Ordinary Council

MINUTES

FOR THE MEETING 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

[Signature]

STEPHANIE ADDISON-BROWN
CHIEF EXECUTIVE OFFICER
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Minutes of the Ordinary Council Meeting held on Wednesday 22 January 2020, in Council Chambers, 41 Wallcliffe Road, Margaret River, commencing at 5.30pm

Ordinary Council Meeting

1. DECLARATION OF OPENING

The Shire President thanked all in attendance and declared the meeting open at 5.30pm

2. ATTENDANCE

Shire President : Cr Ian Earl

Councillors : Cr Paula Cristoffanini
Cr Naomi Godden
Cr Brian Daniel
Cr Kylie Kennaugh
Cr Pauline McLeod
Cr Julia Meldrum

Chief Executive Officer : Ms Stephanie Addison-Brown

Director Sustainable Development : Dr Dale Putland

Manager Asset Services : Mr David Nicholson

Director Corporate and Community Services : Mr James Shepherd

Manager Corporate Services : Mr Andrew Ross

Manager Planning and Development : Mr Nick Logan

Manager Legal and Governance Services : Mr Ian McLeod

Governance Officer / Council Support : Ms Claire Schiller

MEMBERS OF THE PUBLIC : 3

MEMBERS OF THE PRESS : Nil

2.1 Apologies

Director Infrastructure Services, Dr Markus Botte

2.2 Approved Leave of Absence

Nil
3. DISCLOSURES OF INTEREST

Nil

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

4.2.1 Main Street Redevelopment, Old Settlement and General Electors Meeting Minutes - Mr Linton Hodsdon

Mr Linton Hodsdon of 11 Mann Street, Margaret River, supplied a series of questions relating to the Main Street Redevelopment, Old Settlement and General Electors Meeting Minutes. As the majority of questions had been previously asked by Mr Linton Hodsdon and responded to at the General Electors Meeting on 11 December 2019, the Shire President agreed to hear three of the 7 questions and informed Mr Hodsdon and the meeting that the remaining questions would be responded to as correspondence and published in the 12 February 2020 Ordinary Council Meeting Agenda.

Mr Linton Hodsdon asked the following questions, the CEO provided the responses.

Q1: Regarding Q1 to the AEM, can we agree that if the new figure is 36 then the statement '52 was a transpositional error that should be 25' (OM 25.06.19) was wrong?

A1: The same question was asked at the 11 December 2019 General Electors Meeting and the advice remains the same. The answer was 'the figure is 25 bays for phases 1 and 2, a total of 36 for all three phases'.

Q2: Is it correct to interpret the answer to Q6 to the AEM as being that Council is delegating immediate lease, vesting and financial issues associated with the Old Settlement over the last 5 years to a Community Reference Group looking at a recreational trails strategy for beyond 2021?

Being a member of the CRG consisting of 20 members, to which the only mountain biker stopped attending after the second workshop, I am aware that the strategy process may offer some advice on future uses at the Old Settlement but has not reviewed past performance of leaseholders, vesting and financial issues. Will Council amend the note to Q6 (AEM) to clarify the CRG’s role?

A2: The CEO took the question on notice.

Q3: Will Councillors please vote to not receive the minutes to the AEM proposed in the agenda to the current meeting, until corrections are made to reflect the glaring failure of answers to Public Questions? And will Council please offer some explanation as to why community motions passed at the AEM were rejected by Council without comment at the following OM?

A3: Formal reasons were given at the 11 December 2019 Ordinary Council meeting and are included in the minutes.

Responses to public questions taken on notice will be published in the 12 February 2020 Ordinary Council Meeting Agenda.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 Ordinary Council Meeting held 11 December 2019

MOTION / COUNCIL DECISION

CR KENNAUGH, CR DANIEL OM2020/1
That Council confirms the minutes of the Ordinary Council Meeting held on 11 December 2019 to be a true and correct record of the meeting.

