

Ordinary Council

MINUTES

FOR THE MEETING HELD
WEDNESDAY, 10 OCTOBER 2018
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 10 October 2018, commencing at 5:30pm.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Gary Evershed', with a long horizontal flourish extending to the right.

GARY EVERSLED
CHIEF EXECUTIVE OFFICER

ATTENTION/DISCLAIMER

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

In certain circumstances members of the public are not entitled to inspect material, which in the opinion of the Chief Executive Officer is confidential, and relates to a meeting or a part of a meeting that is likely to be closed to members of the public.

No responsibility whatsoever is implied or accepted by the Shire of Augusta Margaret River for any act, omission, statement or intimation occurring during Council or Committee meetings.

The Shire of Augusta Margaret River disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement of intimation occurring during Council or Committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any member or Officer of the Shire of Augusta Margaret River during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Augusta Margaret River.

The Shire of Augusta Margaret River advises that anyone who has any application lodged with the Shire of Augusta Margaret River must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application and any conditions attaching to the decision made by the Shire of Augusta Margaret River in respect of the application.

The Shire of Augusta Margaret River advises that any plans or documents contained within this agenda may be subject to copyright law provisions (*Copyright Act 1968*, as amended) and that the express permission of the copyright owner(s) should be sought prior to their reproduction. It should be noted that copyright owners are entitled to take legal action against any persons who infringe their copyright. A reproduction of material that is protected by copyright may represent a copyright infringement.

TABLE OF CONTENTS

ITEM NO.	SUBJECT	PAGE NO
1.	DECLARATION OF OPENING	5
2.	ATTENDANCE	5
2.1	APOLOGIES	5
2.2.	APPROVED LEAVE OF ABSENCE	6
3.	DISCLOSURES OF INTEREST	6
3.1	ITEM 15.2 CEO ANNUAL PERFORMANCE REVIEW – CEO, MR GARY EVERSHED	6
4.	PUBLIC QUESTIONS	6
4.1.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	6
4.2.	PUBLIC QUESTION TIME	6
4.2.1	MASS PLANTING TO THE NORTH OF WALLCLIFFE ROAD AND MERCHANT RESERVE - MR RISK ENSLEY	6
5.	APPLICATIONS FOR LEAVE OF ABSENCE	7
6.	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	7
6.1	ORDINARY COUNCIL MEETING HELD 12 SEPTEMBER 2018	7
7.	DEPUTATIONS	7
8.	PETITIONS	7
9.	ANNOUNCEMENTS FROM THE PRESIDING MEMBER	7
10.	QUESTIONS FROM MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	8
11.	REPORTS OF COMMITTEES AND EMPLOYEE REPORTS	8
11.1.	CHIEF EXECUTIVE OFFICER	9
11.1.1	NOTES FROM AGENDA BRIEFING SESSIONS, WORKSHOPS AND CONCEPT FORUMS FROM 25 JULY TO 12 SEPTEMBER 2018	10
11.2.	SUSTAINABLE DEVELOPMENT	15
11.2.1	CONTRACT VARIATION	16
11.2.2	SHARK WARNING SYSTEM	20
11.3.	INFRASTRUCTURE SERVICES	25
11.3.1	LEEUWIN NATURALISTE 2050 CYCLING STRATEGY - FOR ADOPTION	26
11.3.2	CLOSURE OF OLD BURNSIDE ROAD ALIGNMENT, BURNSIDE	32
11.3.3	RFT 10-18 PROVISION OF LANDSCAPE CONSTRUCTION / MAINTENANCE SERVICES	36
11.4.	CORPORATE AND COMMUNITY SERVICES	39
11.4.1	LIST OF PAYMENTS FOR AUGUST 2018	40
11.4.2	FINANCIAL ACTIVITY STATEMENT REPORT - AUGUST 2018	43
11.4.3	HOUSING ADVOCACY OFFICER PROJECT QUARTER FOUR REPORT AND FIRST YEAR REVIEW	52
11.4.4	FINAL ADOPTION OF BUSH FIRE VOLUNTEER SERVICES POLICY	56
11.4.5	PROPOSAL FOR TRANSITION OF BUSH FIRE BRIGADES TO DEPARTMENT OF FIRE & EMERGENCY SERVICES	59
11.4.6	UNBUDGETED EXPENDITURE AND GRANT FOR BUSHFIRE MITIGATION ACTIVITY	68
11.4.7	SPORTS AND RECREATION ADVISORY COMMITTEE MEETING MINUTES 1 AUGUST 2018	72
12.	MOTIONS FROM MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	75
13.	MOTIONS FOR CONSIDERATION AT NEXT MEETING	75
14.	NEW BUSINESS OF AN URGENT NATURE	75
14.1	MEMBERS	75
14.2	CEO	75

SHIRE OF AUGUSTA MARGARET RIVER
ORDINARY COUNCIL MEETING 10 OCTOBER 2018

15.	CONFIDENTIAL BUSINESS.....	75
15.1	ACTING CEO FOR CEO 2018 - 2019 LEAVE AND BEYOND	75
15.2	CHIEF EXECUTIVE OFFICER ANNUAL PERFORMANCE REVIEW.....	79
15.3	APPOINTMENT OF RECRUITMENT CONSULTANT FOR NEW CEO	81
16.	CLOSURE OF MEETING.....	75

Ordinary Council Meeting

1. DECLARATION OF OPENING

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

The Deputy Shire President gave an Acknowledgement of Country:

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

2. ATTENDANCE

Deputy Shire President : Cr Julia Meldrum

Councillors : Cr Ian Earl
Cr Naomi Godden
Cr Peter Lane
Cr Pauline McLeod
Cr Mike Smart

Chief Executive Officer : Mr Gary Evershed

Director Sustainable
Development : Mr Dale Putland

Director Infrastructure Services : Mr Markus Botte

Acting Director Corporate and
Community Services : Ms Heather Auld

Manager Waste, Health
And Ranger Services : Ms Ruth Levett

Community Emergency
Services Manager : Mr Chris Lloyd

Governance / Council Support
Officer (minutes) : Ms Claire Schiller

MEMBERS OF THE PUBLIC : 11

MEMBERS OF THE PRESS

Augusta Margaret River Times : Nil

2.1 Apologies

Shire President, Cr Pam Townshend

Director Corporate and Community Services, Ms Annie Riordan

2.2. Approved Leave of Absence

Nil

3. DISCLOSURES OF INTEREST

3.1 Item 15.2 CEO Annual Performance Review – Financial Interest - CEO, Mr Gary Evershed

The CEO disclosed a financial interest in Item 15.2 CEO Annual Performance Review under section 5.70 of the Act, as it relates to his principal source of income as the CEO of the AMRSC.

3.2 Item 11.4.3 Housing Advocacy Officer Project Quarter Four Report and First Year Review – Impartiality Interest - Cr Godden –

Cr Godden disclosed an impartiality interest in Item 11.4.2 Housing Advocacy Officer Project Quarter Four Report and First Year Review, as she is the Chair of Just Homes Margaret River Inc. and co-wrote the First Year Review report.

4. PUBLIC QUESTIONS

4.1. Response to Previous Public Questions Taken on Notice

Nil

4.2. Public Question Time

4.2.1 Rick Ensley - Mass Planting to the North of Wallcliffe Road and Merchant Reserve

Mr Rick Ensley of 3 Merchant Street, Margaret River, asked the following questions in relation to mass planting to the north of Wallcliffe Road and Merchant Reserve.

‘Each question can be answered in two parts:

- The mass planting to the north of Wallcliffe Road dual use path west of east Kevill and east of Trinder drive; and
- The planting in Merchant Reserve, north of Wallcliffe between Railway Terrace and Merchant Street.

Q1: Can Council provide me with written advice on:

- a) How plant types and species were selected and their numbers?
- b) How the timing of planting was determined?
- c) The intended purpose and outcome of these plantings?
- d) The cost breakdown of plants, bags, stakes and labour?
- e) The percentage survival planned for?

Q2: Having known and worked with and under your Environmental Officer for many years, I’m absolutely certain these plantings were not of their decision. Who was responsible for the design and planning and what other groups or experts were consulted? Especially, what was the logic used to only plant on the north side of the Wallcliffe Track?

Q3: Are Council aware that the bags and stakes have generally been installed in such a way as to be ineffective for purpose?

- Q4:** Having inspected the site on three evenings following plantings I noticed a lack of rootball teasing where appropriate, proper firming in, pruning, or even watering in. Is Council satisfied with the qualifications, experience and expertise of those responsible for the physical planting?
- Q5:** Can Council explain the logic of species selection particularly with respect to the very small numbers of marri, peppie and their associated understorey species that support local fauna?
- Q6:** Can Council assure me and the community that no funds earmarked for environmental purposes were used in these plantings?
- Q7:** What were the anticipated costs to support these plantings and will Council provide myself and the community with an assessment of the costs, survival rates and outcomes for these plantings on the 1 May 2019?
- Q8:** Can Council guarantee me and the community that any such further mass plantings will be undertaken after consultation with appropriate local environmental groups? If not, why not?'

The Director Infrastructure Services took the questions on notice.

Responses to questions taken on notice will be published as an addendum to the 24 October 2018 Ordinary Council meeting agenda.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 Ordinary Council Meeting held 12 September 2018

MOTION / COUNCIL DECISION

CR EARL, CR SMART OM2018/242

That Council confirms the minutes of the Ordinary Council Meeting held on 12 September 2018 to be a true and correct record of the meeting.

CARRIED 6/0

7. DEPUTATIONS

Nil

8. PETITIONS

Nil

9. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil

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 FROM AGENDA BRIEFING SESSIONS, WORKSHOPS AND CONCEPT FORUMS
FROM 25 JULY TO 12 SEPTEMBER 2018**

LOCATION/ADDRESS	Shire of Augusta Margaret River
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	COR/221
REPORT AUTHOR	Claire Schiller, Council Minutes and Agenda Officer
AUTHORISING OFFICER	Gary Evershed, Chief Executive Officer

IN BRIEF

- Council conducts bi-monthly as required Councillor Briefing Sessions which are run under strict guidelines in compliance with the Department of Local Government and Communities (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 adopted policy.

RECOMMENDATION

That Council receives the Notes of Councillor Agenda Briefing Sessions from 25 July 2018 to 12 September 2018.

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

- capacity building and up skilling of Councillors
- discussion 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 Forums

- 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

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.

As recommended by the Department of Local Government and Communities, sessions considered by the CEO in consultation with the Shire President to be Concept Forums will be closed to the public to facilitate the open discussion of preliminary ideas and concepts by Councillors.

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 25 July 2018 to 12 September 2018.

DATE: 25 JULY 2018

Attendance:

Crs: Earl, Lane, McLeod, Meldrum, Smart, Townshend

Officers: Acting CEO, Annie Riordan and Director Infrastructure Services, Markus Botte

Briefing: Climate Change – Cr Lane

Cr Lane briefed Council on the climate change presentation previously given to CUSP.

(Cr Meldrum was not in attendance for the full duration of this briefing. Also in attendance: Acting Manager Planning and Development, Matt Cuthbert)

Briefing: Wadandi Track Update

Manager Asset Services, David Nicholson, presented on the current status of the planning and delivery of the project.

(Also in attendance: AMR Times, Warren Hately)

Briefing: Augusta Interpretation Plan

Manager Asset Services, David Nicholson, presented on the current status of the planning and delivery of the project.

(Also in attendance: AMR Times, Warren Hately)

DATE: 8 AUGUST 2018

Attendance:

Crs: Godden, Lane, McLeod, Meldrum, Smart, Townshend

Officers: CEO, Gary Evershed, Acting Director Corporate and Community Services, Dylan Brown, Director Infrastructure Services, Markus Botte, and Director Sustainable Development, Dale Putland.

Closed Briefing: Welcome to Country Video

Media and Events Officer, Amanda Russell, gave Feedback on the meeting with SWLSC in July to discuss the project including; how the project arose; the reaction from SWLSC; and support for how the project will be rolled out.

The briefing was closed as it referred to outcomes of the most recent Boodjarah Working Group Meeting. The Shire did not want to publicly discuss outcomes of this meeting before the official body had the opportunity to publish the minutes.

Briefing: Recycling Charges

Manager Waste, Health and Ranger Services, Ruth Levett, presented on the Shire's recycling contractor's request for consideration for an increase in the recycling collection fees to assist with the problems associated with China's decision to reject contaminated recyclables.

(Also in attendance: Manager Corporate Services, Andrew Ross)

Briefing: Holiday Homes Policy

Acting Manager Planning and Development, Matt Cuthbert, gave an update on the Holiday Homes Policy.

(Also in attendance: AMR Times, Warren Hatley, approximately six members of the public)

DATE: 22 AUGUST 2018

Attendance:

Crs: Godden, Lane, McLeod, Meldrum, Smart, Townshend

Officers: CEO, Gary Evershed, Director Corporate and Community Services, Annie Riordan, Director Infrastructure Services, Markus Botte, and Director Sustainable Development, Dale Putland.

Workshop: WALGA Emergency Response Plan

The Shire have been working closely with WALGA on an Emergency Response Plan, the workshop involved the presentation of this plan to Councillors and other interested stakeholders.

(Also in attendance: Manager Waste, Health and Ranger Services, Ruth Levett, Coordinator Health Services, Chris McAtee, John Carter from DFES, Vic Cheema from DFES and SEMC, Roma Boucher, Dept. of Communities, David Holland, Chief Bush Fire Control Officer, Nathan Hall, DFES)

Briefing: South West Regional Blue Print

The SWDC regional teams sought support from all Local Government Shire Presidents and CEOs to review and update the South West Regional Blueprint. The CEO, Gary Evershed, led a review to facilitate this.

(Also in attendance: Acting Manager Planning and Development, Matt Cuthbert)

Closed Briefing: Caves Road Widening Community Reference Group

Main Roads WA briefed Council on the potential of establishing a CRG for the widening of Caves Road.

The briefing was closed at Main Roads request.

(Also in attendance: Acting Manager Planning and Development, Matt Cuthbert)

DATE: 12 SEPTEMBER 2018

Attendance:

Crs: Earl, Godden, McLeod, Meldrum, Smart, Townshend

Officers: CEO, Gary Evershed, Acting Director Corporate and Community Services, Heather Auld, Director Infrastructure Services, Markus Botte, and Director Sustainable Development, Dale Putland.

Closed Briefing: Community Engagement for Shark Drum Lines and Extension of Shark Monitoring Network

Lisa Clack of the Department of Primary Industries and Regional Development (DPIRD), presented to Council in relation to their upcoming community engagement for the shark drum lines and extension of their shark monitoring network.

The briefing was closed at the DPIRD's request.

(Also in attendance: Manager Waste, Health and Ranger Services, Ruth Levett.)

The CEO, Acting Director Corporate and Community Services, Director Infrastructure Services and Director Sustainable Development were not in attendance)

Closed Briefing: Transition of Bush Fire Brigades to Department of Fire and Emergency Services

The Community Emergency Services Manager, Chris Lloyd, and Bush Fire Ready Coordinator, Gordon Temby, presented on the proposal for transition of Bush Fire Brigades over to DFES.

The briefing was closed as it contained information relating to staff members.

(Also in attendance: Danny Mosconi, Super Intendant DFES, Peter Thomas, DFES, David Holland, Chief Bush Fire Control Officer, Brett Trunful, Deputy Chief Bush Fire Control Officer.

Not in attendance: Director Infrastructure Services and Director Sustainable Development)

Closed Workshop: Recruitment of CEO

James McGovern and Tony Brown from WALGA led a workshop on the process of recruiting a CEO as per Council decision OM2018/209.

Workshops are closed to members of the public.

(The Acting Director Corporate and Community Services, Director Infrastructure Services and Director Sustainable Development were not in attendance)

Closed Briefing: Community Safety Alert System

Spectur Ltd presented on a new community safety alert system.

The briefing was closed due to commercial sensitivity

(Also in attendance: Manager Waste, Health and Ranger Services, Ruth Levett, Marketing and Events Officer, Cristina Smith)

Briefing: UNESCO Biosphere Reserve

The CEO, Gary Evershed, presented on the UNESCO Noosa Biosphere Reserve.

Also in attendance: AMR Times, Warren Hately (for last part)

Briefing: Main Street Project – Detailed Design

Project Manager, Helen Whitbread, presented on the Margaret River Main Street detailed design prior to going to tender.

Cr McLeod disclosed a financial interest as she is a business proprietor on Bussell Highway, Margaret River. Cr McLeod left Chambers and did not take part in the briefing.

(Also in attendance: AMR Times, Warren Hately, Manager Corporate Services, Andrew Ross, Executive Assistant Infrastructure Services, Bronwyn Granville)

Briefing: Youth Mental Health Project

The Coordinator Community Planning and Development, Jason Cleary, and Community Development Trainee, Ladriel Hackett, presented on the proposed plan for implementing Youth Worker Project at the Zone Room within the Margaret River Precinct.

(Also in attendance: AMR Times, Warren Hately,

Not in attendance: Cr McLeod and the Director Sustainable Development)

Briefing: Lower Blackwood LCDC

Joanna Wren, Tim Crimp and Bruce Hamilton of the LCDC presented on their Annual Report.

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

Not in attendance: Cr McLeod, Director Sustainable Development, Acting Director Corporate and Community Services)

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

Local Government Act 1995

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)

Corporate Business Plan 2017-2021

Key Result Area 5: Effective leadership and governance

Community Outcome 5.1: Effective governance and corporate leadership

Strategic Response 5.1.1: Attract and develop high quality Councillors that are able to lead and articulate the community's aspirations

Service level strategy/plan 5.1.1.5: Conduct Councillor briefing sessions prior to Ordinary Council Meetings and bring a record of briefings to Council meetings on a quarterly basis

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Environmental

Nil

Social

Nil

Economic

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council receives the Notes of Councillor Agenda Briefing Sessions from 25 July 2018 to 12 September 2018.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

Nil

RECOMMENDATION / COUNCIL DECISION

CR MCLEOD, CR LANE OM2018/243

That Council receives the Notes of Councillor Agenda Briefing Sessions from 25 July 2018 to 12 September 2018.

CARRIED 6/0

11.2. Sustainable Development

11.2.1 CONTRACT VARIATION

LOCATION/ADDRESS	Shire of Augusta Margaret River
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	WST/11
REPORT AUTHOR	Ruth Levett, Manager Waste, Health and Ranger Services
AUTHORISING OFFICER	Dale Putland, Director Sustainable Development

CONFIDENTIALITY

- Due to the commercially sensitive nature of the current and requested lift price, actual figures are not disclosed in this report. If discussion is required Council should move to 'exclude members of the public'.

IN BRIEF

- The Shire's Kerbside Recycling contractor, SUEZ, has written to the Shire to request consideration of a Contract Variation to increase the collection fee per lift, commencing immediately.
- There are a number of reasons for the request, primarily relating to the changes to the Chinese commodity market.
- The Shire's Kerbside Collection Contract will expire in June 2019.

RECOMMENDATION

That Council:

1. Agrees to the Contract Variation as proposed by SUEZ for a Kerbside Recycling Collection fee increase of 37% on the current lift rate for the collection of recyclable materials, commencing from 1 January 2019 to 30 June 2019; and
 2. Resolves that this Contract Variation Agreement cease on 30 June 2019 when the Shire's Kerbside Collection Contract expires.
-

LOCATION PLAN

Nil

TABLED ITEMS

Nil

BACKGROUND

The Shire of Augusta Margaret River has a Kerbside Collection Contract for the collection of domestic and commercial recyclables with waste services company, SUEZ. The past twelve months has seen a major shift in the Asian recycling markets, where the majority of Australia's recyclable commodities have been shipped for re-processing. Commencing with China and spreading to other Asian markets, the contamination threshold has been set at 0.5-1.0% for recyclable plastics. The resulting impact for Local Governments is the passing on of increased sorting costs which is driving up the collection costs.

With the contamination threshold set at 0.5-1.0%, there is a significant increase in sorting costs in order to deliver recyclable product, that is within the threshold. At the current collection rates, it is not viable for Australian recyclers to collect and process materials that would be delivered to the market at a profit. Plans to develop manufacturing technologies within Australia to reduce the reliance on overseas markets and reduce costs are in their infancy and will not be developed in time to assist the current businesses that are reliant on Asian markets.

- SUEZ is currently processing all the Shire's kerbside recyclable product at significantly lower commodity values and higher processing cost than previously achieved. The Shire's current collection fee of \$0.00 per lift includes a blended rate based on the cost of

processing a basket of commodities at our Material Recycling Facility ("MRF"), offset by expected revenue from the sale of the processed product. This price was struck in 2013.

- China, which has traditionally been the world's largest importer of post-consumer recycled commodities, has recently introduced stringent import restrictions on a variety of those commodities. Since 1 January 2018 the Chinese government has been strictly enforcing its new contamination thresholds of 0.5%-1%. The current commodity inspection efforts both here and in China are unprecedented. As a result, SUEZ is now selling product into South East Asian markets where, given the significant influx of product from around the world, prices have halved in the last twelve months. They are now seeing some stress in these markets, particularly Thailand and Malaysia, because of this influx.
- SUEZ immediate priorities are to reduce contamination in the yellow top bin and to improve the quality of recyclable products, albeit at increased operating costs. SUEZ has reacted to this crisis by employing more labour to sort product and slowing our production line. They will be upgrading their MRF facility in November this year. They are spending \$3M on state of the art optical sorting equipment which will assist in reducing contamination and increasing productivity.
- In the medium- to long-term, SUEZ also believe there is significant opportunity to stimulate the domestic market for recyclables which will in turn bring economic benefits to the Australian economy. SUEZ is encouraging a national conversation about waste and the development of the circular economy.

