

Ordinary Council

MINUTES

FOR THE MEETING TO BE HELD
WEDNESDAY, 22 MAY 2019
IN COUNCIL CHAMBERS,
WALLCLIFFE ROAD, MARGARET RIVER
COMMENCING AT 5:30PM

Meeting Notice

Dear Councillor

I advise that an Ordinary Council Meeting of the Shire of Augusta Margaret River will be held in Council Chambers, Wallcliffe Road, Margaret River on Wednesday 22 May 2019, commencing at 5:30pm.

Yours faithfully



DALE PUTLAND
ACTING CHIEF EXECUTIVE OFFICER

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Minutes of the Ordinary Council Meeting held on Wednesday 22 May 2019, in Council Chambers, 41 Wallcliffe Road, Margaret River, commencing at 5.30pm

Ordinary Council Meeting

1. DECLARATION OF OPENING

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

The Shire President gave an Acknowledgement of Country:

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

2. ATTENDANCE

Shire President : Cr Pam Townshend

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

Acting Chief Executive Officer : Dr Dale Putland

Acting Director Sustainable
Development : Mr Nick Logan

Director Infrastructure Services : Mr Markus Botte

Acting Director Corporate and
Community Services : Mr Andrew Ross

Governance Officer /
Council Support : Ms Claire Schiller

MEMBERS OF THE PUBLIC : Nil

MEMBERS OF THE PRESS : Warren Hately, AMR Times

2.1 Apologies

Acting Manager Planning and Development, Mr Matt Cuthbert

2.2. Approved Leave of Absence

Nil

3. DISCLOSURES OF INTEREST

3.1 Item 11.4.1 Community Contributions 2019-20 – Impartiality Interes – Cr Godden

Cr Godden disclosed an impartiality interest in Item 11.4.1 Community Contributions: 'I am a member of the Margaret River Regional Environment Centre but I can remain impartial.'

3.2 Item 11.4.5 Housing Advocacy Officer Project Quarter Three, Year Two Report - Impartialty – Cr Godden

Cr odden dosclosed an impartiality interest in Item 11.4.5 Housing Advocacy Offcier Project Quarter Tree, Year Two Report: 'I am the Chairperson of Just Home Margaret River.'

4. PUBLIC QUESTIONS

4.1. Response to Previous Public Questions Taken on Notice

Nil

4.2. Public Question Time

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 Ordinary Council Meeting held 8 May 2019

MOTION / COUNCIL DECISION

CR EARL, CR MELDRUM OM2019/84

That Council confirms the minutes of the Ordinary Council Meeting held on 8 May 2019 to be a true and correct record of the meeting.

CARRIED 7/0

7. DEPUTATIONS

Nil

8. PETITIONS

Nil

9. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

9.1 Climate Change Summit

The Shire President informed the meeting of the upcoming Climate Change Action Summit.

- The Climate Action Summit is going to be held in the MR Pro Rent on Tuesday 28 May 8.00am – 5.00pm.
- There will be 100 delegates in attendance.
- The opening speaker is international commentator, Tim Flannery. The closing speaker is Ben Elton.

- There will be four workshop events and then priority projects to progress as a community

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. CHIEF EXECUTIVE OFFICER

Nil

11.2. Sustainable Development

11.2. SUSTAINABLE DEVELOPMENT

Nil

11.3. Infrastructure Services

11.3.1 LOWER MARGARET RIVER FORESHORE RESERVE ACTION PLAN

LOCATION/ADDRESS	Shire of Augusta Margaret River
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	COR/123
REPORT AUTHOR	Merryn Delaney, Senior Environment Landcare Officer John McKinney, Coordinator Environment and Landcare Services
AUTHORISING OFFICER	Markus Botte, Director Infrastructure Services

IN BRIEF

- In 2017, Council commissioned the preparation of the Lower Margaret River Foreshore Action Plan to provide a detailed description current conditions and management recommendations to protect values, attributes and functions of the Margaret River foreshore reserves.
- Significant community consultation has been undertaken throughout the development of the plan. The draft plan was presented to Council for approval and subsequently released for public comment on 23 January 2019 for a period of 28 days.
- Twenty-eight (28) submissions were received on the plan.
- In general, submissions revealed support for the Lower Margaret River Management Plan recommendations relating to vegetation management, access and weed control. It is therefore recommended that these elements of the Lower Margaret River Foreshore Action Plan be adopted by Council.
- However, a majority (23) of the submissions opposed the proposed removal of private abstraction infrastructure from Shire-vested foreshore reserves.
- Further investigation is required to consider the impact on ecological water requirements of the river, legal aspects and individual circumstances of each submission. It is envisaged a separate report will be provided to Council on this matter in June 2019.
- The draft plan also proposes "Wildness Zones" along parts of the River foreshores. This proposal is a complex matter, as it requires geographical mapping of Wildness Zone boundaries, investigation of measures to legislate Wildness Zones and consideration of associated legal implications, it is recommended that the progression of the Wildness Zones be further investigated by the Shire in consultation with the community and stakeholders prior to reporting to Council in the future.
- A note will be made in the plan to acknowledge that the recommendations relating to the Wildness Zones and water harvesting infrastructure are set aside, pending further resolution by Council.

RECOMMENDATION

That Council:

1. Adopts the Lower Margaret River Foreshore Action Plan subject to recommendations 12.12 and 12.18 being set aside and annotated to reflect they have not been endorsed;
 2. Notes a separate report will be provided in relation to water abstraction; and
 3. Requests that further research and consultation be undertaken to ascertain the feasibility of the proposed Wildness Zones.
-

LOCATION PLAN



TABLED ITEMS

Nil

BACKGROUND

The lower Margaret River foreshore reserves are recognised for their very high ecological, social and cultural values. In 2017, the Shire commissioned the development of the Lower Margaret River Foreshore Action Plan (Plan). Nature Conservation Margaret River Region (NCMRR) was appointed to prepare the Plan on behalf of the Shire, following a competitive Request for Quotation process.

The Plan provides a detailed description of the current condition of the foreshore reserves and recommendations on management requirements to aid in the protection of values, attributes and functions of the Margaret River foreshore reserves now and into the future.

The Plan considers how recreational pressures can be managed in line with a future population increase, whilst protecting the important environmental and cultural values of the Margaret River foreshore reserves.

CONSULTATION AND ADVICE

External Consultation

Community consultation formed a key requirement during preparation of the Plan. This included eleven key stakeholder meetings and five open community meetings at various sites along the river. A draft plan was then prepared on the basis of field investigations and community consultation sessions.

NCMRR presented a draft plan to the community on 26 June 2018. The draft plan was made available for comment on the NCMRR website for a period of 21 days and a media article encouraged public submissions. Additionally, stakeholders and landholders along the river were emailed and encouraged to provide comment. NCMRR also issued a copy of the draft report to the South West Aboriginal Land and Sea Council (SWALSC).

Two community submissions were received by NCMRR. The submissions essentially referred to two discreet issues: firstly, landholder access to river water and access to the reserves to operate and maintain private infrastructure for abstraction, such as pumps, piping, electricity supply and shelters;

and secondly, access for bicycling between the town and the coast along the river and to key cycling nodes.

Consequently, NCMRR met with Shire staff to discuss submissions and subsequently prepared a revised draft, which was then also presented to the South West Boorah Working (SWB) Party on 24 October 2018. No feedback has been received from SWALSC or the SWB Working Party.

The draft plan was presented to Council at the Ordinary Meeting on 23 January 2019 for consideration and received Council endorsement for release to the broad community as part of a 28-day period consultation process.

Letters were sent to landholders adjacent to river foreshores and along the river due to their potential to be directly affected by proposed recommendations within the plan, inviting them to make a submission to the Shire. Twenty-eight submissions were received on the plan.

Internal Consultation

An internal Reference Group was established at the commencement of the project comprising staff from Environment and Landcare Services, Asset Services, Planning and Development Services, Community Emergency Services and Infrastructure Works. The group met several times with NCMRR during the development of the plan to discuss key issues and assist with the information required by the consultants.

DISCUSSION / OFFICER COMMENTS

The Plan provides a comprehensive analysis of foreshore conditions (detailed foreshore and upland condition assessments) and threats to the river (including weed mapping), together with a suggested suite of prioritised management measures to aid in the protection and enhancement the ecological, social and cultural values of the river. Strategic and on- ground actions, such weed and erosion control, revegetation and recreational access, including walking and bicycling trails, as well as prioritised recommendations for implementation are discussed across four distinct areas as well as the entire assessment area. It also details intensive revegetation action suggested for 16 priority areas, priority weed control, including high priority early intervention targets, along with strategic and ongoing containment control. This presents significant guidance on immediate action and future directions to the Shire.

In terms of future directions, the Plan recommends greater community consultation and collaboration, particular with Indigenous custodians.

Recommendations were generally well supported by the community and the Shire's consultation approach directly addressed the recommendation for greater consultation. However, two items warrant further discussion when considering endorsement of the Plan.

Wildness Zones


A key recommendation of the report concerns Wildness Zones along the river, responding to values identified during field assessments and community consultation, and described as:

areas that, for lack of a better descriptor, retain a 'wildness quality'. These areas remain in excellent natural condition, are relatively free of infrastructure and retain a feeling of remoteness due to the perceived distance from human elements such as houses, roads, developed access, noise and other infrastructure.

Five Wildness Zones were identified, together making up approximately 3 km of the river foreshore, about 21% of its length between the town and the coast.



Legend

 Indicative areas of high 'wildness quality'

750 0 750 1500 2250 3000 m



Figure 1: Wildness Zones - indicative areas identified as having high 'wildness quality'

The draft Plan makes the following recommendations for proposed Wildness Zones:

- The human footprint in areas with high 'wildness quality' to be restricted. This includes constructed walking/cycling/vehicle tracks, signs or other infrastructure.
- Rehabilitation to be undertaken where appropriate to protect and restore areas with high 'wildness quality'.
- Wherever possible, ground-disturbing activities required for fire management should not be conducted within areas of high 'wildness quality'. This includes construction and maintenance of access tracks, firebreaks, fuel-reduction buffers and water abstraction.
- Activities, including services and infrastructure, adjacent to areas of high 'wildness quality' that may impact on landscape values and/or otherwise degrade the quality of such areas should be avoided where possible. Such activities should not be permitted within areas of high 'wildness quality'.
- Management activities considered beneficial to the protection of areas of high 'wildness quality' should be carried out on adjoining lands where possible.

The recognition of Wildness Zones, while noted in the draft Plan, requires further consideration prior to any Council consideration for endorsement.

Related to the matter of Wildness Zones, when considering the Winter Diversion Trail Working Group Report at the Special Council Meeting on 5 June 2018, Council previously resolved in relation to Wildness Zones to:

RECOMMENDATION / COUNCIL DECISION

CR MELDRUM, CR LANE SM2018/2

That Council:

...

8. *In relation to recommendation 18, receives a further report on any financial, legal, land tenure, community and stakeholder consultation requirements before proclaiming the proposed five Wild-ness Zones along the Lower Margaret River.*

CARRIED 7/0

And

SUPPLEMENTARY MOTION 4 / COUNCIL DECISION

CR GODDEN, CR MCLEOD SM2018/6

10. Council reinforces the desire of the working party to fully investigate the opportunity for Wild-ness Zones and bring them to fulfilment.

CARRIED 7/0

In order to progress the establishment of the Wildness Zones, additional research is required to:

- Map and clearly define the proposed Wildness Zone boundaries;
- Clearly define a Wildness Zone and what activities will not be permitted within these zones;
- Investigate the legalities of creating and proclaiming Wildness Zones under Western Australian legislation;
- Investigate alignment with international best practice and management guidelines for Wildness Zones (including guidance provided by the The International Union for Conservation of Nature (IUCN));
- Commence community consultation to gauge support for this proposed wildness zones.

Given the complexities surrounding a suggested implementation of Wildness Zones alongside the Margaret River, it is therefore essential that the proposal be further investigated by the Shire in consultation with key stakeholders, including but not limited to the Margaret River Collaborative Management Group, a collaborative group with representation from various groups with and interest in the management of the River. Following further consideration of the matter, a report will be provided to Council in the future.

Private abstraction infrastructure

A recommendation within the Plan is the removal of private abstraction infrastructure, such as pumps and pipes, from the Shire-vested foreshore reserves. Twenty-nine (29) structures have been identified within the study area, allowing people to remove water from the river and tributaries.

Options for management of abstraction equipment could include:

- a) restrict/prohibit their use; or
- b) formalise their use, which could involve licencing of equipment and/or staged relocation of equipment to within private property boundaries.

Of the 28 submissions received, 23 submissions were from landholders that abstract from the river or from river-adjacent groundwater systems within Shire-vested reserves.

The submissions received clarified varied individual circumstances in which abstraction is undertaken. In addition, formal advice from the Department of Water and Environmental Regulation on the ecological impact of abstraction has been received. Further clarification around legal land access is required before a recommendation can be provided to Council. It is intended to present this matter in a report to Council around June 2019.

Summary

It is proposed that the overall Plan is considered a sound document to guide on-ground management of Shire-vested foreshore reserves to the Margaret River. It is recommended the Plan be adopted for implementation, under the proviso that recommendations relating to the Wildness Zones and abstraction from the river are set aside, pending a future resolution by Council.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

The Shire of Augusta Margaret River *Local Government Property Local Law (2013)* states:

3.13 (1) *A person shall not without a permit—*

(n) erect or install any structure above or below ground, which is local government property, for the purpose of supplying any water, power, sewer, communication, television or similar service to a person;

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 2: Healthy waterways and their foreshores

Strategic Response: Develop partnerships to maintain, improve and measure the quality and ecological values of waterways, rivers and wetlands and ensure environmental flows through urban

and rural catchments.

Action 1.2.1.3: Finalise and commence implementation of the Margaret River Foreshore Action Plan.

PLANNING FRAMEWORK

The Shire of Augusta Margaret River Local Planning Scheme No. 1 states:

3.4.1 A person must not

(b) Commence or carry out development on a Local Reserve, without having first obtained Planning Approval under Part 10 of the Scheme.

FINANCIAL IMPLICATIONS

This report is seeking final adoption of the Plan (in part). There will be some financial implications associated with the implementation of the Plan following its adoption. These works can be implemented over multiple years, using annual budget allocations and external grants, where available.