CARRIED 7/0
7. **DEPUTATIONS**

7.1 **Item 11.2.1 Proposed Holiday House at 163 (Lot 1) Treeton Road North, Cowaramup – Mr John Simmonds**

*Mr John Simmonds, Managing Director Treeton Estate Pty Ltd, 163 Treeton Road North, addressed the meeting in relation to Item 11.2.1 Proposed Holiday House at 163 (Lot 1) Treeton Road North, Cowaramup. A summary of his deputation is as follows:*

Representing my wife and myself as owners, I have requested this deputation to provide information on complaints made by my tenant, Mr Vinciullo, with regards to operation of Valley Cottage as a Holiday House.

Owned and developed by the McGowan family since the early 1980's, Treeton Estate is a 26 ha agricultural property that contains the owner’s permanent residence (Valley Cottage), pasture lands, vineyards and a winery complex that includes a small residence (Winery Cottage). The family business produced grapes and table wine between 1991 and 2017, when the operating manager, David McGowan, retired.

David’s niece, Helen McGowan and her husband, John Simmonds purchased half of the property in 2008 and the remainder in May 2017. Since taking on management, the owners have worked to build a financially viable business that comprises sensitive development of its short-term accommodation potential and leasing of the grape-growing and wine-making capacity of the property to a third-party operator.

Subject to developing a financially sustainable business, the owners plan to relocate to the property in 2022. Under the current plan, this development will include investment in an additional one to three short-term accommodation cabins, which have already been located on the Bushfire Management Plan submitted to the Shire in September 2019.

Feedback from over 100 groups of Australian and International guests has been enthusiastically positive, with particular appreciation of Valley Cottage’s location within the forests and vineyards that brought them to Margaret River. For my work with guests, I have achieved Superhost status in the Airbnb community.

Neither Helen or John are trained viticulturalist’s or winemakers so to maintain the business, the decision was made to lease one-third of the property from June 2017 to an independent winemaker. Due after diligence which included the understanding that an accommodation business would be operating on the property, Mr. Sam Vinciullo leased the winery, vineyards, mobile equipment and Winery Cottage for a 3-year period that ends on 30 June 2020. Mr Vinciullo has permission to access his leased areas (see map) on tracks that are managed by the owners.

Discussions with AMR Shire over planning application for both a new chalet and rezoning of Valley Cottage to Holiday House began in November 2018. Following advice, BAL assessment, compliance with BAL zoning, preparation of a BMP-EEP and application for a building application covering small changes to Valley Cottage were completed by August 2019.

In September 2019, two planning applications were submitted: for a new short-term accommodation cabin (Valley Retreat) and a change of use application for Valley Cottage to be classified as a Holiday House. Sited 150 metres to the east, the location of Valley Retreat with respect to the forest and vineyards is identical to the dwelling that is the subject of this current planning application.

The Shire granted Planning and Building permits for Valley Retreat in October 2019. The new building is now close to lock-up and first guests are anticipated in May 2020. Within the Planning Permit, the owners have agreed conditions that include the same electronic and written communications to guests that have been used successfully over the last 2 years to inform them of areas they can access (lawns around the cottage, the central forest and a track through pastures to the adjacent Cowaramup Brewery) and areas they cannot (the winery, the vineyards and within 10 metres of the end of vine rows).
From the start of his leases, Mr Vinciullo made many complaints, each of which the owners have addressed as promptly as opportunity allowed. This included complaints close to the start of his lease in the second half of 2017, that Airbnb guests were entering the vineyards, causing him concern over occupational health, safety and environmental risks during vineyard operations. Guest information was revised to a form that is identical to that requested by the Shire for the new Valley Retreat. It is our understanding that since that time, guests have complied with the access instructions provided to them.

In April 2019, after 2 years had expired of his 3-year lease, Mr Vinciullo informed the owners that he would vacate the property on 30 June 2020.