SUEZ noted that through simple visual inspection and MRF processing, that the product transferred from the South West is more contaminated than their Perth metro product, however, they are encouraged by the Shire's efforts to reduce contamination. They are working with the State Government to fund education campaigns through the landfill levy receipts received every year. They will also support all efforts to reduce reliance on offshore markets in the medium to long term.

At current basket commodity prices, SUEZ net variable cost to process all tonnes from the South West is \$0.00. Their ideal position would be to recover these costs by way of a Contract Variation which would increase the collection fee to \$0.00 per lift that is a 37% increase on current lift rates.

CONSULTATION AND ADVICE

External Consultation

A meeting with SUEZ to discuss the proposed Contract Variation has been held and there have been subsequent negotiations to arrive at an agreed position for consideration of Council.

Internal Consultation

The impact of the Contract Variation has been discussed internally and a briefing provided to Council with the view to determining a preferred position for formal consideration.

DISCUSSION / OFFICER COMMENTS

The proposed increase in the recycling collection fee is not unexpected, many other local governments have had to consider increased collection costs at a much earlier date.

Some issues for Council to consider are:

1. The Shire has adopted its Annual Budget and the waste and recycling rates have been agreed and applied to rateable properties with recycling services. Any increase to the cost of services will be considered at the mid-year budget review;
2. The proposed recycling budget increase would cost the Shire in the vicinity of \$50,000 over a 6 month period, with the new price commencing from 1 January 2019 for six months, to 30 June 2019.
3. Withdrawal from the Contract is an option for the Shire but is strongly recommended against. It is unlikely that a cheaper price can be obtained in the current market. However, the current Kerbside Collection Contract will expire in June 2019 and the Shire will be going to tender for new recycling and general waste collection services in December 2018. It is in the Shire's interest to maintain good relationships with contractors in the marketplace.
4. By agreeing to a negotiated Contract Variation, a favourable outcome can be obtained for all parties, most importantly for the community to ensure that recycling services are continued.

Ownership of the contamination of recycling bins is important for the community to understand. If the Shire is to continue with recycling service, more education to improve this rate must be provided.

5. The current Feasibility Study has acknowledged that the lack of a mandatory recycling service is resulting on a lot of this material filling up our landfill instead of being recycled. It will be proposed that the Shire introduces mandatory recycling to increase the recycling rate, and to increase the diversion of recyclable material away from landfill and minimise the contamination of both bins.

By agreeing to a price increase, it sends a clear signal that recycling is important and that the contractors remain committed to the business of recycling. It also raises the importance of making the community more aware of the consequences of not recycling and of contaminating their recycling bin. If the Shire is going to move to a more sustainable model of dealing with its waste, it needs to get the basic practices in place and working well.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

Waste Avoidance and Recovery Act 2007

Health Act 1911

Health Local Laws 1999

West Australian State Waste Strategy

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)

Corporate Business Plan 2018-2022

Key result area 1: Valuing the natural environment

Community Outcome: 1.3 Sustainable waste management

Strategic Response: 1.3.1 Reduce the environmental impact of waste and maximise conservation of natural resources

Service level strategy/plan: 1.3.1.4 Management of kerbside collection contracts (domestic and recycling)

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

Consider a transfer from the Waste Management Reserve at the mid-year budget review if required to balance waste expenditure and revenue raised.

SUSTAINABILITY IMPLICATIONS

Environmental

There are significant environmental implications associated with recycling. It conserves resources that are being depleted with the high level of consumption that occurs. It is important to demonstrate that new items can incorporate a percentage at least, of recycled product in their manufacture. There are cost savings in doing this. There are many flow on effects, the impact of transport and environmental degradation are reduced as a result of recycling.

Social

The majority of the population want to recycle and do the right thing so to remove this option would have a major social impact on the community. People like to feel that they are contributing where they can and it would be a backward step to cease the recycling service.

Economic

The cost of providing a service will increase, however, on the other hand, the amount of materials landfilled will reduce and landfill space conserved. The actual cost goes beyond the obvious charge for the service.

VOTING REQUIREMENTS

Absolute Majority

RECOMMENDATION

That Council:

1. Agrees to the Contract Variation as proposed by SUEZ for a Kerbside Recycling Collection fee increase of 37% on the current lift rate for the collection of recyclable materials, commencing from 1 January 2019 to 30 June 2019; and
2. Resolves that this Contract Variation Agreement cease on 30 June 2019 when the Shire's Kerbside Collection Contract expires.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

Nil

RECOMMENDATION / COUNCIL DECISION

CR SMART, CR EARL OM2018/244

That Council:

1. Agrees to the Contract Variation as proposed by SUEZ for a Kerbside Recycling Collection fee increase of 37% on the current lift rate for the collection of recyclable materials, commencing from 1 January 2019 to 30 June 2019; and
2. Resolves that this Contract Variation Agreement cease on 30 June 2019 when the Shire's Kerbside Collection Contract expires.

CARRIED BY ABSOLUTE MAJORITY 6/0

11.2.2 SHARK WARNING SYSTEM

LOCATION/ADDRESS	Surfers Point Beach and Carpark
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	RES/41545
REPORT AUTHOR	Ruth Levett, Manager Health, Waste and Ranger Services
AUTHORISING OFFICER	Dale Putland, Director Sustainable Development

IN BRIEF

- The Shire has been approached by West Australian security solutions company, Spectur, proposing a trial of its Shark Warning System.
- Two options are proposed being either the purchase or rent of two units for mounting in a popular surfing and swimming location for the duration of the trial.
- It is proposed to locate the units at a 'to be nominated' beach such as Surfers Point, with 3G/4G service for a 3-6 month trial period.
- The proposed trial of a Shark Warning System will close a gap in the current shark alert procedure, by ensuring that there is a faster response time to alert swimmers and surfers to the presence of sharks.

RECOMMENDATION

That Council:

1. Supports a 3 month trial of the Spectur Shark Warning System utilising the rental option, commencing 1 November 2018, with the potential to extend for a further 3 month period;
 2. Supports the unbudgeted expenditure to rent two Shark Alert units for the period of the trial being a maximum of \$7,440;
 3. Requests that Shire staff liaise with the community, local interest groups, and relevant State and Local Government agencies to determine the success or otherwise of the trial and the potential to share and incorporate the Shark Warning System into current procedures; and
 4. Reviews the results of the trial at the conclusion of the 3 month trial period, and at 6 months, should the trial be extended.
-

LOCATION PLAN

An example of a beach location is Surfers Point Beach and Carpark, refer map Attachment 1.

TABLED ITEMS

Nil

BACKGROUND

Staff have identified a 'safety gap' in the current shark alert procedure. The Shire's current system advises that a shark has been detected via a text message to Ranger Services. Rangers will then attend the beach as quickly as possible to let beach-goers know there is a safety issue. This 'safety gap' can range from 15 to 45 minutes depending on how far away the Ranger is from the specific beach in question at the time they are informed of the presence of a shark

The Spectur Shark Warning System has the potential to considerably reduce the length of time it takes to alert beachgoers to the presence of a shark. The Spectur System can bridge the gap by providing the Shire, or any official body such as the Water Police, with the ability to log into the cloud-based system via a computer or via a smartphone app, and instantly activate a selection of pre-recorded audio and visual alerts directly to the beach via its strategically positioned light and sound alarm system.

A separate but related matter is the State Governments' plans to conduct a scientific trial of SMART drumlines in the Gracetown area. It is expected to last at least 12 months and will commence as soon as possible. The trial is proposed to be consistent with the New South Wales trial, which is not to kill sharks, but to catch, tag, relocate and release white sharks, where possible, 1km from shore. An Information Sheet is available on the Sharksmart website with maps outlining the two options. Satellite receiver locations are proposed in a number of popular surfing and swimming spots along the coastline. Public consultation on this proposal closes on Wednesday 10 October 2018.

CONSULTATION AND ADVICE

External Consultation

It is proposed that the Shire will meet with relevant Local and State Government, interested community and surfing groups, to discuss and monitor the trial to gauge its acceptance and success.

Internal Consultation

The Directors and technical personnel of Spectur Ltd have given a presentation of the Shark Warning System, which included the set-up of a prototype, (refer Attachment 2) to demonstrate the operation to staff, and provided a short briefing to Council.

DISCUSSION / OFFICER COMMENTS

Prevalence of Shark Attacks

The Shire of Augusta Margaret River has a higher level of shark activity than many other parts of the West Australian coastline. The Shire works closely with other agencies on Shark Policy and Procedures but is keen to consider practical measures that will minimise the risk of shark attack to members of the community.

It has been suggested in media reports, and statistically demonstrated, that shark attacks have been more prevalent at specific locations along the Augusta Margaret River coastline. The recent shark attacks that occurred during the iconic event, the Margaret River Surf Pro, resulted in such adverse publicity that it was decided by the organisers to cancel the event midway through the program when two recreational surfers were attacked on separate occasions.

Whilst the public perception is based on relatively recent shark attacks in the region, it is a significant community risk that is concerning to the Shire. The following table shows the number of attacks and fatalities attributed to sharks by state.

Shark attack prevalence by state from 1990 – 2017

State	Attacks	Fatal
New South Wales	128	6
Western Australia	66	18
Queensland	66	7
South Australia	32	10
Victoria	18	0
Tasmania	5	2
Northern Territory	2	0
Total	317*	43

More detailed location reports indicate that the majority of shark attacks, including fatalities, in the Margaret River region have been in the vicinity of Gracetown.

The System

Spectur Ltd (Spectur) is a Western Australian ASX listed company that locally manufactures solar powered alert systems that are ideally suited to provide instant alerts to beach-goers when a shark has been detected. Should the shire proceed with the trial, Spectur will provide training and support for the duration of the trial and include two secure server access credentials. Additional access credentials can be provided for a small charge. Spectur can attend the initial set-up of the system to ensure it is adjusted to suit the location/situation.

It is proposed that during the trial, the Shire will conduct consultation with local interest groups to understand the needs of the local community and how they see the ultimate Shark Warning System best delivering a solution to eliminate the safety gap.

Following the assessment of the trial and the feedback from interest groups, the Shire and Spectur may collaborate on providing a more permanent solution that will deliver a meaningful outcome for communities throughout the Shire of Augusta Margaret River and potentially the rest of Western Australia.

In addition to the Shark Warning System's main function, to alert beachgoers to danger, there are a number of other features and advantages with the system:

- Solar & Battery powered
- Designed and built in Australia
- 3G/4G Connectivity to Spectur's Cloud Management Platform
- Up to 98db spoken pre-recorded warnings
- 50w LED light
- Remotely controlled via smartphone app (Android or Apple App) or PC and Mac
- Live viewing in full HD
- Full remote programming
- Durability of powder coated aluminium case and hot-dipped galvanised steel stand
- Potential for integration with other systems/procedures
- Flexibility to change settings to suit individual needs

Being a cloud-based system, alarms are triggered remotely, from any location, from the Spectur web login, or from the Spectur app (Apple and Android). The system can also integrate into all major shark warning systems and be activated by these too.

The system bridges the time gap between a shark being sighted and authorities reaching the beach to close it down or address any safety issues. Spectur's Shark Warning System can be triggered the moment a shark sighting is confirmed. This means that people on the beach will be alerted not to enter waters where the local authorities know a hazard exists. The system is powerful enough to alert people in the water, up to a distance of 500m. In addition to the light and audible messages, the system also has a high definition camera that allows authorities to remotely watch beach activity when activated, after the shark has been identified, in real time from their phones or computers, from anywhere, over the 3G/4G network.

It is noted that this is not a CCTV system that provides continuous surveillance, the camera operates only upon activation following an alert. When the system is activated the camera also records the behaviour of people on the beach. This creates a useful record that can be used to modify how the system informs the general public of a shark sighting or for any occupational health and safety requirements.

Given that the safety gap is a current and ongoing issue, it is recommended that the Shire proceeds with this trial in order to assess the potential increase to community safety. It will demonstrate to the community that the Shire is being proactive and taking a lead role in addressing the danger of shark attacks and re-establishing its reputation as a safe holiday and recreation destination.

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)

Corporate Business Plan 2018-2022

Key result area 2: Welcoming and inclusive communities

Community Outcome 2.6: Safer Communities

Strategic Response: 2.6.1: Provide community safety through regulatory and support programs

Service level strategy/plan: 2.6.1.8 Review Shark Response Procedure and Policy

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

The necessary expenditure requires an Absolute Majority of Council to approve and create a new job in the Ranger Budget for Contract Services. Spectre has provided two options, one to rent and one to purchase as per the table below:

Trial - Purchase Option	Rate	Number	Total
Shark Warning System	5900	2	\$11,800
Server Access (monthly)	45	3	\$135
Data Plan (monthly)	40	3	\$120
Installation	500	1	\$500
Removal	500	1	\$500
Total for three months			\$13,055
Total for six months			\$13,310

Trial - Rental Option	Rate	Number	Total
Shark Warning System Rental	1800	2	\$3,600
Server Access (monthly)	Nil	3	\$0
Data Plan (monthly)	40	3	\$120
Installation	Nil	3	\$0
Removal	Nil	3	\$0
Total for three months			\$3,720
Total for six months			\$7,440

SUSTAINABILITY IMPLICATIONS

Environmental

The proposal responds to the presence of sharks by modifying human behaviour, rather than modifying the environment. The trial will provide the opportunity to determine the most sensitive location for the positioning of the necessary infrastructure.

Social

The proposal is intended to increase the public's perception of safety and enjoyment whilst at the beach.

Economic

The proposal has the potential to increase confidence in the safety of the region, which has flow on impacts for the sustainability of local events and businesses.

VOTING REQUIREMENTS

Absolute Majority

RECOMMENDATION

That Council:

1. Supports a 3 month trial of the Spectur Shark Warning System utilising the rental option, commencing 1 November 2018, with the potential to extend for a further 3 month period;
2. Supports the unbudgeted expenditure to rent two Shark Alert units for the period of the trial being a maximum of \$7,440;
3. Requests that Shire staff liaise with the community, local interest groups, and relevant State and Local Government agencies to determine the success or otherwise of the trial and the potential to share and incorporate the Shark Warning System into current procedures; and

4. Reviews the results of the trial at the conclusion of the 3 month trial period, and at 6 months, should the trial be extended.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

1. Surfers Point Beach and Carpark
2. Model of Spectur Shark Warning System

RECOMMENDATION / COUNCIL DECISION

CR EARL, CR LANE OM2018/245

That Council:

1. Supports a 3 month trial of the Spectur Shark Warning System utilising the rental option, commencing 1 November 2018, with the potential to extend for a further 3 month period;
2. Supports the unbudgeted expenditure to rent two Shark Alert units for the period of the trial being a maximum of \$7,440;
3. Requests that Shire staff liaise with the community, local interest groups, and relevant State and Local Government agencies to determine the success or otherwise of the trial and the potential to share and incorporate the Shark Warning System into current procedures; and
4. Reviews the results of the trial at the conclusion of the 3 month trial period, and at 6 months, should the trial be extended.

CARRIED BY ABSOLUTE MAJORITY 6/0

11.3. Infrastructure Services

11.3.1 LEEUWIN NATURALISTE 2050 CYCLING STRATEGY - FOR ADOPTION

LOCATION/ADDRESS	Shire of Augusta Margaret River
APPLICANT/LANDOWNER	Department of Transport
FILE REFERENCE	ENG/86
REPORT AUTHOR	David Nicholson, Manager Asset Services
AUTHORISING OFFICER	Markus Botte, Director Infrastructure Services

IN BRIEF

- WSP Parsons Brinkerhoff have prepared a long-term bicycle network strategy for the Shire of Augusta Margaret River and the City of Busselton, fully funded by State Government via the Department of Transport.
- In-depth community consultation was undertaken at project inception and on completion of the draft strategy prior to finalisation.
- Council adoption of the finalised strategy is now recommended.

RECOMMENDATION

That Council:

1. Adopts the Leeuwin Naturaliste 2050 Cycling Strategy as the basis for planning and delivery of cycling infrastructure within the Shire; and
 2. Receives a further report on the scope, costs, priorities and funding options for the recommended cycling projects for consideration at a future meeting in order to facilitate long term financial planning and future budget deliberations.
-

LOCATION PLAN

Nil

TABLED ITEMS

Nil

BACKGROUND

The State Government's *Western Australia Bike Network (WABN) Plan 2014-2031* identifies a key action to improve planning for cycling in regional Western Australia (WA). More specifically, planning improvements are to identify any gaps in existing cycling networks, to plan for future growth corridors, and to produce strategic and operational plans for key regional centres and their surrounding areas. Reflecting this priority, the Department of Transport (DoT) has been working with local governments across regional WA to develop aspirational, long-term cycling strategies. In doing so, the Department has funded and facilitated the development of the *Leeuwin-Naturaliste 2050 Cycling Strategy* (The Strategy), thereby assisting both the Shire of Augusta Margaret River and the City of Busselton in meeting key actions of the WABN.

The *Leeuwin-Naturaliste 2050 Cycling Strategy*, once adopted by Council, would be the second regional strategy released in WA and the first cycling strategy in the South-West Region. Prepared by consultants WSP Parson Brinkerhoff on behalf of DoT and the two neighbouring Local Government Authorities, the Strategy has been developed in close collaboration by all and officers from the City of Busselton and Shire of Augusta Margaret River, as well as the South West Development Commission (SWDC) regularly met and engaged with DoT and the consultant. A copy of the strategy is attached (Attachment 1).

The Strategy is intended to be aspirational in nature, setting out a blueprint for connecting, enhancing and expanding the region's cycle network through the development of an interconnected network of off-road shared paths and trails, protected on-road bike lanes and low-stress residential streets. Opportunities to improve safety for road cyclists are also considered. A route hierarchy comprising five

typologies has been used to define a world-class, future regional cycling network, with key themes and case studies used to illustrate the significant opportunities for cycling throughout the City of Busselton and the Shire of Augusta Margaret River.

There are many opportunities to create world-class cycling facilities in the Leeuwin-Naturaliste subregion. This includes establishing long-distance and inter-regional cycling routes, both within Leeuwin-Naturaliste and connecting to the adjacent Bunbury-Wellington and Warren-Blackwood subregions (where long-term cycling strategies are also under development). Together, these documents will help enable the South-West Region to position itself as a national and international cycle-tourism destination.

The Strategy includes an action plan outlining the strategic priorities to be progressed over the next five years. These have been informed by community and stakeholder consultation throughout the project and will help inform, plan and prioritise capital investment in cycling projects across both local government areas. The action plan will also strengthen future applications through DoT's Regional Bicycle Network (RBN) Grants Program.

CONSULTATION AND ADVICE

External Consultation

In developing the Strategy, extensive consultation was undertaken with key stakeholders and the local community. The consultation helped to refine the overarching aims and objectives of the strategy, as well as clarify the community's expectations in terms of where key routes are most needed and the requirements of different user groups.

This strategy was developed in collaboration with the DoT, SWDC, City of Busselton and Shire of Augusta Margaret River. Consultation was undertaken with various other government and non-government stakeholders, including:

- Department of Biodiversity, Conservation and Attractions
- Department of Local Government, Sport and Cultural Industries
- Main Roads WA
- Public Transport Authority (PTA)
- Water Corporation
- Department of Water and Environmental Regulation
- Tourism WA
- Margaret River Busselton Tourism Association
- Road Safety Commission
- The National Trust WA
- WestCycle

Input has also been provided from the WA Trails Reference Group and WABN Implementation Reference Group, both of which include additional stakeholders and interest groups.

Consultation with the local community was central to the development of the *Leeuwin-Naturaliste 2050 Cycling Strategy* and comprised two distinct phases.

Phase 1 was undertaken shortly after the project commenced and involved four informal drop-in sessions across the City of Busselton and the Shire of Augusta Margaret River. The Augusta Margaret River drop in sessions were held at Shire offices on the afternoon and again in the evening of 24 May 2017. These sessions were attended by approximately one hundred people (around fifty attendees at Margaret River), including several local councillors. Community members were also given the opportunity to provide written submissions to contribute to the early development of the strategy.

A draft Strategy was subsequently developed. This was presented to elected members of both local governments in February 2018, prior to being released for public comment for three weeks between 19 March and 8 April 2018. The draft document was made available online, hosted on both the City of Busselton and Shire of Augusta Margaret River YourSay websites and promoted through online and print media channels. One hundred and seventy-five submissions were received and these have guided the finalisation of the Strategy as well as informing the prioritised action plan.

Internal Consultation

Asset Services, Works and Planning Services.

Open Councillor Briefing on the draft strategy on 14 February 2018.

DISCUSSION / OFFICER COMMENTS

The *Leeuwin-Naturaliste 2050 Cycling Strategy* outlines the way forward through the identification of key themes and opportunities for cycling in the subregion. These can be summarised as follows:

- Connecting people to places of education and employment
- Harnessing the potential of rail corridors
- Creating loops around urban centres
- Making better use of drainage corridors
- Re-engineering local streets to create low stress environments
- Developing safe routes for road cyclists
- Capitalising on cycle-tourism
- Getting cycling infrastructure right from the start

A series of case studies are used in the document to illustrate how similar outcomes have been achieved elsewhere.

The *Leeuwin-Naturaliste 2050 Cycling Strategy* is accompanied by a short-term action plan that reflects the priorities shared by Local and State Governments. The plan will help to inform future investment decision through the Regional Bike Network (RBN) Grants Program, the Shire's forward capital works (Long Term Financial Plan) and potentially other funding sources. The priority projects identified within the Shire of Augusta Margaret River over the next five years are summarised in Attachment 2.

The strategic priorities identified in the action plan will be reviewed every five years to ensure current conditions are reflected and relevant projects are prioritised. The ultimate 2050 Leeuwin-Naturaliste cycling network should remain consistent over the medium term. A review of the whole Strategy every 8 to 10 years will allow any new opportunities as well as constraints to be identified and incorporated into a revised document.

