

Ordinary Council

AGENDA

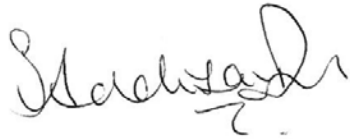
FOR THE MEETING TO BE HELD
WEDNESDAY, 22 JANUARY 2020
IN COUNCIL CHAMBERS,
WALLCLIFFE ROAD, MARGARET RIVER
COMMENCING AT 5:30PM

Meeting Notice

Dear Councillor

I advise that an Ordinary Council Meeting of the Shire of Augusta Margaret River will be held in Council Chambers, Wallcliffe Road, Margaret River on Wednesday 22 January 2020, commencing at 5:30pm.

Yours faithfully



STEPHANIE ADDISON-BROWN
CHIEF EXECUTIVE OFFICER

ATTENTION/DISCLAIMER

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

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Ordinary Council Meeting

1. **DECLARATION OF OPENING**

2. **ATTENDANCE**

3. **DISCLOSURES OF INTEREST**

4. **PUBLIC QUESTIONS**

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

4.2.1 **Response to Darren Gardner - Shut Down of Gravel Pit on Calgardup Road – Mr Darren Gardner**

At the 11 December 2019 Ordinary Council Meeting, Mr Darren Gardner of Gardners Earthmoving, asked the following questions in relation to the gravel pit on Calgardup Road, the questions were taken on notice and responses are as follows:

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

East Calgardup Road can be used for smaller 'as of right' vehicles. The proposed extractive industry (gravel pit) introduces additional heavy vehicle movements that are comparatively significant to background traffic volumes. These movements can be repetitive and concentrated and come from a single source, having the potential to have a significantly increased effect on the safety at the East Calgardup Road intersection.

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

The relevant planning approval requires various upgrades to the road for safety reasons. This condition has not been satisfied and therefore further operations would be in breach of the approval.

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

Conditions can vary from approval to approval depending on the circumstances and the planning condition should be referred to determine what needs to be done to comply with that condition. Some conditions may be relevant to operations and need to be continually complied with, such as hours of operation. Some conditions apply at the conclusion of a use, such as for rehabilitation. Other conditions, including the condition in this case requiring safety upgrades to the road network, are precursors to development. Road upgrading would typically need to be done *prior* to the use commencing. For extractive industries, there may be other conditions requiring road maintenance that apply through the life of an approval.

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

Government departments are generally exempt from the need to obtain planning approval under provisions of the Planning and Development Act and the Public Works Act. In general terms these works are undertaken in the same or similar ways as the requirements that are applied to private development.

4.2. **Public Question Time**

5. APPLICATIONS FOR LEAVE OF ABSENCE
6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING
 - 6.1 Ordinary Council Meeting held 11 December 2019
7. DEPUTATIONS
8. PETITIONS
9. ANNOUNCEMENTS FROM THE PRESIDING MEMBER
10. QUESTIONS FROM MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN
11. REPORTS OF COMMITTEES AND EMPLOYEE REPORTS

11.1. Chief Executive Officer

**11.1.1 NOTES OF COUNCILLOR AGENDA BRIEFINGS AND CONCEPT FORUM SESSIONS
FROM 23 OCTOBER TO 11 DECEMBER 2019**

LOCATION/ADDRESS	Shire of Augusta Margaret River
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	COR/221
REPORT AUTHOR	Claire Schiller, Governance Officer / Council Support
AUTHORISING OFFICER	Ian McLeod, Manager Legal and Governance Services

IN BRIEF

- Council conducts bi-monthly as required Councillor Briefing Sessions which are run in accordance with a Council adopted Policy and Department of Local Government Sport and Cultural Industries (DLGC) Guidelines.
- Council's policy for the conduct of the Councillor Information Briefing Sessions provides for the proceedings of the briefings to be brought to Council and for wider community awareness as a public record in the form of notes as an additional accountability mechanism.
- Notes of recent Councillor Briefing sessions are presented to be received by Council in accordance with Council's policy.

RECOMMENDATION

That Council receives the Notes of Councillor Agenda Briefing Sessions from 23 October to 11 December 2019.

LOCATION PLAN

Nil

TABLED ITEMS

Nil

BACKGROUND

The purpose of Councillor Agenda Briefings and Concept Forums is to:

1. Provide relevant information so that Councillors are better informed when participating in Council decision making processes.
2. Provide a forum for two-way communication between elected members and key staff members on important Council related matters.
3. Provide an inclusive opportunity for general community members and the press to receive the same information on Agenda Items being provided to elected members on a range of relevant topics

Agenda briefings and workshops sessions are centred on one or more of the following outcomes which can be classified under the DLGC Guidelines for Councillor Forums as either a Concept or an Agenda Forum:

Concept Forums / Workshops

Concept forums generally relate to strategic matter that are not yet on a Council meeting agenda. Concept forums are generally closed to the public to facilitate the open discussion of preliminary ideas and concepts by Councillors, but may be open to the public where the CEO or President believe it would be beneficial.

Matters to be discussed at a Concept forum may include;

- A statement of governance processes and effectiveness

- a statement of principles on key issues
- guidance to the CEO on further avenues of research
- compiling a list of critical issues resulting from the briefing
- the brainstorming of ideas
- policy development and direction (but not adoption)
- ongoing discussion of the Shire's strategic direction

Agenda Briefings

Agenda Briefing Sessions are open to all elected members and generally to all members of the public and press. The Chief Executive Officer is to be in attendance and other relevant Directors and staff as required by the CEO for the provision of information to elected members.

Matters of a confidential nature to be included in a Council agenda will be discussed at closed briefing sessions (i.e. not open to the public). Otherwise normal briefing sessions will be open to the public at a suitable publicly accessible time.

Matters dealt with at agenda briefings may include;

- breaking down of complex issues before Council
- clarification of items on the Council agenda
- requests for additional information on items on the Council agenda
- confidential discussion of items which are on the agenda and which will be discussed with members of the public excluded

CONSULTATION AND ADVICE

External Consultation

The Local Government Operational Guidelines Number 5 Council Forums have been considered and adapted for use in the Shire of Augusta Margaret River setting.

Internal Consultation

Nil

DISCUSSION / OFFICER COMMENTS

The following are the informal notes of the Councillor Agenda Briefings and Concept Forum Sessions recently held as recommended by Council's adopted policy which is consistent with the DLG Guidelines.

Notes of Councillor Agenda Briefings and Concept Forum Sessions from 23 October to 11 December 2019

DATE: 23 OCTOBER 2019

Nil

DATE: 13 NOVEMBER 2019

Attendance:

Crs: Cristoffanini, Daniel, Earl, Godden, Kennaugh, McLeod, Meldrum

Officers: Chief Executive Officer, Stephanie Addison-Brown, Director Sustainable Development, Dale Putland, Acting Director Corporate and Community Services, Andrew Ross, Director Infrastructure Services, Markus Botte

Agenda Briefing: Coastal Management

CMW Geosciences Consultant, Matthew Tutton, presented the limestone cliff stability risk assessment report, detailing safety recommendations and structural design.

Also in attendance: Sustainability Planning Officer, Jared Drummond, Manager Planning and Development, Nick Logan, Manager Legal and Governance Services, Ian McLeod, Governance (Risk and Permit) Officer, Emma Rogers, Coordinator Environment / Landcare, John McKinney

Agenda Briefing: Amendment to 2019/20 Fees and Charges

Acting Director Corporate and Community Services, Andrew Ross, presented on Amendment to 2019/20 Fees and Charges.

Agenda Briefing: Public Health Plan

Director Sustainable Development, Dale Putland and Coordinator Environmental Health, Chris McAtee, presented the final Public Health Plan.

Agenda Briefing: Review of Heritage Inventory

Coordinator Statutory Planning, Lucy Gouws, presented on work undertaken for the review of the current Heritage Inventory and provided background information for the project.

Also in attendance: Manager Planning and Development, Nick Logan

Agenda Briefing: Solar PV Business Case

Sustainability Planning Officer, Jered Drummond, presented the Solar PV Business Case.

Also in attendance: Manager Planning and Development, Nick Logan, Strategic Projects Officer, Matt Cuthbert

Agenda Briefing: Draft Climate Action Plan

Sustainability Planning Officer, Jared Drummond, presented the draft Climate Action Plan.

Also in attendance: Manager Planning and Development, Nick Logan, Strategic Projects Officer, Matt Cuthbert

DATE: 27 NOVEMBER 2019

Attendance:

Crs: Cristoffanini, Daniel, Earl, Godden, Kennaugh, McLeod, Meldrum

Officers: Chief Executive Officer, Stephanie Addison-Brown, Director Sustainable Development, Dale Putland, Acting Director Corporate and Community Services, Andrew Ross, Director Infrastructure Services, Markus Botte

Closed Agenda Briefing: Feedlot at Treeton Road

Manager Planning and Development, Nick Logan, presented on the received development application for a feedlot at Treeton Road. This briefing included a site visit.

Reason for Closed: As per section 5.23 2 (f) (i) of the Local Government Act 1995: (f) a matter that if disclosed, could be reasonably expected to - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;

Not in Attendance: Director Infrastructure Services, Markus Botte, Acting Director Corporate and Community Services, Andrew Ross

Closed Agenda Briefing: Winter Diversion Track

Coordinator Environment / Landcare, John McKinney, provided an update on the Winter Diversion Track including Aboriginal Heritage and purchase of land.

