

11.1 Chief Executive Officer

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11.1 Chief Executive Officer

11.1.2 GENERAL MEETING OF ELECTORS 2019

Attachment 1 – Annual General Electors Meeting Minutes – 11 December
2019

Annual General Electors' Meeting

MINUTES

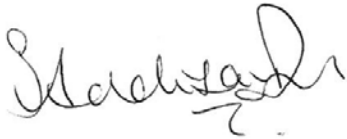
FOR THE MEETING HELD
WEDNESDAY 11 DECEMBER 2019
IN COUNCIL CHAMBERS, WALLCLIFFE ROAD,
MARGARET RIVER
COMMENCING AT 4.30PM

Meeting Notice

Dear Councillor

I advise that the 2018/19 Annual General Electors' Meeting of the Shire of Augusta Margaret River will be held in Council Chambers, Wallcliffe Road, Margaret River on Wednesday 11 December 2019, commencing at 4.30pm.

Yours faithfully



STEPHANIE ADDISON-BROWN
CHIEF EXECUTIVE OFFICER

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Minutes of the Annual General Electors' Meeting held on Wednesday 11 December 2019, in Council Chambers, 41 Wallcliffe Road, Margaret River, commencing at 4.30pm

Annual General Electors' Meeting

1.0 DECLARATION OF OPENING

The Shire President thanked all in attendance and declared the meeting open at 4.30pm

The Shire President gave an Acknowledgement of Country:

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

2.0 ATTENDANCE

Shire President	:	Cr Ian Earl
Councillors	:	Cr Paula Cristoffanini Cr Naomi Godden Cr Brian Daniel Cr Kylie Kennaugh Cr Pauline McLeod Cr Julia Meldrum
Chief Executive Officer	:	Ms Stephanie Addison-Brown
Director Sustainable Development	:	Dr Dale Putland
Director Infrastructure Services	:	Dr Markus Botte
Acting Director Corporate and Community Services	:	Mr Andrew Ross
Manager Legal and Governance Services	:	Mr Ian McLeod
Governance Officer / Council Support	:	Ms Claire Schiller
MEMBERS OF THE PUBLIC	:	Linton Hodsdon Peter Gherardi Euan Smith Erica Bate Len Calneggia Brian Middleton Mike Graham Fran Temby Anne Shepherdson Lloyd Shepherdson Rachel House Jennifer Gherardi Gorgon Temby

Robert McDonald
Steve Jones
Tyree Jackievicz
Bill Ivory
Karen Tearny
Julie Kenny
Sharyn Carroll
Leonie Holtfreter
Helen Earl

MEMBERS OF THE PRESS : Warren Hately, AMR Times
Anthony Pansear, ABC

2.1 Apologies

Nil

2.2. Approved Leave of Absence

Nil

3.0 PUBLIC QUESTION TIME

3.1 Linton Hodsdon – Main Street Redevelopment and Old Settlement

Mr Linton Hodsdon of 11 Mann Street, Margaret River asked the following questions in relation to the Main Street Redevelopment and the Old Settlement. The CEO provided the responses.

1. What is the total number of car parking spaces that will be lost in the Margaret River Main Street project, according to the tender documents including Fearn Ave and Bussell Highway north of Tunbridge Steet?

There will be a net gain of two parking bays. There will be a loss of 36 general car bays on the Main Street to allow for crossovers, bike lanes, streetscape improvements, longer car bays, landscaping etc. this will be offset with 38 new general car bays. The plan was put together by the community.

2. How can Council be assured that the contractors estimation of all the materials, equipment and labour to construct the Main St project is accurate when Shire has not been able to provide an accurate count of the actual number of car bays from those same plans (dated 21 October 2019)?

The plans have not changed significantly since they were last put out to tender. The thing that has changed is the staging and the timing, which were changed after consultation with the traders who advised they would prefer the works not to take place over the peak summer tourism period..

3. How did Councillors and staff miss the specifications in the March 2018 report to Council that stated 52 carbays would be lost?

This question has been previously asked at the 24 July 2019 Ordinary Council meeting and responded to, the response was sent to Mr Hodsdon and published within the minutes.

4. Are Councillors now better prepared to more closely scrutinise reports to Council?

I am not in a position to answer on behalf of Councillors. The Executive provide detailed briefing sessions with Councillors and they have an opportunity to ask questions prior to Council meetings.

5. Are Councillors satisfied that the preferred contractor has the capacity to undertake a project of this scale, including an adequate line of credit and compliance with employment legislation?

A detailed tender evaluation takes place, this involves a due diligence check and a reference check.

Linton Hodsdon foreshadowed the following motions in relation to the Main Street:

Motion 1

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

Motion 2

That Council amend the Main Street redevelopment plans to :

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

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

Mr Linton Hodsdon asked the following questions in relation to the Old Settlement: The CEO provided the responses.

6. Is there an Old Settlement Management Plan to manage the vested reserve and determine how funds in the Old Settlement Reserve fund will be spent, as directed by Council in August 2010? If not, how does Council intend to redress the situation?

