



# Ordinary Council Meeting

## 23 October 2024

# MINUTES

## Meeting Notice

Dear Councillor,

I advise that an Ordinary Council Meeting of the Shire of Augusta Margaret River will be held in Council Chambers, 41 Wallcliffe Road, Margaret River on 23 October 2024, commencing at 5:30 pm.

Yours faithfully

A handwritten signature in black ink, appearing to read "Andrea Selvey".

**ANDREA SELVEY**  
**CHIEF EXECUTIVE OFFICER**

## **ACKNOWLEDGEMENT OF COUNTRY**

The Shire of Augusta Margaret River acknowledges we are on Wadandi and Pibelmen Boodja, whose ancestors and their descendants are the traditional owners of this country.

We acknowledge the Wadandi and Pibelmen have been custodians since the land was soft (creation times) and continue to perform age old ceremonies of celebration, initiation and renewal. We acknowledge their living culture and their unique role in the life of this region.

The Shire is committed to Aboriginal Australians sharing fairly and equitably in the region's cultural, social, environmental and economic future.

## **SHIRE'S VALUES / PURPOSE**

### **Our Purpose**

*The Shire of August Margaret River exists for provide, facilitate and advocate for services, facilities and Boodja, to improve quality of life for everyone in our community.*

### **Our Values**

- Respect
- Integrity
- Community
- Excellence

### **Community Vision**

Sustainable, inclusive, connected to place and respecting Boodja.

### **Our Strategic Goals**

#### **Environment**

We will protect and enhance the unique natural environment and biodiversity of the region through climate action and informed decision making

#### **Welcoming and inclusive communities**

We will support and strengthen our diverse, resilient, welcoming, safe and connected community through our services and advocacy.

#### **Place**

We will responsibly develop vibrant, sustainable places which maintain their distinctive characters, and which supports a local economy that is resilient, equitable and sustainable.

#### **Performance**

We will deliver quality governance, service and value with integrity and transparency.

## **ATTENTION/DISCLAIMER**

Statements or decisions made at Council meetings or briefings should not be relied on (or acted upon) by an applicant or any other person or entity until subsequent written notification has been given by or received from the Shire of Augusta Margaret River. Without derogating from the generality of the above, approval of planning applications and building permits and acceptance of tenders and quotations will only become effective once written notice to that effect has been given to relevant parties. The Shire of Augusta Margaret River expressly disclaims any liability for any loss arising from any person or body relying on any statement or decision made during a Council meeting or briefing.

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## 1. DECLARATION OF OPENING

*The Shire President declared the meeting open at 5.31pm.*

*The Shire President gave an Acknowledgement of Country:*

'Kaya Quabba Kidji Jinnung Noonda Gulyarra Yerunga Wadandi Boodja.

Hello good to see you altogether on Wadandi Boodja

Ngarlack Kaatij Wadandi Yunganjarli Wadandi Boodja.

I would like to acknowledge the Wadandi People, the Traditional Owners of Wadandi.

## 2. ATTENDANCE

Shire President	:	Cr Julia Meldrum
Councillors	:	Cr David Binks Cr Greg Boland Cr Melissa D`Ath Cr Ian Earl Cr Kylie Kennaugh Cr Tracey Muir
Chief Executive Officer	:	Ms Andrea Selvey
Director Corporate and Customer Services	:	Ms Melanie Stevens
Director Sustainable Economy and Communities	:	Mr Nick Byrne
Director Sustainable Development and Infrastructure Services	:	Mr Nick Logan
Manager Legal and Governance	:	Mr Ian McLeod
Senior Governance and Risk Officer	:	Ms Claire Schiller
Governance Officer	:	Ms Emma Dixon
<b>MEMBERS OF THE PUBLIC</b>	:	2
<b>MEMBERS OF THE PRESS</b>	:	AMR Times, Warren Hatelty

### 2.1 Apologies

Cr Ian Earl  
Manager Planning and Regulatory Services, Mr Matt Cuthbert

### 2.2 Approved Leave of Absence

Cr Nikki Jones

**3. DISCLOSURES OF INTEREST**

Nil

**4. PUBLIC QUESTIONS**

**4.1. Response To Previous Public Questions Taken On Notice**

Nil

**4.2. Public Question Time**

Nil

**5. APPLICATIONS FOR LEAVE OF ABSENCE**

**5.1 Cr Kennaugh – 27 November 2024 Ordinary Council Meeting**

**MOTION / COUNCIL DECISION**

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**CR D'ATH, CR MUIR OM2024/149**

That Cr Kennaugh be granted leave of absence from the 20 November to the 27 November 2024.

**CARRIED 6/0**

**FOR: CRS BINKS, BOLAND, D'ATH, KENNAUGH, MELDRUM, MUIR**

**AGAINST: NIL**

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**5.1 Cr Binks – 27 November 2024 Ordinary Council Meeting**

**MOTION / COUNCIL DECISION**

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**CR MUIR, CR D'ATH OM2024/150**

That Cr Binks be granted leave of absence from the 27 November 2024 Ordinary Council Meeting.

**CARRIED 6/0**

**FOR: CRS BINKS, BOLAND, D'ATH, KENNAUGH, MELDRUM, MUIR**

**AGAINST: NIL**

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

**6.1. Ordinary Council Meeting Held 25 September 2024**

**MOTION / COUNCIL DECISION**

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**CR BINKS, CR BOLAND OM2024/151**

That Council confirms the minutes of the Ordinary Council Meeting held on 25 September 2024 to be a true and correct record of the meeting.

**CARRIED 6/0**

**FOR: CRS BINKS, BOLAND, D'ATH, KENNAUGH, MELDRUM, MUIR**

**AGAINST: NIL**

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**7. DEPUTATIONS**

Nil

**8. PETITIONS**

Nil

**9. ANNOUNCEMENTS FROM THE PRESIDING MEMBER**

## **9.1 Events**

'I received really positive feedback about the Reconciliation WA Respect Rising Yarn held at the Nala Bardip Mia – Margaret River HEART 27 September. This was an incredible opportunity for Aboriginal and non-Aboriginal community members and organisations across WA who share a vision to walk together and advance reconciliation in regional WA. Thank you to Cr D'Ath and the CEO for attending this event.

Several Councillors and I attended a WALGA Conference and AGM which I'm sure that the Councillors that joined me found this a very useful forum for our Shire to connect with other local governments, share learnings and opportunities.

Thank you to Cr Muir for attending the Heads of Agencies Breakfast with Department of Communities and DBCA with me. It was another opportunity to reinforce with decision-makers in the State Government, the urgent need to invest in our community.'

## **9.2 Updates**

'We held our First Advocacy Committee meeting on the 16 of October. Thank you to the Committee for the work on election priorities.

Myself and the CEO had a meeting with Nicole Leggett, A/Assistant Director General, Strategy and Partnerships to discuss support for people experiencing Family and Domestic Violence. It was interesting to note that there has been a renewed focus at a State Government level and additional funding for people experiencing FDV. Ms Leggett was pleased to hear from us about the need for crisis accommodation and support services, particularly in preventative measures such as education and counselling.

Grants for Community Partnerships, Community Development and Events and Easy Grants have opened, and we are looking forward to the opportunities to work with organisations in our community who work hard for community benefit.

Engagement with our agriculture sector will be kicking off in the coming weeks. The CEO and officers will be engaging with the farming community to look at how the Shire can work with this important sector.

A new youth initiative at Rec Centre on Friday evenings has begun called Rec Connect. Margaret River Recreation Centre will be opening exclusively for high school aged youth from 7:30 pm to 9:30 pm each Friday from 1 November providing a place to hang out. Look out for the updates via our socials.'