Reason for Closed: As per section 5.23 2 (c) of the Local Government Act 1995: a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;

Also in attendance: Senior Legal Officer, Lauren Bidesi

DATE: 11 DECEMBER 2019

Attendance:

Crs: Cristoffanini, Daniel, Earl, Godden, Kennaugh, McLeod, Meldrum

Officers: Chief Executive Officer, Stephanie Addison-Brown, Director Sustainable Development, Dale Putland, Acting Director Corporate and Community Services, Andrew Ross, Director Infrastructure Services, Markus Botte

Concept Forum: Public Amenities

Project Planning Services Officer, Susan Elton, led a concept forum on the public amenities program, changing places facility and the provision of a public toilet at Gas Bay.

Concept forums are closed to members of the public and press.

Also in attendance: Manager Asset Services, David Nicholson, Coordinator Building Assets and Maintenance, David Gunn

Concept Forum: Flinders Bay Jetty

Project Planning Services Officer, Susan Elton, led a concept forum on the design development and next stages for the Flinders Bay Jetty.

Concept forums are closed to members of the public and press.

Also in attendance: Manager Asset Services, David Nicholson, Coordinator Environment / Landcare Services, John McKinney

Concept Forum: Margaret River Precinct Plan

Project Planning Services Officer, Susan Elton, Manager Asset Services, David Nicholson, and Consultant, Andrew Huffer, provided an update on the development of the Margaret River Precinct Plan including the Community Reference Group process.

Concept forums are closed to members of the public and press.

Also in attendance: Coordinator Environment / Landcare Services, John McKinney

Workshop: Community Strategic Plan 2036

Community and Corporate Planner, Stacey Hutt, alongside Catalyse consultants, presented the Community Perception Survey Results and what this means for the minor review of the Community Strategic Plan 2036.

Workshops are closed to members of the public and press.

Also in attendance: Statutory and Strategic Planner, Matt Cuthbert

Closed Agenda Briefing: Main Street Tender

Project Manager, Peter Brown and Project and Procurement Officer, Mel Aylett presented on the Main Street Tender.

This briefing was closed as per section 5.23 2 (c) of the Local Government Act 1995: a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

Local Government Act 1995

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)

Corporate Business Plan 2019-2023

Key Result Area 5: Effective leadership and governance

Community Outcome 1: Responsible ownership of outcomes

Strategy 4: Provide Councillors with high quality and current information and training for effective decision making

Service level strategy/plan 5.1.4.3: Conduct regular briefing sessions for Councillor and community on key issues and projects, prior to Ordinary Council meetings

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

Implications

Nil

Long Term Financial Plan

Nil

Whole of Lifecycle considerations

Nil

SUSTAINABILITY IMPLICATIONS

Environmental

Nil

Social

Nil

Economic

Nil

ADVOCACY

Nil

ALTERNATE OPTIONS

Nil

Voting Requirements

Simple Majority

RECOMMENDATION

That Council receives the Notes of Councillor Agenda Briefing Sessions from 23 October to 11 December 2019.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

Nil

11.1.2 GENERAL MEETING OF ELECTORS 2019

LOCATION/ADDRESS	Shire of Augusta Margaret River
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	GRL/14
REPORT AUTHOR	Claire Schiller, Governance Officer / Council Support
AUTHORISING OFFICER	Ian McLeod, Manager Legal and Governance Services

IN BRIEF

- The minutes of the General Electors Meeting (GEM) held on 11 December 2019 are to be considered in accordance with section 5.33 of the *Local Government Act 1995*, and any decisions that were made at the Meeting of Electors are to be considered by Council.
- Elector motions relating to the Main Street Redevelopment Tender were considered by Council as urgent business at the Ordinary Council Meeting held at 5.30pm 11 December 2019, immediately after the GEM, as they related to an Item on the agenda for that meeting.

RECOMMENDATION

That Council:

1. Receives the minutes of the 11 December 2019 General Meeting of Electors;
 2. Notes the acceptance of the 2018/19 Annual Report in its entirety; and
 3. Notes the acceptance of the 2018/19 Audited Financial Statements.
-

LOCATION PLAN

Nil

TABLED ITEMS

Nil

BACKGROUND

The GEM was held in Council Chambers, Margaret River, on Wednesday 11 December 2019 in accordance with the *Local Government Act 1995* and was held within the prescribed 56 days following Council's acceptance of the Audited Annual Financial Statement.

Section 5.33(1) of the *Local Government Act 1995* requires all decisions made at a GEM to be considered at the next Ordinary Council Meeting or, if that is not practicable, at the next scheduled Ordinary Council Meeting or at a Special Council Meeting called for that purpose.

CONSULTATION AND ADVICE

External Consultation

As per section 5.29 (1) of the *Local Government Act 1995* the GEM was advertised in the AMR Times on 27 November and 4 December 2019, and on the Shire's website from 28 November to 11 December 2019.

Internal Consultation

Nil

DISCUSSION / OFFICER COMMENTS

There were 20 Electors in attendance at the meeting. Five electors asked questions during Public Question Time in relation to the Main Street Tender, Old Settlement, and meeting procedure. The Chief Executive Officer provided responses. Two questions were taken on notice at the meeting and the response subsequently provided to the author and published within the minutes (Attachment 1).

Five decisions were made at the General Electors' Meeting held 11 December 2019. Two relating to the acceptance of the 2018/19 Annual Report and Audited Financial Statement and three relating to the Main Street Redevelopment Tender, which was raised by Electors as an item of General Business.

Acceptance of Annual Report

MOTION / ELECTORS DECISION

MOVED: STEVE JONES SECONDED: HELEN EARL EM2019/1

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

CARRIED

Acceptance of Audited Financial Statements

MOTION / ELECTORS DECISION

MOVED: STEVE JONES SECONDED: BILL IVORY EM2019/2

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

CARRIED 12/1

Main Street Redevelopment Tender

MOTION 1 / ELECTOR DECISION

MOVED: LINTON HODSDON SECONDED: MICK GRAHAM EM2019/3

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

CARRIED 10/3

MOTION 2 / ELECTOR DECISION

MOVED: LINTON HODSDON SECONDED: JENNIFER GHERARDI EM2019/4

That Council amend the Main Street redevelopment plans to :

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

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

CARRIED 9/3

MOTION 3 / ELECTOR DECISION

MOVED: JENNIFER GHERARDI SECONDED: LLOYD SHEPHERDSON EM2019/5

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

CARRIED 11/3

As the Main Street Tender was on the agenda for the OCM scheduled immediately after the GEM, at the OCM Council resolved to deal with the three motions relating to the Main Street Tender as Urgent Business before deliberating Item 11.3.5 RFT 05-20 Margaret River Main Street Redevelopment Construction. Each Motion was put separately and not supported by Council for the following reasons:

Motion 1 and 2 – 'Council is satisfied that the tender documentation has been appropriately prepared and that the community engagement in relation to the project has been a thorough process.'

Motion 3 – 'Council is satisfied that the CEO's current community engagement model for the implementation of the project is satisfactory and will enable community input into variations.'

As Council have already dealt with decisions made at the GEM relating to the Main Street Tender, for the purpose of this report, Council is required to note only the acceptance of the Annual Report and Audited Financial Statements.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

Local Government Act 1995, s5.27 (3), 5.31, s5.32 & s5.33

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)

Corporate Business Plan 2019-2023

Key Result Area 5: Effective leadership and governance

Community Outcome 5.7: Measure and report on success and sustainability

Strategic Response 5.7.2: Report on our success and sustainability to the community and stakeholders

Service level strategy/plan 5.7.2.1: Implement Annual Reports consistent with the guidelines for the Department of Local Government, Sport and Cultural Industries' Integrated Planning and Reporting Framework

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

Implications

Nil

Long Term Financial Plan

Nil

Whole of Lifecycle considerations

Nil

SUSTAINABILITY IMPLICATIONS

Environmental

Nil

Social

The Annual Report provides the community with a report on the progress Council has made against the Shire's Strategic Plan.

Economic

Nil

ADVOCACY

Nil

ALTERNATE OPTIONS

Nil

VOTING REQUIREMENTS

SIMPLE MAJORITY

RECOMMENDATION

That Council:

1. Receives the minutes of the 11 December 2019 General Meeting of Electors;
2. Notes the acceptance of the 2018/19 Annual Report in its entirety; and
3. Notes the acceptance of the 2018/19 Audited Financial Statements.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

1. Minutes of the General Meeting of Electors held 11 December 2019

11.2. Sustainable Development

11.2.1 PROPOSED HOLIDAY HOUSE AT 163 (LOT 1) TREETON ROAD NORTH, COWARAMUP

LOCATION/ADDRESS	163 (LOT 1) TREETON ROAD NORTH, COWARAMUP
APPLICANT/LANDOWNER	Simmonds JR,McGowan HM
FILE REFERENCE	PTY/1748
REPORT AUTHOR	Clare Hamilton, Planning Officer
AUTHORISING OFFICER	Dale Putland, Director Sustainable Development

IN BRIEF

- Planning approval is sought for a Holiday House use in an existing two (2) bedroom dwelling at 163 (Lot 1) Treeton Road North, Cowaramup (the Site).
- The Holiday House is proposed to accommodate up to four (4) short stay guests at any one time.
- The property is zoned 'Priority Agriculture' within which the proposed land use can be approved.
- The application was advertised to property owners within a 2km radius of the Site. One submission was received confirming no objection to the proposal.
- Concerns regarding the proposal were previously raised during a separate compliance matter at the site. These concerns related to the use of the dwelling as a Holiday House without a valid planning approval in place.
- The application meets the provisions of *Local Planning Scheme No.1 (LPS1)* and meets the acceptable development standards of *Local Planning Policy 7 – Short Stay Accommodation (LPP7)*.
- The proposed Holiday House is recommended for conditional approval.

