

# Ordinary Council

# MINUTES

FOR THE ELECTRONIC MEETING TO BE HELD  
WEDNESDAY, 8 APRIL 2020  
VIA VIDEO CONFERENCING PLATFORM, ZOOM  
COMMENCING AT 4.00PM

## Meeting Notice

Dear Councillor

I advise that an Ordinary Council eMeeting of the Shire of Augusta Margaret River will be held on Wednesday 8 April 2020, commencing at 4.00pm.

In response to advice regarding COVID-19, please be advised that until further notice, all Ordinary Council Meetings will take place via video conferencing platform, ZOOM.

Members of the public are welcome to join these meetings by downloading ZOOM and using the meeting ID and password as detailed below:

Topic: AMRSC Council Meeting  
Time: Apr 8, 2020 04.00 PM Perth

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Yours faithfully



**STEPHANIE ADDISON-BROWN**  
**CHIEF EXECUTIVE OFFICER**

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Minutes of the Ordinary Council Meeting held on Wednesday 8 April 2020, via instantaneous broadcast using ZOOM video teleconferencing, commencing at 4.00pm

# Ordinary Council Meeting

## 1. DECLARATION OF OPENING

*The Shire President declared the meeting open at 4.12pm*

*The Shire President welcomed Council Members, staff and members of the public receiving live broadcast of this electronic meeting, which is conducted in accordance with the Local Government (Administration) Regulations 1996.*

*The Shire President gave an Acknowledgement of Country:*

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

## 2. ATTENDANCE

*The Shire President asked Council Members and staff connected remotely to confirm that they are connected and in attendance.*

Shire President	:	Cr Ian Earl
Councillors (connected remotely)	:	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
Acting Director Sustainable Development and Infrastructure	:	Mr Nick Logan
Director Corporate and Community Services	:	Mr James Shepherd
Manager Corporate Services	:	Mr Andrew Ross
Acting Manager Planning and Development	:	Mr Matt Cuthbert
Manager Legal and Governance Services	:	Mr Ian McLeod
Governance Officer / Council Support	:	Ms Claire Schiller
ICT Support Officer	:	Mr Oscar Adrian
<b>MEMBERS OF THE PUBLIC</b>	:	0 in Chambers

**MEMBERS OF THE PRESS** : 1 (participating via ZOOM)  
AMR Times, Warren Hately (participating via ZOOM)

**3. DISCLOSURES OF INTEREST**

Nil

**4. PUBLIC QUESTIONS**

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

Nil

**4.2. Public Question Time**

Nil

**5. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

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

**6.1 Ordinary Council Meeting held 25 March 2020**

**MOTION / COUNCIL DECISION**

**CR MELDRUM, CR KENNAUGH OM2020/54**

That Council confirms the minutes of the Ordinary Council Meeting held on 25 March 2020 to be a true and correct record of the meeting.

**CARRIED 7/0**

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**SUSPENSION OF STANDING ORDERS**

*The Shire President advised that the Shire's meeting procedures will be modified to ensure Council Members and the public can follow and participate in the meeting as it progresses.*

*The Shire President moved the following procedural motion:*

**PROCEDURAL MOTION / COUNCIL DECISION**

**CR EARL, CR GODDEN OM2020/55**

That Council suspends the operation of clauses 5.2 (6), 5.7(2)(a), 7.2(1) and 7.7(a) of the Shire of Augusta Margaret River Standing Orders Local Law for the duration of this electronic meeting and that these matters be determined at the discretion of the Presiding Member.

**CARRIED 7/0**

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**7. DEPUTATIONS**

Nil

**8. PETITIONS**

Nil

**9. ANNOUNCEMENTS FROM THE PRESIDING MEMBER**

**9.1 Recognition of Coordinator Works, Peter Brophy – 21 Years of Service**

The Shire President acknowledged and thanked Mr Peter Brophy for his 21 years of service to the Shire as Coordinator Works, and wished him all the best with his retirement.

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

Nil

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

*The Shire President suggested that the Chief Executive Officer Items be moved en bloc.*

*Cr Kennaugh then moved the following en bloc motion:*

**EN BLOC MOTION / COUNCIL DECISION**

**CR KENNAUGH, CR DANIEL OM2020/56**

**That Items 11.1.1 Capes Region Organisation of Councils (CapeROC) Minutes – 19 February 2020 and 11.1.2 Minutes of Audit and Risk Management Committee Meeting of 11 March 2020, be carried en bloc.**

**CARRIED 7/0**

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# 11.1. Chief Executive Officer



**11.1.1 CAPES REGION ORGANISATION OF COUNCILS (CAPEROC) MINUTES - 19 FEBRUARY 2020**

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<b>LOCATION/ADDRESS</b>	Shire of Augusta Margaret River
<b>APPLICANT/LANDOWNER</b>	Shire of Augusta Margaret River
<b>FILE REFERENCE</b>	COR/22
<b>REPORT AUTHOR</b>	Megan Smith, Executive Assistant
<b>AUTHORISING OFFICER</b>	Stephanie Addison-Brown, Chief Executive Officer

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**IN BRIEF**

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

**RECOMMENDATION**

That Council notes the CapeROC meeting minutes dated 19 February 2020 and the recommendations made at the meeting.

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**LOCATION PLAN**

Nil

**TABLED ITEMS**

Nil

**BACKGROUND**

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

The objectives of the CapeROC, contained in the Terms of Reference (ToR) adopted 24 September 2009, and further reviewed on 18 August 2018 are outlined below:

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

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

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

## **CONSULTATION AND ADVICE**

### **External Consultation**

Strategic Projects/Grants Officer, City of Busselton

### **Internal Consultation**

Nil

## **DISCUSSION / OFFICER COMMENTS**

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

### **Presentations**

David Willcox from Common Ground Trails gave a presentation on the Regional Trails Strategy which has been funded by CapeROC.

### **Business Arising from Previous Meetings**

Nil

## **GENERAL UPDATES**

### **Regional Trails Strategy**

In February 2017, the need for a Capes Regional Trails strategy was identified by CapeROC members. At the February 2018 meeting, CapeROC endorsed the consultant's brief and authorised the Shire of Augusta Margaret River to prepare a Request for Quotation and invite quotations from three suitably qualified and experienced consultants. David Willcox of Common Ground Trails was appointed to undertake the project, with a budget of \$30,000. He presented to this meeting on the Leeuwin Naturaliste Regional Trails Strategy 2020 report which is currently being finalised

## **RECOMMENDATION**

That CapeROC:

1. Receives the draft report
2. Officers from both local governments review the draft report and request changes, if required
3. Both local governments then release draft report for community feedback; and
4. A report on the outcome of the community consultation be presented to the August CapeROC meeting

### **City of Busselton Wadandi Track Development Strategy**

In November a joint City of Busselton and Shire of Augusta Margaret River update was presented on the Wadandi Track project. This focused on a general overview, progress to date and the various constraints impacting on the project.

In summary, the City of Busselton's Strategy is to redirect work in the southern sector up to the Shire of Augusta Margaret River boundary, providing an opportunity for the Shire to plan and construct the 3km missing link through to Cowaramup. This would open a 9.5km long section extending from the Metricup Trail Head in the north to Cowaramup in the south, resulting in a section of approximately 42km from Metricup Trail Head to Sebbes Road.

## **RECOMMENDATION**

That CapeROC notes the information and supports the strategic approach intended to be taken by the City of Busselton.

**‘Our Unbeaten Track’ Proposal**

Representatives of the Margaret River Busselton Tourism Association (MRBTA) have presented a proposal to the City of Busselton, the Shire of Augusta Margaret River and other relevant stakeholders seeking to establish a coalition to develop and maintain key tracks and trails in the Capes region. A stakeholder meeting was held on 12th February, 2020 to discuss the initiative. A verbal update on the proposal and outcomes of that meeting will be provided to CapeROC for discussion.

The initiative aims to build and sustain a coalition of relevant stakeholders with a shared interest in a high quality network of key tracks and trails in the Capes region within the City of Busselton and the Shire of Augusta Margaret River, in order to develop and maintain them for appropriate future use by residents and visitors.

The proposal is for the stakeholder group to co-fund a business case to upgrade our tracks (purely tracks only) to develop as a whole tourism product to be utilised to attract funding. The City of Busselton and the Shire of Augusta Margaret River agreed that the proposal had merit and are supportive of the initiative, given the potential economic benefit. Funding could be allocated in the next financial year for the proposal. Ongoing maintenance responsibilities would also need to be considered.

**DECISION**

That CapeROC notes the information:

1. Supports in principle the proposal by the Margaret River Busselton Tourism Association to establish a coalition to develop and maintain key tracks and trails in the Capes region; and
2. Commits in CapeROC’s budget \$10,000 from each council (total \$20,000) for this purpose.

**Busselton Margaret River Airport Project Update**

An update on the Busselton Margaret River Airport (BMRA) Development Project was presented. The works and timings undertaken to achieve the temporary arrivals hall and the upgrade to the existing terminal were outlined, and an overview of the floor plan was given. The marketing approach and industry readiness were also outlined.

**RECOMMENDATION**

That CapeROC notes the information.

**CapeROC Budget Update**

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

PROPOSED 2019/20 CapeROC Projects	In principle Allocation  \$80,000	Expenditure (AMR)  \$40,000	Expenditure (RSN)  \$40,000	Total Expenditure	Comments
				2019/2020	
CapeROC Calendar of Events 2019/20 – Spring, Summer, Autumn Winter	21,200.00	10,600.00	10,600.00	10,600.00	Spring 2019 \$4,770 Summer 2019/20 \$4,770 Autumn 2020 \$4,770 Winter 2020 \$4,770 Additional standalone copies (3,000 per edition (\$520 + gst) to be split
My Community Directory	20,406.50	10,203.25	10,203.25	20,406.50	Budget 2019/2020 \$20,406.50

SHIRE OF AUGUSTA MARGARET RIVER  
ORDINARY COUNCIL ELECTRONIC MEETING 8 APRIL 2020

2018/2019 Expenditure	7,985.00	800.00	7,185.00	Event Calendars	<i>These figures represent funding approved in 2018/2019 but not quarantined at end of Financial Year resulting in expense in 2019/2020</i>
2018/2019 Commitment	15,000.00	-	15,000.00	Trails Strategy	
<b>Potential / Total Expenditure</b>	<b>64,591.50</b>	<b>21,603.25</b>	<b>42,988.25</b>		
<b>Total Unallocated</b>	<b>15,408.50</b>	<b>18,396.75</b>	<b>( 2,988.25)</b>		
<b>FUTURE BUDGET COMMITMENTS</b>					
<i><b>Our Unbeaten Track Project committed at the CapeROC meeting on 19/2/2020 for the 2020/2021 budget</b></i>	<b>20,000.00</b>	<b>10,000.00</b>	<b>10,000.00</b>		
<i><b>My Community Directory committed at the CapeROC meeting on 15/11/2019 for the 2020/2021 budget</b></i>	<b>20,406.50</b>	<b>\$10,203.25</b>	<b>\$10,203.25</b>		

**RECOMMENDATION**

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

**REPORTS**

**Events Calendar**

Since December 2016, the Margaret River Region Calendar of Events has been produced by MRBTA with content supplied by the City of Busselton and the Shire of Augusta-Margaret River (SAMR) and included as a pullout in their quarterly Margaret River Magazine. The magazine has a distribution of 20,000 copies, with 75% going to a local regional audience and remaining 25% in Perth. There has also been an allocation of extra copies produced each edition as standalone calendars, for distribution by the respective local governments through their administrative buildings and outstations.

It is recommended that production of the calendars is continued in its current format for the 2020/21 financial year, however with each Council funding their respective printing costs as opposed to CapeROC funding the events calendars.

**RECOMMENDATION**

That CapeROC:

1. Supports the continued publication of the quarterly printed events calendar; and
2. Does not allocate funding for the printing of the events calendar in 2020/2021 CapeROC budget and that both Councils fund the printing of the events calendar directly from their own Council budgets

**GENERAL DISCUSSION ITEMS**

**The Focus of CapeROC**

Focussing the direction of CapeROC more strategically, including region wide initiatives and joint funding opportunities etc. This could include:

- Strategic projects that benefit both communities and enable funding to be secured
- Issues such as homeless, community security eg. closed circuit tv social matters, mental health, environmental eg climate change, waste and alignment of road initiatives

It was agreed that a workshop to discuss the opportunities be included at the next meeting of CapeROC.

**STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**

Nil

**STRATEGIC PLAN / POLICY IMPLICATIONS**

*Community Strategic Plan 2036 (CSP)*

*Corporate Business Plan 2019-2023*

Key Result Area 5: Effective leadership and governance

Outcome 4 Community and Customer Focus

Strategy 4 Encourage and support community/Shire projects and partnerships

**PLANNING FRAMEWORK**

Nil

**FINANCIAL IMPLICATIONS**

**Implications**

Job CEO13 has an allocated budget for 2019-2020 of \$40,000 with \$16,303.25 expended up to February 2020.

**Long Term Financial Plan**

An annual contribution to support CapeROC will be included in the Long Term Financial Plan.

**Whole of Lifecycle considerations**

Nil

**SUSTAINABILITY IMPLICATIONS**

**Environmental**

Nil

**Social**

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

**Economic**

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

**ADVOCACY**

Nil

**IMPLICATIONS OF ALTERNATIVE RESOLUTION**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

That Council notes the CapeROC meeting minutes dated 19 February 2020 and the recommendations made at the meeting.

**ADVICE TO APPLICANT / PROPONENT**

Nil

**ATTACHMENTS**

1. Minutes of the CapeROC meeting held on 19 February 2020

**RECOMMENDATION / COUNCIL DECISION**

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**CR KENNAUGH, CR DANIEL OM2020/56**

**That Council notes the CapeROC meeting minutes dated 19 February 2020 and the recommendations made at the meeting.**

**CARRIED EN BLOC 7/0**

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**11.1.2 MINUTES OF AUDIT AND RISK MANAGEMENT COMMITTEE MEETING OF 11 MARCH 2020**

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<b>LOCATION/ADDRESS</b>	Shire of Augusta Margaret River
<b>APPLICANT/LANDOWNER</b>	Shire of Augusta Margaret River
<b>FILE REFERENCE</b>	FIN/7
<b>REPORT AUTHOR</b>	Claire Schiller, Governance Officer / Council Support
<b>AUTHORISING OFFICER</b>	Ian McLeod, Manager Legal and Governance Services

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**IN BRIEF**

The Audit and Risk Management Committee meeting of 11 March 2020 considered:

- Risk Dashboard reports; and
- Compliance Audit Return (CAR) for the period 1 January 2019 to 31 December 2019.

**RECOMMENDATION**

That Council:

1. Receives the unconfirmed minutes of the Audit and Risk Management Committee meeting held on 11 March 2020; and
  2. Amends the Instrument of Appointment and Delegation for the Audit and Risk Management Committee to require the ARMC meet four times per year as per Attachment 2.
- 

**LOCATION PLAN**

Nil

**TABLED ITEMS**

Nil

**BACKGROUND**

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

**CONSULTATION AND ADVICE**

**External Consultation**

Nil

**Internal Consultation**

Nil

**DISCUSSION / OFFICER COMMENTS**

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

- Noted the Risk Dashboard Report for December 2019;
- Requested that Council amends the ARMC Instrument of Appointment and Delegation to require four meetings per year; and
- Received the report on legislative compliance for the period from 1 January 2019 to 31 December 2019.

**STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**

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

- (a) to guide and assist the local government in carrying out —
  - (i) its functions under Part 6 of the Act;
  - (ii) its functions relating to other audits and other matters relating to financial management;
- (b) to guide and assist the local government in carrying out the local government's functions in relation to audits conducted under Part 7 of the Act;
- (c) to review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to —
  - (i) report to the council the results of that review; and
  - (ii) give a copy of the CEO's report to the council.
- (d) to monitor and advise the CEO when the CEO is carrying out functions in relation to a review under —
  - (i) regulation 17(1); and
  - (ii) the *Local Government (Financial Management) Regulations 1996* regulation 5(2)(c);
- (e) to support the auditor of the local government to conduct an audit and carry out the auditor's other duties under the Act in respect of the local government;
- (f) to oversee the implementation of any action that the local government —
  - (i) is required to take by section 7.12A(3); and
  - (ii) has stated it has taken or intends to take in a report prepared under section 7.12A(4)(a); and
  - (iii) has accepted should be taken following receipt of a report of a review conducted under regulation 17(1); and
  - (iv) has accepted should be taken following receipt of a report of a review conducted under the *Local Government (Financial Management) Regulations 1996* regulation 5(2)(c)
- (g) to perform any other functions conferred on the audit committee by these regulations or another written law."

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

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

##### ***Corporate Business Plan 2019-2023***

Key Result Area 5: Effective leadership and governance

Community Outcome 2: Effective and integrated strategy, planning, financial and asset management

Strategic Response 4: Ensure the Shire's financial performance is well managed and leads to a strong financial position

Service level strategy/plan 5.2.4.4: Implement the Risk Management Framework, including convening meetings of the Audit and Risk Management Committee three times a year

#### **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



**IMPLICATIONS OF ALTERNATIVE RESOLUTION**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

That Council:

1. Receives the unconfirmed minutes of the Audit and Risk Management Committee meeting held on 11 March 2020; and
2. Amends the Instrument of Appointment and Delegation for the Audit and Risk Management Committee to require the ARMC meet four times per year as per Attachment 2.

**ADVICE TO APPLICANT / PROPONENT**

Nil

**ATTACHMENTS**

1. Minutes of the Audit and Risk Management Committee meeting of 11 March 2020
2. ARMC Instrument of Appointment and Delegation with tracked changes

**RECOMMENDATION / COUNCIL DECISION**

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**CR KENNAUGH, CR DANIEL OM2020/56**

That Council:

1. **Receives the unconfirmed minutes of the Audit and Risk Management Committee meeting held on 11 March 2020; and**
2. **Amends the Instrument of Appointment and Delegation for the Audit and Risk Management Committee to require the ARMC meet four times per year as per Attachment 2.**

**CARRIED EN BLOC 7/0**

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# 11.2. Sustainable Development

**ADDENDUM – ITEM WITHDRAWN**

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**11.2.1 BUILDING ENVELOPE VARIATION - LOT 910 LOW ROAD, ROSA GLEN**

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<b>LOCATION/ADDRESS</b>	Lot 910 Low Road, Rosa Glen
<b>APPLICANT/LANDOWNER</b>	France, Victor
<b>FILE REFERENCE</b>	PTY/12580
<b>REPORT AUTHOR</b>	Lezia Sandon, Senior Planning Officer
<b>AUTHORISING OFFICER</b>	Nick Logan, Acting Director of Sustainable Development

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This Item was withdrawn on 31 March 2020.

**REASON**

To enable the proponent opportunity to address Council in person in the future.

**11.2.2 PROPOSED SINGLE DWELLING - LOT 556 BROOKFIELD AVENUE, MARGARET RIVER**

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<b>LOCATION/ADDRESS</b>	63, Lot 556 Brookfield Avenue, Margaret River
<b>APPLICANT/LANDOWNER</b>	Dale Alcock Homes South West/ R Brockway
<b>FILE REFERENCE</b>	PTY/11715
<b>REPORT AUTHOR</b>	Lezia Sandon, Planning Officer
<b>AUTHORISING OFFICER</b>	Nick Logan, Acting Director Sustainable Development

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**IN BRIEF**

- The proposal is the construction of a single storey dwelling on an existing vacant lot.
- The proposal involves two variations from the Acceptable Development standards of the R-Codes.
- The Shire consulted with adjoining neighbours who raised concerns with the proposal.
- The elements of most concern to neighbours relate to privacy, and impacts on access to light, views and ventilation which are considered to result from the proposed filling of the land.
- The privacy, fill and retaining aspects of the proposal, comply with the Acceptable Development standards of the R-Codes. There are minor variations to the Acceptable Development standards of the R-Codes in relation to the wall height and setback. These variations are acceptable when considered against the Design Principles of the R-Codes.

**RECOMMENDATION**

That Council approves the proposed dwelling with conditions.

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**LOCATION**

The subject site is Lot 556 Brookfield Avenue in Margaret River. It is 825m<sup>2</sup> in size and currently vacant. The site adjoins an area of public open space. It also abuts three residential lots all of which are developed with single storey dwellings.



Figure 1 - Location Plan

#### **TABLED ITEMS**

Nil

#### **BACKGROUND**

A development approval was issued for the construction of a single storey dwelling in 2016 however, this has since lapsed.

The proposal was recommended for approval by the Shire's Development Assessment Unit, however was 'called in' for final determination by Council.

#### **THE PROPOSAL**

The application proposes the following variations:

- A small portion of the rear wall of the dwelling is setback 1.01m in lieu of 1.5m; and
- The garage wall, which is situated on the boundary has an average height of 3.1m in lieu of 3.0m.

#### **CONSULTATION AND ADVICE**

Submissions were received from the adjoining neighbours during the consultation period. Both the eastern (Lot 555) and northern (Lot 557) neighbours raised strong concerns regarding the impact that the proposed development may have on their access to light, ventilation and privacy. It is likely that these concerns have been heightened by an assumption that that the subject proposal will require 600mm of fill across the site, which is not the case.

#### **DISCUSSION / OFFICER COMMENTS**

The site is zoned Residential with a R20 density coding and therefore subject to State Planning Policy 7.3 Residential Design Codes (R-Codes).

##### Rear Setback

Under the R-Codes there are two 'paths' to meeting an acceptable outcome, the 'Deemed to Comply' Acceptable Development standards and the Performance Based 'Design Principles'.

The required rear building setback that applies to the subject land is 1.5m. A small portion of the proposed dwelling is located 1.01m from the boundary. Due to the irregular shape of the boundary, the setback increases to the required 1.5m, less than 1m along the rear wall.

The applicable Design Principles require the development to demonstrate that the proposed setback reduces the impacts of building bulk to the adjoining properties, allows for adequate sunlight and ventilation to the site and adjoining properties and minimises overlooking of the adjoining properties.

Only a small corner of the proposed dwelling is situated within the Acceptable Development rear setback of 1.5m and as such will not compromise the adjoining neighbour's access to light and ventilation and is considered consistent with the Design Principles.

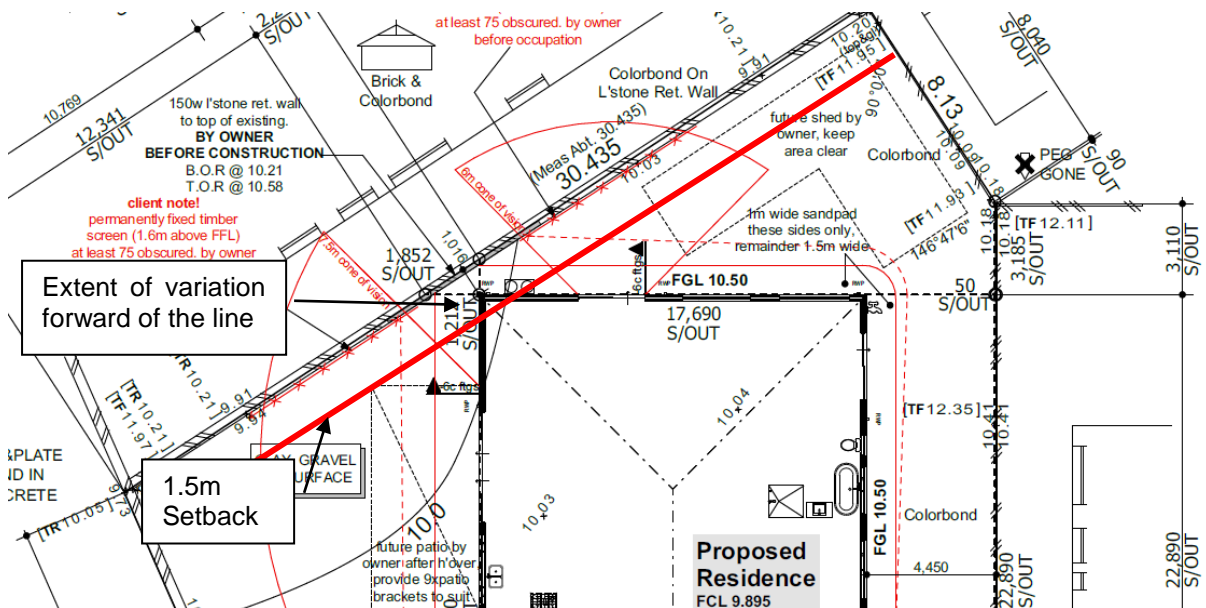


Figure 2 – Extent of Rear Setback variation.