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

Nil

## **11. REPORTS OF COMMITTEES AND OFFICER REPORTS**

# 11.1

## Chief Executive Officer

### 11.1.1. WALGA LOCAL GOVERNMENT ELECTIONS ADVOCACY POSITIONS

<b>Location/Address</b>	Shire of Augusta Margaret River
<b>Applicant/Landowner</b>	Shire of Augusta Margaret River
<b>File Reference</b>	PRL/3
<b>Report Author</b>	Hannah Waters, CEO Executive Assistant
<b>Authorising Officer</b>	Andrea Selvey, Chief Executive Officer
<b>Authority/Discretion</b>	Advocacy

#### IN BRIEF

- The *Local Government Amendment Act 2023* introduced a range of electoral reforms that came into effect prior to the 2023 Local Government ordinary elections.
- A comprehensive review of postal elections undertaken by WALGA shows evidence of rising costs and reduction in service of conducting Local Government elections in Western Australia.
- WALGA are inviting local governments to consider the current and alternative Election Advocacy Positions and provide a response prior to the December 2024 WALGA State Council Meeting (Attachment 1).
- Officers have reviewed the advocacy positions against previous Council decisions relating to Local Government Reforms.
- Council decisions on the WALGA Local Government Election Advocacy Positions must be received by WALGA by 28 October 2024.

#### ATTACHMENTS

1. InfoPage Elections Advocacy Positions V4 [**11.1.1.1** - 5 pages]
2. Attachment 2 O M 201944 [**11.1.1.2** - 15 pages]
3. Attachment 3 O M 202213 [**11.1.1.3** - 48 pages]

#### VOTING REQUIREMENTS

Simple Majority

#### OFFICER RECOMMENDATION

That Council:

1. Notes the previously endorsed Council decisions relating to Local Government Reforms shown in Attachments 2 and 3.
2. Recommends that WALGA adopt the following Local Government Election Advocacy Positions:

1. Participation	Council support advocacy position (b) – The sector supports compulsory voting at Local Government elections.
2. Terms of Office	Council support advocacy position (a) – The sector continues to support four-year terms with a two-year split.
3. Voting Methods	Council support advocacy position (b) – The sector supports Optional Preferential Voting (OPV) as the preferred voting method for general elections.
4. Internal Elections	Council support advocacy position (a) – The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.



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ORDINARY COUNCIL MEETING AGENDA 23 OCTOBER 2024

5. Voting Accessibility	Council support advocacy position (b) – Postal voting.
6. Method of Election of Shire President	Council support advocacy position (b) - Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.

3. Forwards the endorsed Local Government Election Advocacy positions and accompanying minutes to WALGA prior to 28 October 2024.

**LOCATION PLAN**

Nil

**BACKGROUND**

Since 2017, the government has progressed reforms to improve specific aspects of local government performance, including cutting red tape and improving transparency.

In 2019, the Department of Local Government, Sport and Cultural Industries (DLGSC) invited submissions from local governments, officers, elected members, and members of the community on phase 2 of the *Local Government Act 1995* review. Phase 2 of the review focuses on delivering for the community based on the themes Agile, Smart and Inclusive. The review considered nine key topics as outlined in the table below.

Agile	Smart	Inclusive
Beneficial enterprises	Administrative efficiencies / and local laws	Community engagement – Integrated Planning and Reporting (IPR)
Financial management	Council meetings	Complaints management
Rates, fees and charges	Interventions	Elections

At the Ordinary Council Meeting held 13 March 2019, Council endorsed the Shire of Augusta Margaret River’s submission (OM2019/44) and forwarded it onto the DLGSC and WALGA. Please refer to Attachment 2.

In 2022, the Minister for Local Government announced a further package of major reforms to local government in Western Australia based on six major themes:

1. Earlier intervention, effective regulation and stronger penalties
2. Reducing red tape, increasing consistency and simplicity
3. Greater transparency and accountability
4. Stronger local democracy and community engagement
5. Clear roles and responsibilities
6. Improved financial management and reporting.

At the Ordinary Council Meeting held 9 February 2022, Council endorsed the Shire of Augusta Margaret River’s submission (OM2022/13) and forwarded it onto the DLGSC. Please refer to Attachment 3.

The *Local Government Amendment Act 2023* introduced a range of electoral reforms that came into effect prior to the 2023 Local Government ordinary elections:

- the introduction of Optional Preferential Voting (OPV);
- extending the election period to account for delays in postal services;
- changes to the publication of information about candidates;
- backfilling provisions for extraordinary vacancies after the 2023 election;
- public election of the Mayor or President for larger Local Governments;
- abolishing wards for smaller Local Governments; and
- aligning the size of councils with the size of populations of each Local Government (change to representation)

Following requests from several Zone's, WALGA undertook a comprehensive review and analysis of 5 ordinary election cycles up to and including the 2023 Local Government election against the backdrop of these legislative reforms. The review and report focused on postal elections conducted exclusively by the Western Australian Electoral Commission (WAEC), with the analysis finding evidence of the rising cost and a reduction in service of conducting Local Government elections in Western Australia.

The report was presented to State Council 4 September 2024, with State Council supporting a review of WALGA's Local Government Elections Advocacy Positions.

Since 2008, WALGA has surveyed the sector on five occasions and at all times the sector has supported the following:

- first-past-the-post method of counting votes,
- voting at Local Government elections to be voluntary, and
- four-year terms with a two-year spill.

All Local Governments are now being asked to provide a Council decision on WALGAs advocacy positions as they relate to Local Government Elections, to see if the positions are still current.

**STATUTORY AND POLICY REQUIREMENTS RELEVANT TO DECISION**

Feedback to WALGA will inform the WALGA State Council Local Government Elections Advocacy Positions.

**PREVIOUS RESOLUTIONS**

OM2019/44  
OM2022/13

**STRATEGIC COMMUNITY PLAN 2040**

**Performance**

**Outcome PF.1:** Responsible planning and ownership of outcomes

**Strategy PF.1.4:** Regulate and provide information and community communication in accordance with statutory requirements and to best support decision making

**CONSULTATION AND ADVICE**

- WALGA
- Executive Leadership Team

**DISCUSSION / OFFICER COMMENTS**

WALGA have requested the following advocacy positions be considered by Councils. Shire officers have compiled the responses based on previous Council decisions relating to the Local Government Reforms.

1. Participation	Shire Position	Rationale
(a) The sector continues to support voluntary voting at Local Government elections.  OR  (b) The sector supports compulsory voting at Local Governments elections.	2019 Council decision (OM2019/44) endorsed position (b).	The rationale provided in 2019 referred to compulsory LG election voting in other States and stated; The rationale provided in 2019 was that "Compulsory voting would increase the turnout at elections and ensure that the votes cast would better reflect the community."
2. Terms of Office	Shire Position	Rationale

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<p>(a) The sector continues to support four-year terms with a two year spill;</p> <p style="text-align: center;">OR</p> <p>(b) The sector supports four-year terms on an all in/all out basis.</p>	<p>2019 Council decision (OM2019/44) endorsed position (a).</p>	<p>The rationale provided in 2019 was that elections are held every two years in WA, with nominations sought for half of a council's positions at each election. This provides continuity on council, and enables public to more regularly have a say through elections.</p>
3. Voting Methods	Shire Position	Rationale
<p>(a) The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections.</p> <p style="text-align: center;">OR</p> <p>(b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for general elections.</p>	<p>2019 Council decision OM2019/44 endorsed position (b) Preferential Voting.</p> <p>2022 Council decision OM2022/13 endorsed conditional support for position (b) preferential voting.</p>	<p>The rationale provided in 2019 was: Preferential voting is consistent with the current method at State and Federal level.</p> <p>The 'conditional' nature of Council's support for preferential voting in 2022 was a noting of the possible cost increases associated with preferential elections.</p>
4. Internal Elections	Shire Position	Rationale
<p>(a) The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.</p> <p style="text-align: center;">OR</p> <p>(b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for all internal elections.</p>	<p>There is no previous council decision for preferred voting method for <i>internal elections</i>. Officers currently recommend option (a) FPTP.</p>	<p>The only internal elections held by LG under the current regime is for the deputy president. OPV can be complicated especially when performed by staff who are unfamiliar with the process and it is more likely to lead to errors or objections.</p>
5. Voting Accessibility	Shire Position	Rationale
<p>The sector supports the option to hold general elections through:</p> <p>(a) Electronic voting; and/or</p> <p>(b) Postal voting; and/or</p> <p>(c) In-Person voting.</p>	<p>2019 Council decision (OM2019/44) endorsed position (b).</p>	<p>The rationale provided in 2019 was: The Shire has opted to conduct postal voting in recent elections. Online voting is an alternative method trialed in the 2017 State Government elections. Online voting is seen as convenient, more efficient, potential to increase voter turnout, and</p>