SUSTAINABILITY IMPLICATIONS

Environmental

The Margaret River is identified as an important environmental asset. The Plan will guide future actions to protect the health of the Margaret River. The plan will help to prioritise actions and assist in sustainable allocation of resources.

Social

The Margaret River is a socially and culturally important place the community and visitors to the region. Currently the river provides opportunity for low-key recreational activities, such as walking, bicycling, swimming and kayaking and the Plan will provide for these activities to continue in a sustainable manner.

Economic

The town takes its name from the Margaret River and the health of the river and the natural environment are acknowledged as key elements of the Shire's economic well-being.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council:

1. Adopts the Lower Margaret River Foreshore Action Plan subject to recommendations 12.12 and 12.18 being set aside and annotated to reflect they have not been endorsed;
2. Notes a separate report will be provided in relation to water abstraction; and
3. Requests that further research and consultation be undertaken to ascertain the feasibility of the proposed Wildness Zones.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

1. Lower Margaret River Foreshore Action Plan
2. Schedule of Submissions

RECOMMENDATION

CR LANE, CR EARL

That Council:

1. **Adopts the Lower Margaret River Foreshore Action Plan subject to recommendations 12.12 and 12.18 being set aside and annotated to reflect they have not been endorsed;**
2. **Notes a separate report will be provided in relation to water abstraction; and**
3. **Requests that further research and consultation be undertaken to ascertain the feasibility of the proposed Wildness Zones.**

0/0

Cr Godden moved the following amendment:

AMENDMENT / COUNCIL DECISION

CR GODDEN, CR MCLEOD OM2019/85

That in point 1 the words:

'they have not been endorsed' be omitted and replaced with: 'they are deferred pending further information'.

CARRIED 7/0

REASON

Cr Godden spoke to the amendment, stating it clarifies that further information will be sought and potentially 12.12 and 12.18 could be endorsed in the future.

This then became the primary motion:

PRIMARY MOTION / COUNCIL DECISION

CR LANE, CR EARL OM2019/86

That Council:

- 1. Adopts the Lower Margaret River Foreshore Action Plan subject to recommendations 12.12 and 12.18 being set aside and annotated to reflect they are deferred pending further information'**
- 2. Notes a separate report will be provided in relation to water abstraction; and**
- 3. Requests that further research and consultation be undertaken to ascertain the feasibility of the proposed Wildness Zones.**

CARRIED 7/0

11.3.2 EROSION AND SEDIMENT CONTROL LOCAL LAW

LOCATION/ADDRESS	Shire of Augusta Margaret River
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	COR/91
REPORT AUTHOR	John McKinney, Coordinator Environment and Landcare Services Ian McLeod, Coordinator Legal Services
AUTHORISING OFFICER	Markus Botte, Director Infrastructure Services

This Item was published as a late report on 20 May 2019.

IN BRIEF

- The Joint Standing Committee on Delegated Legislation (JSC) has reviewed the Shire's Erosion and Sediment Local Law and raised concerns that the Local Law's current wording may create an unintended unreasonable obligation on the public.
- The JSC is concerned that even if the person has taken reasonable measure to prevent erosion or the escape of sediment they may still be required to make good any damage
- The JSC requests the Shire President to sign an undertaking that it will insert a reasonableness requirement into clause 2.2 when the law is next amended and until that time not to enforce clause 2.2 contrary to the required amendment.
- Shire officers will commence the process to amend the local law as soon as practicable.

RECOMMENDATION

1. That Council resolves to undertake to the Joint Standing Committee on delegated Legislation that the Shire will:
 - a) When the Local Law is next amended or reviewed, amend the Erosion and Sediment Control Local Law 2019 to:
 - i. In Clause 2.2(1)(d) insert words 'take all steps reasonably practical to' before the word 'remove'.
 - ii. In Clause 2.2(1)(e) insert the word 'reasonably' after the word 'considers'.
 - iii. Make all necessary consequential amendments.
 - b) Until the Local Law is amended in accordance with undertaking 1:
 - i. Not enforce the Local Law in a manner contrary to undertaking 1.
 - ii. Where the Local Law is made publicly available, whether in hard copy or electronic form (including on the Shire's website), ensure that it is accompanied by a copy of these undertakings.
 2. That in accordance with section 3.12 of the Local Government Act 1995 the President or person presiding over the meeting gives notice to the meeting of the purpose and effect of the proposed amendment to the Erosion and Sediment Control Local Law 2019 as follows:
 - a) The purpose of the proposed amendment to the Erosion and Sediment Control Local Law 2019 is to insert a reasonableness requirement into the power to issue notices under clause 2.2.
 - b) The effect of the proposed amendment to the Erosion and Sediment Control Local Law 2019 is that landowners, builders, developers and trades working subject to the provisions of this local law will not be subject to notices to 'make good any damage' under clause 2.2 if they have taken all steps reasonably practical to prevent soil erosion .
 3. Authorises State-wide notification of the proposed amendment in accordance with Section 3.12(3) of the *Local Government Act 1995* outlining the Shire's intention to amend Erosion and Sediment Control Local Law 2019
-

LOCATION PLAN

Nil

TABLED ITEMS

Nil

BACKGROUND

At the OCM on 27 February 2019, Council adopted the *Erosion and Sediment Control Local Law 2019*. A letter has since been received from the Joint Standing Committee (JSC) on Delegated Legislation (Attachment 1)

The JSC have raised concerns that Clause 2.2 of the local law states that the local government may issue a notice if a person has not complied with clause 2.1 (being failure to take reasonable steps to prevent) or if soil, sediment or pollutant is escaping, being released carried, or is likely to be released.

This means that even if a person has taken reasonable measures to prevent erosion or the escape of sediment, they will still be required to 'make good any damage'. Therefore, even if a person has taken steps to 'the maximum extent practicable' to prevent any harm, they can still be liable for extensive damage, with requirement that any make good provision be 'reasonable'.

As such, the JSC requires a reasonableness requirement be inserted when the local law is next reviewed and that no enforcement action in relation to this matter be taken until such amendment has been made. Further detail is provided in their advice attached.

CONSULTATION AND ADVICE

External Consultation

External consultation on the draft local law was undertaken as detailed in the OCM of 27 February 2019.

Internal Consultation

Legal services and Infrastructure Services have considered the advice from the Joint Standing Committee and agreed that the Shire should follow the request for undertakings to avoid the Local Law being disallowed.

DISCUSSION / OFFICER COMMENTS

The intent of the local law was to provide an enforcement tool for those persons who do not make effort to prevent erosion, or those who do not make good when erosion has occurred. It was not the intent of the local law to further infringe people who despite making reasonable steps to prevent erosion, do indeed cause erosion to occur.

The JSC have advised that the local law will be disallowed if the amendment is not made. As such, the Shire will, as soon as possible, commence proceedings to amend the law as required.

Under Section 3.12(1) and (8) of the *LG Act*, the procedure for amending a local law is the same as the procedure for making a local law, i.e., there must be:

- A Council resolution giving notice of purpose and effect of proposed amendment,
- Statewide public notice;
- A 6 week submission period;
- A report to Council considering any submissions and recommending adoption;
- A formal Council resolution adopting the amended local law;
- Publishing the amendment in the Government Gazette; and
- Providing local public notice that the amendment has been adopted.

While all these steps can not be completed prior to winter, Shire officers will endeavour to implement the Shire's undertaking in relation to procedural steps as soon as possible, with the first step included in this item. In the meantime, the Shire is still able to enforce the provisions of the local law, so long as it is not done in a way that is contrary to the proposed amendment.

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 2: Healthy waterways and their foreshores

Strategy 1: Develop partnerships to maintain, improve and measure the quality and ecological values of waterways, rivers and wetlands and ensure environmental flows through urban and rural catchments.

FINANCIAL IMPLICATIONS

Advertising of the proposed amendments to the adopted Local Law is required and also publishing the amended Local Law in the Government Gazette. The advertising charges will be covered from existing budget allocations.

SUSTAINABILITY IMPLICATIONS

Environmental

The amended Local Law will support environmental management programs that protect the local amenity and health of the Shire's waterways and waterbodies.

Social

Through this program, the Shire will be endeavouring to continue to engage with and educate the construction industry and owners/occupiers of land to improve management practices.

Transport of soil, sediment and pollutant from construction sites is highly conspicuous when the river shows signs of high turbidity, and triggers community concern about impacts on the environment.

Economic

The value of healthy natural waterbodies and watercourse is difficult the measure in economic terms, but the Margaret River and Blackwood River are both widely valued throughout the community and supports the economic and tourism potential of the Shire of Augusta Margaret River.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

1. That Council resolves to undertake to the Joint Standing Committee on delegated Legislation that the Shire will:
 - a) When the Local Law is next amended or reviewed, amend the Erosion and Sediment Control Local Law 2019 to:
 - a. In Clause 2.2(1)(d) insert words 'take all steps reasonably practical to' before the word 'remove'.
 - b. In Clause 2.2(1)(e) insert the word 'reasonably' after the word 'considers'.
 - c. Make all necessary consequential amendments.
 - b) Until the Local Law is amended in accordance with undertaking 1:
 - a. Not enforce the Local Law in a manner contrary to undertaking 1.
 - b. Where the Local Law is made publicly available, whether in hard copy or electronic form (including on the Shire's website), ensure that it is accompanied by a copy of these undertakings.
2. That in accordance with section 3.12 of the Local Government Act 1995 the President or person presiding over the meeting gives notice to the meeting of the purpose and effect of the proposed amendment to the Erosion and Sediment Control Local Law 2019 as follows:
 - a) The purpose of the proposed amendment to the Erosion and Sediment Control Local Law 2019 is to insert a reasonableness requirement into the power to issue notices under clause 2.2.
 - b) The effect of the proposed amendment to the Erosion and Sediment Control Local Law 2019 is that landowners, builders, developers and trades working subject to the provisions of this local law will not be subject to notices to 'make good any damage' under clause 2.2 if they have taken all steps reasonably practical to prevent soil erosion .
3. Authorises State-wide notification of the proposed amendment in accordance with Section 3.12(3) of the *Local Government Act 1995* outlining the Shire's intention to amend Erosion and Sediment Control Local Law 2019

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

1. CONFIDENTIAL Correspondence from Joint Standing Committee on Delegated Legislation

RECOMMENDATION / COUNCIL DECISION

CR EARL, CR LANE OM2019/87

1. That Council resolves to undertake to the Joint Standing Committee on delegated Legislation that the Shire will:
 - a) When the Local Law is next amended or reviewed, amend the Erosion and Sediment Control Local Law 2019 to:
 - a. In Clause 2.2(1)(d) insert words 'take all steps reasonably practical to' before the word 'remove'.
 - b. In Clause 2.2(1)(e) insert the word 'reasonably' after the word 'considers'.
 - c. Make all necessary consequential amendments.
 - b) Until the Local Law is amended in accordance with undertaking 1:
 - a. Not enforce the Local Law in a manner contrary to undertaking 1.
 - b. Where the Local Law is made publicly available, whether in hard copy of electronic form (including on the Shire's website), ensure that it is accompanied by a copy of these undertakings.
2. That in accordance with section 3.12 of the Local Government Act 1995 the President or person presiding over the meeting gives notice to the meeting of the purpose and effect of the proposed amendment to the Erosion and Sediment Control Local Law 2019 as follows:
 - a) The purpose of the proposed amendment to the Erosion and Sediment Control Local Law 2019 is to insert a reasonableness requirement into the power to issue notices under clause 2.2.
 - b) The effect of the proposed amendment to the Erosion and Sediment Control Local Law 2019 is that landowners, builders, developers and trades working subject to the provisions of this local law will not be subject to notices to 'make good any damage' under clause 2.2 if they have taken all steps reasonably practical to prevent soil erosion.
3. Authorises State-wide notification of the proposed amendment in accordance with Section 3.12(3) of the *Local Government Act 1995* outlining the Shire's intention to amend Erosion and Sediment Control Local Law 2019

CARRIED 7/0

11.4. Corporate and Community Services

11.4.1 COMMUNITY CONTRIBUTIONS 2019-20

LOCATION/ADDRESS	Shire of Augusta Margaret River
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	FIN/358
REPORT AUTHOR	Hannah Waters, Executive Assistant Corporate and Community Services
AUTHORISING OFFICER	Andrew Ross, Acting Director Corporate and Community Services

Cr Godden disclosed an impartiality interest in the Item at Item 3.1.

IN BRIEF

- Each year Council contributes a percentage of the budget towards Community Contributions funding for community organisations.
- Information regarding Community Contribution funding requests was advertised in the Augusta Margaret River Times and on the Shire website.
- Applications closed for funding requests for the 2019-20 budget on 1 March 2019.
- Council is to consider the funding requests received and to allocate Community Contributions funding for the annual budget for 2019-20.

RECOMMENDATION

That Council provides an amount of \$73,827 in the annual budget for 2019-20 and allocates funding for the following community groups:

Community Contributions 2019-20	
Community Organisation	\$
Witchcliffe Progress Association for the Witchcliffe "Druids" Hall	2,500
Rosa Brook Community Association for the Rosa Brook Community Hall	2,500
Alexandra Bridge Hall And Social Committee for the Alexandra Bridge Community Hall	2,500
Gracetown Progress Association for the Gracetown Community Hall	5,000
Augusta Centennial Hall Management Committee for the Augusta Centennial Hall	6,900
Karridale Hall Management Committee for the Karridale Hall	5,000
Cowaramup Halls, Reserves and Residents Association Inc.	10,000
Augusta Historical Management Committee for the Augusta Historical Society and Historical Museum	26,032
Margaret River and Districts Historical Society for the Old Settlement	9,000
Margaret River Chamber of Commerce and Industry	3,195
Natural Learning Centre, Margaret River Inc.	1,200
Total	73,827

LOCATION PLAN

Nil

TABLED ITEMS

Nil

BACKGROUND

The objective of Shire's CCSP10 Finance Policy is to provide an overarching framework for the Shire of Augusta Margaret River to provide financial assistance to community organisations and individuals within our local community to enhance community values and aspirations.

The implementation of the Policy ensures:

- Transparency and accountability to the community
- Fairness and equity to all applicants
- Eligibility criteria is applied to each type of financial assistance
- The amount of financial assistance available
- Guidelines are in place to assist applicants in completion and lodgement of forms
- Applications are assessed by a delegated Officer
- Effective reporting mechanisms and administrative procedures advise Council of the type and total value of financial assistance provided for the financial year.