RECOMMENDATION

That Council grant planning approval for a Holiday House at 163 (Lot 1) Treeton Road North, Cowaramup subject to compliance with the following conditions:

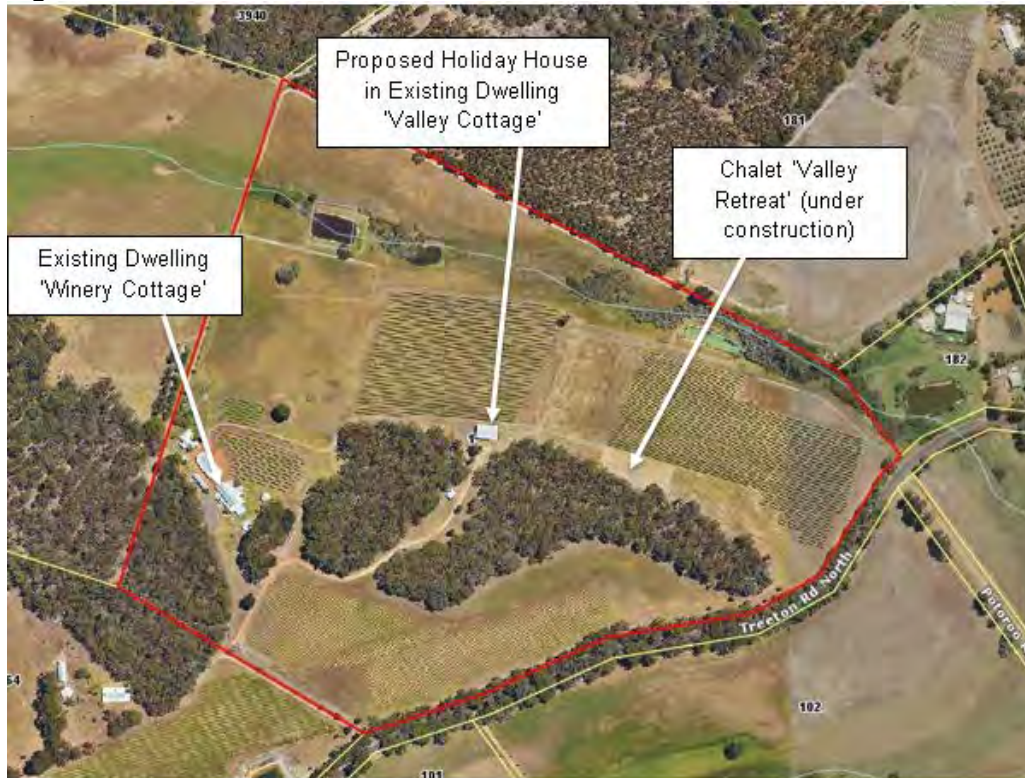
LOCATION PLAN

The Site is located on the northern side of Treeton Road North; approximately 2km northeast of Cowaramup townsite (refer to Figure 1). It is located within the Priority Agriculture zone and is 26.3ha in area. Existing development onsite consists of two dwellings, vineyards, a dam and a Chalet that is currently under construction (planning approval P219522 granted on 10 October 2019). A dwelling known as 'Winery Cottage' and vineyard areas are leased to a tenant on site. The dwelling known as 'Valley Cottage' is subject of the proposed Holiday House application (refer to Figure 2).

Figure 1: Location Plan



Figure 2: Site Context



TABLED ITEMS

Nil

BACKGROUND

Planning approval is sought to use the existing two (2) bedroom dwelling ('Valley Cottage') as a Holiday House. The dwelling is located centrally within a cleared area of the Site.

It is proposed to accommodate a maximum of four (4) short stay guests at any one time. The proponent has nominated a local manager for the Holiday House use. Approval of the use is sought for an initial twelve (12) months.

The proposal was considered by the Shire's Development Assessment Unit (DAU) on 3 December 2019. The DAU provisionally approved the proposal subject to conditions; however, Councillors have requested that the matter be brought before Council for final determination.

CONSULTATION AND ADVICE

External Consultation

Neighbour Consultation

The application was advertised to property owners within a 2km radius of the site. This is as required under the Shire's 'Planning Consultation Guideline Non Rural uses in Rural Zones' (Council Resolution 24/10/18). One submission was received confirming no objection to the proposal.

Compliance Matter Consultation

The Shire recently became aware that the existing dwelling (Valley Cottage) was being used as a Holiday House without a valid planning approval in place. At a similar time, the Shire also received a complaint in relation to this unauthorised use. The complaint included:

- Guests enter areas of the site that are leased from the landowner as a working vineyard when agricultural activity is occurring resulting in safety concerns.
- Concern over the proximity of guest accommodation to the vineyard areas (existing dwelling is setback approximately 10m).

The Shire immediately discussed the matter with the proponent. A number of steps were agreed between the proponent and the Shire, including that the proponent would cease the Holiday House use

at Site. These were actioned accordingly by the proponent. Subsequently, the proponent submitted an application for the proposed Holiday House use that is subject of this report.

Due consideration was taken of the concerns raised through the compliance matter in assessment of the proposed Holiday House. The concerns were treated as an objection to the proposal. This is discussed in further detail below.

Internal Consultation

Nil

DISCUSSION / OFFICER COMMENTS

The site is located in the Priority Agriculture zone. A Holiday House is a discretionary use in this zone meaning it can be considered by the Shire following advertising to adjoining owners. The location of the proposal is consistent with the acceptable development standards of *Local Planning Policy 7- Short Stay Accommodation (LPP7)* being located on a lot outside of the permitted area shown on Policy Plan 1 where the property comprises an area not less than 1ha. The proposal also meets all acceptable development standards of *LPP7*.

The proposal is considered to be consistent with the character and nature of development in the area and meet the objectives of the Priority Agriculture zone under *Local Planning Scheme No.1 (LPS1)*. This allows for the provision of sustainable low impact tourist development where such uses are incidental to the established agricultural use of the land.

Occupation of the dwelling as a Holiday House is similar to that of normal residential use of the property. No new development is proposed that would affect agricultural land on or off site. The land on site can reasonably continue to be used for agricultural purposes in compatibility with a Holiday House use.

There is no minimum setback requirement for a Holiday House use to vineyards (Agriculture Intensive use) on the same lot, nor are there minimum setbacks for the existing dwelling. Minimum setback requirements are only relevant when considering the location of development to adjoining lot boundaries. Notwithstanding the above, a separation distance of 10m between the nearest vines and the existing dwelling is not considered to have an unacceptable impact on the ability of the two uses to coexist.

The proponent confirmed review of management procedures during the operation of the unauthorised Holiday House to mitigate reoccurrence of the aforementioned issues. This included:

- Communication of site rules to guests on booking of the accommodation, prior to their arrival and in the house rules kept in the property. Guests are advised they are not permitted to enter the vineyard or winery areas or walk within 10m of the end of the vineyard rows. Guests are permitted to walk along the edge of forestry areas and down mown paths between the vineyard areas to the creek and along the creek to the gate next to the adjoining lot.
- Guests are also notified of the onsite operational vineyards where access is restricted for safety reasons and for awareness of agricultural activity on site.
- Should planning approval be granted for a Holiday House use, the owner has committed to implementing the above management measures and in addition erect signs near the Holiday House on site indicating the above requirements to guests.

The concerns raised relate to the interaction of different uses occurring on the same lot rather than between neighbouring lots. This interaction would ordinarily be managed between the parties involved. It is, therefore, reasonable to conclude that any amenity issues can be managed on this basis. The Shire considers that the steps taken by the owner to mitigate likely impacts arising from the proposal are reasonable in this circumstance.

The management measures, to which the owner has indicated commitment, can be dealt with by the requirement for House Rules. This requirement is ordinarily conditioned as part of any Holiday House approval, and in this instance, it is recommended that additional advice notes are included. The requirement under any planning approval for the allocation of a local property manager close to site also allows the items to be managed and monitored.

The proposal is recommended for approval subject to conditions given that it meets the provisions of *LPS1*, meets the acceptable development standards *LPP7* and the concerns raised can be appropriately addressed.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

Nil

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)

Corporate Business Plan 2019-2023

Key Result Area 3: Managing growth sustainably

Community Outcome 2: Clearly defined areas for growth and renewal

Strategic Response: Implement Local Planning Scheme

Service level strategy/plan: Provide Planning Services

PLANNING FRAMEWORK

Local Planning Scheme No.1 (LPS1)

A Holiday House is an 'A' use within the Priority Agriculture zone, meaning it can be considered within this zone following consultation.

Clause 5.26 Development of Holiday Houses sets a series of broad standards for the assessment of holiday houses, which have been summarised as follows:

- Management required to ensure that a holiday house activity will not cause nuisance or annoyance to the owners of adjoining or nearby properties;
- Additional parking may be required for the use;
- Any approval granted for a holiday house will be for a period of one year renewable by subsequent application;
- Holiday houses are generally considered appropriate within coastal communities of the local government area or within close proximity to major tourist attractions, but are not considered appropriate within residential districts of inland settlements.

Specific criteria on acceptable locations of holiday homes within the Priority Agriculture zone where the property comprises an area not less than 1ha are contained in *LPP7*. This is discussed below.

Local Planning Policy 7– Short Stay Accommodation (LPP7)

The policy provides guidance on the appropriate location, scale and use of single and grouped dwellings for Holiday Houses in the Shire. *LPP7* supports Holiday Houses within the Priority Agriculture zone.

The policy identifies a number of elements to be considered in the assessment of any application. These elements comprise location, occupancy, amenity, design/layout and management. The policy provides a set of acceptable development standards for each of the elements plus performance criteria to guide any discretionary decision-making where the acceptable design standards are not met.

FINANCIAL IMPLICATIONS

Implications

Nil

Long Term Financial Plan

Nil

Whole of Lifecycle considerations

Nil

SUSTAINABILITY IMPLICATIONS

Environmental

No vegetation is to be removed to undertake the proposed use.