#### Garage Wall Height

Part 5.3 Clause 3.2(ii) of the R-Codes requires that the garage parapet wall has a maximum height of 3.5m, average height of not more than 3.0m and length of 9m. The subject proposal would result in a wall which has a maximum height of 3.28m, average height of 3.1m and length 7.99m

This minor variation of 100mm is considered acceptable when judged against the 'Design Principles' of the R-Codes which require that variations do not unacceptably impact upon the amenity of neighbours. A measure of the impact is the extent to which the garage wall will cause overshadowing on the neighbouring property. As can be seen at Figure 3, the proposal will overshadow just 3.3% of the adjoining lot as at June 21<sup>st</sup> (when the sun is lowest in the sky). The R-Codes allow a maximum overshadowing of up to 25% of the adjoining lot at the applicable R20 density.



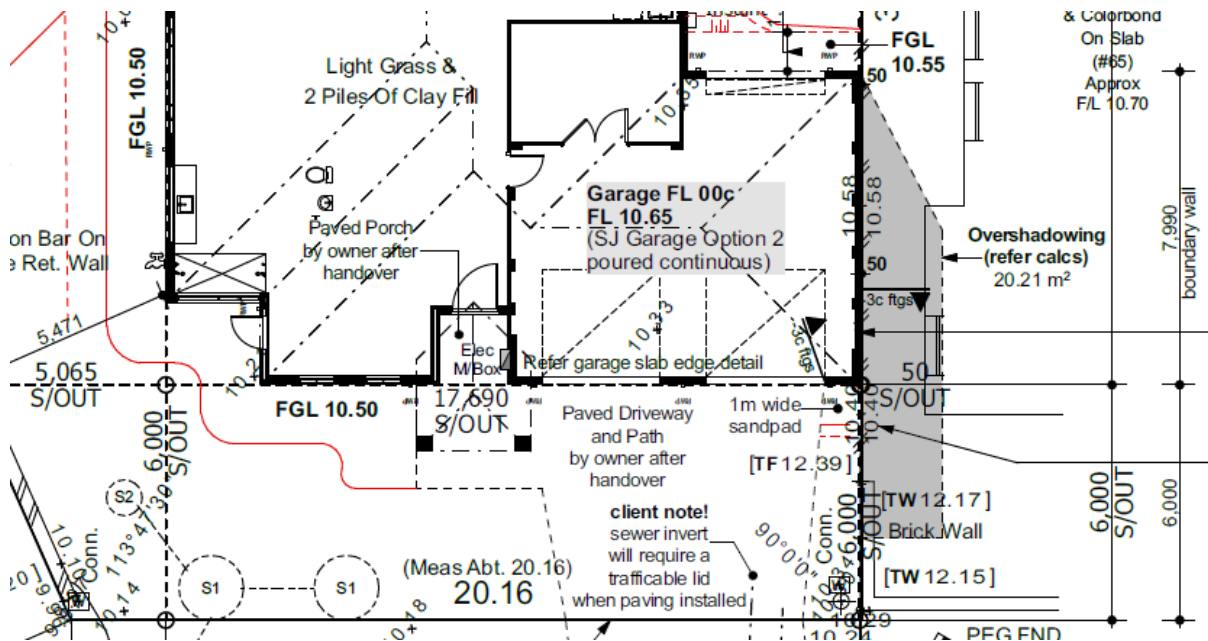


Figure 3 – Overshadowing of adjoining property.

Proposed fill – impact on neighbours privacy

There is a difference in height of the natural ground level across the site of approximately 300mm between the high point in the south and low point along the northern boundary. In order to provide a flat building surface and to respond to the requirements of a geotechnical study undertaken of the site in 2014, it is proposed to fill the building pad with 500mm of sand. The site classification report confirms that the site has gravel/clay sand which requires the additional fill to construct the dwelling.

The concerns from neighbours regarding minor setback and wall variations as discussed, are in part heightened by the perception that the entire site will be filled which is not the case.

In order to facilitate the additional fill, a 6.2m long section of retaining wall to 300mm in height will be placed on the inside of the boundary with the neighbouring property at Lot 557, where the proposed dwelling most closely adjoins the boundary. This will result in the height of the existing boundary fence, when experienced from the subject land, being 1.32m in lieu of a “sufficient fence height” of 1.6m as defined by the Shire’s Local Planning Policy No. 4 ‘Boundary Fencing’. In order to address this, it is proposed that a timber screen be put in place to lift the height of the fence which runs along the northern boundary to 1.6m. Relative to the dwelling upon Lot 555, the floor level of the proposed dwelling will be marginally lower.

Given that the extent of fill is not more than 500mm, the height of the proposed retaining less than 500mm and that overlooking is suitably addressed, this element of the proposal does not necessitate any variations from the Acceptable Development standards of the R-Codes and is therefore not a matter which requires a discretionary decision of Council.

**STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**

The Residential Design Codes require that “in making a determination on the suitability of a proposal, the decision-maker shall exercise its judgement, having regard to the following:

- (a) any relevant purpose, objectives and provisions of the scheme;
- (b) any relevant objectives and provisions of the R-Codes Volume 1;
- (c) a provision of a local planning policy adopted by the decision-maker consistent with and pursuant to the R-Codes Volume 1; and
- (d) orderly and proper planning.”

**STRATEGIC PLAN / POLICY IMPLICATIONS**

**Community Strategic Plan 2036 (CSP)**

**Corporate Business Plan 2019-2023**

Key Result Area 3: Ensuring Sustainable Development

Community Outcome 1 Clearly defined areas of growth, renewal and protections

Strategic Response: Review and implement the Local Planning Scheme No.1 (LPS1) to ensure appropriate development outcomes.

Service level strategy/plan: Provide planning services.

**FINANCIAL IMPLICATIONS**

**Implications**

Nil

**Long Term Financial Plan**

Nil

**Whole of Lifecycle considerations**

Nil

**SUSTAINABILITY IMPLICATIONS**

**Environmental**

The proposal requires that only the building pad and immediate surrounds be filled. This minimises impacts on resources of basic raw materials.

**Social**

The extent of glazing along the western elevation provides an outlook of the adjoining public open space thus increasing safety through passive surveillance.

**Economic**

Construction of the dwelling will provide employment opportunities for local tradespeople.

**ADVOCACY**

Nil

**IMPLICATIONS OF ALTERNATIVE RESOLUTION**

If refused, the applicant would have a right to have the decision reviewed by the State Administrative Tribunal.

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

That Council grants Planning Consent pursuant to Clause 68(2) of the Deemed Provisions of Local Planning Scheme No. 1 for a Single Dwelling at 63 (Lot 556) Brookfield Avenue Margaret River subject to compliance with the following conditions:

**CONDITIONS**

1. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent.

Plans and Specifications	P1 to P3 received by the Shire on the 14 February 2020
--------------------------	--

2. If the development, the subject of this approval, is not substantially commenced within two (2) years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has lapsed, development is prohibited without further approval being obtained.
3. Prior to the issuing of a building permit details shall be submitted for the privacy screening which is to be installed to the rear boundary fence (north western) as shown on approved plan P1. The



privacy screening is to prevent overlooking to the adjoining northern property. Screening shall meet the acceptable development standards of the *Residential Design Codes* clause 5.4.1. Screening shall be installed prior to occupation of the dwelling and maintained thereafter.

4. All stormwater and drainage run-off from the development shall be contained within the lot boundaries or disposed offsite by an approved connection to the Shire's drainage system which is to be installed prior to occupation in accordance with the Shire of Augusta Margaret River Standards & Specifications.
5. The wall on the boundary shall be finished to the satisfaction of the adjoining landowner, or in the case of a dispute to the satisfaction of the Shire, prior to occupation.

#### ADVICE NOTES

- (a) You are advised of the need to comply with the requirements of the following other legislation:
  - (i) This is not a Building Permit. A Building Permit must be issued by the relevant Permit Authority before any work commences on site as per the *Building Act 2011*;
  - (ii) *Health (Miscellaneous Provisions) Act 1911* and Department requirements in respect to the development and use of the premises; and
  - (iii) The *Bush Fires Act 1954* as amended, Section 33(3), Annual Bush Fires Notice applies to this property.

#### ATTACHMENTS

1. Development Plans

#### RECOMMENDATION / COUNCIL DECISION

**CR CRISTOFFANINI, CR KENNAUGH OM2020/57**

**That Council grants Planning Consent pursuant to Clause 68(2) of the Deemed Provisions of Local Planning Scheme No. 1 for a Single Dwelling at 63 (Lot 556) Brookfield Avenue Margaret River subject to compliance with the following conditions:**

#### CONDITIONS

1. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent.

Plans and Specifications	P1 to P3 received by the Shire on the 14 February 2020
--------------------------	--

2. If the development, the subject of this approval, is not substantially commenced within two (2) years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has lapsed, development is prohibited without further approval being obtained.
3. Prior to the issuing of a building permit details shall be submitted for the privacy screening which is to be installed to the rear boundary fence (north western) as shown on approved plan P1. The privacy screening is to prevent overlooking to the adjoining northern property. Screening shall meet the acceptable development standards of the *Residential Design Codes* clause 5.4.1. Screening shall be installed prior to occupation of the dwelling and maintained thereafter.
4. All stormwater and drainage run-off from the development shall be contained within the lot boundaries or disposed offsite by an approved connection to the Shire's drainage system which is to be installed prior to occupation in accordance with the Shire of Augusta Margaret River Standards & Specifications.
5. The wall on the boundary shall be finished to the satisfaction of the adjoining landowner, or in the case of a dispute to the satisfaction of the Shire, prior to occupation.

**ADVICE NOTES**

(a) You are advised of the need to comply with the requirements of the following other legislation:

- (i) This is not a Building Permit. A Building Permit must be issued by the relevant Permit Authority before any work commences on site as per the *Building Act 2011*;
- (ii) *Health (Miscellaneous Provisions) Act 1911* and Department requirements in respect to the development and use of the premises; and
- (iii) The *Bush Fires Act 1954* as amended, Section 33(3), Annual Bush Fires Notice applies to this property.

**CARRIED 7/0**

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**11.2.3 LATE ITEM - AMENDMENTS TO FEES AND CHARGES, AND PROPERTY LEASE CHARGES**

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<b>LOCATION/ADDRESS</b>	Shire of Augusta Margaret River
<b>APPLICANT/LANDOWNER</b>	Shire of Augusta Margaret River
<b>FILE REFERENCE</b>	INF/88
<b>REPORT AUTHOR</b>	Nick Logan, Acting Director Sustainable Development and Infrastructure
<b>AUTHORISING OFFICER</b>	Stephanie Addison-Brown, Chief Executive Officer

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*This report was published as a Late Item on 3 April 2020.*

*Cr McLeod lost connection at 4.20pm  
Cr McLeod regained connection at 4.21pm*

**IN BRIEF**

- At the Ordinary Council Meeting on 25 March 2019 a decision was made to adopt a range of actions that will support the community through the disruption caused by the COVID-19 pandemic. These actions included the waiver of all non-statutory fees and charges until 30 June 2020.
- It is evident that the waiver of some fees and charges, particularly in relation to waste services, may have unintended consequences in terms of broader costs to the community and the function of the Shire's waste management system.
- In addition, the Shire has been monitoring the constantly evolving state and federal response to the COVID-19 pandemic and considering ways to support the community. It is recommended that the Shire waive the rent for commercial tenants until the end of the financial year.