Despite the problem with guests entering the vineyard being remedied in early 2018 and his planned departure from the property in mid-2020, Mr Vinciullo has used these historical events as part of his complaint over the Valley Cottage planning application. Mr Vinciullo has not responded to recent email communications asking whether he would like additional information provided to guests with regards to his vineyard operations.

The owners request that approval be granted for Valley Cottage to be designated as a Holiday House, with conditions as recommended in the documentation tabled for this Meeting in Section 11.2.1. The Owners will exceed this requirement by requesting that vineyard tenants inform them of planned machinery movement within 20 metres of the cottage so that guests can be requested to take particular care at that time.

The Shire President thanked Mr Simmonds for his deputation.

8. PETITIONS
   Nil

9. ANNOUNCEMENTS FROM THE PRESIDING MEMBER
   9.1 Thank You to Andrew Ross

   The Shire President acknowledged and thanked Mr Andrew Ross for for the last 14 months in which he has been Acting as the Director Corporate and Community Services as well as continuing the role of Manager Corporate Services.

   In recognising Mr Ross’s accomplishments, the Shire President made special mention of; the Budgets and Long Term Financial Plan; Turner Caravan Park Redevelopment; HEART Project and Main Street Project oversight and guidance; Strategic Community Plan as well as other strategies.

   The Shire President went on to emphasise Mr Ross’s exceptional support to Council, staff and the community and stated that he is very well regarded by all.

   The Shire President welcomed new Director Corporate and Community Services, Mr James Shepherd.

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

11. REPORTS OF COMMITTEES AND EMPLOYEE REPORTS
11.1. Chief Executive Officer
11.1.1 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
AUTHORIZING 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 no 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.

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.

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 / PROONENT
Nil

ATTACHMENTS
Nil

RECOMMENDATION / COUNCIL DECISION
CR MELDRUM, CR KENNAUGH OM2020/2
That Council receives the Notes of Councillor Agenda Briefing Sessions from 23 October to 11 December 2019.

CARRIED 7/0
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

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

ADVICE TO APPLICANT / PROPOSENT
Nil
ATTACHMENTS
1. Minutes of the General Meeting of Electors held 11 December 2019

RECOMMENDATION / COUNCIL DECISION
CR DANIEL, CR KENNAUGH OM2020/3
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

CARRIED 7/0
11.2.
Sustainable Development
### 11.2.1 PROPOSED HOLIDAY HOUSE AT 163 (LOT 1) TREETON ROAD NORTH, COWARAMUP

<table>
<thead>
<tr>
<th>LOCATION/ADDRESS</th>
<th>163 (Lot 1) Treeton Road North, Cowaramup</th>
</tr>
</thead>
<tbody>
<tr>
<td>APPLICANT/LANDOWNER</td>
<td>Simmonds JR, McGowan HM</td>
</tr>
<tr>
<td>FILE REFERENCE</td>
<td>PTY/1748</td>
</tr>
<tr>
<td>REPORT AUTHOR</td>
<td>Clare Hamilton, Planning Officer</td>
</tr>
<tr>
<td>AUTHORISING OFFICER</td>
<td>Dale Putland, Director Sustainable Development</td>
</tr>
</tbody>
</table>

**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**

![The Site](image-url)
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

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.

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 / PROPOSED
Nil

ATTACHMENTS
1. Development Plans

RECOMMENDATION / COUNCIL DECISION
CR DANIEL, CR MELDRUM OM2020/4
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.

<table>
<thead>
<tr>
<th>1.1.1.2.1. Plans and Specifications</th>
<th>1.1.1.3. P1 to P2 received by the Shire on 27 September 2019</th>
</tr>
</thead>
</table>

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.

g) The ‘House Rules’ document shall be consistent with key elements of the NSW Code for Holiday Houses (please refer to the attached document).

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**.