The Margaret River Precinct Plan Community Reference Group has been established and endorsed by Council.

The CEO noted that Mr Hodsdon is a member of this group and has been reviewing the uses at this site.

7. Is there an accurate balanced income/expenditure statement for the Old Settlement Reserve fund for the last 6 years?

Yes there is. We will provide this to you.

Subsequent to the meeting, this question was researched and the response has been published for the purpose of the minutes as shown below:

Following is the historical income/expenditure statement requested.

SHIRE OF AUGUSTA MARGARET RIVER
ANNUAL GENERAL ELECTORS' MEETING AGENDA 11 DECEMBER 2019

Old Settlement Reserve (Account 6681)							
Balances and Transactions							
	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	
						Budget	
Opening Balance	-	13,964	29,244	29,834	30,436	65,607	
Transfers to Reserve							
Lease rental income	13,830	15,000	-	-	34,500	33,600	
Interest earned	134	280	590	602	671	1,238	
Total Transfers to Reserves	13,964	15,280	590	602	35,171	34,838	
Transfers from Reserve							
	-	-	-	-	-	-	
Total Transfers from Reserves	-	-	-	-	-	-	
Closing Balance	13,964	29,244	29,834	30,436	65,607	100,445	
Lease income details (GST inclusive)							
	Lease dates:						
	1/11/14 to 31/10/15	1/11/15 to 31/10/16	1/11/16 to 31/10/17	1/11/17 to 31/10/18	1/11/18 to 31/10/19	1/11/19 to 31/10/20	Note: Lease dates do not correspond with financial years
Lease rental income (Account GF71)	36,520	36,922	37,402	37,701	38,153		
Less: Offset Amount and other credits	- 29,216	- 32,911	- 29,921	- 23,695	-		
Amount payable/paid	7,304	4,011	7,480	14,006	38,153		
Cumulative lease income	7,304	11,315	18,795	32,801	70,954		
Cumulative lease income to be included in Reserve (excluding GST)	6,640	10,286	17,087	29,819	64,504		
Comments							
Transfers to Reserves in 2014-15 and 2015-16 were overstated compared to the net income received in those years for the lease. However, by not effecting any transfers in 2016-17 and 2017-18 the overall balance of the reserve at 30/6/18 equates to the income received from the lease up to that date.							
The conditions of the lease rental agreement allow the lessee to claim capital expenditure improvements up to the value of 80% of the rent charged. This option was taken up by the lessee.							
Storm damage to the B&B facility in 2016 resulted in this facility not being habitable and a lease credit was agreed to be provided to the lessee.							
The expected balance of the Old Settlement Reserve at 30/6/2020 is \$100,445 should all transfers be effected as budgeted.							
At this stage no expenditure has been transferred from the Old Settlement Reserve.							
The lease income details reported above are GST inclusive whereas the Reserve details are GST exclusive.							
The balance of the Reserve and the Cumulative lease income to be included in Reserve (excluding GST) are similar.							

8. How can an auditor attest to the accuracy of this one line item on the Old Settlement Reserve fund in the accounts without such an income/expenditure document?

The CEO referred to the last question and took the question on notice.

Subsequent to the meeting, this question was researched and the response has been published for the purpose of the minutes as shown below:

For the 2018-19 Annual Financial Report the Shire's independent auditors completed an interim audit and end of financial year audit which involved 3 auditors and their Audit Manager being on site for a total of 6 days during which they examined financial transactions and records in order to obtain the assurance required to inform their audit opinion. The auditors provided their Independent Auditor's Report on 11 October 2019 which included the following Opinion and their Basis for Opinion.

Opinion

We have audited the accompanying financial report of the Shire of Augusta Margaret River (the Shire), which comprises the Statement of Financial Position as at 30 June 2019, Statement of Comprehensive Income by Nature or Type, Statement of Comprehensive Income by Program, Statement of Changes in Equity, Statement of Cash Flows and the Rate Setting Statement for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information and the Statement by Chief Executive Officer.

In our opinion, the financial report of the Shire of Augusta Margaret River:

- a) is based on proper accounts and reports; and
- b) fairly represents, in all material respects, the results of the operations of the Shire for the year ended 30 June 2019 and its financial position at the end of that period in accordance with the Local Government Act 1995 (the Act) and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards.

9. How can ratepayers be confident that other Budget line items are not similarly unauditable?

The CEO took the question on notice but noted that the Shire is audited every year by external auditors as required under the Local Government Act 1995, and the Office of the Auditor General will be conducting next year's audit.

Subsequent to the meeting, this question was researched and the response has been published for the purpose of the minutes as shown below:

Ratepayers can take confidence from the opinion expressed in the Independent Auditors Report and the Management Report issued by the Auditors which noted no matters to be drawn to the attention of the Shire President.

3.2 Jennifer Gherardi – Main Street Redevelopment

Ms Jennifer Gherardi of Margaret River asked the following questions in relation to the Main Street Redevelopment: The CEO provided the responses.