**RECOMMENDATION**

That Council:

1. Reinstates the non-regulatory fees and charges for waste services;
2. Provides a concession for the disposal of domestic scale waste at the Davis Road Landfill facility by providing for waste disposal free of charge for up to one cubic metre per day for Shire residents that hold a government issued concession card; and
3. Waives rent for the following commercial tenants from 1 March until 30 June 2020:
  - a. MRTCH (the Old Settlement).
  - b. Soggy Bones (Skate Park café).
  - c. Augusta Leisure Centre.
  - d. Eagles Heritage.
  - e. White Elephant.

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**TABLED ITEMS**

Nil

**BACKGROUND**

The coronavirus COVID-19 pandemic has escalated significantly over the last few weeks and has resulted in considerable and serious economic and social impacts on communities. At the 25 March 2019 OCM the Council adopted a range of measures to support the community through this crisis. These measures included the waiver of all non-regulatory fees and charges until 30 June 2020. This includes fees for the provision of waste services.

**CONSULTATION AND ADVICE**

Internal consultation has been undertaken with relevant business units and some directly affected leaseholders. There is little scope to undertake broader consultation exercises at this time as the

responses to the evolving COVID-19 situations require rapid and agile decisions to mitigate unintended consequences.

### DISCUSSION / OFFICER COMMENTS

This report concerns the two separate issues of the impact of waiving waste fees and charges, and commercial lease charges.

#### The Impacts of Waiving Waste Fees and Charges and Alternatives

Fees and charges are expressed in the Shire's schedule as falling in one of three components:

1. Shire; where the fee is prescribed by the Shire in exchange for a service.
2. Regulatory; where the ability to charge a fee is set by legislation and the Shire determines the amount of the fee.
3. Statutory; where the amount of the fee set by legislation.

The Council decision of 25 March exempted all 'non-regulatory' fees and charges. Included as Attachment 1 is the schedule of fees and charges related to waste services. A number of those fees and charges fall into the 'Shire' category.

Many of the Shire fees and charges related to waste services have an intrinsic relationship with the controls over the disposal of waste at the landfill and reflect the costs to the broader community of maintaining the Davis Road facility. These include fees and charges for general waste, waste of a commercial scale, and specialty items such as mattresses, tyres and asbestos.

The Shire has specific licence conditions related to the amounts of certain types of waste that can be accepted at Davis Road. There is also limited capacity in the Davis Road landfill pending the completion of the new Cell 3, which is currently under construction. Significant additional use of the Davis Road facility will introduce a reasonably high risk that licence conditions cannot be complied with and that landfill capacity will be reached prior to the new cell becoming available. There is also a significant risk that commercial operators from outside the Shire could pursue the financial advantage of free waste disposal when disposing of large quantities.

While waiving waste fees since 25 March has only provided for a brief comparison, Table 1 below shows a summary of a standard weekend to the weekend of 27/28/29 March. The comparison shows the utilisation rate of the landfill being more than twice to three times that of normal use.

Friday 27 March 2020		Regular Charge	Saturday 28 March 2020		Regular Charge	Sunday 29 March 2020		Regular Charge
86	Car/ute paid movements	\$ 1,546	81	Car/ute paid movements	\$ 1,450	90	Car/ute paid movements	\$ 1,850
9	Commercial	\$ 1,722						
40	Mattresses		8	Mattresses		7	Mattresses	
1	Tyres		9	Tyres		5	Tyres	
2	Fridges		0	Fridges		0	Fridges	
2	Asbestos		0	Asbestos		0	Asbestos	
Last 3 Friday averages		Regular Charge	Last 3 Saturday averages		Regular Charge	Last 3 Sunday averages		Regular Charge
32	Car/ute paid movements	\$ 652	20	Car/ute paid movements	\$ 403	26	Car/ute paid movements	\$ 402
2	Mattresses		1	Mattresses		2	Mattresses	
0	Tyres		0	Tyres		0	Tyres	
1.5	Fridges		0	Fridges		1	Fridges	
0.3	Asbestos		0	Asbestos		0	Asbestos	

The spirit of the Council decision, to support and assist the community, can still be recognised while ensuring that unintended consequences of the unfettered disposal of waste at the Davis Road facility doesn't eventuate. One possible mechanism to achieve this would be to ensure all those disadvantaged by the current Covid-19 situation are provided with continued free disposal of domestic quantities of waste. This could be done by providing for free disposal of domestic quantities of waste (up to one cubic metre) where the person is a resident of the Shire and has a valid concession card.

#### Commercial Lease Charges

The Shire has five commercial leases.

- MRTCH (the Old Settlement) - \$25,000pa
- Soggy Bones (Skate Park café) - \$15,000pa

- Augusta Leisure Centre - \$2,580 pa
- Eagles Heritage - \$7,000 pa
- White Elephant; \$16,800pa (+ GST + CPI pa + Market 5 yrs) + \$2,500 (toilet cleaning) + 25% sewer pump cost.

The Western Australian state government economic and health relief package related to Covid-19 includes a \$25million contribution by way of waiver of small business rent on government owned premises. While other fiscal stimulus measures are in place and continually evolving at a state and federal level, the Council may also consider assisting local small business by waiving rent on the Shire commercial leases. This could be done until the end of the financial year with a view to further review at that time.

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

The Local Government Act s6.12 includes the power to defer, grant discounts, waive or write off debts. This requires the period for the waiver to be specified.

#### **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 6: Community emergency preparedness

Strategy 4: Enhance local emergency response and disaster management through collaboration

#### **PLANNING FRAMEWORK**

Nil

#### **FINANCIAL IMPLICATIONS**

##### **Implications**

The provision of community assistance by waiving fees and charges for domestic waste services at the Davis Road facility for those in need is unlikely to be financially significant. The waiver of lease charges would result in approximately \$30,000 of foregone income for a four month period from March until end June 2020 (around \$7,000 per month).

##### **Long Term Financial Plan**

There are a range of impacts from the COVID-19 pandemic that will need to be fully considered through the impending budget process.

##### **Whole of Lifecycle considerations**

Nil

#### **SUSTAINABILITY IMPLICATIONS**

##### **Environmental**

The unregulated disposal of waste at the Davis Road facility has the potential to cause significant environmental management issues for the operation of the facility.

##### **Social**

The continued ability for those in need to access waste disposal services at Davis Road free of charge assist the most vulnerable members of our community.

##### **Economic**

The preservation of our local small businesses and assistance through lease payment concessions will assist these businesses to remain viable entities and respond following the COVID/19 pandemic.

#### **ADVOCACY**

Nil

#### **ALTERNATE OPTIONS**

Nil

#### **VOTING REQUIREMENTS**

Absolute Majority

**RECOMMENDATION**

That Council:

1. Reinstates the non-regulatory fees and charges for waste services;
2. Provides a concession for the disposal of domestic scale waste at the Davis Road Landfill facility by providing for waste disposal free of charge for up to one cubic metre per day for Shire residents that hold a government issued concession card; and
3. Waives rent for the following commercial tenants from 1 March until 30 June 2020:
  - a. MRTCH (the Old Settlement).
  - b. Soggy Bones (Skate Park café).
  - c. Augusta Leisure Centre.
  - d. Eagles Heritage.
  - e. White Elephant.

**ADVICE TO APPLICANT / PROPONENT**

Nil

**ATTACHMENTS**

1. Schedule of Fees and Charges

**RECOMMENDATION / COUNCIL DECISION**

**CR GODDEN, CR MELDRUM OM2020/58**

That Council:

1. Reinstates the non-regulatory fees and charges for waste services;
2. Provides a concession for the disposal of domestic scale waste at the Davis Road Landfill facility by providing for waste disposal free of charge for up to one cubic metre per day for Shire residents that hold a government issued concession card; and
3. Waives rent for the following commercial tenants from 1 March until 30 June 2020:
  - a. MRTCH (the Old Settlement).
  - b. Soggy Bones (Skate Park café).
  - c. Augusta Leisure Centre.
  - d. Eagles Heritage.
  - e. White Elephant.

**CARRIED BY ABSOLUTE MAJORITY 7/0**

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# 11.3. Infrastructure Services

**11.3. INFRASTRUCTURE SERVICES**

Nil



*The Shire President suggested that Corporate and Community Services Items be moved en bloc.*

*Cr Godden then moved the following en bloc motion:*

**EN BLOC MOTION / COUNCIL DECISION**

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**CR GODDEN, CR DANIEL OM2020/59**

**That Items 11.4.1 List of Payments for February 2020, 11.4.2 Financial Activity Statement Report – February 2020 and 11.4.3 CCS15 Public Art Policy, be carried en bloc.**

**CARRIED 7/0**

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# 11.4. Corporate and Community Services

#### 11.4.1 LIST OF PAYMENTS FOR FEBRUARY 2020

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<b>LOCATION/ADDRESS</b>	Shire of Augusta Margaret River
<b>APPLICANT/LANDOWNER</b>	Shire of Augusta Margaret River
<b>FILE REFERENCE</b>	FIN/42
<b>REPORT AUTHOR</b>	Stacey Harvey, Finance Officer, Accounts Payable
<b>AUTHORISING OFFICER</b>	James Shepherd, Director Corporate & Community Services

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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 February 2020 List of Payments for \$9,046,543.14 as certified correct by the Chief Executive Officer.

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#### 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 ELECTRONIC MEETING 8 APRIL 2020

**TABLE 1 – SUMMARY OF PAYMENTS MADE IN THE MONTH FEBRUARY 2019**

MODE OF PAYMENT	CHEQUE / EFT NUMBERS	AMOUNT
Cheques	42454 - 42458	\$3,726.00
EFT	74754 -	\$3,966,955.25
Direct Debits		\$5,075,861.89
<b>TOTAL</b>		<b>\$9,046,543.14</b>

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

MONTH	CHEQUES	EFT/DD	TOTAL PMTS	CUMULATIVE	CHEQUES	EFT/DD	TOTAL PMTS	CUMULATIVE
	2018-19	2018-19	2018-19	PAYMENTS	2019-20	2019-20	2019-20	PAYMENTS
JULY	26,103.88	5,421,569.55	5,447,673.43	5,447,673.43	4,869.95	5,279,604.72	5,284,474.67	5,284,474.67
AUGUST	24,324.24	3,479,792.07	3,504,116.31	8,951,789.74	0.00	2,813,479.48	2,813,479.48	8,097,954.15
SEPTEMBER	12,292.40	3,829,327.80	3,841,620.20	12,793,409.94	1,460.04	3,838,673.94	3,840,133.98	11,938,088.13
OCTOBER	16,100.80	12,583,756.59	12,599,857.39	25,393,267.33	593.05	11,323,915.09	11,324,508.14	23,262,596.27
NOVEMBER	18,922.59	4,513,582.09	4,532,504.68	29,925,772.01	776.75	3,284,744.97	3,285,744.97	26,548,341.24
DECEMBER	26,683.06	4,637,340.93	4,664,023.99	34,589,796.00	1,379.75	4,879,911.54	4,880,495.29	31,428,836.53
JANUARY	39,638.36	3,969,206.46	4,008,844.82	38,598,640.82	2,231.00	3,600,470.14	3,602,701.14	35,031,537.67
FEBRUARY	24,695.30	3,222,690.77	3,247,386.07	41,846,026.89	3,726.00	9,042,817.14	9,046,543.14	44,078,080.81
MARCH	23,851.36	3,494,760.00	3,518,611.36	45,364,638.25				
APRIL	51,672.65	3,701,615.40	3,753,288.05	49,117,926.30				
MAY	21,246.69	4,085,730.80	4,106,977.49	53,224,903.79				
JUNE	39,968.10	4,897,066.12	4,937,034.22	58,161,938.01				
	325,499.43	57,836,438.58	58,161,938.01					

**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

**IMPLICATIONS OF ALTERNATIVE RESOLUTION**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

That Council notes the February 2020 List of Payments for \$9,046,543.14 as certified correct by the Chief Executive Officer.

