice of the schedules, dates and venues for 2020 Ordinary Council meetings, meetings revert back to being scheduled during the
school holidays. However, meetings during the holidays will only be held if there is a statutory requirement to do so, if there is not, the meeting will be cancelled. For 2020, dates of Council meetings during the school holidays are 22 April 2020 and 8 July 2020. Should either of these meetings, or any scheduled Council or Committee meeting, not be held, local public notice will be given as per Local Government Act 1995 (s5.25(g) and Local Government (Administration) Regulations 1996 (r.12 (2)).

Should Councillors wish to take leave during the school holidays, they can apply for approved leave of absence as per section 2.25 of the Local Government Act 1995 (the Act).

Committee Meetings

ARMC
The ARMC is proposed to meet three times in 2019, on the second Wednesday of March and on the fourth Wednesday of June and October, to coincide with relevant Council reporting deadlines, for example the Statutory Compliance Return, Annual Audit Program and Annual Financial Report.

LEMC / BFAC
The LEMC meetings occur on the second Tuesday of February, May, August and November, the BFAC meetings occur on the third Wednesday of February, May, August and November.

Following adoption of the schedules of dates and venues for 2020 for Ordinary Council and Committee meetings, the dates and venues, as agreed upon, will be advertised in the local paper. The Shire is required to give public notice of any change to the date, time or place of a meeting advertised in the schedules for 2017 (Local Government Act 1995 (s5.25(g) and Local Government (Administration) Regulations 1996 (r.12 (1)).

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

Local Government Act 1995: s.5.3(1)-(2)
(1) A council is to hold ordinary meetings and may hold special meetings.
(2) Ordinary meetings are to be held not more than 3 months apart.

Local Government Act 1995: s5.4
An ordinary or a special meeting of a council is to be held
(a) if called for by either
   (i) the mayor or president; or
   (ii) at least 1/3 of the councillors;
(b) in a notice to the CEO setting out the date and purpose of the proposed meeting; or
(c) if so decided by the council.

Local Government (Administration) Regulations 1996 (r.12 (1a)) (2)
(1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which
   (a) the ordinary council meetings; and
   (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public are to be held in the next 12 months.
(2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2019-2023
Key Result Area 5: Effective leadership and Governance
Community Outcome 1: Responsible ownership of outcomes
Strategy 4: Provide Councillors with high quality and current information and training for effective decision making

The Shire’s Reimbursement of Expenses Policy states that statutory travel costs will be covered in accordance with the Salaries and Allowances Tribunal on Local Government Chief Executive Officers and Elected Members under the Salaries and Allowances Act 1975 Section 7B and a budget line
allocated to Councillor expenses in the annual budget. Councillors’ attendance at Council meetings is to be reported in the Shire’s Annual Report as per the Recording of Councillor Attendance at Meetings Policy.

PLANNING FRAMEWORK
Nil

FINANCIAL IMPLICATIONS
Implications
Incidental travel costs related to travel to and from meeting venues are covered in the Reimbursement of Expenses Policy and designated in the annual budget deliberations.

Long Term Financial Plan
Nil

Whole of Lifecycle considerations
Nil

SUSTAINABILITY IMPLICATIONS
Environmental
Nil

Social
Offsite meetings held in Augusta enhance participation by all community members from all parts of the Shire.

Economic
Nil

ADVOCACY
Nil

ALTERNATE OPTIONS
Nil

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council:
1. Adopts the following Schedules of dates, times and venues for 2020:

   a) Ordinary Meetings of Council for 2020:

<table>
<thead>
<tr>
<th>Month</th>
<th>First meeting of month commencing at 5.30pm</th>
<th>Second meeting of month commencing at 5.30pm</th>
</tr>
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<tbody>
<tr>
<td>JANUARY</td>
<td>N/A</td>
<td>Wednesday 22 (Margaret River)</td>
</tr>
<tr>
<td>FEBRUARY</td>
<td>Wednesday 12 (Margaret River)</td>
<td>Wednesday 26 (Margaret River)</td>
</tr>
<tr>
<td>MARCH</td>
<td>Wednesday 11 (Augusta)</td>
<td>Wednesday 25 (Margaret River)</td>
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<tr>
<td>APRIL</td>
<td>Wednesday 8 (Margaret River)</td>
<td>Wednesday 22 (Margaret River)</td>
</tr>
<tr>
<td>MAY</td>
<td>Wednesday 13 (Margaret River)</td>
<td>Wednesday 27 (Margaret River)</td>
</tr>
<tr>
<td>JUNE</td>
<td>Wednesday 10 (Augusta)</td>
<td>Wednesday 24 (Margaret River)</td>
</tr>
<tr>
<td>JULY</td>
<td>Wednesday 8 July (Margaret River)</td>
<td>Wednesday 22 (Margaret River)</td>
</tr>
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b) Augusta Margaret River Audit and Risk Management Committee meetings for 2020:

<table>
<thead>
<tr>
<th>DATE</th>
<th>VENUE</th>
<th>TIME</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wednesday 11 March</td>
<td>Augusta Council Chambers</td>
<td>4.30pm</td>
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<tr>
<td>Wednesday 24 June</td>
<td>Margaret River Mainbreak Meeting Room</td>
<td>4.30pm</td>
</tr>
<tr>
<td>Wednesday 28 October</td>
<td>Margaret River Mainbreak Meeting Room</td>
<td>4.30pm</td>
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c) Augusta Margaret River Local Emergency Management Committee meetings for 2020:

<table>
<thead>
<tr>
<th>DATE</th>
<th>VENUE</th>
<th>TIME</th>
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</thead>
<tbody>
<tr>
<td>Tuesday 11 February</td>
<td>Margaret River Council Chambers</td>
<td>4:30pm</td>
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<tr>
<td>Tuesday 12 May</td>
<td>Augusta Council Chambers</td>
<td>4:30pm</td>
</tr>
<tr>
<td>Tuesday 11 August</td>
<td>Margaret River Council Chambers</td>
<td>4:30pm</td>
</tr>
<tr>
<td>Tuesday 10 November</td>
<td>Margaret River Council Chambers</td>
<td>4:30pm</td>
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d) Augusta Margaret River Bush Fire Advisory Committee meetings for 2020:

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<th>VENUE</th>
<th>TIME</th>
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<tr>
<td>Wednesday 19 February</td>
<td>Margaret River Council Chambers</td>
<td>6:00pm</td>
</tr>
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<td>Wednesday 20 May</td>
<td>Augusta Council Chambers</td>
<td>6:00pm</td>
</tr>
<tr>
<td>Wednesday 19 August</td>
<td>Margaret River Council Chambers</td>
<td>6.00pm</td>
</tr>
<tr>
<td>Wednesday 18 November</td>
<td>Margaret River Council Chambers</td>
<td>6:00pm</td>
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2. Advertises a public notice of the Schedules of dates and venues for 2020 for the Ordinary Council and Committee meetings, in accordance with the Local Government (Administration) Regulations 1996 (r.12 (1)).

ADVICE TO APPLICANT / PROPOSER
Nil

ATTACHMENTS
Nil
11.1.2 SALE OF 29 (LOT 15) ALLNUT TERRACE, AUGUSTA

LOCATION/ADDRESS 29 (Lot 15) Allnutt Terrace, Augusta

APPLICANT/LANDOWNER Shire of Augusta Margaret River

FILE REFERENCE PTY/1051

REPORT AUTHOR Lauren Bidesi, Senior Legal Officer

AUTHORISING OFFICER Stephanie Adison-Brown, Chief Executive Officer

IN BRIEF
- In March 2011 Council adopted the Land Asset Management Plan (LAMP) that included the action to sell 29 (Lot 15) Allnut Terrace (Site) to better utilise the revenue for the revitalisation of Augusta.
- In March 2012 the Site was listed for sale by public tender through WALGA and no offers were received.
- The Site was listed with the Shire’s agent (First National) in 2013 for $340,000 and was reduced to $320,000 in 2014 at which it has continued to be marketed at until 2017.
- On 23 April 2017 an offer of $240,000 was received for the Site and accepted by Council. However, the offer was subject to finance approval but was not obtained by the purchaser and the contract fell over.
- The Site continued to be listed with the Shire’s agent for $245,000.
- On 19 September 2019 an offer of $245,000 was received for the Site. The offer was subject to due diligence investigations by the purchaser which has been satisfied.
- In September 2019 the Shire sought a valuation from an independent valuer and after the due diligence condition was satisfied gave local public notice of the proposed sale before bringing the matter to Council in accordance with the requirements of the Local Government Act 1995 (LGA).

RECOMMENDATION
That Council:
1. Notes that at the date the agenda was finalised no submissions were received in response to the local public notice of the proposed sale of 29 (Lot 15) Allnut Terrace, Augusta to Southern Capes Pty Ltd;
2. Enters into an agreement for the sale of 29 (Lot 15) Allnut Terrace, Augusta for $245,000 to Southern Capes Pty Ltd and executes all necessary documents;
3. Authorises the affixing of the Shire seal where necessary to execute any agreement or document necessary for the sale of the property; and
4. Authorises funds generated to be placed in the Augusta Revitalisation Fund to be ultimately used for the construction of the Flinders Bay to Lighthouse pathway.

LOCATION PLAN
TABLED ITEMS
Nil

BACKGROUND
The Site
Lot 15 Allnut Terrace, Augusta (Site) is a Shire owned (since 1985) freehold lot located to the eastern side of Allnut Terrace and is within walking distance to the Augusta town centre. The Site comprises a near level block located at road level with good access, diagonally adjacent to the local primary school.

The vacant lot is 1050m² and obtains an inlet and ocean view from ground level. It is anticipated that a superior aspect could be obtained from the upper level of a two level development.

Land Asset Management Plan (LAMP)
The site was originally valued by Hester Property Solutions in 2010 at approximately $400,000 as part of the research into the preparation of the original LAMP report.

In 2011 valuers were engaged to undertake an audit of the Shire’s land holdings and to make recommendations on ways of better managing and capitalising on these land assets. On 11 March 2011 Council at its Special meeting adopted the LAMP including a range of short, medium and long term recommendations for land assets.

In March 2011 Council resolved the following:
“That Council agree to the concept of disposing Lot 15 Allnut Terrace, Augusta, and utilising the revenue for the revitalisation of Augusta”. The Site was identified as an opportunity for future sale and a valuation was subsequently obtained on 28 November 2011 by valuers Opteon (WA) Pty Ltd who valued the property at $340,000.

In March 2012 Council reviewed LAMP and resolved the following:
“That Council supports progression of the previously adopted LAMP actions for the subject land and proceed with the sale of Lot 15 Allnut Terrace Augusta by public tender”. The Site was listed by public tender through WALGA, however no offers were received.

On 11 June 2014 Council adopted a reviewed LAMP that included a number of revised actions. In June 2014 Council further resolved to

“Support continuing efforts to sell Lot 15 Allnut Terrace, Augusta as a priority property to be sold at an appropriate time to contribute towards funding key community projects in the Augusta area”.

On 14 December 2016 as part of the adoption of the 2016 LAMP review, Council resolved to amend the officer recommendation to “take this property off the market until values improves,” and inserted the following:

“1. Obtain a fresh valuation of the property;
2. Continue to list the property for sale; and
3. Retain as a short term priority in LAMP. “

An offer was received in April 2017 for $240,000, the offer was accepted by Council. However, the buyer’s finance failed and the contract fell through in June 2017.

The Site’s Listing and Offer
The Shire engaged real estate agent, First National Augusta, to list the Site for sale on 6 July 2013. It was originally listed for $340,000 with no offers received. On 14 January 2014 the listing price was reduced to $320,000 and no offers were received.

The Site continued to be listed and after the offer for $240,000 on 23 April 2017 fell over, the site was relisted for sale. Current asking price was $245,000. An offer was made of $245,000 (the Offer) from Southern Capes Pty Ltd on 19 September 2019. The offer was subject to ‘diligence’. It has been Shire procedure since 2017 to not give local public notice of the offer and valuation until after an offer becomes
unconditional, In this case Southern Capes Pty Ltd did not advise that due diligence was completed (making the offer unconditional) until 7 November 2019.

The settlement date is listed on the contract for 30 November 2019 (or the next business day) and Southern Capes Pty Ltd have advised that this transaction is part of a multiple property transaction that are all due on that date making the settlement date non-negotiable. As a consequence this report was required to be finalised prior to the completion of advertising. The Shire’s agent has advised that settlement will be able to proceed on agreed date if the offer is accepted by Council on 27 November 2019.

CONSULTATION AND ADVICE
External Consultation
The proposed sale of the Site has been advertised in the Shire’s local public notices in the Augusta Margaret River Times on 8 November 2019. Notice was also published on the Shire’s website and also exhibited on the public notice board at Shire offices and local libraries. The notices included the offer amount, an independent valuation and a call for submissions by the due date, giving at least 2 weeks notice for submissions as required by section 3.58 of the Local Government Act 1995. At the time this report was finalised no submissions had been received, but the time for submissions had not yet closed. Any submission received before the meeting will be presented as an addendum to the report.

Valuation
LMW valuers were engaged to provide a valuation of the Site. A report was provided to the Shire that indicated the market valuation of the Site is within the value range of $225,000 to $245,000.

The report noted:

“This is an average quality, older established residential locality. Surrounding development generally comprises quality single residential housing. The subject street runs parallel with, and is one street west of Blackwood Avenue and the main retail/commercial precinct of Augusta. The rear of the property adjoins land which is part of the IGA supermarket development.”

“The property’s current highest and best use would be as a single residential development site and possibly a duplex development.”

“After analysis of the sales evidence within the Augusta locality, it is my opinion that the subject property has a market value within the range of $225,000 to $245,000. I have adopted a market value of $235,000.”

Internal Consultation
Internal consultation through the LAMP Review Report which includes Legal/Governance, Environmental Health, Community Development, Planning, Assets and Infrastructure teams.

DISCUSSION / OFFICER COMMENTS
The Offer for the Site is $10,000 above the adopted market value in the 2019 valuation, but within $225,000 to $245,000 market range provided in the same valuation.

In relation to the timing of the offer, the Valuation notes that the retail/commercial sector within Augusta has in general been difficult during the last five years with the main factors having been a decrease in tourist numbers, stagnant population growth and difficulties in the local economy which all contribute to the lower cash flow through the town. The residential market has also been slow with values having decreased over the past five years and there being a number of residential properties which have been on the market for an extended period of time.

It is recommended that Council accepts the Offer from The Applicant based on the valuation from LMW dated 11 September 2019. In this valuation it is suggested the value of the Site is within the range of $225,000 to $245,000.

Application of proceeds in the event of sale
In the event that Council resolved to sell the property, it is recommended that the capital realised from the sale be invested in projects in Augusta.
In June 2014 Council considered it more prudent, equitable and effective to use funds from asset sales in coordination with external funding applications and/or direct contribution towards community projects in the town where the asset is located.

This approach, of using LAMP land sale proceeds to fund projects in the locality where the land was sold, has been followed in the most recent sales that have taken place in the Margaret River locality. The Shire will act in the best interests of ratepayers across the region when determining where capital realised from the potential sale of the Site will be invested.

On 11 September 2019 Council resolved (OM2109/183):
…" that should Council approve of and conclude the sale of its freehold block 29 Allnutt Terrace, the funds generated shall be placed in the Augusta Revitalisation Fund to be ultimately used for the construction of the Flinders Bay to Lighthouse pathway".

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

Under section 3.58(3) of the LGA a local government can dispose of property if, before agreeing to dispose of the property —
(a) it gives local public notice of the proposed disposition —
   (i) describing the property concerned; and
   (ii) giving details of the proposed disposition; and
   (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and
(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes.

Under section 3.58(4) of the LGA the details of the proposed disposition that is required by subsection (3)(a)(ii) include—
(a) the names of all other parties concerned; and
(b) the consideration to be received by the local government for the disposition; and
(c) the market value of the disposition —
   (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
   (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2019-2023
Key result area 3: Ensuring sustainable development
Community Outcome 2: Liveable, sustainable and well-design places that are inclusive for all cultures and demographics
Strategic Response: Develop and implement management plans for Shire facilities and projects so they are well designed, sustainable, have aesthetic appeal and are accessible by all
Service Level Strategy/plan: Land Asset Management Plan

PLANNING FRAMEWORK

The Site is zoned Town Centre and the land uses available in the zone will be at the purchaser’s prerogative and may include a single dwelling, grouped dwellings, mixed use, office, or café residential development. Unlike the Margaret River Town Centre zone, other Town Centre Zones in the Shire do not require ground level commercial use on the ground level.

It is not considered good governance for a local government to limit development on a lot through conditions of sale. The appropriate way to control the kind of development allowed on a site would be through the zoning of the land in the Shire’s Local Planning Scheme. Any application for development on the land will be considered with regard to the zoning of the land and other considerations listed in the deemed provisions.
FINANCIAL IMPLICATIONS

Implications
The funds from the Site’s sale shall be placed in the Augusta Revitalisation Fund to be ultimately used for the construction of the Flinders Bay to Lighthouse pathway and the possible extension of Heppingstone view to Allnut Terrace. The property would also become rateable property under the LGA.

Long Term Financial Plan
Included in the long term financial plan.

Whole of Lifecycle considerations
The Shire no longer needs to maintain the vacant Site, which was a nominal cost.

SUSTAINABILITY IMPLICATIONS

Environmental
Nil- vacant land.

Social
The sale and potential development of the Site will increase activity within the town centre and raise funding for community projects and upgrades of other public facilities.

Economic
The capital realised from the sale can then be invested in Augusta, consistent with the Shire’s financial plan.

ADVOCACY
Nil

ALTERNATE OPTIONS
If the Shire were to reject the offer, the property could go back on the market, but given the most recent valuation and the fact that it was publically advertised under the s3.58 requirements, the Shire would be unlikely to receive a better offer in the next 24 months.

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council:
1. Notes that at the date the agenda was finalised no submissions were received in response to the local public notice of the proposed sale of 29 (Lot 15) Allnut Terrace, Augusta to Southern Capes Pty Ltd;
2. Enters into an agreement for the sale of 29 (Lot 15) Allnut Terrace, Augusta for $245,000 to Southern Capes Pty Ltd and executes all necessary documents;
3. Authorises the affixing of the Shire seal where necessary to execute any agreement or document necessary for the sale of the property; and
4. Authorises funds generated to be placed in the Augusta Revitalisation Fund to be ultimately used for the construction of the Flinders Bay to Lighthouse pathway.

ADVICE TO APPLICANT / PROponent
Nil

ATTACHMENTS
1. Valuation by LMV dated 11 September 2019
2. Offer to purchase dated 19 September 2019
11.1.3 **COUNCILLOR MELDRUM ATTENDANCE AT NATIONAL CLIMATE EMERGENCY SUMMIT 14 AND 15 FEBRUARY 2020**

**LOCATION/ADDRESS**  Shire of Augusta Margaret River

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

**FILE REFERENCE**  GOV/15

**REPORT AUTHOR**  Megan Smith, Executive Assistant

**AUTHORISING OFFICER**  Stephanie Addison-Brown, Chief Executive Officer

**IN BRIEF**
- Cr Meldrum has asked to attend the National Climate Emergency Summit being held on 14 and 15 February 2020 by The National Climate Emergency Summit.
- Under Council policy a Councillor is entitled to attend some WALGA, Local Government Professionals, Planning Institute of Australia and other training without requiring a Council decision.
- The Climate Emergency conference does not fall under the above guidelines.
- Cr Meldrum is enrolled in a Diploma of Local Government which will use her training allocation for 2019-2020. The Council decision approving her enrolment was on the basis that any additional training or conferences that she wishes to attend will have to be separately approved by Council.
- The Shire has also been invited to participate in the Summit as a Network Partner at no cost to Council.

**RECOMMENDATION**
That Council:
1. Supports Councillor Meldrum’s attendance at the National Climate Emergency Summit;
2. Approves the use of available funds in the Councillor training budget to pay for the conference registration and other associated travel and meal costs; and
3. Participates in the Summit as a Network Partner.

**LOCATION PLAN**
Nil

**TABLED ITEMS**
Nil

**BACKGROUND**
Cr Meldrum has advised that she would like to attend the National Climate Emergency Summit being held in Melbourne on the 14 and 15 of February 2020.

**CONSULTATION AND ADVICE**

**External Consultation**
National Climate Emergency Summit organisers

**Internal Consultation**
Nil

**DISCUSSION / OFFICER COMMENTS**
The promotion for the conference comprises the following information.

In February 2020, Melbourne will play host to the first National Climate Emergency Summit - a flagship event to inspire and energise the growing movement. The Summit will bring expert practitioners, local governments, climate scientists, community organisations, industry innovators, youth leaders, climate action groups, and high-profile advocates together on a public stage.
The focus of the event will be to help define and align high-level, emergency-scale strategies for safe climate restoration across communities, their governments, environmental and social movements, and the private sector. Thought leaders and changemakers will convene to tackle the critical topics spanning economic, technical and social change dimensions in an effort to chart a course of local action for the climate emergency that can be replicated on a global scale.