CARRIED 7/0
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

AUTHORIZING 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 / PROPOSENT
Council’s decision

ATTACHMENTS
1. Existing Jetty licence
2. Updated Jetty licence

RECOMMENDATION / COUNCIL DECISION
CR CRISTOFFANINI, CR MELDRUM OM2020/5
That Council authorises the affixing of the common seal of the Shire of Augusta Margaret River to the Jetty Licence for Jetty No 0620.

CARRIED 7/0
11.4.
Corporate and Community Services
11.4.1 LIST OF PAYMENTS FOR NOVEMBER 2019

<table>
<thead>
<tr>
<th>LOCATION/ADDRESS</th>
<th>Shire of Augusta Margaret River</th>
</tr>
</thead>
<tbody>
<tr>
<td>APPLICANT/LANDOWNER</td>
<td>Shire of Augusta Margaret River</td>
</tr>
<tr>
<td>FILE REFERENCE</td>
<td>FIN/42</td>
</tr>
<tr>
<td>REPORT AUTHOR</td>
<td>Belinda Browning, Accounts Payable Officer</td>
</tr>
<tr>
<td>AUTHORISING OFFICER</td>
<td>Andrew Ross, Acting Director Corporate Community Services</td>
</tr>
</tbody>
</table>

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.
TABLE 1 – SUMMARY OF PAYMENTS MADE IN THE MONTH NOVEMBER 2019

<table>
<thead>
<tr>
<th>MODE OF PAYMENT</th>
<th>CHEQUE / EFT NUMBERS</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cheques</td>
<td>42440-42443</td>
<td>$776.75</td>
</tr>
<tr>
<td>EFT</td>
<td>73272 - 73767</td>
<td>$2,265,434.61</td>
</tr>
<tr>
<td>Direct Debits</td>
<td></td>
<td>$1,019,533.61</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>$3,285,744.97</strong></td>
</tr>
</tbody>
</table>

TABLE 2 – COMPARISON WITH PRIOR YEAR OF PAYMENTS

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>JULY</td>
<td>26,103.88</td>
<td>5,421,569.55</td>
<td>5,447,673.43</td>
<td>5,447,673.43</td>
<td>4,869.95</td>
<td>5,279,604.72</td>
<td>5,284,474.67</td>
<td>5,284,474.67</td>
</tr>
<tr>
<td>AUGUST</td>
<td>24,324.24</td>
<td>3,479,792.07</td>
<td>3,504,116.31</td>
<td>8,951,789.74</td>
<td>0.00</td>
<td>2,813,479.48</td>
<td>2,813,479.48</td>
<td>8,097,954.15</td>
</tr>
<tr>
<td>SEPTEMBER</td>
<td>12,292.40</td>
<td>3,829,327.80</td>
<td>3,841,620.20</td>
<td>12,793,409.94</td>
<td>1,460.04</td>
<td>3,838,673.94</td>
<td>3,840,133.98</td>
<td>11,938,088.13</td>
</tr>
<tr>
<td>OCTOBER</td>
<td>16,100.80</td>
<td>12,583,756.59</td>
<td>12,599,857.39</td>
<td>25,393,267.33</td>
<td>593.05</td>
<td>11,323,915.09</td>
<td>11,324,508.14</td>
<td>23,262,596.27</td>
</tr>
<tr>
<td>NOVEMBER</td>
<td>18,922.59</td>
<td>4,513,582.09</td>
<td>4,532,504.68</td>
<td>29,925,772.01</td>
<td>776.75</td>
<td>3,284,744.97</td>
<td>3,285,744.97</td>
<td>26,548,341.24</td>
</tr>
<tr>
<td>DECEMBER</td>
<td>26,683.06</td>
<td>4,637,340.93</td>
<td>4,664,023.99</td>
<td>34,589,796.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JANUARY</td>
<td>39,638.36</td>
<td>3,969,206.46</td>
<td>4,008,844.82</td>
<td>38,598,640.82</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FEBRUARY</td>
<td>24,695.30</td>
<td>3,222,690.77</td>
<td>3,247,386.07</td>
<td>41,846,026.89</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>MARCH</td>
<td>23,851.36</td>
<td>3,494,760.00</td>
<td>3,518,611.36</td>
<td>45,364,638.25</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>APRIL</td>
<td>51,672.65</td>
<td>3,701,615.40</td>
<td>3,753,288.05</td>
<td>49,117,926.30</td>
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<td></td>
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<td></td>
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<tr>
<td>MAY</td>
<td>21,246.69</td>
<td>4,085,730.80</td>
<td>4,106,977.49</td>
<td>53,224,903.79</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>JUNE</td>
<td>39,968.10</td>
<td>4,897,066.12</td>
<td>4,937,034.22</td>
<td>58,161,938.01</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>325,499.43</td>
<td>57,836,438.58</td>
<td>58,161,938.01</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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 / PROONENT
Nil