**ADVICE TO APPLICANT / PROPONENT**

Nil

**ATTACHMENTS**

1. List of Payments for February 2020

**RECOMMENDATION / COUNCIL DECISION**

**CR GODDEN, CR DANIEL OM2020/59**

That Council notes the February 2020 List of Payments for \$9,046,543.14 as certified correct by the Chief Executive Officer.

**CARRIED EN BLOC 7/0**

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#### 11.4.2 FINANCIAL ACTIVITY STATEMENT REPORT - FEBRUARY 2020

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<b>LOCATION/ADDRESS</b>	N/A
<b>APPLICANT/LANDOWNER</b>	Shire of Augusta Margaret River
<b>FILE REFERENCE</b>	FIN/14
<b>REPORT AUTHOR</b>	Andrew Ross, Manager Corporate Services
<b>AUTHORISING OFFICER</b>	James Shepherd, Director Corporate and Community Services

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#### 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 29 February 2020.

#### RECOMMENDATION

That Council receives the Monthly Financial Report – February 2020 in accordance with Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

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#### LOCATION PLAN

Nil

#### TABLED ITEMS

Nil

#### BACKGROUND

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

- annual budget estimates;
- budget estimates to the end of the month to which the statement relates;
- actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- material variances between the comparable amounts referred to in (b) and (c); and
- 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 and coordinators 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.

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The Statement of Financial Activity shows a year to date actual closing position at 29 February of \$15.344 million (\$1.513 million lower than last month's result of \$16.857 million). This result was higher than the expected year to date budgeted position of \$10.175 million. The following details the main reasons for this favourable variation to Budget.

Operating revenue is \$0.294 million or 0.9% above budget (last month \$0.691 million or 2.2% above budget). The main contributors to this favourable variance are higher than budget fees and charges in the waste, planning and caravan park areas as well as over budget operating grants, subsidies and contributions.

Operating expenditure on a year to date basis is \$1.765 million or 6.8% under budget (last month \$1.429 million or 6.2% below budget). Variations include materials and contracts being \$1.741 million or 24.6% under budget (last month \$1.729 million or 26.8% under budget) with the Asset Services, Fire Prevention, Maintenance, Parks and Gardens, Waste, Community Planning & Development and Town Planning areas having the largest variances; and interest being \$0.093 million under budget due to a timing difference. Under budget employee expenses of \$0.034 million or 0.3% (last month \$0.153 million or 1.7% over budget) and over budget depreciation of \$0.095 million or 1.5% (last month \$0.154 million or 2.8% over budget) have partially offset these under budget expenditures.

Employee expenses are over budget in a number of business units including the recreation areas, Outside School Hours Care, the HEART and Marketing due to additional hours or employees. Adjustments processed as part of the mid-year budget review have reduced the variance and employee expenses are now slightly under budget. The following table provides a breakdown of actual to budget performance for employee expenses.

Category	Full Year Budget	YTD Budget	YTD Actual	YTD Variance
Provisions	1,168,566	759,525	764,340	4,815
Salaries & Wages	12,391,159	8,052,909	7,974,005	(78,904)
Superannuation	1,561,580	1,012,918	1,054,014	41,096
Workers Compensation	147,244	96,622	99,000	2,378
Fringe Benefits Tax	70,420	49,912	49,912	0
Recruitment expenses	39,180	27,953	15,903	(12,051)
Training & Education	368,307	184,403	182,084	(2,319)
Uniforms & PPE	90,225	59,650	65,791	6,141
Memberships	0	0	4,394	4,394
<b>Total</b>	<b>15,836,681</b>	<b>10,243,892</b>	<b>10,209,443</b>	<b>(34,450)</b>

Grants for capital works are \$0.156 million or 4.4% below budget (last month \$0.268 million or 8.1% below budget). The main reasons for this variation are:

- the balance of the \$0.405 million Lotterywest grant for the Cowaramup Hall project won't be claimed until construction is completed, the \$0.070 million Better Bins grant application is in progress, the ESL grant of \$0.178 million for the replacement of the Witchcliffe Light Tanker will be processed when this vehicle is received and Regional Road Group grant instalments are claimed progressively as works are completed;
- offsetting the above are over budget developer contributions of \$0.271 million.

Capital expenditure of \$0.694 million during the month (\$0.783 million last month) is not comparable to the budget for the month due to the mid-year budget adjustments processed during the month. On a year to date basis capital expenditure is \$3.030 million under budget (last month \$6.282 million under budget). The extent of the variance has reduced due to the mid-year budget review. The main variations are:

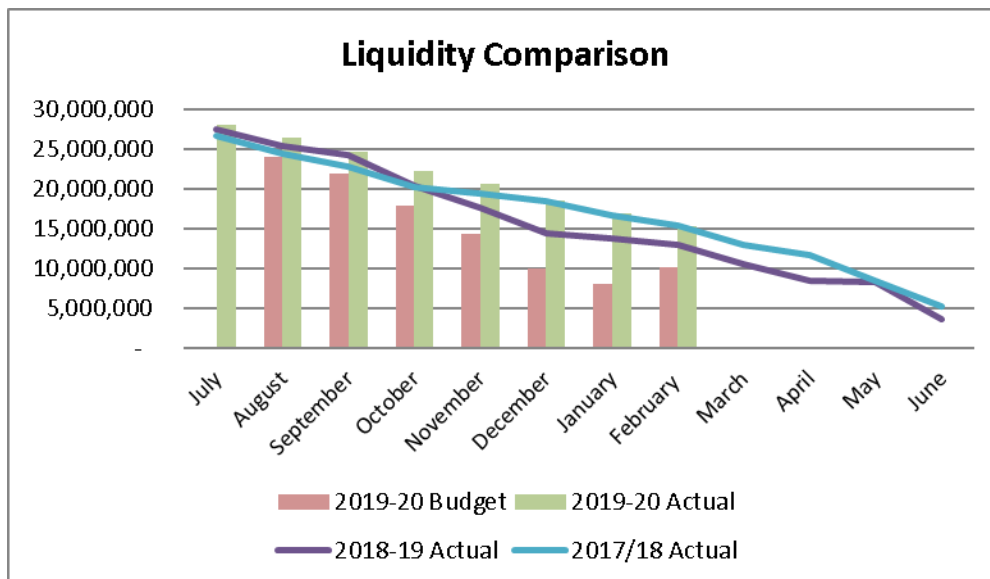
- works for buildings in the Margaret River Youth Precinct being delayed;
- the delayed commencement of works for cemeteries and animal care facilities;
- construction having only recently commenced on major projects at the Davis Road landfill site;
- the sourcing of a suitable option to replace the retractable seating at the HEART is taking some time;

- building projects including the Witchcliffe hall, Alexandra Bridge hall, Margaret River karate club floor and the Margaret River Recreation Centre fire detection system, are collectively \$0.320 million under budget due to approval and project commencement delays;
- various furniture and equipment purchases for the HEART million are being considered and not progressed; consultation for the replacement of playground equipment is progressing;
- consultation for playground replacement and public open space as well as a project being completed below budget have contributed to under budget expenditure of \$0.289 million for the parks and gardens area;
- delays with approvals and consultation have contributed to under budget expenditure for Asset Services;
- infrastructure upgrade projects are \$0.223 million under budget with the main cause being delayed road, path and carpark expansion projects;
- infrastructure renewal projects are \$1.084 million under budget with the main variations occurring for bridge works, road rehabilitation, gravel re-sheeting, path and drainage preservation projects;
- the delayed delivery of a Loader, a Prime Mover and 2 utilities has resulted in an under budget variance of \$0.527 million being recorded for plant and equipment purchases; and
- delayed building works and renewal of utility services are the main reasons for caravan parks capital works being \$0.058 million under budget.

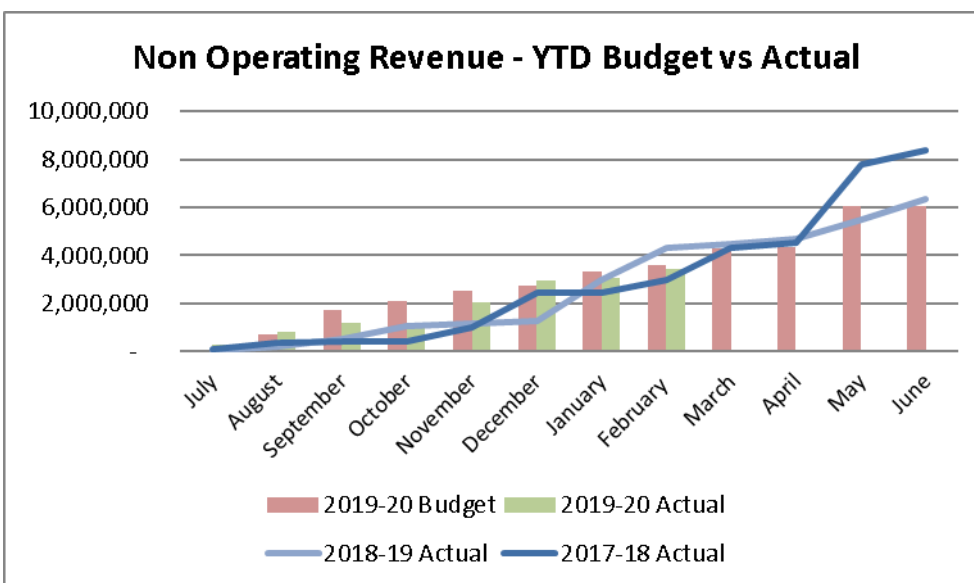
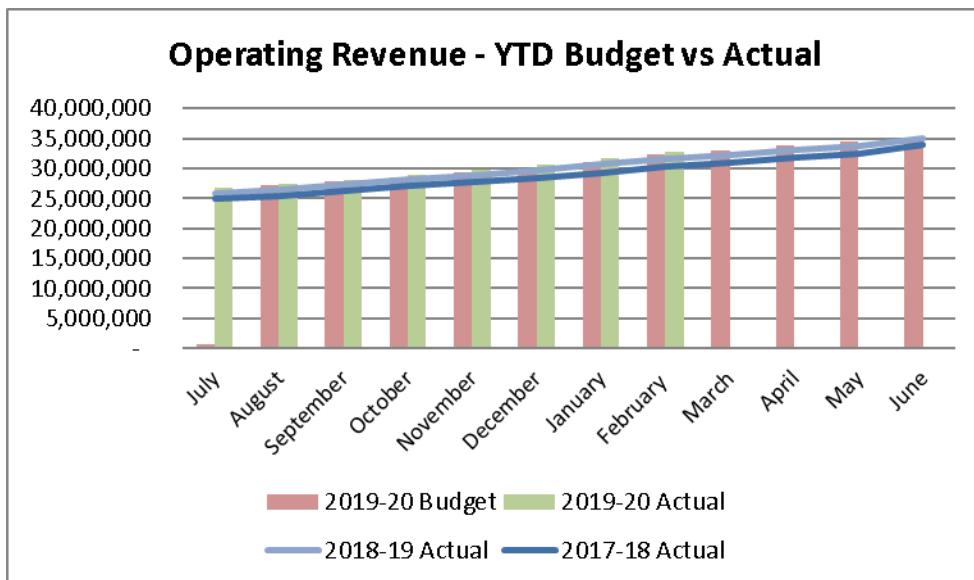
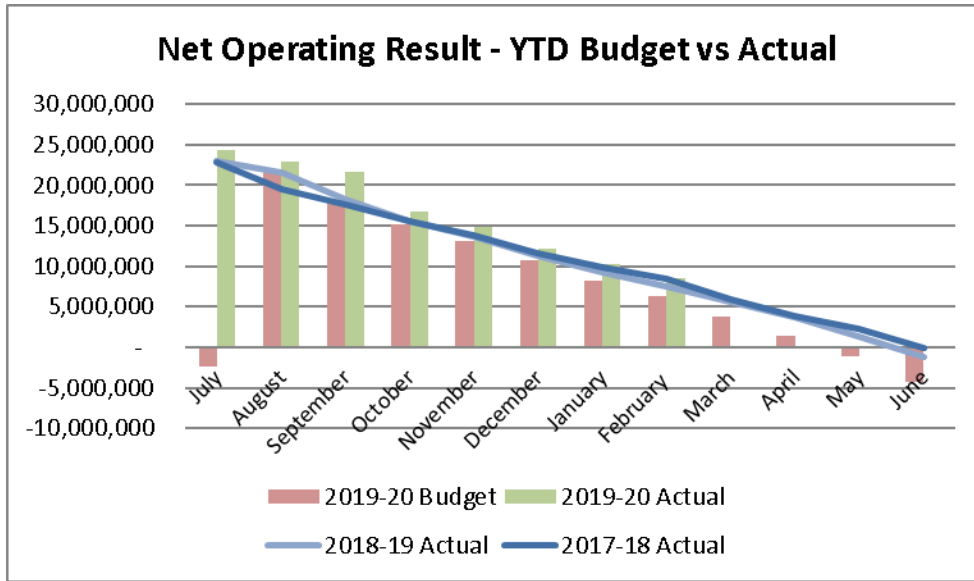
Capital expenditure for the month included:

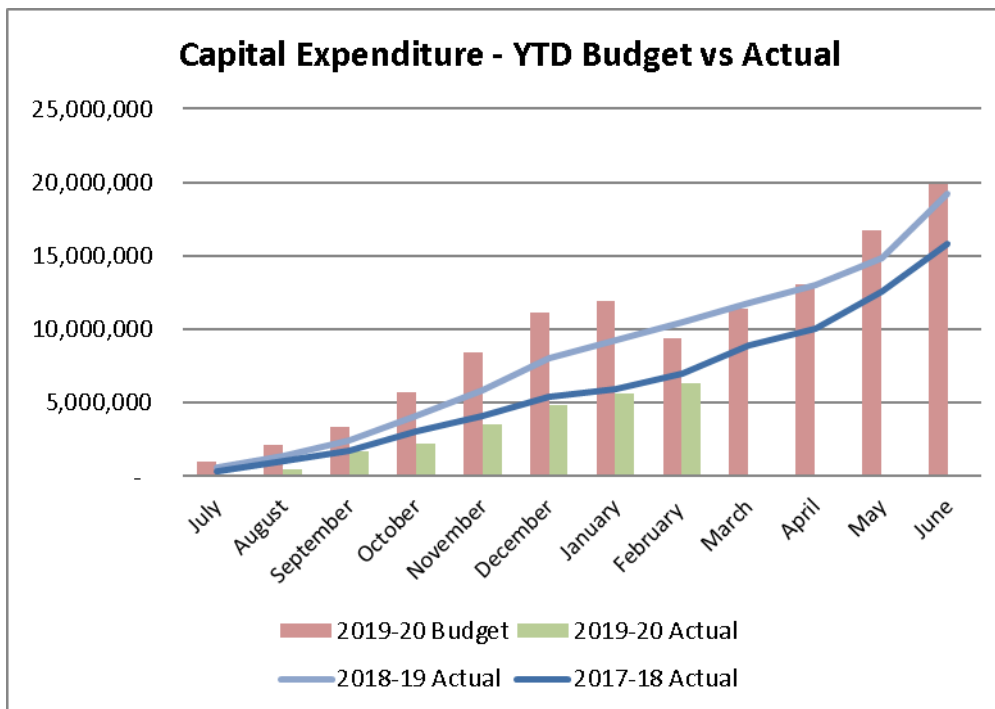
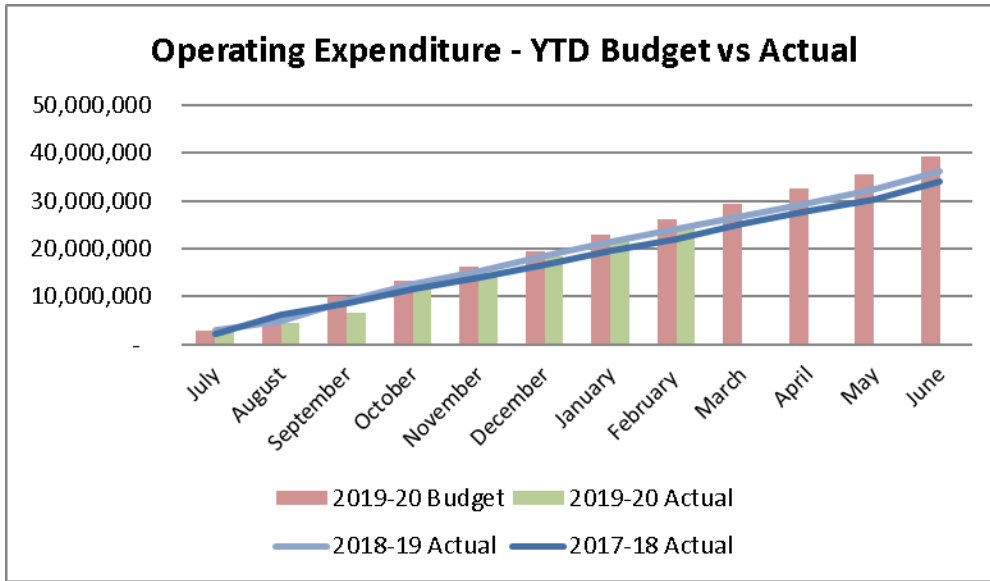
- \$17,087 for works to the Karridale fire station;
- \$24,595 for various waste projects but primarily the new waste cell;
- \$69,402 for works on the Cowaramup Hall and the Witchcliffe CWA Hall;
- \$36,990 on various parks and gardens projects with installation of 3 new shelters, concrete floors, seats and BBQs at Cowaramup being the main areas of expenditure;
- \$482,853 on road related projects of which \$226,768 was spent on infrastructure upgrade projects and \$256,085 was spent on infrastructure renewal projects. The Wadandi track, Flinders Bay to Cape Leeuwin lighthouse path, the Margaret River main street upgrade, Margaret River Airport access road, drainage projects, Leeuwin Road, Rosa Glen Road, Boodjidup Road and Ashton Street reconstruction were the main areas of expenditure; and
- \$44,700 for the purchase of two variable message boards.

Financial performance against budget is shown in the following charts.









Following is the Statement of Financial Activity for the year ending 29 February 2020.

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<b>SHIRE OF AUGUSTA MARGARET RIVER STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 29 February 2020</b>							
BUSINESS UNITS	2019-20	2019-20	2019-20	2019-20	2019-20	YTD	
	Original	Amended	Month of	YTD	YTD	Variance	
	Budget	Budget	Feb	Budget	Actual	>10% & >\$10,000	
	\$	\$	\$	\$	\$		
<b>Net Current Assets at 1 July surplus/(deficit)</b>	<b>3,587,167</b>	<b>3,804,165</b>		<b>3,587,167</b>	<b>3,804,165</b>		C/F includes FAG paid in advance less write off of assets from previous years
<b>Revenue from Operating Activities</b>							
Rates	22,523,990	22,571,870	63,937	22,495,370	22,500,417	0	
General Financing	1,565,093	1,355,093	220,367	1,016,328	1,040,121	0	
Members of Council	200	200	0	100	303	0	
Finance	20,100	20,100	3,700	8,100	5,950	0	
Records	400	400	30	200	240	0	
Customer Services	183,800	183,800	18,775	123,200	124,015	0	
Information Comm. Technology	1,440	1,440	523	960	1,932	0	
Community Planning & Development	49,555	52,055	3,515	43,567	34,247	0	
Legal & Governance	0	0	26,395	0	188,395	0	
Community Fire & Emergency Services	531,010	601,010	0	425,858	407,275	0	
Rangers	190,814	190,814	14,267	130,376	97,785	(32,591)	Timing/Perm: Infringements, fees and charges
Libraries	39,720	39,720	3,667	27,010	29,249	0	
Environmental Health	124,460	124,460	5,974	109,510	116,447	0	
Outside School Hours Care	430,700	430,700	43,437	309,100	333,381	0	
Waste Services	4,901,376	5,213,376	87,063	4,837,199	4,867,662	0	
Planning & Development Services	284,000	284,000	27,225	190,000	228,362	38,362	Timing: fees and charges for applications
Community Buildings	41,000	35,333	36,348	35,333	39,592	0	
MR Recreation Centre	815,600	835,600	57,984	548,100	525,849	0	
Cultural Centre	65,000	126,000	11,927	9,000	13,527	0	
Augusta Recreation Centre	37,500	37,500	2,172	25,500	24,761	0	
Gloucester Park	67,500	67,500	5,150	56,500	36,987	(19,513)	Timing: invoicing of annual usage charges
Parks and Gardens	12,800	12,800	4,645	4,000	5,805	0	
Asset Services	89,400	99,400	19,377	74,600	84,514	0	
Landcare & Environmental Services	0	0	0	0	3,000	0	
Maintenance	0	11,000	0	11,000	10,997	0	
Plant Program	12,373	12,373	3,460	12,373	39,295	26,922	Timing: vehicle auction proceeds
Caravan Parks	2,091,140	2,201,140	285,874	1,601,420	1,628,672	0	
Building Services	240,000	240,000	16,015	160,000	137,656	(22,344)	Timing: fees and charges for applications
Works Overheads	0	0	1,364	0	1,364	0	
Plant Operation Costs	0	0	0	0	802	0	
Other Property and Services	47,000	187,000	10,735	185,000	204,951	0	
	<b>34,365,971</b>	<b>34,934,684</b>	<b>973,924</b>	<b>32,439,704</b>	<b>32,733,555</b>	<b>293,850</b>	
<b>Expenditure from Operating Activities</b>							
Revenue	(346,438)	(366,438)	(42,992)	(241,431)	(235,702)	0	
General Financing	(649,202)	(654,202)	(25,348)	(413,780)	(321,910)	91,870	Timing: Reversal of interest accrual, Govt Gty Fee
Members of Council	(330,775)	(330,775)	(24,657)	(233,064)	(232,170)	0	
Chief Executive Officer	(600,706)	(550,706)	(31,043)	(365,529)	(375,031)	0	
Director Corporate & Community	(486,767)	(456,767)	(23,124)	(275,747)	(256,433)	0	
Director Sustainable Development	(445,212)	(445,212)	(34,783)	(290,492)	(288,022)	0	
Director Infrastructure	(439,036)	(484,036)	(35,340)	(304,445)	(252,003)	52,442	Timing: employee costs, projects
Finance	(1,068,164)	(1,183,164)	(36,146)	(985,071)	(985,426)	0	
Records	(197,974)	(177,974)	(13,298)	(113,741)	(106,428)	0	
Corporate Services	(225,800)	(225,800)	(19,423)	(155,200)	(148,134)	0	
Customer Services	(510,738)	(510,738)	(36,927)	(329,969)	(324,653)	0	
Information Comm. Technology	(945,668)	(1,050,668)	(49,683)	(797,426)	(748,666)	0	
Human Resources	(686,022)	(686,022)	(54,484)	(434,298)	(450,298)	0	
Community Planning & Development	(787,806)	(771,806)	(37,621)	(558,770)	(413,191)	145,579	Timing: projects delayed
Legal & Governance	(297,554)	(390,554)	(31,581)	(227,665)	(212,471)	0	
Communications & Marketing	(562,671)	(612,671)	(34,523)	(358,812)	(321,651)	0	
Community Fire & Emergency Services	(1,338,102)	(1,368,102)	(95,025)	(959,471)	(821,768)	137,703	Timing: bushfire mitigation works
Rangers	(694,694)	(694,694)	(51,401)	(471,511)	(429,554)	0	
Beach Lifeguards	(111,586)	(142,000)	(2,195)	(36,650)	(5,213)	31,437	Timing/Perm: service has been contracted
Libraries	(1,011,190)	(1,011,190)	(81,463)	(664,367)	(602,025)	62,342	Timing: employee costs & stock purchases
Environmental Health	(558,328)	(563,328)	(41,162)	(368,448)	(363,539)	0	
Outside School Hours Care	(455,666)	(508,166)	(41,107)	(339,391)	(323,172)	0	
Waste Services	(3,142,330)	(3,445,330)	(119,107)	(2,309,235)	(1,614,184)	695,051	Timing: special projects, waste collection invoices
Planning & Development Services	(1,281,978)	(1,281,978)	(78,879)	(845,245)	(712,192)	133,053	Timing: employee costs, projects
Landcare & Environmental Services	(761,967)	(821,967)	(84,266)	(473,767)	(380,634)	93,133	Timing: EMF project invoices
Community Buildings	(2,108,088)	(2,102,421)	(188,588)	(1,428,009)	(1,396,371)	0	
MR Recreation Centre	(2,102,355)	(2,136,355)	(167,373)	(1,424,512)	(1,395,448)	0	
Margaret River Heart	(1,082,025)	(1,177,125)	(108,969)	(650,024)	(648,042)	0	
Augusta Recreation Centre	(111,974)	(124,974)	(7,908)	(84,431)	(76,446)	0	
Gloucester Park	(258,000)	(258,000)	(15,801)	(197,400)	(121,612)	75,788	Timing: projects
Parks and Gardens	(2,911,900)	(2,811,900)	(259,383)	(1,880,108)	(1,747,461)	0	
Asset Services	(1,253,065)	(1,391,065)	(90,577)	(842,168)	(683,018)	159,150	Timing: projects
Construction	0	0	0	0	0	0	
Maintenance	(8,753,850)	(8,820,850)	(695,334)	(5,883,921)	(5,692,938)	0	
Plant Program	(54,913)	(54,913)	(1,882)	(44,913)	(16,256)	28,657	Timing: vehicle sales
Caravan Parks	(1,311,826)	(1,311,826)	(132,939)	(840,592)	(862,324)	0	
Building Services	(169,282)	(169,282)	(12,061)	(108,885)	(102,676)	0	
Sustainable Economy	(112,024)	(121,194)	(11,670)	(84,544)	(70,095)	0	
Works Overheads	105,698	(127,815)	(27,026)	(55,964)	(491,097)	(435,133)	Timing: under allocation of overheads
Plant Operation Costs	164,528	164,528	30,761	114,062	36,076	(77,986)	Timing: over allocation of cost recovery
Other Property and Services	(43,000)	(113,000)	(3,956)	(94,000)	(101,480)	0	
	<b>(37,938,450)</b>	<b>(39,290,480)</b>	<b>(2,818,283)</b>	<b>(26,058,934)</b>	<b>(24,293,660)</b>	<b>1,765,274</b>	