With the goal of invigorating collective action and facilitating stronger collaboration, the Summit will deliver a dynamic, integrated program of talks, workshops, panel discussions, debates, networking opportunities, open access collaborative spaces, screenings, performances, and satellite events to activate the city. The program will highlight local councils that have already declared climate emergency and are preparing, or have started, to take steps forward in policy and action. It will also showcase many groups and enterprises who are transforming their work to align with safe climate objectives.

The National Climate Emergency Summit looks to accelerate the momentum of this leading movement and support those who are turning their emergency declarations into emergency level.

The program will cover the topics of Global Climate Emergency, Safe Climate Protection, Super National Transition, and Building Societal Will. No speakers have as yet been confirmed.

The target audience is stated to be changemakers & influencers, Climate Action Groups & Thought Leaders, Influential Activists, Indigenous Voices, Youth Activism Leaders, Environmental & Community NGOs, High-Profile Advocates, Cultural Leaders, Relevant Social Media Influencers, Sector Experts, Industry Leaders & Professionals, Unions & Professional Bodies, Academics & Researchers, Scientists (Climate, Social, Engineering, Ecology, etc.), Marketers, Entrepreneurs, Commercial Enterprise, Journalists & Media, Faith Representatives, Local Councils, State & National Government Officials, Specialised Departments (e.g. Energy, Urban Planning, Waste Management, Tourism, Transportation, Agriculture etc.), independent Attendees - anyone with an interest and a will to learn.

According to Council policy:

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

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

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

Additional Training / Conference Opportunities require Council Approval
Alternatively a Councillor may apply in writing to the CEO to participate in a relevant alternative conference or training program requiring the approval of Council. The CEO will provide a report to Council after assessing the training against the requirements of the training/conference assessment matrix below. A score of fifteen or more will be required to receive a favourable recommendation.

Conference / Training Assessment Matrix

<table>
<thead>
<tr>
<th>Criteria</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Relevance to Councillors’ governance role under LGA, as opposed to officers’ operational role</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Value for Money &amp; Cost/Benefit</td>
<td></td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

18
Alignment with Council’s Strategic Plan and Current Priorities

<table>
<thead>
<tr>
<th>Lack of alternative training opportunities to gain same skills</th>
<th>X</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level of quality networking opportunities with peers</td>
<td>X</td>
</tr>
</tbody>
</table>

Assessment Comments

1. Rated as 3 out of 5 as the program deals with specific actions which would need to be put into place at an operational level but will build understanding of the issues for EMS.

2. Not able to fully rate as the cost of attending the conference is not known. Flights would be approximately $450 (based on current flights which are on sale figures), vehicle costs to travel to Perth and return $504 (based on previous reimbursements), accommodation for four nights $880 (estimate based on $220 per night), meals $200 (based on $50 per day) – a total of $2,054.

3. Alignment with Council’s Corporate Plan 2019-2023. The conference aims are to have the end goal of ensuring a safe climate and maximum protection, by
   - Building widespread recognition and understanding of the full implications of climate threats and loss
   - Achieving commitment to maximum protection for all people species and civilisation
   - Generating support for a global scale social and economic transition at emergency speed and
   - Connecting citizens and organisations across the political spectrum to solutions, allies and actions.

   These aims align with key result area one – valuing, protecting and enhancing the natural environment, key result area three – ensuring sustainable development and key result area four – vibrant and diverse economy, so is rated as 4 out of 5.

4. Rated as 3 out of 5 as there is no other relevant conference in WA other than a one day seminar in Perth in 2020.

5. Rated 3 out of 5 as the conference is aimed at an extremely broad range of stakeholders, and it is not yet clear who from local government will be attending and what the networking opportunities with peers will be.

The Shire has also been invited to participate in the Summit as a Network Partner, which does not involve making a contribution of financial sponsorship.

Network Partners receive:
- Logo display on the Summit website
- Promotion through the Summit’s social channels
- Access to discounted tickets through the Delegate Package, which is designed for councils that would like to participate with a larger team or invite key stakeholders in their jurisdiction to take part in the Summit with them

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS
Nil

STRATEGIC PLAN / POLICY IMPLICATIONS
Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2019-2023
Key result area 5: Effective leadership and governance
Community Outcome 1: Responsible ownership of outcomes
Strategic Response: Provide Councillors with high quality and current information and training for effective decision making

PLANNING FRAMEWORK
Nil

FINANCIAL IMPLICATIONS
Implications
The cost per registration for the event has not yet been set, but registration is likely to be between $1,000 - $2,000. Flights would be approximately $450 (based on current flights which are on sale figures), vehicle costs to travel to Perth and return $504 (based on previous reimbursements), accommodation for four nights $880 (estimate based on $220 per night), meals $200 (based on $50 per day). Total without conference registration $2,054.

Long Term Financial Plan
Nil

Whole of Lifecycle considerations
Nil

SUSTAINABILITY IMPLICATIONS
Environmental
Carbon footprint of flight to Melbourne and return.

Social
Nil

Economic
Nil

ADVOCACY
Nil

ALTERNATE OPTIONS
Nil

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council:
1. Supports Councillor Meldrum’s attendance at the National Climate Emergency Summit;
2. Approves the use of available funds in the Councillor training budget to pay for the conference registration and other associated travel and meal costs; and
3. Participates in the Summit as a Network Partner

ADVICE TO APPLICANT / PROPOSENT
Nil

ATTACHMENTS
1. GL4 Councillor Professional Development
2. Climate Emergency Summit cover letter and prospectus
11.1.4 ARTS MARGARET RIVER AGREEMENT FOR A FINANCIAL CONTRIBUTION TOWARDS ADMINISTRATION

LOCATION/ADDRESS  47 Walcliffe Road, Margaret River WA 6285

APPLICANT/LANDOWNER  Shire of Augusta Margaret River

FILE REFERENCE  PRL/26 VTL/310

REPORT AUTHOR  Stephanie Addison-Brown, Chief Executive Officer

AUTHORISING OFFICER  Stephanie Addison-Brown, Chief Executive Officer

IN BRIEF
- Council at its meeting on 28 August 2019 endorsed the Shire managing the Margaret River HEART venue and authorised the CEO to implement the Governance and Management Model 1.
- Council also authorised the CEO to negotiate any transitional arrangements, including a possible financial contribution to Arts Margaret River (AMR) to subsidise their ongoing operating costs as well as offering in-kind office accommodation within the collaborative workspace of the HEART facility.
- The Shire has allocated appropriate funds in the 2019-20 annual budget to implement the new Governance and Management Model (as detailed in the Council Report OM2019/159).
- Based on financials provided by AMR and comparison with other Shire funding agreements for administration costs, an annual administration contribution of $50,000, indexed to CPI, is recommended.

RECOMMENDATION
That Council approves the attached Agreement for a Financial Contribution towards Administration between the Shire of Augusta Margaret River and Arts Margaret River Incorporated.

LOCATION PLAN
Nil

TABLED ITEMS
Nil

BACKGROUND
Council made the following decision at the Ordinary Meeting of Council on 28 August 2019 (OM2019/159) in relation to the venue management of the Margaret River HEART facility.

That Council:
1. Notes the presentation of this report;
2. Endorses the overall vision and key outcomes as outlined in this report;
3. Endorses, and authorises the CEO to implement the Governance and Management Model 1. a Shire managed venue including: adoption of a Community Culture and Arts Development Fund, the formation of a HEART Reference Group and employment of required staffing;
4. Allocates appropriate funds in the 2019-20 annual budget and Long Term Financial Plan to implement the new Governance and Management Model;
5. Notes that 2019-20 is a transitional year and requests the CEO to prepare a report on the operation of the HEART venue for presentation to Council in June 2020 and June 2021;
6. Thanks Arts Margaret River for the commitment to the delivery of their cultural and arts program throughout the course of their contracted term, and especially during the construction period; and
7. Authorises the CEO to negotiate any transitional arrangements, including a possible financial contribution to Arts Margaret River to subsidise their ongoing operating costs as
well as offering in-kind office accommodation within the collaborative workspace of the HEART facility.

This decision required a number of actions to occur including the employment of staff, implementation of systems, development of processes and procedures, and the formulation of fees and charges for the hire and use of the facility, its spaces, equipment and staff.

CONSULTATION AND ADVICE
External Consultation
AMR – General Manager

Internal Consultation
Senior Legal Officer
Manager Legal and Governance Services
Project Manager HEART
Acting Director Corporate and Community Services

DISCUSSION / OFFICER COMMENTS
Arts Margaret River is a not for profit group that has the following functions:

- To assist the Shire in increasing the number and variety of arts and cultural activities available to the community
- To positively contribute to the well-being of the artistic and cultural nature of the community
- To support the development of arts and cultural groups within the Shire of Augusta Margaret River.

The Shire is the registered proprietor of the land situated at 47 Wallcliffe Road Margaret River, known as the Margaret River HEART (Venue) being a multipurpose visual and performing arts complex. The Venue is subject to a User Agreement with AMR until 31 December 2019 (User Agreement).

The Council of the Shire resolved on 28 August 2019 to:

“...Authorise the CEO to negotiate any transitional arrangements including a possible financial contribution to Arts Margaret River to subsidise their ongoing operating costs”...This Contract will replace the User Agreement and set out the terms and conditions until 31 December 2022. The Shire will manage and operate the Venue and has agreed to provide AMR with a financial contribution for the purpose of assisting with the administration costs for running its office. This administrative financial contribution is not available through other funding means.”

The Financial Contribution provided by the Shire is to be used for the following administrative purposes:

- The salaries and on-costs of AMR administration staff
- Office rent
- Outgoing other than rent under any office lease agreement
- Office consumables.

Reporting requirements will include an annual financial report to be presented to Council, detailing the manner in which the Financial Contribution has been spent, including audited financial statements on the Reporting Dates contained in the Agreement.

AMR will have the ability to attract external funding and funding through the HEART Culture and Arts Grants to support a range of cultural and arts events at the HEART

AMR were offered in-kind office accommodation within the collaborative workspace of the HEART facility but have declined the invitation at this stage.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS
This item is being put before Council for the sake of transparency and accountability. There are no statutory requirements for this item to be taken to Council.

STRATEGIC PLAN / POLICY IMPLICATIONS
Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2019-2023
Key Result Area 2: Welcoming, inclusive and healthy communities
Outcome 2: Sustainable community groups, networks and values
Key Result Area 4: Vibrant and diverse economy
Outcome 2: Sustainable tourism and other local industries
Strategy 1: Work collaboratively with the tourism sector to increase visitor spend and length of stay in the Shire
Service level strategy: Support strategic partnerships and promotion of a full and interesting program of events at the Margaret River HEART
Outcome 3: Infrastructure for economic growth
Strategy 1: Develop major infrastructure to cater for increased residents and visitors
Service level strategy: Priority Project: complete redevelopment of the Margaret River cultural Centre and launch operations for the Margaret River HEART.

PLANNING FRAMEWORK
Nil

FINANCIAL IMPLICATIONS
Implications
Council at its meeting on 28 August 2019 endorsed the allocation of appropriate funds in the 2019-20 annual budget and Long Term Financial Plan (LTFP) to implement the new Governance and Management Model 1.

Long Term Financial Plan
The LTFP will need to be updated with the following to reflect ongoing support of Arts Margaret River: Icon event funding for Readers and Writers Festival ($14,000 allocated in 2019-20).
Community event funding for Arts Margaret River Sundowners ($2,000 allocated in 2019-20)
$50,000 Agreement for a financial contribution towards administration on an annual basis, indexed to CPI.

Whole of Lifecycle considerations
The agreement for financial contribution towards administration will need to be renegotiated at the end of the agreement’s term.

SUSTAINABILITY IMPLICATIONS
Environmental
Nil

Social
A range of social and community development benefits are expected to be derived from the introduction of the new Margaret River HEART venue, and support of AMR with an administration subsidy will have a positive impact on the social fabric of the community.

Economic
Nil

ADVOCACY
Nil

ALTERNATE OPTIONS
Nil

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council approves the attached Agreement for a ‘Financial Contribution towards Administration between the Shire of Augusta Margaret River and Arts Margaret River Incorporated.
ADVICE TO APPLICANT / PROPOSENT
Nil

ATTACHMENTS
1. Agreement for a Financial Contribution towards Administration between the Shire of Augusta Margaret River and Arts Margaret River Incorporated.
11.1.5 AMENDMENT TO DELEGATION OF POWER TO GRANT CONCESSIONS

LOCATION/ADDRESS  Shire of Augusta Margaret River

APPLICANT/LANDOWNER  Shire of Augusta Margaret River

FILE REFERENCE  VTL/130; GOV/40

REPORT AUTHOR  Ian McLeod, Manager Legal Services and Governance, Tanya Jackson, Marketing and Events Officer - HEART

AUTHORISING OFFICER  Stephanie Addison-Brown, Chief Executive Officer

IN BRIEF
- The Shire has an annual funding pool of $50,000 for the purpose of providing in-kind support for commercial events via venue fees and charges waivers at Margaret River HEART.
- The maximum in kind support for any one event is $7,000.
- The existing delegation from Council to the CEO allows a maximum value of any concession, waiver or write off to be $3000, any amount over $3000 currently requires Council approval.
- It is proposed to amend the delegation of the power to grant concessions, waive or write off debts under s6.12 of the Local Government Act 1995 by increasing the maximum value from $3000 to $7000, to allow for circumstances such as approving the provision of in-kind support for commercial events via venue fees and charges waivers at Margaret River HEART, under delegated authority by Council, which will reduce time delays in providing the in-kind support.

RECOMMENDATION
That Council amend its delegation of the power to grant concessions, waive or write off debts under s6.12 of the Local Government Act 1995 by increasing the maximum value from $3000 to $7000.

LOCATION PLAN
Nil

TABLED ITEMS
Nil

BACKGROUND
The Shire has an annual funding pool of $50,000 for the purpose of providing in-kind support for commercial events via venue fees and charges waivers at Margaret River HEART. No cash support is provided to commercial events. Funding is competitive and on some occasions events that met the funding criteria may not be awarded funding. The maximum in kind support for any one event is $7,000.

The Shire has the power to waive fees and charges, grant concessions and write off amounts under s6.12(1)(b)(c) of the Local Government Act 1995. Council has delegated this power to the CEO, but allows for a maximum value of any concession, waiver or write off to be $3000. Any amount over $3000 currently requires Council approval.

The ability to quickly respond to commercial business opportunities that support the activation of Margaret River HEART is considered a critical success factor to the venues successful operations. Promotors and event organisers often approach venues on short-notice and the require confirmation of final venue fees and charges before they will confirm performances. A delay in this process will impede as no cash component is offered as part of the Commercial Grants Stream, the authority to decide and act quickly on fee-waivers is considered low risk.

Best practice internal control procedures are in place for the administration of the grants. A panel of officers will appraise grants and make recommendation to the CEO. Recommendations will be weighed against;
- The HEART Culture & Arts Commercial Grants stream selection criteria including economic impact, media impact and social capacity building;
- Overall competitiveness of grant pool and;
- In consideration of creating a diversified annual program of commercial events for the community

**CONSULTATION AND ADVICE**

**External Consultation**
Nil

**Internal Consultation**
Nil

**DISCUSSION / OFFICER COMMENTS**

It is proposed to amend the delegation from Council to CEO to allow for a maximum value of any concession, waiver or write off to be increased from $3000 to $7000, to allow for circumstances such as approving the provision of in-kind support for commercial events via venue fees and charges waivers at Margaret River HEART, under delegated authority by Council.

The delegation, currently sub-delegated by the CEO to the following officers: Director Infrastructure Services, Director Sustainable Development, Director Corporate and Community Services, Manager Corporate Services, remains unchanged at a maximum value of $3000 (a condition is added in the sub-delegation below confirming the limit is set at $3000).

The relevant delegation from the delegation register (with the proposed deletions shown as struck through and the addition underlined) is extracted below.

### 15. Grant concessions, waive or write off debts

<table>
<thead>
<tr>
<th>Delegator:</th>
<th>Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Power / Duty assigned in legislation to:</td>
<td>Local Government Act 1995:</td>
</tr>
<tr>
<td></td>
<td>s.5.42 Delegation of some powers or duties to the CEO</td>
</tr>
<tr>
<td></td>
<td>s.5.43 Limitations on delegations to the CEO</td>
</tr>
<tr>
<td>Express Power to Delegate:</td>
<td>Power that enables a delegation to be made</td>
</tr>
<tr>
<td></td>
<td>Local Government Act 1995:</td>
</tr>
<tr>
<td></td>
<td>s.6.12 Power to defer, grant discounts, waive or write off debts</td>
</tr>
<tr>
<td>Express Power or Duty Delegated:</td>
<td></td>
</tr>
<tr>
<td>Delegated to:</td>
<td>Chief Executive Officer</td>
</tr>
<tr>
<td>Function:</td>
<td>Power to:</td>
</tr>
<tr>
<td>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</td>
<td>1. Waive an amount of money owed to the Shire [s.6.12(1)(b)];</td>
</tr>
<tr>
<td></td>
<td>2. Grant a concession in relation to money which is owed to the Shire [s.6.12(1)(b)];</td>
</tr>
<tr>
<td></td>
<td>3. Write off an amount of money which is owed to the Shire [s.6.12(1)(c)];</td>
</tr>
<tr>
<td></td>
<td>to a value not exceeding $3000 $7000.</td>
</tr>
<tr>
<td>Council Conditions on this Delegation:</td>
<td>Parts 1 &amp; 2 of this delegation do not apply to an amount of money owing in respect of rates and service charges [s6.12(2)].</td>
</tr>
<tr>
<td>Express Power to Sub-Delegate:</td>
<td>Local Government Act 1995:</td>
</tr>
<tr>
<td></td>
<td>s.5.44 CEO may delegate some powers and duties to other employees</td>
</tr>
</tbody>
</table>

| Sub-Delegated to: | Director Infrastructure Services  
 | by CEO | Director Sustainable Development  
 | | Director Corporate and Community Services  
 | | Manager Corporate Services |
CEO Conditions on this Sub-Delegation:
Conditions on the original delegation also apply to the sub-delegations.

Nil - This delegation only applies to a value not exceeding $3000.

Compliance Links:
Local Government Act 1995 - s.6.12 Power to defer, grant discounts, waive or write off debts
Shire of Augusta Margaret River Financial Assistance Policy

Record Keeping:
Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire’s record keeping database.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS
Section 6.12(1) of the Local Government Act 1995 states:

6.12. Power to defer, grant discounts, waive or write off debts
(1) Subject to subsection (2) and any other written law, a local government may —
(a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
(b) waive or grant concessions in relation to any amount of money; or
(c) write off any amount of money,
which is owed to the local government.
* Absolute majority required.

Only paragraphs (b) and (c) of s6.12(1) are subject to the delegation.

Section 5.42 allows Council to delegate the exercise of any of it’s powers or duties under the Local Government Act 1995 to the CEO, other than the powers mentioned in s5.43. While the power in s6.12(1)(a) is a power in s5.43, the powers in s6.12(1)(b)and(c) are not.

STRATEGIC PLAN / POLICY IMPLICATIONS
Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2019-2023
Key result area 2: Welcoming, inclusive and healthy communities
Community Outcome 2.2: Sustainable community groups, networks and facilities
Strategic Response: 2.2.1: Support and value volunteers and community groups across the region
Service level strategy/plan:

PLANNING FRAMEWORK
Nil

FINANCIAL IMPLICATIONS
Implications
Nil

Long Term Financial Plan
Nil

Whole of Lifecycle considerations
Nil

SUSTAINABILITY IMPLICATIONS
Environmental
Nil

Social
Nil

Economic
Nil

ADVOCACY
Nil

ALTERNATE OPTIONS
Nil

VOTING REQUIREMENTS
Absolute Majority

RECOMMENDATION
That Council amend its delegation of the power to grant concessions, waive or write off debts under s6.12 of the Local Government Act 1995 by increasing the maximum value from $3000 to $7000.

ADVICE TO APPLICANT / PROponent
Nil

ATTACHMENTS
Nil
11.2. Sustainable Development
IN BRIEF

- The purpose of this report is to seek Council’s support to adopt the Shire’s first Public Health Plan.
- Under the Public Health Act 2016, all local governments are to prepare a public health plan that outlines how they will address the public health needs of their local population and work with others to direct resources to areas of public health need.
- The development of a Public Health Plan is a priority project in the Shire’s Corporate Plan 2019-23.

RECOMMENDATION

That Council:
1. Endorses the draft Shire of Augusta Margaret River Public Health Plan 2019-23 at Attachment 1 for the purpose of consultation; and
2. Notes the future budget implications of potential future actions as listed in the plan for the 2020-21 budget.

BACKGROUND

In 2016, the Public Health Act 2016 (the Act) was introduced to provide a modern, flexible and risk-based approach to public health regulation in WA. Under the Act, all local governments are required to develop a public health plan.

The purpose of public health planning is to connect the public health priorities of State and Local Government and to ensure that resources are efficiently targeting the areas of greater public health need. Public health planning aims to be a proactive approach to achieve long-term health and wellbeing outcomes.