The policy and associated procedures provide guidance to Shire staff and Councillors as to eligibility, timeframes for application and assessment. Contributions are to be determined by Council with the amount of assistance available at Council's discretion.

Tiered System for Council Contributions

In 2017 a tiered contribution system for community halls was implemented for the 2017-18 financial year. The three tiered system is based on the hall capacity and activation level of the facility and is aimed to relieve the administrative pressures and streamline the Shire's financial support to the groups (shown in Attachment 11.4.1.1). As part of the review, financial assistance was allocated to Operational Maintenance, Asset Maintenance, and Capital Items and was split into the relevant service budgets (shown in Attachment 11.4.1.2). For example, operational expenses will be funded from the Director Corporate and Community Services budget while asset maintenance and requests for capital items will be budgeted and funded from the Community Buildings and Community Amenities budgets. Assistance for reserve maintenance for Cowaramup will be provided from the Parks and Gardens budget. These changes removed the obligation for the groups to submit a Council Contribution request or complete a Council Contribution acquittal.

Due to the complexity and individual nature of the management of the facilities and projects undertaken by the Augusta Historical Management Committee (formerly the Augusta Museum and the Augusta Historical Society), the Margaret River Historical Society and the Cowaramup Halls and Residents Association these were not included within the initial tiered system. As they were not included on the tiered system an application for financial assistance will need to be submitted annually for consideration.

Table 1 – Community Contributions for the past five financial years

Community Organisation	2014-15	2015-16	2016-17	2017-18	2018-19
<i>Museums</i>					
Augusta Historical Museum	14,329	16,375	20,475	15,925	0
Augusta Historical Society	800	0	0	12,492	0
Augusta Historical Management Committee	0	0	0	0	26,032
Margaret River and Districts Historical Society	7,340	12,000	11,000	9,000	9,000
<i>Hall Management Groups</i>					
Alexandra Bridge Hall and Social Committee	5,000	0	0	1,500	1,500
Augusta Centennial Hall	12,000	12,000	12,000	5,000	5,000
Cowaramup Hall Reserves and Residents	37,000	38,000	38,000	11,374	11,374
Gracetown Progress Association	3,500	4,157	4,647	5,000	5,000
Karridale Hall M/Committee	4,930	5,720	3,160	2,720	1,500
Rosa Brook Sporting and Cultural Facilities	0	1,000	1,000	1,500	1,500
Witchcliffe Progress Association	0	0	0	0	0
<i>Agricultural Societies</i>					
Margaret River District Ag Society**	6,000	0	0	0	0
SW Group affiliated Ag Associations	0	250	0	250	0
<i>Events</i>					
Augusta River Festival**	5,000	0	0		0
<i>Other</i>					
South West Academy of Sport			4,400	4,400	4,400
Margaret River Concert Band	4,000	4,000	3,360	3,360	0
Cowaramup Volunteer Bushfire Brigade	0	0	0	1,000	0
Margaret River Regional Environment Centre Inc.***	0	0	0	10,000	10,000
Augusta Community Resource Centre	0	0	0	0	1,650
Rotary Club of Margaret River (Auspice organisation for Meire de Mello)	0	0	0	0	1,200
Margaret River Community Centre (Auspice organisation for the Little Languages Program)	0	0	0	0	1,000
TOTAL	99,899	93,502	98,042	83,521	79,156

*The 2018-19 figure above only shows allocations from the Director Corporate and Community Services budget. It does not include requests and or consideration for allocations from “other” team budgets such as Community Buildings, Community Amenities or Parks and Gardens.

CONSULTATION AND ADVICE

External Consultation

Calls for submissions for Community Contributions were advertised in the Augusta Margaret River Times during January to March 2019 and details were available through the Shire website. A request

was sent to the hall management committees to submit copies of their insurance details, current financial statements, any additional needs not covered by their annual contribution and provide feedback on the current tiered system.

Internal Consultation

Acting Director Corporate and Community Services
Coordinator Community Planning and Development
Internal Events Discussion Group
Waste Education and Project Officer

DISCUSSION / OFFICER COMMENTS

Council Contributions are available for all community organisations who make their membership available to the general community and are an incorporated, community-based volunteer and not-for-profit organisation functioning in the Shire. Submissions for Council Contributions are advertised annually for the forthcoming financial year. Table 2 below shows direct allocations from the tiered Council Contribution system where applicable and all other submissions for Community Contribution funding received for consideration in the 2019-20 budget.

Table 2 - Tiered Contributions and Requests Received

SHIRE OF AUGUSTA MARGARET RIVER
ORDINARY COUNCIL MEETING 22 MAY 2019

Community Organisation	Total Request	DCD44 2019-20 \$	Comments	OTHER 2019-20 \$	Comments
Witchcliffe Progress Association	500	2,500	Tier 1 – Contribution towards operational costs. The hall does not have any Public Liability Insurance.	TBC	A list of asset maintenance and capital works has been submitted to the CEO and Coordinator Building Assets and Maintenance.
Rosa Brook Sporting and Cultural Facilities	1,500	2,500	Tier 1 - Contribution towards operational costs.		
Alexandra Bridge Community Hall	1,500	2,500	Tier 1 - Contribution towards operational costs. No financial information received. Insurance information not known.		
Gracetown Progress Association	5,000	5,000	Tier 2 - Contribution towards operational costs.		
Augusta Centennial Hall	6,900	6,900	Tier 2 - Contribution and towards operational costs and request to offset of hall hire (as approved in 2018-19). The hall does not have Public Liability Insurance.	TBC	Request replacement of shade cloth in atrium. Request forwarded onto Coordinator Building Assets and Maintenance.
Karridale Hall Management Committee	5,000	5,000	Tier 2 - Contribution towards operational costs. No application or financial information received. Insurance information not known.		
Cowaramup Hall Reserves and Residents Association	38,000	10,000	Tier 2 - Contribution towards operational costs for both halls.	TBC Requested: (13,000 for hall and pavilion maintenance from Community Buildings and Community Amenities). (15,000 for hall and pavilion oval and surrounds mowing and maintenance from Parks and Gardens).	Contribution towards asset maintenance and hall maintenance. Contribution towards asset maintenance - hall maintenance, Community Centre, Pioneer Park and Reserve maintenance

SHIRE OF AUGUSTA MARGARET RIVER
ORDINARY COUNCIL MEETING 22 MAY 2019

Augusta Historical Management Committee	31,233	26,032	Contribution towards operational costs and curator stipend.		
Margaret River and Districts Historical Society	12,000	9,000	No application or financial information received. Allocation matched to past two financial years. Contribution towards curator and operational costs.	TBC Requested: 3,000 Community Buildings and Community Amenities	Contribution towards asset maintenance - Restoration of school and group house windows and Internal restoration of group house.
Augusta Community Resource Centre	3,165	0	Support for a Town Market style community event in January 2020.	TBC	A copy of the request has been forwarded to the Marketing and Events Officer for consideration.
Precious Plastics Margaret River Co-op	20,000	0	Purchase of materials to build an injection mould machine, extruder and sheet press machine \$17,000. Manufacture of the mould machine \$3,000.	TBC	A copy of the application has been forwarded to the Waste Education and Project Officer
Margaret River Uniting Church	5,000	0	Support for the 2020 Deep Listening Festival.	TBC	A copy of the request has been forwarded to the Marketing and Events Officer for consideration.
Augusta Margaret River Hawks Football and Netball Club Incorporated	44,100	0	Contribution towards operational costs, maintenance, asset replacement, purchase of capital items and club event.	TBC	A list of asset maintenance and capital works has been submitted to the Coordinator Building Assets and Maintenance for consideration.
Margaret River Chamber of Commerce and Industry	5,500	3,195	Launch of the MR Local sticker campaign and Small Business Fair being held at the HEART	TBC	A copy of the request has been forwarded to the Sustainable Economy Officer and the Marketing and Events Officer for consideration.
The Natural Learning Centre, Margaret River Inc.	1,200	1,200	Support for a local clean-up day in Rosa Brook surrounding the Natural Learning Centre site to make it safe for children		
Margaret River Regional Environment Centre Inc.	2,465	0	Contribution towards operational costs and asset maintenance		

SHIRE OF AUGUSTA MARGARET RIVER
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University of the Third Age Margaret River (U3A)	1,393	0	Contribution towards newspaper advertising to attract new members		
Stand By Me Sanctuary	5,000	0	Contribution towards care, feeding and accommodating injured, sick and orphaned animals in Margaret River.		
TOTALS	189,456	73,827			
COMBINED TOTAL					

Review of the Tiered System for Council Contributions, Financial Assistance Policy and Procedures

To test the tiered contribution system effectiveness the community hall management groups, museums and historical societies were asked to submit a copy of their 2017-18 Statement of Revenue and Expenditure, current bank statement and a copy of their Public Liability Insurance. This offered a deeper understanding of how the management committees manage the Shire facilities throughout the year and identification of any gaps or inequity in the distribution of funds across the tiers. A key finding was that several of the hall committees do not have Public Liability insurance coverage. All of the halls are covered under the Shire's insurance however (LGIS, the Shire's insurance company) have advised that the Shire is no longer permitted to take out public liability insurance on behalf of hall committees. The individual groups must source their own coverage.

The collated information has also been used to improve the Tiered System for Council Contributions, addressing some inequities in the amount of funding received by hall committees for operational costs and ensuring public liability insurance obligations can be met. As shown in Table 3 below.

Table 3 – Revised Tiered System for Council Contributions

Community Hall	Tier	Comment
Witchcliffe "Druids" Hall	Tier 1 - \$2,500	To assist operational costs and cover Public Liability Insurance
Rosa Brook Community Hall	Tier 1 - \$2,500	To assist operational costs and cover Public Liability Insurance
Alexandra Bridge Hall	Tier 1 - \$2,500	To assist operational costs and cover Public Liability Insurance
Gracetown Community Hall	Tier 2 - \$5,000	To assist operational costs and cover Public Liability Insurance
Karridale Hall	Tier 2 - \$5,000	To assist operational costs and cover Public Liability Insurance
Augusta Centennial Hall	Tier 2 - \$5,000	To assist operational costs and cover Public Liability Insurance
Cowaramup Hall, Reserves and Residents Association	Tier 2 - \$5,000	To assist operational costs and cover Public Liability Insurance Note: The Association would be eligible for \$10,000 as there are two halls contained in their area of responsibility
Annual Combined Total of Council Contributions for Community Hall Groups = \$32,500		

The Augusta Historical Management Committee and the Margaret river Museum and Historical Society have not be included on the Tiered System for Council Contributions. Both groups are still required to submit an annual application to be considered for assistance.

A holistic review of the Council Contribution Procedure and Guidelines was undertaken in conjunction with the Tiered System review once all of the 2019-20 submissions were received. Applications show an increase in requests for financial support to community groups who operate from facilities leased from the Shire and for support towards community events. Although wording may differ from lease to lease generally speaking, clubs/associations/groups are responsible for operational costs, asset maintenance and the purchase of capital items.

The question of the inclusion of community events in this funding pool was raised as no criteria has been put in place to assess the application. Applications received for Icon Events are required to demonstrate the social, environment and economic implications of the event as well as address sustainable management practices and sponsorship benefits. Although the events submitted for the Council Contribution funding round wouldn't necessarily be considered Icon Events, the Chief Executive Officer's budget contains a Local Event allocation and Community Development also offer grants annually where events may be more equitably considered. Comparing a pool of proposed events against each other was deemed to provide a fairer assessment than comparing an event against operational expenses for Shire facilities or programs/activities that strengthen the community. The applications requesting funding towards events were redistributed internally for consideration in the most appropriate area and removed from consideration for a Council Contribution within this framework. The Council Contribution procedure has been updated to reflect these changes.

An assessment of the applications has been undertaken using the updated Council Contribution Tiered System and Procedure with the following recommendations:

Witchcliffe Progress Association – Receive the full Tier 1 allocation upon presentation of a current Public Liability Insurance Policy.

Alexandra Bridge Community Hall – Receive the full Tier 1 allocation upon presentation of their 2017-18 statement of revenue and expenditure and a current Public Liability Insurance Policy.

Augusta Centennial Hall – Receive the full Tier 2 allocation and additional funds to offset community hall hire fees upon presentation of a current Public Liability Insurance Policy. Note: Their tier allocation was increased to match the revised 2018-19 Council Contribution.

Karridale Hall Management Committee – Receive the full Tier 2 allocation upon presentation of their 2017-18 statement of revenue and expenditure and a current Public Liability Insurance Policy.

Cowaramup Halls, Reserves and Residents Association Inc. – Historically the group has not been included in the tiered system. The review showed the Association is in a strong financial position and appeared to have no greater complexities in the operational management of the pavilion and the hall than experienced by the other hall committees. As a result the group have been added to the tiered system however would be eligible for \$10,000 as there are two buildings to operate. Contributions towards asset and reserve maintenance have been forwarded directly to the relevant teams for budget consideration.

Augusta Historical Management Committee – In 2018-19 a decision was made to allow the Augusta Historical Museum to retain all takings to reduce administration on both the Committee and the Shire. The retention of the takings reduced administration surrounding banking and petty cash authorisations between the Shire and the Committee. It also allows the funds to be used to support operations. The estimated annual takings are \$7,500. As the new arrangement has not yet been in operation for a full year, the allocation for 2019-20 has been kept the same as 2018-19 even though a slight increase was requested.

Margaret River and Districts Historical Society – Although no application was received during the submission period the annual allocation has been matched to previous two financial years to support operational costs. Funding to be made available upon presentation of their 2017-18 statement of revenue and expenditure and a current Public Liability Insurance Policy.

Augusta Community Resource Centre – The community event proposal was forwarded to the Marketing and Events Officer for consideration under the Chief Executive Officers local events budget.

Precious Plastics Margaret River Co-op (PPMR) – PPMR operate as a social enterprise based on the ideals of the Precious Plastic Community, a global community operating under an open source licence. In Australia there is no legal structure called social enterprise however they are recognised as organisations that:

- a) Are driven by a public or community cause, be it social, environmental, cultural or economic.
- b) Derive most of their income from trade, not donations or grants.
- c) Use the majority (at least 50%) of their profits to work towards their social mission.*

*Source – Social Traders www.socialtraders.com.au

Under this structure PPMR don't qualify for a Council Contribution. It should be noted that the Waste Education and Project Officer is aware of the group's initiatives and supporting the group's efforts in plastic collection.