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		<p>in the long term, more cost effective, but it has not been adopted widely due to concerns with integrity of voter registration, security, casting and scrutiny of votes, and high costs in establishing the online system. Recommend continuing with postal elections, while State and Federal Government trial online voting, and support WALGA's proposal to continue to investigate online voting and other opportunities to increase voter turnout. Note: Continue with postal voting until State or Federal Government adopt online voting.</p>
<p><b>6. Method of Election of Mayor</b></p>	<p><b>Shire Position</b></p>	<p><b>Rationale</b></p>
<p>The sector supports:</p> <p>(a) As per the current legislation with no change – Class 1 and 2 local governments directly elect the Mayor or President (election by electors method), with regulations preventing a change in this method.</p> <p>(b) Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.</p> <p>(c) Apply current provisions to all Bands of Local Governments – apply the election by electors method to all classes of local governments.</p>	<p>2022 Council decision OM2022/13 supports position (b).</p>	<p>The rationale provided in 2022 objecting to the change for public vote to elect the Mayor, were based on the following points:</p> <ul style="list-style-type: none"> <li>- Limited candidate information available to electors to assess leadership qualities, resulting in decisions based on popularity rather than leadership qualities.</li> <li>- Increases likelihood of a mayor or president who may not have support from their Council.</li> <li>- it increases the potential for complications in relationship between The Mayor/President and CEO's if the Mayor/President is at odds with council.</li> </ul> <p>a</p> <p>Furthermore, it increases the potential for disharmony and complications in local government relationships. The Shire President is the CEO's point of contact, and difficulties will arise if the Shire President is at odds with council. Note: Greater</p>

		role clarity was also supported.
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**FINANCIAL IMPLICATIONS**

**Implications, Long Term Financial Plan, Whole of Life Cycle Considerations**

Some of the proposed reforms will have financial implications on the Shire, notably increasing costs associated with postal elections and preferential elections. Budget implications have been summarised in the table able and were also included in Attachments 2 & 3.

**SUSTAINABILITY IMPLICATIONS**

**Environmental, Social, Economic, Contribution to ‘Net Zero’ Targets**

Changes to the *Local Government Amendment Act 2023* have the potential to deliver significant benefits for residents and ratepayers, small business, industry, elected members and officers working in the local government sector.

**ADVOCACY**

This submission provides Council the opportunity to advise WALGA on the Shire of Augusta Margaret River’s Local Government Elections position for the purpose of informing the WALGA State Council Local Government Elections Advocacy Positions.

**RISK ASSESSMENT**

The risk of not submitting the submission is the loss of opportunity for Council to inform sector wide advocacy relevant to the function and operation of local government in Western Australia.

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**CR KENNAUGH, CR MUIR OM2024/152**

That Council:

1. Notes the previously endorsed Council decisions relating to Local Government Reforms shown in Attachments 2 and 3.
2. Recommends that WALGA adopt the following Local Government Election Advocacy Positions:

1. Participation	Council support advocacy position (b) – The sector supports compulsory voting at Local Government elections.
2. Terms of Office	Council support advocacy position (a) – The sector continues to support four-year terms with a two-year split.
3. Voting Methods	Council support advocacy position (b) – The sector supports Optional Preferential Voting (OPV) as the preferred voting method for general elections.
4. Internal Elections	Council support advocacy position (a) – The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.
5. Voting Accessibility	Council support advocacy position (b) – Postal voting.
6. Method of Election of Shire President	Council support advocacy position (b) - Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.

3. Forwards the endorsed Local Government Election Advocacy positions and accompanying minutes to WALGA prior to 28 October 2024.

**CARRIED 6/0**  
**FOR: CRS BINKS, BOLAND, D’ATH, KENNAUGH, MELDRUM, MUIR**  
**AGAINST: NIL**

# 11.2

## Sustainable Development and Infrastructure

Nil

# 11.3

## Corporate and Customer Services



### 11.3.1. COUNCIL DECISION ACTION LIST - JANUARY 2024 TO JUNE 2024

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<b>Location/Address</b>	Shire Augusta Margaret River
<b>Applicant/Landowner</b>	N/A
<b>File Reference</b>	GOV/61
<b>Report Author</b>	Emma Dixon, Governance Officer
<b>Authorising Officer</b>	Ian McLeod, Manager Legal and Governance
<b>Authority/Discretion</b>	Information Purposes

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#### IN BRIEF

- This report is provided to Council to show the action status of Council resolutions for the period 1 January 2024 to 30 June 2024 and to provide a comparison in reporting statistics from the previous six months.
- Attachment 1 lists the decisions which have been made since January 2024 and allows Councillors to track the progress of resolutions of Council.

#### ATTACHMENTS

1. Council Decision Action List January 2024 to June 2024 [**11.3.1.1** - 8 pages]

#### VOTING REQUIREMENTS

Simple Majority

#### OFFICER RECOMMENDATION

That Council:

1. Notes the 73 resolutions of Ordinary and Special Meetings for the period 1 January 2024 to 30 June 2024 contained in Attachment 1, of which 64 have been completed or require no further action; and
  2. Notes the progress of the 9 incomplete items.
- 

#### LOCATION PLAN

Nil

#### BACKGROUND

The Council is charged with the duty to responsibly govern the local government's affairs (s 2.7 *Local Government Act 1995*) and does so by making well informed and duly considered decisions at its fortnightly Ordinary Meetings and any other Special Meetings that are called.

On a monthly basis, or as actions occur, updates on the progress status of Council decisions are made within the Council Meeting Decisions Action List. Of the 73 decisions that were determined by Council during Ordinary and Special Council Meetings between 1 January 2024 to 30 June 2024, 64 have been completed or require no further action. Those items marked 'In Progress' have been rolled over for continued reporting, updating and completion.

#### STATUTORY AND POLICY REQUIREMENTS RELEVANT TO DECISION

Under section 5.41 of the *Local Government Act 1995* one of the listed functions of the CEO is to "(c) *cause council decisions to be implemented*". A Council Decisions Action List is used by the CEO and staff to regularly update the action status of all Council resolutions so that timely implementation of decisions can be tracked, and so that relevant and accurate information can be passed on to Councillors and the community.

**STRATEGIC COMMUNITY PLAN 2040**

**Performance**

**Outcome PF.1:** Responsible planning and ownership of outcomes

**Strategy PF.1.2:** Regulate and provide support to ensure Councillors and employees deliver integrity and transparency in their behaviour, decision making and in compliance with codes of conduct

**Strategy PF.1.4:** Regulate and provide information and community communication in accordance with statutory requirements and to best support decision making

**CONSULTATION AND ADVICE**

- Directors
- Managers
- Reporting Officers

**DISCUSSION / OFFICER COMMENTS**

The following information provides a breakdown of how many items have been raised by Directorates, Councillors, and Special Meetings in the six months between 1 January 2024 to 30 June 2024.