The Shire commenced the public health planning process in June 2018 with the allocation of CapeROC funding. CapeROC funds were used to engage a consultant who delivered a local health status report, Collation of Data, Health Status and Determinants of the Shire of Augusta Margaret River, Western Australia in May 2019. This report provided the foundation for the Public Health Plan.

An internal working group was formed in June 2019. This group provided feedback on several drafts. Council provided comment on the draft plan in August 2019. A workshop with external stakeholders was held in October 2019.

The development of a Public Health Plan is a Priority Project in the Community Strategic Plan 2036.
CONSULTATION AND ADVICE
External Consultation

The general community will be invited to comment via the online consultation hub, Your Say following the endorsement of the draft Plan by Council.

Internal Consultation
Representatives from Governance and Marketing, Sport and Recreational Services, Childcare, Environmental Health, Events, Planning and Development Services, Asset Services, Operations, Human Resources (Safety), Waste Services, Community Planning and Development, Library Services, Sustainable Economy, Ranger Services.

Councillors were briefed on progress of the Plan at a concept forum in August 2019.

DISCUSSION / OFFICER COMMENTS
The collation and analysis of local health data highlighted thirteen public health risk areas in our community. Consultation resulted in an informal ranking of the risk areas according to priority and capacity of the Shire to influence outcomes. Consideration was also given to the State Health Plan, and the alignment of priorities.

Three priority areas captured the most important risk areas:

- **Active and healthy lifestyles** – incorporating overweight and obesity, physical activity rates, fruit and vegetable consumption, alcohol consumption, smoking
- **Environmental health and safety in a changing climate** – incorporating environmental health protection, climate change adaptation, injury prevention, road safety
- **Social and mental wellbeing** - incorporating suicide and mental health, health advocacy

Objectives relating to each priority area were used to inform an action plan. The action plan has focused on existing Shire services and activities that contribute to community health and wellbeing. This informal mapping process resulted in the identification of areas where the Shire is positively contributing as well as opportunities for improvement through future actions.

Some key actions and opportunities from the plan:

**Active and healthy lifestyles**
The Shire encourages the community to lead healthy and active lifestyles through the provision of recreation facilities, sporting grounds, parks, pathways, dog exercise areas, cycling and bridle trails and playgrounds. Incorporating evidence-based active design principles and checklists into built environment planning is an opportunity to further promote walking, cycling and active lifestyles. Developing strategies in partnership with others to support local food production will increase opportunities for our community to access secure and healthy food options.

The Shire advocates for support services for drug and alcohol management and is involved in liquor licencing approvals but a further opportunity may involve the development of a Shire-wide Alcohol and Drug Management Plan. This plan would underpin policies and procedures for Shire-owned venues, facilities, services, sponsored events and staff functions. There is a further opportunity to support sporting and other clubs to adopt harm minimisation programs for alcohol and other drugs.

Smoking rates in the region are higher than the WA average. The continuation and expansion of the smoke-free main street initiative and support for a healthy staff taskforce, would demonstrate the Shire’s commitment to reducing tobacco use, the leading risk factor contributing to disease burden and deaths in the south west.

**Environmental health and safety in a changing climate**
Community health and safety is supported by bushfire risk management, water safety strategies, environmental health programs and domestic and family violence advocacy.
The results and recommendations of the Climate Health WA Inquiry, to be released early in 2020 will provide an opportunity for the Shire to address the health-specific implications of climate change.

Social and mental wellbeing
The provision of libraries, support for community events, volunteer support, access and inclusion activities and priority population advocacy all contribute to promote community connectivity. The future Community Resilience Plan will further detail the Shire’s commitment to the social and mental wellbeing of the community.

The plan also acknowledges the vulnerability of priority populations and the commitment of the Shire to the health and wellbeing of its own workforce.

In summary, the Shire of Augusta Margaret River Public Health Plan 2019-23 consolidates and maps Shire activities that contribute to public health and community wellbeing while providing an opportunity to consider, investigate and resource actions in the future.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS
The Shire has developed its first Public Health Plan with consideration given to the requirements in the Act and the core principles of the Community Strategic Plan 2036. According to the Act, local health plans are to align with the objectives of the State Public Health Plan for Western Australia 2019-2024, be evidence-based, and establish objectives and priorities for the promotion, improvement and protection of public health in the local government district.

Under the Act, local governments are to review their public health plans each year and replace them no later than five years after their implementation. The Shire of Augusta Margaret River Public Health Plan 2019-23 meets the requirements of the Public Health Act 2016.

STRATEGIC PLAN / POLICY IMPLICATIONS
Community Strategic Plan 2036 (CSP)
Key result area 2: Welcoming, inclusive and healthy communities
Community Outcome 5, Strategy 1: Promote the benefits of healthy lifestyles and support initiatives to maintain and improve physical and mental health
Community Outcome 5, Strategy 2: Enable high standard recreational facilities and sporting grounds

Community Outcome 6, Strategy 1: Monitor changing public health, mental health, infrastructure and vector control needs in response to changing environment including increasing heatwaves, bushfires and southern movement of diseases such as Ross River Virus
Community Outcome 6, Strategy 2: Lead and partner with other agencies on community safety and regulatory programs for community wellbeing

Corporate Business Plan 2019-2023
Key result area 2, Outcome 6, Strategy 1, Priority project 2.6.1.1: Develop and implement the Public Health Plan to include the core principles of the Community Strategy Plan 2036

PLANNING FRAMEWORK
Nil

FINANCIAL IMPLICATIONS
Implications
Initially, $16,800 of CapeROC funding was used to prepare local health status reports for the City of Busselton and Shire of Augusta Margaret River.

Existing annual business unit budgets cover the core services included in the action plan. Future potential actions identified in the action plan will need consideration in the 2020-21 budget.

Long Term Financial Plan
Potential future actions will need consideration in the Long Term Financial Plan.
Whole of Lifecycle considerations
The Public Health Plan is reviewed annually and replaced every five years.

SUSTAINABILITY IMPLICATIONS
Environmental
The Public Health Plan takes account of, and responds to, the likely impacts of climate change.

Social
The Public Health Plan demonstrates Council’s ongoing commitment to the health and wellbeing of the community. It recognises the importance of Shire core services including the provision of recreation centres, sporting grounds, libraries, trails, dog exercise areas, playgrounds and paths. The social and mental wellbeing of the community is a priority area with strategies aimed at supporting networks, community groups and facilities.

Economic
The Public Health Plan includes a strategy to encourage local food industries production and consumption with associated actions.

ADVOCACY
The Public Health Plan formalises advocacy opportunities in drug and alcohol management and provision of services, local mental health services, domestic and family violence services, community health networks, homelessness and access and inclusion including Aboriginal people, seniors, youth and disabled.

ALTERNATE OPTIONS
Nil

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council:
1. Endorses the draft Shire of Augusta Margaret River Public Health Plan 2019-23 at Attachment 1 for the purpose of consultation; and
2. Notes the future budget implications of potential future actions as listed in the plan for the 2020-21 budget.

ADVICE TO APPLICANT / PROPOSED
Nil

ATTACHMENTS
1. Shire of Augusta Margaret River Public Health Plan 2019-23
11.2.2 SCHEME AMENDMENT NO.63 – STRATA LOTS 3 – 7 OF LOT 300 BLACKWOOD AVENUE, AUGUSTA, FOR INITIATION

LOCATION/ADDRESS  Strata Lots 3 - 7 of Lot 300 Blackwood Avenue, Augusta

APPLICANT/LANDOWNER  Halsall & Associates Town Planning Consultants

FILE REFERENCE  LND/1/63 PTY/10971 PTY/10972 PTY/10973

REPORT AUTHOR  Matt Slocomb, Strategic Planning Officer

AUTHORIZING OFFICER  Dale Putland, Director Sustainable Development

IN BRIEF
• The site consists of five (5) chalets fronting Blackwood Avenue, as well as a backpackers and managers residence located to the rear of the site fronting onto Heppingstone View.
• Under the current scheme provisions, chalets are limited to short term use not exceeding 3 months at a time, and permanent occupation of these buildings is not permitted.
• The proposal is to incorporate an additional use into the Scheme to allow the five chalets to be used permanently (i.e. for periods exceeding three months).
• The site is not identified as a key tourism site in accordance with the Shire’s Local Tourism Planning Strategy (LTPS) and is not considered significant in terms of tourism accommodation supply.
• It is recommended that the amendment be initiated for consultation.

RECOMMENDATION
That Council initiates Amendment 63 to LPS1 for consultation.

LOCATION PLAN

Figure 1: Location Plan
Site and Surrounds
The site is located at the corner of Blackwood and Heppingstone View, in the north of the Augusta Town Centre (refer to Figure 1).

The site is divided into strata lots – Lot 1 located to the western side of the site which contains an existing back packers accommodation and managers residence, and Lots 3 through 7 improved by five (5) short stay units subject of this application. The unit development consists of three double storey two bedroom units and two single storey one bedroom units (see Figure 2 below). Associated parking (denoted in red below) is located to the western side of Lot 2.

The lots are serviced by reticulated sewerage and water.

Figure 2: Site Layout

TABLED ITEMS
Nil

BACKGROUND
The proposal involves the modification of the Shire’s Local Planning Scheme to create a specific tourism designation that would allow for continued short term use of the site and allow for longer term use (i.e. terms of stay exceeding three months) for each unit.

CONSULTATION AND ADVICE
External Consultation
In order to determine the consultation requirements applicable to this amendment, the Planning and Development (Local Planning Schemes) Regulations 2015, require Council to determine whether it is a basic, standard or complex amendment. The regulations outline a definition for each form of amendment. The definition of a standard amendment is set out as follows:

"an amendment that is consistent with a local planning strategy for the Scheme that has been endorsed by the Commission"

The amendment is consistent with the Shire’s Local Planning Strategy, given that the underlying tourism zoning is not proposed to be changed, and as further detailed, the proposal is consistent with the Shires Local Tourism Planning Strategy. As such, it is recommended that Council determine that the subject proposal is a standard amendment. A standard amendment will require public consultation for a period of no less than 42 days.
Internal Consultation
The proposal has been referred to internal departments within the Shire for feedback, with no matters of concern being raised.

DISCUSSION / OFFICER COMMENTS
Rezoning Criteria
The proposal has been considered in respect to the rezoning criteria provided for in the LTPS which is listed as follows:

1. It can be demonstrated that the site no longer has an existing or potential tourism function, and where rezoning of the whole or part of the site for an alternative use is therefore considered appropriate.

The proposal will maintain capability for ongoing tourism function but will provide some flexibility for owners to use or lease the units on a permanent basis. Whilst the applicant has provided evidence of low occupancy and has demonstrated a surplus of alternative forms of accommodation within the town site, the retention of the underlying tourism zoning provides for some flexibility should market conditions change into the future and short term use becomes more favourable.

2. The proponent undertakes an independent supply/demand study to determine whether the site is surplus to demand and appropriate for rezoning.

The applicant provided letters from accountants who have reviewed occupancy rates of the units. The analysis shows some variance between the units annually, with some having an annual occupancy rate of around 50%, with others as low as 18.5%. Of the data provided, the overall annual average is at 36%. Whilst not a direct comparison, the LTPS indicates an annual average occupancy rate of between 53 – 73% for chalet/serviced apartment type development between 2010/11. Whilst it is not possible to directly compare these statistics without considering the broader market conditions, it does give some indication that the chalets do not make a significant contribution to overall supply and is of comparatively small scale in terms of tourism supply.

The applicant has also undertaken analysis of the availability of properties on booking websites ‘Stayz’ and ‘Airbnb’, which has shown that in February 2019 there were 17 – 27 properties unoccupied over this period, not including the Augusta Hotel and Georgiana Molloy Motel. Whilst only a cursory assessment it shows that there is sufficient supply of short stay accommodation within the Augusta town site. In addition, should demand be sufficient these units could be utilised as short stay as requested.

3. Development of surrounding land uses is no longer compatible with tourism development.

The site is surrounded by residential land use, with the exception of a church on the opposite side of Blackwood Avenue. Whilst there is no documented instances of land use conflict occurring with these adjoining uses, the LTPS outlines that ideal tourism sites are located where activities available to guests would not be limited due to possible impacts on the amenity of nearby residents. Surrounding land use does not currently impact continued tourism use, however it would be appropriate to ensure that the potential for internal conflict is managed by the strata body through the strata management statement.

4. The site has not been identified as a key tourism site.

The site is not identified as a key tourism site under the LTPS.

5. Regardless of whether the site is a key tourism site, whether experiential values of a particular site that are important to the local tourism market are able to provided elsewhere.

The key experiential value associated with the site is its views over the Augusta townsite towards the Hardly Inlet and Southern Ocean and foreshore beyond. Whilst this would be classed as an area of tourism interest, there are numerous and more significant tourism developments that provide this experience within the Augusta town centre as well as significant additional opportunities. On this basis if this site was rezoned and used for permanent accommodation it would not represent loss to the tourism market that is incapable of being replaced elsewhere.
6. The site isn’t one a limited number of opportunities to provide for an important component of the tourism market, such as large tourism sites in urban areas.

Given the size and the limited experiential qualities associated with the site it is not considered to represent an important component of the tourism market within Augusta.

7. Rezoning will not result in adverse impacts upon surrounding amenity and land uses.

Use of the site to provide the opportunity for permanent residential purposes will result in a land use consistent with the adjoining land, and in this regard is not anticipated to impact on the amenity of surrounding land uses.

In respect to the backpackers located on adjoining strata lot one, the applicant has proposed to modify the strata management statement to inform residents of the existence of the tourism accommodation on the adjoining lot, and acknowledge that this is a component of the current amenity of the area to reduce the risk of land use conflict. This is proposed to be dealt with through the development application process where a change of use from short term to long term accommodation is sought. A similar approach is proposed to account for a scenario where partial change of the chalets to permanent accommodation occurs, and manage possibility for differing amenity expectations between the two uses.

The specifics of these arrangements for the backpacker’s will need to be informed through consultation with the owner/operator of the adjoining strata lot, taking into account any views they may have on this issue.

8. Rezoning will not result in a significant loss to the tourism market (such as rezoning of a caravan park where it may be the only one within an area of tourism interest).

As outlined above, given the small size and limited experiential qualities associated with the site it is not considered to represent a significant component of tourism market.

9. The alternative use proposed is otherwise consistent with the LPS, in particular the planned settlement hierarchy.

The proposed density is consistent with the other residential properties fronting onto Railway Terrace, will not detract from the settlement hierarchy or result in any significant modification to the built form of the locality.

**Parking**

Different parking requirements apply for either short stay ‘chalet’ use or permanent use of a multiple or grouped dwelling, of which are summarised below:

<table>
<thead>
<tr>
<th>Short Stay Use</th>
<th>Parking Requirement</th>
<th>Bays Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chalet</td>
<td>1 space per chalet plus 1 visitor parking space for every 4 chalets as per Local Planning Scheme No.1</td>
<td>5 bays (1 Per Chalet) 1 visitor bay 6 Total</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Permanent Use</th>
<th>Parking Requirement</th>
<th>Bays Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multiple Dwelling</td>
<td>1.25 bays for dwellings less than 110m² and/or 1 or 2 bedrooms 0.25 visitor bays per unit.</td>
<td>2.5 bays (2 Multiple Dwellings on site) 0.5 bays</td>
</tr>
<tr>
<td>Grouped Dwellings</td>
<td>2 per dwelling</td>
<td>6 bays (3 Grouped Dwellings on site)</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>9 bays</td>
</tr>
</tbody>
</table>

There are 8 bays provided on site for use of the Chalet development, meaning a complete change to permanent use would result in a shortfall of one parking bay.
This would mean that the proposal would require the use of a car bays held in or attributed to the adjoining strata lot, the construction of additional parking on site or a relaxation for a one bay short fall.

This matter will require resolution through the consultation process, with some direction on this matter being incorporated into the scheme text.

**STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**

Nil

**STRATEGIC PLAN / POLICY IMPLICATIONS**

*Community Strategic Plan 2036 (CSP)*

*Corporate Business Plan 2019-2023*

Kay Result Area 3: Managing Growth Sustainably

Community Strategic Plan: Clearly defined areas for growth and renewal

Strategic Response: Implement Local Planning Scheme.

Service level strategy/plan: Provide Planning Services.

**PLANNING FRAMEWORK**

Local Planning Strategy (LPS)

Key policy is found within the Shire’s LTPS, which forms part of the LPS and provides a framework for considering rezoning proposals.

The LPS identifies the site as ‘Mixed Use’ with a R40 density. The mixed use zone in the local planning strategy has translated to a combination of Town Centre, Residential and Tourism zones under the Local Planning Scheme. Given that the underlying tourism zoning applicable to the site is not being changed, and that residential use is a reasonably anticipated component of ‘mixed use’ the proposal is considered to be consistent with the broader direction of the LPS.

**Local Planning Scheme No.1**

The existing tourist accommodation units have been approved for short stay purposes. Should the zoning of the site be amended in the manner requested a future planning application would be required to change the units from short stay to grouped or multiple dwellings to allow for permanent occupation.

An alternative approach would remove the need to obtain a further planning approval. This alternative could provide for both short stay and permanent residential use to occur interchangeably. This could also utilise accepted land use definitions from the scheme and is viewed as a preferable approach for consistency in the scheme and ease of administration. The requirement to amend the strata management statement could be maintained by way of a condition, acting as a precursor to land use, included in the zoning. The form of the amendment has been modified in the recommendation accordingly.

**Local Tourism Planning Strategy (LTPS)**

The Shire’s LTPS sets out the following criteria for the assessment of rezoning from tourism to an alternative zone, and the same considerations are relevant for permanent residential occupation with tourism zones.

1. It can be demonstrated that the site no longer has an existing or potential tourism function, and where rezoning of the whole or part of the site for an alternative use is therefore considered appropriate;
2. The proponent undertakes an independent supply/demand study to determine whether the site is surplus to demand and appropriate for rezoning;
3. Development of surrounding land uses is no longer compatible with tourism development;
4. The site has not been identified as a key tourism site;
5. Regardless of whether the site is a key tourism site, whether experiential values of a particular site that are important to the local tourism market are able to provided elsewhere;
6. The site isn’t one a limited number of opportunities to provide for an important component of the tourism market, such as large tourism sites in urban areas;
7. Rezoning will not result in adverse impacts upon surrounding amenity and land uses;
8. Rezoning will not result in a significant loss to the tourism market (such as rezoning of a caravan park where it may be the only one within an area of tourism interest);
9. The alternative use proposed is otherwise consistent with the LPS, in particular the planned settlement hierarchy.

The assessment against the above criteria is contained in the Discussion section of the report.

**Residential Design Codes**
The proposal will need to demonstrate compliance with the Residential Design Codes, in that the initial proposal and subsequent subdivision were assessed against Tourism zone development standards. This will need to be provided by the applicant with any issues arising through this being addressed via development standards incorporated into the scheme text if necessary.

**FINANCIAL IMPLICATIONS**
**Implications**
Nil

**Long Term Financial Plan**
Nil

**Whole of Lifecycle considerations**
Nil

**SUSTAINABILITY IMPLICATIONS**
**Environmental**
The proposal will result in a small population increase being housed within walking and riding distance of the Augusta Town site.

**Social**
The proposal will result in a small population increase within the immediate locality.

**Economic**
Subdividers will be responsible for the provision of the necessary infrastructure to the newly created lots. It appears there will be negligible economic impact with the removal of the units from the tourism market.

**ADVOCACY**
Nil

**ALTERNATE OPTIONS**
The alternative option in this case is for Council to refuse to initiate the amendment, but in doing so would need to provide clear reasons for taking this position.

**VOTING REQUIREMENTS**
Simple Majority

**RECOMMENDATION**
That Council:
1. In pursuance of Section 75 of the Planning and Development Act 2005, amends Local Planning Scheme No.1 by;
   a) Amending the Scheme maps by applying a ‘Tourism’ (T22) designation to the land;
   b) Inserting the following into Schedule 16:

<table>
<thead>
<tr>
<th>T22</th>
<th>Strata Lots 3, 4, 5, 6 and 7, Lot 300, Blackwood Avenue, Augusta</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The following uses ‘P’ permitted uses within the zone:</td>
</tr>
<tr>
<td></td>
<td>• Serviced Apartments;</td>
</tr>
<tr>
<td></td>
<td>• Grouped Dwellings;</td>
</tr>
<tr>
<td></td>
<td>• Multiple Dwellings;</td>
</tr>
</tbody>
</table>
In addition to uses permitted within the zone the following use is also permitted:

**Tourism — Mixed Use — ‘A’ use**

For this site Tourism — Mixed Use means: A dwelling or dwellings that may be occupied either permanently as a grouped dwelling / multiple dwelling or temporarily for short-stay accommodation.

2. Residential development is permitted at the R40 density.

3. Prior to occupation and where the land is used for any of the permitted uses As a condition of development approval for Mixed Use (allowing permanent use), the applicable strata management statement is to be amended to include requirements relating to the:
   - management and letting of dwellings for short stay use; and
   - relationship / operation between permanent occupation and short-stay use on the same site and the adjoining backpackers / tourism use site.