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<b>SHIRE OF AUGUSTA - MARGARET RIVER STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 29 February 2020</b>						
BUSINESS UNITS	2019-20	2019-20	2019-20	2019-20	2019-20	YTD
	Original Budget	Amended Budget	Month of Feb	YTD Budget	YTD Actual	Variance >10% & >\$10,000
	\$	\$	\$	\$	\$	
<b>Operating activities excluded from Budget</b>						
Depreciation on assets	9,361,200	9,361,200	720,846	6,240,800	6,335,961	0
(Profit)/Loss Asset Disposal	22,540	22,540	(3,460)	52,540	(5,195)	(57,735) Timing: vehicle sales
	9,383,740	9,383,740	717,386	6,293,340	6,330,766	(57,735)
<b>Amount attributable to operating activities</b>	<b>9,398,428</b>	<b>8,832,109</b>	<b>(1,126,973)</b>	<b>16,261,277</b>	<b>18,574,826</b>	
<b>INVESTING ACTIVITIES</b>						
<b>Non Operating Grants &amp; Contributions</b>						
Community Fire & Emergency Services	1,280,000	1,280,000	0	178,000	0	(178,000) Timing: ESL grant for Witchcliffe light tanker
Waste Services	70,000	70,000	0	70,000	0	(70,000) Timing: Better Bins grant application in progress
Planning & Development Services	204,000	204,000	234,752	136,000	407,135	271,135 Perm: developer contributions received
Community Buildings	1,155,268	1,155,268	35,490	1,155,268	894,378	(260,890) Timing: Cowaramup Hall Lotterywest grant
Parks and Gardens	0	(54,397)	0	(54,397)	(60,555)	0
Asset Services	36,000	36,000	0	36,000	5,000	(31,000) Timing: WA Bicycle Network grant
Construction	2,961,987	3,376,009	94,500	2,048,509	2,167,646	0
Other Property & Services	0	0	0	0	0	0
	5,707,255	6,066,880	364,742	3,569,380	3,413,604	(155,776)
<b>Capital Investment</b>						
Purchase Land Held for Resale	0	0	0	0	0	0
Purchase Land and Buildings	(3,688,157)	(3,138,108)	(99,810)	(2,172,639)	(1,916,791)	255,848 Timing: projects delayed
Purchase Infrastructure Assets - Other	(1,881,705)	(2,873,435)	(64,169)	(1,204,635)	(548,270)	656,365 Timing: various projects
Purchase Infrastructure Assets - Roads	(15,610,000)	(10,843,625)	(482,853)	(4,579,389)	(3,272,526)	1,306,863 Timing: road rehabilitation projects
Purchase Plant and Equipment	(2,064,000)	(2,785,000)	(44,977)	(1,232,000)	(526,953)	705,047 Timing: plant deliveries delayed
Purchase Furniture and Equipment	(230,100)	(231,100)	(2,612)	(185,600)	(79,412)	106,188 Timing: various, including purchases for HEART
Proceeds from Disposal of Assets	435,000	505,000	17,142	485,000	465,320	0
Proceeds from Sale of Land Held for Resale	0	120,000	0	120,000	122,727	0
	(23,038,962)	(19,246,268)	(677,279)	(8,769,263)	(5,755,905)	3,030,311
<b>Amount attributable to investing activities</b>	<b>(17,331,707)</b>	<b>(13,179,388)</b>	<b>(312,537)</b>	<b>(5,199,883)</b>	<b>(2,342,301)</b>	
<b>FINANCING ACTIVITIES</b>						
Repayment of Debentures	(924,549)	(924,549)	(38,062)	(593,982)	(591,045)	0
Repayment of Leases	(241,897)	(36,897)	(2,443)	(20,332)	(21,743)	0
Advances to Community Groups	0	0	0	0	0	0
Proceeds from Self-Supporting & IF Loans	18,277	18,277	2,500	12,277	8,277	0
Proceeds from New Loan	0	0	0	0	0	0
Transfers to Cash Reserves	(1,113,076)	(1,063,076)	(35,408)	(284,230)	(284,230)	0
Transfers from Cash Reserves	10,194,525	6,353,525	0	0	0	0
<b>Amount attributable to financing activities</b>	<b>7,933,280</b>	<b>4,347,280</b>	<b>(73,413)</b>	<b>(886,267)</b>	<b>(888,741)</b>	<b>0</b>
<b>Net Current Assets Surplus (Deficit)</b>	<b>(0)</b>	<b>(0)</b>	<b>(1,512,923)</b>	<b>10,175,128</b>	<b>15,343,784</b>	

### Investments

At 29 February 2020 the Shire's cash on hand, deposits and investments totalled \$37,134,036 (a decrease of \$838,375 to last month's total of \$37,972,411). Total investment interest earned for the year was \$387,074 and did not achieve the budget of \$392,200. The decisions of the Reserve Bank to reduce the cash reference rate (0.50% at 3/3/20) have negatively affected interest on investments projections based on a historically higher interest rate.

### Term Deposits – Cash Management

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

Term Days	Maturity	Institution (ADI)	Principal \$	Interest Rate	Interest \$
182	2/4/20	Bendigo Bank	1,000,000	2.45%	24,567
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
90	12/5/20	Bankwest	4,000,000	1.50%	14,794
180	4/3/20	Bankwest	2,000,000	1.65%	16,274

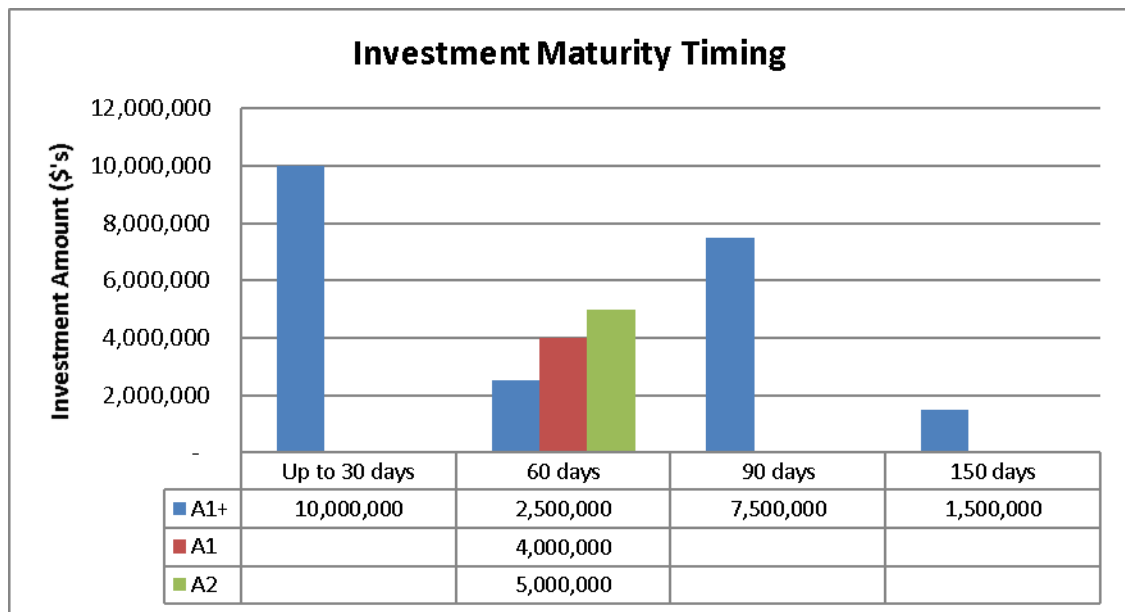
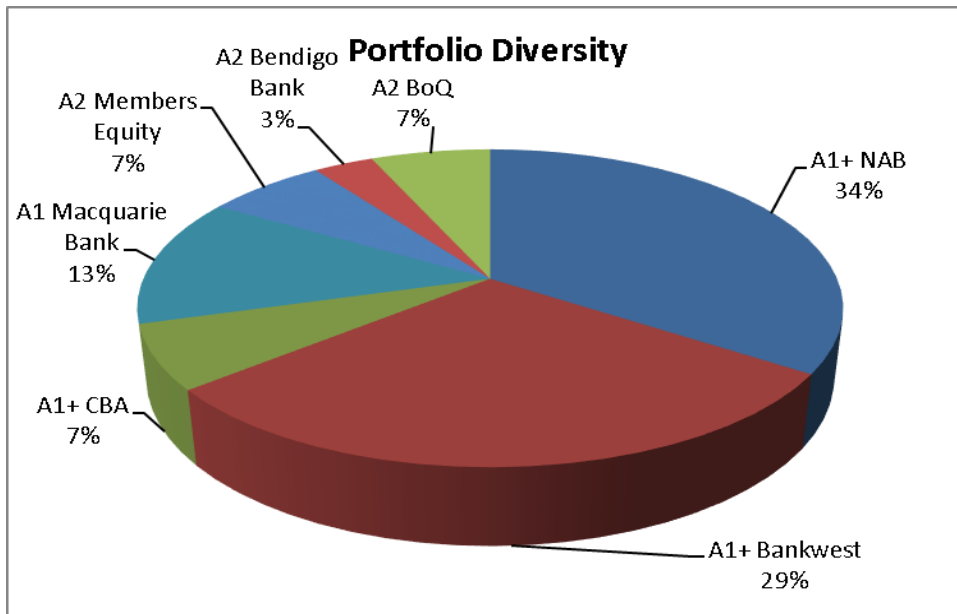
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180	11/3/20	National Australia Bank	5,000,000	1.72%	42,411
180	31/3/20	Bankwest	1,500,000	1.45%	10,726
180	14/4/20	Bank of Queensland	2,000,000	1.55%	15,288
181	15/4/20	Members Equity Bank	2,000,000	1.55%	15,373
181	16/4/20	Macquarie Bank	4,000,000	1.60%	31,737
90	9/3/20	Bankwest	1,500,000	1.30%	4,808
90	12/5/20	CBA	2,000,000	1.50%	7,397
			30,500,000		307,775

During the month the following changes were made to term deposits:

- a \$4 million term deposit with Bankwest matured on 12/2/20 and was rolled over for 90 days at 1.50%; and
- a \$2 million term deposit was placed with the Commonwealth Bank for 90 days at 1.50%. The purpose of this term deposit was to invest the majority of the second drawdown from the Overnight Cash Deposit Facility for the main street project.