	<b>Number of items</b>	<b>Action Status</b>
Chief Executive's Office (CEO)	10	All actions complete / no further action required
Sustainable Development and Infrastructure (SDI)	22	4 actions in progress
Sustainable Economy and Communities (SEC)	4	1 action in progress
Corporate and Community Services (CCS)	34	2 actions in progress
Members of Council (MOC)	3	2 actions in progress
<b>Total number of decisions made</b>	<b>73</b>	9 actions in progress 64 actions completed/no further action

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The following table lists the decisions that are still being actioned for the period 1 January 2024 to 30 June 2024:

<b>Council Decisions – Actions in Progress</b>				
<b>Date</b>	<b>Item</b>	<b>Decision Number</b>	<b>Progress Status</b>	<b>Responsible Directorate</b>
24.1.24	11.2.3- Report to Petition- Reduce the Speed of Traffic on Tunbridge Street	OCM2024/4	Currently investigating opportunity for grant funded traffic calming action in progress.	SDI
28.2.24	11.3.1- Outcomes of General Electors Meeting	OM2024/25, OM20224/26	Development of an Agricultural Policy. Discussions beginning 1/10/2024 with officers to write reports to Council for the November OCM.	SEC
28.2.24	11.2.1- Review of Capes Region Boating Strategy	OM2024/28	Item was deferred. Agenda Briefing scheduled for the beginning of November.	SDI
28.2.24	12.1- Signage at Gnarabup Bay and Flinders Bay- Ecological and Cultural Values- CR Muir	OM2024/33	The signage proposed for Gnarabup Bay and Flinders Bay- Ecological and Cultural Values is in progress with planning and resources for each sign being developed. We are currently waiting on DBCA for some information to be utilised on the signs and will need to consult with the Undalup Association on finalising the cultural input into the sign.	MOC
13.3.24	11.2.1- Review of Short Stay Accommodation Policy	OM2024/41	Council deferred this item until the State Government have released a revised Bushfire Policy. This item will be held until this revision has been released.	SDI
13.3.24	11.2.2- Local Emergency Management Committee Meeting Minutes	OM2024/42	Shire officers have contacted a local electrical contractor to investigate the feasibility of installing backup generator power to the Augusta Shire Offices and/or Augusta Radio Station, with a third possible option of backup generator power being installed at the Augusta Evacuation Centre (Recreation Centre). A quote has been received outlining the scope of work and costs of the proposed work. An officer's report outlining the feasibility and financial implications of the installation will be submitted to a future Ordinary Meeting.	SDI

SHIRE OF AUGUSTA MARGARET RIVER  
ORDINARY COUNCIL MEETING AGENDA 23 OCTOBER 2024

			Contact has been made with ABC Radio regarding concerns of reception blackspots in our shire. Further information on what issues were being observed, including when and where they have been occurring, was requested by ABC Radio. LEMC members were asked to provide further information, with minimal feedback received by Shire officers. A social media post is being created aimed at the local community, seeking to further identify areas of poor radio reception in the southern parts of the shire. An update on any submissions received will be provided at the next LEMC meeting in November.	
22.5.24	12.1- Illegal Camping	OM2024/69	Part 4 in progress. Interim update provided June 2024. Next one will be October 16 2024. Pending completion of the City of Busselton's review on the scope of "illegal camping / peak season". When this has been confirmed we collaborate and present to Council. Councillor workshop being held on October 16 to present and discuss the report.	MOC
25.6.24	11.3.8- Renewal of lease over Cafe at Old Settlement Precinct- Reserve 39081	OM2024/98	Engaged with a surveyor to survey lease area. Expect lease to be completed prior to October 2024.	CCS
25.6.24	11.3.9- Margaret River Recreation Centre Cafe Lease	OM2024/99	Drafted lease completed. Contract entered with Byte Construction to complete fit out. Expect completion in October 2024.	CCS

The following table lists the decisions that are still being actioned for the period 1 July 2023 to 31 December 2023:

SHIRE OF AUGUSTA MARGARET RIVER  
ORDINARY COUNCIL MEETING AGENDA 23 OCTOBER 2024

Council Decisions – Actions in Progress				
Date	Item	Decision Number	Progress Status	Responsible Directorate
9.8.23	11.1.1. Leasing of Gnarabup Shed, reserve 46732	OM2023/142	Action in progress – New reserve over the Gnarabup shed with power to lease has been created. Management order has been received. Will be advertising for EOIs for use of Gnarabup shed within the coming weeks.	CEO
13.9.23	11.2.4. Leisure Facilities Plan	OM2023/173	This has been incorporated into the forward capital works and long-term financial plans to begin implementation of the various projects identified in the plan. We are also undertaking a review of the developer contributions scheme to incorporate the new projects identified in the leisure plan which aren't currently included in a developer contribution scheme.	SDI
13.9.23	11.2.3. Pioneer Park Nature Playspace	OM2023/172	Funding from Phase 4 of the Local Roads and Community Infrastructure (LRCI) Program has been allocated to this project. A project budget of \$175,000 (including 25% overheads) has been allocated. Grant funds must be spent in the 24/25 financial year. Council will be informed once the renewal is complete.	SDI
13.12.23	11.2.3. Gracetown Shared Path-Feasibility Study	OM2023/220	Feature survey to be commissioned prior to detailed design.	SDI

All decisions have been actioned/require no further action for the period 1 January to 30 June 2023.

All decisions have been actioned/require no further action for the period 1 July to 31 December 2022.

The following table lists the decisions that are still being actioned for the period of 1 January to 30 June 2022:

Council Decisions – Actions in Progress				
Date	Item	Decision Number	Progress Status	Responsible Directorate

SHIRE OF AUGUSTA MARGARET RIVER  
ORDINARY COUNCIL MEETING AGENDA 23 OCTOBER 2024

27.04.22, 14.10.20	15.1- Lot 2 Stirling Street, Augusta	OM2022/70, OM2020/201	The matter is being handled by the Shire's solicitor who advised on 2 February 2024 that the Shire's application to have the land vest in the Crown is still being processed by DPLH.	CEO
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All decisions have been actioned/ require no further action for the period 1 July 2022 to 31 December 2020.

The following table lists the decisions that are still being actioned for the period 1 January to 30 June 2019:

Council Decisions – Actions in Progress				
Date	Item	Decision Number	Progress Status	Responsible Directorate
13.03.19	12.2 Provision of Toilets at Gas Bay	OM2019/53	To be considered as part of the Gas Bay to Cape Mentelle Concept Plan review. Consultation to commence in November 2024.	SDI

The following table lists the decisions that are still being actioned for the period 1 July to 31 December 2018:

Council Decisions – Actions in Progress				
Date	Item	Decision Number	Progress Status	Responsible Directorate
10.10.18	11.3.1 Leeuwin Naturaliste 2050 Cycling Strategy - for adoption	OM2015/247	Liaising with the Department of Transport as they propose to undertake a complete review of the strategy.	SDI

The following table lists the decisions that are still being actioned for the period 1 January to 30 June 2018:

Council Decisions – Actions in Progress				
Date	Item	Decision Number	Progress Status	Responsible Directorate

SHIRE OF AUGUSTA MARGARET RIVER  
ORDINARY COUNCIL MEETING AGENDA 23 OCTOBER 2024

05.06.18	5.3 Cape to Cape Track – Winter Diversion	Adopted with 4 supplementary motions. SM2018/2 - completed SM2018/3 – completed, action noted SM2018/4 – completed, action noted SM2018/5 - completed, action noted SM2018/6 - action in progress - these actions have been completed with the exception of the further investigation of the creation of 'Wildness zones', which was further reinforced in 2019 through the Margaret River Lower Foreshore action plan adoption.	Requires further investigation	SDI
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The following table lists decisions that were outstanding for the last reporting period (July – December 2023), which have since been completed:

Council Decisions – Actioned				
Date	Item	Decision Number	Progress Status	Responsible Directorate
10.05.23	11.2.1 Review of Local Planning Policy 7 – Short Stay Accommodation	OM2023/59	Complete	SDI
08.11.2023	11.3.3. Age Friendly Community Plan 2023-2027	OM2023/207	Complete	CCS
08.11.23	11.2.1. LPP13 - Mobile Food Business Policy	OM2023/202	Complete	SDI
14.06.23	Bushfire Advisory Committee Meeting	OM2023/95	Complete	SDI
13.12.23	Margaret River Youth Precinct Cafe Lease	OM2023/217	Complete	CEO
27.07.22	27.07.22 Review the Permissibility of Holiday Homes – Cr Meldrum	OM2022/122	Complete	MOC

All decisions prior to January 2018 are complete.

**FINANCIAL IMPLICATIONS**

**Implications, Long Term Financial Plan, Whole of Life Cycle Considerations**

Nil

**SUSTAINABILITY IMPLICATIONS**

**Environmental, Social, Economic, Contribution to 'Net Zero' Targets**

Where applicable, environmental implications are considered by Councillors when making decisions, as Council has made a commitment to ensure an integrated approach to protecting the natural environment for current and future generations.