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2. Determines that the amendment is ‘standard’ under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 given that it is "an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission"

3. Advised the applicant of the following matters needing to be addressed through the consultation process:
   a) Parking shortfall;
   b) Compliance with the Residential Design Codes;
   c) Consultation with the owner/operator of the backpackers on adjoining lot one to ensure appropriate measures are put in place to mitigate risks of land use conflict.

**ADVICE TO APPLICANT / PROPPONENT**

Nil

**ATTACHMENTS**

1. Scheme Amendment Map
11.2.3 VARIATION TO CONTRACT RFQ011906 Provision of Kerbside General Waste, Food Organics and Garden Organics (FOGO) and Recycling Collection Services

<table>
<thead>
<tr>
<th>LOCATION/ADDRESS</th>
<th>41 WALLCLIFFE ROAD, MARGARET RIVER</th>
</tr>
</thead>
<tbody>
<tr>
<td>APPLICANT/LANDOWNER</td>
<td>Shire of Augusta Margaret River</td>
</tr>
<tr>
<td>FILE REFERENCE</td>
<td>WST/35</td>
</tr>
<tr>
<td>REPORT AUTHOR</td>
<td>Jackie Dickson, Waste Education and Project Officer</td>
</tr>
<tr>
<td>AUTHORISING OFFICER</td>
<td>Dale Putland, Director Sustainable Development</td>
</tr>
</tbody>
</table>

IN BRIEF
- On 1 July 2019 the Shire commenced with a mandatory 3 bin kerbside collection service which included the provision of a weekly food organics and garden organics (FOGO) collection, fortnightly landfill collection and fortnightly recycling collection.
- Review of the 3 bin kerbside collection service has identified additional service requirements which were not included in the tender request.
- A proposal for two new kerbside collection categories have been put forward which include a residential tourism 3 bin service and commercial FOGO service.
- A separate report for the approval of fees and charges has been submitted to Council.

RECOMMENDATION
That Council:
1. Approves the proposed variations to contract RFQ 011906 Provision of Kerbside General Waste, Food Organics and Garden Organics (FOGO) and Recycling Collection Services to add four rows in to the Table in Annexure 2 – Contract Price as highlighted below:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Frequency</th>
<th>Price per lift (ex GST)</th>
<th>GST</th>
<th>Price per service (inc GST)</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Waste Collection</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential tourism service – 140L or 240L bins</td>
<td>Weekly</td>
<td>$2.77</td>
<td>$0.277</td>
<td>$3.05</td>
</tr>
<tr>
<td>Additional Holiday service 140L or 240L bins</td>
<td>On request</td>
<td>$1.41</td>
<td>$0.141</td>
<td>$1.55</td>
</tr>
<tr>
<td>Recycling Collection</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Additional Holiday service 240L bins</td>
<td>On request</td>
<td>$2.87</td>
<td>$0.287</td>
<td>$3.16</td>
</tr>
<tr>
<td>Food and Garden Waste Collection</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alternative 1: inclusive of transportation of materials to the Bunbury Harvey Regional Council Banksia Road Organic Processing Facility, processing of organics, disposal and marketing</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial service – 240L bins</td>
<td>Weekly</td>
<td>$2.71</td>
<td>$0.270</td>
<td>$2.98</td>
</tr>
</tbody>
</table>

2. Requires Cleanaway to be advised that the methodology for price calculation in Annexure 2 of the Contract does not apply to the above variation.

LOCATION PLAN
Nil
TABLED ITEMS
Nil

BACKGROUND
On 1 July 2019 the Shire commenced with a mandatory 3 bin kerbside collection service which included
the provision of a weekly food organics and garden organics (FOGO) collection, fortnightly landfill
collection and fortnightly recycling collection for all residential properties located within the defined
kerbside collection routes.

The service has been very successful to date resulting in a decrease of waste to landfill and an increase
in waste diverted from landfill up to 58%, a 38% increase from the previous 2 bin service.
The program has been successful with traditional residential properties who have been able to adjust
to the new service well and are sorting their waste correctly.

There have been requests from the commercial sector and tourism providers to provide additional
service options to accommodate their businesses.

CONSULTATION AND ADVICE
External Consultation
• Consultation with the contractor (Cleanaway Pty Ltd) to determine viability of service and pricing
options.
• Consultation with WALGA to ascertain compliance of the variation request.

Internal Consultation
Consultation with the Revenue, Finance and Legal on the implications of introducing new rates to the
contract.

DISCUSSION / OFFICER COMMENTS
The 3 bin kerbside collection service has been very successful to date resulting in a decrease of waste
to landfill and an increase in waste diverted from landfill up to 58%, a 38% increase from the previous
2 bin service.

3 months into the service a review of the service offerings was conducted internally and took into
consideration customer requests and feedback received from ratepayers following the implementation
of the 3 bin service.

Three additional kerbside collection service categories have been proposed as a result of this review
which have been designed to provide better collection services for the ratepayer.

The residential services in the Contract have been calculated on a set number of services (including
drive-bys) that was provided by the Shire at the time of the request for tender. The proposed variations
are exempt from this price calculation method and will only be applied to properties that have been
approved by the Shire’s Waste Services Officers.

1. Residential Tourism 3 Bin Service
The residential tourism 3 bin kerbside service has been initiated to provide a suitable service offering
for short term accommodation providers whilst ensuring that they are not exempt from the obligation
of sorting household waste into 3 bins imposed upon traditional residential properties.

It was the Shire’s intention to deter people from generating more waste but, for these properties we
believe it would result in greater contaminated waste as they try to fill every bin with any waste type
when the red lid landfill bin is filled.

The availability of the Residential Tourist Service will become critical as the peak tourist season sees
visitor increases and short term accommodation properties increase their turnover.

The higher rate for the service proposed by the contractor has been set to accommodate the sporadic
locations and the time taken to drive to these properties. The varied nature is similar to that of the street
litter bin collection and as such the rate that has been applied for the “off landfill” week is consistent
with that service.
When the service was initially agreed with the contractor the waste services team had only intended to offer the off week service as an additional charge and not introduce a new contract rate for the service as an individual option.

2. Commercial FOGO Collection
   
   In the initial tender negotiations, it was decided that the Shire would not provide a commercial FOGO option as it would be difficult to manage contamination with current resourcing. It was decided that an external provider would be better suited to take on this role as they could offer the relevant training and support to these businesses.

   There has since been a significant amount of feedback from businesses through direct request and the Sustainable Economy Officer that there is an appetite from the business community to see FOGO implemented by the Shire and as such we believe that we are able to provide resourcing to introduce a commercial FOGO service.

   The proposed lift rate for this service is slightly higher than the residential lift rate of $2.09 as the estimated weight and classification of the organic waste from the commercial sector is likely to be higher and therefore attracts an increase in the disposal costs for the contractor.

3. Additional Holiday Collections
   
   The additional holiday collections would provide all properties on the kerbside collection service with an extra landfill bin collection on the week commencing 23 December 2019 and an extra recycling collection on week commencing 30 December 2019.

   The purpose of these additional services is to assist ratepayers with bin collection on the weeks that they are likely to have bin capacity issues due to holiday celebrations and extra visitors. The additional services will also limit illegal dumping in parks and reserves bins and bushland.

   It will be promoted as a gift to the ratepayers, thanking them for their efforts in embracing the new 3 bin service and for the excellent early results and low contamination in the FOGO bin.

   The total cost expected for this financial year is anticipated to be $32,207.00 of unbudgeted expenditure which can be sourced from the waste reserves. The cost per property to offer this service is $4.28 for each of the 7525 properties on the kerbside collection service.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS
Variation to contract

STRATEGIC PLAN / POLICY IMPLICATIONS
Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2019-2023
Key result area 3: Ensuring sustainable development
Community Outcome 4: Sustainable resource use and waste management
Strategic Response 3: Reduce environmental impact of waste and maximise conservation of natural resources
Service level strategy/plan 3.4.3.1: Make waste recovery a priority by implementing practices that support a circular economy, including on-site processing options, returning products to local markets where possible and minimising waste transport

PLANNING FRAMEWORK
Nil

FINANCIAL IMPLICATIONS
Implications
The variations required are new lift rates which have been calculated based on the sporadic location of the properties and assumed weight of the bins.
The proposed rates for the General Waste Collection - Residential tourism service and the Food and Garden Waste Collection - Commercial service will be fully recovered through the service charges passed onto the ratepayer as proposed in the report 11.4.3 Amendment to Fees and Charges.

The Additional holiday service for both General Waste Collection and Recycling Collection is an unbudgeted expenditure.

**Long Term Financial Plan**
The additional holiday services will need to be budgeted for future as if approved it will be an unbudgeted expenditure item.

**Whole of Lifecycle considerations**
The new lift rates provide a more versatile service offerings for residential properties and commercial or tourism businesses, which will assist in diversion of waste from landfill and reduction in illegal dumping.

There will be no significant financial impact overtime as the waste service fees will cover all cost associated with the services.

**SUSTAINABILITY IMPLICATIONS**

**Environmental**
The provision of the additional service offerings will continue to support the removal of organic waste and recyclables from landfill and also provide a disincentive for the illegal dumping of waste in streets and reserve bins.

**Social**
Nil

**Economic**
The lift rates are being proposed to enable a more comprehensive waste service. In some cases the services will provide a significant cost savings for businesses and also follows the circular economy principles.

**ADVOCACY**
Nil

**ALTERNATE OPTIONS**
Refusal

**VOTING REQUIREMENTS**
Simple Majority

**RECOMMENDATION**
That Council:
1. Approves the proposed variations to contract RFQ 011906 Provision of Kerbside General Waste, Food Organics and Garden Organics (FOGO) and Recycling Collection Services to add four rows in to the Table in Annexure 2 – Contract Price as highlighted below:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Frequency</th>
<th>Price per lift (ex GST)</th>
<th>GST</th>
<th>Price per service (inc GST)</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Waste Collection</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential tourism service – 140L or 240L bins</td>
<td>Weekly</td>
<td>$2.77</td>
<td>$0.277</td>
<td>$3.05</td>
</tr>
<tr>
<td>Additional Holiday service 140L or 240L bins</td>
<td>On request</td>
<td>$1.41</td>
<td>$0.141</td>
<td>$1.55</td>
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<tr>
<td>Recycling Collection</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Additional Holiday service 240L bins</td>
<td>On request</td>
<td>$2.87</td>
<td>$0.287</td>
<td>$3.16</td>
</tr>
</tbody>
</table>
Food and Garden Waste Collection

**Alternative 1:** inclusive of transportation of materials to the Bunbury Harvey Regional Council Banksia Road Organic Processing Facility, processing of organics, disposal and marketing

| Commercial service – 240L bins | Weekly | $2.71 | $0.270 | $2.98 |

2. Requires Cleanaway to be advised that the methodology for price calculation in Annexure 2 of the Contract does not apply to the above variation.

ADVICE TO APPLICANT / PROPOSENT
Nil

ATTACHMENTS
Nil
IN BRIEF

- The Shire's Davis Road Waste Management Facility (Facility) is operated under a Department of Water and Environmental Regulation (DWER) licence, accepting up to 20,000 tonnes of solid and putrescible waste per annum.
- On 23 October 2019 DWER approved a licence amendment, allowing for the construction of a new leachate pond and landfill cell (Cell 3).
- The Shire publicly invited tenders to appoint a suitable contractor for the construction of the leachate pond and Cell 3 and as a result received submissions from eight tenderers.

RECOMMENDATION

That Council:
1. Accepts the Tender submitted by Cowara Contractors Pty Ltd as the most advantageous Tender to form a contract, subject to contracting and satisfaction of minor variations;
2. Delegates the formation of the Contract to the CEO subject to the above conditions being met, or if required to enter into negotiation and Contract with the second ranked Tenderer; and
3. Authorises the transfer of funds from the Waste Management Reserve if required to cover any shortfall in funding for these projects.

BACKGROUND

The Shire’s Davis Road Waste Management Facility (Facility) is operated under a Department of Water and Environmental Regulation (DWER) licence, accepting up to 20,000 tonnes of solid and putrescible waste per annum.

The Facility is reaching capacity, and as such the Shire applied to DWER for a licence amendment, allowing for expansion of the Facility. This expansion consists of a new leachate pond and landfill cell.

The Shire previously went out to tender for these construction works in late 2018, however due to delays in obtaining DWER’s approval of the Shire’s licence amendment application, all tenders were necessarily rejected. DWER subsequently granted the licence amendment on 23 October 2019.

The Shire again invited tenders from suitably qualified and experienced parties to provide services for the construction of the new landfill cell and leachate pond. The construction shall be overseen by an external Superintendent, to be engaged under a separate procurement process. This Superintendent will also be responsible for preparing the construction quality assurance report (CQA report) for DWER.
CONSULTATION AND ADVICE

External Consultation
Bowman & Associates Pty Ltd – environmental engineering consultants / waste management specialists

Internal Consultation
Manager Waste, Health and Ranger Services
Coordinator Waste Services
Project and Procurement Officer

DISCUSSION / OFFICER COMMENTS
Nine (9) submissions were received from eight (8) tenderers, as follows:

- BCP Contractors Pty Ltd
- Carbone Bros Pty Ltd
- Comiskey’s Contracting Pty Ltd
- Cowara Contractors Pty Ltd
- Earthmac Pty Ltd
- Leeuwin Civil Pty Ltd
- Raubex Construction Pty Ltd
- WCP Civil Pty Ltd

Tenders were assessed by the evaluation panel against a number of compliance and qualitative criteria, as well as price. The weighting applied to those criteria were as follows:

- Relevant Experience – 15%
- Tenderer’s Resources – 15%
- Key Personnel Skills and Experience – 10%
- Demonstrated Understanding – 20%
- Occupational Safety, Health and Environmental Management – 10%
- Sustainable Local Economic Benefit – 10%
- Price Considerations – 10%

A copy of the tender evaluation report is included as Confidential Attachment 1, and outlines the process and outcomes of evaluation undertaken.

Based on the evaluation undertaken, it is recommended that Cowara Contractors Pty Ltd be awarded the contract for the Davis Road Cell 3 and Leachate Pond Construction.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS
The Davis Road Waste Management Facility operates under a Licence issued by the Department of Water and Environmental Regulation (DWER) in accordance with the Environmental Protection Act 1986. On 23 October 2019, DWER approved a licence amendment, allowing for the construction of a new leachate pond and construction of an additional landfill cell (Cell 3).

The Local Government (Functions and General) Regulations 1996 Part 4 Division 2 Regulation 11(1) requires that tenders are to be publicly invited before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than $150,000.

STRATEGIC PLAN / POLICY IMPLICATIONS
Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2019-2023
Key result area 3: Ensuring sustainable development
Community Outcome 4: Sustainable resource use and waste management
Strategic Response: Reduce raw material use and increase materials and energy recovery
Service level strategy/plan: Manage the Davis Road Waste Facility and the Wallis Road Treatment Plant, including construction of new facilities and plans for relocation
PLANNING FRAMEWORK
Nil

FINANCIAL IMPLICATIONS
Implications
The tendered price exceeds the approved budget of $810,000 for the various Waste Management construction projects as the budget significantly underestimated the impact of the DWER requirements, waste cell lining and construction details for the leachate pond. Should the project cost result in expenditure for the Waste business unit exceeding revenue, additional funding may be required by way of a transfer from the Waste Management Reserve. There is no anticipated impact on rates.

Long Term Financial Plan
The Long Term Financial Plan allows for capital expenditure on the Davis Road Waste Management Facility, to be funded through a combination of municipal funds and reserves.

Whole of Lifecycle considerations
The construction of the new landfill cell and leachate pond is necessary to ensure the Facility's ongoing short-medium term capacity to accept general waste.

SUSTAINABILITY IMPLICATIONS
Environmental
The construction of Cell 3 and the leachate pond is required to ensure the ongoing ability of the Davis Road Waste Management Facility over the medium term whilst further investigating waste management options into the future in line with the Waste Feasibility Study adopted by Council on 14 November 2018 (OM2018/282).

Social
Nil

Economic
The ability of the Shire to continue utilising the Davis Road Facility for general kerbside waste disposal removes the requirement to transport general waste to the nearest alternative waste processing facility, based in Dardanup WA. Carting of waste in such a manner would result in a significantly higher kerbside collection cost, which would be required to be passed on to ratepayers by way of a waste levy increase.

ADVOCACY
Nil

ALTERNATE OPTIONS
Council could choose to reject the recommended Tender and accept a different Tenderer, which could result in the Shire entering into a Contract with a party who does not represent best value for money for the Shire.

Council could choose to reject all Tenders. If this is done and the works do not proceed, it is anticipated that the Facility will within the next few months reach capacity, at which point the kerbside waste collection contractor will be required to transport all general waste to the next nearest facility, located in Dardanup.

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council:
1. Accepts the Tender submitted by Cowara Contractors Pty Ltd as the most advantageous Tender to form a contract, subject to contracting and satisfaction of minor variations;
2. Delegates the formation of the Contract to the CEO subject to the above conditions being met, or if required to enter into negotiation and Contract with the second ranked Tenderer; and
3. Authorises the transfer of funds from the Waste Management Reserve if required to cover any shortfall in funding for these projects.
ADVICE TO APPLICANT / PROPOSENENT
Nil

ATTACHMENTS
1. CONFIDENTIAL Evaluation Report
11.3. Infrastructure Services
11.3.1 RFT 01-20 PROVISION OF HORTICULTURAL SERVICES

**LOCATION/ADDRESS**  
Shire of Augusta Margaret River

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

**FILE REFERENCE**  
COR/389 COR/390

**REPORT AUTHOR**  
Sadie Breslin, Works Project Administration Officer

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

**IN BRIEF**
- On 14 August 2019 the Shire of Augusta Margaret River (Shire) publicly advertised an open tender for RFT 01-20 Provision of Horticultural Services, with the tender period closing at 2pm on 9 September 2019;
- Six (6) submissions were received by the tender deadline, with no late submissions.
- The proposed contract provides for an initial contract term of two (2) years with the Shire reserving the right to exercise a one (1) year contract extension.

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

**LOCATION PLAN**
Nil

**TABLED ITEMS**
Nil

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

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

**CONSULTATION AND ADVICE**

External Consultation
Nil

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

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

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

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

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

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

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

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS
Section 3.57 of the Local Government Act 1995 states:

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

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

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

STRATEGIC PLAN / POLICY IMPLICATIONS
Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2019-2023
Key result area 1: Valuing, protecting and enhancing the natural environment
Community Outcome 3: Healthy forests and natural landscapes
Strategic Response: Proactively manage Shire reserves and provide incentives for weed control, feral animal control and bushland management to extend Shire support for conservation action on private property.

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

PLANNING FRAMEWORK
Nil

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

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

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

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

Social
Supports local businesses.

Economic
Value for money, goods and services.

ADVOCACY
Nil

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

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

VOTING REQUIREMENTS
Simple Majority

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

ATTACHMENTS
1. CONFIDENTIAL Evaluation Report
### 11.3.2 NAMING OF CLASS A RESERVE 18720, MARGARET RIVER

<table>
<thead>
<tr>
<th>LOCATION/ADDRESS</th>
<th>'A Class' Reserve 18720, Margaret River</th>
</tr>
</thead>
<tbody>
<tr>
<td>APPLICANT/LANDOWNER</td>
<td>Shire of Augusta Margaret River</td>
</tr>
<tr>
<td>FILE REFERENCE</td>
<td>RES/18720</td>
</tr>
<tr>
<td>REPORT AUTHOR</td>
<td>Hayley Bain, Senior Environment Landcare Officer; John McKinney, Coordinator Environment and Landcare Services</td>
</tr>
<tr>
<td>AUTHORIZING OFFICER</td>
<td>Markus Botte, Director Infrastructure Services</td>
</tr>
</tbody>
</table>

**IN BRIEF**
- Reserve 18720 is located at the northern entrance to the Margaret River town and has considerable ecological, social and cultural values.
- The Reserve is not formally named, and is referred to informally as ‘A Class’ Reserve.
- Following consultation with Indigenous groups and the Friends of the ‘A Class’ Reserve it is proposed to formally name the reserve ‘Nguraren Kalleep’ in recognition of the reserve’s habitat value for the critically endangered Western Ringtail Possum (Nguraren) and the Wadandi cultural values of the Margaret River.

**RECOMMENDATION**
That Council:
1. Advertises for community comment, the proposal to formally name ‘A Class’ Reserve 18720 as ‘Nguraren Kalleep’, meaning ‘Ringtail Camp’ in Wadandi dialect; and
2. Should there be no significant objections as a result of the community consultation process, prepares a submission to the Geographic Names Committee requesting to name ‘A Class’ Reserve 18720 ‘Nguraren Kalleep’ (pronounced Naren Kah-leap), meaning ‘Ringtail Camp’ in Wadandi dialect.