Further work is now required to refine the scope and estimate the costs of the recommended projects, so they can be included in the forward capital works component of the Shire's Long Term Financial Plan.

The City of Busselton will also be presented with the Strategy for adoption at a Council meeting during October 2018.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

Nil

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)

Corporate Business Plan 2018-2022

Key Result Area 3: Ensuring sustainable development

Community Outcome 6: Connected and safe transport network

Strategic Response 1: Develop and maintain a high quality road, cycleway and footpath network, throughout the shire in partnership with all levels of government

Service level strategy/plan 2.5.1.3: Enable cycling infrastructure in the Shire including a cycle lane in the Margaret River Main Street in 2018-19

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

Neither the current budget nor the Long Term Financial Plan includes any funding for implementation of cycling facilities. The LTFP is updated/reviewed annually and the 2018-19 review provides an opportunity to allocate funding for ongoing implementation of projects in the cycling strategy. WA

Bicycle Network (WABN) grant funding is available annually on a competitive basis. Officers will seek matching funding for implementation of projects recommended in the strategy. An Expression of Interest (EOI) application was recently submitted for the 2019-20 WABN program, for a feasibility study of a pedestrian and cyclist underpass on the Wadandi Track at Carters Road. The EOI was successful (in fact the highest ranking in the state) and a full application is now in preparation.

SUSTAINABILITY IMPLICATIONS

Environmental

Cycling is a sustainable human powered mode of transport with no emissions. Walking and cycling infrastructure provision has a low carbon footprint and very limited environmental impacts compared to infrastructure catering for other modes of transport.

Social

Cycling for transport or recreation promotes social interaction, improved health and well-being. The health benefits of cycling outweigh the risks of serious injury through a collision. Some elements of the cycling network will also be catering for dual use by pedestrians.

Economic

Cycling is inexpensive and replacing car trips with cycle trips will reduce personal transport costs. Cycle tourism is beneficial to the local economy.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council:

1. Adopts the Leeuwin Naturaliste 2050 Cycling Strategy as the basis for planning and delivery of cycling infrastructure within the Shire; and
2. Receives a further report on the scope, costs, priorities and funding options for the recommended cycling projects for consideration at a future meeting in order to facilitate long term financial planning and future budget deliberations.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

1. Leeuwin Naturaliste 2050 Cycling Strategy (final)
2. Implementation program

RECOMMENDATION

CR SMART, CR EARL

That Council:

1. **Adopts the Leeuwin Naturaliste 2050 Cycling Strategy as the basis for planning and delivery of cycling infrastructure within the Shire; and**
2. **Receives a further report on the scope, costs, priorities and funding options for the recommended cycling projects for consideration at a future meeting in order to facilitate long term financial planning and future budget deliberations.**

0/0

Cr Godden moved the following procedural motion to defer the item:

PROCEDURAL MOTION

CR GODDEN, CR

- a) That in point 1 of the recommendation the word 'Adopts' be omitted and replaced with the word 'Receives', and the words 'a proposed' be added to read as follows:

1. ~~Adopts~~ **Receives** the Leeuwin Naturaliste 2050 Cycling Strategy as ~~the~~ **a proposed** basis for planning and delivery of cycling infrastructure within the Shire.

b) The following be added as point 2 and 4:

2. **Receives a further report on the potential environmental and Aboriginal heritage impacts of the recommended cycling projects.**
4. **Defers the adoption of the Strategy until Council receives these requested reports.**

0/0

REASON

Cr Godden provided the following reason:

'The proposed Leeuwin Naturaliste 2050 Cycling Strategy includes some projects that may clash with other Council decisions and policies, and our concerns for environmental protection and Aboriginal heritage. For example:

Section 6.2.4 Developing Tourist Trails

Action 5: Carters road underpass (at Wadandi track).

This action commits Council to developing this underpass within 2 years. I am not aware of any environmental and heritage assessments for this proposed infrastructure, and Council has not completed its Margaret River Walking and Off-Road Cycling Strategy, which is specifically considering improving cycling access on Carters Road. This proposal may contradict our recently adopted Management of Vegetation on Shire Reserves Policy as the underpass is close to the Margaret River, and there are likely Aboriginal heritage considerations with the underpass. I am concerned that Council is committing to this infrastructure before conducting necessary assessments and consultation with key local groups.

Section 6.2.5 Developing Road Cycling Routes

Action 2: Improve safety of cyclists using Caves Road.

This involves working with Main Roads to improve safety, and the document discusses options such as road widening and improving shoulders etc, to be considered in the Reference Group. While the Strategy does not specifically commit to widening Caves Road, the language in the Strategy does not uphold Council's recent position regarding Caves Road, and adoption of the Strategy may appear to endorse Main Roads' road widening project.

Action 6: Formalise a tourist trail linking the Leeuwin-Naturaliste sub-region to Nannup.

This proposed action for a trail between Boranup and Nannup involves formalising existing firebreaks and forest trails, including areas with 'Blackwood River frontage'. I am concerned that we do not have enough information about the potential impact of formalising this trail on the Blackwood River, and on Aboriginal heritage (the Blackwood River is a registered Aboriginal site).

There is also almost no mention of protecting Aboriginal heritage in the document, and very limited information about any environmental concerns with the proposed trails (eg proposed clearing, impact of trails on wildlife (particularly endangered species), impact of increased human activity in environmentally-sensitive areas etc).

I am concerned that Council's adoption of the Strategy will commit Council to these actions before we have a stronger understanding of the implications for the environment, Aboriginal cultural sites, and Council's budget priorities.'

The motion lapsed for want of a seconder.

Cr Meldrum then moved the following amendment:

AMENDMENT

CR MELDRUM, CR GODDEN

That the following be added as point 3:

3..Receives a further report on the potential environmental and Aboriginal heritage impacts of the recommended cycling projects.

0/0

REASON

Cr Meldrum spoke to the amendment stating she would like to see a further report.

Cr Lane foreshadowed the following amendment:

FORESHADOWED MOTION

That the following wording be added to point 1:

On the condition that on implementation of each track, potential environmental and Aboriginal Heritage impact will be assessed.

Debate then continued on the amendment before being put to vote:

AMENDMENT / COUNCIL DECISION

CR MELDRUM, CR GODDEN OM2018/246

That the following be added as point 3:

3..Receives a further report on the potential environmental and Aboriginal heritage impacts of the recommended cycling projects.

LOST 2/4

CRS MCLEOD, LANE, EARL AND SMART VOTED AGAINST

The amendment lost.

Cr Lane withdrew his foreshadowed motion.

Debate then continued on the primary motion:

PRIMARY MOTION / COUNCIL DECISION

CR SMART, CR EARL OM2018/247

That Council:

- 1. Adopts the Leeuwin Naturaliste 2050 Cycling Strategy as the basis for planning and delivery of cycling infrastructure within the Shire; and**
- 2. Receives a further report on the scope, costs, priorities and funding options for the recommended cycling projects for consideration at a future meeting in order to facilitate long term financial planning and future budget deliberations.**

CARRIED 5/1

CR GODDEN VOTED AGAINST

Cr Godden requested her reason for voting against the motion be recorded as follows:

'I do not feel adequately informed about the environmental and Aboriginal heritage impacts.'

11.3.2 CLOSURE OF OLD BURNSIDE ROAD ALIGNMENT, BURNSIDE

LOCATION/ADDRESS	Burnside Road and Caves Road, Burnside
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	RDS/0069
REPORT AUTHOR	Doug Sims, Technical Officer – Asset and Land Administration
AUTHORISING OFFICER	Markus Botte, Director Infrastructure Services

IN BRIEF

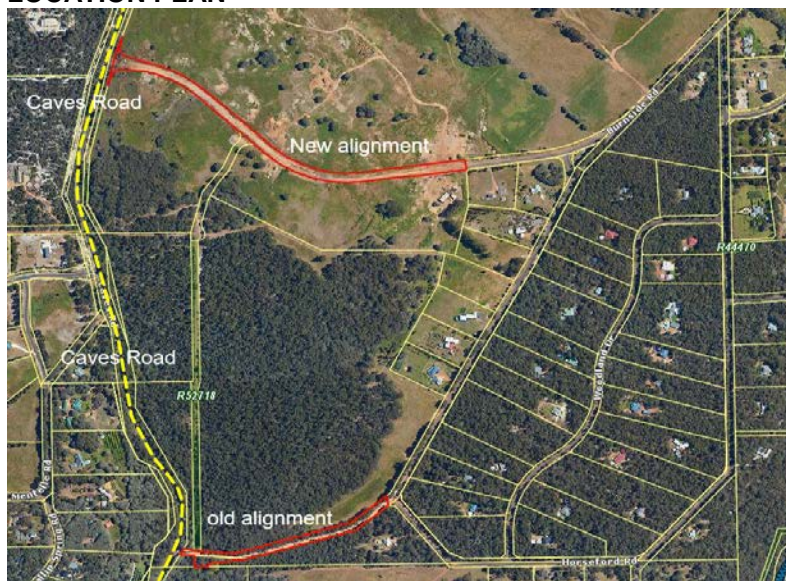
- The alignment of a portion of Burnside Road has been altered, as part of the subdivision of adjoining land, to create a safer intersection with Caves Road.
- A condition of the subdivision approval issued by the Western Australian Planning Commission (WAPC) requires the old road alignment immediately east of Caves Road to be closed and for this section to be converted into a Pedestrian Access Way (PAW)/Fire Services Access Route.
- The same condition also requires the creation of an access easement in favour of Lot 94 Caves Road within the proposed PAW/Fire Services Access Route.
- This report seeks Council support for the closure of the old alignment of Burnside Road, as a road reserve, subsequent conversion of that closed road reserve to a PAW/Fire Service Access Route (Attachment 1), as well as creation of a new access easement over a portion of the closed road in favour of Lot 94 (Attachment 2).

RECOMMENDATION

That Council:

1. Supports the closure of a portion of Burnside Road reserve, east of Caves Road, as shown on Drawing 2386 Sketch A (Attachment 1) under Section 58 of the *Land Administration Act 1997* (LAA), including subsequent conversion of the closed road reserve section to a PAW / Fire Services Access Route;
 2. Informs the Department of Planning, Lands and Heritage to proceed with the closure under Section 58 of the LAA; and
 3. Supports the creation of an access easement over a portion of the closed road in favour of Lot 94 Caves Road as shown on Drawing 2386 Sketch B (Attachment 2), to be effected by the developer of the land in consultation with the Department of Planning, Lands and Heritage (DPLH).
-

LOCATION PLAN



TABLED ITEMS

Nil

BACKGROUND

In August 2010 subdivision approval was issued for the development of Lot 9500 Burnside Road, Burnside, subject to a number of conditions. More specifically, two conditions relate to the closure of a section of Burnside Road and subsequent conversion to a PAW/Fire Services Access Route as well as creation of access easements, being the subject of this report.

Firstly, a condition of the subdivision approval requires the developer to:

- create a new alignment for Burnside Road; and
- for the old alignment east of Caves Road, close a portion of Burnside road and re-vest as a pedestrian access way/fire service access route.

Secondly, a right of access easement for the benefit of Lot 94, for access to Caves Road, is also required to satisfy the subdivision conditions.

DISCUSSION

The section of Burnside Road under consideration, being located immediately east of Caves Road, presents as a gravel road for which the Shire receives regular requests for grading. The intersection of Burnside Road with Caves Road also has limited sight distances, raising a number of road safety concerns. The closure of the existing gravel section of Burnside Road east of Caves Road and construction of a new sealed road link between the remainder of Burnside Road and Caves Road to the north will provide the following safety benefits:

1. The new alignment provides improved sight distances for vehicles entering Caves Road. The old alignment currently provides limited sight distances due to the combination of a crest and a bend on Caves Road at this location.
2. The new alignment traverses land of a gentler gradient, whereas the old alignment presents with a quite steep gradient, having an impact on intersection approach speed and vehicle stopping distances.
3. The new alignment has a sealed surface whereas the old alignment provides a gravel surface.

Condition 4 of the WAPC approval of subdivision (Attachment 3) requires the developer to facilitate a right of access easement to benefit Lot 94 in order to gain access to Caves Road in perpetuity. The easement is to be created by the developer at their cost and in consultation with the Department of Planning, Lands and Heritage (DPLH). The Shire will need to provide its support for the creation of this easement, as the easement will sit on land managed by the Shire post closure of the road reserve section, being the proposed PAW/Fire Service Access Route (Attachment 1).

CONSULTATION AND ADVICE

External Consultation

Main Roads WA previously imposed the requirement to realign Burnside Road, approved the new road alignment and supervised the design and construction of the new intersection with Caves Road. Council previously recommended approval of the subdivision and subdivisional layout to the Western Australian Planning Commission and Shire staff supervised the construction of the new road link between Caves Road and the existing Burnside Road.

Under Section 58 (3) of the *Land Administration Act 1997* (Act), a local government must not resolve to make a request to close a road until a period of 35 days has elapsed from the publication in a newspaper circulating in its district of a notice of motion for that resolution. To adhere to this statutory requirement, the proposal was advertised on 25 May 2018 in the Augusta Margaret River Times and on the Shire's website. Submissions were invited from interested persons, with the closing date being 4pm on Friday 29 June 2018. The Act also requires comment from the utility services providers and other stakeholders to be sought. The Shire received no objections to the proposal during the consultation period.

Internal Consultation

Infrastructure Services – supports the proposal.

Planning Services – supports the proposal.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

Permanent road closures are actioned under Section 58 of the Land Administration Act 1997.

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)

Corporate Business Plan 2017-2021

Key Result Area 3: Ensuring sustainable development

Community Outcome 2.6 Safer communities

Strategic response: 2.6.2 Enhance the Shires emergency and disaster management capabilities.

Service level strategy/plan: 2.6.2.4 Provide community emergency services and programs in line with Department of Fire and Emergency Services and Shire Business Plan

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

Nil. The works have been fully funded by the developer of the adjacent subdivision and from contributions previously received from the developers of other nearby subdivisions. Works have been inspected and comply with the construction standards set out in the Western Australian Planning Commission's Local Government Guidelines for Subdivisional Development.

SUSTAINABILITY IMPLICATIONS

Environmental

There has been minimal environmental impact, as the new road was constructed across cleared farmland. The closed road section, even though serving a role as a Fire Services Access Route, may offer some opportunities for revegetation and environmental regeneration.

Social

Conversion of the road reserve to a PAW/ Fire Services Access Route will provide a safer and more pleasant walking route.

Economic

'Emergency/Fire Services Access Routes' play an important strategic role for firefighters during emergencies, thus helping to reduce the financial loss caused by fires.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council:

1. Supports the closure of a portion of Burnside Road reserve, east of Caves Road, as shown on Drawing 2386 Sketch A (Attachment 1) under Section 58 of the *Land Administration Act 1997* (LAA), including subsequent conversion of the closed road reserve section to a PAW / Fire Services Access Route;
2. Informs the Department of Planning, Lands and Heritage to proceed with the closure under Section 58 of the LAA; and
3. Supports the creation of an access easement over a portion of the closed road in favour of Lot 94 Caves Road as shown on Drawing 2386 Sketch B (Attachment 2), to be effected by the developer of the land in consultation with the Department of Planning, Lands and Heritage (DPLH).

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

1. Drawing 2386 Sketch A
2. Drawing 2386 Sketch B
3. WAPC Approval

RECOMMENDATION / COUNCIL DECISION

CR EARL, CR SMART OM2018/248

That Council:

- 1. Supports the closure of a portion of Burnside Road reserve, east of Caves Road, as shown on Drawing 2386 Sketch A (Attachment 1) under Section 58 of the *Land Administration Act 1997* (LAA), including subsequent conversion of the closed road reserve section to a PAW / Fire Services Access Route;**
- 2. Informs the Department of Planning, Lands and Heritage to proceed with the closure under Section 58 of the LAA; and**
- 3. Supports the creation of an access easement over a portion of the closed road in favour of Lot 94 Caves Road as shown on Drawing 2386 Sketch B (Attachment 2), to be effected by the developer of the land in consultation with the Department of Planning, Lands and Heritage (DPLH).**

CARRIED 6/0

11.3.3 RFT 10-18 PROVISION OF LANDSCAPE CONSTRUCTION / MAINTENANCE SERVICES

LOCATION/ADDRESS	Shire of Augusta Margaret River
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	COR/310
REPORT AUTHOR	Melissa Gow, Works Project Administration Officer
AUTHORISING OFFICER	Markus Botte, Director Infrastructure Services

IN BRIEF

- The Request for Tender (RFT) 10-18 Provision of Landscape Construction/ Maintenance Services was advertised in The West Australian, Margaret River Mail and Shire Website on 15 August 2018.
- Five conforming tender submissions were received by tender closing date on 3 September 2018.
- Evaluation of submissions was undertaken in accordance with the Shire's procurement policy, ranking Mikmarns Landscapes as the preferred tender based on value for money assessment.

RECOMMENDATION

That Council awards Tender 10-18 Provision of Landscape Construction/ Maintenance Services to Mikmarns Landscapes in accordance with their tender submission and price basis outlined in the evaluation report (Confidential Attachment 1) for a period of one (1) year, with the option to extend the contract term for up to a maximum period of two (2) years, subject to satisfactory performance and to be executed at the discretion of the Shire's Chief Executive Officer.

TABLED ITEMS

RFT 10-18 Provision of Landscape Construction/ Maintenance Services.

BACKGROUND

The Shire of Augusta Margaret River requires the services of a generalist landscape construction / maintenance contractor to support the more specialised in-house parks and gardens maintenance teams in the Shire's works business unit. Work to be performed by the contractor could include elements of both construction and maintenance as part of a single job. Employing a generalist contractor with the ability to carry out both elements will save time and money. Notwithstanding, landscape capital projects that fall outside of the scope of works of this RFT will continue to be procured as per Council's purchasing policy.

Once the successful contractor is appointed, it is envisaged for the agreement between the contractor and the Shire of Augusta Margaret River to take the form of a one (1) year contract with the option to extend the contract term for up to a maximum period of two (2) years, subject to satisfactory performance and at the discretion of the Shire's Chief Executive Officer. The contract will not provide for exclusivity of the contractor or provide for minimum guaranteed work. Work will be assigned on a case by case basis on the basis of an individual, job-based quotation.

CONSULTATION AND ADVICE

External Consultation

Nil

Internal Consultation

- Operations Coordinator
- Senior Technical Officer - Parks & Gardens
- Depot Administration Officer
- Works Project Officer
- Director Infrastructure Services

DISCUSSION / OFFICER COMMENTS

An evaluation report has been prepared for this RFT (Confidential Attachment 1).

Tender submissions were received from the following companies (listed in alphabetical order):

No.	Name of Organisation
1	Dirt Design Landscaping
2	Horizon West Landscape Constructions
3	Lizard Landscape
4	Mikmarns Landscapes
5	Vine Power

Tenders were assessed by an evaluation panel against the criteria of risk, relevant experience, key personnel's skills and experience, tenderer resources, demonstrated understanding, occupational safety and health management, project program and price.

The weightings applied to those criteria were as follows:

Relevant Experience - 10%

Key Personnel's Skills and Experience - 8%

Tenderer's Resources - 9%

Demonstrated Understanding - 15%

Occupational Safety & Health Management - 10%

Project program - 8%

Price - 40%

In line with the evaluation outcome, it is recommended that the tender be awarded to Mikmarns Landscapes based on value for money.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

Part 4 (Tenders) of the *Local Government (Functions and General) Regulations 1996* requires that tenders be publicly invited for such contracts where the estimated cost of providing the total service exceeds \$150,000. Compliance with the section 3.57 of the *Local Government Act 1995* is required in the issuing and tendering of contracts.

STRATEGIC PLAN / POLICY IMPLICATIONS

By calling for tenders, the Shire is seeking best value goods and services that meet the objectives of Sustainable Development for Sustainable Community Infrastructure.

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

Council annually budgets for the external supply of goods and services. Tenders are called to ensure Council gets value for money and meets its obligation under section 3.57 of the Local Government Act.

The tender is set to be implemented as a framework agreement, which means that each purchase order issued forms a separate contract and there is no minimum guarantee of work, nor contractor exclusivity. Given the time span of the proposed contract, it was deemed necessary to introduce a variation mechanism as outlined below:

VARIABLE PRICES

All prices for services offered under this Request are to be variable for the term of the contract. Prices may vary from those submitted according to the mechanism outlined below:

- a) *Australian Consumer Price Index Perth Indices – March Annually*

SUSTAINABILITY IMPLICATIONS

Environmental

Nil

Social

Provides equality to local businesses in being able to offer their services to the Council

Economic

Value for money goods and services.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council awards Tender 10-18 Provision of Landscape Construction/ Maintenance Services to Mikmarns Landscapes in accordance with their tender submission and price basis outlined in the evaluation report (Confidential Attachment 1) for a period of one (1) year, with the option to extend the contract term for up to a maximum period of two (2) years, subject to satisfactory performance and to be executed at the discretion of the Shire's Chief Executive Officer.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

1. CONFIDENTIAL RFT 10-18 Tender Evaluation Report
2. CONFIDENTIAL RFT 10-18 Evaluation Matrix Summary

RECOMMENDATION / COUNCIL DECISION

CR SMART, CR GODDEN OM2018/249

That Council awards Tender 10-18 Provision of Landscape Construction/ Maintenance Services to Mikmarns Landscapes in accordance with their tender submission and price basis outlined in the evaluation report (Confidential Attachment 1) for a period of one (1) year, with the option to extend the contract term for up to a maximum period of two (2) years, subject to satisfactory performance and to be executed at the discretion of the Shire's Chief Executive Officer.