Social

Subject to appropriate management actions being incorporated into the use, Holiday House uses can occur when responsive to the surrounding development context, environment and nearby properties/occupiers without detriment to the amenity.

Economic

Holiday Houses are a recognised form of tourist accommodation that provides economic value to the area.

ADVOCACY

Nil

ALTERNATE OPTIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council grant planning approval for a Holiday House at 163 (Lot 1) Treeton Road North, Cowaramup 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.

1.1.1.1.1.Plans and Specifications	1.1.1.1.2.P1 to P2 received by the Shire on 27 September 2019
------------------------------------	---

2. The Holiday House use permitted for a period of **twelve (12) months** from **<date of this approval>** to **<end of date of approval>**. (Refer to advice note a)
3. The approved Bushfire Emergency Evacuation Plan and Bushfire Management Plan shall be displayed in a conspicuous location within the dwelling at all times.
4. A Manager or a contactable employee of the Manager that permanently resides no greater than a 35 minute drive from the site shall be nominated for the Holiday House and this person shall attend to any callout within 35 minutes of a reported incident. The Manager or contactable employee is to be retained at all times during the use of the site as a Holiday House. (Refer to advice note b)
5. At all times the Holiday House use is in operation, the 24-hour contact details of the **Manager** of the Holiday House shall be displayed on a sign that is clearly visible from the nearest street frontage. The sign is limited to a maximum size of 0.2 metres square and not exceeding 1.5 metres in height from the ground level. The sign shall be erected within the property frontage and must be visible from the front street. (Refer to advice note c).
6. All vehicles & boats connected with the premises shall be parked within the boundaries of the property.
7. The short stay use of the dwelling shall not be occupied by more than **four (4) people** at any one time.
8. Amplified music shall not be played outside of the holiday house between the hours of 10pm and 10am.
9. 'House Rules' shall be developed to the satisfaction of the Shire prior to the commencement of use. Thereafter the 'House Rules' shall be provided to all guests and shall be displayed within a prominent position within the Holiday House. (Refer to advice notes f and g)

10. Any marketing material for this Holiday House shall include display of the planning approval reference number for this approval.

ADVICE NOTES

- a) Following satisfactory performance of the approved use, and in the absence of any substantiated complaints over the twelve (12) month approval period, the Shire may grant further planning approval for the continuation of the use for a further three (3) years. A new planning application seeking such approval should be submitted 90 days before the expiry of this approval, along with the appropriate planning fee.
- b) If at any time there is not an appointed manager or a contactable employee of the manager for the site, the use must cease until such time as a manager is appointed.
- c) Evidence of installation of the sign will be required to be provided, to the satisfaction of the Shire, at the time an application to renew the Holiday House use is lodged.
- d) This approval does not affect the entitlement to use the dwelling for permanent residential purposes.
- e) You are advised of the need to comply with the requirements of the following other legislation:
 - (i) *Health (Miscellaneous Provisions) Act 1911* and Department requirements in respect to the development and use of the premises.
 - (ii) The *WA Building Regulations 2012* (r.59) requires that the owner of a dwelling (as defined in the Building Code of Australia) must not make the dwelling available for hire unless hard wired, battery backup smoke alarms are installed, complying with the Building Code of Australia and AS3786.
- f) The 'House Rules' document shall be consistent with key elements of the NSW Code for Holiday Houses (please refer to the attached document).
- g) Guests are to be notified in the 'House Rules' that agricultural operations take place on site and they are not permitted to access the winery vineyard areas or go within 10m of the end of the vineyard rows. It is recommended that signage is also erected on site by the proponent which advises on the prohibited areas.
- h) Evidence of the display of the planning approval reference number within the marketing of the Holiday House is required to be provided, to the satisfaction of the Shire, at the time an application to renew the Holiday House use is lodged. Applicants are advised to include a screenshot of the website, to show that the planning approval reference number is being displayed.
- i) Please note that the Shire does not notify landowners in writing of the expiry of a Holiday House planning approval. It is the owners responsibility to monitor and ensure that the planning approval remains valid while the use is being undertaken and has not expired
- j) The proponent will need to ensure that the occupants of the holiday house comply with the requirements of the *Environmental Protection (Noise) Regulations 1997*.
- k) The development is to provide a potable water source in accordance with *The Australian Drinking Water Guidelines*. Any untreated water supply that is available to the public shall be provided with signage stating that water is not treated.
- l) Rain water storage tank(s) should be sealed to prevent the ingress of dust and to prevent mosquito breeding. A first flush diverter should be installed in line to enable flushing of dust and other sources of contamination deposited on roof catchment and in drainage lines, to minimise contaminants entering water storage tank.
- m) If the proponent intends to supply / prepare food for guests, application will need to be made to register the business in accordance with the *Food Act 2008*. Food provided and the food preparation areas will need to comply with the requirements of the Food Standards Australia New Zealand.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

1. Development Plans

11.3. Infrastructure Services

11.3.1 AUTHORISATION TO EXECUTE A DOCUMENT BY COMMON SEAL - TURNER STREET JETTY LICENSE

LOCATION/ADDRESS	Hardy Inlet, Augusta
APPLICANT/LANDOWNER	Department Of Transport
FILE REFERENCE	VTL/143
REPORT AUTHOR	David Nicholson, Manager Asset Services
AUTHORISING OFFICER	Markus Botte, Director Infrastructure Services

IN BRIEF

- The Department of Transport (DoT) issued a jetty license for the Turner Street Jetty in Augusta in 1977.
- The license is outdated and DoT has prepared a new licence that requires affixing of the Shire's common seal.

RECOMMENDATION

That Council authorises the affixing of the common seal of the Shire of Augusta Margaret River to the Jetty Licence for Jetty No 0620.

LOCATION PLAN



TABLED ITEMS

Nil

BACKGROUND

The Shire is responsible for the care, control and maintenance of the Turner Street Jetty (Jetty No 0620) located on Seine Bay (Hardy Inlet), on Albany Terrace near the corner of Turner Street in Augusta. DoT issued a jetty licence on 1 July 1977 (Attachment 1), in accordance with the Jetties Act 1926. DoT

recently advised the Shire that this licence is out of date and prepared an updated jetty licence (Attachment 2).

CONSULTATION AND ADVICE

External Consultation

Department of Transport

Internal Consultation

Legal & Governance Services

DISCUSSION / OFFICER COMMENTS

The terms and conditions of the updated licence are consistent with other jetty licenses within Western Australia and do not change existing management arrangements or place any additional requirements on the Shire, other than an annual licence fee of approximately \$40. The jetty licence requires the Shire President and CEO's signatures and affixing of the Shire's common seal.

In accordance with s9.49a Local Government Act, any document requiring execution by common seal must have authorisation by Council decision. The following document requires the affixing of the Shire's common seal for execution: Jetty Licence LM0620, Cnr Turner Street & Albany Terrace, Augusta. Executing this document is a requirement of the *Jetties Act 1926*.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

9.49A. Execution of documents

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

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

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)

Corporate Business Plan 2019-2023

Key Result Area 3: Managing growth sustainably

Community Outcome 6: Connected and safe transport network

Strategic Response: Nil

Service level strategy/plan: Nil

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

Implications

DoT will invoice the Shire for an annual jetty licence fee of \$40.

Long Term Financial Plan

Nil

Whole of Lifecycle considerations

Nil

SUSTAINABILITY IMPLICATIONS

Environmental

Nil

Social

Nil

Economic

Nil

ADVOCACY

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council authorises the affixing of the common seal of the Shire of Augusta Margaret River to the Jetty Licence for Jetty No 0620.

ADVICE TO APPLICANT / PROPONENT

Council's decision

ATTACHMENTS

1. Existing Jetty licence
2. Updated Jetty licence

11.4. Corporate and Community Services

11.4.1 LIST OF PAYMENTS FOR NOVEMBER 2019

LOCATION/ADDRESS	Shire of Augusta Margaret River
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	FIN/42
REPORT AUTHOR	Belinda Browning, Accounts Payable Officer
AUTHORISING OFFICER	Andrew Ross, Acting Director Corporate Community Services

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 November 2019 List of Payments for \$3,285,744.97 as certified correct by the Chief Executive Officer.

LOCATION PLAN

Nil

TABLED ITEMS

Nil

BACKGROUND

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

CONSULTATION AND ADVICE

External Consultation

Nil

Internal Consultation

Nil

DISCUSSION / OFFICER COMMENTS

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

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

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

In order to improve operational efficiency and reduce costs, the Shire's Finance team continually liaise with creditors paid by cheque to encourage them to switch to EFT.

SHIRE OF AUGUSTA MARGARET RIVER
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TABLE 1 – SUMMARY OF PAYMENTS MADE IN THE MONTH NOVEMBER 2019

MODE OF PAYMENT	CHEQUE / EFT NUMBERS	AMOUNT
Cheques	42440-42443	\$776.75
EFT	73272 - 73767	\$2,265,434.61
Direct Debits		\$1,019,533.61
TOTAL		\$3,285,744.97

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				
JANUARY	39,638.36	3,969,206.46	4,008,844.82	38,598,640.82				
FEBRUARY	24,695.30	3,222,690.77	3,247,386.07	41,846,026.89				
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

ALTERNATE OPTIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council notes the November 2019 List of Payments for \$3,285,744.97 as certified correct by the Chief Executive Officer.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

1. List of Payments for November 2019

11.4.2 FINANCIAL ACTIVITY STATEMENT REPORT - NOVEMBER 2019

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

IN BRIEF

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

RECOMMENDATION

That Council receives the Monthly Financial Report – November 2019 in accordance with Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

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 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.