**LOCATION PLAN**

![Location Plan Image]
TABLED ITEMS
Nil

BACKGROUND
Reserve 18720 is a Class A reserve of 17.7 hectares comprising various cadastral land parcels, and vested in the Shire of Augusta Margaret River for the purpose of ‘Parks and Recreation’. The reserve was originally gazetted in 1924, then vested with the Shire in 1937 and given Class A reservation status in 1949. The reserve is currently unnamed, and referred to informally as ‘A Class’ Reserve.

Reserve values
The ‘A Class’ Reserve includes a section of the Margaret River and its southern foreshores at the entrance to the Margaret River townsite. It is bisected by the road reserve of Bussell Highway. The reserve is a visible entry into Margaret River for traffic travelling from the north. The reserve contains significant environmental, cultural and recreational values. On the western side, the reserve incorporates river and foreshore vegetation that is in very good condition, and provides significant habitat for the critically endangered Western Ringtail Possum. The large area of adjoining remnant vegetation is in excellent condition, and also provides habitat for threatened species, including black cockatoos and ringtail possums.

A series of recreational trails occur in the reserve that provide a link from the townsite to the Wadandi Track, and rain-gardens are located in the south of the reserve that receive and filter stormwater from the CBD before it reaches the river.

On the eastern side, the reserve includes the Rotary Park section of river and foreshore vegetation, which links to the Old Settlement. Rotary Park receives very high levels of visitation from both the local community and visitors to the region.

A Friends Group for the reserve has been in place since 2015 that actively implements actions to enhance the reserve’s values, including weed control and revegetation. Recent efforts have focused on control of sweet pittosporum (Pittosporum undulatum), a significant environmental weed that has been found in the reserve, and the extent, density and impact of this weed have significantly reduced as a result of this effort.

The Margaret River and its foreshore areas are a registered Aboriginal Heritage Site under the Aboriginal Heritage Act 1972, and the Wadandi people have a very long and continuing connection to the river.

Reserve naming
In 2016, the Friends of ‘A Class’ Reserve wrote to the Shire of Augusta Margaret River requesting that the Shire seek to formally name the reserve in recognition of its significant values, and to foster greater community engagement and awareness of the reserve’s unique values and its management. The name ‘Wooditch Maya’ was originally recommended, following discussions between the Friends Group and local Wadandi elders, Mitchella Hutchins and Vivienne Webb, and refers to the Wadandi dreaming story regarding the creation and naming of the Margaret River and means ‘place of our medicine man’.

The Shire of Augusta Margaret River responded to the Friends Group supporting the formal naming of the reserve, but noted that there were some concerns with the similarity to the recently gazetted Wooditjup National Park, and that broader consultation would be required.

Since 2016, the Shire has engaged in ongoing discussions with the Undalup Association and the South West Aboriginal Land and Sea Council (SWALSC) regarding the naming of this reserve. In recognition of the significance of the reserve for Western Ringtail Possums, it was originally proposed to name the reserve ‘Ngwarir Reserve’, which is the Noongar name for this species. The Shire took this name to SWALSC to consider on 11 July 2018, and gained support for this name. Further consultation with Undalup Association later refined the name to ‘Nguraren Kalleep’, meaning ‘Ringtail Camp’, which has been confirmed by Wayne Webb as Undalup’s agreed name, spelling and meaning for the reserve. The difference between Ngwarir and Nguraren reflects the local Wadandi dialect rather than the broader Noongar term for the Western Ringtail Possum.
The Shire has recently consulted with the Friends of ‘A Class’ Reserve and Nature Conservation Margaret River Region, who are supportive of the proposed naming of the ‘A Class’ Reserve.

CONSULTATION AND ADVICE

External Consultation

The Shire of Augusta Margaret River has consulted with the Undalup Association about the naming of reserve 18720 in discussions at various meetings, and has obtained written confirmation of the reserve’s name, spelling and meaning from the Undalup Association on behalf of the Wadandi traditional custodians for the reserve.

The South West Aboriginal Land and Sea Council considered and supported the naming of the ‘A Class’ Reserve at its meeting on 11 July 2018. The original name proposal ‘Ngwarir Reserve’ meaning ‘Ringtail Possum’ was refined during subsequent discussions with Undalup Association to the name to ‘Nguraren Kalleep’, meaning ‘Ringtail Camp’.

The Shire has consulted with the Friends of ‘A Class’ Reserve and Nature Conservation Margaret River Region, who are supportive of the proposed naming of the ‘A Class’ Reserve to ‘Nguraren Kalleep’.

It is proposed to advertise the proposed naming of the reserve for wider community consultation. Local Indigenous families will be contacted individually inviting them to provide comments on the name.

Internal Consultation

Staff from within the Shire’s Environment and Landcare Team and Asset Services Business Unit have been involved in internal discussions on the naming of the ‘A Class’ Reserve.

DISCUSSION / OFFICER COMMENTS

Formally naming the Shire’s ‘A Class’ Reserve recognises the importance of this reserve for its cultural, social and environmental values, provides a sense of identity, and fosters community ownership and stewardship.

The reserve is in a prominent location in Margaret River. It includes the section of the Margaret River and its foreshores, and is visible for traffic entering the townsit from the north. It receives high levels of visitation, with Rotary Park and the Old Settlement immediately adjacent to the reserve on the eastern side of Bussell Highway, and recreational trails on the western side.

The Margaret River and its foreshore areas are a registered Aboriginal Heritage Site under the Aboriginal Heritage Act 1972. Adopting a name gives recognition to the Wadandi people as the traditional custodians of the land. The Wadandi name ‘Nguraren Kalleep’ meaning ‘Ringtail Camp’ recognises the importance of the reserve as habitat for the critically endangered Western Ringtail Possum. The use of traditional names is supported in Western Australia, and is in accordance with Landcorp’s Policies and Standards for Geographical Naming in WA (2017), and with the Shire of Augusta Margaret River’s Infrastructure Policy 3, Naming and Renaming of Roads, Parks, Reserves and Localities.

The formal naming of the Shire’s ‘A Class’ Reserve has been a matter of interest for the local community for several years, and the Shire has been engaged in ongoing discussions on this issue with Nature Conservation Margaret River, the Friends of ‘A Class’ Reserve group, and the Undalup Association. In order to ensure that there is broader community support for the new name, the Shire will advertise the proposal for community consultation. Provided that there are no significant objections, the Shire will submit an application to Landgate to initiate the process of gazetting the name of Reserve 18720.

The naming of parks and reserves does not affect the existing names of watercourses within those reserves, and therefore the river will retain its current name of Margaret River.

Signage will be developed in collaboration with the above groups that identifies the reserve’s new name, and explains it pronunciation and meaning. It is intended that signage will be installed within the large section of the reserve to the west of Bussell Highway.
STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS
The Minister for Lands has the authority for officially naming all local parks and recreational reserves in Western Australia, pursuant to sections 26 and 26A of the Land Administration Act 1997. The Geographic Names Committee provides recommendations to the Minister for Lands on naming matters in WA, and through delegated authority, Landgate acts on behalf of the Minister for Lands to undertake the administrative responsibilities required for the formal approval of names for local parks and recreational reserves.

Local Governments are required to make a submission to the Geographic Names Committee to name a reserve in accordance with Landgate's Policies and Standards for Geographic Naming in WA (2017). Under the Landgate policies and standards, local governments are required to seek support from the local community, including the Aboriginal community, on new name proposals.

STRATEGIC PLAN / POLICY IMPLICATIONS
Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2019-2023
Key result area 1: Valuing, protecting and enhancing the natural environment
Community Outcome 1: Ecology and biodiversity protection
Strategy 3: Consult with Aboriginal people on Indigenous knowledge of land and water management
Action 1.1.3.1: Engage with local Wadandi people on cultural heritage issues and appropriate management of capital, community and environmental projects including approvals as required.

PLANNING FRAMEWORK
Nil

FINANCIAL IMPLICATIONS
Implications
There are no costs associated with making a submission to Landgate for the naming of the reserve.

There will be advertising costs for community consultation which will be allocated to LC25 (Advertising). The cost of developing and installing signage identifying the reserve’s name will be met by Nature Conservation Margaret River Region via external funding.

Long Term Financial Plan
Nil

Whole of Lifecycle considerations
Nil

SUSTAINABILITY IMPLICATIONS
Environmental
Formally naming the ‘A Class’ Reserve ‘Nguraren Kalleeep’, meaning ‘Ringtail Camp’, recognises the importance of the reserve for biodiversity, and particularly in providing habitat for the critically endangered Western Ringtail Possum.

Social
The ‘A Class’ reserve is socially and culturally important to the Margaret River Community. Formally naming the reserve provides opportunity to engage with the community and raise awareness about the environmental, social and cultural importance of the Margaret River and the foreshore areas as well as adjoining forest areas for biodiversity health and wellbeing.

The Margaret River and its foreshore areas are a registered Aboriginal Heritage Site under the Aboriginal Heritage Act 1972. Formally naming the reserve in Wadandi language recognises the very long and continuing connection of Wadandi people to the Margaret River, and will continue to foster their custodianship of this area.

Economic
Formally naming the Shire’s ‘A Class’ Reserve recognises the importance of the Margaret River and the natural environment as being key elements of the Shire’s economic well-being.
ADVOCACY
Nil

ALTERNATE OPTIONS
Nil

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council:
1. Advertises for community comment, the proposal to formally name ‘A Class’ Reserve 18720 as ‘Nguraren Kalleep’, meaning ‘Ringtail Camp’ in Wadandi dialect; and
2. Should there be no significant objections as a result of the community consultation process, prepares a submission to the Geographic Names Committee requesting to name ‘A Class’ Reserve 18720 ‘Nguraren Kalleep’ (pronounced Naren Kah-leap), meaning ‘Ringtail Camp’ in Wadandi dialect.

ADVICE TO APPLICANT / PROPOSPONENT
Nil

ATTACHMENTS
Nil
11.3.3 COWARAMUP BAY COASTAL MANAGEMENT PLAN

LOCATION/ADDRESS  Cowaramup Bay, Shire of Augusta Margaret River
APPLICANT/LANDOWNER  Shire of Augusta Margaret River
FILE REFERENCE  RES/27618
REPORT AUTHOR  Merryn Delaney, Senior Environment Landcare Officer
AUTHORISING OFFICER  Markus Botte, Director Infrastructure Services

IN BRIEF
- In 2018 the Shire commissioned the preparation of the Cowaramup Bay Coastal Management Plan (the Plan) in order to provide a detailed description of the current condition of the coastal foreshore reserve and provide recommendations for management.
- Significant community consultation was undertaken throughout the development of the plan, including letters to the community inviting their input along with individual and group sessions on site.
- The plan includes a series of prioritised recommendations to protect and enhance the ecological, social and cultural values of the reserve, and on-ground actions such as weed and erosion control, revegetation and management of recreation access and sites.
- At the ordinary meeting on 28 August 2019 Council endorsed the Draft Cowaramup Bay Coastal Management Plan to be released for public comment for a period of 21 days.
- Three supportive submissions were received and the Plan is now presented for final adoption.

RECOMMENDATION
That Council endorses the June 2019 Cowaramup Bay Coastal Management Plan prepared by Litoria Ecoservices as presented in Attachment 1.

LOCATION PLAN

TABLED ITEMS
Nil
BACKGROUND
Cowaramup Bay is an iconic and unique part of the Cape to Cape landscape. It has high biodiversity values and is on the edge of the Gracetown town site and surrounded on four sides by National and Marine Parks. The bay is much loved and heavily used by locals and visitors alike.

Cowaramup Bay has been identified by Government agencies and the community as an area for which a plan is required to ensure that recreational usage and visitation is managed to ensure the important and unique environmental, cultural and recreational values of the area are protected and enhanced. Hence, the preparation of the plan was initiated and funded by the Shire of Augusta Margaret River.

The total area covered by the plan encompassed a 1.4 km stretch of the coastal foreshore, approximately 17.8 ha in area and includes five distinct nodes, which are outlined below:

- Zone 1 - South Point/Huzzas;
- Zone 2 - Melaleuca Beach;
- Zone 3 - Swimmers Beach;
- Zone 4 - Cowaramup Brook to the National Park boundary; and
- Zone 5 - Northpoint boat ramp and carpark area.

These zones are shown in the Location Plan. Quotations were sought for a suitably qualified consultant to undertake preparation of the Plan.

CONSULTATION AND ADVICE
External Consultation
The development of this plan was built upon a strong history of community involvement in management of Cowaramup Bay, predominantly through the Gracetown Progress Association. The development of the plan incorporated a range of opportunities for community input and consultation in relation to the content of the plan.

Consultation undertaken during the preparation of the plan included:
- Letter to all Cowaramup Bay residents inviting their input into the plan and invitation to a site walk;
- ‘One-on-one’ conversations with key stakeholders and residents who were identified as having a specific interest in the area;
- Discussions with locals and visitors encountered during site visits;
- Input and comments received during the community site walks held on Saturday the 6 April 2019; and
- Community submissions received during the preparation of the plan.

A site walk was conducted with Undalup Representative Iszacc Webb on 20 February 2019 prior to commencing work on the preparation of the plan.

Subsequently, representatives from the following groups/organisations were contacted:
- Undalup Association Inc;
- Department of Biodiversity Conservation and Attractions;
- Gracetown Progress Association;
- Cowaramup Bay Boardriders;
- Surfing WA;
- Department of Fire and Emergency Services (DFES); and
- Shire Community Access and Inclusion Reference Group

The purpose of the stakeholder consultation was to share and gather information with groups identified as having a specific interest in the area. This included an overview of the plan preparation process, detailing the objectives of the plan and seeking information on relevant values and management issues.

The plan was presented to Council for advertising on 28 August 2019 and was advertised for 21 days.
The consultation phase provided an important insight into the views of the community and feedback was received on year-round usage and issues affecting Cowaramup Bay.

During the public advertisement period, three submissions were received supporting the plan (Attachment 2). Shire Officers also met onsite with some of the members of the Gracetown Progress Association to further discuss and clarify recommendations for the Swimmers Beach carpark area.

**Internal Consultation**

An internal reference group was established at the commencement of the project comprising staff from Environment and Landcare Team in Asset Services, Sustainable Planning and Development Services, Community Emergency Services and Works Business Unit. The group met several times with the consultants during the development of the plan to discuss key issues.

**DISCUSSION / OFFICER COMMENTS**

The development of the plan has provided a good engagement tool enabling many conversations to occur around limestone cliff stability, beach access and community values of Cowaramup Bay. The majority of people engaged in the development process clearly valued the low-key nature of Gracetown and believe this is what sets the area apart from many of the other coastal areas in the district.

The community in Gracetown is actively engaged in coastal management. The Plan will help guide the efforts of volunteers and ensures any works being undertaken are informed via the outcomes of the community consultation process. This is important as volunteers should not be placed in a situation where the work they undertake is being questioned by others in the community.

The Plan will also provide significant guidance and direction for the Shire to better manage the increasing use of the area and it presents as a great tool to inform the community about proposed works.

**STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**

Not applicable

**STRATEGIC PLAN / POLICY IMPLICATIONS**

*Community Strategic Plan 2036 (CSP)*

*Corporate Business Plan 2019-2023*

Key Result Area 1: Valuing, protecting and enhancing the natural environment  
Community Outcome 3: Healthy forests and natural landscapes

Strategy: Proactively manage Shire reserves and provide incentives for weed control, feral animal control and bushland management to extend Shire support for conservation on private land.

Community Outcome 4: Continued Unique and Iconic Coastal Landscapes

Strategy 1: Plan effectively to protect coastal and other key landscapes.

**PLANNING FRAMEWORK**

Not applicable

**FINANCIAL IMPLICATIONS**

Implications

The aim of the management plan is to ensure limited resources are used in the most effective way. The Shire currently commits reserve management funds to weed control, planting and brushing resources to support the work of volunteer events.

The majority of the recommendations within the plan will be undertaken as part of the Shire’s routine works program or funded via the adopted reserve management budget, with the exception of the proposal for improvements to carpark drainage which will require a project capital budget to be assigned.

The recommendation to address the surface stormwater flow entering the cliff risk area at Huzza’s also requires further investigation and a cost estimate. Implementation of works would need to be included into future budgets when the carpark is due to be upgraded or as required following the relevant investigations.
Long Term Financial Plan
Consideration of capital project budget allocations to modify carpark drainage at Huzza’s.

Whole of Lifecycle considerations
Scheduled programmed maintenance, weed and erosion control ensures long term optimised expenditure and reduced capital costs to manage the area.

SUSTAINABILITY IMPLICATIONS
Environmental
Cowaramup Bay has been identified as an important environmental asset. The Plan will guide future actions to protect the health of this bay. It will also provide help to prioritise works and provide resources to where they are most required.

Social
Cowaramup Bay is recognised as being a socially and culturally important place to the community. It provides opportunity for low-key recreational activities such as swimming, surfing, walking, fishing and picnicking and the plan will provide for these activities to continue in a sustainable manner.

Economic
The local beaches and natural environment attracts people to the area and is a key element of the Shire’s economic well-being

ADVOCACY
Nil

ALTERNATE OPTIONS
Not proactively managing the area will likely result in environmental degradation of the area and therefore is not an option. Reactive maintenance and management will also increase costs.

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council endorses the June 2019 Cowaramup Bay Coastal Management Plan prepared by Litoria Ecoservices as presented in Attachment 1.

ADVICE TO APPLICANT / PROONENT
Nil

ATTACHMENTS
2. Summary of Submissions
IN BRIEF
- In 2018 the Shire of Augusta Margaret River commissioned the preparation of the Redman Brook Action Plan (the Plan). The aim of the plan is to guide future management of the brook including landscaping and rehabilitation works.
- Community consultation has been undertaken throughout the development of the Plan, including letters to the community inviting their input along with individual and group sessions on site.
- The Plan includes a series of prioritised recommendations to protect and enhance the values of the reserve, and on-ground actions such as weed and erosion control, revegetation and management of recreation access and sites.
- Approval is now sought to release the draft Redman Brook Action Plan for public comment for a period of 21 days.

RECOMMENDATION
That Council endorses the advertising of the Draft Redman Brook Action Plan for a period of 21 days and report back to Council for adoption.
LOCATION PLAN

Redman Brook

Flinders Bay
TABLED ITEMS
Nil

BACKGROUND
The historic settlement of Flinders Bay is an iconic and unique part of the Augusta Margaret River Shire. The area is highly regarded by the community with a deep sense on ownership by those that live in and around the settlement.

A protection and management plan for Flinders Bay was developed in 2017 which identified broad based recommendations covering Redman Brook. The recommendation was to undertake staged weed control within Redman Brook and landscaping using native species which complement the existing plant species.

This broad recommendation did not provide staff or interested community volunteers with the detail required to confidently undertake work in this area. The creek line contains a mix of ornamental and native species and some weeds of national significance, which require control. It was felt that more detailed planning and consolation was required to determine weed control and landscaping planned to occur in this area over the next five or more years.

There has also been interest from the community to establish a small Friends of Reserve Group that are committed to undertaking on-ground work along the creekline. When a friends group is involved in works on a Shire reserve, it is important to have a good plan in place to guide their actions and ensure the work has the backing of Council.

CONSULTATION AND ADVICE
External Consultation

Community consultation was a key element of the project and important in the development of the management recommendations of the plan.

The preparation of this plan included four elements:
1. Conversations with stakeholders with a key interest in the Redman Brook;
2. Community onsite meeting and field walk;
3. Provision for consideration of written submissions for the community;
4. Formal advertising and public comment period of the draft plan.

Stakeholders contacted in relation to the development of this plan included:
• Shire of Augusta Margaret River - Asset Services, Planning Services and Works Business Unit;
• Friends of Flinders Bay;
• Neighbouring landholders;
• Augusta Land and Coast care;
• Augusta Community Nursery;
• Interested community members;
• Representative of Undalup Association.

The onsite community meeting was held on the afternoon of Saturday 20 April 2019. This meeting was specifically scheduled to coincide with the Easter long weekend and maximise the opportunity for landholders able to attend. The meeting was well attended with over 30 people present and it provided an opportunity for the community to hear about the project and to provide comment, feedback and ideas.

In addition to the feedback received during the site meeting, a number of written submissions were received which provided additional detail or feedback in relation to specific elements within the scope of the Plan.

The draft Plan is now presented to council for formal advertising and a public comment period of 21 days this will allow the community to view the draft Plan and make any final submissions which will be assessed by Shire staff.
Internal Consultation
An internal reference group was established at the commencement of the project comprising staff from Environment and Landcare Team in Asset Services, Sustainable Planning and Development Services, Community Emergency Services and Works Business Unit. The group met several times with the consultants during the development of the plan to discuss key issues.

DISCUSSION / OFFICER COMMENTS
Over 30 residents attended the community site walk and consultation session for the Redman Brook which demonstrated the level of community interest in this area. There were varying opinions on how this area should be managed, with some residents wanting revegetation with only native species and others preferring a mix of native and the ornamental species being retained.

There are some very significant environmental weeds growing in this area including weeds of national significance that cannot be left unchecked. The Plan makes recommendations around removal of the significant environmental weeds and a slow staged approach for weed control and replacement planting in some locations along the creek line.