CARRIED 6/0

11.4. Corporate and Community Services

11.4.1 LIST OF PAYMENTS FOR AUGUST 2018

LOCATION/ADDRESS	Shire of Augusta Margaret River
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	FIN/42
REPORT AUTHOR	Anja Gerganoff, Accounts Payable Officer
AUTHORISING OFFICER	Heather Auld, Acting Director Corporate Community Services

IN BRIEF

It is a requirement of the *Local Government (Financial Management) Regulations 1996* that payments made under delegated authority by the CEO are reported to Council on a monthly basis showing details of each account paid since the last such list was prepared.

RECOMMENDATION

That Council notes the August 2018 List of Payments for \$3,504,116.31 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 2016-17 and 2017-18 financial years.

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

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

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

SHIRE OF AUGUSTA MARGARET RIVER
ORDINARY COUNCIL MEETING 10 OCTOBER 2018

TABLE 1 – SUMMARY OF PAYMENTS MADE IN THE MONTH AUGUST 2018

MODE OF PAYMENT	CHEQUE / EFT NUMBERS	SUB-TOTAL	AMOUNT
Cheques (includes reimbursement of credit cards)	42327-42336	\$ 24,324.24	\$ 24,324.24
EFT	65239-66720	\$2,180,664.23	
	Direct Debits	\$1,299,127.84	\$3,479,792.07
TOTAL			\$3,504,116.31

TABLE 2 – COMPARISON WITH PRIOR YEAR OF PAYMENTS

MONTH	CHEQUES 2017-18	EFT/DD 2017-18	TOTAL PMTS 2017-18	CUMULATIVE PAYMENTS	CHEQUES 2018-19	EFT/DD 2018-19	TOTAL PMTS 2018-19	CUMULATIVE PAYMENTS
JULY	11,911.90	4,058,767.09	4,070,678.99	3,693,703.78	26,103.88	5,421,569.55	5,447,673.43	5,447,673.43
AUGUST	12,189.23	3,345,515.25	3,357,704.48	7,417,044.16	24,324.24	3,479,792.07	3,504,116.31	8,951,789.74
SEPTEMBER	22,462.49	9,460,770.44	9,483,232.93	15,746,398.37				
OCTOBER	14,248.57	6,213,632.69	6,227,881.26	20,776,246.78				
NOVEMBER	16,796.25	3,002,051.85	3,018,848.10	23,314,937.30				
DECEMBER	16,784.55	3,486,311.03	3,503,095.58	26,037,639.47				
FEBRUARY	23,253.79	3,016,860.48	3,040,114.27	28,570,044.69				
FEBRUARY	8,323.20	3,158,631.14	3,166,954.34	31,081,914.60				
MARCH	13,755.44	3,754,347.57	3,768,103.01	33,900,567.24				
APRIL	21,948.61	3,759,184.07	3,781,132.68	38,890,752.20				
MAY	12,777.70	4,065,100.21	4,077,877.91	41,953,695.96				
JULY	63,421.26	7,100,844.90	7,164,266.16	46,063,662.23				
	237,872.99	54,422,016.72	54,659,889.71	54,659,889.71				

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 2018-2022

Key Result Area 5: Effective leadership and governance

Community Outcome 2: Effective strategy, planning and asset management

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

Service level strategy/plan: Continue to monitor and analyse monthly, year to date and annual financial performance.

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Environmental

Nil

Social

Nil

Economic

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council notes the August 2018 List of Payments for \$3,504,116.31 as certified correct by the Chief Executive Officer.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

1. List of Payments for August 2018

RECOMMENDATION / COUNCIL DECISION

CR MCLEOD, CR LANE OM2018/250

That Council notes the August 2018 List of Payments for \$3,504,116.31 as certified correct by the Chief Executive Officer.

CARRIED 6/0

11.4.2 FINANCIAL ACTIVITY STATEMENT REPORT - AUGUST 2018

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

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 31 August 2018.

RECOMMENDATION

That Council receives the Monthly Financial Report – August 2018 in accordance with Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

LOCATION PLAN

Nil

TABLED ITEMS

Nil

BACKGROUND

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

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

Also under Financial Management Regulation 34(5) Council are to adopt each year a material variance threshold. At the Ordinary Meeting of Council on 25 July 2018 (**OM2018/186**) 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 31 August of \$25.354 million (\$2.032 million lower than last month's result of \$27.386 million). This result was higher than the expected year to date budgeted position of \$23.927 million. The following details the main reasons for this favourable variation to Budget.

Operating revenue is \$0.068 million or 0.3% above budget (last month \$0.091 million or 0.4% above budget). The main contributor to this favourable result is higher than budget fees and charges.

Operating expenditure on a year to date basis is \$0.852 million or 14.9% below budget (last month \$0.516 million or 15.0% below budget). The main contributing factors are employee expenses being \$0.082 million or 3.0% under budget (last month \$0.035 million or 2.2% under budget) and materials and contracts are \$0.644 million or 29.3% below budget (last month \$0.456 million or 35.9% below budget). Timing of staff recruitment and operating projects have contributed to both of these areas of operating expenditure being under budget. It should also be noted depreciation has not been allocated as the fair value revaluation of infrastructure at 30/6/2018 has not been finalised.

Grants for capital works are on budget (last month \$0.089 million or 63.3% under budget). Although the Main Roads WA direct grant of \$0.141 million budgeted for July has still not been received, higher than budgeted developer contributions have offset this under budget variance.

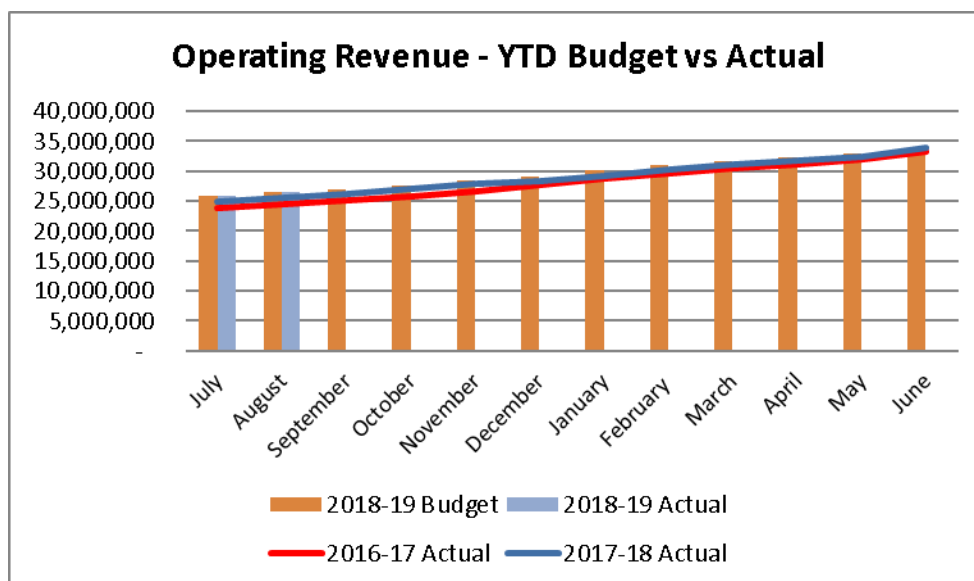
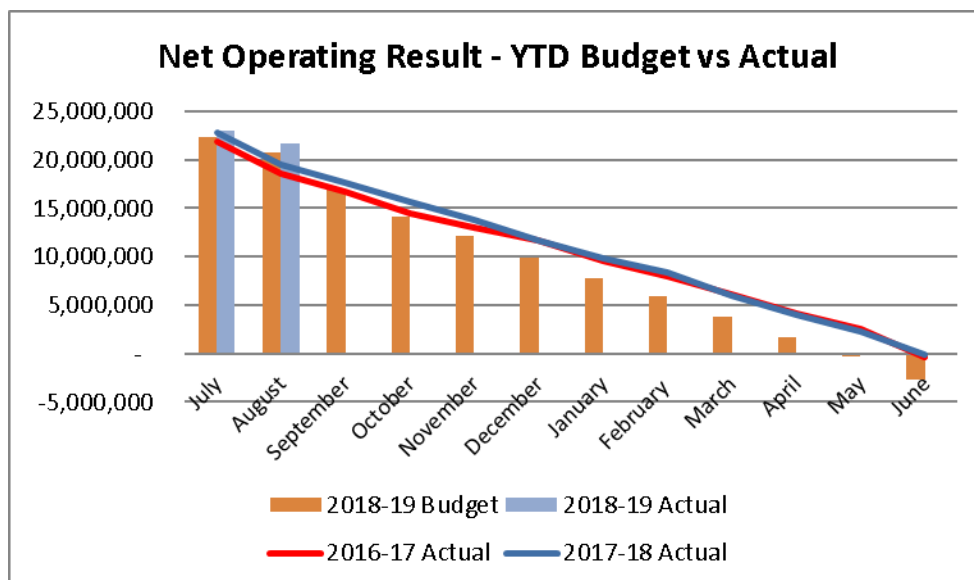
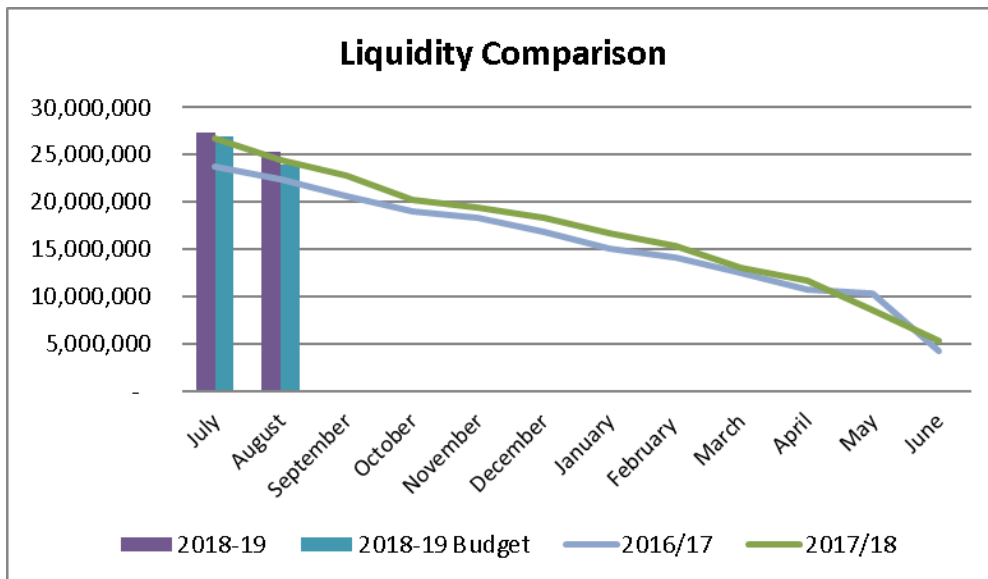
Capital expenditure of \$0.840 million during the month compared to the budget for the month of \$1.470 million. On a year to date basis capital expenditure is \$0.567 million under budget (last month \$0.062 million over budget). The major causes of this variation are:

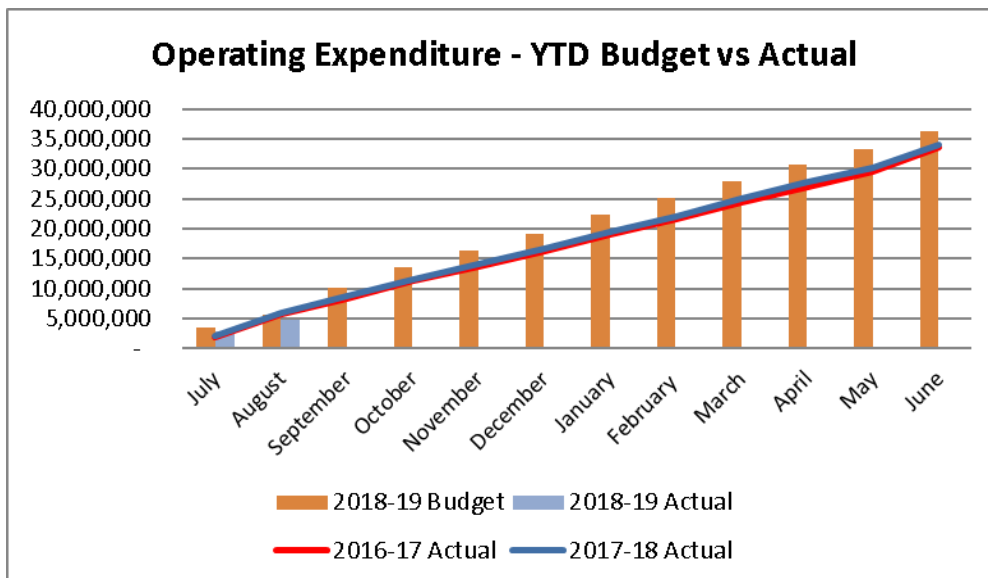
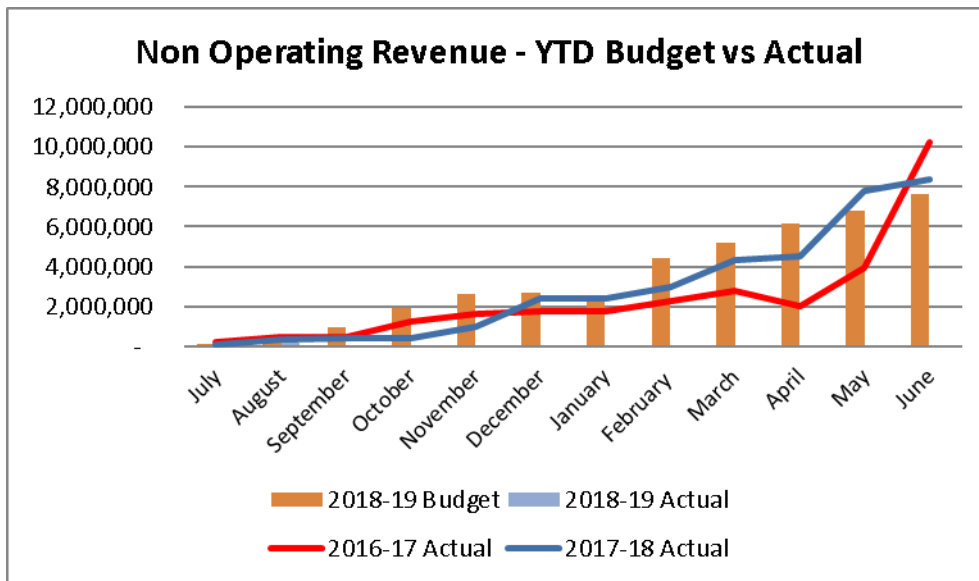
- replacement of production computer servers totalling \$0.130 million budgeted for July is in progress with the equipment ordered and installation expected to occur in September/October;
- the construction of the extension for the Cowaramup BFB shed commenced earlier than budgeted;
- quotes for shelving for the Augusta Library are being obtained with delivery expected in January, the budget profile for this project was incorrect;
- \$0.053 million of waste services projects have not yet commenced;
- community buildings expenditure is \$0.622 million under budget projections with the main reason being the cash flow forecast for the Cultural Centre project has been revised and now varies to the budget profile;
- \$0.018 million upgrade of the Cowaramup BMX club budgeted for July is now anticipated for December;
- parks and gardens expenditure exceeded budget by \$0.422 million as the second instalment of \$0.320 million for the shared use oval at Rapids Landing primary school was processed earlier than budgeted and the playground equipment replacement program has commenced earlier than expected;
- road and related projects are \$0.116 million under budget; and
- plant and equipment purchases are \$0.316 million under budget but are in progress with delivery of a number of vehicles expected.

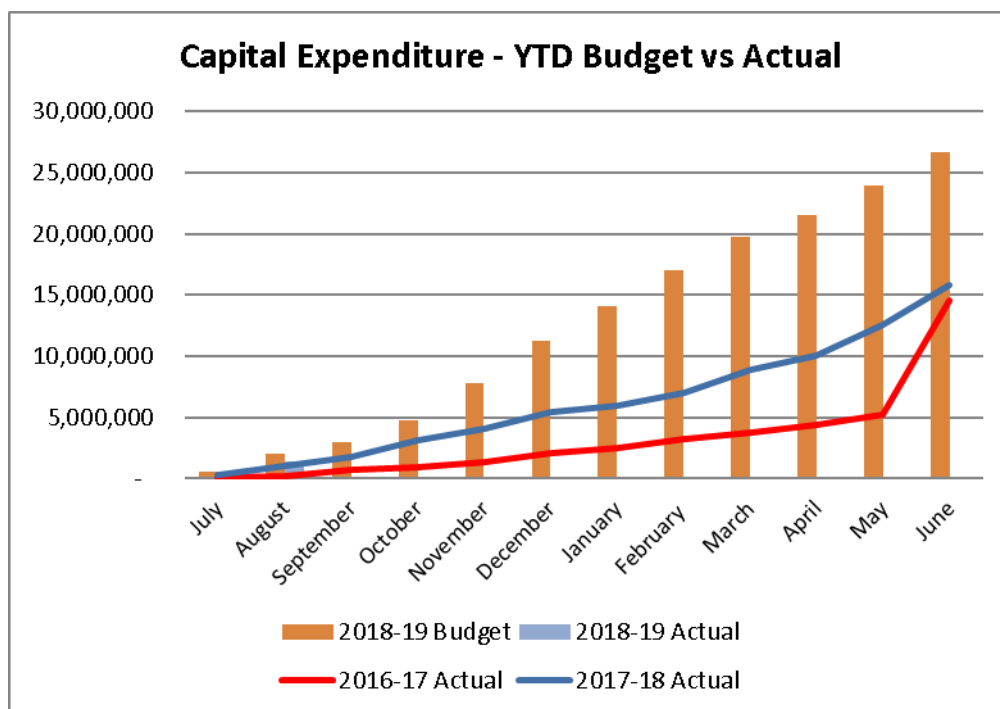
Capital expenditure for the month included the following.

- \$30,260 for the construction of the Cowaramup BFB shed extension;
- \$167,112 for various community building projects including works for the Cultural Centre project, Margaret River river mouth toilet block and the Cowaramup Hall;
- \$66,398 on various Parks and Gardens projects including playground equipment replacement, Wallcliffe Road reserve works in front of the Margaret River Youth Precinct and development of the Rapids Landing Primary School public open space;
- \$212,291 on road related projects of which \$135,650 was spent on infrastructure upgrade projects and \$76,642 was spent on infrastructure renewal projects. The Cowaramup Primary School car park, Margaret River main street upgrade project, reconstruction of Warner Glen Road and kerb replacement were the main areas of expenditure;
- \$329,588 was spent to replace a light truck, dog trailer, 4 utilities and a passenger vehicle; and
- \$25,610 was spent on utilities infrastructure at Turner and Flinders Bay Caravan Parks.

Financial performance against budget are shown in the following charts.







Following is the Statement of Financial Activity for the year ending 31 August 2018.