SHIRE OF AUGUSTA MARGARET RIVER
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The Statement of Financial Activity shows a year to date actual closing position at 30 November of \$20.616 million (\$1.627 million lower than last month's result of \$22.243 million). This result was higher than the expected year to date budgeted position of \$14.298 million. The following details the main reasons for this favourable variation to Budget.

Operating revenue is \$0.398 million or 1.4% above budget (last month \$0.250 million or 0.9% 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. Offsetting these favourable variances are under budget interest received due to lower than budgeted interest rates and under budget rates.

Operating expenditure on a year to date basis is \$1.427 million or 8.7% under budget (last month \$1.275 million or 9.5% below budget). Variations include materials and contracts being \$1.483 million or 31.1% under budget (last month \$1.205 million or 30.7% under budget) with the Asset Services, Fire Prevention, Information Technology, Maintenance, Parks and Gardens, Waste, Community Development, Landcare and HEART areas having the largest variances; and interest being \$0.090 million under budget due to the reversal of the end of year accrual. Over budget employee expenses of \$0.056 million or 0.9% (last month \$0.044 million or 0.9% over budget) and over budget depreciation of \$0.116 million or 3.0% (last month \$0.117 million or 3.7% over budget) have partially offset these under budget expenditures.

The following table provides a breakdown of budget performance for employee expenses.

Category	Full Year Budget	YTD Budget	YTD Actual	YTD Variance
Provisions	1,161,756	445,605	448,976	3,371
Salaries & Wages	11,874,196	4,617,980	4,640,812	22,832
Superannuation	1,552,500	594,070	611,229	17,159
Workers Compensation	147,085	56,250	61,875	5,625
Fringe Benefits Tax	70,420	31,195	31,195	0
Recruitment expenses	24,880	8,483	3,079	(5,405)
Training & Education	360,667	128,457	133,276	4,819
Uniforms & PPE	88,225	37,860	41,355	3,495
Memberships	0		3,805	3,805
Total	15,279,729	5,919,900	5,975,602	55,702

Grants for capital works are \$0.494 million or 19.5% below budget (last month \$0.901 million or 42.8% below budget). The main reasons for this variation are:

- the initial claim of \$0.139 million for the \$0.405 million Lotterywest grant for the Cowaramup Hall project has been received but the remainder of the grant will be received after construction is completed;
- the claim for the final instalment of \$0.720 million for the National Stronger Regions Fund grant for the HEART project is pending the receipt of an independent audited financial statement;
- the \$0.070 million Better Bins grant application is in progress; and
- over budget developer contributions of \$0.087 million, an unbudgeted bridge grant of \$0.189 million to be provided to Main Roads WA and receipt of the full annual Roads to Recovery grant allocation of \$0.649 million offset these under budget items.

Capital expenditure of \$1.282 million during the month (\$0.589 million last month) compared to the budget for the month of \$2.692 million. On a year to date basis capital expenditure is \$4.867 million under budget (last month \$3.458 million under budget). Optimistic budget profiling has contributed to this variance and other causes include:

- the completion of works for buildings in the Margaret River Youth Precinct being delayed;
- delays proceeding with capital projects at Davis Road landfill site;
- delays with progress claims for the HEART project and the planned installation of replacement retractable seating has contributed to an under budget variance of \$0.173 million being recorded for this project;

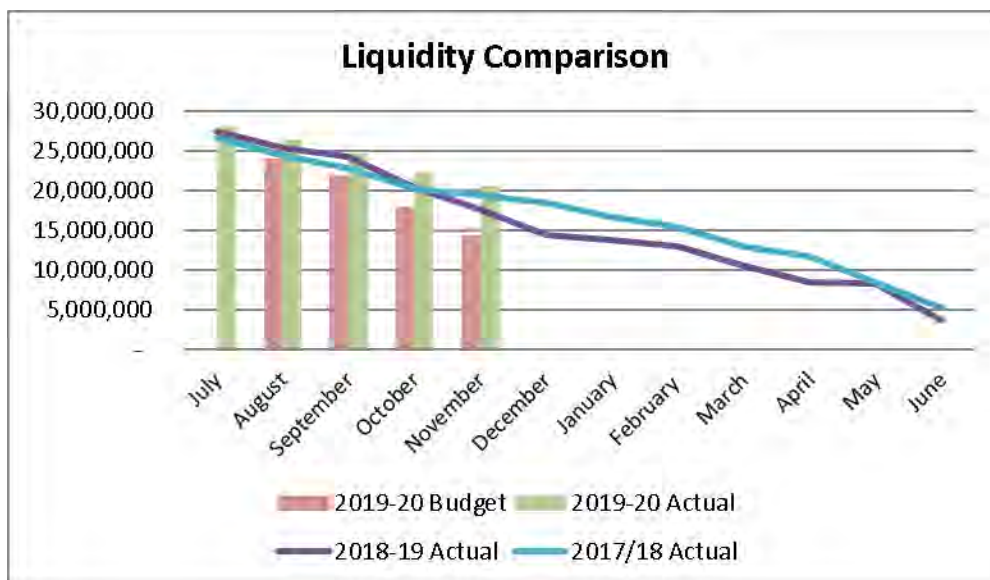
SHIRE OF AUGUSTA MARGARET RIVER
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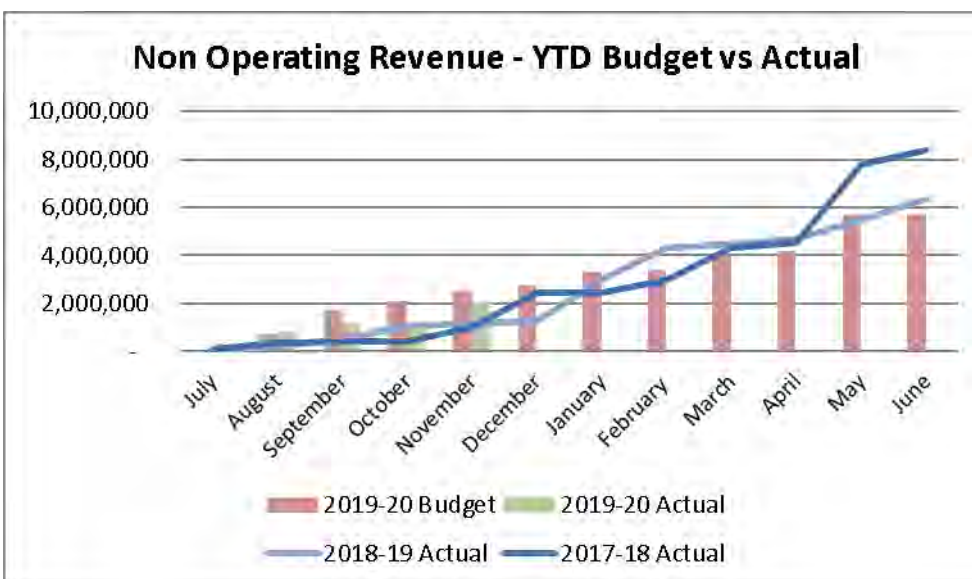
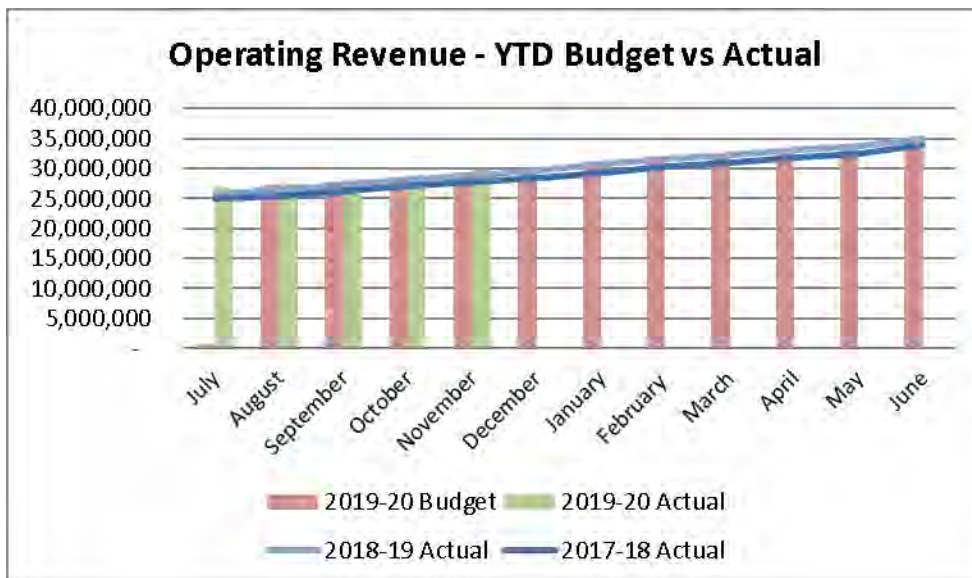
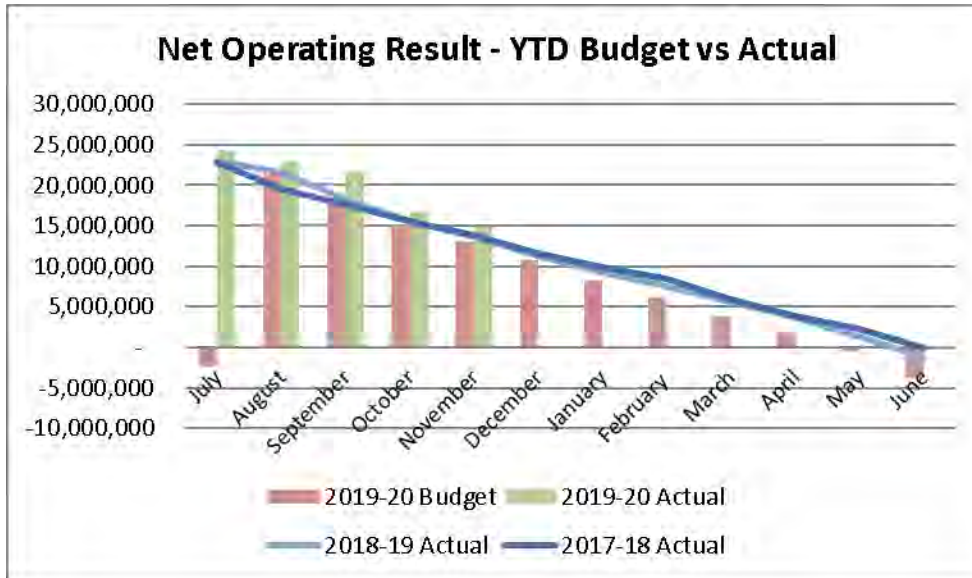
- building projects including the Cowaramup Hall, Witchcliffe hall and the Margaret River Recreation Centre fire detection system, are collectively \$0.483 million under budget due primarily to project commencement delays;
- various purchases for the HEART project such as furniture and signage totalling \$0.123 million have not occurred in accordance with budget expectations;
- delays with approvals and consultation have contributed to under budget expenditure of \$0.215 million for Asset Services;
- infrastructure upgrade projects are \$2.065 million under budget with the main cause being the delayed start to the Margaret River main street project;
- infrastructure renewal projects are \$0.811 million under budget with the main variations being the result of delays to road rehabilitation projects and path preservation projects;
- a tender for the purchase of 8 utilities was approved in November, however their purchase was budgeted for October and has contributed to an under budget variance of \$0.295 million being recorded for plant and equipment purchases; and
- invoice and project delays as well as the deferral of the chalet project to May 2020 have contributed to caravan park works being \$0.680 million under budget.