Decisions of Council are made in the best interests of the community, so timely and effective implementation of these resolutions by the CEO leads to a better resourced and better serviced community.

Efficient and well-planned implementation of Council decisions by CEO direction and high-quality staff leads to fewer staff hours spent on projects and better risk mitigation, which can lead to cost savings into the future.

**ADVOCACY**

Nil

**RISK ASSESSMENT**

Nil

**OFFICER RECOMMENDATION / COUNCIL DECISION**

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**CR BINKS, CR KENNAUGH OM2024/153**

That Council:

1. Notes the 73 resolutions of Ordinary and Special Meetings for the period 1 January 2024 to 30 June 2024 contained in Attachment 1, of which 64 have been completed or require no further action; and
2. Notes the progress of the 9 incomplete items.

**CARRIED 6/0**  
**FOR: CRS BINKS, BOLAND, D'ATH, KENNAUGH, MELDRUM, MUIR**  
**AGAINST: NIL**

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### 11.3.2. FINANCIAL ACTIVITY STATEMENT FOR AUGUST 2024

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<b>Location/Address</b>	Shire of Augusta Margaret River
<b>Applicant/Landowner</b>	N/A
<b>File Reference</b>	FIN/14
<b>Report Author</b>	Claire Stirling, Management Accountant
<b>Authorising Officer</b>	Melanie Stevens, Director Corporate and Customer Services
<b>Authority/Discretion</b>	Legislative

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#### IN BRIEF

- The monthly financial activity statement report is a standard financial reporting item prepared in accordance with the provisions of the *Local Government Act 1995* and regulation 34 of the *Local Government (Financial Management) Regulations 1996* (FM Regs).
- Council is to consider the financial results for the period ending 31 August 2024.
- It should be noted that the figures in the August 2024 financial activity statement are different from those that will be included in the annual financial report, since final year-end adjustments and audit review are pending.

#### ATTACHMENTS

1. Capital Works Budget - August 2024 [**11.3.2.1** - 4 pages]
2. Monthly Business Unit Budgets - August 2024 [**11.3.2.2** - 43 pages]
3. Monthly Financial Report - August 2024 [**11.3.2.3** - 23 pages]

#### VOTING REQUIREMENTS

Simple Majority

#### OFFICER RECOMMENDATION

That Council receives the Monthly Financial Report for August 2024 in accordance with section 6.4 of the *Local Government Act 1995* and regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996*.

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#### LOCATION PLAN

Nil

#### BACKGROUND

The Shire is required to prepare a monthly Statement of Financial Activity, reporting on the sources and applications of funds as set out in the annual budget for that month with the following details:

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

In addition, the Shire is required to prepare a monthly Statement of Financial Position, showing the financial position as at:

1. The last day of the previous month; and
2. The last day of the previous financial year.

Under Regulation 34(5) of the FM Regs Council are to adopt a material variance threshold every year. At the Ordinary Meeting of Council on 24 July 2024 (OM2024/114) Council adopted a monthly variance for reporting of material variances, where financial activity is greater than 10% and \$10,000.

#### **STATUTORY AND POLICY REQUIREMENTS RELEVANT TO DECISION**

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

Regulation 35 of the FM Regulations was introduced from 1 July 2023, requiring the monthly financial report to include a Statement of Financial Position showing the financial position of the local government as at the last day of the previous month, and of the previous financial year.

#### **PREVIOUS RESOLUTIONS**

Nil

#### **STRATEGIC COMMUNITY PLAN 2040**

##### **Performance**

**Outcome PF.1:** Responsible planning and ownership of outcomes

**Strategy PF.1.1:** Regulate and provide support to attract and develop diverse Councillors that lead and deliver on the community's vision for the future

**Strategy PF.1.4:** Regulate and provide information and community communication in accordance with statutory requirements and to best support decision making

#### **CONSULTATION AND ADVICE**

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

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

The commentary contained in the body of this report is in line with *Financial Management Regulations* r 34(2)(b) that requires commentary on material variances to the Statement of Financial Activity at the nature/type level.

The Statement of Financial Activity shows an opening position on 1 July 2024 of \$1.619 million compared against a budgeted position of \$1.128 million.

Actual operating revenue year to date is \$35.448 million, which is in line with budget.

Actual operating expenditure year to date is \$5.101 million. Whilst operating expenditure is currently showing at 45.90% less than budgeted, it should be noted that the main cause of this is depreciation, which will not be processed until the conclusion of the 2023-24 audit of the financial statements (depreciation budget year to date is \$2.506m)

Actual employee expenses for the year to date are \$2.690 million, being \$0.674 million or 20.04% lower than budget. This is mainly due to vacant positions. Recruitment is underway for a number of positions to address the vacancies.

It should be noted that recruitment continues to be a challenge for the Shire, as for many organisations, with unemployment rates in Western Australia being at low levels and local accommodation options being in short supply, which contributed to the underspend position. The below table gives a breakdown of the Shire's performance on employee expenses for August 2024.

SHIRE OF AUGUSTA MARGARET RIVER  
ORDINARY COUNCIL MEETING AGENDA 23 OCTOBER 2024

Category	Amended Budget (\$ millions)	YTD Budget (\$ millions)	YTD Actual (\$ millions)	YTD Variance (\$ millions)
Salaries & Wages	\$ 16.309	\$ 2.516	\$ 2.172	\$ 0.345
Employee provisions	\$ 1.768	\$ 0.272	\$ -	\$ 0.272
Superannuation	\$ 2.392	\$ 0.368	\$ 0.322	\$ 0.046
Workers compensation	\$ 0.236	\$ 0.118	\$ 0.096	\$ 0.022
Fringe benefits tax	\$ 0.021	\$ 0.003	\$ 0.004	\$ (0.001)
Professional memberships	\$ -	\$ -	\$ 0.001	\$ (0.001)
Recruitment	\$ -	\$ -	\$ 0.019	\$ (0.019)
Training, education & conferences	\$ 0.387	\$ 0.066	\$ 0.064	\$ 0.002
Uniforms & protective clothing	\$ 0.087	\$ 0.020	\$ 0.013	\$ 0.008
<b>Total</b>	<b>\$ 21.201</b>	<b>\$ 3.364</b>	<b>\$ 2.690</b>	<b>\$ 0.674</b>

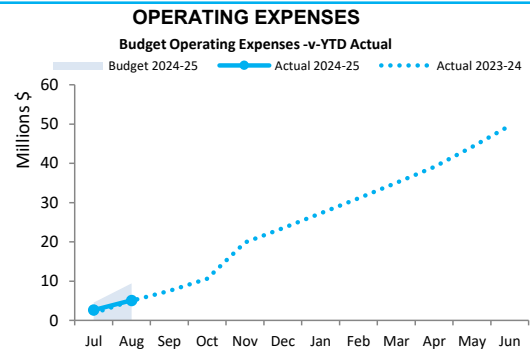
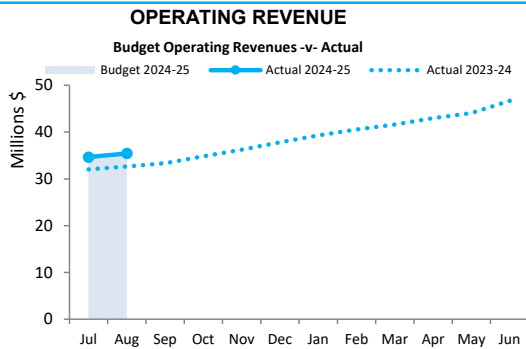
\$0.617 million has been recognised regarding grants for capital works to 31 August 2024, compared with a budget of \$0.093 million. This is mainly due to the Main Road Direct Grant being received in August which is required to be recognised as income upon receipt.

\$0.144 million of capital expenditure has been incurred year to date, which shows are being \$0.402 million less than budgeted. Budgeted profiling of capital expenditure will be adjusted to match expected actual profiling in future months.