Margaret River Uniting Church – The 2020 Deep Listening Festival was forwarded to the Marketing and Events Officer and Community Development for consideration within the scope of their events/community grant budgets.

Augusta Margaret River Hawks Football & Netball Club Inc. – Club have a ten year lease expiring in October 2024. Under the terms of the lease the Lessor is responsible for maintenance of the premises and the payment of the services. Operational and equipment replacement costs are to be borne by the Club. The list of requested works has been submitted to the Coordinator Building Assets and Maintenance for their information and consideration.

Margaret River Chamber of Commerce and Industry – The application comprised of two separate activities the MR. Local Sticker Campaign and the MR. Local Small Business Fair. The MR. Local sticker campaign will enable the production and distribution of "support local" window and car bumper stickers. This is to build support for local businesses creating a "think local first" movement. Stickers would also be distributed at the small business fair held at the Margaret River HEART in October 2019. Information for the small business fair has been forwarded onto the Marketing and Events Officer and the Sustainable Economy Officer for review and consideration for support.

The Natural Learning Centre – The Natural Learning Centre are organising a community clean up in the area immediately surrounding their location in Rosa Brook. The removal of dumped materials such as cars, glass, metal and other old debris will make it a safer environment for both the local community and wildlife. Funds will support the hire of bins, equipment and volunteer support.

Margaret River Regional Environment Centre Inc. (MRREC) – The MRREC have a ten year lease expiring in October 2024. Under the terms of the lease the "Lessee must pay for all of the Services provided to, or used on, the Premises." As with all other facilities leased by the Shire the Shire is not responsible for operational costs. These costs are borne by the Lessee.

University of the Third Age (U3A) – The U3A is not an incorporated, not-for-profit organisation so is not eligible for Council Contribution funding.

Stand By Me Sanctuary – The Sanctuary was established in August 2018 and the original application contained no financial figure for consideration. Further consultation outlined that feeding, medical bills and rehoming animals is very expensive and any financial support the Shire could offer would be appreciated. Allowing time for a full year of operations so an application complete with accurate financials for the 2020-21 financial year would offer an opportunity for a better assessment.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

Section 6.2 of the *Local Government Act 1995* requires that each year a local government prepare and adopt an annual budget.

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)

Corporate Business Plan 2018-2022

Key Result Area 2: Welcoming inclusive and healthy communities

Community Outcome 2.2: Sustainable community groups, networks and facilities

Strategic Response 2.2.1: Support and value volunteers and community groups across the region

CCSP 10 Financial Assistance Policy provides direction on the types of financial assistance available to community organisations and individuals.

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

Shire Procedure F112.5 Council Contribution states that annually the Shire will provide budget funding to a maximum of \$100,000. The Council Contribution submissions total \$73,827 and have been reviewed as outlined above.

SUSTAINABILITY IMPLICATIONS

Environmental

Nil

Social

It is recognised that community organisations play an important volunteer role in the wider community and contribute to the quality of life.

Economic

There is economic value to the Shire in the support of community halls and museums and the ongoing provision of services by community groups.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council provides an amount of \$73,827 in the annual budget for 2019-20 and allocates funding for the following community groups:

Community Contributions 2019-20	
Community Organisation	\$
Witchcliffe Progress Association for the Witchcliffe "Druids" Hall	2,500
Rosa Brook Community Association for the Rosa Brook Community Hall	2,500
Alexandra Bridge Hall And Social Committee for the Alexandra Bridge Community Hall	2,500
Gracetown Progress Association for the Gracetown Community Hall	5,000
Augusta Centennial Hall Management Committee for the Augusta Centennial Hall	6,900
Karridale Hall Management Committee for the Karridale Hall	5,000
Cowaramup Halls, Reserves and Residents Association Inc.	10,000
Augusta Historical Management Committee for the Augusta Historical Society and Historical Museum	26,032
Margaret River and Districts Historical Society for the Old Settlement	9,000
Margaret River Chamber of Commerce and Industry	3,195
Natural Learning Centre, Margaret River Inc.	1,200
Total	73,827

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

1. Tied System for Council Contributions
2. Strategic Review of Community Halls relating to funding and Council Contributions
3. Revised Tiered System for Council Contributions

RECOMMENDATION / COUNCIL DECISION

CR EARL, CR MCLEOD OM2019/88

That Council provides an amount of \$73,827 in the annual budget for 2019-20 and allocates funding for the following community groups:

Community Contributions 2019-20	
Community Organisation	\$
Witchcliffe Progress Association for the Witchcliffe "Druids" Hall	2,500
Rosa Brook Community Association for the Rosa Brook Community Hall	2,500
Alexandra Bridge Hall And Social Committee for the Alexandra Bridge Community Hall	2,500
Gracetown Progress Association for the Gracetown Community Hall	5,000
Augusta Centennial Hall Management Committee for the Augusta Centennial Hall	6,900
Karridale Hall Management Committee for the Karridale Hall	5,000
Cowaramup Halls, Reserves and Residents Association Inc.	10,000
Augusta Historical Management Committee for the Augusta Historical Society and Historical Museum	26,032
Margaret River and Districts Historical Society for the Old Settlement	9,000
Margaret River Chamber of Commerce and Industry	3,195
Natural Learning Centre, Margaret River Inc.	1,200
Total	73,827

CARRIED 7/0

11.4.2 DRAFT 2019-20 SCHEDULE OF FEES AND CHARGES FOR PUBLIC COMMENT

LOCATION/ADDRESS	Shire of Augusta Margaret River
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	FIN/357
REPORT AUTHOR	Vicki Scott, Coordinator Revenue and Customer Service
AUTHORISING OFFICER	Andrew Ross, Acting Director Corporate and Community Services

IN BRIEF

- Council is to consider adopting the 2019-20 draft fees and charges for advertising.
- As the Shire is intending to impose updated fees and charges for 2019-20 before the adoption of the 2019-20 budget the *Local Government Act 1995* (LG Act) requires the Shire to give a minimum of 14 days local public notice of its intention to impose the 2019-20 fees and charges to become effective on 1 July 2019.

RECOMMENDATION

That Council:

1. Approves the draft fees and charges as per attachment 1 that are proposed to be imposed from 1 July 2019 to 30 June 2020; and
 2. Advertises the draft fees and charges for 2019-20 for a minimum of 14 days locally.
-

LOCATION PLAN

Nil

TABLED ITEMS

Nil

BACKGROUND

The fees and charges are set prior to the adoption of the annual budget so implementation is effective from 1 July, the beginning of the financial year to match the timing of cost increases with revenue.

The Shire imposes fees and charges for any goods or service it provides or proposes to provide, and when setting the level of a fee or charge considers the following factors:

- (a) cost to the local government of providing the service or goods;
- (b) importance of the service or goods to the community; and
- (c) price at which the service or goods could be provided by an alternative provider;

Where the Shire is required to amend the adopted Schedule of Fees and Charges, the Schedule is presented to Council for adoption by absolute majority.

CCSP3 Setting of Fees and Charges Policy (OM2017/296), allows for establishing a fair and equitable fee structure which reflects actual reasonable costs for services and goods provided by the Shire.

In keeping with the requirements of the LG Act, the Shire gives public notice for a minimum period of 14 days of the proposed 2018-19 fees and charges before adoption of the annual budget.

CONSULTATION AND ADVICE

External Consultation

Community

Internal Consultation

- Council

- Executive Leadership Team
- Business Unit Managers and Coordinators

DISCUSSION / OFFICER COMMENTS

To assist with financial reporting and budget, Revenue income codes of Chart of Account, Job codes and Work Order Numbers are included in the Schedule for each Business Unit.

Fee and Charge Type descriptive of 'Statutory', 'Regulatory' or 'Shire' are included as follows:

- 'Statutory' charge is levied by the Shire under a legislative Act, and not determined by Council;
- 'Regulatory' charge is levied by the Shire under a legislative Act, regulatory body or Australian Law including Shire Local Laws and is determined by Council; and
- 'Shire' fees and charges are set by the Local Government.

The Shire adopts a 'user contributes' approach to the provision of services and goods in order that the cost burden is fairly set and spread more equitably amongst customers. The basic principles considered in establishing Shire fees and charges are:

- Charges reflect the true cost of providing a facility;
- Compliance with the LG Act and Regulations;
- Fees for a service on a cost recovery basis;
- Importance of the service to the Community; and
- Compliance with Goods and Services Tax (GST).

When considering possible fees and charges increases, the increase in the Perth Consumer Price Index (CPI) is used as a guide. For the 12 months from December 2017 to December 2018 increase in this index was 1.3%. The Shire's Long Term Financial Plan (LTFP) has escalated forecast revenue and expenditure by up to 2%. In order to be consistent Fees and Charges for 2019-20 have been increased by 2%.

Directorates have completed the review of the 2019-20 fees and charges and the following changes noted to specific Business Units:

Corporate Services

Majority of fees and charges for Revenue have increased by the LTFP escalation rate. Finance have removed banking fees as no longer applicable and the Records Business Unit have consolidated fees for Freedom of Information. Provision has been included for fees associated with the HEART facility, however these fees have not yet been determined.

Human and Community Services

Flinders Bay and Turners Caravan Park have revised the fee structure and added new fees for peak, mid and low seasons. Turners Caravan Park chalet accommodation fee structure has been expanded to include peak, mid and low season rates. A fee has been included for the booking of an on-site van located at Flinders Bay Caravan Park. Annual holiday site fees for Turner Caravan Park have been reviewed and structured on the basis of standard and premium sites from 1 May 2020.

Libraries

Generally no increase to library costs as the revenue stream is sustainable at the current charges and also provides reasonably priced photocopying and facsimile services.

HEART Facility

Fees and charges for the hire and use of the new HEART facilities have not been determined at this stage, however, provision has been made for the inclusion of these charges at a future date.

Sport and Recreational Services

Aquatic Centre and Recreation Gold card memberships introduced to accommodate families. Family memberships also introduced for the Aquatic Centre. General entry fees increased by escalation rate. Increase in the direct debit administration charge to manage the increasing cost of administration for memberships.

Concessions continue to apply to Senior, Pensioner and Disability card holders.

Margaret River Recreation Centre personal training, sporting competitions, court hire, outside school hours care and the Augusta Civic Park Recreation Centre have been increased by the LTFP escalation rate.

At this stage sporting club charges for the use of the Augusta and Margaret River sporting precincts have been kept at the same rate as 2018-19 but are subject to change pending review of lease and usage agreements.

Asset Services

Majority of fees and charges for Assets have been increased by the LTFP escalation rate.

Planning and Development Services

At this stage no increases have been advised for Planning regulatory fees under WA Planning Commission Guideline 93/2011.

Building approvals and inspections

Building approval and inspection fees under the Building Act 2011 have increased from 1 July 2019.

Health, Waste and Ranger Services

Majority of fees and charges for Health, Waste and Ranger services have increased by the LTFP escalation rate.

Waste Management fees for Property Charges in Residential areas will change with the introduction in July 2019 of the new 3 bin system. Rubbish collection charges will be reduced from \$235 to \$75, recycling collection charges will increase from \$72 to \$76 and a new charge of \$167 will apply for the collection of Food and Organic waste (FOGO) bins. In total the waste collection charge for residential properties will increase from \$307 to \$318. However, this \$11 increase will be offset by the \$20 reduction in the Waste Facilities Maintenance rate which is proposed to reduce from \$200 to \$180 per property.

As it is the intention to impose the Fees and Charges prior to adoption of the 2019-20 budget, in accordance with the LG Act, the Shire provides local public notice for a minimum period of 14 days. In accordance with legislation the Fees and Charges will also need to be adopted with the 2019-20 Budget.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

LG Act section 6.16 – Imposition of fees and charges

- (1) A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.
** Absolute majority required.*
- (2) A fee or charge may be imposed for the following —
 - (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
 - (b) supplying a service or carrying out work at the request of a person;
 - (c) subject to section 5.94, providing information from local government records;
 - (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
 - (e) supplying goods;
 - (f) such other service as may be prescribed.
- (3) Fees and charges are to be imposed when adopting the annual budget but may be —
 - (a) imposed* during a financial year; and
 - (b) amended* from time to time during a financial year.** Absolute majority required.*

LG Act section 6.17 refers to setting level of fees and charges.

LG Act section 6.19 refers to Local government to give notice of fees and charges.

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: Fees and Charges are incorporated in the preparation of the annual budget.

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

Revenue generated from fees and charges contribute a significant proportion of the Shire's annual operating revenue and along with property rates are the Shire's main own source revenue items. Revenue obtain from fees and charges are a vital component of the overall 2019-20 budget and the Shire's LTFP.

SUSTAINABILITY IMPLICATIONS

Environmental

Revenue generated from fees and charges is utilised by the Shire to carry out work, which impacts on the environment. There is continued demand for these activities.

Social

Revenue generated from fees and charges is utilised by the Shire to support a range of Community oriented activities which impact on the social fabric of the Community.

Economic

Revenue generated from fees and charges are a vital component of the overall 2019-20 budget without them the Shire would be financially unviable.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council:

1. Approves the draft fees and charges as per attachment 1 that are proposed to be imposed from 1 July 2019 to 30 June 2020; and
2. Advertises the draft fees and charges for 2019-20 for a minimum of 14 days locally.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

1. 2019-20 Draft Schedule of Fees and Charges.

RECOMMENDATION / COUNCIL DECISION

CR GODDEN, CR EARL OM2019/89

That Council:

1. Approves the draft fees and charges as per attachment 1 that are proposed to be imposed from 1 July 2019 to 30 June 2020; and
2. Advertises the draft fees and charges for 2019-20 for a minimum of 14 days locally.

CARRIED 7/0

11.4.3 COUNCILLOR FEES AND ALLOWANCES FOR 2019-20

LOCATION/ADDRESS	N/A
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	FIN/358
REPORT AUTHOR	Andrew Ross, Acting Director Corporate and Community Services
AUTHORISING OFFICER	Dale Putland, Acting Chief Executive Officer

IN BRIEF

- Councillors are entitled to fees and allowances for meeting attendance and associated expenses.
- The parameters for fees and allowances are established by legislation and an annual determination by the Salaries and Allowances Tribunal.
- Each year Council are required to determine the fees and allowances to be included within the Budget.