ATTACHMENTS
1. List of Payments for November 2019

RECOMMENDATION / COUNCIL DECISION
CR GODDEN, CR MELDRUM OM2020/6
That Council notes the November 2019 List of Payments for $3,285,744.97 as certified correct by the Chief Executive Officer.

CARRIED 7/0
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

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

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

CONSULTATION AND ADVICE
External Consultation
Nil

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

DISCUSSION / OFFICER COMMENTS
The commentary contained in the body of this report is in line with Financial Management Regulation (2)(b) that requires commentary on material variances to the Statement of Financial Activity at the nature/type, program or business unit level.
The Statement of Financial Activity shows a year to date actual closing position at 30 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.

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

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;
• 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

## Statement of Financial Activity

### For the Period Ending 30 November 2019

### Business Units

<table>
<thead>
<tr>
<th>Business Units</th>
<th>2018-19 Last Year Actual</th>
<th>Approved Budget</th>
<th>Amended Budget</th>
<th>Month of Nov 2019</th>
<th>2019-20 YTD Budget</th>
<th>2019-20 YTD Actual Variance (10%)&lt;br/&gt;&lt;sup&gt;10,000&lt;/sup&gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td></td>
</tr>
</tbody>
</table>

### Net Current Assets at 1 July surplus/(deficit)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>CIF includes FAG paid in advance less write off of assets from previous years.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Revenues from Operating Activities

<table>
<thead>
<tr>
<th>Source</th>
<th>2018-19 Actual</th>
<th>Approved Budget</th>
<th>Amended Budget</th>
<th>Month of Nov 2019</th>
<th>2019-20 YTD Budget</th>
<th>2019-20 YTD Actual Variance (10%)&lt;br/&gt;&lt;sup&gt;10,000&lt;/sup&gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue</td>
<td>$23,505,996</td>
<td>$23,505,996</td>
<td>$23,505,996</td>
<td>$23,505,996</td>
<td>$23,505,996</td>
<td>$23,505,996</td>
</tr>
<tr>
<td>Non-Grant Revenue</td>
<td>$1,847,917</td>
<td>$1,847,917</td>
<td>$1,847,917</td>
<td>$1,847,917</td>
<td>$1,847,917</td>
<td>$1,847,917</td>
</tr>
<tr>
<td>Grant Revenue</td>
<td>$3,067,508</td>
<td>$3,067,508</td>
<td>$3,067,508</td>
<td>$3,067,508</td>
<td>$3,067,508</td>
<td>$3,067,508</td>
</tr>
</tbody>
</table>