The long term aim is for an attractive and colourful revegetation project incorporating a mix of native species whilst retaining some ornamental species that can harmoniously coexist and be maintained into the future without resulting in weed invasion or competition that threatens the vitality of native plant species.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS
Not applicable

STRATEGIC PLAN / POLICY IMPLICATIONS
Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2019-2023
Key Result Area 1: Valuing, protecting and enhancing the natural environment
Community Outcome 3: Healthy forests and natural landscapes
Strategy : Proactively manage Shire reserves and provide incentives for weed control, feral animal control and bushland management to extend Shire support for conservation on private land.
Community Outcome 4: Continued Unique and Iconic Coastal Landscapes
Strategy 1: Plan effectively to protect coastal and other key landscapes.

PLANNING FRAMEWORK
Nil

FINANCIAL IMPLICATIONS
Implications
This report is seeking approval to release the draft Plan for public comment. There will be financial implications associated with the implementation of the plan following its adoption, which will be identified in a second report to Council following community consultation period.

Long Term Financial Plan
Nil

Whole of Lifecycle considerations
Scheduled programmed maintenance, weed and erosion control ensures long term optimised expenditure and reduced capital costs to manage the area.

SUSTAINABILITY IMPLICATIONS
Environmental
Flinders Bay is an important environmental asset. The Plan will guide future actions to protect the health of this bay. It will also provide help to prioritise works and provide resources to where they are most required, including the removal of key weed species.

Social
Flinders Bay is recognised as being a socially and culturally important place to the community. It provides opportunity for low-key recreational activities such as swimming, walking, fishing and
picnicking. Redman Brook runs through the middle of the settlement, creates a great visually pleasing environment and enhanced aesthetic appeal of the locality. This is highly valued by those that live and visit the area.

**Economic**
The historical Flinders Bay settlement, local beaches and natural environment attracts people to the area and is a key element of the Shire’s economic well-being.

**ADVOCACY**
Nil

**ALTERNATE OPTIONS**
Not proactively managing the area will likely result in environmental degradation of the area and therefore is not an option. Reactive maintenance and management will also increase costs.

**VOTING REQUIREMENTS**
Simple Majority

**RECOMMENDATION**
That Council endorses the advertising of the Draft Redman Brook Action Plan for a period of 21 days and report back to Council for adoption.

**ADVICE TO APPLICANT / PROPOSER**
Nil

**ATTACHMENTS**
1. Draft Redman Brook Action Plan
11.4.
Corporate and Community Services
11.4.1 LIST OF PAYMENTS FOR SEPTEMBER 2019

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<tr>
<th>LOCATION/ADDRESS</th>
<th>Shire of Augusta Margaret River</th>
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<td>FILE REFERENCE</td>
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<td>REPORT AUTHOR</td>
<td>Belinda Browning, Accounts Payable Officer</td>
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<tr>
<td>AUTHORISING OFFICER</td>
<td>Andrew Ross, Acting Director Corporate Community Services</td>
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IN BRIEF
It is a requirement of the *Local Government (Financial Management) Regulations 1996* that payments made under delegated authority by the CEO are reported to Council on a monthly basis showing details of each account paid since the last such list was prepared.

RECOMMENDATION
That Council notes the September 2019 List of Payments for $3,840,133.98 as certified correct by the Chief Executive Officer.

LOCATION PLAN
Nil

TABLED ITEMS
Nil

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

CONSULTATION AND ADVICE
External Consultation
Nil

Internal Consultation
Nil

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

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

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

In order to improve operational efficiency and reduce costs, the Shire’s Finance team continually liaise with creditors paid by cheque to encourage them to switch to EFT.
SHIRE OF AUGUSTA MARGARET RIVER
ORDINARY COUNCIL MEETING 27 NOVEMBER 2019

TABLE 1 – SUMMARY OF PAYMENTS MADE IN THE MONTH SEPTEMBER 2019

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TABLE 2 – COMPARISON WITH PRIOR YEAR OF PAYMENTS

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STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS
Local Government Act 1995, s 6.10, and
Local Government (Financial Management) Regulations 1996, r 13

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

PLANNING FRAMEWORK
Nil

FINANCIAL IMPLICATIONS
Implications
Nil

Long Term Financial Plan
Nil

Whole of Lifecycle considerations
Nil

SUSTAINABILITY IMPLICATIONS
Environmental
Nil

Social
Nil

Economic
Nil

ADVOCACY
Nil

ALTERNATE OPTIONS
Nil

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council notes the September 2019 List of Payments for $3,840,133.98 as certified correct by the
Chief Executive Officer.

ADVICE TO APPLICANT / PROPOUMENT
Nil

ATTACHMENTS
1. List of Payments for September 2019
IN BRIEF

- The monthly financial activity statement report is a standard financial reporting item prepared in accordance with the provisions of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1996.
- Council is to consider the financial results for the period ending 30 September 2019.

RECOMMENDATION

That Council:
2. Notes the budget amendment proposed for footpath extension works.

BACKGROUND

In accordance with Financial Management Regulation 34 the Shire is to prepare each month a Statement of Financial Activity reporting on the sources and applications of funds, as set out in the annual budget under Financial Management Regulation (1) (d), for that month with the following details:

(a) annual budget estimates;
(b) budget estimates to the end of the month to which the statement relates;
(c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
(d) material variances between the comparable amounts referred to in (b) and (c); and
(e) net current assets at the end of the month to which the statement relates.

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

CONSULTATION AND ADVICE

External Consultation
Nil

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

DISCUSSION / OFFICER COMMENTS
The commentary contained in the body of this report is in line with Financial Management Regulation (2)(b) that requires commentary on material variances to the Statement of Financial Activity at the nature/type, program or business unit level.

The Statement of Financial Activity shows a year to date actual closing position at 30 September of $24.624 million ($1.792 million lower than last month’s result of $26.416 million). This result was higher than the expected year to date budgeted position of $21.866 million. The following details the main reasons for this favourable variation to Budget.

Operating revenue is $0.177 million or 0.6% above budget (last month $0.254 million or 0.9% above budget). The main contributor to this favourable variance is higher than budget fees and charges in the waste area. Offsetting this favourable variance are under budget operating grants due to timing differences and under budget interest received due to lower than budgeted interest rates.

Operating expenditure on a year to date basis is $3.459 million or 34.8% under budget (last month $0.644 million or 12.5% below budget). The main contributing factor is depreciation is $2.340 million under budget as its allocation has been delayed pending the finalisation of the audit of the annual financial report for 2018-19. Other variations include materials and contracts being $0.982 million or 33.4% under budget (last month $0.656 million or 32.3% under budget) with the Asset Services, Community Buildings, Maintenance, Parks and Gardens and Waste areas having the largest variances; and interest being $0.070 million under budget due to a timing different for a loan repayment. Over budget employee expenses of $0.010 million or 0.3% (last month $0.067 million or 2.9% over budget) have partially offset these under budget expenditures.

Grants for capital works are $0.537 million or 31.0% below budget (last month $0.095 million or 13.3% over budget). The main reasons for this variation are the $0.405 million Lotterywest grant for the Cowaramup Hall project has not been submitted as the project is still in progress and the final instalment of $0.720 million for the National Stronger Regions Fund grant for the HEART project will also be submitted after final construction invoices have been received. Over budget developer contributions, an unbudgeted bridge grant to be provided to Main Roads WA and higher than profiled Regional Road Group grant claims offset these under budget items.

Capital expenditure of $1.179 million during the month ($0.394 million last month) compared to the budget for the month of $1.239 million. On a year to date basis capital expenditure is $1.782 million under budget (last month $1.659 million under budget). Optimistic budget profiling has contributed to this variance and other causes include:

- the delayed receipt of construction invoices for the HEART project has resulted in an under budget variance of $0.419 million being recorded for this project;
- building projects such as the Cowaramup Hall, Witchcliffe hall and the Margaret River Recreation Centre fire detection system, are collectively $0.402 million under budget expenditure due primarily to project commencement delays;
- various purchases for the HEART project such as furniture and signage totalling $0.124 million have not occurred in accordance with budget expectations;
- delays with approvals and consultation have contributed to under budget expenditure of $0.183 million for Asset Services;
- the delivery of two items of plant totalling $0.170 million have been further delayed; and
- invoice and project delays as well as the deferral of the chalet project to May 2020 have contributed to caravan park works being $0.617 million under budget.

Capital expenditure for the month included:

- $46,360 to upgrade the Margaret River youth precinct hall;
- $703,751 for various building projects with the majority being the July invoice for the HEART project and the balance for the Cowaramup Hall and Augusta Lions Memorial Park toilet.
- $152,371 on various parks and gardens projects with the Lower Western Playing Field being the main item of expenditure;
- $162,077 on road related projects of which $14,322 was spent on infrastructure upgrade projects and $147,755 was spent on infrastructure renewal projects. Drainage, the Margaret River main street upgrade, asphalt overlays and the Rosa Glen Road reconstruction project were the main areas of expenditure.
Financial performance against budget are shown in the following charts.

Liquidity Comparison

Net Operating Result - YTD Budget vs Actual

Operating Revenue - YTD Budget vs Actual
Following is the Statement of Financial Activity for the year ending 30 September 2019.

Non Operating Revenue - YTD Budget vs Actual

Operating Expenditure - YTD Budget vs Actual

Capital Expenditure - YTD Budget vs Actual
<table>
<thead>
<tr>
<th>Business Units</th>
<th>2019-20 Last Year Actual</th>
<th>2019-20 Approved Budget</th>
<th>2019-20 Amended Budget</th>
<th>Month of Sep 2019</th>
<th>2019-20 YTD Budget</th>
<th>2019-20 YTD Actual</th>
<th>Variance &gt;10% &amp; &gt;$10,000</th>
</tr>
</thead>
</table>

**Revenues from Operating Activities**

<table>
<thead>
<tr>
<th>Category</th>
<th>2019-20 Last Year Actual</th>
<th>2019-20 Approved Budget</th>
<th>2019-20 Amended Budget</th>
<th>Month of Sep 2019</th>
<th>2019-20 YTD Budget</th>
<th>2019-20 YTD Actual</th>
<th>Variance &gt;10% &amp; &gt;$10,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property and Services</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Services</td>
<td>209,423</td>
<td>207,895</td>
<td>207,895</td>
<td>106,050</td>
<td>203,130</td>
<td>211,350</td>
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<tr>
<td>Caravan Parks</td>
<td>2,105,517</td>
<td>2,091,140</td>
<td>2,091,140</td>
<td>67,350</td>
<td>218,840</td>
<td>232,347</td>
<td></td>
</tr>
<tr>
<td>Maintenance</td>
<td>17,598</td>
<td>17,598</td>
<td>17,598</td>
<td>17,598</td>
<td>17,598</td>
<td>17,598</td>
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</tr>
<tr>
<td>Construction</td>
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<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td></td>
</tr>
<tr>
<td>Corporate Services</td>
<td>92</td>
<td>92</td>
<td>92</td>
<td>92</td>
<td>92</td>
<td>92</td>
<td></td>
</tr>
<tr>
<td>Libraries</td>
<td>13,122</td>
<td>13,122</td>
<td>13,122</td>
<td>13,122</td>
<td>13,122</td>
<td>13,122</td>
<td></td>
</tr>
<tr>
<td>Planning &amp; Development Services</td>
<td>302,003</td>
<td>47,000</td>
<td>47,000</td>
<td>11,152</td>
<td>22,354</td>
<td>20,354</td>
<td></td>
</tr>
<tr>
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<td>47,000</td>
<td>11,152</td>
<td>22,354</td>
<td>20,354</td>
<td></td>
</tr>
<tr>
<td>Operations Costs</td>
<td>1,588,339</td>
<td>1,588,339</td>
<td>1,588,339</td>
<td>1,588,339</td>
<td>1,588,339</td>
<td>1,588,339</td>
<td></td>
</tr>
<tr>
<td>Revenue</td>
<td>35,164,013</td>
<td>34,365,971</td>
<td>34,365,971</td>
<td>730,202</td>
<td>27,948,164</td>
<td>28,125,125</td>
<td>176,961</td>
</tr>
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</table>

**Expenditure from Operating Activities**

<table>
<thead>
<tr>
<th>Category</th>
<th>2019-20 Last Year Actual</th>
<th>2019-20 Approved Budget</th>
<th>2019-20 Amended Budget</th>
<th>Month of Sep 2019</th>
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<td>17,598</td>
<td></td>
</tr>
<tr>
<td>Construction</td>
<td>10,000</td>
<td>10,000</td>
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<td>10,000</td>
<td></td>
</tr>
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</tr>
<tr>
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<td></td>
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<td>27,948,164</td>
<td>28,125,125</td>
<td>176,961</td>
</tr>
</tbody>
</table>
SHIRE OF AUGUSTA - MARGARET RIVER
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDING 30 September 2019

BUSINESS UNITS

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
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<tr>
<td></td>
<td>Last Year</td>
<td>Approved</td>
<td>Amended</td>
<td>Month of</td>
<td>YTD</td>
<td>Actual</td>
</tr>
<tr>
<td></td>
<td>Budget</td>
<td>Budget</td>
<td>Sept</td>
<td>Budget</td>
<td>YTD</td>
<td>&gt;10% &amp; $10,000</td>
</tr>
<tr>
<td>Depreciation on assets</td>
<td>9,379,885</td>
<td>9,361,200</td>
<td>9,361,200</td>
<td>0</td>
<td>2,340,300</td>
<td>(2,340,300)</td>
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<tr>
<td>(Profit)/Loss Asset Disposal</td>
<td>1,172,199</td>
<td>22,540</td>
<td>22,540</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>10,552,084</td>
<td>9,383,740</td>
<td>9,383,740</td>
<td>2,340,300</td>
<td>(2,340,300)</td>
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</tbody>
</table>

Operating activities excluded from Budget

<table>
<thead>
<tr>
<th></th>
<th>2019-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Depreciation on assets</td>
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</tr>
<tr>
<td>(Profit)/Loss Asset Disposal</td>
<td>1,172,199</td>
</tr>
<tr>
<td></td>
<td>10,552,084</td>
</tr>
</tbody>
</table>

Amount attributable to operating activities

<table>
<thead>
<tr>
<th></th>
<th>2019-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Depreciation on assets</td>
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</tr>
<tr>
<td>(Profit)/Loss Asset Disposal</td>
<td>1,172,199</td>
</tr>
<tr>
<td></td>
<td>10,552,084</td>
</tr>
</tbody>
</table>

INVESTING ACTIVITIES

Non Operating Grants & Contributions

<table>
<thead>
<tr>
<th></th>
<th>2019-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Fire &amp; Emergency Services</td>
<td>549,244</td>
</tr>
<tr>
<td>Waste Services</td>
<td>170,000</td>
</tr>
<tr>
<td>Planning &amp; Development Services</td>
<td>491,111</td>
</tr>
<tr>
<td>Community Buildings</td>
<td>3,047,825</td>
</tr>
<tr>
<td>Parks and Gardens</td>
<td>355,407</td>
</tr>
<tr>
<td>Asset Services</td>
<td>9,000</td>
</tr>
<tr>
<td>Construction</td>
<td>1,785,252</td>
</tr>
<tr>
<td>Other Property &amp; Services</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>6,387,793</td>
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</tbody>
</table>

Capital Investment

<table>
<thead>
<tr>
<th></th>
<th>2019-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Purchase Land Held for Resale</td>
<td>0</td>
</tr>
<tr>
<td>Purchase Land and Buildings</td>
<td>(8,734,576)</td>
</tr>
<tr>
<td>Purchase Infrastructure Assets - Other</td>
<td>(2,840,620)</td>
</tr>
<tr>
<td>Purchase Infrastructure Assets - Assets</td>
<td>(4,417,864)</td>
</tr>
<tr>
<td>Purchase Plant and Equipment</td>
<td>(2,203,704)</td>
</tr>
<tr>
<td>Purchase Furniture and Equipment</td>
<td>(309,806)</td>
</tr>
<tr>
<td>Proceeds from Disposal of Assets</td>
<td>1,049,015</td>
</tr>
<tr>
<td>Proceeds from Sale of Land Held for Resale</td>
<td>381,192</td>
</tr>
<tr>
<td></td>
<td>(17,684,352)</td>
</tr>
</tbody>
</table>

Amount attributable to investing activities

<table>
<thead>
<tr>
<th></th>
<th>2019-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Purchase Land Held for Resale</td>
<td>0</td>
</tr>
<tr>
<td>Purchase Land and Buildings</td>
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<tr>
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<td>(309,806)</td>
</tr>
<tr>
<td>Proceeds from Disposal of Assets</td>
<td>1,049,015</td>
</tr>
<tr>
<td>Proceeds from Sale of Land Held for Resale</td>
<td>381,192</td>
</tr>
<tr>
<td></td>
<td>(17,684,352)</td>
</tr>
</tbody>
</table>

FINANCING ACTIVITIES

<table>
<thead>
<tr>
<th></th>
<th>2019-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Repayment of Debentures</td>
<td>(853,961)</td>
</tr>
<tr>
<td>Repayment of Leases</td>
<td>(2,840,620)</td>
</tr>
<tr>
<td>Advances to Community Groups</td>
<td>(40,000)</td>
</tr>
<tr>
<td>Proceeds from New Loan</td>
<td>500,000</td>
</tr>
<tr>
<td>Proceeds from Sale of Land Held for Resale</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>(1,683,515)</td>
</tr>
</tbody>
</table>

Amount attributable to financing activities

<table>
<thead>
<tr>
<th></th>
<th>2019-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Repayment of Debentures</td>
<td>(853,961)</td>
</tr>
<tr>
<td>Repayment of Leases</td>
<td>(2,840,620)</td>
</tr>
<tr>
<td>Advances to Community Groups</td>
<td>(40,000)</td>
</tr>
<tr>
<td>Proceeds from New Loan</td>
<td>500,000</td>
</tr>
<tr>
<td>Proceeds from Sale of Land Held for Resale</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>(1,683,515)</td>
</tr>
</tbody>
</table>

Net Current Assets Surplus (Deficit)

<table>
<thead>
<tr>
<th></th>
<th>2019-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Investments</td>
<td>(37,726,365)</td>
</tr>
<tr>
<td></td>
<td>(37,726,365)</td>
</tr>
</tbody>
</table>

Investments

At 30 September 2019 the Shire's cash on hand, deposits and investments totalled $37,726,365 (an increase of $7,769,044 to last month's total of $29,957,321). Total investment interest earned for the year was $144,990 and did not achieve the budget of $190,200. The recent decisions of the Reserve Bank to reduce the cash reference rate (0.75% at 1/10/19) have impacted the Shire's ability to achieve its interest on investments projections which were based on a historically higher interest rate.

Term Deposits – Cash Management

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

Term Days Maturity Institution (ADI) Principal $ Interest Rate Interest $
182 2/4/20 24/20 Bendigo Bank 1,000,000 2.45% 24,567
270 10/12/19 Bankwest 1,500,000 2.50% 27,740
365 10/4/20 National Australia Bank 2,500,000 2.45% 61,250
365 17/7/20 NAB 1,500,000 1.85% 27,750
365 8/5/20 National Australia Bank 1,500,000 2.36% 35,400
150 3/10/19 Bankwest 1,500,000 2.20% 35,400
180 12/2/20 Bankwest 4,000,000 1.65% 63,248
180 4/3/20 Bankwest 2,000,000 1.65% 32,548
180 11/3/20 National Australia Bank 5,000,000 1.72% 42,411
20,500,000 281,502
During the month the following changes occurred to term deposits:

- A term deposit of $2 million with Bankwest matured on 6/9/19 and was rolled over for 6 months at 1.65% (previous interest rate was 2.70%).
- A term deposit of $5 million with National Australia Bank matured on 13/9/19 and was rolled over for 6 months at 1.72% (previous interest rate was 2.70%).

The average rate of interest to be paid on all of the term deposits is 2.09% (last month 2.32%).

The Shire also has an Overnight Cash Deposit Facility (OCDF) with WA Treasury Corporation (WATC) which is used to hold the Royalties for Regions funds allocated for the main street redevelopment project. The South West Development Commission are a joint signatory for this facility. During the month interest of $4,323 was earned and the current balance of the investment is $5.541 million. At 30 September 2019 the rate of interest earned on this facility is 0.95% and is set at 5 basis points lower than the Reserve Bank’s cash reference rate.

In-Kind Support
At 30 September 2019 fee waivers, donations and financial assistance sponsorships totalled $9,255 and included $7,300 of sporting sponsorships and $1,955 of fee waivers.

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

**Budget Amendments**
A minor budget amendment is to take effect from October 2019. The amendment has no impact upon the budgeted closing position and the details are disclosed in the following table.