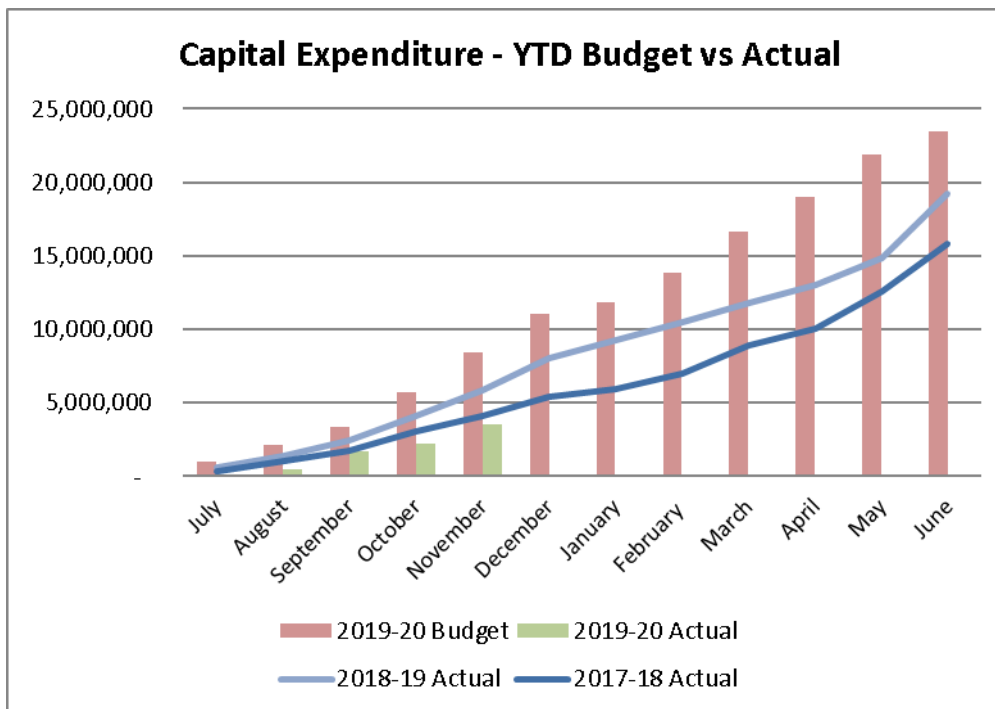
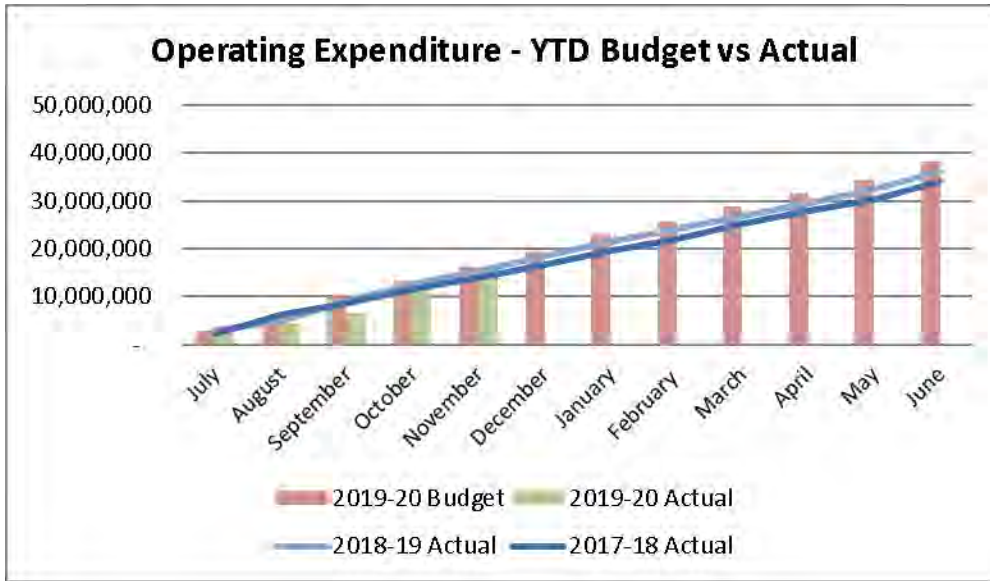
Capital expenditure for the month included:

- \$84,958 for works to the Alexandra Bridge fire station;
- \$294,878 for various building projects including the HEART project, Cowaramup Hall and Turner Caravan Park asbestos removal;
- \$32,818 on various parks and gardens projects with the purchase of equipment for the renewal of public open space being the main item of expenditure;
- \$731,655 on road related projects of which \$95,522 was spent on infrastructure upgrade projects and \$636,134 was spent on infrastructure renewal projects. Asphalt overlays, Warner Glen Road reconstruction, Ashton Street works, gravel reshouldering and Wallcliffe cycle path renewal were the main areas of expenditure;
- \$80,040 to purchase a replacement single cab truck; and
- \$37,159 to upgrade infrastructure at Turner Holiday Park.

Financial performance against budget is shown in the following charts.







Following is the Statement of Financial Activity for the year ending 30 November 2019.