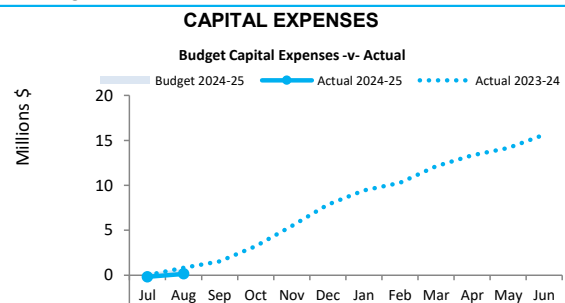
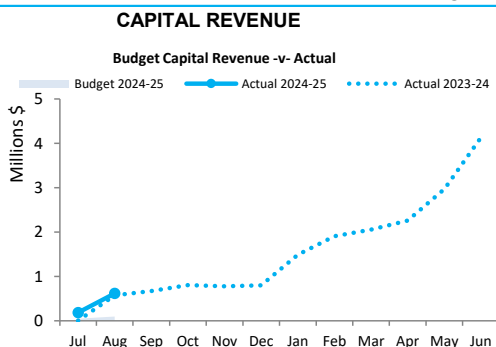
Financial performance against budget is shown in the following charts:

**KEY INFORMATION - GRAPHICAL**

**OPERATING ACTIVITIES**



**INVESTING ACTIVITIES**



Following is the Statement of Financial Activity for the period ending 31 August 2024.

SHIRE OF AUGUSTA MARGARET RIVER  
ORDINARY COUNCIL MEETING AGENDA 23 OCTOBER 2024

**AUGUSTA MARGARET RIVER SHIRE  
STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 AUGUST 2024**

	Supplementary Information	Budget Estimates (a) \$	YTD Budget Estimates (b) \$	YTD Actual (c) \$	Variance* \$ (c) - (b)	Variance* % ((c) - (b))/(b)	Var.
<b>OPERATING ACTIVITIES</b>							
<b>Revenue from operating activities</b>							
General rates	10	29,019,799	28,549,913	<b>28,548,958</b>	(955)	(0.00%)	
Grants, subsidies and contributions	14	1,547,183	176,746	<b>159,773</b>	(16,973)	(9.60%)	▼
Fees and charges		12,652,323	6,276,815	<b>6,440,444</b>	163,629	2.61%	▲
Interest revenue		1,696,000	265,000	<b>282,575</b>	17,575	6.63%	▲
Other revenue		61,500	57,600	<b>15,919</b>	(41,681)	(72.36%)	▼
Profit on asset disposals	6	40,467	0	<b>0</b>	0	0.00%	
		<b>45,017,273</b>	<b>35,326,074</b>	<b>35,447,669</b>	121,595	0.34%	
<b>Expenditure from operating activities</b>							
Employee costs		(21,236,193)	(3,364,001)	<b>(2,689,748)</b>	674,253	20.04%	▲
Materials and contracts		(12,424,830)	(2,568,882)	<b>(1,622,962)</b>	945,920	36.82%	▲
Utility charges		(1,315,832)	(165,357)	<b>(124,102)</b>	41,255	24.95%	▲
Depreciation		(14,758,498)	(2,506,923)	<b>0</b>	2,506,923	100.00%	▲
Finance costs		(597,455)	(138,681)	<b>(53,387)</b>	85,294	61.50%	▲
Insurance		(905,552)	(449,124)	<b>(475,490)</b>	(26,366)	(5.87%)	▼
Other expenditure		(1,459,861)	(236,662)	<b>(135,531)</b>	101,131	42.73%	▲
Loss on asset disposals	6	(168,034)	0	<b>0</b>	0	0.00%	
		<b>(52,866,255)</b>	<b>(9,429,630)</b>	<b>(5,101,220)</b>	4,328,410	45.90%	
Non-cash amounts excluded from operating activities	Note 2(b)	14,886,065	2,506,923	<b>998,706</b>	(1,508,217)	(60.16%)	▼
<b>Amount attributable to operating activities</b>		<b>7,037,083</b>	<b>28,403,367</b>	<b>31,345,155</b>	2,941,788	10.36%	
<b>INVESTING ACTIVITIES</b>							
<b>Inflows from investing activities</b>							
Proceeds from capital grants, subsidies and contributions	15	8,814,143	93,200	<b>617,333</b>	524,133	562.37%	▲
Proceeds from disposal of assets	6	477,000	0	<b>68,052</b>	68,052	0.00%	▲
Proceeds from financial assets at amortised cost - self supporting loans		23,305	0	<b>2,500</b>	2,500	0.00%	
		<b>9,314,448</b>	<b>93,200</b>	<b>687,885</b>	594,685	638.07%	
<b>Outflows from investing activities</b>							
Payments for financial assets at amortised cost - self supporting loans		(27,000)	(24,500)	<b>0</b>	24,500	100.00%	▲
Payments for property, plant and equipment	5	(7,132,425)	(527,217)	<b>(61,742)</b>	465,475	88.29%	▲
Payments for construction of infrastructure	5	(12,347,646)	(163,109)	<b>(82,488)</b>	80,621	49.43%	▲
		<b>(19,507,071)</b>	<b>(714,826)</b>	<b>(144,230)</b>	570,596	79.82%	
<b>Amount attributable to investing activities</b>		<b>(10,192,625)</b>	<b>(621,626)</b>	<b>543,655</b>	1,165,281	187.46%	
<b>FINANCING ACTIVITIES</b>							
<b>Inflows from financing activities</b>							
Transfer from reserves	4	8,596,066	0	<b>0</b>	0	0.00%	
		<b>8,596,066</b>	<b>0</b>	<b>0</b>	0	0.00%	
<b>Outflows from financing activities</b>							
Repayment of borrowings	11	(1,140,482)	(247,055)	<b>(247,379)</b>	(324)	(0.13%)	
Payments for principal portion of lease liabilities	12	(110,415)	(18,487)	<b>(15,704)</b>	2,783	15.05%	▲
Transfer to reserves	4	(5,317,525)	(150,000)	<b>(230,177)</b>	(80,177)	(53.45%)	▼
		<b>(6,568,422)</b>	<b>(415,542)</b>	<b>(493,260)</b>	(77,718)	(18.70%)	
<b>Amount attributable to financing activities</b>		<b>2,027,644</b>	<b>(415,542)</b>	<b>(493,260)</b>	(77,718)	(18.70%)	
<b>MOVEMENT IN SURPLUS OR DEFICIT</b>							
<b>Surplus or deficit at the start of the financial year</b>							
Amount attributable to operating activities		1,127,898	1,127,898	<b>1,618,584</b>	490,686	43.50%	▲
Amount attributable to investing activities		7,037,083	28,403,367	<b>31,345,155</b>	2,941,788	10.36%	▲
Amount attributable to financing activities		(10,192,625)	(621,626)	<b>543,655</b>	1,165,281	187.46%	▲
Amount attributable to financing activities		2,027,644	(415,542)	<b>(493,260)</b>	(77,718)	(18.70%)	▼
<b>Surplus or deficit after imposition of general rates</b>		<b>0</b>	<b>28,494,097</b>	<b>33,014,134</b>	4,520,037	15.86%	▲

**KEY INFORMATION**

▲ ▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.

\* Refer to Note 3 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and Notes.

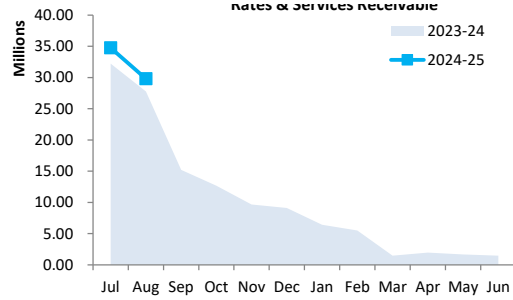
**Outstanding Debtors**

The following charts compare the outstanding balance of rates and services and the outstanding balance of rates and services in arrears for the current and previous years.