<table>
<thead>
<tr>
<th>Job</th>
<th>Description</th>
<th>Approved Budget</th>
<th>Revised Budget</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>PXN017</td>
<td>Blackwood Avenue, Bakery path</td>
<td>15,000</td>
<td>5,000</td>
<td>Further consultation required, job will be limited to design only</td>
</tr>
<tr>
<td>PXN018</td>
<td>Blackwood Avenue, Museum path</td>
<td>15,000</td>
<td>25,000</td>
<td></td>
</tr>
</tbody>
</table>

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

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

**PLANNING FRAMEWORK**
Nil

**FINANCIAL IMPLICATIONS**
Implications
The overall financial performance of the Shire is as summarised in this report.

**Long Term Financial Plan**
Nil

**Whole of Lifecycle considerations**
Nil

**SUSTAINABILITY IMPLICATIONS**
*Environmental*
Nil

*Social*
Nil

*Economic*
As stated in the report.

**ADVOCACY**
Nil
ALTERNATE OPTIONS
Nil

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council:
4. Notes the budget amendment proposed for footpath extension works.

ADVICE TO APPLICANT / PROPOSED
Nil

ATTACHMENTS
1. Monthly Financial Report consisting of:
   a. Notes to and forming part of the Statement of Financial Activity
   b. Financial Reports by Business Units
11.4.3 AMENDMENT TO 2019-20 FEES AND CHARGES

LOCATION/ADDRESS 41 Walcliffe Rd, Margaret River
APPLICANT/LANDOWNER Shire of Augusta Margaret River
FILE REFERENCE FIN/357
REPORT AUTHOR Vicki Scott, Coordinator Revenue and Customer Service
AUTHORISING OFFICER Andrew Ross, Acting Director Corporate and Community Services

IN BRIEF
- Council adopted the 2019-20 Fees and Charges at the Ordinary Meeting of Council 22 May 2019 (OM2019/89).
- Waste Services have introduced new fees and charges for Residential/Tourist Accommodation properties.
- Under S6.16 of the Local Government Act 1995 (the Act), Council may impose or amend the fees and charges from time to time during a financial year.
- Council is requested to note the amended fees as contained within this report.

RECOMMENDATION
That Council approves the 2019-20 Waste fees and charges detailed below to be issued for public notice and implementation after the period of public notice has concluded:

<table>
<thead>
<tr>
<th>Property Charges - Residential/Tourist Accommodation</th>
<th>COA.IE JOB.CC.ET WK</th>
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<tr>
<td>General Waste 240L weekly</td>
<td></td>
<td>Regulatory</td>
<td>N</td>
<td>0.00</td>
<td>564.00</td>
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</tr>
</tbody>
</table>
LOCATION PLAN
Nil

TABLED ITEMS
Nil

BACKGROUND
The fees and charges are set prior to the adoption of the annual budget so implementation is effective from the beginning of the financial year to match the timing of cost increases with revenue.

The annual fees and charges for 2019-20 were adopted by Council at the Ordinary Council Meeting of 22 May 2019 and a minimum of 14 days local public notice was provided for its intention to impose the 2019-20 fees and charges from 1 July 2019.

Waste Service fees were introduced on 1 July 2019 including the new residential 3 bin system. Amendments have been made to Waste charges for properties being used for Residential/Tourist Accommodation such as Short Stay Accommodation, Holiday Houses, Bed n Breakfast and other Tourism uses to manage the waste requirements of these properties.

CONSULTATION AND ADVICE
External Consultation
Nil

Internal Consultation
Manager Waste Services

DISCUSSION / OFFICER COMMENTS
Waste Services have reviewed the Waste Charges implemented on 1 July 2019 due to tourist accommodation venues such as bed and breakfasts, short stay accommodation and holiday houses wanting to order additional services. The current fees and charges don't allow the Shire to offer these services other than through the additional residential service which is very expensive. It was the Shire’s intention to deter people from generating more waste but, for these properties we believe it would result in greater contaminated waste as they try to fill every bin with any waste type. The availability of the Residential/Tourist Accommodation services will become critical as the warm weather sets in and bookings increase.

Local public notice of the change to the Fees and Charges will be given in the local newspaper.

The following table provides details of the amended fees and charges for Waste services.

<table>
<thead>
<tr>
<th>Property Charges - Residential/Tourist Accommodation</th>
<th>COA.IE</th>
<th>JOB.CC.ET</th>
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83
SHIRE OF AUGUSTA MARGARET RIVER  
ORDINARY COUNCIL MEETING 27 NOVEMBER 2019

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Regulatory</th>
<th>N</th>
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STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

LG Act section 6.16 – Imposition of fees and charges

(3) Fees and charges are to be imposed when adopting the annual budget but may be —

(a) imposed* during a financial year; and

(b) amended* from time to time during a financial year.

* Absolute majority required.

LG Act section 6.17 refers to setting level of fees and charges.

LG Act section 6.19 refers to Local government to give notice of fees and charges.

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2019-23
Key Result Area 5: Effective leadership and governance
Community Outcome 5.2: Effective and integrated strategy, planning, financial and asset management

PLANNING FRAMEWORK
Nil

FINANCIAL IMPLICATIONS
Implications
Revenue generated from fees and charges contribute over 40% of the Shire’s annual operating revenue and along with property rates are the Shire’s main own source revenue items. Revenue obtained from fees and charges are a vital component of the overall 2019-20 budget and the Shire’s Long Term Financial Plan.

It is estimated the additional revenue to be obtained will be in the order of $40,000. However, as the fee is set on a cost recovery basis it will be largely offset by the additional expenditure for the collection of the waste bins.

Long Term Financial Plan
Nil

Whole of Lifecycle considerations
Nil

SUSTAINABILITY IMPLICATIONS
Environmental
Revenue generated from fees and charges is utilised by the Shire to carry out work, which impact on the environment. There is continued demand for these activities. The introduction of these specific fees and charges should result in positive environmental outcomes with respect to reducing contamination of waste.

Social
Revenue generated from fees and charges is utilised by the Shire to support a range of Community oriented activities which impact on the social fabric of the Community.

Economic
Revenue generated from fees and charges are a vital component of the overall 2019-20 budget without them the Shire would be financially unviable.

ADVOCACY
Nil

ALTERNATE OPTIONS
Nil

VOTING REQUIREMENTS
Absolute Majority

RECOMMENDATION
That Council approves the 2019-20 Waste fees and charges detailed below to be issued for public notice and implementation after the period of public notice has concluded:

<table>
<thead>
<tr>
<th>Property Charges - Residential/Tourist Accommodation</th>
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### Additional General Waste
240L green lid - where kerbside collection service is provided (per service per week)

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0.00 308.00

### Additional FOGO - 240L lime green lid where kerbside collection service is provided (per service per week)

0.00 180.00

### Additional Recycling - 240L yellow lid - Where kerbside collection service is provided (per service per fortnight)

1WA950.77  Regulatory  N  0.00  76.00

### Property Charges - Commercial

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<th>COA,IE</th>
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</tr>
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**ADVICE TO APPLICANT / PROPOSENT**

Nil

**ATTACHMENTS**

Nil
11.4.4 VALUATION AND RATING ORDER

LOCATION/ADDRESS  No 115 Lot 101 Rowe Rd, Witchcliffe

APPLICANT/LANDOWNER  Shire of Augusta Margaret River

FILE REFERENCE  FIN/28, PTY/12807

REPORT AUTHOR  Vicki Scott, Coordinator Revenue and Customer Service

AUTHORIZING OFFICER  Andrew Ross, Acting Director Corporate and Community Services

IN BRIEF
- The property at No 115 Lot 101 Rowe Rd, Witchcliffe (115 Rowe Rd, Witchcliffe) has a land area of 2.2202 hectares (ha) and was created on Plan 417055.
- The current differential rating category of the land is “UV Rural” and valued on an Unimproved Value (UV).
- The primary use of the land is residential although it is located in a rural zone.
- Policy CCSP2 Shire Rating endorsed by Council on 24 November 2017 (OM2017/296) outlines the administrative processes in applying differential rates on properties in the Rural Zones with a land area of less than 5 hectares.
- The Department of Local Government Sporting and Cultural Industries (DLGSCI) Rating Policy – Valuation of Land (s6.28) LG Act 1995 requires Council to approve the Valuation and Rating Order and the information contained within this report is to support the Application to the Minister.

RECOMMENDATION
That Council approves changing the rating basis of the property at No 115 Lot 101 Rowe Rd, Witchcliffe on P417055, from an Unimproved Valuation to a Gross Rental Valuation effective from 1 July 2019.

LOCATION PLAN
TABLED ITEMS
Nil

BACKGROUND
The property at No 115 Lot 101 Rowe Rd, Witchcliffe is a new land parcel created effective from 11 June 2019 as a result of the conservation subdivision of Lot 2810 Rowe Rd, Witchcliffe.

The property is zoned General Agriculture and has a land area of 2.2202 hectares.

Policy CCSP2 Shire Rating outlines the administrative processes in applying differential rates to properties in the UV Rural zones, which fall under the land area size of 5 hectares.

The primary use of the land is residential (single dwelling/shed) and bushland. As the predominant use of the land is non-rural it is recommended an application to change the rating basis of the land from Unimproved Valuation (UV) to Gross Rental Valuation (GRV) be submitted to the Minister of Local Government.

CONSULTATION AND ADVICE
External Consultation
Owners of 115 Rowe Rd, Witchcliffe
DLGSCI Operational Guidelines – Number 02 Changing Methods of Valuation of Land
DLGSCI Rating Policy Valuation of Land (s.6.28)

Internal Consultation
N/A

DISCUSSION / OFFICER COMMENTS
The property at 115 Rowe Rd, Witchcliffe was created on 11 June 2019 as the result of a subdivision approval granted by the Shire on 20 May 2019. The original land parcel at Lot 2810 Rowe Rd, Witchcliffe (45.1322 ha) was subdivided into two lots being Lot 101 (2.2202 ha) and Lot 102 (42.912 ha).

The zoning of the land is Priority Agriculture and the rating basis of the original land parcel at Lot 2810 Rowe Rd, Witchcliffe was UV with the differential rating category of ‘UV Rural’ applied.

Policy CCSP2 Shire Rating objectives are to implement an easy to understand rating policy for all properties within the Shire of Augusta Witchcliffe and to provide for fair and equitable rating with administrative efficiency in its application.

The owners of the property were advised in writing on 9 September 2019 of the Shire and DLGSCI Policy and processes required to change the rating basis of the property and the steps to be undertaken to complete the change in rating basis process. The owners were requested to complete and return a Land Use declaration Form, which was received on 1 October 2019. The owners declared the Property was used for ‘rural purposes’, a rural purpose means a purpose pertaining to agriculture, and agriculture
is defined to mean the use or cultivation of land for any purpose of husbandry or horticulture, including the raising of livestock and the growing of crops.

Planning application P216127 for conservation subdivision was received on 1 April 2016 and was approved by the Shire on 20 May 2019. Shire Policy LPP16 ‘Subdivision for Conservation supports the limited creation of additional allotments in the General Agriculture and Priority Agriculture Zones in the following situations:

a. Where a lot contains 30 hectares or greater of remnant vegetation in ‘Good’ or better condition, the creation of one additional lot; or

b. Where a lot contains 20 hectares or greater of remnant vegetation in ‘Very Good’ or better condition the creation of one additional lot, providing the lot contains one of the following:

- Threatened Ecological Community/Communities;
- Declared Rare Flora;
- Priority Flora
- Poorly represented vegetation, with a minimum of 4 hectares of Poorly Represented Vegetation in any 20 hectares or greater total of vegetation;
- Native vegetation that is located within a Regional Environmental Corridor.

The property at 115 Rowe Rd, Witchcliffe falls under the land area of 5 hectares and the following definition is applied to ensure the consistent and equitable application of differential rating across the Shire for all properties under 5 hectares in Rural Zones.

5 hectares or less (General GRV): predominantly used for rural-residential lifestyle opportunities with very limited rural use or deemed to be of a size that would require activities of a non-rural purpose to provide economic sustainability, then a GRV differential rate will apply to the whole property, as determined by the Shire’s differential rating categories.

The predominant land use of the property at 115 Rowe Rd, Witchcliffe is a single dwelling/shed and bushland, and the primary use of the land has been determined, as ‘non-rural’. It is therefore recommended the Shire make application to the Minister to change the rating basis from UV to GRV.

Changing methods of valuation of land
The DLGSCI guidelines outline the role of a local government, which is to ensure rating principles of the LG Act are correctly applied to rateable land within the district such that rural land is rated on its UV and non-rural land is rated on its GRV and the Shire has the necessary systems and procedures in place to:

- Identify and record any changes in land use;
- Review the predominant use of land affected by significant land use changes; and
- Ensure timely applications for the Minister’s approval.

The Minister is to determine the method of valuation of land to be used by a local government as the basis for a rate and in determining the method of valuation of land to be used by a local government the Minister is to have regard to the general principles that the basis for a rate on any land is to be –

- Where the land is used predominantly for rural purposes, the unimproved value of the land; and
- Where the land is used predominantly for non-rural purposes, the gross rental value of the land.

Ministerial Approval
DLGSCI Rating Policy Valuation of Land (s.6.28) February 2015 requires local governments requesting approval to change the basis of rates to complete a formal Application Form with the following attachments:

1. Map clearly showing the affected land;
2. Communication with landowners/ratepayers;
3. Copies of any objections that have been received;
Conclusion
The land area, primary land use and associated characteristics for the property have been reviewed and it has been determined the predominant use of the land is non-rural. It is recommended Council support the request to change the rating basis of the property from UV to GRV and make application to the Minister for Local Government.

Once the Minister has made their determination under s6.28 LG Act and if approval is granted, the Shire will apply the differential rating category of ‘residential’. This rating methodology ensures that the Shire applies a consistent and equitable rating approach to all properties with the same uses.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS
Local Government Act 1995
Section 6.28 Basis of Rates
(1) The Minister is to —

(a) determine the method of valuation of land to be used by a local government as the basis for a rate; and

(b) publish a notice of the determination in the Government Gazette.

(2) In determining the method of valuation of land to be used by a local government the Minister is to have regard to the general principle that the basis for a rate on any land is to be —

(a) where the land is used predominantly for rural purposes, the unimproved value of the land; and

(b) where the land is used predominantly for non-rural purposes, the gross rental value of the land.

(3) The unimproved value or gross rental value, as the case requires, of rateable land in the district of a local government is to be recorded in the rate record of that local government.

(4) Subject to subsection (5), for the purposes of this section the valuation to be used by a local government is to be the valuation in force under the Valuation of Land Act 1978 as at 1 July in each financial year.

(5) Where during a financial year —

(a) an interim valuation is made under the Valuation of Land Act 1978; or

(b) a valuation comes into force under the Valuation of Land Act 1978 as a result of the amendment of a valuation under that Act; or

(c) a new valuation is made under the Valuation of Land Act 1978 in the course of completing a general valuation that has previously come into force, the interim valuation, amended valuation or new valuation, as the case requires, is to be used by a local government for the purposes of this section.

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

PLANNING FRAMEWORK
Nil

FINANCIAL IMPLICATIONS
Implications
The financial implications of the rates levied under the differential rating category of residential will be dependent on the Minister’s approval being granted and Landgate’s determination of the GRV for the property.

The differential rating category of ‘Residential GRV’ will apply.

Long Term Financial Plan
Nil

Whole of Lifecycle considerations
Nil

SUSTAINABILITY IMPLICATIONS
Environmental
Nil

Social
Nil

Economic
Nil

ADVOCACY
Nil

ALTERNATE OPTIONS
Nil

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council approves changing the rating basis of the property at No 115 Lot 101 Rowe Rd, Witchcliffe on P417055, from an Unimproved Valuation to a Gross Rental Valuation effective from 1 July 2019.

ADVICE TO APPLICANT / PROPOSED
The owner will be advised of the outcome of Council’s decision.

ATTACHMENTS
Nil
11.4.5 REVIEW OF HOLIDAY PARKS AND CAMPING GROUND FEES AND CHARGES AND AMENITIES

LOCATION/ADDRESS  Shire of Augusta Margaret River

APPLICANT/LANDOWNER  Shire of Augusta Margaret River

FILE REFERENCE  CPT/6

REPORT AUTHOR  Nigel Anderson, Manager Human and Community Services

AUTHORISING OFFICER  Andrew Ross, Acting Director of Corporate and Community Services

IN BRIEF

• Holiday parks and camping ground fees and charges for the 2020-21 financial year are provided for Council approval to enable staff to efficiently take future bookings from customers beyond the current financial year.
• Fees and charges have been set based upon comparable market rates, whilst also promoting affordable camping and greater price equity between premium and standard sites within the Park.
• A refurbishment of the Circle amenity block is proposed to be included with the new chalets construction project due to commence in May 2020.

RECOMMENDATION

That Council:
1. Approves the attached Holiday Parks and Camping Ground 2020-21 fees and charges schedule to be issued for public and notice and implementation after the period of public notice has concluded;
2. Endorses the Circle amenity block refurbishment; and
3. Approves a 2019-20 budget allocation of $380,000 towards the refurbishment works to the Circle amenity block to be funded by a transfer from the Caravan Park Upgrade Reserve.

LOCATION PLAN
Nil

TABLED ITEMS
Nil

BACKGROUND

Fees and Charges
The Parks and Camping Ground fees and charges have traditionally been reviewed annually and set for the financial year. This restricts the Park’s ability to take future online bookings beyond the period for which fees and charges have been set. Council adopted (OM2019/136) the fees and charges for the 2019-20 financial year on 24th July 2019. There was a period when no online bookings (including chalets) could be made due to the future fees not being adopted. The Park (as well as Flinders Bay Caravan Park) experienced noticeable gaps in their booking system potentially resulting in a shortfall in income. The online market is a rapidly growing market segment.

Holiday Short–stay Sites
Turner Holiday Park currently has 28 holiday short stay sites, 16 of those sites within the Dekkers area have recently been approved by Council (OM2019/201) with the option of five-year agreements. These sites have been identified as standard sites that do not form part of any short term development proposal. The other 12 holiday short stay sites are spread across the Foreshore and Circle areas and occupy sites that are earmarked for potential future development based upon their premium location and site size (i.e. up to 300m2 compared to a standard caravan site of 100m2). The income generated from the holiday short stay sites has traditionally been considerably less than an equivalent caravan tourist site. For example, premium tourist site 31 on the foreshore generated $12.9K income for 2018-19 compared to $4.9k for a holiday short stay site.
In recent years the fees and charges annual percentage increase for holiday short stay sites has been set at a higher rate than other tourist caravan sites with the aim of raising the level of income to a comparable level with other equivalent tourist sites within the Park. These increases have been made in conjunction with offering an increase in the number of nights stay and the number of nominated people who may also stay on the site. The premium holiday short stay sites still remain well below the average annual income for equivalent premium tourist sites within the Park and as such will continue to receive a higher fee percentage increase than the other group of holiday short stay sites.

Turner Holiday Park currently has 4 long-stay users whose fees are applied in accordance with their Residential Tenancy Agreements and are not included within the fees and charges schedule.

Circle Amenity Block
The Circle amenity block is estimated to be in excess of 30 years old and has only received minor facelifts during its life but is now in need of a major refurbishment. The Business and Masterplan completed by Innoviv Park Services recommended that the block be upgraded to ensure that it meets customers’ expectations for the provision of modern facilities. The concept Masterplan also recognises that the Circle area will become a key year-round area for campers, which will eventually be expanded to include additional drive through premium caravan sites and potentially new facilities such as a camp kitchen/lounge, new family and universal accessible toilet/showers and laundry. The following photographs illustrate the condition of the current facilities.
**Circle Amenity Block**

**CONSULTATION AND ADVICE**

**External Consultation**
Feedback and comments received from park customers
Innoviv Park Services
Tectonics Building Design
Augusta Margaret River Shire preferred plumbing and electrical contractors

**Internal Consultation**
Acting Director of Corporate and Community Services
Parks and camping ground management and staff
Coordinator Building Assets and Maintenance

**DISCUSSION / OFFICER COMMENTS**

**Fees and Charges**
In accordance with Section 6.16 of the *Local Government Act 1995*, Council with an absolute majority may impose or amend fees during a financial year. To improve the operational booking process it is proposed that fees and charges are reviewed bi-annually (twice within the year) to enable staff to be able to take future bookings in an efficient and effective manner.

**Holiday Short-stay Sites**
The premium sites within the Park should be providing a superior return to those standard sites regardless of whether they are a tourist or holiday short stay site. As such it is recommended that fees be brought up to a comparable level over a period of time. It is proposed that a gradual rise in the annual fees and charges be applied to those affected holiday short stay site users occupying premium sites.

**Circle Amenity Block**
The Circle amenity block is a critical piece of infrastructure that the majority of campers will use, so it is important that such facilities present to a modern standard to meet customer expectations. It is proposed to include the refurbishment works with the construction of the two new chalets to form an attractive construction package for those prospective tenderers and for all of the construction works - to be completed during the off-peak season in order to minimise disruption to the park’s operations.

The refurbishment works will include the following:
- Service upgrades (power, water and sewage);
- Exterior cladding, cement render & texture coat;
- Installation of new windows and doors;
- Roof re-sheeting, new skylights, insulation and ceiling fit-out;
- Relocation of sinks to create more room internally;
- Internal fit-out of shower/toilet cubicles and new cisterns;
- Upgrade universal accessible toilet/shower facility with baby wash facilities;
- New flooring and waste drains; and
- Overall painting.

**STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**

*Caravan Parks and Camping Grounds Act 1995.*
*Residential Tenancy Act 1987.*
*Local Government Act 1995,* specifically:
Section 6.8 states a local government is not to incur expenditure not included within its annual budget unless it is authorised in advance by an absolute majority.
Sections 6.16 to 6.19 deal with the imposition, setting and advertising of fees and charges and requires fees and charges to be approved by absolute majority and local public notice to be given of the intention to impose fees and charges.

**STRATEGIC PLAN / POLICY IMPLICATIONS**

*Community Strategic Plan 2036 (CSP)*
*Corporate Business Plan 2019-2023*
Key Result Area 4: Vibrant and diverse economy
Outcome 2: Sustainable tourism and other local industries
Strategy 4: Provide family-friendly caravan and camping grounds to encourage visitors to extend their stay

Service level strategy/plan:

4.2.4.1 Priority project: Undertake detailed design, costing and approaches for priority areas identified within the Turner Caravan Park Concept Masterplan.

PLANNING FRAMEWORK
Nil

FINANCIAL IMPLICATIONS

Implications
The Circle Amenity Block refurbishment is estimated for budgeting proposes at $380,000 with expenditure expected to be incurred in 2019-20 and 2020-21. The refurbishment expenditure would be drawn down from the Caravan Park Upgrade Reserve that has a budgeted closing balance of $759,811, as at 30/06/2020.

Long Term Financial Plan
Forecasts for fees and charges will take into consideration the proposed increases.

Whole of Lifecycle considerations
The refurbishment of the Circle amenity block will take into consideration the need to maximise the life of the materials and products used and to minimise ongoing maintenance particularly given the high usage of these facilities. Although specific details of this expenditure are not available at this time the intent is to ensure selected products have longevity from an asset renewal perspective.

SUSTAINABILITY IMPLICATIONS

Environmental
- Protection and regeneration of the natural environment within the Park
- Promote energy-efficient and sustainable design principles
- Promote the conservation of remnant vegetation and conservation of those significant fauna species within the locality.

Social
- Create an affordable and family-friendly holiday stay option for our guests
- Provide a diverse range of accommodation options to support all our guests
- Create a safe holiday environment for our guests
- Promote greater universal access and inclusion opportunities for all our guests

Economic
- Increase economic activity in Augusta particularly during the off-peak season through increased intrastate, interstate and international tourist visitation
- Increase the duration of visitor stays by developing suitable alternative accommodation options that are suitable for the off-peak season
- Increase the marketing potential for Augusta overall.

ADVOCACY
Nil

ALTERNATE OPTIONS
Nil

VOTING REQUIREMENTS
Absolute Majority

RECOMMENDATION
That Council:
1. Approves the attached Holiday Parks and Camping Ground 2020-21 fees and charges schedule to be issued for public and notice and implementation after the period of public notice has concluded;
2. Endorses the Circle amenity block refurbishment; and
3. Approves a 2019-20 budget allocation of $380,000 towards the refurbishment works to the Circle amenity block to be funded by a transfer from the Caravan Park Upgrade Reserve.

ADVICE TO APPLICANT / PROPOSENT
Nil

ATTACHMENTS
1. Fees and charges schedule 2020-21
2. Circle Ablution Plan
3. Circle Ablution Perspectives
4. Turner Holiday Park current site plan
11.4.6 SPORT AND RECREATION ADVISORY COMMITTEE MEETING MINUTES - 16 OCTOBER 2019

LOCATION/ADDRESS
Shire of Augusta Margaret River

APPLICANT/LANDOWNER
Shire of Augusta Margaret River

FILE REFERENCE
REC/36

REPORT AUTHOR
Hannah Waters, Executive Assistant Corporate and Community Services

AUTHORISING OFFICER
Andrew Ross, Acting Director Corporate and Community Services

IN BRIEF
- On the 16 October 2019, the Sport and Recreation Advisory Committee (SRAC) held its bi-monthly meeting.
- The committee provided in-principle support for the Margaret River Hockey Club to submit an interest free loan application to the Shire to support their Community Sporting and Recreation Facilities Fund (CSRFF) grant.
- The committee provided in-principle support for the Margaret River Tennis Club to submit an interest free loan application to support the resurfacing of courts.
- Delegates provided updates on their clubs.

RECOMMENDATION
That Council:
1. Receives the unconfirmed minutes of the Sport and Recreation Advisory Committee meeting held 16 October 2019;
2. Notes the Sport and Recreation Advisory Committees in-principle support for the Margaret River Hockey Club to submit an interest free loan application to support their CSRFF grant; and
3. Notes the Sport and Recreation Advisory Committees in-principle support for the Margaret River Tennis Club to submit an interest free loan application to support resurfacing courts at the club.

LOCATION PLAN
Nil

TABLED ITEMS
Nil

BACKGROUND
Sport and Recreation Advisory Committee meetings are held bi-monthly on the first Wednesday of the month excluding school holidays.

CONSULTATION AND ADVICE
External Consultation
SRAC delegates

Internal Consultation
Nil

DISCUSSION / OFFICER COMMENTS
Margaret River Hockey Club seeking an Interest Free Loan
The Margaret River Hockey Club are seeking in-principle support for a $50,000 Interest Free Loan from the Shire. The grant is to support their Community Sporting and Recreation Facilities Fund (CSRFF) grant that was lodged with the Department of Local Government, Sport and Cultural Industries. The final project budget included a large contingency sum so the full project cost came in at around $1
million. Essentially the $50,000 is a contingency for the contingency. As the $50,000 has been earmarked as a contingency a formal application would only be made in the event of a shortfall. The committee provided in-principle support for the $50,000 loan to support the development of the multi-use half turf facility within Gloucester Park (subject to an application being made.)

**Margaret River Tennis Club seeking an Interest Free Loan**
The Margaret River Tennis Club are seeking in-principle support for a $20,000 - $30,000 Interest Free Loan from the Shire. The loan will be to support the resurfacing of some of the courts at the club. Under the CSRFF grant guidelines resurfacing of courts is considered part of the ongoing operation of the facility and as such is a low priority unlikely to receive funding. The committee provided in-principle support for $20,000 - $30,000 loan to support the resurfacing of the courts subject to a successful application being made.

**Updates from the Clubs**
The delegates provided updates on their clubs/associations.

**STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**
Nil

**STRATEGIC PLAN / POLICY IMPLICATIONS**
*Community Strategic Plan 2036 (CSP)*
*Corporate Business Plan 2019-2023*
Key Result Area 5: Effective leadership and governance
Community Outcome 5.1: Effective governance and corporate leadership

**PLANNING FRAMEWORK**
Nil

**FINANCIAL IMPLICATIONS**
*Implications*
As at the 17 October 2019 the Community Loan Reserve has a balance of $143,913.

**Long Term Financial Plan**
Nil

**Whole of Lifecycle considerations**
Nil

**SUSTAINABILITY IMPLICATIONS**
*Environmental*
Nil

**Social**
Sporting groups provide members of the community the opportunity for physical fitness and socialisation.

**Economic**
Nil

**ADVOCACY**
Nil

**ALTERNATE OPTIONS**
Nil

**VOTING REQUIREMENTS**
Simple Majority

**RECOMMENDATION**
That Council:
1. Receives the unconfirmed minutes of the Sport and Recreation Advisory Committee meeting held 16 October 2019;
2. Notes the Sport and Recreation Advisory Committees in-principle support for the Margaret River Hockey Club to submit an interest free loan application to support their CSRFF grant; and
3. Notes the Sport and Recreation Advisory Committees in-principle support for the Margaret River Tennis Club to submit an interest free loan application to support resurfacing courts at the club.

ADVICE TO APPLICANT / PROPOSPER

Nil

ATTACHMENTS

1. Unconfirmed minutes of the Sport and Recreation Advisory Committee meeting held 16 October 2019.
IN BRIEF

- Council adopted the Corporate Plan 2019-23 on 24 July 2019 (OM2019/137) which outlines the activities, projects, resources and infrastructure in reference to the priorities set by Council and the annual budget.
- This is integrated with the Shire’s Informing Strategy, which is comprised of the Long Term Financial Plan, Workforce Plan and Asset Management Plan, and addresses the objectives and strategies outlined in the Community Strategic Plan 2036.
- The Corporate Plan allocates responsibility to business units, sets performance measures for evaluating projects, services and delivery of priorities in the short term and is aligned to the budget including the capital works program.
- It is best practice for the Shire to report progress against the Corporate Plan quarterly to Council.

RECOMMENDATION
That Council receives the Corporate Plan 2019-23, Year 1 Quarter 1 Report (Attachment 1).

BACKGROUND

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

The Shire’s Community Strategic Plan 2036 provides a 20 year vision through five key result areas. It was endorsed by Council on 27 September 2017 following extensive community engagement over a 12 month period. This plan is currently being implemented through the Corporate Plan 2019-23 and Informing Strategy, which is comprised of the Shire’s Long Term Financial Plan, Workforce Plan and Asset Management Plan.

The Corporate Plan sets out the projects and services the Shire will deliver over the next four years to work towards the long term outcomes identified in the CSP. The four year Corporate Plan is achieved through the annual budget, which includes information on individual actions and projects programmed to be completed throughout the year (year 1 of the Corporate Plan) and includes the priority projects as adopted by Council.

The Integrated Planning and Reporting Framework and Guidelines (2016) issued by the Department of Local Government, Sport and Cultural Industries provides guidance in the reporting requirements of local government in relation to the integrated plans. Performance monitoring of the Corporate Plan is required to be undertaken quarterly and reported to Council. This is the first quarter report for 2019-20 to be received by Council.
CONSULTATION AND ADVICE

External Consultation
No external consultation is required as part of the Quarterly Report.

Internal Consultation
Executive Leadership Team
Business Unit Managers and Coordinators

DISCUSSION / OFFICER COMMENTS

In accordance with the guidelines issued by the Department of Local Government, Sport and Cultural Industries, Council is to receive quarterly updates on the Corporate Plan and to be aware of the resourcing required by the Shire to implement Council’s vision and priority projects.

This quarterly report includes the planned activities and projects for the 2019-20 financial year across all Shire business units. Each action indicates the responsible officer, provides an update on according to business unit indicators, and some commentary of the highlights and challenges encountered on the way.

Overview
Quarter one progress for the 2019-20 financial year shows:

<table>
<thead>
<tr>
<th>ACTION</th>
<th>RESPONSIBLE PERSON</th>
<th>STATUS</th>
<th>START DATE</th>
<th>END DATE</th>
<th>COMPLETE %</th>
<th>TARGET</th>
<th>ON TARGET %</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.4.1.5 Work with the software provider to develop a solution for an online booking system for Recreation Services</td>
<td>Dylan Brown - Operations Manager</td>
<td>Not Started</td>
<td>01-Jul-2019</td>
<td>30-Jun-2023</td>
<td>0.00%</td>
<td>25.00%</td>
<td>RED</td>
</tr>
</tbody>
</table>

ACTION PROGRESS COMMENTS:
Still awaiting Software writers for works to commence

Last Updated: 10-Oct-2019
SHIRE OF AUGUSTA MARGARET RIVER
ORDINARY COUNCIL MEETING 27 NOVEMBER 2019

<table>
<thead>
<tr>
<th>ACTION</th>
<th>RESPONSIBLE PERSON</th>
<th>STATUS</th>
<th>START DATE</th>
<th>END DATE</th>
<th>COMPLETE %</th>
<th>TARGET</th>
<th>ON TARGET %</th>
<th>ACTION PROGRESS COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.5.2.3 Develop a Roads Choice Modelling Activity for community feedback based on the Shire’s Roads Program, to deliver in 2020-21</td>
<td>Markus Botte - Director Infrastructure Services</td>
<td>Not Started</td>
<td>01-Jul-2019</td>
<td>30-Jun-2021</td>
<td>0.00%</td>
<td>10.00%</td>
<td><img src="https://www.colorbrewer2.org" alt="" /></td>
<td>This is year one of a two year project. Not currently commenced due to lack of resources in the Assets team. Last Updated: 08-Nov-2019</td>
</tr>
</tbody>
</table>

Below is a brief road map on reading the quarter report:

<table>
<thead>
<tr>
<th>STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 5.56 (1) Local Government Act 1995 requires local governments to have in place a plan for the future.</td>
</tr>
</tbody>
</table>

**STRATEGIC PLAN / POLICY IMPLICATIONS**

<table>
<thead>
<tr>
<th>Community Strategic Plan 2036 (CSP)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corporate Business Plan 2019-23</td>
</tr>
<tr>
<td>Key Result Area 5: Effective leadership and governance</td>
</tr>
<tr>
<td>Outcome 5.5. A culture of innovation, quality and continuous improvement</td>
</tr>
<tr>
<td>Strategic Response 5.6.2. Report on our success and sustainability to the community and stakeholders</td>
</tr>
<tr>
<td>Service level strategy/plan: 5.6.2.1 Deliver quarterly updates to Council and community of progress against the Corporate Plan</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PLANNING FRAMEWORK</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>FINANCIAL IMPLICATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Implications</td>
</tr>
<tr>
<td>The actions and projects which are detailed in the Corporate Plan 2019-23 and this quarterly report are aligned with the Shire’s annual budget and Long Term Financial Plan.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SUSTAINABILITY IMPLICATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Community Strategic Plan fosters an identification and integration of environmental protection, social advancement and economic prosperity which is enacted through the Corporate and Operational Plan.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ADVOCACY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
</tr>
</tbody>
</table>
ALTERNATE OPTIONS
Nil

VOTING REQUIREMENTS
Simple Majority

RECOMMENDATION
That Council receives the Corporate Plan 2019-23, Year 1 Quarter 1 Report (Attachment 1).

ADVICE TO APPLICANT / PROPOSED
Nil

ATTACHMENTS
1. Corporate Plan 2019-23, Year 1 Quarter 1 Report
11.4.8 ANNUAL REPORT 2018-19

LOCATION/ADDRESS  Shire of Augusta Margaret River

APPLICANT/LANDOWNER  Shire of Augusta Margaret River

FILE REFERENCE  COR/133

REPORT AUTHOR  Stacey Hutt, Community and Corporate Planner

AUTHORISING OFFICER  Andrew Ross, Acting Director Corporate and Community Services

IN BRIEF
• The Annual Report 2018-19 has been prepared in accordance with the Local Government Act 1995 (the Act) and includes the audited Annual Financial Report.
• Under section 5.53(2)(i) of the Act and Local Government (Administration) Regulations 1996 (LGAR) 19CA(2) the Annual Report is also to contain an overview of a plan for the future, major initiatives to commence or continue, any changes to the Community Strategic Plan and significant changes to the Corporate Plan.
• A date for the Annual General Electors meeting is required to be set as required by the Act section 5.27.

RECOMMENDATION
That Council:
1. Adopts the Annual Report 2018-19 (content version) as shown in Attachment 1; and
2. Approves the holding of the Annual General Electors Meeting on 11 December 2019 in Margaret River Council Chambers.

LOCATION PLAN
Nil

TABLED ITEMS
Nil

BACKGROUND
Under the Local Government Act 1995 (the Act) all local governments in Western Australia are required to establish and maintain an Annual Report that relays information about how a local government has performed against what it said it would deliver. The Annual Report also provides an internal review and monitoring function that allows the local government to respond to change.

The Integrated Planning and Reporting Framework and Guidelines issued by the Department of Local Government, Sport and Cultural Industries provide guidance in the reporting requirements of local government in relation to the Annual Report. This includes performance monitoring against the Community Strategic Plan and the Corporate Plan, which has guided development of the Annual Report for 2018-19.

Section 5.55 of the Act states that the CEO is required to give local public notice of the availability of the Annual Report once adopted by Council. This will be carried out by advertisement in the Augusta-Margaret River Times, on the Shire’s website and hard copies will be placed in the Margaret River and Augusta Regional Libraries.

The Act, section 5.53 outlines the specific details to be included as:

5.53. Annual reports
(1) The local government is to prepare an annual report for each financial year.
(2) The annual report is to contain —
   (a) a report from the mayor or president; and
(b) a report from the CEO; and
[(c), (d) deleted]
(e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and
(f) the financial report for the financial year; and
(g) such information as may be prescribed in relation to the payments made to employees; and
(h) the auditor’s report for the financial year; and
(ha) a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and
(hb) details of entries made under section 5.121 during the financial year in the register of complaints, including —
   (i) the number of complaints recorded in the register of complaints; and
   (ii) how the recorded complaints were dealt with; and
   (iii) any other details that the regulations may require; and
   (iv) such other information as may be prescribed.

[Section 5.53 amended by No. 44 of 1999 s. 28(3); No. 49 of 2004 s. 42(4) and (5); No. 1 of 2007 s. 6.]

Admin Regs
19B. Annual report to contain information on payments to employees — s. 5.53(2)(g)
For the purposes of section 5.53(2)(g) the annual report of a local government for a financial year is to contain the following information —
   (a) the number of employees of the local government entitled to an annual salary of $100 000 or more;
   (b) the number of those employees with an annual salary entitlement that falls within each band of $10 000 over $100 000.

[Regulation 19B inserted in Gazette 31 Mar 2005 p. 1032.]

19CA. Information about modifications to certain plans to be included (Act s. 5.53(2)(i))
   (1) This regulation has effect for the purposes of section 5.53(2)(i).
   (2) If a modification is made during a financial year to a local government’s strategic community plan, the annual report of the local government for the financial year is to contain information about that modification.
   (3) If a significant modification is made during a financial year to a local government’s corporate plan, the annual report of the local government for the financial year is to contain information about that significant modification.

[Regulation 19CA inserted in Gazette 26 Aug 2011 p. 3483.]

The adoption of the Annual Report is to include (f) the financial report for the financial year. The Local Government (Financial Management) Regulations 1996 Regulation 36 set out the type of information that is to be included in the financial report.

In addition to the adoption by Council of the annual report it is also necessary to set a date for the holding of the Annual General Electors Meeting. Section 5.27 of the Act states that a general meeting of the electors is to be held once every financial year and not more than 56 days after the local government accepts the Annual Report. The purpose of the electors meeting is to discuss the contents of the annual report for the previous financial year and then any other general business.

CONSULTATION AND ADVICE
External Consultation
Nil

Internal Consultation
Executive Leadership Team
Business Unit Managers and Coordinators
DISCUSSION / OFFICER COMMENTS
The Annual Report 2018-19 is the Shire’s sixth annual report under the Integrated Planning and Reporting Framework, and the first annual report which reports against the Shire’s Community Strategic Plan 2036.

Staff have been guided in the development of the Annual Report by the key result areas outlined in the Community Strategic Plan and the Corporate Plan. This process is an opportunity for staff to reflect and embrace achievements over the last financial year, as well as identify where the improvement areas are for the new financial year.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS
Under the Local Government Act 1995 (the Act) all local governments in Western Australia are required to establish and maintain an Annual Report that relays information about how a local government has performed against what it said it would deliver.

STRATEGIC PLAN / POLICY IMPLICATIONS
Community Strategic Plan 2036 (CSP)
Corporate Business Plan 2019-23
Key Result Area 5: Effective leadership and governance
Outcome 5.6: Measure and report on success and sustainability
Strategy 5.6.3: Develop indicators and measure the performance of the Shire and the success in achieving the vision and outcomes of the Community Strategic Plan
Service level strategy/plan: 5.6.3.1 Deliver the Annual Report each year in line with statutory requirements

PLANNING FRAMEWORK
Nil

FINANCIAL IMPLICATIONS
The actions and projects which are detailed in the Annual Report 2018-19 were aligned with the Annual Budget for 2018-19.

SUSTAINABILITY IMPLICATIONS
The Annual Report provides the community with a report on the progress the Shire has made against the Community Strategic Plan 2036. The Community Strategic Plan fosters an identification and integration of environmental protection, social advancement and economic prosperity which is enacted through the Corporate Plan and annual budget.

ADVOCACY
Nil

ALTERNATE OPTIONS
Nil

VOTING REQUIREMENTS
Absolute Majority

RECOMMENDATION
That Council:
1. Adopts the Annual Report 2018-19 (content version) as shown in Attachment 1
2. Approves the holding of the Annual General Electors Meeting on 11 December 2019 in Margaret River Council Chambers.

ADVICE TO APPLICANT / PROPOSER
Nil

ATTACHMENTS
1. Annual Report 2018-19 (content version)
12. MOTIONS FROM MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.1 Transition of Wallcliffe Fire Brigade to DFES – Cr McLeod

At the 13 November 2019 Ordinary Council Meeting, Cr McLeod gave notice of the following motion:

MOTION
That Council, in principle, supports the transition of Wallcliffe Fire Brigade to DFES Volunteer Fire and Emergency Services brigade and requests the CEO to enter discussions with the DFES Commissioner in regards to the transition.

13. MOTIONS FOR CONSIDERATION AT NEXT MEETING

14. NEW BUSINESS OF AN URGENT NATURE

14.1 Members

14.2 CEO

15. CONFIDENTIAL BUSINESS

16. CLOSURE OF MEETING