SHIRE OF AUGUSTA MARGARET RIVER
ORDINARY COUNCIL MEETING 10 OCTOBER 2018

SHIRE OF AUGUSTA MARGARET RIVER STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 August 2018							
BUSINESS UNITS	2017-18 Last Year Actual \$	2018-19 Approved Budget \$	2018-19 Month of August \$	2018-19 YTD Budget \$	2018-19 YTD Actual \$	YTD Variance >10% & >\$10,000	Comments
Net Current Assets at 1 July surplus/(deficit)	4,331,506	5,103,678		5,103,678	5,223,362		Includes advance payment of FAGs for 2018-19
Revenue from Operating Activities							
Rates	20,943,450	21,769,660	57,451	21,299,660	21,185,410	0	
General Financing	2,274,065	1,492,719	234,277	297,527	319,949	0	
Members of Council	179	500	0	125	0	0	
Chief Executive Officer	75,226	0	1	0	1	0	
Director Corporate & Community	14,010	27,500	0	1,000	411	0	
Director Sustainable Development	1,000	0	0	0	0	0	
Director Infrastructure	0	0	0	0	0	0	
Finance	73,146	15,941	0	0	0	0	
Records	920	0	60	0	90	0	
Corporate Services	2,158	1,500	0	500	0	0	
Customer Relations	198,836	193,800	13,631	30,300	28,359	0	
Information Comm. Technology	10,024	0	400	0	400	0	
Human Resources	39,000	20,000	0	0	0	0	
Community Planning & Development	37,910	43,917	4,402	5,500	4,701	0	
Emergency and Fire Services	621,007	305,449	318	0	318	0	
Rangers	207,086	211,700	15,667	26,100	26,491	0	
Libraries	39,913	38,700	4,029	7,700	8,449	0	
Environmental Health	121,961	123,915	2,121	72,843	78,584	0	
Outside School Hours Care	456,838	463,300	58,366	74,375	108,540	34,165	Perm: School holidays care & new subsidies
Waste Services	4,890,517	4,927,040	49,272	4,255,357	4,348,819	0	
Town Planning	281,277	318,360	27,416	53,060	55,452	0	
Community Buildings	16,611	0	212	0	423	0	
MR Recreation Centre	802,510	829,900	67,514	125,700	140,330	14,630	Timing: Dept of Education invoicing
Cultural Centre	8,280	1,300	0	0	0	0	
Augusta Recreation Centre	29,460	41,500	3,006	7,000	4,040	0	
Gloucester Park	73,174	74,500	4,793	32,750	24,952	0	
Parks and Gardens	5,835	4,400	0	0	0	0	
Asset Services	129,897	105,600	6,516	22,200	40,856	18,656	Timing: invoicing of annual fees
Landcare	1,950	25,000	955	0	955	0	
Maintenance	20,893	0	0	0	0	0	
Plant Program	47,511	2,000	0	0	0	0	
Caravan Parks	2,046,017	2,176,194	38,263	79,400	85,304	0	
Building Control	260,398	248,200	19,671	38,250	36,970	0	
Works Overheads	328	0	0	0	0	0	
Plant Operation Costs	9,081	0	0	0	0	0	
Other Property and Services	127,766	20,000	0	2,000	0	0	
	33,868,235	33,482,595	608,341	26,431,347	26,499,802	68,455	
Expenditure from Operating Activities							
Revenue	(459,373)	(319,444)	(27,039)	(58,535)	(52,954)	0	
General Financing	(559,612)	(604,642)	(22,540)	(112,983)	(112,794)	0	
Members of Council	(329,429)	(393,224)	(19,968)	(53,404)	(39,974)	13,430	Timing: CEO performance review, training
Chief Executive Officer	(996,984)	(1,356,786)	(93,533)	(204,094)	(201,250)	0	
Director Corporate & Community	(410,508)	(498,770)	(26,204)	(78,658)	(66,740)	11,918	Timing: Community Infrastructure Report project
Director Sustainable Development	(677,279)	(686,350)	(42,632)	(125,316)	(113,596)	11,720	Timing: labour, subscriptions, legal fees
Director Infrastructure	(242,171)	(385,540)	(22,441)	(68,758)	(58,521)	10,237	Timing: labour
Finance	(916,635)	(966,222)	(29,273)	(327,343)	(324,026)	0	
Records	(176,219)	(194,632)	(13,759)	(37,535)	(35,208)	0	
Corporate Services	(253,867)	(272,840)	(18,654)	(35,770)	(31,828)	0	
Customer Relations	(517,871)	(547,932)	(38,370)	(101,916)	(95,323)	0	
Information Comm. Technology	(1,056,950)	(1,158,039)	(79,918)	(333,355)	(293,514)	39,841	Timing: software licences, special projects
Human Resources	(606,178)	(665,960)	(42,320)	(129,991)	(123,659)	0	
Community Planning & Development	(594,080)	(727,906)	(56,986)	(141,930)	(110,196)	31,734	Timing: various projects
Emergency and Fire Services	(1,190,120)	(1,112,859)	(21,582)	(159,972)	(116,484)	43,488	Timing: BFB expenditure & contract services
Rangers	(667,645)	(702,644)	(48,598)	(132,485)	(105,088)	27,397	Timing: contract services & burials
Beach Lifeguards	(88,010)	(126,220)	(428)	(150)	(757)	0	
Libraries	(952,077)	(987,441)	(63,931)	(167,528)	(154,343)	0	
Environmental Health	(499,847)	(570,020)	(45,068)	(109,357)	(93,845)	15,512	Timing: labour costs
Outside School Hours Care	(443,311)	(438,968)	(26,065)	(87,618)	(77,987)	0	
Waste Services	(2,356,932)	(2,811,796)	(159,692)	(481,041)	(340,848)	140,193	Timing: projects, waste collection & disposal, trf stns
Town Planning	(947,132)	(1,087,572)	(72,359)	(192,059)	(170,221)	21,838	Timing: projects
Landcare	(434,887)	(668,198)	(23,086)	(72,493)	(38,783)	33,710	Timing: projects
Community Buildings	(1,877,839)	(1,954,385)	(119,673)	(225,145)	(192,671)	32,473	Timing: building maintenance & cleaning
MR Recreation Centre	(2,368,501)	(2,265,198)	(163,184)	(350,792)	(326,977)	0	
Cultural Centre	(1,753,337)	(478,307)	(500)	(247,507)	(246,281)	0	
Augusta Recreation Centre	(144,593)	(167,514)	(7,257)	(29,895)	(12,419)	17,476	Timing: works scheduled for later in the year
Gloucester Park	(256,965)	(234,304)	(3,932)	(12,800)	(8,462)	0	
Parks and Gardens	(2,665,605)	(2,554,964)	(151,573)	(316,500)	(248,788)	67,712	Timing: staff diverted to storm damage cleanup
Asset Services	(916,344)	(1,136,808)	(71,204)	(214,516)	(161,023)	53,493	Timing: projects
Construction	0	0	0	0	0	0	
Maintenance	(8,554,748)	(8,508,587)	(346,061)	(524,266)	(632,887)	(108,621)	Timing/Perm: Storm damage works, signs, bridge mtce
Plant Program	(52,314)	(169,042)	(7,054)	(52,864)	(9,323)	43,541	Timing: Items to be auctioned later in the year
Caravan Parks	(1,392,722)	(1,386,056)	(63,881)	(232,024)	(116,824)	115,200	Timing: labour, maintenance
Building Control	(160,526)	(175,620)	(12,773)	(29,255)	(31,451)	0	
Works Overheads	(158,890)	(75,018)	(47,211)	(240,367)	(188,430)	51,937	Timing: under recovery, jobs to be progressed
Plant Operation Costs	149,843	209,208	30,957	(44,166)	54,221	98,387	Timing: over recovery, actual costs lower & no depn
Other Property and Services	(78,087)	(51,000)	421	(2,000)	(2,911)	0	
	(35,607,741)	(36,231,600)	(1,957,373)	(5,734,388)	(4,882,167)	852,221	

SHIRE OF AUGUSTA MARGARET RIVER
ORDINARY COUNCIL MEETING 10 OCTOBER 2018

SHIRE OF AUGUSTA - MARGARET RIVER STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 August 2018						
BUSINESS UNITS	2016-17	2018-19	2018-19	2018-19	2018-19	YTD
	Last Year	Approved	Month of	YTD	YTD	Variance
	Actual	Budget	August	Budget	Actual	>10% &
	\$	\$	\$	\$	\$	>\$10,000
Operating activities excluded from Budget						
Depreciation on assets	9,114,195	9,146,640	0	0	0	0
(Profit)/Loss Asset Disposal	1,550,599	147,042	0	52,864	0	(52,864)
Movement in deferred pensioner rates	0	0	0	0	0	0
Movement in employee benefit provisions (non-current)	0	0	0	0	0	0
Loss on revaluation of non current assets	0	0	0	0	0	0
	10,664,794	9,293,682	0	52,864	0	(52,864)
Amount attributable to operating activities	13,256,794	11,648,355	(1,349,032)	25,853,501	26,840,997	
INVESTING ACTIVITIES						
Non Operating Grants & Contributions						
Community Planning & Development	1,435,323	0	0	0	0	0
Emergency and Fire Services	746,412	818,078	0	0	0	0
Waste Services	(26,450)	0	0	0	0	0
Town Planning	435,459	200,000	119,243	25,000	168,167	143,167
Community Buildings	2,500,000	4,155,268	0	0	0	0
MR Recreation Centre	0	0	0	0	0	0
Gloucester Park	13,030	0	0	0	0	0
Parks and Gardens	24,000	332,207	0	0	0	0
Asset Services	8,450	45,000	0	0	0	0
Construction	3,238,427	2,114,039	(5,315)	141,000	(2,531)	(143,531)
	8,374,650	7,664,592	113,929	166,000	165,636	(364)
Capital Investment						
Purchase Land Held for Resale	0	0	0	0	0	0
Purchase Land and Buildings	(3,226,405)	(11,279,595)	(197,372)	(939,906)	(332,623)	607,283
Purchase Infrastructure Assets - Other	(3,960,237)	(4,528,639)	(95,661)	(33,000)	(451,360)	(418,360)
Purchase Infrastructure Assets - Roads	(5,787,854)	(8,273,574)	(212,291)	(191,660)	(308,045)	(116,385)
Purchase Plant and Equipment	(2,749,965)	(2,204,690)	(334,452)	(646,090)	(329,588)	316,502
Purchase Furniture and Equipment	(80,425)	(341,500)	(92)	(178,500)	(92)	178,408
Proceeds from Disposal of Assets	583,960	1,457,182	0	131,000	2,648	(128,352)
	(15,220,926)	(25,170,816)	(839,868)	(1,858,156)	(1,419,060)	439,096
Amount attributable to investing activities	(6,846,275)	(17,506,224)	(725,939)	(1,692,156)	(1,253,424)	
FINANCING ACTIVITIES						
Repayment of Debentures	(591,896)	(853,730)	(43,206)	(159,594)	(159,593)	0
Advances to Community Groups	(5,200)	0	0	0	0	0
Proceeds from Self-Supporting & IF Loans	12,701	11,317	6,094	6,094	6,094	0
Proceeds from New Loan	2,450,000	500,000	0	0	0	0
Transfers to Cash Reserves	(5,715,267)	(3,044,815)	(40,243)	(80,421)	(80,421)	0
Transfers from Cash Reserves	2,662,506	9,245,097	0	0	0	0
Amount attributable to financing activities	(1,187,157)	5,857,869	(77,356)	(233,921)	(233,921)	0
Net Current Assets Surplus (Deficit)	5,223,362	0	(2,152,327)	23,927,424	25,353,652	

Investments

At 31 August 2018 the Shire's cash on hand, deposits and investments totalled \$32,974,093 (an increase of \$3,799,765 to last month's total of \$29,174,328) and total investment interest earned for the year was \$123,160 and exceeded the budget of \$121,400.

Term Deposits – Cash Management

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

Term Days	Maturity	Institution (ADI)	Principal \$	Interest Rate	Interest \$
365	6/9/18	Bankwest	2,000,000	2.53%	50,600
265	13/9/18	National Australia Bank	5,000,000	2.60%	130,000
183	2/10/18	Bendigo Bank	1,000,000	2.45%	12,284
183	5/12/18	AMP	1,500,000	2.75%	20,681
182	20/12/18	Bankwest	2,500,000	2.80%	34,904
175	21/12/18	ING	1,500,000	2.55%	18,339
364	15/3/19	Bankwest	1,500,000	2.50%	37,397
365	11/4/19	National Australia Bank	2,500,000	2.62%	65,500
365	18/7/19	NAB	1,500,000	2.74%	41,100

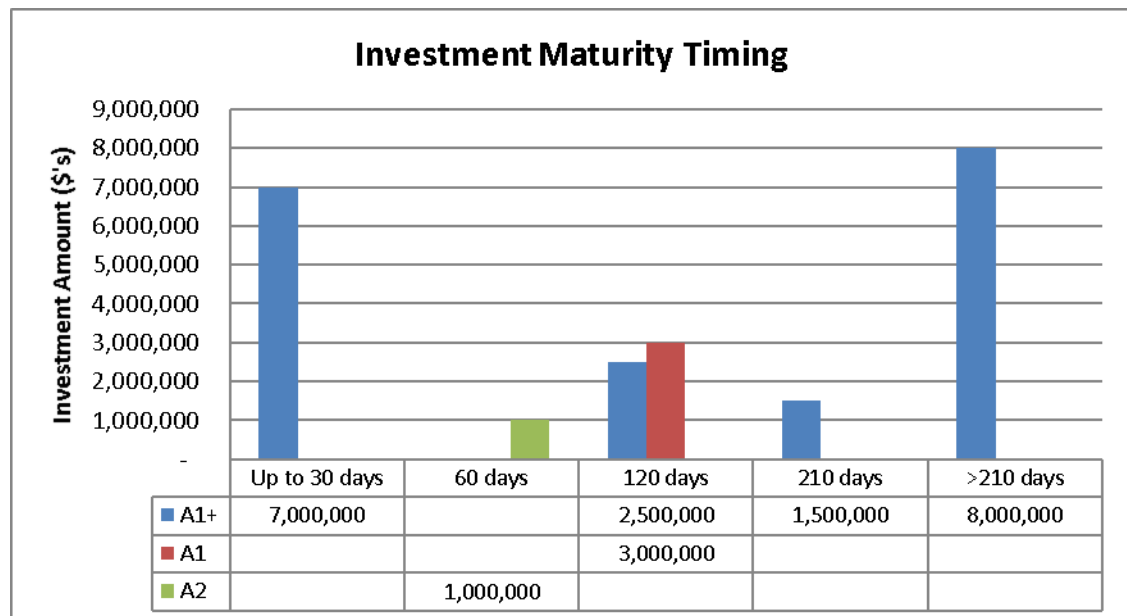
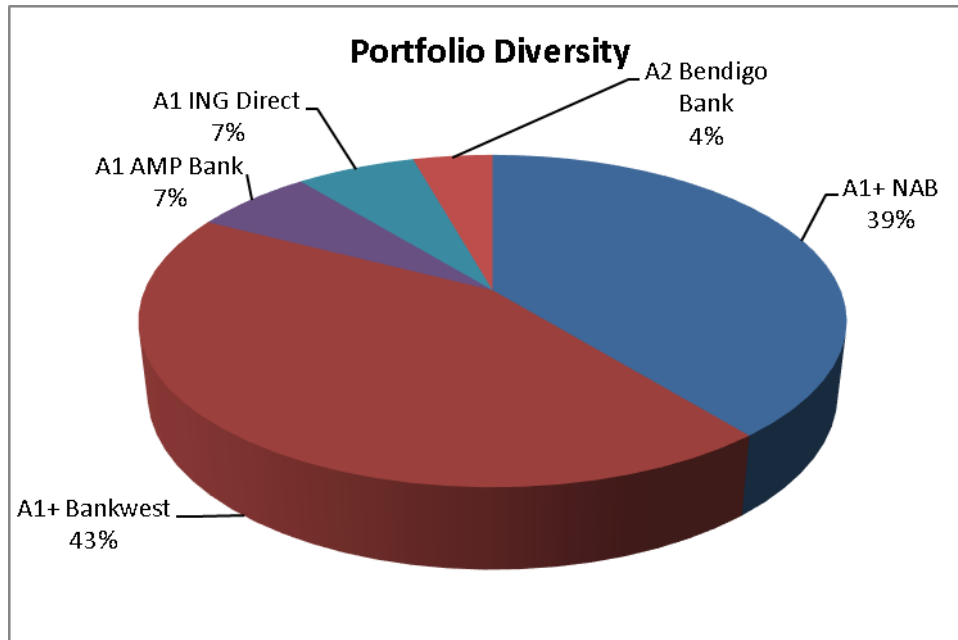
SHIRE OF AUGUSTA MARGARET RIVER
ORDINARY COUNCIL MEETING 10 OCTOBER 2018

365	16/8/19	Bankwest	4,000,000	2.76%	110,400
			23,000,000		521,205

During the month the following changes occurred to term deposits:

- A \$4 million term deposit with Bankwest matured on 16/8/2018 and was rolled over for 12 months at 2.76%.

The average rate of interest to be paid on all of the term deposits is 2.63%.



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 \$6,719 was earned and the current balance of the investment is \$5.463 million. The current rate of interest earned on this facility is 1.45% and is set at 5 basis points lower than the Reserve Bank's cash reference rate.

In-Kind Support

At 31 August 2018 fee waivers, donations and financial assistance sponsorships totalled \$6,061 and included \$2,800 of sporting sponsorships and \$3,261 of fee waivers.

Reserves

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

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 2018-2022

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

The overall financial performance of the Shire is as summarised in this report.

SUSTAINABILITY IMPLICATIONS

Environmental

Nil

Social

Nil

Economic

As stated in the report.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council receives the Monthly Financial Report – August 2018 in accordance with Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

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

RECOMMENDATION / COUNCIL DECISION

CR EARL, CR SMART OM2018/251

That Council receives the Monthly Financial Report – August 2018 in accordance with Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

CARRIED 6/0

11.4.3 HOUSING ADVOCACY OFFICER PROJECT QUARTER FOUR REPORT AND FIRST YEAR REVIEW

LOCATION/ADDRESS	Shire of Augusta Margaret River
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	CSV/104
REPORT AUTHOR	Jason Cleary, Coordinator Community Planning & Development
AUTHORISING OFFICER	Heather Auld, Acting Director Corporate and Community Services

Cr Godden disclosed an impartiality interest at Item 3.1, as she is the Chair of Just Homes Margaret River Inc. and co-wrote the First Year Review.

Cr Godden left Chambers at 6.17pm

Cr McLeod disclosed an impartiality interest in this item as she is a member of the party.

IN BRIEF

- In January 2017 Council endorsed the provision of \$20,000 per annum to Just for three years commencing the 2017-18 financial year, for part funding of a Housing Advocacy Officer (subject to co-matched funding) to enable regular data collection and reporting. (OM2017/15).
- The Just Home Housing Advocacy Officer commenced in July 2017 and have provided quarterly reports to Council in November 2017, February 2018 and May 2018 respectively.
- Just Home have now provided their fourth quarter report for Council, the first year review and financial records.

RECOMMENDATION

That Council accepts the following documents from Just Home:

1. The fourth quarter report as shown in Attachment 1;
 2. First year review as shown in Attachment 2; and
 3. Financial records for the year ending 30 June 2018 as shown in Attachment 3.
-

LOCATION PLAN

Nil

TABLED ITEMS

Nil

BACKGROUND

Affordable housing and homelessness has been a discussion between Council and community members for a number of years. Homelessness exists on a global scale, with little progress over time in reducing the incidence of people living without a secure home. A definition of homelessness and its surrounding data continues to be debated universally.

There is limited data available in relation to homelessness and associated service use within the Shire. The Australian Bureau of Statistics (ASB) advises there is no single variable in the Census which can accurately inform on homelessness.

Just Home, the Margaret River Community Centre (MRCC) and the Margaret River Soup Kitchen are local providers of support services to those facing housing stress. These groups report an increase in the use of local services in recent years.

The Shire's Affordable Housing Strategy 2015 and the Homelessness Policy 2016 acknowledge that the challenge of homelessness is multi-faceted and requires involvement by all levels of government, non-government, private and community sectors. The Affordable Housing Strategy identifies the need for and availability of affordable housing, setting out a series of measures aimed at assisting with the delivery of affordable housing of a type and quantity sufficient to meet with the defined demand. Most importantly, the Strategy focuses on outcomes which can feasibly be delivered by the Shire.

For the last two years Just Home have dedicated their efforts to reducing housing stress and preventing homelessness in the Augusta Margaret River area through volunteer efforts. The group incorporated in May 2017 and compiled a long term action plan as a result of engagement conducted over 2016 for the Shire's Homelessness Policy. This includes the Housing Advocacy Project, which features a funded position to provide immediate support to people experiencing or at risk of homelessness and housing stress in Augusta Margaret River, and to monitor local experiences for rigorous data collection. Through this work, Council committed \$20,000 in the 2017-18 budget and further two years to Just Home to part fund this project (OM2017/15).

Just Home designed the Housing Advocacy Officer to be part time at 15 hours per week and based at the MRCC. The position description details the total cost for the position over three years is \$124,078.29, which includes a total remuneration package of \$119,078.29 and \$5,000 for evaluation. This is part funded by the Shire at \$20,000 per year for three years, subject to ongoing co-matched funding. As part of their agreement with the Shire, Just Home are required to provide data quarterly to Council, detailing the demographics of the clients engaged in services, and the nature of the services provided.

CONSULTATION AND ADVICE

External Consultation

Extensive community consultation occurred on the topic of homelessness over March to June 2016 by the Shire and through collaboration with Just Home, which informed the development of the Homelessness Policy.

Internal Consultation

Nil

DISCUSSION / OFFICER COMMENTS

The quarter four report (Attachment 1)

The quarter four report shows 33 clients for the period. Ten new clients were received over the period, compared to an average of 11 over previous three quarters. 23 clients remain with open cases and are receiving ongoing Just Home services.

This report shows that the majority of clients are long term residents of the region. Mental health and disability continue to be common coexisting factors for clients. Just Home service provision over the quarter has focused on continuing to provide information and advocacy support, most notably for mental health.

The Housing Advocacy Officer's report for the quarter notes a continued trend of older residents being unable to afford private rent, who are not on the public housing list or have extensive wait time. The officer also notes work over the quarter has included a continued focus on public awareness and relationship building.

Local initiatives have continued to be pursued through the Homelessness and Affordable Housing Working Group over the quarter. The group consists of shire officers and three Just Home representatives, who met again in August 2018. The group are focused on building a collaboration with state government to develop an emergency and/or affordable accommodation in the Shire.

Year one review (Attachment 2)

Analysis of the year one review involved participatory action research with 32 clients and stakeholders of Just Home and analysis of aggregated data of all 41 Just Home clients. The review examined trends, strengths and challenges and identified actions to improve the program.

The report showed that of 144 private rental properties in the region none were considered affordable under Anglicare's Rental Affordability Snapshot 2018 and public housing dwellings in the region have a waitlist of up to eight years to access.

The majority of clients were long term residents of the region and had co-existing health, mental health, disability or alcohol and drug issues. The figures also show a particular difficulty of accessing affordable housing for older males in physical industries now struggling to be employed.

14 clients accessed improved housing by 30 June 2018 whilst 17 clients remained in the same housing situation during this period. The review also found the HAO 'easy' or 'very easy' to access and a key strength has been to provide support to clients in navigating support services.

The major challenges that were identified were:

- No affordable housing options within the region
- 15 hours per week for the HAO is not sufficient
- The empowerment approach working in partnership with clients to address their needs can be frustrating for clients and access to public housing wait lists is difficult
- Many services are only accessible in Busselton or Bunbury.

The following recommendations for Just Home to follow up have come from the first year review:

1. That the HAO workload is managed by allocating more hours and funding to the HAO position, delegating non-essential parts of the HAO to volunteers, and increasing peer support and training for the HAO.
2. That the HAO further support clients by providing character and situation references.
3. That Just Home and the HAO work towards increased low-cost housing options in Augusta Margaret River.
4. That the HAO facilitate social activities for HAP clients.
5. That Just Home engage with other organisations to advocate for a full-time generalist social work position in Augusta Margaret River.

Financial reports (Attachment 3)

The financial reports confirm Just Home have matched the Council funding in year one of the project and have projected funding in the year two budget to ensure they meet the co-matching requirement.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

Nil

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)

Key Result Area 2: Welcoming, inclusive and healthy communities

Community Outcome 6: Community health, safety and social justice in the face of changing climate

Strategy 2: Lead and partner with other agencies on community safety and regulatory programs for community wellbeing.