SHIRE OF AUGUSTA MARGARET RIVER
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SHIRE OF AUGUSTA MARGARET RIVER STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 30 November 2019								
BUSINESS UNITS	2018-19	2019-20	2019-20	2019-20	2019-20	2019-20	YTD	
	Last Year Actual \$	Approved Budget \$	Amended Budget \$	Month of Nov \$	YTD Budget \$	YTD Actual \$	Variance >10% & >\$10,000	
Net Current Assets at 1 July surplus/(deficit)	5,254,476	3,587,167	3,587,167		3,587,167	3,804,165		C/F includes FAG paid in advance less write off of assets from previous years
Revenue from Operating Activities								
Rates	21,890,185	22,523,990	22,523,990	50,548	22,334,740	22,344,811	0	
General Financing	2,434,801	1,565,093	1,565,093	222,280	703,213	686,528	0	
Members of Council	81	200	200	143	50	303	0	
Chief Executive Officer	3,000	0	0	198	0	198	0	
Director Corporate & Community	2,610	0	0	0	0	0	0	
Director Sustainable Development	5,443	0	0	0	0	0	0	
Finance	31,738	20,100	20,100	1,210	8,100	2,251	0	
Records	939	400	400	0	100	210	0	
Corporate Services	724	0	0	0	0	0	0	
Customer Services	183,110	183,800	183,800	20,087	76,250	77,813	0	
Information Comm. Technology	1,564	1,440	1,440	0	600	1,209	0	
Community Planning & Development	45,008	49,555	49,555	1,291	19,600	18,642	0	
Community Fire & Emergency Services	625,587	531,010	531,010	170,961	263,455	300,867	37,412	Timing: MAF & ESL supplementary grant
Rangers	187,353	190,814	190,814	17,944	73,425	68,194	0	
Libraries	52,096	39,720	39,720	2,652	18,460	18,481	0	
Environmental Health	134,824	124,460	124,460	4,439	96,910	99,757	0	
Outside School Hours Care	545,985	430,700	430,700	29,223	194,450	211,128	0	
Waste Services	4,926,642	4,901,376	4,901,376	34,053	4,387,692	4,652,321	0	
Planning & Development Services	302,919	284,000	284,000	34,804	118,000	158,163	40,163	Timing: fees and charges for applications
Community Buildings	8,269	41,000	41,000	319	41,000	2,812	(38,188)	Timing: RADS grant to be received
MR Recreation Centre	887,454	815,600	815,600	62,772	341,600	313,372	0	
Cultural Centre	3,500	65,000	65,000	0	0	185	0	
Augusta Recreation Centre	29,264	37,500	37,500	3,722	15,500	14,312	0	
Gloucester Park	64,696	67,500	67,500	16,144	45,000	30,854	(14,146)	Timing: invoicing of annual usage charges
Parks and Gardens	13,771	12,800	12,800	0	4,000	1,160	0	
Asset Services	79,936	89,400	89,400	1,041	46,500	60,312	13,812	Timing: budget profiling of subdivision charges
Landcare & Environmental Services	22,348	0	0	0	0	3,000	0	
Construction	10,000	0	0	0	0	0	0	
Maintenance	139	0	0	0	0	0	0	
Plant Program	51,174	12,373	12,373	6,186	10,373	15,784	0	
Caravan Parks	2,105,517	2,091,140	2,091,140	174,917	426,570	500,803	74,233	Timing: patronage
Building Services	208,795	240,000	240,000	22,988	100,000	88,301	(11,699)	Timing: fees and charges for applications
Plant Operation Costs	2,637	0	0	0	0	802	0	
Other Property and Services	302,003	47,000	47,000	45,635	31,000	82,400	51,400	Timing: workers compensation recovered
	35,164,013	34,365,971	34,365,971	923,558	29,356,588	29,754,972	398,384	
Expenditure from Operating Activities								
Revenue	(350,662)	(346,438)	(346,438)	(30,595)	(122,895)	(129,112)	0	
General Financing	(608,634)	(649,202)	(649,202)	(24,000)	(247,750)	(158,926)	88,824	Timing: Reversal of interest accrual
Members of Council	(302,205)	(330,775)	(330,775)	(26,106)	(157,784)	(108,627)	49,156	Timing: postal election invoice
Chief Executive Officer	(975,609)	(600,706)	(600,706)	(55,233)	(245,091)	(240,409)	0	
Director Corporate & Community	(412,531)	(486,767)	(486,767)	(34,952)	(199,198)	(202,103)	0	
Director Sustainable Development	(690,756)	(445,212)	(445,212)	(36,089)	(170,826)	(173,664)	0	
Director Infrastructure	(320,737)	(439,036)	(439,036)	(30,489)	(165,240)	(134,435)	30,805	Timing: leave
Finance	(1,039,357)	(1,068,164)	(1,068,164)	(36,713)	(741,070)	(745,505)	0	
Records	(185,325)	(197,974)	(197,974)	(10,407)	(75,775)	(64,242)	11,533	Timing/Perm: employee costs due to vacancy
Corporate Services	(309,477)	(225,800)	(225,800)	(25,923)	(97,925)	(105,201)	0	
Customer Services	(489,211)	(510,738)	(510,738)	(37,061)	(194,930)	(190,721)	0	
Information Comm. Technology	(1,009,701)	(945,668)	(945,668)	(51,523)	(554,495)	(462,334)	92,162	Timing: purchase of software delayed
Human Resources	(664,318)	(686,022)	(686,022)	(58,251)	(259,662)	(274,578)	0	
Community Planning & Development	(574,931)	(787,806)	(787,806)	(58,087)	(348,817)	(261,199)	87,618	Timing: projects delayed
Legal & Governance	0	(297,554)	(297,554)	(25,896)	(118,166)	(107,092)	0	
Communications & Marketing	0	(562,671)	(562,671)	(68,155)	(174,403)	(193,504)	0	
Community Fire & Emergency Services	(1,276,657)	(1,338,102)	(1,338,102)	(82,764)	(615,121)	(525,728)	89,392	Timing: bushfire mitigation works
Rangers	(666,914)	(694,694)	(694,694)	(51,666)	(279,523)	(255,077)	0	
Beach Lifeguards	(114,237)	(111,586)	(111,586)	(124)	(16,001)	(681)	15,320	Timing: service to be contracted
Libraries	(959,445)	(1,011,190)	(1,011,190)	(77,231)	(406,904)	(361,644)	45,260	Timing: labour, printing, stock, projects, depreciation
Environmental Health	(542,974)	(558,328)	(558,328)	(45,328)	(215,795)	(222,698)	0	
Outside School Hours Care	(446,900)	(455,666)	(455,666)	(33,074)	(162,491)	(197,607)	(35,116)	Timing: employee costs for school holiday program
Waste Services	(2,635,073)	(3,142,330)	(3,142,330)	(117,699)	(1,340,784)	(1,038,835)	301,949	Timing: special projects, waste collection invoices
Planning & Development Services	(1,009,842)	(1,281,978)	(1,281,978)	(97,559)	(479,729)	(419,237)	60,492	Timing: employee costs, subscriptions & licences
Landcare & Environmental Services	(504,757)	(761,967)	(761,967)	(104,246)	(320,742)	(202,353)	118,389	Timing: grants to be provided
Community Buildings	(1,829,347)	(2,108,088)	(2,108,088)	(175,511)	(893,779)	(835,793)	0	
MR Recreation Centre	(2,224,983)	(2,102,355)	(2,102,355)	(186,996)	(838,436)	(853,345)	0	
Margaret River Heart	(511,612)	(1,082,025)	(1,082,025)	(74,303)	(452,903)	(329,278)	123,625	Timing: employee costs, public relations, projects
Augusta Recreation Centre	(120,184)	(111,974)	(111,974)	(6,912)	(47,970)	(38,745)	0	
Gloucester Park	(201,530)	(258,000)	(258,000)	(14,831)	(134,300)	(72,317)	61,983	Timing: projects
Parks and Gardens	(2,821,411)	(2,911,900)	(2,911,900)	(244,113)	(1,328,818)	(1,026,463)	302,355	Timing: maintenance of reserves
Asset Services	(1,052,550)	(1,253,065)	(1,253,065)	(81,702)	(561,302)	(403,765)	157,537	Timing: projects
Construction	0	0	0	0	0	0	0	
Maintenance	(10,523,204)	(8,753,850)	(8,753,850)	(733,403)	(3,709,924)	(3,620,808)	0	
Plant Program	(56,529)	(54,913)	(54,913)	(5,676)	(38,913)	(13,711)	25,202	Timing: vehicle sales
Caravan Parks	(1,266,248)	(1,311,826)	(1,311,826)	(99,484)	(505,431)	(463,603)	0	
Building Services	(181,142)	(169,282)	(169,282)	(12,791)	(63,821)	(61,631)	0	
Sustainable Economy	0	(112,024)	(112,024)	(8,021)	(47,446)	(39,527)	0	
Works Overheads	(652,688)	105,698	105,698	20,588	(35,345)	(341,798)	(306,453)	Timing: unallocated works payroll not budgeted
Plant Operation Costs	111,890	164,528	164,528	28,100	50,618	17,416	(33,202)	Timing: over allocation of cost recovery
Other Property and Services	(133,568)	(43,000)	(43,000)	(6,411)	(8,000)	(41,327)	(33,327)	Timing: workers compensation paid to be recovered
	(37,553,363)	(37,938,450)	(37,947,620)	(2,820,639)	(16,326,886)	(14,900,228)	1,426,658	

SHIRE OF AUGUSTA MARGARET RIVER
ORDINARY COUNCIL MEETING 22 JANUARY 2020

SHIRE OF AUGUSTA - MARGARET RIVER STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 30 November 2019							
BUSINESS UNITS	2016-17 Last Year Actual \$	2019-20 Approved Budget \$	2019-20 Amended Budget \$	2019-20 Month of Nov \$	2019-20 YTD Budget \$	2019-20 YTD Actual \$	YTD Variance >10% & >\$10,000
Operating activities excluded from Budget							
Depreciation on assets	9,379,885	9,361,200	9,361,200	779,702	3,900,500	4,016,676	0
(Profit)/Loss Asset Disposal	1,172,199	22,540	22,540	(6,186)	23,540	(8,957)	(32,497)
	10,552,084	9,383,740	9,383,740	773,516	3,924,040	4,007,720	(32,497)
Amount attributable to operating activities	13,417,209	9,398,428	9,389,258	(1,123,565)	20,540,909	22,666,629	
INVESTING ACTIVITIES							
Non Operating Grants & Contributions							
Community Fire & Emergency Services	549,244	1,280,000	1,280,000	0	0	0	0
Waste Services	170,000	70,000	70,000	0	70,000	0	(70,000)
Planning & Development Services	491,111	204,000	204,000	2,915	85,000	172,383	87,383
Community Buildings	3,047,825	1,155,268	1,155,268	138,888	1,155,268	138,888	(1,016,380)
Parks and Gardens	355,407	0	0	(60,555)	0	(60,555)	(60,555)
Asset Services	9,000	36,000	36,000	0	0	5,000	0
Construction	1,765,206	2,961,987	2,961,987	757,916	1,228,987	1,789,146	560,159
Other Property & Services	0	0	0	0	0	0	0
	6,387,793	5,707,255	5,707,255	839,165	2,539,255	2,044,861	(494,394)
Capital Investment							
Purchase Land Held for Resale	0	0	0	0	0	0	0
Purchase Land and Buildings	(8,734,576)	(3,688,157)	(3,688,157)	(381,602)	(2,696,651)	(1,395,519)	1,301,132
Purchase Infrastructure Assets - Other	(2,840,620)	(1,881,705)	(1,891,635)	(48,604)	(649,469)	(417,280)	232,189
Purchase Infrastructure Assets - Roads	(4,411,844)	(15,610,000)	(15,610,000)	(731,655)	(4,287,156)	(1,411,370)	2,875,786
Purchase Plant and Equipment	(2,203,704)	(2,064,000)	(2,064,000)	(118,285)	(593,000)	(297,621)	295,379
Purchase Furniture and Equipment	(930,806)	(230,100)	(230,100)	(2,195)	(177,100)	(14,866)	162,234
Proceeds from Disposal of Assets	1,049,016	435,000	435,000	37,456	108,000	124,693	16,693
Proceeds from Sale of Land Held for Resale	388,182	0	0	0	0	0	0
	(17,684,352)	(23,038,962)	(23,048,892)	(1,244,885)	(8,295,376)	(3,411,963)	4,883,413
Amount attributable to investing activities	(11,296,559)	(17,331,707)	(17,341,637)	(405,720)	(5,756,121)	(1,367,101)	
FINANCING ACTIVITIES							
Repayment of Debentures	(853,961)	(924,549)	(924,549)	(40,529)	(376,867)	(376,867)	0
Repayment of Leases	0	(241,897)	(241,897)	(25,312)	(119,457)	(130,745)	(130,745)
Advances to Community Groups	(40,000)	0	0	0	0	0	0
Proceeds from Self-Supporting & IF Loans	16,815	18,277	18,277	723	9,777	5,777	0
Proceeds from New Loan	500,000	0	0	0	0	0	0
Transfers to Cash Reserves	(3,826,936)	(1,113,076)	(1,113,076)	(33,179)	0	(182,112)	(182,112)
Transfers from Cash Reserves	5,887,597	10,194,525	10,194,525	0	0	0	0
Amount attributable to financing activities	1,683,515	7,933,280	7,933,280	(98,296)	(486,547)	(683,948)	(182,112)
Net Current Assets Surplus (Deficit)	3,804,165	(0)	(19,100)	(1,627,581)	14,298,241	20,615,580	