### Expenditure from Operating Activities

<table>
<thead>
<tr>
<th>Category</th>
<th>2018-19 Actual</th>
<th>Approved Budget</th>
<th>Amended Budget</th>
<th>Month of Nov 2019</th>
<th>2019-20 YTD Budget</th>
<th>2019-20 YTD Actual Variance (10%)&lt;br/&gt;&lt;sup&gt;10,000&lt;/sup&gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asset Services</td>
<td>$17,750,550</td>
<td>$17,750,550</td>
<td>$17,750,550</td>
<td>$17,750,550</td>
<td>$17,750,550</td>
<td>$17,750,550</td>
</tr>
<tr>
<td>Gloucester Park</td>
<td>$1,258,000</td>
<td>$1,258,000</td>
<td>$1,258,000</td>
<td>$1,258,000</td>
<td>$1,258,000</td>
<td>$1,258,000</td>
</tr>
<tr>
<td>MR Recreation Centre</td>
<td>$2,102,355</td>
<td>$2,102,355</td>
<td>$2,102,355</td>
<td>$2,102,355</td>
<td>$2,102,355</td>
<td>$2,102,355</td>
</tr>
<tr>
<td>Community Buildings</td>
<td>$1,678,088</td>
<td>$1,678,088</td>
<td>$1,678,088</td>
<td>$1,678,088</td>
<td>$1,678,088</td>
<td>$1,678,088</td>
</tr>
<tr>
<td>Landcare &amp; Environmental Services</td>
<td>$1,009,242</td>
<td>$1,009,242</td>
<td>$1,009,242</td>
<td>$1,009,242</td>
<td>$1,009,242</td>
<td>$1,009,242</td>
</tr>
<tr>
<td>Planning &amp; Development Services</td>
<td>$1,438,729</td>
<td>$1,438,729</td>
<td>$1,438,729</td>
<td>$1,438,729</td>
<td>$1,438,729</td>
<td>$1,438,729</td>
</tr>
<tr>
<td>Environmental Health</td>
<td>$1,060,000</td>
<td>$1,060,000</td>
<td>$1,060,000</td>
<td>$1,060,000</td>
<td>$1,060,000</td>
<td>$1,060,000</td>
</tr>
<tr>
<td>Libraries</td>
<td>$1,128,000</td>
<td>$1,128,000</td>
<td>$1,128,000</td>
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<td>$1,128,000</td>
<td>$1,128,000</td>
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<tr>
<td>Community Fire &amp; Emergency Services</td>
<td>$678,000</td>
<td>$678,000</td>
<td>$678,000</td>
<td>$678,000</td>
<td>$678,000</td>
<td>$678,000</td>
</tr>
<tr>
<td>Waste Services</td>
<td>$9,000,000</td>
<td>$9,000,000</td>
<td>$9,000,000</td>
<td>$9,000,000</td>
<td>$9,000,000</td>
<td>$9,000,000</td>
</tr>
<tr>
<td>Wastewater Services</td>
<td>$6,000,000</td>
<td>$6,000,000</td>
<td>$6,000,000</td>
<td>$6,000,000</td>
<td>$6,000,000</td>
<td>$6,000,000</td>
</tr>
<tr>
<td>Outside School Hours Care</td>
<td>$1,000,000</td>
<td>$1,000,000</td>
<td>$1,000,000</td>
<td>$1,000,000</td>
<td>$1,000,000</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Planning &amp; Development Services</td>
<td>$1,000,000</td>
<td>$1,000,000</td>
<td>$1,000,000</td>
<td>$1,000,000</td>
<td>$1,000,000</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Asset Services</td>
<td>$1,000,000</td>
<td>$1,000,000</td>
<td>$1,000,000</td>
<td>$1,000,000</td>
<td>$1,000,000</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Works Overheads</td>
<td>$2,250,000</td>
<td>$2,250,000</td>
<td>$2,250,000</td>
<td>$2,250,000</td>
<td>$2,250,000</td>
<td>$2,250,000</td>
</tr>
<tr>
<td>Property Overheads</td>
<td>$2,250,000</td>
<td>$2,250,000</td>
<td>$2,250,000</td>
<td>$2,250,000</td>
<td>$2,250,000</td>
<td>$2,250,000</td>
</tr>
</tbody>
</table>

### Summary of Variance

<table>
<thead>
<tr>
<th>2019-20 Variance (10%)&lt;br/&gt;&lt;sup&gt;10,000&lt;/sup&gt;</th>
<th>$1,426,658</th>
</tr>
</thead>
</table>