RECOMMENDATION

That Council adopts the following elected members' fees and allowances to be included in the Annual Budget 2019-20, in accordance with the April 2019 Determination of the Salaries and Allowances Tribunal, sections 5.98, 5.98A, 5.99 and 5.99A of the *Local Government Act 1995* and regulations 30 to 32 of the Local Government (Administration) Regulations 1996.

	Annual Allowance \$	Meeting Fees \$	Information Technology & Communications Allowance \$
President	39,754	24,287	3,500
Deputy President	9,938	18,768	3,500
Councillors	0	18,768	3,500

LOCATION PLAN

Nil

TABLED ITEMS

Nil

BACKGROUND

Allowances and fees for elected members are considered each year as part of the process of developing the budget. Amendments to the *Local Government Act 1995* in July 2013 transferred the responsibility of setting elected members' fees, allowances and expenses to the Salaries and Allowances Tribunal (Tribunal). Local Governments must now use the parameters determined by the Tribunal.

In brief, the Tribunal have categorised local governments into four bands. Each band has minimum and maximum amounts for fees and allowances. The Shire of Augusta Margaret River is classified as band 2. Band ranges for 2019-20 have been considered by the Tribunal, who released their determination on 9 April 2019. This determination concluded, "a 1 percent increase in the remuneration, fees, expenses or allowances ranges provided to CEOs and elected members".

CONSULTATION AND ADVICE

External Consultation

Nil

Internal Consultation

Nil

DISCUSSION / OFFICER COMMENTS

The Tribunal determined that from 1 July 2013 the banding structure for local governments provides for:

- Meeting fees within a range of \$3,500 to \$30,000 per annum for Councillors and \$3,500 to \$40,000 per annum for Mayors and Presidents;
- Annual allowance for Mayors and Presidents will extend from \$500 to \$85,000 per annum within the 4 band structure; and
- To combine the separate Information Technology and Telephone allowances into an Information and Communication Technology allowance with the maximum payable being \$3,500 per annum.

The minimum and maximum amounts applicable to band 2 were originally:

	Minimum	Maximum
Meeting Fee for Councillors	\$14,500	\$22,000
Meeting Fee for Mayor or President	\$14,500	\$31,149
Allowance for Mayor or President	\$15,000	\$60,000

The Tribunal's determination of the fees and allowances for elected members on 9 April 2019 determined a 1 percent increase would apply. As a result the minimum and maximum amounts applying to the Shire for 2019-20 are:

	Minimum	Maximum
Meeting Fee for Councillors	\$14,865	\$23,230
Meeting Fee for Mayor or President	\$14,865	\$30,841
Allowance for Mayor or President	\$15,377	\$63,354

The following fees and allowances were budgeted for 2018-19 and were based on applying a 2.5% increase. This increase was higher than the April 2018 determination of the Tribunal of no increase but was consistent with the labour increase included in the Shire's 2016 Enterprise Agreement.

	Annual Allowance \$	Meeting Fees \$	Information Technology & Communications Allowance \$
President	39,360	24,047	3,500
Deputy President	9,840	18,582	3,500
Councillors		18,582	3,500

Fees and allowances budgeted for 2018-19 totalled \$209,304.

At this stage, it is proposed a 1% increase be made to elected members' fees and allowances. This increase is consistent with the April 2019 determination of the Tribunal. The proposed fees and allowances are shown in the following table. However, as meeting fees and allowances are below the upper limit of the ranges for band 2, Council have the opportunity to amend these meeting fees and allowances.

	Annual Allowance \$	Meeting Fees \$	Information Technology & Communications Allowance \$
President	39,754	24,287	3,500
Deputy President	9,938	18,768	3,500
Councillors		18,768	3,500

Should no change be made, fees and allowances to be budgeted for 2019-20 will total \$211,087.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

The following sections of the *Local Government Act 1995* are relevant:

- Section 5.98 Fees, etc for Council Members
- Section 5.98A Allowance for deputy mayor or deputy president
- Section 5.99 Annual fees for council members in lieu of fees for attending members
- Section 5.99A Allowances for council members in lieu of reimbursement of expenses

Local Government (Administration) Regulations 1996

- Regulation 30 Meeting attendance fees (Act s. 5.98(1) and (2A))
- Regulation 31 Expenses to be reimbursed (Act s. 5.98(2)(a) and (3)) 32
- Regulation 32. Expenses that may be approved for reimbursement (Act s. 5.98(2)(b) and (3))

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)

Corporate Business Plan 2018-2022

Key Result Area 5: Effective leadership and governance

Community Outcome 1: Responsible ownership of outcomes

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

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

The proposed budget of \$211,087 for elected members' fees and allowances represents an increase of \$1,783 or 0.85% on the amount budgeted for 2018-19.

SUSTAINABILITY IMPLICATIONS

Environmental

Nil

Social

Nil

Economic

Nil

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council adopts the following elected members' fees and allowances to be included in the Annual Budget 2019-20, in accordance with the April 2019 Determination of the Salaries and Allowances Tribunal, sections 5.98, 5.98A, 5.99 and 5.99A of the *Local Government Act 1995* and regulations 30 to 32 of the Local Government (Administration) Regulations 1996.

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	Annual Allowance \$	Meeting Fees \$	Information Technology & Communications Allowance \$
President	39,754	24,287	3,500
Deputy President	9,938	18,768	3,500
Councillors	0	18,768	3,500

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

Nil

RECOMMENDATION / COUNCIL DECISION

CR GODDEN, CR LANE OM2019/90

That Council adopts the following elected members' fees and allowances to be included in the Annual Budget 2019-20, in accordance with the April 2019 Determination of the Salaries and Allowances Tribunal, sections 5.98, 5.98A, 5.99 and 5.99A of the *Local Government Act 1995* and regulations 30 to 32 of the Local Government (Administration) Regulations 1996.

	Annual Allowance \$	Meeting Fees \$	Information Technology & Communications Allowance \$
President	39,754	24,287	3,500
Deputy President	9,938	18,768	3,500
Councillors	0	18,768	3,500

CARRIED 7/0

11.4.4 2019-20 DIFFERENTIAL RATES AND MINIMUM PAYMENTS FOR PUBLIC COMMENT

LOCATION/ADDRESS	N/A
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	FIN/11
REPORT AUTHOR	Andrew Ross, Acting Director Corporate and Community Services
AUTHORISING OFFICER	Dale Putland, Acting Chief Executive Officer

IN BRIEF

- Providing public notice of the proposed differential rates and minimum payments is a requirement of Section 6.36 of the *Local Government Act 1995* (LG Act).
- Council are requested to adopt for local public advertising for a minimum period of 21 days the proposed differential rates and minimum payments for 2019-20.

RECOMMENDATION

That Council:

1. Having considered the Long Term Financial Plan 2018-19 to 2027-28 and its expenditure and revenue forecasts for 2019-20, approves for advertising the following rate model that results in a 2.5% increase to the Shire's rate yield by:
 - Increasing rates in the dollar for all GRV and UV categories by 2.5%
 - Increasing minimum payments for all GRV and UV categories by 2.5%

RATE TYPE		Rate in \$ (cents)	Number of Properties	Rateable Value \$	2019-20 Budgeted Rate Revenue \$
Differential General Rate/General Rate					
	Residential GRV	0.107581	4,945	82,711,810	8,898,221
	Residential GRV Vacant	0.206089	249	3,090,210	636,858
	Rural Residential GRV	0.103055	661	13,569,972	1,398,453
	Rural Residential GRV Vacant	0.200600	153	1,758,780	352,811
	Industrial, Commercial & Tourism	0.127427	1,153	40,385,743	5,146,234
	Rural Strata Title Vineyard UV	0.004705	0	0	0
	UV Rural	0.004705	782	518,613,000	2,440,074
	UV1 (one non rural use)	0.005880	114	72,955,000	428,975
	UV 2 (two non rural uses)	0.007057	22	13,308,000	93,915
	UV3 (over two non rural uses)	0.008233	14	12,304,000	101,299
	UV Conservation	0.004598	71	57,195,000	262,983
	Sub-Totals		8,164	815,891,515	19,759,824
Minimum Payment		Minimum			
	Residential GRV	1,335	390	4,101,989	520,650
	Residential GRV Vacant	1,335	618	2,706,220	825,030
	Rural Residential GRV	1,625	146	2,023,270	237,250
	Rural Residential GRV Vacant	1,625	30	133,050	48,750
	Industrial, Commercial & Tourism	1,434	207	1,602,143	296,838
	Rural Strata Title Vineyard UV	879	37	2,700,000	32,523
	UV Rural	1,498	153	36,020,777	229,194
	UV1 (one non rural use)	1,498	6	1,192,000	8,988
	UV 2 (two non rural uses)	1,498	0	0	0
	UV3 (over two non rural uses)	1,498	0	0	0
	UV Conservation	1,441	17	4,316,000	24,497
	Sub-Totals		1,604	54,795,449	2,223,720
Total Amount Raised from General Rate					21,983,544

2. Advertises these rates in the dollar and minimum payments and invites written feedback from ratepayers within a period of 21 days from the giving of local public notice; and
 3. Approves the attached Statement of Objectives and Reasons for Differential Rates and Minimum Payments.
-

LOCATION PLAN

Nil

TABLED ITEMS

Nil

BACKGROUND

Rate revenue constitutes the largest funding source for the Shire of Augusta Margaret River. Rates are levied on all rateable properties within the Shire and the basis of rates is determined using Policy CCSP2 Shire Rating.

The Rating methodology of Policy CCSP2 Shire Rating is to apply a differential rating system based on the zoning and/or land use of a property in accordance with State planning legislation and the Shire's Local Planning Scheme 1 (LPS 1). Differential rating provides for fair and equitable rating and is administratively efficient to apply.

Landgate provide the Shire with valuations dependent on the properties rating basis of Unimproved Value (UV) or Gross Rental Value (GRV). The 2018 triennial GRV revaluation applies from 1 July 2018. The 2019 annual UV revaluation has been received and will apply from 1 July 2019.

In accordance with the *Waste Avoidance and Resource Recovery (WARR) Act 2007*, the Shire's waste services are funded by a waste facilities maintenance rate and annual charges for collection of waste receptacles. All rateable properties in the Shire are charged the waste facilities maintenance rate which funds operation of transfer stations and the Shire's landfill site. A separate fee is also charged to properties provided a kerbside waste collection service and a kerbside recycling collection service.

In keeping with the requirements of the *Local Government Act 1995* (LG Act), Council is required to give local public notice for a minimum period of 21 days of the proposed 2018-19 rates in the dollar and minimum payments. Any submissions received must be considered by Council before the rates are adopted.

CONSULTATION AND ADVICE

External Consultation

Providing local public notice for 21 days of the proposed differential rates and minimum payments represents the external consultation process that is required.

Landgate

Provide the updated valuation rolls for Unimproved Value (UV) properties and Gross Rental Value (GRV) properties. The updated UV roll was received on 15 April 2019.

Department of Local Government, Sport and Cultural Industries (DLGSC)

DLGSC Rating Policy for Differential Rates

DLGSC Rating Policy for Minimum Payments

Ratepayers and Electors

The proposal will be advertised for a minimum period of 21 days to allow ratepayers and electors to make submissions to Council. Public submissions are to be received by Monday 17 June 2019 and the first advertisement inviting public submission is expected to be published in the Augusta Margaret River Times on 24 May 2019.

Internal Consultation

Revenue business unit

DISCUSSION / OFFICER COMMENTS

In determining the 2019-20 differential rates in the dollar and minimum payments, the Shire is required to take into consideration the following matters:

- Long Term Financial Plan (LTFP) which identifies the forecast deficiency between revenue and expenditure for 2019-20 to be funded from rates;
- 2019-20 draft Budget and the rate yield included to fund the expected deficiency between revenue and expenditure;
- Community perception of affordability and the services provided to the community;
- Growth of rateable properties;
- Landgate UV property revaluations;
- Policy CCSP2 Shire Rating;
- Relevant rating policies and advices published by the DLGSC; and
- Compliance with the provisions of the LG Act.

Long Term Financial Plan

The 2018-19 to 2027-28 LTFP was adopted by Council on 11 April 2018 (OM2018/101) and assumes the increase to the rate yield for 2019-20 would be equivalent to the forecast price and cost escalation rate of 2% in addition to forecast property growth. This percentage increase was the minimum required to make up the shortfall between forecast funding and expenditure in order to achieve a balanced budget position for 2019-20.

Unfortunately as the LTFP was not updated this financial year, current expectations impacting revenue and expenditure forecasts have not been taken into consideration, particularly with respect to workforce growth required to meet service demands and mitigate risk. Consequently an increase to the rate yield greater than that forecast in the LTFP is being proposed. However, this proposed increase will still be lower than increases applied in previous years.

Growth of rateable properties

The number of rateable properties has increased during 2018-19 however the rate of increases seems to have slowed in comparison to previous years. The subdued growth in the number of lots released has a direct impact upon growth in rate revenue. A comparison of the increase in the rateable property base for the current and past 6 years is tabled below.