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

Council has committed \$20,000 in the 2017-18 budget and further two financial years (2018-19 and 2019-20) to Just Home (OM2017/15). Just Home have submitted financial reports (attachment 3) for the first year confirming matched funding and confirmed budgeted income and expenses for year two.

SUSTAINABILITY IMPLICATIONS

The Shire's Homelessness Policy includes acknowledgment of the Shire's commitment to using its best endeavours to meet the needs of current and future generations through the integration of environmental protection, social advancement, cultural recognition and economic prosperity.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council accepts the following documents from Just Home:

1. The fourth quarter report as shown in Attachment 1;
2. First year review as shown in Attachment 2; and
3. Financial records for the year ending 30 June 2018 as shown in Attachment 3.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

1. Just Home Margaret River Quarter 4 Report April - June 2018
2. Just Home first year review of Augusta Margaret River Housing Advocacy Project
3. Just Home year on financial statements and year two budget

RECOMMENDATION / COUNCIL DECISION

CR EARL, CR SMART OM2018/252

That Council accepts the following documents from Just Home:

- 1. The fourth quarter report as shown in Attachment 1;**
- 2. First year review as shown in Attachment 2; and**
- 3. Financial records for the year ending 30 June 2018 as shown in Attachment 3.**

CARRIED 5/0

Cr Godden re-entered Chambers at 6.19pm

11.4.4 FINAL ADOPTION OF BUSH FIRE VOLUNTEER SERVICES POLICY

LOCATION/ADDRESS	Shire of Augusta Margaret River
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	EMS/4
REPORT AUTHOR	Chris Lloyd, Community Emergency Services Manager
AUTHORISING OFFICER	Heather Auld, Acting Director Corporate and Community Services

IN BRIEF

- The Bush Fire Volunteer Services Policy was last revised in accordance with the review schedule and was presented for advertising on 22 May 2015. Following the 21 day consultation period it was endorsed on 12 August 2015.
- The Bush Fire Volunteer Services Policy has since been revised as part of its 3-yearly review by the Community Emergency Services Manager, Chief and Deputy Bush Fire Control Officer's, in accordance with the review schedule, and was presented for advertising on 17 August 2018.
- The advertising period closed on 6 September 2018, following the mandatory 21 day consultation period, with no submissions received.

RECOMMENDATION

That Council adopts the revised Bush Fire Volunteer Services Policy shown as Attachment 1.

LOCATION PLAN

Nil

TABLED ITEMS

Nil

BACKGROUND

Determining the local government's policies is one of four main roles for Council listed under Section 2.7 of the *Local Government Act 1995*. Policies are an important component of governance by which responsibilities to stakeholders are identified and effective systems of leadership, authority, accountability and control are implemented. Policies assist in ensuring the Shire's functions are carried out and services and facilities are provided to the community in an ethical, innovative and responsive manner.

Part IV of the *Bush Fires Act 1954* (as amended) allows for a local government to establish and maintain a bush fire organisation.

The intent of the Bush Fire Volunteer Services Policy (the policy) is to ensure that Council provides the necessary administrative and financial (through the Local Government Grant Scheme) support to provide an effective volunteer bush fire firefighting service within the shire.

The policy is supported by the Bush Fire Volunteer Services Procedure (the procedure), which was reviewed by a Bush Fire Advisory Committee (BFAC) endorsed working group and adopted by the BFAC Committee at its May 2015 meeting. The procedure was fully reviewed and presented to BFAC for comment at the 15 August 2018 meeting.

CONSULTATION AND ADVICE

External Consultation

Bush Fire Advisory Committee

Community consultation

Shire of Augusta Margaret River Bush Fire Brigade executives

Internal Consultation

Internal consultation has been undertaken with the Chief Bush Fire Control Officer (CBFCO) and Deputy Chief Bush Fire Control (DCBFCO) Officer who were supportive of the policy.

DISCUSSION / OFFICER COMMENTS

Council previously adopted a *Bush Fire Volunteer Services Policy* in August 2015 and consultation between the Shire's Community Emergency Services Manager (CESM), CBFCO and DCBFCO was undertaken to review and update the policy.

Some of the changes proposed for the updated policy include highlighting the Shire's obligation to:

- Support recruitment campaigns for Shire Volunteer Bush Fire Brigades where required
- Contribute to the development and implementation of community preparedness and prevention activities.

The policy also allows for the Shire to provide administrative support to BFAC and for the provision of a mobile telephone for the CBFCO and DCBFCO as well as a nominal gratuity for travel assistance. While mobile telephones are eligible for LGGs support, Shire assistance is required for travel gratuities.

As mentioned, the Bush Fire Advisory Committee (BFAC) was presented on 15 August 2018 with a reviewed version of the Bush Fire Volunteer Services procedure. This was completed by the Community Emergency Services Manager and Chief and Deputy Bush Fire Control Officers in its initial review. This document deals with the normal day to day running of Brigades and the standards and commitment required by its volunteer members.

The Shire is fortunate to have such a dedicated, capable and available volunteer resource to assist with emergency response and recovery. By updating the policy, a more accurate reflection of the support and activities required to be undertaken by volunteers and Shire administration in keeping the community as safe as possible for bushfire have been identified.

With the policy now having been reviewed by members of the BFAC and the local community, it is recommended that Council adopt the amended Bush Fire Volunteer Services Policy.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

The Local Government Act 1995 (LGA) specifies the key roles of the Council. Under section 2.7 of the LGA Council has four main roles:

2.7. Role of council

- (1) The council —
 - (a) governs the local government's affairs; and
 - (b) is responsible for the performance of the local government's functions.
- (2) Without limiting subsection (1), the council is to —
 - (a) oversee the allocation of the local government's finances and resources; and
 - (b) determine the local government's policies.

The Bush Fire Act 1954 (as amended) Part IV specifies the role of Council in establishing and maintaining a bush fire organisation.

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)

Corporate Business Plan 2018-2022

Key Result Area: 1 Valuing, protecting and enhancing the natural environment

Outcome: 1.4 Ecology and biodiversity protection

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

There are minor financial implications as a result of implementation of this policy, such as the proposed communications strategy for improving the Shire's involvement in community preparedness and

education for bush fire. It has also been identified that the demographic of volunteers is predominantly in the age group of 50 years and over. A recruitment drive for younger members and potentially a cadet program is warranted for future succession of volunteer bush fire brigades.

SUSTAINABILITY IMPLICATIONS

Environmental

An effective Volunteer Bush Fire Brigade and well trained Brigade members will reduce the likelihood and consequence of a bushfire impacting on the environment.

Social

An effective Volunteer Bush Fire Brigade and well trained Brigade members will reduce the likelihood and consequence of a bushfire impacting on community wellbeing.

Economic

An effective Volunteer Bush Fire Brigade and well trained Brigade members will reduce the likelihood and consequence of a bushfire impacting on economic wellbeing of the local community.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council adopts the revised Bush Fire Volunteer Services Policy shown as Attachment 1.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

1. Bush Fire Volunteer Services Policy

RECOMMENDATION / COUNCIL DECISION

CR EARL, CR SMART OM2018/253

That Council adopts the revised Bush Fire Volunteer Services Policy shown as Attachment 1.
CARRIED 6/0

11.4.5 PROPOSAL FOR TRANSITION OF BUSH FIRE BRIGADES TO DEPARTMENT OF FIRE & EMERGENCY SERVICES

LOCATION/ADDRESS	Shire of Augusta Margaret River
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	EMS/2
REPORT AUTHOR	Chris Lloyd, Community Emergency Services Manager
AUTHORISING OFFICER	Heather Auld, Acting Director Corporate and Community Services

IN BRIEF

- The recent implementation of the state's Rural Fire Division (RFD) that sits alongside the Department of Fire and Emergency Services (DFES) structure, has not changed business activities for emergency services organisations within the Shire. The RFD has no direct link with the transition of local government Bush Fire Brigades to DFES.
- At the Bush Fire Advisory Committee (BFAC) meeting of 17 August 2017, the Shire of Augusta Margaret River Bush Fire Brigades voted as a majority in favour of the proposed transition framework, which would see them transition under the management of DFES as Volunteer Fire and Emergency Services (VFES) brigades – see Attachment 1.
- Currently the Volunteer Cowaramup, Witchcliffe and Wallcliffe Fire Brigades consist of two services operating within the same facility; 1) Volunteer Bush Fire Service managed by local government and; 2) Volunteer Fire and Rescue managed by Department of Fire and Emergency Services (DFES). These brigades are known as 'Dual Registered Brigades'.
- Due to the RFD having no effect on the management of current brigade management structures, the Wallcliffe Bush Fire Brigade (BFB) members would like to progress in transferring solely as a DFES-VFES brigade – see Attachment 3.
- Wallcliffe BFB members unanimously supported the proposal for such a transition at a meeting held on 30 August 2017.
- It is the view of the Chief Bush Fire Control Officer (CBFCO), Deputy Bush Fire Control Officer (DCBFCO) and Community Emergency Services Manager (CESM), that it would be preferable for all brigades to transition rather than just the one (one in all in approach).
- Whilst the Shire of Augusta Margaret River and DFES have a sound working relationship and the dual registered brigade response structure is working well, the Wallcliffe BFB have highlighted a number of reasons for change. These are detailed in the internal consultation section of this report.
- It is expected that the Shire of Augusta Margaret River may reduce some costs associated with new BFB initiatives or innovations as well as building and land maintenance, but only when and if these costs are transferred over to DFES. Operating costs and procurement of capital items have traditionally been budgeted for through the Local Government Grants Scheme (LGGs), obtained via the Emergency Services Levy.
- Transfer process should be commenced 30 January 2019 if supported by Council. Proposed transfer to take effect 1 July next financial year (2019-20).

RECOMMENDATION

That Council:

1. Endorses the transition of the Wallcliffe Bush Fire Brigade to Department of Fire and Emergency Services (DFES) as a VFES brigade.
2. Supports the transition of the remaining nine brigades of the Shire of Augusta Margaret River Bush Fire Brigades to the DFES should the majority of the brigades be in favour of the transition and develop an Memorandum of Understanding (MOU) on a trial basis for two years.
3. The Shire enters into a MOU that allows DFES to utilise current infrastructure owned by the Shire of Augusta Margaret River. The MOU is to include the transfer of costs associated with the buildings, land, rates and utilities.
4. Endorses the proposal to adjust the Gazetted Fire Districts. The review will be undertaken by DFES in consultation with the Shire.

LOCATION PLAN

Nil

TABLED ITEMS

Nil

BACKGROUND

17 February 2016 Bush Fire Advisory Committee Meeting – 23 March Council meeting: Investigation into Transferring the Ownership of the Brigades from the Shire to Department of Fire and Emergency Services (DFES)

In 2013, the BFAC agreed to review and consider the transfer of ownership of Bush Fire Brigades from the Shire to DFES. In August 2014, a BFAC recommendation was carried for Council to give permission to the CEO to contact DFES as a fact-finding mission only relating to the transfer of ownership from the Shire to DFES. Investigations show that shires in the Kimberley region have transitioned into DFES management and shires in the Pilbara Region were about to undertake a similar transition. In 2017, the Shire of Wyndham-East Kimberley had completed a three-year trial of DFES management of the Bush Fire Brigades. The trial was run under a MOU. The committee discussed the Premier's comments following the Waroona fires that a move towards state government run BFB to achieve a more coordinated approach to bush fire management in the future was being considered. Some of the committee believed that in seeking permission to set up a steering committee to discuss a draft MOU (covering the transfer of the brigades to DFES now) would allow them to have greater input into the process as opposed to taking no action and potentially being told how the change in management will be implemented in the future. The committee voted in favour of the CEO corresponding with the Commissioner of Fire and Emergency Services requesting the establishment of a steering committee led by the Shire to consider the preferred options should the management transfer from the Shire to DFES occur.

14 April 2016

Letter sent to DFES commissioner requesting approval to develop a steering committee consisting of brigade representatives, Chief and Deputy Chief, Shire and DFES representatives (Lower South West Superintendent and District Officer).

4 May 2016

Letter from DFES commissioner supporting steering committee.

18 May 2016

Steering committee members identified at BFAC meeting. Tabled with Council.

1 June 2016

The first steering committee meeting was held in Council Chambers and a second (informal) meeting was held at Wallcliffe Station on June 21 2016. The delegates from this meeting asked the Chair to prepare a draft model of the chain of command to show how the structure would work if a transition was to take place.

Between 21 June and 31 August 2016

The CBFCO and CESM developed a draft transition document for the consideration of the steering committee. Another steering committee meeting was held at Witchcliffe on the 31 August 2016, where the steering committee reviewed and made adjustments to the transition framework. The reviewed framework was sent out to all brigades seeking their support of the framework.

14 September 2016 (Council meeting)

The steering committee update provided in 17 August BFAC report to Council with the following recommendation from Council:

Prior to any decision being made on a proposed pilot program for the transfer of the Shire's Bush Fire Brigades to DFES, adopts the following process to be communicated to all parties on the Steering Committee and BFAC being:

- a) *That the draft Transition Framework for the Transfer and Management of the Shire's Bush Fire Brigades be finalised and presented to the CEO;*

- b) *That the CEO seeks independent external advice from other local governments and relevant parties and provides that feedback to the Bush Fire Brigades and the Steering Committee and to Councillors;*
- c) *That an interim report be provided to Council on whether to progress the pilot proposal for the transfer of Bush Fire Brigades to DFES; and*
- d) *Council determines whether to proceed further with the proposal.*

16 December 2016

Letter from the Commissioner Fire and Emergency Services to the Shire's CEO acknowledging the outcome of the 14 September 2016 Council meeting and supporting further investigation and work regarding the transition of local government brigades over to DFES.

CONSULTATION AND ADVICE

External Consultation

The CEO has requested the CESM to follow up on part b) and c) of the above recommendation.

The CESM has contacted other local governments who have had BFB's transition to a DFES-VFES brigade for information on how this was achieved and for what reasons. Those local governments include:

- Shire of Jerramungup
- Shire of Ravensthorpe
- City of Rockingham
- Shire of Dandaragan
- City of Swan
- Shire of Wyndham-East Kimberley.

Each local government and brigade involved all have different circumstances for reasons to transfer to DFES. For some it was to combine members of the different services in isolated areas in order to have enough members to respond to incidents. Others, to increase capability and centralise the services to improve efficiency and, other local governments just simply do not have the capacity to effectively manage the BFB.

In most instances, it was found that the brigades within the above mentioned local governments had approached their respective Councils directly with their proposal to transition to a DFES-VFES brigade. The Shire of Dandaragan has provided evidence of the Council decision and minutes however, no other contacted Council has been able to produce records of the decision (including Council decision or minutes) in order to view reasoning and justification. It appears that all brigade requests were either endorsed by Council or by approval of the Shire/City, and the brigades have subsequently transitioned. Verbal communications have confirmed that all local governments are pleased with the transition to DFES and their current arrangements.

The Shire of Dandaragan have completed a 2 year trial under a MOU and have indicated that the Cervantes Bush Fire Brigade will be going ahead with the official transfer over to DFES as they were pleased with their experience. The local government contact has indicated that if they had the time again they should have included all of their remaining local government BFB's in the trial and transition process. It was identified that the benefits of having a centralised Volunteer Emergency Services structure appears to be a great model which improves the level of support to the volunteer brigades ultimately improving efficiency in response. It is understood that opportunities have been made available to volunteers which were never available while under management of the local government (access to additional training, career opportunities and dress uniforms were noted).

The Captain of the City of Rockingham Baldivis VFES Brigade was contacted to find further details about their recent transition from a local government managed bush fire brigade to a DFES-VFES brigade. Overall Mr. Chaplin's experience has been positive and recommends the change however, some key learnings were also highlighted for the Shire of Augusta Margaret River to consider should the transfer take place. The full questionnaire can be found in Attachment 5. The following are some extracts:

Chris Lloyd, Community Emergency Services Manager, Shire of Augusta Margaret River
– *Did the (your) LG endorse the transition of the brigade and what reasoning or justification was provided?*

Neil Chaplin, Baldavis VFES Brigade Captain - *We had approached the City and DFES for the previous several years about transitioning. This was mainly based around the expanding suburb (30,000+ people) and the need for an offensive BA brigade as a local response. The 'final straw' came when we had a fully involved house fire with possible life involvement (possible suicide attempt) and Rockingham had been committed right up until that call came in. If Rockingham had still been committed for another 20 minutes the next nearest brigade would have been 15-20 minutes. The LG were supportive and attended all our transition meetings (the CBFCO and the CEO rep).*

Chris Lloyd, Community Emergency Services Manager, Shire of Augusta Margaret River - *Any change to the Gazetted Fire District (GFD)? (How do FCO's acting on behalf of the LG and VFES brigades work together if outside the GFD?)*

Neil Chaplin, Baldavis VFES Brigade Captain - *There was no change to the GFD. The FCOs were a lesson learnt. The City 'removed' the FCOs from the brigade as part of the transition (we had 3) so we now have none and as such anything that requires the city intervention we can only request through ComCen to contact the CBFCO (which is usually the next day after hours!) We are also finding our way through things like HRB (Hazard Reduction Burning) etc. at the moment. If it is possible to leave FCOs as a VFES (and I think it is) it is definitely something I would say 'lesson learnt!'*

Further investigations show that the shires in the Kimberley region have transitioned into DFES management and the shires in the Pilbara Region are about to undertake a similar transition. The Shire of Wyndham-East Kimberley has completed a three-year trial of DFES management of the bush fire brigades. After contacting the Shire of Wyndham-East Kimberley it was discovered that the trial was run under a MOU and was a great success due to the following:

- Consolidation of the volunteer emergency services under one agency, DFES (Centralised response agency)
- Brigades received additional support for financial, administrative and training responsibilities/activities
- Due to the region having a small amount of BFB's the neighbouring local governments also transferred the management of their BFB's which improved efficiency for both administrative and training purposes but especially with regard to response and management of incidents
- Combined services to ensure their enough volunteer memberships to respond to incidents.

Internal Consultation Wallcliffe Fire Brigade

During the 2016-17 financial year, Wallcliffe Volunteer Bush Fire Brigade and Volunteer Fire and Rescue conducted several meetings with the executive group and its members to discuss the option of transitioning to a VFES brigade. The brigade performed its own research into the transition and held meetings with key stakeholders including the Shire, DFES and the VFES Executive Officer, Merv Austic. Ultimately, these discussions led to the brigade voting unanimously in favour of following through with the proposal on 30 August 2017.

The Wallcliffe BFB has 78 registered members and consists of two services operating within the same facility; 1) Volunteer Bush Fire Service managed by local government and; 2) Volunteer Fire and Rescue managed by Department of Fire and Emergency Services (DFES). With this in mind the Brigade executives have provided the following reasons for change:

1. The dual registration process has led to confusion and duplication of their members, some DFES staff, COMCEN (DFES Communications Centre), other emergency services and the general public. There is no current "pigeon hole" in the DFES structure for dual registered brigades. DFES currently classify their service at Wallcliffe as Volunteer Fire and Rescue (VFRS) even though they do not have the capability to perform HAZMAT or Road Crash Rescue responses. A typical Volunteer Fire and Rescue brigade would perform these responses. To add to the confusion one of the five local government BFB vehicles is housed in a DFES gazetted town district (Gnarabup) and their single DFES 3.4 Urban appliance is housed at the Wallcliffe Rd station in a local government area.

2. The administration of the Wallcliffe Brigade requires that two sets of financial books and bank accounts are maintained. This is also the same for the ordering of resources, equipment and repairs. Depending on which organisation is managing the equipment or vehicles is where the requests are directed, sometimes this requires duplication of requests. This is time consuming for volunteers. The VFES administrative model utilises the DFES Directive 5.3 with assistance from the Emergency Services Volunteer Association (ESVA), which is viewed by the brigade as a vast improvement to current practices.
3. Two separate training qualification and membership lists are required to be maintained depending on what training is completed and which service the members want to represent. There is a requirement for the local government and DFES to maintain and review the membership and training details for brigades.
4. Currently new members nominating for memberships have to duplicate the paperwork. This process requires two separate Police Clearances, ID card applications and in some cases medical checks.
5. Some confusion from members with regard to volunteer insurance cover that is offered when dealing with both local government and state government insurers.
6. The Wallcliffe Brigade profile is classed as 'urban defensive' due to the extensive built up environment within the brigade response boundary or area (both DFES gazetted and local government area of responsibility). The training and capability of the brigade better aligns with the VFES model. DFES directive 5.3 also details greater flexibility which is appealing to the brigade.
7. A large amount of the Brigade Tenure (area of response) is located between two DFES Gazetted Fire Districts; Margaret River Gazetted Fire District which is looked after by the Margaret River Volunteer Fire and Rescue Service and the Prevelly Gazetted District which comes under the control of the Wallcliffe VFRS. Both of these gazetted Fire Districts are DFES tenure for response. When the Wallcliffe members are responding in Gazetted Fire Districts they are operating under the *Fire Brigades Act 1942* and conversely when responding in local government areas they are under the *Bush Fires Act 1954*.

DISCUSSION / OFFICER COMMENTS

Currently the local government Bush Fire Brigades, DFES Volunteer Fire and Rescue Brigades and Parks and Wildlife Fire Services all work extremely well together in this region. Since the Margaret River fires of 2011, the multi-agency fire response efforts and preparations have significantly improved due to a functional Bush Fire Advisory Committee, shared response plans, open communication plans, joint training exercises, planned burning activities and more. Therefore, an understanding of the pros and cons associated with such a proposal has been undertaken in order to identify whether there is any benefit at all.

Cons

Currently the Shire's Volunteer BFB's are highly regarded among the community and their service plays an important role on building community resilience, trust and reputation. These attributes contribute to the Shire's branding and reputation especially following successful fire response or planned burning activities. The following additional cons are listed:

- BFB's have a sense of ownership for management of fuels on Shire reserves and private property
- Volunteer Chief/Deputy Bush Fire Control Officer's would no longer be operational
- Fire Control Officer's would now be permit issuers only
- Gazetted Fire Districts may change current Emergency Services Levy (ESL) categories for some properties – e.g. increase in rates (for example a change from Category 5 to 4 ESL).