1. Why are the community ill informed about the parking bays?

Funded stages 1 and 2 will have a net loss of 25 parking bays. There will be a total loss of 36 but a gain of 38 as part of the project so there will be a net gain of two in the CBD.

The Director Infrastructure Services added:

The funded stage 1 starts at the River precinct and includes construction of the roundabout. Stage 2 includes the section of Bussell Highway and the Fearn Avenue Precinct.

2. Why are there no full scale drawings on display in the Shire building? Why are there no clearly locatable plans?

The plans are available on Yoursay and have been for the past 18 months. At your request through the 'meet Pete' sessions, we have provided you with detailed documents. These documents are not usually available to members of the public because what happens 'under the ground' is usually not of any interest to the community, however, the Shire is not hiding anything and we are happy to provide these to anyone interested.

3. Why are they not in the foyer?

They are on Yoursay, the community has been happy with this. There have been no other requests to provide hard copy drawings in the foyer.

- 4. In past discussions with Shire Officers I have heard claims there is no flexibility because of funding restrictions. There is no will to address issues and there has been a lack of community consultation. Why are you not liaising with other Shires who have redeveloped with negative effects?**

There has been extensive consultation with the community and the plan was put together by the community. For example, the community wanted bike lanes, better access, more crossovers. I believe the consultation has been thorough and detailed over several years including multiple workshops and consultation exercises, and the formation of a community reference group who worked with an urban designer over a couple of years.. There is a net gain of parking bays within a 30 second walk of the Main Street and we have committed to signage directing people to parking bays.

- 5. Why is the Shire using words such as 'net loss' and 'off set', why not use proper terms? There is going to be a loss of 59 bays.**

The Shire President took the question on notice.

3.3 Lloyd Shepherdson – Main Street Redevelopment

Mr Lloyd Shepherdson of Margaret River asked the following question in relation to the Main Street Redevelopment: The CEO provided the response:

- 1. Regarding developers, tenants and businesses that have cash in lieu of parking funds. Are there any funds left? Is it proper and legal to use funds to upgrade the Main Street?**

Parking reserves funds will not be used to remove bays but will be used for new bays.

3.4 Linton Hodsdon – General Electors' Meeting Procedure

Mr Linton Hodsdon of 11 Mann Street, Margaret River, asked the following question in relation to General Electors Meeting procedure. The Shire President provided the response.

- 1. Are Electors receiving the Annual Report or Councillors?**

Electors.

3.5 Leonie Holtfreter – Main Street Redevelopment

Ms Leonie Holtfreter, owner of NewsXpress Margaret River, asked the following question in relation to the Main Street Redevelopment. The CEO provided the response.

- 1. We have no back access to our shop, a truck delivers to the front. We need more than two bays to allow for this, we spoke to the Shire's Project manager about this who advised this could be accommodated. Will this be affected?**

Project Manager, Peter Brown, is meeting with all traders and there is also a monthly 'Meet Pete' session where everyone has the opportunity to attend and discuss issues and concerns. It is possible that tweaks may be made to accommodate specific needs.

The CEO committed that the Project Manager would meet with Ms Holtfreter to discuss their specific needs.

4.0 2018/19 ANNUAL REPORT FOR THE SHIRE OF AUGUSTA MARGARET RIVER
(Attachment)

MOTION / ELECTORS DECISION

MOVED: STEVE JONES SECONDED: HELEN EARL EM2019/1

That the General Meeting of Electors receives the 2018/19 Annual Report for the Shire of Augusta Margaret River.

CARRIED

5.0 2018/19 AUDITED FINANCIAL STATEMENTS FOR THE SHIRE OF AUGUSTA MARGARET RIVER
(Attachment)

MOTION / ELECTORS DECISION

MOVED: STEVE JONES SECONDED: BILL IVORY EM2019/2

That the General Meeting of Electors receives the 2018/19 Audited Financial Statements for the Shire of Augusta Margaret River.

CARRIED 12/1

6.0 GENERAL BUSINESS

6.1 Main Street Tender

Mr Linton Hodsdon raised the Main Street Tender as General Business and moved the following motion:

MOTION / ELECTOR DECISION

MOVED: LINTON HODSDON SECONDED: MICK GRAHAM EM2019/3

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

CARRIED 10/3

Mr Linton Hodsdon went on to move the following motion:

MOTION / ELECTOR DECISION

MOVED: LINTON HODSDON SECONDED: JENNIFER GHERARDI EM2019/4

That Council amend the Main Street redevelopment plans to :

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

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

CARRIED 9/3

Ms Gherardi then moved the following motion:

MOTION / ELECTOR DECISION

MOVED: JENNIFER GHERARDI SECONDED: LLOYD SHEPHERDSON EM2019/5

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

CARRIED 11/3

7.0 CLOSURE OF MEETING

The Shire President thanked all in attendance and declared the meeting closed at 5.10pm