Table 1. Growth in rateable properties

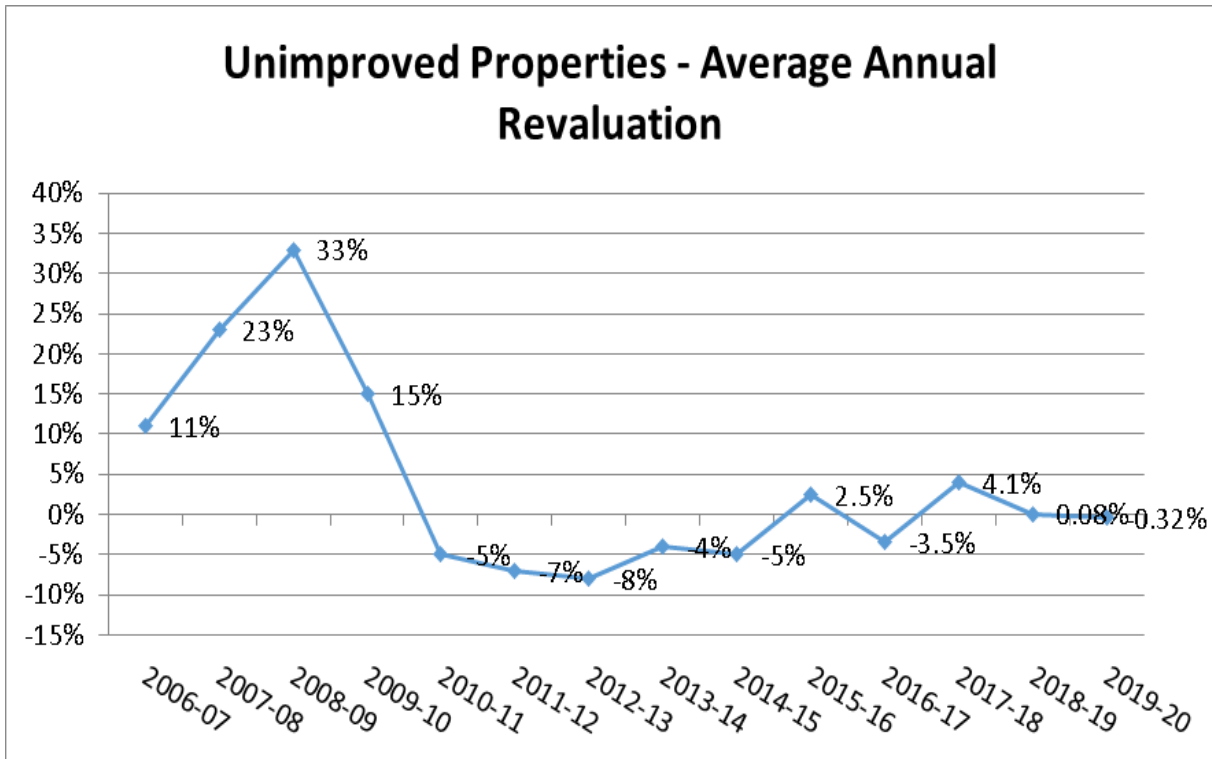
Year	No. of Properties Rate Billing	Property Increase	% Increase
2013	8,895	73	0.8%
2014	8,936	41	0.5%
2015	9,055	119	1.3%
2016	9,332	277	3.1%
2017	9,512	180	1.9%
2018	9,680	168	1.8%
2019 (18 March)	9,767	87	0.9%

Landgate UV Revaluation

The 2019 UV property revaluation completed by Landgate results in an overall average decrease of 0.32% to rural land values. This compares to an average increase of only 0.08% reported last year. The historical annual change in property valuations are shown in the following chart.

Variations in rural property values ranged from a decrease of 37% to an increase of 29%. 291 properties recorded a decrease, 392 recorded an increase and 520 recorded no change. Property owners who recorded a valuation change greater than or lower than 2.5% will receive a property rate change that will vary to the 2.5% intended. Unfortunately, this cannot be avoided as the calculation of property rates is dependent upon the valuation of the property.

As the overall average change to valuations was minimal there was no need to alter the rates in the dollar and minimum payments for rural properties that have been increased by 2.5% compared to the equivalent rates and minimum payments used for 2018-19. The UV tiered rating scale differentials of 25%, 50% and 75% were applied against the rural rate to obtain the proposed rates for 2019-20.



Rate modelling statistics shows that for the rural rating category most property owners (20%) will be charged a property rate between \$1,401 and \$1,600, the average rate will be \$2,855 and the median rate \$2,254. After the updated UV valuations have been loaded it is likely these statistics may reduce slightly due to the slight average reduction in property valuations.

LG Act Compliance

In setting the differential rate in the dollar and minimum payment, the Shire must adhere to the requirements of the LG Act and in particular sections 6.33 and 6.35.

Section 6.33 states that the Shire cannot apply a rate in the dollar that is more than twice the lowest rate in the dollar for any differential rating category.

Section 6.35 states that the Shire cannot apply a minimum payment to more than 50% of the total number of properties for an individual differential rating category.

The differential rating category of Residential GRV Vacant is non-compliant with section 6.35 of the LG Act as the total number of properties on the minimum payment exceeds 50%. This rating category has 876 properties with 627 properties on a minimum payment and 249 on the non-minimum (rate in the dollar calculation). The total number of properties on the minimum is to be no more than 438 (50% of 876). This result is non-compliant by 189 properties. Ministerial approval must be obtained before the rates can be implemented for 2019-20.

If the proposed model is adopted by Council for advertising, submissions received during the 21 day advertising period, which is planned to close on Monday 17 June 2019, will need to be considered at the Ordinary Meeting of Council on Wednesday 26 June 2019. After Council has considered submissions an application seeking approval of the proposed differential rates, specifically for the non-compliant Residential Vacant category, is to be provided to the Minister for Local Government via the

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Department of Local Government, Sport and Cultural Industries (DLGSC). The DLGSC in their rating policies have advised 21 days should be allowed for their consideration of the Shire's request. Once approval is received from the Minister via the DLGSC, the differential rates can be provided to Council for adoption. Rates adoption is scheduled for 24 July 2019.

Rating models

The commencing point for rate modelling is to use up to date property details and the rating details for the current year (rates in the dollar and minimum payments) to identify the rate yield that has resulted from growth in properties. At 18 March 2019 there were 9,767 rateable properties which is an increase of 87 or 0.9% on the number of properties levied rates in July 2018. This base model provided a rate yield of \$21.449 million. The increase of \$0.193 million compared to the rate yield obtained when rates were billed in July 2018 is directly attributable to the increase in rateable properties and the updated valuations received during the year for developed properties.

The next stage is to establish a rate yield target for 2019-20 using current rateable property details and updated rating details (rates in the dollar and minimum payments) for the current year that have been increased by 2.5%. The following table provides details of these rates in the dollar and minimum payments compared to their equivalents for 2018-19.

Table 2: Proposed rate details for 2019-20 (2.5% Option)

Rate in the Dollar and Minimum Payment by Rating Category				
Proposed details to calculate 2019-20 Rate Yield target				
RATE CATEGORY & DESCRIPTION		Rate in \$	Rate in \$	Rate in \$
		(cents)	(cents)	(cents)
		2018-19	2019-20	2019-20
			2.5% Increase compared to 2018-19	2.5% Increase compared to 2018-19
Differential General Rate/General Rate				
01	Residential GRV	0.104957	0.002624	0.107581
02	Residential GRV Vacant	0.201062	0.005027	0.206089
04	Rural Residential GRV	0.100541	0.002514	0.103055
05	Rural Residential GRV Vacant	0.195707	0.004893	0.200600
09, 10, 11	Industrial, Commercial & Tourism	0.124319	0.003108	0.127427
08	Rural Strata Title Vineyard UV	0.004590	0.000115	0.004705
03	UV Rural	0.004590	0.000115	0.004705
13	UV1 (one non rural use)	0.005737	0.000143	0.005880
23	UV 2 (two non rural uses)	0.006885	0.000172	0.007057
33	UV3 (over two non rural uses)	0.008032	0.000201	0.008233
43	UV Conservation	0.004486	0.000112	0.004598
		Minimum	Minimum	Minimum
		\$	\$	\$
Minimum Payment				
01	Residential GRV	1,302	33	1,335
02	Residential GRV Vacant	1,302	33	1,335
04	Rural Residential GRV	1,585	40	1,625
05	Rural Residential GRV Vacant	1,585	40	1,625
09, 10, 11	Industrial, Commercial & Tourism	1,399	35	1,434
08	Rural Strata Title Vineyard UV	858	21	879
03	UV Rural	1,461	37	1,498
13	UV1 (one non rural use)	1,461	37	1,498
23	UV 2 (two non rural uses)	1,461	37	1,498
33	UV3 (over two non rural uses)	1,461	37	1,498
43	UV Conservation	1,406	35	1,441

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This model provided a target rate yield of \$21.986 million. This is \$0.730 million higher than the rate yield obtained when rates were billed in July 2019 of which \$0.193 million is attributable to property growth and \$0.539 million is a result of the 2.5% rate yield increase. The results of this model are shown in the following table.

Table 3: Rate yield for 2019-20 (2.5% Option)

	2019-20 : 2.5% Increase to Natural Progression								
	Minimum Payment	Rate in \$	Number of Minimums	Minimum Payments Raised	Minimum Valuation	Non-Minimum Valuation	Number of Non Minimums	Calculated Rates	Average Calculated Rate
Residential	1335.00	10.7581	390	520650	4101989	82566210	4937	8882556	1799.18
Residential Vacant	1335.00	20.6089	627	837045	2742010	3090210	249	636858	2557.66
UV Rural	1498.00	0.4705	153	229194	36664776	517970000	781	2437051	3120.42
Rural Residential	1625.00	10.3055	146	237250	2023270	13545792	660	1395962	2115.09
Rural Residential Vacant	1625.00	20.0600	30	48750	133050	1769280	154	354918	2304.66
Strata Titled Vineyard	879.00	0.4705	37	32523	2700000	0	0	0	
Industrial	1434.00	12.7427	40	57360	326517	4451343	166	567221	3416.99
Commercial	1434.00	12.7427	37	53058	291600	21207800	353	2702446	7655.65
Tourism	1434.00	12.7427	130	186420	984026	14719320	633	1875639	2963.09
UV 1 - One rural use	1498.00	0.5880	6	8988	1218000	73114000	114	429910	3771.14
UV 2 - Two non rural uses	1498.00	0.7057	0	0	0	13358000	22	94267	4284.86
UV 3 - Three or more non-rural uses	1498.00	0.8233	0	0	0	12247000	14	100830	7202.14
UV Conservation	1441.00	0.4598	15	21615	3764000	59889000	73	275370	3772.19
			1611	2232853	54949238	817927955	8156	19753028	
							Total Rates	21985880	
									Difference to 2018-19
									729951
									Difference to No Increase Model
									536915
							Properties	9767	
									Difference to 2018-19
									87

The next step is to update property details with the revised property valuations for rural or UV properties that were received in mid-April. Due to the slight decrease in UV property values of 0.32% the rate yield achieved was not expected to change significantly. The result of the preliminary rate model run with updated UV valuations was a total rate yield that was only \$2,000 lower than the above model. Due to the minor variation it is considered unnecessary to revise rates in the dollar for the UV categories.

To provide an understanding of the impact of the rate yield increase on ratepayers, the following tables compare minimum payments and average rates for non-minimum payments compared to rates billed for 2018-19.

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Table 4: Comparison of Minimum Payments

	2018-19	Increase for 2018-19	2.5% Increase for 2019-20	Increase for 2019-20
Residential	1302.00	38.00	1335.00	33.00
Residential Vacant	1302.00	38.00	1335.00	33.00
UV Rural	1461.00	43.00	1498.00	37.00
Rural Residential	1585.00	46.00	1625.00	40.00
Rural Residential Vacant	1585.00	46.00	1625.00	40.00
Strata Titled Vineyard	858.00	25.00	879.00	21.00
Industrial	1399.00	41.00	1434.00	35.00
Commercial	1399.00	41.00	1434.00	35.00
Tourism	1399.00	41.00	1434.00	35.00
UV 1 - One rural use	1461.00	43.00	1498.00	37.00
UV 2 - Two non rural uses	1461.00	43.00	1498.00	37.00
UV 3 - Three or more non-rural uses	1461.00	43.00	1498.00	37.00
UV Conservation	1406.00	41.00	1441.00	35.00

The quantum of the 2.5% increase to minimum payments is lower than 2018-19. A 2.5% increase in the rate yield would result in minimum payments for over 16% of total ratepayers increasing by less than \$0.80 per week.

Table 5: Comparison of Average Non-Minimum Payments

	2018-19	Average Increase for 2018-19	2.5% Increase for 2019-20	Average Increase for 2019-20
Residential	1749.03	-5.19	1799.44	50.41
Residential Vacant	2563.80	70.52	2557.66	-6.13
UV Rural	3042.00	96.02	3120.30	78.30
Rural Residential	2061.89	83.81	2115.66	53.78
Rural Residential Vacant	2255.56	-106.15	2305.95	50.40
Strata Titled Vineyard	0.00	0.00		0.00
Industrial	3364.77	267.13	3416.99	52.22
Commercial	7405.46	233.93	7636.65	231.19
Tourism	2978.30	89.21	2963.09	-15.21
UV 1 - One rural use	3704.07	69.06	3762.94	58.87
UV 2 - Two non rural uses	4353.95	-31.92	4268.86	-85.09
UV 3 - Three or more non-rural uses	6742.38	196.44	7235.64	493.27
UV Conservation	3822.97	137.03	3703.99	-118.99

The average increase for 2019-20 varies to the 2018-19 average increase due to the change in valuations that occurred for 2018-19 and the movement of properties from minimum payments to calculated rates. A 2.5% increase in the rate yield may actually result in average rates decreasing for some rate categories.

A comparison of the rating statistics by rating category is included in the following table. The table shows a reasonable correlation between mean and median rates for most rate categories and that modal

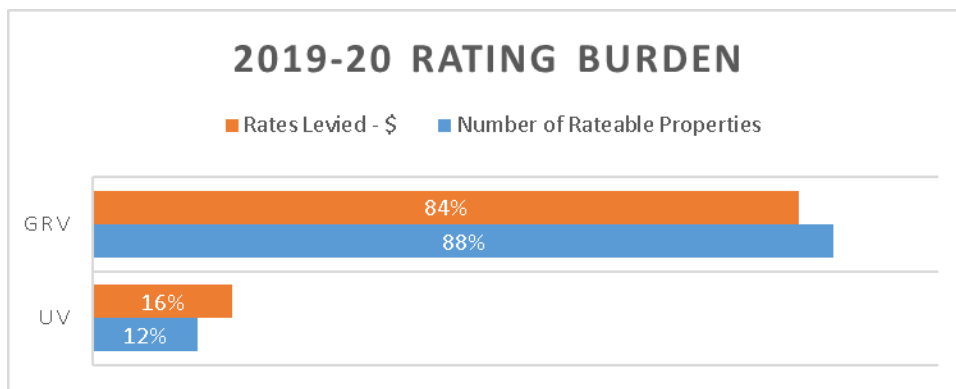
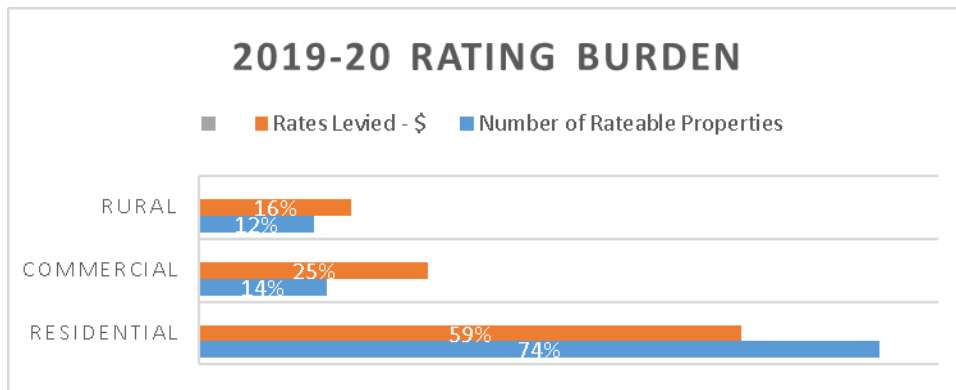
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ranges from year to year are the same for almost every rating category. This could be considered to be an indication of consistency in rating from year to year.