**SHIRE OF AUGUSTA MARGARET RIVER  
ORDINARY COUNCIL MEETING AGENDA 23 OCTOBER 2024**

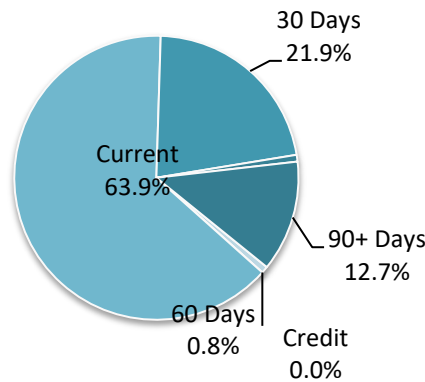
**Rates & Services Receivable**

	<b>30 Jun 2024</b>	<b>31 Aug 2024</b>
	<b>\$</b>	<b>\$</b>
Opening arrears previous years	748,587	1,537,525
Levied this year	32,218,252	33,829,740
Less - collections to date	(31,429,314)	(5,471,092)
Gross rates collectable	<b>1,537,525</b>	<b>29,896,173</b>
Allowance for impairment of rates receivable	(72,996)	(72,996)
<b>Net rates collectable</b>	<b>1,464,529</b>	<b>29,823,177</b>
% Collected	95.3%	15.5%



**Accounts Receivable (non-rates)**

- Credit
- Current
- 30 Days
- 60 Days
- 90+ Days



The largest portion of the debt outstanding for more than 90 days relates to a fine billed but not yet paid in full. This debt is being paid off in instalments over time.

**Investments**

At 31 August 2024 the Shire’s cash on hand, deposits and investments totaled \$36.926 million including term deposits of \$23.500 million.

Of the \$0.238 investment interest received \$0.230 was attributed to interest on reserve and \$0.008 to municipal investments.

**Term Deposits – Cash Management**

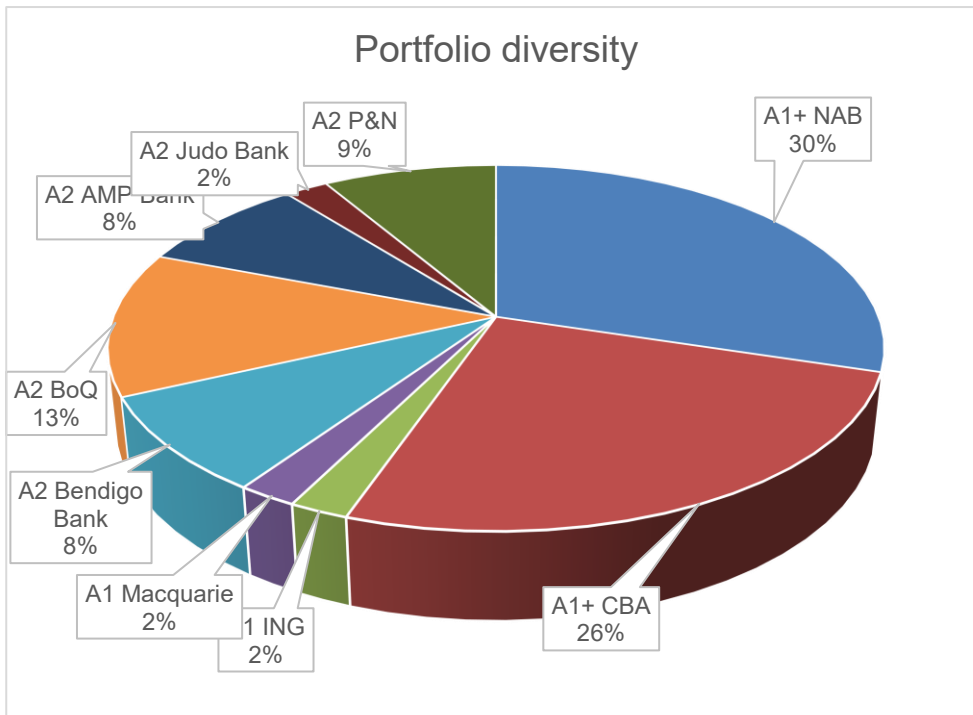
At 31 August 2024, the Shire had the following short-term facilities (term deposits).

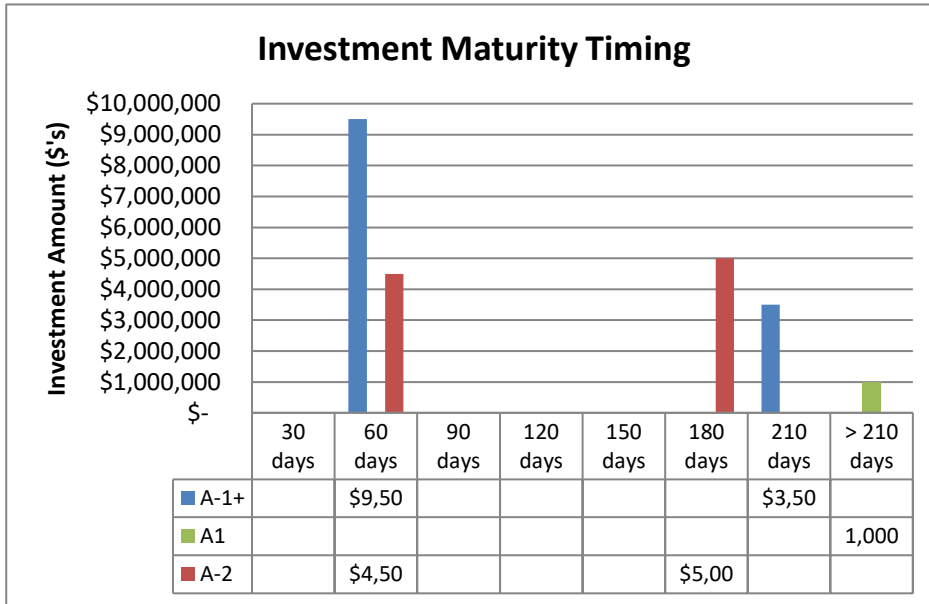
SHIRE OF AUGUSTA MARGARET RIVER  
ORDINARY COUNCIL MEETING AGENDA 23 OCTOBER 2024

Maturity Date	Term (days)	Institution (ADI)	Credit Rating	Investment Principal (\$ millions)	Interest Rate	Interest Due (\$ millions)
8/01/2025	184	AMP	A-2	\$ 2.000	5.05%	\$ 0.051
8/01/2025	184	Bendigo Bank	A-2	\$ 1.500	5.14%	\$ 0.039
8/01/2025	184	P&N	A-2	\$ 1.500	5.26%	\$ 0.040
9/05/2025	365	ING	A1	\$ 0.500	5.35%	\$ 0.027
9/05/2025	365	MAC	A1	\$ 0.500	4.80%	\$ 0.024
10/02/2025	181	CBA	A-1+	\$ 1.000	4.76%	\$ 0.024
17/02/2025	182	NAB	A-1+	\$ 1.000	4.95%	\$ 0.025
24/02/2025	182	NAB	A-1+	\$ 1.000	5.00%	\$ 0.025
24/02/2025	182	CBA	A-1+	\$ 0.500	4.72%	\$ 0.012
3/09/2024	90	P&N	A-2	\$ 0.500	4.95%	\$ 0.006
3/09/2024	90	Bendigo Bank	A-2	\$ 0.500	4.65%	\$ 0.006
3/09/2024	90	BOQ	A-2	\$ 0.500	4.60%	\$ 0.006
4/09/2024	91	NAB	A-1+	\$ 1.500	4.95%	\$ 0.019
4/09/2024	90	Judo Bank	A-2	\$ 0.500	5.10%	\$ 0.006
12/09/2024	90	CBA	A-1+	\$ 2.000	4.69%	\$ 0.023
23/09/2024	91	BOQ	A-2	\$ 2.500	4.80%	\$ 0.030
23/09/2024	91	NAB	A-1+	\$ 3.500	4.95%	\$ 0.043
23/09/2024	91	CBA	A-1+	\$ 2.500	4.71%	\$ 0.029
				\$ 23.500		\$ 0.433

In August 2024, four term deposits matured and all four were rolled over in full.

The weighted average interest rate on all investments held on 31 August 2024 was 4.90%.





**In-Kind Support**

During August 2024 the following fees & charges have been waived:

- Nil

During August 2024 the following donations were approved:

- Nil

**Reserves**

Monthly interest on reserve balances was processed for the month of August 2024.