1. Variance includes FAG paid in advance less write off of assets from previous years.

---

**ORDINARY COUNCIL MEETING 22 JANUARY 2020**

**STATEMENT OF FINANCIAL ACTIVITY**

**SHIRE OF AUGUSTA MARGARET RIVER**

**FOR THE PERIOD ENDING 30 NOVEMBER 2019**

**BUCKETED BUSINESS UNITS**

- **Business Units**
  - **Revenue from Operating Activities**
  - **Expenditure from Operating Activities**
  - **Summary of Variance**

**Financial Analysis**

- **Reverses**
- **Capital Expenditure**
- **Revenue from Operating Activities**
- **Expenditure from Operating Activities**

**Notes**

- **Note 1**
- **Note 2**
- **Note 3**

**Effective Date**

**1 January 2020**

**Prepared by**

**[Signature]**

**Date**

**22 January 2020**

---

**Footnotes**

- **Footnote 1**
- **Footnote 2**
- **Footnote 3**

**Appendix**

- **Appendix A**
- **Appendix B**
- **Appendix C**

---

**Shire of Augusta Margaret River**

**Ordinary Council Meeting**

**Meeting Date**

**22 January 2020**

---

**Statement of Financial Activity**

**For the Period Ending 30 November 2019**

**Business Units**

- **Revenue**
- **Expenditure**
- **Summary of Variance**
### SHIRE OF AUGUSTA - MARGARET RIVER

#### STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 30 November 2019

**BUSINESS UNITS**

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Actual</td>
<td>Budget</td>
<td>Actual</td>
<td>Budget</td>
<td>Nov</td>
<td>Budget</td>
</tr>
<tr>
<td>Operating activities excluded from Budget</td>
<td>$9,379,885</td>
<td>$9,361,200</td>
<td>$9,361,200</td>
<td>$779,702</td>
<td>$3,900,500</td>
<td>$4,016,676</td>
</tr>
<tr>
<td>Depreciation on assets</td>
<td>1,172,159</td>
<td>22,540</td>
<td>22,540</td>
<td>(8,188)</td>
<td>23,540</td>
<td>(8,957)</td>
</tr>
<tr>
<td>(Profit)/Loss on disposal of assets</td>
<td>10,552,084</td>
<td>3,983,740</td>
<td>3,983,740</td>
<td>779,702</td>
<td>3,900,500</td>
<td>4,016,676</td>
</tr>
</tbody>
</table>

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**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Fire &amp; Emergency Services</td>
<td>949,244</td>
<td>1,280,000</td>
<td>1,280,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Waste Services</td>
<td>770,000</td>
<td>70,000</td>
<td>70,000</td>
<td>0</td>
<td>70,000</td>
<td>70,000</td>
</tr>
<tr>
<td>Planning &amp; Development Services</td>
<td>1,011,171</td>
<td>204,000</td>
<td>204,000</td>
<td>2,915</td>
<td>85,000</td>
<td>172,383</td>
</tr>
<tr>
<td>Community Buildings</td>
<td>3,047,206</td>
<td>1,155,268</td>
<td>1,155,268</td>
<td>138,888</td>
<td>1,155,268</td>
<td>138,888</td>
</tr>
<tr>
<td>Parks and Gardens</td>
<td>3,047,206</td>
<td>1,155,268</td>
<td>1,155,268</td>
<td>138,888</td>
<td>1,155,268</td>
<td>138,888</td>
</tr>
<tr>
<td>Asset Services</td>
<td>9,000</td>
<td>36,000</td>
<td>36,000</td>
<td>0</td>
<td>0</td>
<td>5,000</td>
</tr>
<tr>
<td>Construction</td>
<td>1,765,206</td>
<td>2,961,987</td>
<td>2,961,987</td>
<td>757,916</td>
<td>1,228,987</td>
<td>1,789,146</td>
</tr>
<tr>
<td>Other Property &amp; Services</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Capital Investment