Table 6: Comparison of Rating Statistics

	2018-19 Mean	2018-19 Median	2018-19 Modal Range	2019-20 Mean	2019-20 Median	2019-20 Modal Range
Residential	1715.41	1719.20	1801-2000	1765.49	1762.18	1801-2000
Residential Vacant	1668.67	1302.00	1201-1400	1686.15	1335.00	1201-1400
UV Rural	2775.97	2189.43	1401-1600	2854.83	2253.70	1401-1600
Rural Residential	1974.74	1882.13	1801-2000	2026.89	1929.19	1601-1800
Rural Residential Vacant	2157.06	1937.50	1801-2000	2194.32	1985.94	1801-2000
Strata Titled Vineyard	858.00	858.00	800-1000	879.00	879.00	800-1000
Industrial	2954.44	2253.47	1201-1400	3031.95	2353.96	1401-1600
Commercial	6904.93	3103.00	1601-1800	7049.70	3180.58	1401-1600
Tourism	2683.47	1939.38	1201-1400	2702.57	2020.99	1401-1600
UV 1 - One rural use	3590.98	3034.87	2201-2400	3649.70	3151.68	2401-2600
UV 2 - Two non rural uses	4353.95	3421.85	2601-2800	4268.84	3302.68	2801-3000
UV 3 - Three or more non-rural uses	6742.36	5662.56	3401-3600	7235.63	6063.61	3401-3600
UV Conservation	3396.44	2956.27	1401-1600	3266.81	2572.59	1401-1600

The rating burden of the GRV and UV rating categories are shown in the following charts and shows that residential ratepayers comprise the largest number of rate assessments and are being subsidised by rural and commercial ratepayers. Similarly there are more GRV rateable assessments than UV yet GRV ratepayers are slightly subsidised by UV ratepayers. The proportion of rates levied by rating category has not changed compared to 2018-19 whilst a slightly greater proportion of the rating burden is being borne by GRV properties (84% compared to 83% for last year's budget). Although a minimal change this could be considered an indication of improved equity being achieved.



In summary the 2.5% rate yield is expected to generate \$0.728 million additional revenue of which \$0.193 million is attributable to growth in the number and value of properties to be rated. This additional

revenue will need to be sufficient to meet the additional expenditure increases anticipated in the 2019-20 draft Budget.

Rates Objectives and Reasons

The Objectives and Reasons for the proposed differential rates and minimum payments for the year ending 30 June 2020 are attached to this report. Ministerial Circular 02-2016 advised the DLGC will continue to have an emphasis on the quality of these documents as they explain to ratepayers and the community why differential rates vary.

Waste Collection Rate

The Waste Collection Rate is an annual rate levied on rateable land within the Shire for the purposes of providing for the proper performance of all or any of the waste services it provides.

Details of this rate and the fees and charges for the collection of kerbside rubbish and recycling will be provided to the Ordinary Meeting of 22 May 2019 as part of the Schedule of Fees and Charges proposed for 2019-20. These details are repeated in this item for completeness.

Waste Collection Rate	2019-20	2018-19	% Change
GRV properties rate in the dollar \$0.0222	\$180	\$200	-10%
UV properties rate in the dollar \$0.0002	\$180	\$200	-10%

The Waste Collection Rate has been reduced to \$180 from the maximum allowable charge of \$200. This reduction is in accordance with the Waste Management Strategy and the introduction of the 3 bin rubbish, recycling and food and organics collection system. The purpose of the rate is to fund waste management services including improvements to the Davis Road landfill facility so it complies with legislative and environmental requirements and to ensure its life as an approved landfill site is maximised. Any excess funds raised from this levy are provided to the Waste Management reserve for future year's expenditure and to provide for investment in future waste improvements including but not limited to converting the Davis Road landfill site to a transfer station.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

Part VI *Local Government Act 1995* deals with the levying of differential rates.

Section 6.33 states that Council may impose differential rates based on differential categories.

Section 6.35 states that Council may impose a minimum payment for each category.

Pursuant to Section 6.36 of the *Local Government Act 1995* the Shire is to give appropriate notice of its intention to impose differential rates and minimum payments in respect to each differential rate category.

Section 66 of the *Waste Avoidance and Resource Recovery Act 2007* (WARR) states a local government may impose on rateable land within its district, and cause to be collected, an annual rate for the purpose of providing for the proper performance of all or any of the waste services it provides.

Section 67(1) of the WARR states a local government may, in lieu of, or in addition to a rate under section 66, provide for the proper disposal of waste, whether within its district or not, by making an annual charge per waste receptacle, payable in one sum or by equal monthly or other instalments in advance, in respect of premises provided with a waste service by the local government. The charge is to be imposed on the owner (as defined in section 64(1)) or occupier, as the local government may decide, of any premises provided with a waste service by the local government.

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 and integrated strategy, planning, financial and asset management.

Strategic Response: Develop long term Informing Strategy including asset and financial management aligned to the Community Strategic Plan.

Service level strategy/plan 5.2.3.4: Prepare the Shire's Annual Budget in accordance with the Long Term Financial Plan and Corporate Plan.

Policy

Policy CCSP2 Shire Rating outlines the administrative processes in applying differential rates.

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

The 2.5% rate yield model included within this report shows the expected yield to be obtained from rates in 2019-20.

The model results in a total rate yield of \$21,983,544 and is an increase of \$727,615 compared to the rate yield obtained when rates were last billed in July 2018. The increase includes \$193,036 obtained from growth in the number and value of rateable properties. \$534,579 is attributable to the 2.5% rate yield increase that has been applied.

The total revenue from rates proposed for the 2019-20 draft Budget is calculated on the basis that the Long Term Financial Plan assumption of a 2% increase on rate yield will be insufficient to achieve a balanced budget position for the year due to the expected changes in some cost structures that were not included in the LTFP.

SUSTAINABILITY IMPLICATIONS

Environmental

Rate revenue is used to carry out works on parks, reserves, beaches, foreshores and all other land owned and managed by the Shire which has an impact on the environment. There is continued demand for these activities.

Social

Rate revenue is utilised by the Shire to carry out a range of community oriented activities which impact on the social fabric of the community.

Economic

Rate revenue is the main source of funding for the Shire. Increased rate revenue is required to make up the deficiency between expenditure and income.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council:

1. Having considered the Long Term Financial Plan 2018-19 to 2027-28 and its expenditure and revenue forecasts for 2019-20, approves for advertising the following rate model that results in a 2.5% increase to the Shire's rate yield by:
 - Increasing rates in the dollar for all GRV and UV categories by 2.5%
 - Increasing minimum payments for all GRV and UV categories by 2.5%

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RATE TYPE		Rate in \$ (cents)	Number of Properties	Rateable Value \$	2019-20 Budgeted Rate Revenue \$
Differential General Rate/General Rate					
	Residential GRV	0.107581	4,945	82,711,810	8,898,221
	Residential GRV Vacant	0.206089	249	3,090,210	636,858
	Rural Residential GRV	0.103055	661	13,569,972	1,398,453
	Rural Residential GRV Vacant	0.200600	153	1,758,780	352,811
	Industrial, Commercial & Tourism	0.127427	1,153	40,385,743	5,146,234
	Rural Strata Title Vineyard UV	0.004705	0	0	0
	UV Rural	0.004705	782	518,613,000	2,440,074
	UV1 (one non rural use)	0.005880	114	72,955,000	428,975
	UV 2 (two non rural uses)	0.007057	22	13,308,000	93,915
	UV3 (over two non rural uses)	0.008233	14	12,304,000	101,299
	UV Conservation	0.004598	71	57,195,000	262,983
Sub-Totals			8,164	815,891,515	19,759,824
Minimum Payment		Minimum \$			
	Residential GRV	1,335	390	4,101,989	520,650
	Residential GRV Vacant	1,335	618	2,706,220	825,030
	Rural Residential GRV	1,625	146	2,023,270	237,250
	Rural Residential GRV Vacant	1,625	30	133,050	48,750
	Industrial, Commercial & Tourism	1,434	207	1,602,143	296,838
	Rural Strata Title Vineyard UV	879	37	2,700,000	32,523
	UV Rural	1,498	153	36,020,777	229,194
	UV1 (one non rural use)	1,498	6	1,192,000	8,988
	UV 2 (two non rural uses)	1,498	0	0	0
	UV3 (over two non rural uses)	1,498	0	0	0
	UV Conservation	1,441	17	4,316,000	24,497
Sub-Totals			1,604	54,795,449	2,223,720
Total Amount Raised from General Rate					21,983,544

2. Advertises these rates in the dollar and minimum payments and invites written feedback from ratepayers within a period of 21 days from the giving of local public notice; and
3. Approves the attached Statement of Objectives and Reasons for Differential Rates and Minimum Payments.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

1. Objectives and Reasons for the proposed differential rates and minimum payments for the year ending 30 June 2020.

RECOMMENDATION / COUNCIL DECISION

CR EARL, CR MELDRUM OM2019/91

That Council:

1. Having considered the Long Term Financial Plan 2018-19 to 2027-28 and its expenditure and revenue forecasts for 2019-20, approves for advertising the following rate model that results in a 2.5% increase to the Shire's rate yield by:
 - Increasing rates in the dollar for all GRV and UV categories by 2.5%
 - Increasing minimum payments for all GRV and UV categories by 2.5%

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RATE TYPE		Rate in \$ (cents)	Number of Properties	Rateable Value \$	2019-20 Budgeted Rate Revenue \$
Differential General Rate/General Rate					
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	UV3 (over two non rural uses)	0.008233	14	12,304,000	101,299
	UV Conservation	0.004598	71	57,195,000	262,983
	Sub-Totals		8,164	815,891,515	19,759,824
Minimum Payment		Minimum \$			
	Residential GRV	1,335	390	4,101,989	520,650
	Residential GRV Vacant	1,335	618	2,706,220	825,030
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	UV Conservation	1,441	17	4,316,000	24,497
	Sub-Totals		1,604	54,795,449	2,223,720
Total Amount Raised from General Rate					21,983,544

2. Advertises these rates in the dollar and minimum payments and invites written feedback from ratepayers within a period of 21 days from the giving of local public notice; and
3. Approves the attached Statement of Objectives and Reasons for Differential Rates and Minimum Payments.

CARRIED 7/0

11.4.5 HOUSING ADVOCACY OFFICER PROJECT QUARTER THREE YEAR TWO REPORT

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

Cr Godden left Chambers at 5.54pm as she disclosed an impartiality interest at Item 3.2.

IN BRIEF

- In January 2017 Council endorsed the provision of \$20,000 per annum to Just Home, commencing in the 2017-18 financial year for part funding of a Housing Advocacy Officer (HAO) subject to co-matched funding - to enable regular data collection and reporting (OM2017/15).
- The Just Home HAO commenced in July 2017 and have provided all required reports for year one and the first and second for year two.
- Just Home have now provided the third quarter report for year two, 1 January – 31 March 2019.

RECOMMENDATION

That Council accepts the third quarter report, year two, 1 January – 31 March 2019.

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 only 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 as part of the Shire's Homelessness Policy. This includes the Housing Advocacy Project which includes 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 financial years to Just Home to part fund this project (OM2017/15). Year one has been completed and year two has been approved and financed with reporting to Council required each quarter.

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 information assisted development of the Homelessness Policy. Consultation and awareness raising programs have continued throughout the project.

Internal Consultation

Nil

DISCUSSION / OFFICER COMMENTS

The third quarter report for year two (Attachment 1) shows 24 clients received services for this period, seven new clients were received over the period whilst nine clients received continuing service and eight enquiries were made that resulted in no further action. 66 clients have accessed Just Home HAO service since July 2017.

This report continues the trend that most clients are long term residents of the region with the majority, six of the seven new clients, accessing the service in this period being residents for over 10 years. Mental health and disability continue to be common coexisting factors for clients.

November – March is one of the busiest times for seasonal worker influx and a large amount of extra enquiries were forthcoming within the second quarter report for year two. This trend was not reported as continuing within the third quarter report.

Strengthened professional relationships and collaborations with various other service providers was highlighted during this period. The HAO has begun the initial stages of a south west group of homelessness support agencies.

Significant fundraising took place during the period with \$7,000 being raised via a community concert and further donations from local business.

Significant media coverage was attracted during the period for housing and homelessness within the region.

It is noted that the position is unable to complete all tasks required within the 15 hour timeframe currently funded. The Shire is a part funder of this role that was developed by Just Home and if this continues to be the case then the role would likely need to be reviewed or further funding for the position obtained from other sources to increase the hours attributed to the HAO.

During this period four clients were supported to complete a Department of Communities housing application.

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 Just Home representatives, who meet quarterly. The group are focused on building a collaboration with state government to develop an emergency and/or affordable accommodation in the shire. Possible affordable housing sites within the Shire have been identified and presented to Council which will continue to be pursued.

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

Nil

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)

Corporate Business Plan 2018-2022

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 and 2018-19 budget and one further year 2019-20 to Just Home (OM2017/15). Just Home have previously submitted the required financial reports 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 third quarter report, year two, 1 January – 31 March 2019.

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

1. Just Home Margaret River third quarter report for year two, 1 January – 31 March 2019.

RECOMMENDATION / COUNCIL DECISION

CR MELDRUM, CR MCLEOD OM2019/92

That Council accepts the third quarter report, year two, 1 January – 31 March 2019.

CARRIED 6/0

Cr Godden re-entered Chambers at 5.57pm.