There will be a need to clearly define the roles of the Chief and Deputy bush Fire Control Officer's should this transition occur. If the Shire and DFES agree to Gazette the entire local government area as a Gazetted Fire District then the Chief/Deputy Bush Fire Control Officer and their Fire Control Officer's will be required for local government bushfire mitigation activities and issuing permits in Restricted Burning Times but, will no longer be required for operations/response. However, if they are members of the proposed Volunteer Emergency Services Brigades and nominated in a role of responsibility (such as a Lieutenant) then they can still perform operational duties.

There are a range of variables and options relating to the roles mentioned above which will need to be defined in the proposed MOU between the local government and DFES. These roles will still be requested to provide incident support from DFES when required.

Pros

There are a number of key benefits, which may result from the change of brigade management from local government to DFES which includes:

- Centralised Fire and Emergency Services Agency (many significant fire incident inquiries recommend this approach. E.g. Ferguson Enquiry into Waroona Fires January 2016)
- Reduction of risk to Council from the management of BFB
- Brigades will be afforded an Area Officer whose core role is to support the volunteers through training and operational response. To further improve support, the DFES Manager to Brigade ratio will improve from the current 1:10 (CESM) to 1:6 with the proposal for a new DFES Area Officer position. In addition to the above, roles currently undertaken by the CESM such as reviewing and advising on fire management plans, emergency management support of the Local Emergency Management Committee, Hazard Reduction Burn Planning on Shire reserves, administration of Local Government Grants Scheme (including State Emergency Service), etc. will remain the responsibility of the Shire. The DFES Area Officer will have more time available to directly support VFES brigades
- Each brigade will receive 3 x DFES Area Officer visits per year to enhance skills, knowledge and support administration requirements
- VFES brigades will receive Operational Efficiency Payments
- Escalation of incidents from Level 1 through to Level 2 and 3 will be seamless as DFES will be Controlling Agency for all incidents. The administrative process of transferring control will not be required. Through enhanced day to day support, DFES will have improved relationships with local knowledge
- All brigades across the Shire can develop an individually tailored management structure as per the VFES Admin Guide – Example appendix 2.
- Support for local administration will improve with the proposed addition of a DFES Area Officer and additional Administration Support Officer(s)
- Greater access to DFES support staff (community engagement, training etc.) as the VFES brigades will be a DFES responsibility
- Access to dress uniforms if desired.

It is proposed by DFES that the current CESM role would be required to assist DFES for the duration of the two year MOU for the operational management of the VFES brigades. The CESM would therefore fulfil a contracted DFES Area Officer Rural position. Council can then utilise the existing 50% contribution to the CESM position to contract an Emergency Management Coordinator (or similar) which can concentrate on mitigation, and emergency management roles for the local government.

There is also the benefit of reducing the risk to the Shire if DFES take over the management of the brigades. For example, if a planned burn conducted by the Shire escapes and causes significant damage to the community, not only will it damage reputation of the Shire but the related expenses could go over the insurance threshold and leave local government to pick up the costs. There is also a similar risk in relation to volunteer fire fighter injuries and accidents.

Wallcliffe BFB transfer to DFES

Given that Wallcliffe BFB specifically want to transfer to DFES management, it is suggested that in the event that Council does not support the proposal for transfer of all ten brigades that; Council should specifically support the transfer of Wallcliffe BFB to DFES. This Brigade has been pursuing the transfer of management to DFES for a number of years and as such should be supported to do so.

The sole transfer of Wallcliffe BFB to DFES may provide an opportunity for the remaining nine brigades to witness the process first hand and provide further information on whether they would in fact be interested in pursuing something similar.

The area of Prevelly/Gnarabup and the current boundary for the Wallcliffe Fire Control Officer's responsibility should then be aligned as a Gazetted Fire District. This will ensure that DFES assumes responsibility for response to incidents reported in this area and the appropriate brigade responds.

Timeframe for proposed transfer

To simplify administrative and financial processes for all parties, the transfer should be planned to take effect at the commencement of a financial year. Formal 'sign off' to a transfer by all parties occur before 31 March in order for the transfer to take effect from 1 July (next) and before finalisation of the following years Local Government Grants Scheme allocation processes (June). If all ten brigades are supported by Council to transfer this process should commence from 30 January to allow suitable time for all parties.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

The Shire would continue to manage its emergency management and bushfire mitigation responsibilities within the Shire of Augusta Margaret River as per relevant legislation such as the *Bushfires Act 1954* and *Emergency Management Act 2005*.

- This will include the appointment of a CBFCO, DCBFCO(s) and Fire Control Officers as required for the purpose of bushfire mitigation and permit issuing as per the *Bush Fires Act 1954*. However, under the *Bush Fires Act 1954* the Shire has the ability to request that DFES appoint the position of CBFCO if desired
- Create a Local Law so that the appointed CBFCO, DCBFCO(s) and Fire Control Officers will be non-operational unless they have been appointed as officers under the VFES management structure or requested to provide incident support by DFES.
- Suspend the CESM MOU with DFES for the two year trial and employ an Emergency Management Coordinator (or relevant similar position) on a 24 month contract to manage the Shire's emergency management and bushfire mitigation responsibilities.

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)

Corporate Business Plan 2018-2022

Key Result Area: 1 Valuing, protecting and enhancing the natural environment

Outcome: 1.4 Ecology and biodiversity protection

There are no anticipated impact on key result areas, outcomes or actions as partnerships with stakeholders and brigades would continue. CESM KPI's will become obsolete with regard to volunteer memberships and number of incidents attended. A full review of the business area will be required as the CESM MOU will be suspended.

Policies and procedures:

- Bush Fire Volunteer Services Policy
- Bush Fire Procedure

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

Currently the Council contributes the following to the 2018-19 budget for operations and maintenance of Community Emergency Services:

- \$50,000 annually to support brigade shed extensions, improvements or acquire new assets (i.e. Fire Danger Rating Signs)
- \$56,000 – Includes contract services, land or outside building maintenance that does not qualify for ESL funding, firefighting suppression equipment (earthmoving), refilling emergency water supplies used by firefighters, miscellaneous support to BFB activities (i.e. community newsletters and education or events)
- 50% of 1 FTE for CESM – the other 50% of CESM Salaries, Leave, Training and Superannuation is currently recovered from DFES as per the CESM position MOU
- Plus \$15,000 per annum on the Shire's 50% contribution with DFES for the CESM vehicle lease and operating costs.

It is estimated that over \$150,000, could be saved by Council if the transfer took place. However, 1 FTE (Level 8.1) will be required in the Shire to appropriately continue the required legislative Emergency Management and Bushfire Mitigation functions and services. The 50% contribution from DFES would not continue to support this role so it would need to be funded by Council. This position would be a

significantly improved service that is able to focus on local government requirements. A vehicle will also need to be provided.

The Shire would also still be expected to conduct important planned burning and mechanical bushfire mitigation activities on its Shire reserves as per the Bush Fire Risk Management Plan 2017-22. Currently the CESM has \$30,000 budgeted annually for these activities which is additional to the maintenance work conducted by the Shire's Parks and Gardens Team.

The Shire would have shared access with the DFES-VFES brigades to conduct important bushfire mitigation activities.

If the Shire's assets (buildings, small equipment, vehicles etc.) are transferred to DFES it is expected by the Shire that there should be some compensation made to the current value. Some buildings have been constructed with co-contributions from DFES, the Shire and the Brigades. An evaluation of assets and associated costs will need to be undertaken to ensure this process is completed fairly for all parties.

SUSTAINABILITY IMPLICATIONS

The Shire's Bush Fire Brigades currently play an important role in community prevention, preparedness and response.

Environmental

Nil

Social

Minimal social impact expected as the brigades will still exist for the community to join or volunteer in emergency services.

Economic

There will be grants associated with emergency services that will no longer be able to be accessed if brigades transition to DFES. This will not affect the Shire in terms of its recovery efforts following a major incident.

However, additional funding/equipment may be available to the brigades under the VFES structure.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council:

1. Endorses the transition of the Wallcliffe Bush Fire Brigade to Department of Fire and Emergency Services (DFES) as a VFES brigade.
2. Supports the transition of the remaining nine brigades of the Shire of Augusta Margaret River Bush Fire Brigades to the DFES should the majority of the brigades be in favour of the transition and develop an Memorandum of Understanding (MOU) on a trial basis for two years.
3. The Shire enters into a MOU that allows DFES to utilise current infrastructure owned by the Shire of Augusta Margaret River. The MOU is to include the transfer of costs associated with the buildings, land, rates and utilities.
4. Endorses the proposal to adjust the Gazetted Fire Districts. The review will be undertaken by DFES in consultation with the Shire.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

1. Draft Transition Framework for the Transfer and Management of the Shire of Augusta Margaret River Bush Fire Brigades to Department of Fire and Emergency Services Volunteer Fire and Emergency Services Brigades
2. Letter from Commissioner of Fire & Emergency Services from the Steering Committee – 16 December 2016
3. Letter from Wallcliffe Fire Brigade Captain to CEO – 15 February 2018
4. DFES Directive 5.3 – VFES Administration document

5. Full email questionnaire with current Baldivis VFES Captain, Neil Chaplin
6. Council Briefing Presentation – 12 September 2018

RECOMMENDATION

CR , CR

That Council:

1. **Endorses the transition of the Wallcliffe Bush Fire Brigade to Department of Fire and Emergency Services (DFES) as a VFES brigade;**
2. **Supports the transition of the remaining nine brigades of the Shire of Augusta Margaret River Bush Fire Brigades to the DFES should the majority of the brigades be in favour of the transition and develop an Memorandum of Understanding (MOU) on a trial basis for two years;**
3. **The Shire enters into a MOU that allows DFES to utilise current infrastructure owned by the Shire of Augusta Margaret River. The MOU is to include the transfer of costs associated with the buildings, land, rates and utilities; and**
4. **Endorses the proposal to adjust the Gazetted Fire Districts. The review will be undertaken by DFES in consultation with the Shire.**

0/0

Cr Earl moved the following procedural motion:

PROCEDURAL MOTION / COUNCIL DECISION

CR EARL, CR LANE OM2018/254

That Council:

1. **Defers consideration of this item till after the BFAC meeting of February; and**
2. **Requests that the CBFCO restarts the DFES transition committee, as a matter of urgency and brings an interim report to the November BFAC with the view to having a final report for the February BFAC meeting.**

CARRIED 6/0

REASON

Cr Earl provided the following reason:

'I believe that we need to have the MOU's in place and approved, before any actual transfer takes place and BFAC, our advisory committee, needs to be involved in any decision.'

11.4.6 UNBUDGETED EXPENDITURE AND GRANT FOR BUSHFIRE MITIGATION ACTIVITY

LOCATION/ADDRESS	Shire of Augusta Margaret River
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	FIN/44
REPORT AUTHOR	Andrew Ross, Manager Corporate Services
AUTHORISING OFFICER	Heather Auld, Acting Director Corporate and Community Services

IN BRIEF

- The Bushfire Risk Management Planning Coordinator for the City of Busselton and the Shires of Augusta Margaret River and Nannup has successfully applied to the State Emergency Management Committee (SEMC) for funding from the Bushfire Mitigation Activity Fund.
- A funding agreement with the SEMC outlines that funding of \$322,800 is to be used for thirty (30) bushfire mitigation projects in 2018-19 and details the terms and conditions for this grant.
- As the grants and corresponding expenditure have not been budgeted in 2018-19, Council approval is required.

RECOMMENDATION

That Council approves unbudgeted expenditure of \$322,800 in account FP29 Contract Services of Emergency Management and Fire Prevention business unit for thirty (30) bushfire mitigation projects, fully funded by a grant from the State Emergency Management Committee.

LOCATION PLAN

Nil

TABLED ITEMS

Nil

BACKGROUND

The Bushfire Risk Management Planning Coordinator is funded by the Department of Fire and Emergency Services (DFES) and is responsible for bushfire risk planning for the City of Busselton and the Shires of Augusta Margaret River and Nannup. This position prepares a bushfire risk management plan for each local government area and once approved this plan is used as the basis of applications for mitigation activity funding. As the Shire's plan has been approved it is eligible for the funding which is to be used for on-ground works to mitigate extreme, very high and high risks to regional communities posed by bushfire hazards on State owned and managed lands within or adjacent to town sites.

CONSULTATION AND ADVICE

External Consultation

The Chief Bushfire Control Officer, Deputy Chief Bushfire Control Officer and the Shire's Bushfire Brigades will be involved with planning and determining the logistics for these bushfire mitigation activities.

Internal Consultation

The Community Emergency Services Manager has reviewed this report.

DISCUSSION / OFFICER COMMENTS

Notification was received from DFES on 14 September 2018 that the Shire had been successful in its application for Mitigation Activity Funding (MAF) for 2018-19. The funding agreement for the grant outlines financial responsibilities, grant conditions and reporting.

The following table outlines the key aspects of the grant.

SHIRE OF AUGUSTA MARGARET RIVER
ORDINARY COUNCIL MEETING 10 OCTOBER 2018

Funding Body	SEMC through DFES
Purpose	Bushfire mitigation activities
Grant Amount	\$322,800 no GST applied
	Payment in 2 instalments, 50% on signing of the funding agreement and 50% following acceptable grant acquittal
Proposed Expenditure	\$322,800 excluding GST
Agreement Term	Grant to be expended in 2018-19
Acquittal Period	No dates specified. A final report, including a financial acquittal and an evaluation report, will be sent to the Shire after the projects have been completed

At this stage it is intended the prescribed burns would be carried out by the Shire's Bushfire Brigades and that contractors would be engaged to undertake the mechanical works. Arranging procurement of contractors, coordinating brigades, community consultation and overall project management are to be undertaken by the Community Emergency Services Manager. However, these tasks will take some time and it may be necessary for other staff from the Shire or DFES to be involved.

The projects to be completed are included in Appendix 1 of the Funding Agreement and are reproduced below.

ID	Address	Treatment Type	Budget (\$'s)
2557	Hamelin Bay residential subdivision	Mechanical works	4,000
1695	253 Wallcliffe Road through to 94 Roxburgh Road (Reserves 18838, 38103 & 38104)	Mechanical works	26,000
2558	Calkarri Drive, Augusta	Mechanical works	4,000
2580	Wallcliffe Road and adjoining	Mechanical works	12,000
2583	Redgate Road Shire Reserve 38181	Mechanical works	28,000
2553	Pericles Street East and Reserve 39434 (North)	Prescribed Burn	6,000
2554	Pericles Street East and Reserve 39434 (South)	Prescribed Burn	7,000
2582	Shire Reserve 24816 Caves Road, Augusta	Firebreak	22,800
2362	Wardandi Trail – South of Cowaramup	Mechanical works	18,000
2555	PAW between 86 to 88 Calkarri Drive, Augusta	Fire Access Road	10,000
2363	Wardandi Trail – South of Cowaramup	Prescribed Burn	3,500
2361	Wardandi Trail – South of Cowaramup	Prescribed Burn	1,500
2364	Wardandi Trail – South of Cowaramup	Prescribed Burn	3,500
2581	Shire Reserve 52546 Duggan Road, Cowaramup	Mechanical works	5,000
2585	Wardandi Trail – Caves Road South	Mechanical works	15,000
2349	Wardandi Trail – North of Cowaramup	Prescribed Burn	1,500
2348	Wardandi Trail – Cowaramup North	Prescribed Burn	8,000
2588	Wardandi Trail – Caves Road South	Prescribed Burn	2,000
2584	Shire Reserve 23480	Firebreak	5,000
689	Leeuwin Road, Augusta	Mechanical works	8,000
2359	Wardandi Trail – Cowaramup/Parkwater	Mechanical works	2,500
2347	Wardandi Trail – Cowaramup North	Mechanical works	7,000
2350	Wardandi Trail – North of Cowaramup	Prescribed Burn	1,500
2357	Wardandi Trail – Cowaramup town	Prescribed Burn	3,500
687	Leeuwin Road, Augusta	Prescribed Burn	1,500
2351	Wardandi Trail – Cowaramup/Parkwater	Mechanical works	8,000
2360	Cowaramup Waste Transfer Station	Mechanical works	5,500
2384	Wardandi Trail – Margaret River LIA	Mechanical works	15,000
2342	Wardandi Trail – North of Cowaramup	Mechanical works	25,000
2382	Wardandi Trail – Railway Terrace x Chardonnay Avenue	Mechanical works	62,500
			322,800

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

Section 6.8(1) of the *Local Government Act 1995* states that:

“A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
- (b) is authorised in advance by resolution*; or
- (c) is authorised in advance by the mayor or president in an emergency.”

Point (b) requires the resolution be adopted by an absolute majority of Council.

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)

Corporate Business Plan 2018-2022

Key Result Area 1: Valuing, protecting and enhancing the natural environment

Community Outcome 5: Ecological resilience in the face of changing climate

Strategic Response 2: Engage with researchers and the community to develop strategies to manage fire and biodiversity protection in the face of increasing frequency and intensity of bushfires.

Service level strategy/plan: 1.5.2.1 Priority project: Implement and regularly review the Bushfire Risk Management Plan, including the bushfire risk treatment schedule through consultation with Landcare services.

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

Unbudgeted expenditure of \$322,800 will be incurred in the Emergency Management and Fire Prevention business unit. This expenditure will be matched by an unbudgeted grant for the same amount. Consequently, there is not expected to be any adverse impact on the Shire's budgeted financial position. However, as 50% of the grant won't be paid until the grant has been successfully acquitted, the Shire is effectively pre-funding this expenditure. It is therefore essential the projects be completed, reports prepared and acquitted so the final grant payment is received by the end of the financial year.

SUSTAINABILITY IMPLICATIONS

Environmental

Bushfire mitigation activities will reduce fire risk.

Social

Community safety will improve as a result of the bushfire mitigation activities.

Economic

The provision of funding from DFES will generate an economic benefit through the engagement of local contractors.

VOTING REQUIREMENTS

Absolute Majority

RECOMMENDATION

That Council approves unbudgeted expenditure of \$322,800 in account FP29 Contract Services of Emergency Management and Fire Prevention business unit for thirty (30) bushfire mitigation projects, fully funded by a grant from the State Emergency Management Committee.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

Nil

RECOMMENDATION / COUNCIL DECISION

CR EARL, CR LANE OM2018/255

That Council approves unbudgeted expenditure of \$322,800 in account FP29 Contract Services of Emergency Management and Fire Prevention business unit for thirty (30) bushfire mitigation projects, fully funded by a grant from the State Emergency Management Committee.

CARRIED BY ABSOLUTE MAJORITY 6/0

11.4.7 SPORTS AND RECREATION ADVISORY COMMITTEE MEETING MINUTES 1 AUGUST 2018

LOCATION/ADDRESS	Shire of Augusta Margaret River
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	REC/36
REPORT AUTHOR	Hannah Waters, Executive Assistant Corporate and Community Services
AUTHORISING OFFICER	Heather Auld, Acting Director Corporate and Community Services

IN BRIEF

- On the 1 August 2018, the Sports and Recreation Advisory Committee (SRAC) held its bi-monthly meeting.
- The Margaret River Hockey Club would like to establish a multi-use shared facility adjacent to the current tennis courts and are seeking Shire support to pursue a feasibility study.
- Delegates provided updates on their clubs.
- A notice of motion relating to meeting non-attendance was recorded.

RECOMMENDATION

That Council:

1. Receives the unconfirmed minutes of the Sport and Recreation Advisory Committee meeting held 1 August 2018; and
 2. Notes the Margaret River Hockey Club's intention to pursue a feasibility study to establish a multi-use shared facility adjacent to the current tennis courts.
-

LOCATION PLAN

Nil

TABLED ITEMS

Nil

BACKGROUND

Sports and Recreation Advisory Committee meetings are held bi-monthly on the first Wednesday of the month.

CONSULTATION AND ADVICE

External Consultation

SRAC delegates

Internal Consultation

Recreation Operations Manager

DISCUSSION / OFFICER COMMENTS

Feasibility Study for multi-use shared facility adjacent to the Margaret River Tennis Courts

Access to quality playing surfaces with in the Gloucester Park Precinct to accommodate growth across all sporting codes has been identified as an issue for a long time. The draft Gloucester Park Masterplan (Masterplan) maps out a staged development of the precinct to assist with alleviating completion for the available space. The Masterplan has never been formally adopted by Council however; funds from developer contributions have been earmarked for the advancement of facilities within the Precinct. It is anticipated that plans for the developer contributions to be utilised within the Gloucester Park Precinct will be finalised this financial year, culminating in a finalised Gloucester Park Masterplan endorsed by Council.

Members of the Margaret River Hockey Club travel to Busselton upwards of two times per week to train and play, as Margaret River currently does not have a suitable synthetic playing surface. The club are seeking ways to reduce the travel burden and expense for families involved in the sport and have developed a set of draft plans showing a shared tennis and hockey facility abutting the current tennis courts, along with a possible area to relocate the long jump pits.

The committee discussed the pros and cons of the proposed shared facility with the two most notable comments relating to the location and the orientation of the pitch/courts. The pitch/courts have been slightly offset to the positioning of the current tennis courts to allow for the existing road infrastructure. Perfect alignment with the current courts would impinge on the current road infrastructure, which would greatly increase construction costs. The selected location does not fit within the Margaret River Tennis Club's long term expansion plans as showing on the current Masterplan.

After extensive discussion, the following recommendation was endorsed by the Sports and Recreation Advisory Committee.