Investments

At 30 November 2019 the Shire's cash on hand, deposits and investments totalled \$39,234,284 (an increase of \$1,397,892 to last month's total of \$37,836,392). Total investment interest earned for the year was \$244,646 and did not achieve the budget of \$317,000. The decisions of the Reserve Bank to reduce the cash reference rate (0.75% at 1/10/19) have negatively affected interest on investments projections based on a historically higher interest rate.

Term Deposits – Cash Management

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

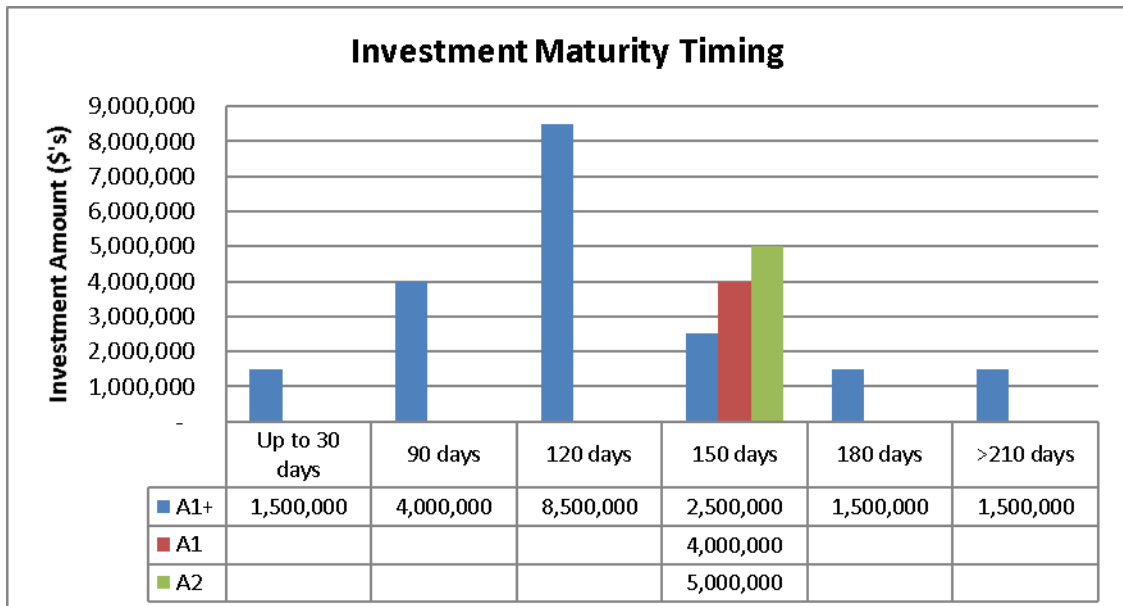
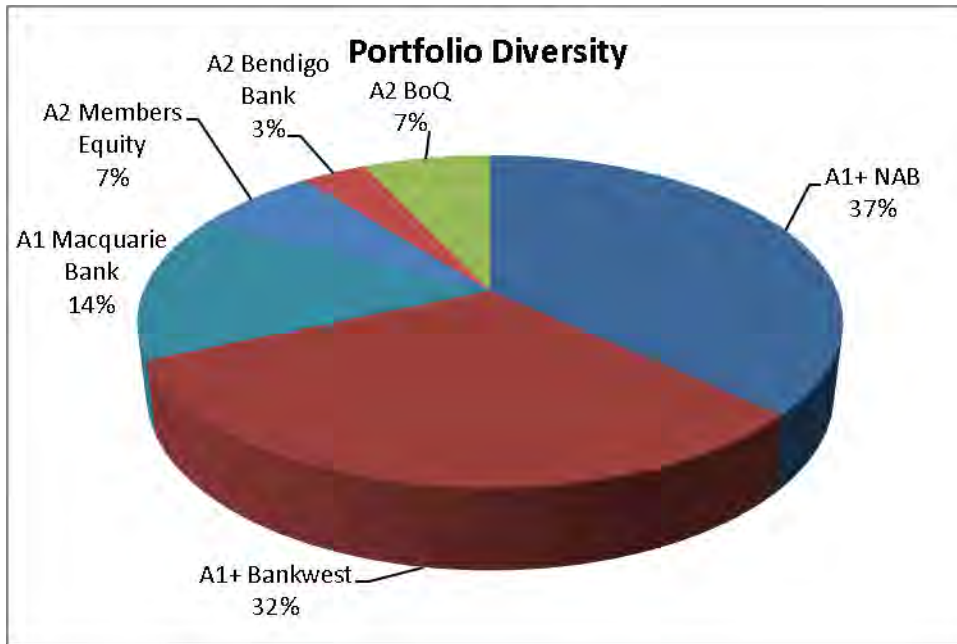
Term Days	Maturity	Institution (ADI)	Principal \$	Interest Rate	Interest \$
182	2/4/20	Bendigo Bank	1,000,000	2.45%	24,567
270	10/12/19	Bankwest	1,500,000	2.50%	27,740
365	10/4/20	National Australia Bank	2,500,000	2.45%	61,250
365	17/7/20	NAB	1,500,000	1.85%	27,750
365	8/5/20	National Australia Bank	1,500,000	2.36%	35,400
180	12/2/20	Bankwest	4,000,000	1.65%	32,548

SHIRE OF AUGUSTA MARGARET RIVER
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180	4/3/20	Bankwest	2,000,000	1.65%	16,274
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
			28,500,000		341,064

During the month no changes were made to term deposits.

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



The Shire also has an Overnight Cash Deposit Facility (OCDF) with WA Treasury Corporation (WATC) which is used to hold the Royalties for Regions funds allocated for the main street redevelopment project. The South West Development Commission are a joint signatory for this facility. During the month interest of \$3,190 was earned (last month \$3,332) and the current balance of the investment is \$5.548 million. At 30 November 2019 the rate of interest earned

on this facility is 0.70% and is set at 5 basis points lower than the Reserve Bank's cash reference rate.

In-Kind Support

At 30 November 2019 fee waivers, donations and financial assistance sponsorships totalled \$10,181 and included \$7,800 of sporting sponsorships, \$150 of donations and \$2,231 of fee waivers. There was no change to the breakdown disclosed for October.

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 30 November 2019 the Shire's financial performance is exceeding budget projections for liquidity and the net operating result. This is attributable to under budget capital and operating expenditure and over budget operating revenue.

Long Term Financial Plan

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

Whole of Lifecycle considerations

Nil

SUSTAINABILITY IMPLICATIONS

Environmental

Nil

Social

Nil

Economic

Nil

ADVOCACY

Nil

ALTERNATE OPTIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council receives the Monthly Financial Report – November 2019 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

11.4.3 MINUTES OF AUDIT AND RISK MANAGEMENT COMMITTEE MEETING HELD ON 26 JUNE 2019

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

IN BRIEF

- The Audit and Risk Management Committee meeting of 26 June 2019 considered the report prepared in accordance with local government audit regulation 17, risk dashboard reports and results of the interim audit.
- Due to an administrative oversight these committee minutes were not provided to Council.

RECOMMENDATION

That Council receives the minutes of the Audit and Risk Management Committee meeting held on 26 June 2019 that were confirmed by the committee at their meeting on 27 November 2019.

LOCATION PLAN

Nil

TABLED ITEMS

Nil

BACKGROUND

At the time of the meeting Council's Audit and Risk Management Committee (ARMC) comprised all 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:

- Reviewed the risk dashboard report for June 2019;
- Accepted the report prepared by AMD Chartered Accountants to discharge the Shire's obligations relating to Local Government Audit Regulation 17 and noted the findings and recommendations of this review;
- Noted the results of the interim audit conducted by the Shire's contracted auditors, Moore Stephens, in March 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

Strategy 4: Ensure information is managed in accordance with statutory requirements and is available for decision making

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

Implications

There are no financial implications associated with the adoption of the Committee minutes.

Long Term Financial Plan

Nil

Whole of Lifecycle considerations

Nil

SUSTAINABILITY IMPLICATIONS

Environmental

Nil

Social

Nil

Economic

Nil

ADVOCACY

Nil

ALTERNATE OPTIONS

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council receives the minutes of the Audit and Risk Management Committee meeting held on 26 June 2019 that were confirmed by the committee at their meeting on 27 November 2019.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

1. Minutes of the Audit and Risk Management Committee meeting of 26 June 2019.

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

- 13. MOTIONS FOR CONSIDERATION AT NEXT MEETING**

- 14. NEW BUSINESS OF AN URGENT NATURE**
 - 14.1. Members**
 - 14.2. CEO**

- 15. CONFIDENTIAL BUSINESS**

- 16. CLOSURE OF MEETING**