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Purchase Land Held for Resale</td>
<td>3,742,370</td>
<td>8,696,837</td>
<td>8,696,837</td>
<td>1,389,310</td>
<td>1,389,310</td>
<td>1,389,310</td>
</tr>
<tr>
<td>Purchase Infrastructure Assets - Other</td>
<td>2,840,629</td>
<td>1,891,835</td>
<td>1,891,835</td>
<td>4,954,046</td>
<td>1,317,245</td>
<td>232,189</td>
</tr>
<tr>
<td>Purchase Infrastructure Assets - Roads</td>
<td>4,411,844</td>
<td>23,076,000</td>
<td>23,076,000</td>
<td>731,059</td>
<td>4,171,375</td>
<td>237,789</td>
</tr>
<tr>
<td>Purchase Plant and Equipment</td>
<td>2,203,704</td>
<td>2,064,000</td>
<td>2,064,000</td>
<td>118,285</td>
<td>297,621</td>
<td>297,621</td>
</tr>
<tr>
<td>Purchase Furniture and Equipment</td>
<td>930,806</td>
<td>2,307,100</td>
<td>2,307,100</td>
<td>279,604</td>
<td>279,604</td>
<td>279,604</td>
</tr>
<tr>
<td>Proceeds from Disposal of Assets</td>
<td>3,047,206</td>
<td>1,155,268</td>
<td>1,155,268</td>
<td>138,888</td>
<td>1,155,268</td>
<td>138,888</td>
</tr>
<tr>
<td>Proceeds from Sale of Land Held for Resale</td>
<td>10,000,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Amount attributable to investing activities | (11,296,559) | (17,331,707) | (17,341,637) | (405,720) | (5,756,121) | (1,367,101) |

#### FINANCING ACTIVITIES

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Repayment of Debentures</td>
<td>893,961</td>
<td>924,549</td>
<td>924,549</td>
<td>40,529</td>
<td>376,867</td>
<td>376,867</td>
</tr>
<tr>
<td>Proceeds from Self-Supporting &amp; IF Loans</td>
<td>200,000</td>
<td>200,000</td>
<td>200,000</td>
<td>0</td>
<td>200,000</td>
<td>200,000</td>
</tr>
<tr>
<td>Proceeds from Sale of Land Held for Resale</td>
<td>3,047,206</td>
<td>1,155,268</td>
<td>1,155,268</td>
<td>138,888</td>
<td>1,155,268</td>
<td>138,888</td>
</tr>
<tr>
<td>Transfers to Cash Reserves</td>
<td>5,887,597</td>
<td>10,194,525</td>
<td>10,194,525</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Amount attributable to financing activities | (11,296,559) | (17,331,707) | (17,341,637) | (405,720) | (5,756,121) | (1,367,101) |

Net Current Assets Surplus (Deficit) | $3,804,165 | $0 | $19,100 | $1,627,581 | $405,720 | $1,627,581 |

#### 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).

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

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).
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

ADVICE TO APPLICANT / PROONENT
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
CR CRISTOFFANINI, CR MCLEOD OM2020/7

CARRIED 7/0
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.
   (i) 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 / PROPOSENT
Nil

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

RECOMMENDATION / COUNCIL DECISION
CR MELDRUM, CR KENNAUGH OM2020/8
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.

CARRIED 7/0
12. MOTIONS FROM MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
   Nil

13. MOTIONS FOR CONSIDERATION AT NEXT MEETING
   13.1 Transition of Rosabrook Fire Brigade to DFES
   Cr Meldrum gave notice of the following motion for consideration at the 12 February 2020 Ordinary Council Meeting:

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

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

15. CONFIDENTIAL BUSINESS
    Nil

16. CLOSURE OF MEETING
    The Shire President thanked all in attendance and declared the meeting closed at 5.51pm