11.4.6 OPERATIONAL PLAN 2018-19 QUARTER 3 REPORT

LOCATION/ADDRESS	N/A
APPLICANT/LANDOWNER	Shire of Augusta Margaret River
FILE REFERENCE	COR/130
REPORT AUTHOR	Stacey Hutt, Community and Corporate Planner
AUTHORISING OFFICER	Andrew Ross, Acting Director Corporate and Community Services

IN BRIEF

- Council adopted the Operational Plan 2018-19 on 22 August 2018 (OM2018/214)
- The Operational Plan 2018-19 is a sub plan of the Corporate Plan 2018-22 and outlines the activities, projects and infrastructure in reference to the Shire's Informing Strategy to achieve the priorities set by Council
- The Shire's Informing Strategy is comprised of the Long Term Financial Plan 2018-28, Workforce Plan and Asset Management Plan, and addresses the objectives and strategies outlined in the Community Strategic Plan 2036
- The Operational Plan allocates responsibility to business units, sets performance measures for evaluating projects, services and delivery of priorities in the short term and is aligned to the budget including the capital works program
- It is a requirement for the Shire to report quarterly to Council on the Operational Plan.

RECOMMENDATION

That Council receives the Operational Plan 2018-19 Quarter 3 Report (Attachment 1)

LOCATION PLAN

Nil

TABLED ITEMS

Nil

BACKGROUND

Under the *Local Government (Administration) Regulations 1996*, all local governments in Western Australia are required to have adopted two key documents: a Strategic Community Plan (CSP) and a Corporate Plan (CP), which are supported and informed by an Informing Strategy. These documents drive the development of each local government's annual budget.

The Shire's CSP underwent a major review over 2016-17, with the final plan for 2036 endorsed by Council on 27 September 2017. The CSP 2036 is currently being implemented through the Corporate Plan 2018-22 and Operational Plan 2018-19. The CSP outlines five key result areas to be achieved through the strategies, with actions detailed in the Corporate Plan. These documents integrate the Shire's Informing Strategy, which is comprised of the Shire's Workforce Plan, Asset Management Plan and the Long Term Financial Plan.

The Corporate Plan sets out the projects and services the Shire will deliver over the next four years to work towards the long term outcomes identified in the CSP. The four year Corporate Plan is achieved through the annual Operational Plan, which includes information on individual actions and projects programmed to be completed throughout the year (year 1 of the Corporate Plan) and incorporates the priority projects as adopted by Council.

The Integrated Planning and Reporting Framework and Guidelines (2016) issued by the Department of Local Government, Sport and Cultural Industries provides guidance in the reporting requirements of local government in relation to the integrated plans. Performance monitoring of the Operational Plan is

required to be undertaken quarterly and reported to Council. This is the third quarter report of the Operational Plan 2018-19 to be received by Council.

CONSULTATION AND ADVICE

External Consultation

No external consultation is required as part of the Quarterly Report review.

Internal Consultation

Executive Leadership Team
Business Unit Managers and Coordinators

DISCUSSION / OFFICER COMMENTS

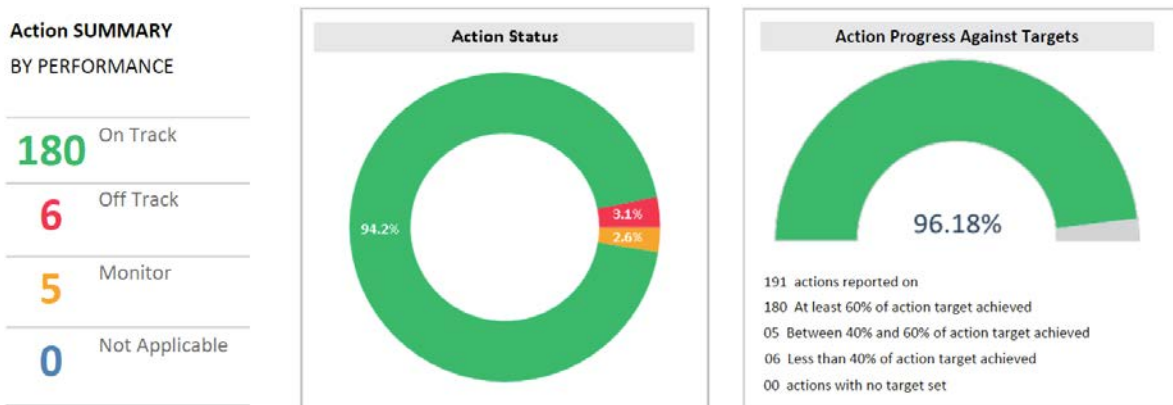
In accordance with the guidelines issued by the Department of Local Government, Sport and Cultural Industries, Council is required to receive quarterly updates on the Operational Plan and to be aware of the resourcing required by the Shire to implement Council’s vision and priority projects.

This quarterly report includes the planned activities and projects for the 2018-19 financial year across all Shire business units. Each action indicates the responsible officer, provides an update on according to business unit indicators, and some commentary of the highlights and challenges encountered on the way.

The report includes the Service Tracker Dashboard, which aims to provide a view of the Shire’s “core service” delivery. These trackers were developed last year with Shire Managers and Coordinators, who identified these as essential services for monitoring. The “targets” specify the service level that is currently resourced.

Overview

Quarter three progress against the Operational Plan 2018-19 shows:




180 actions are green (on track and have achieved their target), five actions are amber (achieving between 40-60% of their target) and six actions are red (achieving less than 40% of their target).


The six actions achieving less than 40% of their target are:


Action Title: 5.2.3.4 Prepare the Shire's Annual Budget in accordance with the Long Term Financial Plan and Corporate Plan							
Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %	
Andrew Ross - Acting Director Corporate and Community Services	In Progress	01-Jul-2018	30-Jun-2022	20.00%	75.00%		■ RED
Action Progress Comments: Preparation of the Annual Budget for 2019-20 commenced in March with the timetable being prepared and budget templates distributed. Last Updated: 02-May-2019							


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Action Title: 4.2.4.2 Develop additional chalets at Turner Caravan Park utilising Caravan Park reserve funds						
Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Nigel Anderson - Manager Human & Community Services	In Progress	01-Jul-2018	30-Jun-2020	10.00%	75.00%	 RED
Action Progress Comments: This project has been incorporated within the overall concept master plan project for Turner Caravan Park, with concept planning being finalised that will inform the detailed design works phase. Last Updated: 17-Apr-2019						

Action Title: 5.3.2.1 Negotiate the Enterprise Bargaining Agreement renewal every three years and lodge with the Fair Work Commission						
Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Nigel Anderson - Manager Human & Community Services	In Progress	01-Jul-2018	30-Jun-2022	20.00%	75.00%	 RED
Action Progress Comments: The workforce have received their notice of employee representation rights, with the bargaining committee tentatively booked to hold its first meeting at the start of May. Last Updated: 17-Apr-2019						

Action Title: 5.2.3.7 Develop annual schedules for maintenance and renewal of Shire facilities in accordance with the Asset Management Plan and Community Infrastructure Plan						
Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
David Gunn - Coord Building Assets & Maintenance	In Progress	01-Jul-2018	30-Jun-2022	25.00%	75.00%	 RED
Action Progress Comments: Transition to new asset management software system on hold until vacant position in Assets Team is filled. Training for new Asset Management Software scheduled for June 2019. Last Updated: 26-Apr-2019						

Action Title: 5.6.1.1 Undertake the community satisfaction survey every three years						
Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Dale Putland - Acting CEO	In Progress	01-Jul-2018	30-Jun-2022	15.00%	50.00%	 RED
Action Progress Comments: Liaison with consultants has occurred to commence planning for survey. Last Updated: 03-May-2019						

Action Title: 2.6.2.2 Review and implement the Dog Local Law						
Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Sharon McTaggart - Coordinator Ranger Services	Not Started	01-Jul-2018	30-Jun-2022	0.00%	50.00%	 RED
Action Progress Comments: New Coordinator Ranger Services commenced in mid-March 2019 and the review of the Dog Local Law is expected to commence this quarter. Last Updated: 09-Apr-2019						

A total of six actions have been deferred for 2018-19 and as a result these KPI targets have been reset to 0. These actions were reported in the quarter two update to Council (OM2019/34). An additional one action has been deferred this quarter (action 2.5.2.3).

A total of five actions were completed over quarter three, including:

- 2.3.2.2 Develop the adjoining public open space to the Rapids Landing School Oval
- 3.6.2.3 Conduct the Darch Trail extension to the new pedestrian bridge over Darch Brook
- 5.1.3.3 Complete and submit Statutory Compliance Return and re-mediate any errors within time frames
- 5.4.1.3 Champion the Complaint Handling Guide and review every four years
- 5.5.1.1 Coordinate annual business planning across the organisation which captures opportunities for cross business unit collaboration and service improvements.

Below is a brief road map on reading the quarter report:

Action Title: 5.2.4.4 Implement the Risk Management Framework, including convening of tri-annual meetings of the Audit and Risk Management Committee							
Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %	
Andrew Ross - Acting Director Corporate and Community Services	In Progress	01-Jul-2018	30-Jun-2022	75.00%	75.00%		GREEN
Action Progress Comments: Risk Dashboard Reports completed for June and September 2018 and were presented at the October Audit and Risk Management Committee meeting. December report provided to the March 2019 ARMC meeting. Last Updated: 17-Apr-2019							

STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

Section 5.56 (1) *Local Government Act 1995* requires local governments to have in place a plan for the future.

STRATEGIC PLAN / POLICY IMPLICATIONS

Community Strategic Plan 2036 (CSP)

Corporate Business Plan 2018-22

Key Result Area 5: Effective leadership and governance

Outcome 5.5. A culture of innovation, quality and continuous improvement

Strategic Response 5.6.2. Report on our success and sustainability to the community and stakeholders

PLANNING FRAMEWORK

Nil

FINANCIAL IMPLICATIONS

The actions and projects which are detailed in the Operational Plan 2018-19 and this quarterly report are aligned with the Shire's annual budget and Long Term Financial Plan.

SUSTAINABILITY IMPLICATIONS

The Community Strategic Plan fosters an identification and integration of environmental protection, social advancement and economic prosperity which is enacted through the Corporate and Operational Plan.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That Council receives the Operational Plan 2018-19 Quarter 3 Report (Attachment 1).

ADVICE TO APPLICANT / PROPONENT

Nil

ATTACHMENTS

- Operational Plan 2018-19 Quarter 3 Report

RECOMMENDATION / COUNCIL DECISION

CR MELDRUM, CR GODDEN OM2019/93

That Council receives the Operational Plan 2018-19 Quarter 3 Report (Attachment 1).

CARRIED 7/0

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

12.1 International Campaign to Abolish Nuclear Weapons – Cr Townshend

At the 8 May 2019 Ordinary Council meeting, Cr Townshend gave notice of the following motion:

MOTION

That Council:

1. Endorses the International Campaign to Abolish Nuclear Weapons (ICAN) Cities Appeal as stated:
“Our Shire is deeply concerned about the grave threat that nuclear weapons pose to communities throughout the world. We firmly believe that our residents have the right to live in a world free from this threat. Any use of nuclear weapons, whether deliberate or accidental, would have catastrophic, far-reaching and long-lasting consequences for people and the environment. Therefore, the Shire Council warmly welcomes the adoption of the Treaty on the Prohibition of Nuclear Weapons by the United Nations in 2017, and we call on our national government to sign and ratify it without delay.”
2. The Shire President writes to the Prime Minister, The Minister for Foreign Affairs and ICAN Australia advising of this endorsement;
3. Congratulates ICAN for its advocacy and leadership in the passage of the United Nations (UN) Treaty on the Prohibition of Nuclear Weapons and on being awarded the 2017 Nobel Peace Prize;
4. Notes that the Shire of Augusta Margaret River is an Australian member of Mayors for Peace, an organisation with the mission to raise international public awareness regarding the need to abolish nuclear weapons and contribute to world peace; and
5. Notes that the UN Treaty on the Prohibition of Nuclear Weapons:
 - (a) is the first ever treaty to explicitly prohibit all aspects of the development, production, possession, transfer, use or threat of use of nuclear weapons, or assistance or encouragement to engage in any of these prohibited activities;
 - (b) was passed by a majority of countries at the UN on 7 July 2017 and will come into effect when 50 countries have signed and ratified it;
 - (c) has been signed by 70 countries and ratified by 23 including New Zealand; and
 - (d) has not been signed or ratified by the Australian Government.

MOTION / COUNCIL DECISION

CR TOWNSHEND, CR LANE OM2019/94

That Council:

1. **Endorses the International Campaign to Abolish Nuclear Weapons (ICAN) Cities Appeal as stated:**
“Our Shire is deeply concerned about the grave threat that nuclear weapons pose to communities throughout the world. We firmly believe that our residents have the right to live in a world free from this threat. Any use of nuclear weapons, whether deliberate or accidental, would have catastrophic, far-reaching and long-lasting consequences for people and the environment. Therefore, the Shire Council warmly welcomes the adoption of the Treaty on the Prohibition of Nuclear Weapons by the United Nations in 2017, and we call on our national government to sign and ratify it without delay.”
2. **The Shire President writes to the Prime Minister, The Minister for Foreign Affairs and ICAN Australia advising of this endorsement;**
3. **Congratulates ICAN for its advocacy and leadership in the passage of the United Nations (UN) Treaty on the Prohibition of Nuclear Weapons and on being awarded the 2017 Nobel Peace Prize;**
4. **Notes that the Shire of Augusta Margaret River is an Australian member of Mayors for Peace, an organisation with the mission to raise international public awareness regarding the need to abolish nuclear weapons and contribute to world peace; and**
5. **Notes that the UN Treaty on the Prohibition of Nuclear Weapons:**
 - (a) is the first ever treaty to explicitly prohibit all aspects of the development, production, possession, transfer, use or threat of use of nuclear weapons, or assistance or encouragement to engage in any of these prohibited activities;**
 - (b) was passed by a majority of countries at the UN on 7 July 2017 and will come into effect when 50 countries have signed and ratified it;**
 - (c) has been signed by 70 countries and ratified by 23 including New Zealand; and**
 - (d) has not been signed or ratified by the Australian Government.**

CARRIED 7/0

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

Nil

16. CLOSURE OF MEETING

The Shire President thanked all in attendance and declared the meeting closed at 6.11pm.