The average rate of interest to be paid on all of the term deposits is 1.76% (last month 1.80%).



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 and the Department of Primary Industries and Regional Development are joint signatories for this facility. The second drawdown from the OCDF of \$2.245 million was transacted on 5/2/20.

During the month interest of \$2,013 was earned (last month \$3,300) and the current balance of the investment is \$3.311 million. At 29 February 2020 the rate of interest earned on this facility is 0.70% and is set at 5 basis points lower than the Reserve Bank's cash reference rate.

#### **In-Kind Support**

At 29 February 2020 fee waivers, donations and financial assistance sponsorships totalled \$11,573 and included \$8,200 of sporting sponsorships, \$600 of donations and \$2,773 of fee waivers. There was no change to the amount reported at the end of January.

#### **Reserves**

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

#### **Budget Amendments**

No budget amendments are proposed.

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

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

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

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

##### ***Corporate Business Plan 2019-2023***

Key Result Area 5: Effective leadership and governance

Outcome 6: Measure and report on success and sustainability

Strategy 1: effectively measure our success and progress to a sustainable future

Service level strategy/plan: Continue to monitor monthly, year to date and annual financial performance including preparation of the annual financial report.

#### **PLANNING FRAMEWORK**

Nil

#### **FINANCIAL IMPLICATIONS**

##### **Implications**

At 29 February 2020 the Shire's financial performance is exceeding budget projections for liquidity and the net operating result. This is attributable to under budget capital and operating expenditure and over budget operating revenue.

##### **Long Term Financial Plan**

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

##### **Whole of Lifecycle considerations**

Nil

#### **SUSTAINABILITY IMPLICATIONS**

##### **Environmental**

As included in the report in business units such as Landcare & Environmental Services, Parks & Gardens, Waste Services, Environmental Health.

##### **Social**

As included in the report in business units such as Community Planning & Development, Town Planning, Recreation Centres, Parks & Gardens.

**Economic**

As included in the report in business units such as Sustainable Economy, Caravan Parks, Building Services, Town Planning, General Financing.

**ADVOCACY**

Nil

**IMPLICATIONS OF ALTERNATIVE RESOLUTION**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

That Council receives the Monthly Financial Report – February 2020 in accordance with Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

**ADVICE TO APPLICANT / PROPONENT**

Nil

**ATTACHMENTS**

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

**RECOMMENDATION / COUNCIL DECISION**

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**CR GODDEN, CR DANIEL OM2020/29**

**That Council receives the Monthly Financial Report – February 2020 in accordance with Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.**

**CARRIED EN BLOC 7/0**

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### 11.4.3 CCS15 PUBLIC ART POLICY

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<b>LOCATION/ADDRESS</b>	Shire of Augusta Margaret River
<b>APPLICANT/LANDOWNER</b>	Shire of Augusta Margaret River
<b>FILE REFERENCE</b>	CSV/169
<b>REPORT AUTHOR</b>	Jason Cleary, Coordinator Community Planning and Development
<b>AUTHORISING OFFICER</b>	James Shepherd, Director Corporate and Community Services

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#### IN BRIEF

- In 2018-19 the Shire reviewed the Creative Blueprint 2014-18, CCSP14 Culturally Active Communities Policy (2014) and the CCSP15 Public Art Policy (2014).
- Following the review the Shire has updated CCSP15 Public Art Policy and is developing the Draft Creative Culture Plan 2020-25.
- The policy has been created in consultation with the Executive Leadership Team and the Senior Leadership Team.
- The objectives of CCSP15 Public Art Policy are:
  - Identify suitable public art opportunities throughout the Shire of Augusta Margaret River
  - Implement the Percent for Art Scheme via Developer Contributions Scheme.
  - Support local art, artists and the cultural industries to develop high quality works.
  - Celebrate and tell the story of history and culture within the Shire through meaningful public art.
  - Continue to enhance cultural life through public art, community art and ephemeral art projects that enliven and engage with the community within public spaces.
- The objective of the Creative Culture Plan 2020-25 will be to set the vision, priority areas and strategies of the local creative and cultural community for the next five (5) years.

#### RECOMMENDATION

That Council:

1. Revokes CCSP14 Culturally Active Communities Policy; and
  2. Approves the updated Public Arts Policy CCSP15 as shown in Attachment 1.
- 

#### LOCATION PLAN

Nil

#### TABLED ITEMS

Nil

#### BACKGROUND

##### Public Art Policy 2020

The Shire had developed a Public Art Policy in 2014 to deal with the increasing amount of public art proposals and the development of public art via Developer Contributions Scheme.

As part of the review of the 2014 policy it was agreed that the policy needed to provide clearer direction on public art programming and was also attempting to include procedures of how to deal with individual public art projects.

In September 2015 the Department of Culture and the Arts (DCA) developed Public Art Commissioning Guidelines. It was also recommended that a separate policy and a localised commissioning procedure was developed to reflect the DCA guidelines.



The Draft Creative Culture Plan 2020-25 will outline the key goals, objectives and actions to deliver a vibrant and inclusive shared cultural vision for our community. This will be presented to Council as a separate agenda item in the future.

## **CONSULTATION AND ADVICE**

### **External Consultation**

Nil

### **Internal Consultation**

The CCSP15 Public Art Policy was developed in consultation with the Executive Leadership Team and the Senior Leadership Team.

The policy has been developed with direct internal consultation from:

- Libraries
- Recreation Services
- Sustainable Economy
- Asset Services
- Planning
- HEART reference group and management team.

## **DISCUSSION / OFFICER COMMENTS**

As part of the collaborative process to develop this the policy and the draft plan a number of engagement opportunities have been presented to the community including:

- Quarterly review meetings with the Art & Cultural Advisory Committee
- Open forum hosted by Niomi O'Hara on the future of art and culture in the region
- Workshop session with the AMR Youth Advisory Council
- Online YourSay forum
- Meetings with the Traditional Owners via Undalup Association Inc.
- Meetings with Community Access & Inclusion Reference Group
- Internal review with Planning, Libraries, Recreation, Sustainable Economy, HEART Reference Group
- Presentation of the consultation process and findings to Council.

The open, honest and collaborative approach to working with the community on the development of this document ensures it places the stories, people and rich culture of the region first and foremost. It also helps to ensure the continued development of the arts and cultural industry as a flagship driver for the local economy.

## **STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS**

The *Local Government Act 1995* specifies the key roles of the Council. Under Section 2.7 of the *Local Government Act 1995*, Council has four main roles:

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

Policy determination is a key role of the Council.

Policies are guidelines to provide a consistent approach and framework for Council decision making and for the CEO and staff to action Council's requests. Policies are not legislation and there may be circumstances where a position needs to be taken which is at variance with an existing policy. In these circumstances, Council should make a decision that departs from an existing policy.

## **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 1: Evolving cultural values are respected and adopted

Strategy 2: Support local art and community celebrations, events and local festivals which develop unique creative capital

2.1.2.1: Implement the Creative Blueprint including the Spare Plinth Program and Public Art Policy, and review every four years.

### **PLANNING FRAMEWORK**

Local Planning Strategy – Developer Contributions Scheme

### **FINANCIAL IMPLICATIONS**

#### **Implications**

In developing the Public Art Policy and the Draft Creative Culture Plan it is recognised that the Shire is a major financial contributor to this sector. Planning and budgeting of sufficient resources for the creative sector is paramount to ensuring a sustainable and thriving flagship industry.

#### **Long Term Financial Plan**

A budget allocation of \$40,000pa has been included for implementing the Public Art Policy and the Draft Creative Culture Plan.

The other budget implications on project delivery sit with the Margaret River HEART, Libraries, Sustainable Economy, Icon and Community Events and significant infrastructure projects.

#### **Whole of Lifecycle considerations**

- Upkeep and maintenance costs for public artworks required as per individual maintenance plans.
- The current allocation under COM140 is not sufficient for development of large scale public art projects which would require other funding for implementation.

### **SUSTAINABILITY IMPLICATIONS**

Sustainability has underpinned arts and cultural development and continues to drive discussion, awareness raising and understanding of sustainability needs.

Arts and Culture events are also becoming increasingly aware of their impact and are consistently implementing sustainability programs.

It has been recognised that art and culture provide a significant impact for the local economy and that ensuring support for local arts and cultural businesses, not for profits and individuals artists.

### **ADVOCACY**

The Shire of Augusta Margaret River is the major advocate for the cultural industry to be considered as an integral part to our local economy. Advocating for state and federal government funding toward the art and cultural industry.

### **IMPLICATIONS OF ALTERNATIVE RESOLUTION**

Nil

### **VOTING REQUIREMENTS**

Simple Majority

### **RECOMMENDATION**

That Council:

1. Revokes CCSP14 Culturally Active Communities Policy; and
2. Approves the updated Public Arts Policy CCSP15 as shown in Attachment 1.

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

Nil

### **ATTACHMENTS**

1. CCSP15 Public Art Policy

*A minor administrative correction has been made to page 1 of Attachment 1 CCSP15 Public Art Policy. Under the heading 'Objectives', dot point 2 has been corrected to:*

*"Ensure growth results in a pleasant environment by establishing requirements for a Percent for Art Scheme implemented through the development application process."*

**RECOMMENDATION / COUNCIL DECISION**

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**CR GODDEN, CR DANIEL OM2020/59**

**That Council:**

- 1. Revokes CCSP14 Culturally Active Communities Policy; and**
- 2. Approves the updated Public Arts Policy CCSP15 as shown in Attachment 1.**

**CARRIED EN BLOC 7/0**

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

Nil

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

Nil

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

**14.1. Members**

Nil

**14.2. CEO**

Nil

**15. CONFIDENTIAL BUSINESS**

**15.1 Write-off Outstanding Rates**

**PROCEDURAL MOTION / COUNCIL DECISION**

**CR CRISTOFFANINI, CR MELDRUM OM2020/60**  
**That the eMeeting be closed to members of the public.**

**CARRIED 7/0**

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*The eMeeting livestream was suspended at 4.26pm*

*Cr McLeod lost video connection at 4.26pm, but remained connected by audio.*

## 15.1 WRITE-OFF OUTSTANDING RATES

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<b>LOCATION/ADDRESS</b>	Locality of Osmington, Rosa Brook and Treeton
<b>APPLICANT/LANDOWNER</b>	Shire of Augusta Margaret River
<b>FILE REFERENCE</b>	FIN/20, PTY/4207, PTY/4208 & PTY/4209
<b>REPORT AUTHOR</b>	Vicki Scott, Coordinator Revenue and Customer Service
<b>AUTHORISING OFFICER</b>	Andrew Ross, Manager Corporate Services

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### RECOMMENDATION

That the meeting be closed to the public for the purpose of discussing item 15.1 as it required that this matter be dealt with behind closed doors under section 5.23 (2) (b) of the *Local Government Act 1995*,

#### Reasons:

5.23 (2) (b) the personal affairs of any person;

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### VOTING REQUIREMENTS

Absolute Majority

### RECOMMENDATION / COUNCIL DECISION

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**CR CRISTOFFANINI, CR MELDRUM OM2020/61**

That Council, pursuant to section 6.12 of the *Local Government Act 1995*, write-off the rates, services charges and penalty interest for rate assessments A4207, A4208, A4239, A4240, A4241 and A6689 totalling \$16,491.63 at 27 February 2020.

**CARRIED BY ABSOLUTE MAJORITY 7/0**

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### PROCEDURAL MOTION / COUNCIL DECISION

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**CR GODDEN, CR MELDRUM OM2020/62**

That the eMeeting come out from behind closed doors.

**CARRIED 7/0**

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## 16. CLOSURE OF MEETING

*The Shire President declared the meeting closed at 4.29pm*