RECOMMENDATION

That the Sports and Recreation Advisory Committee give in principle support to the Margaret River Hockey Club Inc. requesting that the Shire of Augusta Margaret River support them pursuing a feasibility study to establish a multi-use shared facility adjacent to the current tennis club courts. The study should recognise the Margaret River Tennis Club's pre-existing claim to the area for future expansion as recognised in previous plans.

Moved: Jeanette Smith

Seconded: Nick Dornan

Carried: All

The Shire does not have a budget allocation for the provision of the proposed feasibility study, however wherever possible the Shire's Sport and Recreational Services team will be available to provide the Margaret River Hockey Club with background information related to the development of the feasibility study.

Updates from the Clubs

The delegates provided updates on their clubs/associations.

Notice of motion – Non-attendance to meetings

Attendance at Margaret River Sports and Recreation Advisory Committee meetings is compulsory for all clubs / groups. If a representative is not present at three meetings in a row and has not provided a letter of explanation for consideration then a vote will be taken at the next meeting and the club / group membership will cease forthwith. If a club wishes to re-join the committee, they must once more request membership and submit all relevant details. Notice was given to the Augusta Golf Club and the Margaret River Basketball Association that a vote will be held at the next meeting in relation to their committee membership.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

Nil

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)

Corporate Business Plan 2018-2022

Key Result Area 5: Effective leadership and governance

Community Outcome 5.1: Effective governance and corporate leadership

Strategic Response 5.1.5: Develop effective partnerships and strategic alliances to maximise community benefits

Service level strategy/plan 5.1.5.2: Hold regular meetings with the Sport and Recreation Advisory Committee

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Environmental

Nil

Social

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

Economic

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council:

1. Receives the unconfirmed minutes of the Sport and Recreation Advisory Committee meeting held 1 August 2018; and
2. Notes the Margaret River Hockey Club's intention to pursue a feasibility study to establish a multi-use shared facility adjacent to the current tennis courts.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

1. Unconfirmed Sports and Recreation Advisory Committee meeting minutes and attachments – 1 August 2018.

RECOMMENDATION / COUNCIL DECISION

CR EARL, CR MCLEOD OM2018/256

That Council:

1. Receives the unconfirmed minutes of the Sport and Recreation Advisory Committee meeting held 1 August 2018; and
2. Notes the Margaret River Hockey Club's intention to pursue a feasibility study to establish a multi-use shared facility adjacent to the current tennis courts.

CARRIED 6/0

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

Nil

13. MOTIONS FOR CONSIDERATION AT NEXT MEETING

Nil

14. NEW BUSINESS OF AN URGENT NATURE

14.1. Members

Nil

14.2. CEO

Nil

15. CONFIDENTIAL BUSINESS

PROCEDURAL MOTION / COUNCIL DECISION

CR MELDRUM, CR SMART OM2018/257

That the meeting go behind closed doors.

CARRIED 6/0

Members of the public and staff, with exception of the Chief Executive Officer and Governance / Council Support Officer, left Chambers at 6.30pm

15.1 ACTING CEO FOR CEO 2018 - 2019 LEAVE AND BEYOND

LOCATION/ADDRESS	Shire of Augusta Margaret River
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	GOV/61
REPORT AUTHOR	Megan Smith, Executive Assistant
AUTHORISING OFFICER	Gary Evershed, Chief Executive Officer

IN BRIEF

- The CEO has approved leave commencing 3 November 2018 until his resignation takes effect from 25 January 2018
- As this leave is more than four weeks in duration the Acting CEO arrangements are by Council policy to be approved by Council rather than through a CEO delegation.
- The initial acting CEO appointment is recommended to be from 3 November to Monday 17 February 2019 as by the first meeting in February the start date of a new permanent CEO should be known.

RECOMMENDATION

That Council appoints _____ as Acting CEO from 3 November 2018 until Monday 17 February 2019 inclusive.

LOCATION PLAN

Nil

TABLED ITEMS

Nil

BACKGROUND

The CEO has been approved leave by the Shire President from 3 November 2018 until his resignation takes effect from 25 January 2018.

There are two options for filling the position in the absence of the CEO. The first is by the CEO delegating the CEO responsibilities under section 5.44 of the *Local Government Act 1995* (the Act) or the Council appointing an Acting CEO. The first delegation works well for shorter periods of absence while the second option is important for longer periods to ensure that the Council has full confidence in the acting CEO and avoids a situation where the CEO might appoint someone who does not have the confidence of the Council. It also allows Council to appoint externally to the Shire perhaps employing an experienced former CEO in preference to an inexperienced staff member.

With this in mind Council has adopted the following Policy on Acting CEO positions:

“The Council will appoint an Acting Chief Executive Officer to fulfil the duties and exercise the powers of the Chief Executive Officer in periods of annual leave and during periods of unforeseen prolonged absence of the Chief Executive Officer for more than four weeks. The appointment will be made from the Executive Officers of the Council on a rotational basis in accordance with the length of service in the Shire’s employment. For absences of up to four weeks the CEO has legislative authority to appoint an Acting CEO under section 5.44 of the Local Government Act 1995.”

The rationale for this policy is that for short periods of say up to four weeks (NB there is no time limit) it is a simple procedure for the CEO to delegate his or her authorities and functions in accordance with the Act. This power of delegation would expire on the CEO’s retirement from the position. On the other hand Council has an important role in appointing an Acting CEO particularly for longer periods to run

the day to day operations of the Shire and in this case pending the commencement of the new CEO. To ensure that Council is satisfied with the arrangements for longer periods of leave and are comfortable working with the Acting CEO the above policy has been adopted which gives Council the clear responsibility for making the appointment rather than the CEO delegating to another officer for longer periods of absence.

As the Acting CEO role is likely to be for a period of several months before the commencement of the new CEO the Director Sustainable Development is the most experienced internal Director available with a breadth of experience and Acting CEO experience to fulfil the role. This is the recommended course of action as the Manager of Planning Mr Nick Logan will return in early December to take up the Acting Director role and by that time a new strategic planning officer should be in place so the Directorate will have strong capacity. The initial acting CEO appointment is recommended to be from 3 November to Monday 17 February 2019 as by the first meeting in February the start date of a new permanent CEO should be known. In accordance with section 5.39 1(a) of *the Act* an employee can act in the position of CEO for a period not exceeding one year without a written contract. A list of KPIs to be adopted will guide the role plus section 5.41 of *the Act* which outlines the legal requirements of the CEO position.

Alternatively an external person with the relevant qualifications and experience could be appointed. In this case a legal contract not exceeding one year would be required to be entered into.

CONSULTATION AND ADVICE

External Consultation

WALGA Governance Managers, Tony Brown and James McGovern attended a Councillor workshop in September 2018.

Internal Consultation

A second Councillor workshop was conducted.

DISCUSSION / OFFICER COMMENTS

Nil

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

Local Government Act 1995 s5.44

5.39. Contracts for CEO and senior employees

- (1) Subject to subsection (1a), the employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with this section
- (1a) Despite subsection (1) –
 - (a) an employee may act in the position of a CEO or a senior employee for a term not exceeding one year without a written contract for the position in which he or she is acting; and
 - (b) a person may be employed by a local government as a senior employee for a term not exceeding 3 months, during any 2 year period, without a written contract
- (2) A contract under this section –
 - (a) in the case of an acting or temporary position, cannot be for a term exceeding one year;
 - (b) in every other case, cannot be for a term exceeding 5 years

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)

Corporate Business Plan 2018-2022

Key Result Area 5: Effective governance and corporate leadership

Community Outcome 5.1.2: Develop staff leadership through the organisation to assist with accountable decision making

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

An internal Acting CEO is paid a percentage of the CEO's wages. No leave reserves will be required to fill the acting requirements which will be absorbed into the operating budget.

An externally appointed Acting CEO would receive the equivalent of the CEO's current salary which would duplicate the CEO's salary whilst the CEO is on leave until 25 January 2018.

SUSTAINABILITY IMPLICATIONS

Environmental

Nil

Social

Nil

Economic

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council appoints _____ as Acting CEO from 3 November 2018 until Monday 17 February 2019 inclusive.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

Nil

RECOMMENDATION / COUNCIL DECISION

CR SMART, CR MCLEOD OM2018/258

That Council appoints Dale Putland as Acting CEO from 3 November 2018 until Monday 17 February 2019 inclusive for the remuneration package as recommended in the confidential addendum.

CARRIED 6/0

15.2 CHIEF EXECUTIVE OFFICER ANNUAL PERFORMANCE REVIEW

LOCATION/ADDRESS	Shire of Augusta Margaret River
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	PER/05708 GOV/55
REPORT AUTHOR	Gary Evershed, Chief Executive Officer
AUTHORISING OFFICER	Gary Evershed, Chief Executive Officer

The CEO discloses a financial interest in this report under section 5.70 of the Act, as it relates to his principal source of income as the CEO of the AMRSC.

IN BRIEF

- The *Local Government Act 1995* requires all employees to have a performance review at least once per year.
- In July 2018, Council confirmed the method that the 2017/18 review would follow and this process is now being concluded.

RECOMMENDATION

That Council having conducted a review of the CEO's performance over the period from the 1 July 2017 to the 30 June 2018 adopts the report by Price Consulting contained in the confidential attachments to the agenda and approves the recommended salary arrangements contained therein.

BACKGROUND

The CEO commenced employment with the Shire on 20 October 2008. Council is required to conduct a review of the CEO's performance annually and to finalise salary negotiations for the new financial year as part of the budget cycle rather than coinciding with the CEO's anniversary date in October.

Council and the CEO agreed on Performance Targets in August 2017 for the reporting year 1 June 2017 to 30 June 2018 which were included in the attachments to the August meeting.

Natalie Lincolne from Price Consulting was contracted to conduct the review and write the report.

CONSULTATION AND ADVICE

External Consultation

Price Consulting

Internal Consultation

All Councillors were asked to contribute to the CEO Review Report.

DISCUSSION / OFFICER COMMENTS

Performance Review

The CEO presented a suite of performance targets which were adopted by agreement with Council last year. The reporting period finished on 30 June 2018. The CEO and Council agreed on a process to conduct the review which was adopted by Council in July 2018. Natalie Lincolne from Price Consulting was contracted to conduct the review and write the report.

The methodology and timeframes adopted for the performance review were in accordance with the CEO's contract and the *Local Government Act 1995*.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

The *Local Government Act 1995* requires the performance of each and every employee including the CEO to be reviewed a minimum of each year. A local government is to consider each review on the

performance of the CEO carried out under section 5.38 and is to accept the review, with or without modification, or to reject the review.

The Council is also required to pass a resolution which records the outcome of that review.

A copy of the performance review report signed by both the President and the CEO will be placed on the CEO's personal HR file and as a confidential attachment to the minutes of the meeting.

FINANCIAL IMPLICATIONS

The CEO has sought a 2.5% increase in the annual total reward package from 1 July 2018 based on highly satisfactory past performance for the Shire including the raising of extensive grant funding and in recognition of significant achievements over the term of office. No increase was applied for in 2016-17. This will amount to approximately \$3,600 for the six and half months of the year the CEO will be employed.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council having conducted a review of the CEO's performance over the period from the 1 July 2017 to the 30 June 2018 adopts the report by Price Consulting contained in the confidential attachments to the agenda and approves the recommended salary arrangements contained therein.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

1. CONFIDENTIAL Performance Review Report provided by Price Consulting and signed by the Shire President and CEO

RECOMMENDATION / COUNCIL DECISION

CR LANE, CR MCLEOD OM2018/259

That Council having conducted a review of the CEO's performance over the period from the 1 July 2017 to the 30 June 2018 adopts the report by Price Consulting as contained in the confidential attachments to the agenda and accepts the outcome of 'Meets expectations at a high level' and thanks Mr Evershed for his efforts, and approves the recommended salary arrangements contained therein.

CARRIED 6/0

15.3 APPOINTMENT OF RECRUITMENT CONSULTANT FOR NEW CEO

LOCATION/ADDRESS	Shire of Augusta Margaret River
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	PER/05708
REPORT AUTHOR	Gary Evershed, Chief Executive Officer
AUTHORISING OFFICER	Gary Evershed, Chief Executive Officer

IN BRIEF

- The CEO is the elected Council's only employee and so Council is required to undertake the process of recruitment of a new CEO.
- In accordance with legislative requirements Council is required to confirm the method of the recruitment of a new CEO prior to advertising the position.
- A Request for Quotation was sourced from a number of recruitment consultants and Council is to appoint the required consultant.

RECOMMENDATION

That Council, in accordance with Regulation 18C of the *Local Government (Administration) Regulations*, approves the following process to be used for the selection and appointment of a new CEO before the position of the CEO is advertised:

- a) Council appoints recruitment consultant _____ to assist Council with the recruitment and appointment of a new CEO
- b) Council undertakes the following sequential process steps with the assistance of the appointed consultant:

1.	Conduct a Councillor workshop facilitated by an external facilitator and attended by the Recruitment Consultant to establish and understand the specific capabilities that are being sought of a new CEO
2.	Conduct a review of the CEO Position Description with Councillor input
3.	Finalise the Selection Criteria for the Position from Position Description review
4.	Develop an application package in conjunction with the Shire HR Unit
5.	Finalise the draft contract or employment
6.	Finalise the salary range that the position will be publicly advertised at (Required under <i>LG Act</i>)
7.	Finalise the term of the contract e.g. 3-5 years
8.	Finalise the advertisement for the position and the range of advertising to be undertaking in newsprint and on-line formats.
9.	Advertising of position – The recruitment consultant will coordinate and conduct the advertising of the position including conducting an extensive executive search to identify potential candidates and invite them to apply, answer any enquiries from prospective applicants and receive applications.
10.	Refine a longer list of applicants to be finalised with Councillor participation into a short-list for interview of candidates who meet the selection criteria
11.	Develop an appropriate list of questions and a process for interview in consultation with Council
12.	Coordinate interviews including preliminary interviews if required
13.	Arrangement of final interviews and presentations to the Council
14.	Arranging/conducting psychometric testing if required by Council
15.	Conducting checks on the preferred candidate - Referee and qualification checking, google search, industry feedback, medical and police clearances

16.	Briefing Council on the capabilities of the preferred candidate and facilitate Council's negotiation of remuneration package for successful candidate Negotiating contract (at Council direction) with the preferred candidate
17.	Following Council selection of the preferred candidate, communicating offer of employment and informing unsuccessful applicants
18.	Finalising contract of employment
19.	Finalise section report to Council
20.	Council Resolution to appoint new CEO

LOCATION PLAN

Nil

TABLED ITEMS

Nil

BACKGROUND

The current CEO commenced employment with the Shire on 20 October 2008 and will conclude his employment with the Shire on 25 January, 2019.

The Local Government Act 1995 requires a designated position of CEO to carry out specific functions enshrined in Section 5.41 of the Act. These are as follows:

The CEO's functions are to —

- (a) advise the council in relation to the functions of a local government under this Act and other written laws; and
- (b) ensure that advice and information is available to the council so that informed decisions can be made; and
- (c) cause council decisions to be implemented; and
- (d) manage the day to day operations of the local government; and
- (e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and
- (f) speak on behalf of the local government if the mayor or president agrees; and
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and
- (h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and
- (i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO

CONSULTATION AND ADVICE

External Consultation

RFQ were sourced from recruitment consultants

Internal Consultation

CEO

DISCUSSION / OFFICER COMMENTS

The process of selecting and appointing a CEO is dealt with in the *Local Government (Administration) Regulations 1996*, regulation 18C:

18C. Selection and appointment process for CEO's

The local government is to approve a process to be used for the selection and appointment of a CEO for the local government before the position of CEO of the local government is advertised.

[Regulation 18C inserted in Gazette 31 Mar 2005 p. 1038.]

Council is required to undertake the recruitment process of a new CEO. This process can be made 'in-house' or outsourced to a recruitment consultant. Generally recruitment consultants provide professional services and a wide range of knowledge and skills in staff recruitment, especially if they have local government recruitment experience, which will effectively assist Council in its selection of a CEO. It is therefore recommended that a recruitment consultant be appointed.

Council has sought quotes from the following providers:

- WALGA
- LOGO Appointments
- Lester Blades
- Beilby
- Hays
- Gerard Daniels
- Michael Page

As per the Shire's Purchasing Policy 5.2.9 it is required that written quotations for a recruitment consultant be sought. The CEO has recommended that consultants be appointed on the basis of the following criteria:

- Market Presence and skills of key personnel – 25%
- Experience and track record – 25%
- Recruitment methodology and timeframes – 25%
- Fee (Price) – 25%

The scope of the contract is to work with Councillors to achieve the step by step deliverables listed in the recommendation.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

Section 5.36(2)(a) and (b) of the *Local Government Act 1995* (the Act) provides that a local government is not to employ a person to fill the position of CEO unless council believes that the person is suitably qualified for the position and is satisfied with the provisions of the proposed employment contract.

Section 5.39 contains provisions for the contracts of CEOs.

Section 5.40 requires that all employees are to be selected in accordance with the principles of merit and equity.

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)

Corporate Business Plan 2018-2022

Key result area 5: Effective Leadership and governance

Community Outcome 3: Highly capable and engaged people

Strategic Response 1: Recruit, train and retain high achieving employees

FINANCIAL IMPLICATIONS

A sum of \$40,000 is included in the 2018/19 budget to cover the costs of the recruitment consultant, costs of attendance of short listed applicants at the interviews, relocation expenses of the incoming CEO if required.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council, in accordance with Regulation 18C of the *Local Government (Administration) Regulations*, approves the following process to be used for the selection and appointment of a new CEO before the position of the CEO is advertised:

- a) Council appoints recruitment consultant _____ to assist Council with the recruitment and appointment of a new CEO

- b) Council undertakes the following sequential process steps with the assistance of the appointed consultant:

1.	Conduct a Councillor workshop facilitated by an external facilitator and attended by the Recruitment Consultant to establish and understand the specific capabilities that are being sought of a new CEO
2.	Conduct a review of the CEO Position Description with Councillor input
3.	Finalise the Selection Criteria for the Position from Position Description review
4.	Develop an application package in conjunction with the Shire HR Unit
5.	Finalise the draft contract or employment
6.	Finalise the salary range that the position will be publicly advertised at (Required under <i>LG Act</i>)
7.	Finalise the term of the contract e.g. 3-5 years
8.	Finalise the advertisement for the position and the range of advertising to be undertaking in newsprint and on-line formats.
9.	Advertising of position – The recruitment consultant will coordinate and conduct the advertising of the position including conducting an extensive executive search to identify potential candidates and invite them to apply, answer any enquiries from prospective applicants and receive applications.
10.	Refine a longer list of applicants to be finalised with Councillor participation into a short-list for interview of candidates who meet the selection criteria
11.	Develop an appropriate list of questions and a process for interview in consultation with Council
12.	Coordinate interviews including preliminary interviews if required
13.	Arrangement of final interviews and presentations to the Council
14.	Arranging/conducting psychometric testing if required by Council
15.	Conducting checks on the preferred candidate - Referee and qualification checking, google search, industry feedback, medical and police clearances
16.	Briefing Council on the capabilities of the preferred candidate and facilitate Council's negotiation of remuneration package for successful candidate Negotiating contract (at Council direction) with the preferred candidate
17.	Following Council selection of the preferred candidate, communicating offer of employment and informing unsuccessful applicants
18.	Finalising contract of employment
19.	Finalise section report to Council
20.	Council Resolution to appoint new CEO

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

Nil

RECOMMENDATION / COUNCIL DECISION

CR EARL, CR GODDEN OM2018/260

That Council, in accordance with Regulation 18C of the *Local Government (Administration) Regulations*), approves the following process to be used for the selection and appointment of a new CEO before the position of the CEO is advertised:

- a) Council appoints recruitment consultant Lester Blades to assist Council with the recruitment and appointment of a new CEO
- b) Council undertakes the following sequential process steps with the assistance of the appointed consultant:

1.	Conduct a Councillor workshop facilitated by an external facilitator and attended by the Recruitment Consultant to establish and understand the specific capabilities that are being sought of a new CEO
2.	Conduct a review of the CEO Position Description with Councillor input
3.	Finalise the Selection Criteria for the Position from Position Description review
4.	Develop an application package in conjunction with the Shire HR Unit
5.	Finalise the draft contract or employment
6.	Finalise the salary range that the position will be publicly advertised at (Required under LG Act)
7.	Finalise the term of the contract e.g. 3-5 years
8.	Finalise the advertisement for the position and the range of advertising to be undertaking in newsprint and on-line formats.
9.	Advertising of position – The recruitment consultant will coordinate and conduct the advertising of the position including conducting an extensive executive search to identify potential candidates and invite them to apply, answer any enquiries from prospective applicants and receive applications.
10.	Refine a longer list of applicants to be finalised with Councillor participation into a short-list for interview of candidates who meet the selection criteria
11.	Develop an appropriate list of questions and a process for interview in consultation with Council
12.	Coordinate interviews including preliminary interviews if required
13.	Arrangement of final interviews and presentations to the Council
14.	Arranging/conducting psychometric testing if required by Council
15.	Conducting checks on the preferred candidate - Referee and qualification checking, google search, industry feedback, medical and police clearances
16.	Briefing Council on the capabilities of the preferred candidate and facilitate Council's negotiation of remuneration package for successful candidate Negotiating contract (at Council direction) with the preferred candidate
17.	Following Council selection of the preferred candidate, communicating offer of employment and informing unsuccessful applicants
18.	Finalising contract of employment
19.	Finalise section report to Council
20.	Council Resolution to appoint new CEO

CARRIED 6/0

Cr Meldrum moved the following procedural motion:

PROCEDURAL MOTION / COUNCIL DECISION

CR MELDRUM, CR GODDEN OM2018/261

To come out from behind closed doors.

CARRIED 6/0

16. CLOSURE OF MEETING

The Deputy Shire President thanked all in attendance and declared the meeting closed at 6.46pm