**Budget Amendments**

Nil

**FINANCIAL IMPLICATIONS**

**Implications, Long Term Financial Plan, Whole of Life Cycle Considerations**

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

**SUSTAINABILITY IMPLICATIONS**

**Environmental, Social, Economic, Contribution to 'Net Zero' Targets**

As included in the attached reports.

**ADVOCACY**

Nil

**RISK ASSESSMENT**

Nil

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**CR MUIR, CR D'ATH OM2024/154**

**That Council receives the Monthly Financial Report for August 2024 in accordance with section 6.4 of the *Local Government Act 1995* and regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996*.**

**CARRIED 6/0  
FOR: CRS BINKS, BOLAND, D'ATH, KENNAUGH, MELDRUM, MUIR  
AGAINST: NIL**

### 11.3.3. LIST OF PAYMENTS SEPTEMBER 2024

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<b>Location/Address</b>	Shire of Augusta Margaret River
<b>Applicant/Landowner</b>	Shire of Augusta Margaret River
<b>File Reference</b>	FIN/42
<b>Report Author</b>	Simone Meyer, Finance Officer
<b>Authorising Officer</b>	Melanie Stevens, Director Corporate and Customer Services
<b>Authority/Discretion</b>	Legislative

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#### IN BRIEF

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

#### ATTACHMENTS

1. List of Payments September 2024 [11.3.3.1 - 16 pages]

#### VOTING REQUIREMENTS

Simple Majority

#### OFFICER RECOMMENDATION

That Council notes the September 2024 List of Payments for \$3,861,331.53 as certified correct by the Chief Executive Officer.

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#### LOCATION PLAN

Nil

#### BACKGROUND

Where Council has delegated authority to the CEO to make payments from the Shire's bank accounts then under regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* a list of such payments is to be prepared each month for noting by Council. The list of payments for September 2024 was prepared on 1st October 2024.

#### STATUTORY AND POLICY REQUIREMENTS RELEVANT TO DECISION

*Local Government Act 1995*, s 6.10, and  
*Local Government (Financial Management) Regulations 1996*, r 13

#### PREVIOUS RESOLUTIONS

Nil

#### STRATEGIC COMMUNITY PLAN 2040

##### Performance

**Outcome PF.1:** Responsible planning and ownership of outcomes

**Strategy PF.1.4:** Regulate and provide information and community communication in accordance with statutory requirements and to best support decision making

#### CONSULTATION AND ADVICE

Nil



**DISCUSSION / OFFICER COMMENTS**

Table 1 below provides a summary of the payments made and Table 2 makes comparison between payments for the 2023-24 and 2024-25 financial years.

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

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

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

<b>MODE OF PAYMENT</b>	<b>CHEQUE / EFT NUMBERS</b>	<b>AMOUNT</b>
<b>Cheques</b>	<b>NA</b>	<b>\$ 0.00</b>
<b>EFT</b>	<b>100225 - 100653</b>	<b>\$ 2,574,866.69</b>
<b>Direct Debits</b>		<b>\$ 1,286,464.84</b>
<b>TOTAL</b>		<b>\$3,861,331.53</b>

SHIRE OF AUGUSTA MARGARET RIVER  
ORDINARY COUNCIL MEETING AGENDA 23 OCTOBER 2024

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

MONTH	CHEQUES	EFT/DD	TOTAL PMTS	CUMULATIVE	CHEQUES	EFT/DD	TOTAL PMTS	CUMULATIVE
	2023-24	2023-24	2023-24	PAYMENTS	2024-25	2024-25	2024-25	PAYMENTS
<b>JULY</b>	Nil	\$4,098,544.09	\$4,098,544.09	\$4,098,544.09	Nil	\$5,524,178.15	<b>\$ 5,524,178.15</b>	<b>\$5,524,178.15</b>
<b>AUGUST</b>	Nil	\$4,427,467.43	\$4,427,467.43	\$8,526,011.52	Nil	\$2,154,102.51	<b>\$2,154,102.51</b>	<b>\$7,678,280.66</b>
<b>SEPTEMBER</b>	Nil	\$10,755,961.26	\$ 10,755,961.26	\$19,281,972.78	Nil	\$3,861,331.53	<b>\$3,861,331.53</b>	<b>\$11,539,612.19</b>
<b>OCTOBER</b>	Nil	\$4,383,695.81	\$4,383,695.81	\$23,665,668.59				
<b>NOVEMBER</b>	Nil	\$10,556,595.38	\$ 10,556,595.38	\$34,222,263.97				
<b>DECEMBER</b>	Nil	\$7,556,187.37	\$7,556,187.37	\$41,778,451.34				
<b>JANUARY</b>	\$555.05	\$3,942,113.12	\$3,942,668.17	\$45,721,119.51				
<b>FEBRUARY</b>	Nil	\$5,130,172.64	\$5,130,172.64	\$50,851,292.15				
<b>MARCH</b>	Nil	\$5,375,241.46	\$5,375,241.46	\$56,226,533.61				
<b>APRIL</b>	Nil	\$4,407,332.18	\$4,407,332.18	\$60,633,865.79				
<b>MAY</b>	Nil	\$6,229,564.60	\$6,229,564.60	\$66,863,430.39				
<b>JUNE</b>	\$39,386.05	\$4,756,441.48	\$4,795,827.53	\$71,659,257.92				
<b>Total</b>	<b>\$39,941.10</b>	<b>\$71,619,316.82</b>	<b>\$71,659,257.92</b>		<b>\$ 0.00</b>	<b>\$11,539,612.19</b>	<b>\$11,539,612.19</b>	

**FINANCIAL IMPLICATIONS**

Implications, Long Term Financial Plan, Whole of Life Cycle Considerations

Nil

**SUSTAINABILITY IMPLICATIONS**

Environmental, Social, Economic, Contribution to 'Net Zero' Targets

Nil

**ADVOCACY**

Nil

**RISK ASSESSMENT**

Nil

**OFFICER RECOMMENDATION / COUNCIL DECISION**

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**CR BINKS, CR MUIR OM2024/155**

That Council notes the September 2024 List of Payments for \$3,861,331.53 as certified correct by the Chief Executive Officer.

**CARRIED 6/0**  
**FOR: CRS BINKS, BOLAND, D'ATH, KENNAUGH, MELDRUM, MUIR**  
**AGAINST: NIL**

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# 11.4

## Sustainable Economy and Communities

**11.4.1. SCHEDULE OF FEES AND CHARGES - AMENDMENT (SPORT AND RECREATION)**

<b>Location/Address</b>	51 Wallcliffe Road, Margaret River
<b>Applicant/Landowner</b>	Shire of Augusta Margaret River
<b>File Reference</b>	FIN/357
<b>Report Author</b>	Seb Miller, Coordinator Recreation Planning & Development
<b>Authorising Officer</b>	Nick Byrne, Director Sustainable Economy and Communities
<b>Authority/Discretion</b>	Executive/Strategic

**IN BRIEF**

- At the Ordinary Council Meeting (OCM) on 24 July 2024, Council adopted the 2024-25 Schedule of Fees and Charges
- In addition to adopted 2024-25 Schedule of Fees and Charges, minor additions and amendments are also proposed to fees and charges for exercise physiology consultations, junior aquatic memberships, individual social sports, and casual facility hire of the Western Pavilion.
- Under s 6.16 of the *Local Government Act 1995* (LG Act), Council may impose or amend the fees and charges from time to time during a financial year.
- As the Shire is intending to impose and amend fees and charges for 2024-25, s 6.19 of the LG Act requires the Shire to give at least 14 days local public notice of its intention to impose the proposed 2024-25 amended fees and charges.

**ATTACHMENTS**

Nil

**VOTING REQUIREMENTS**

Absolute Majority

**OFFICER RECOMMENDATION**

That Council:

1. Endorses the following amendments to the 2024-25 Schedule of Fees and Charges for proposed junior aquatic membership and Western Pavilion facility hire fees and charges and amended exercise physiology and individual social sports fees and charges as follows;

Fee Name	Current Fee (2024-25)	New Fee (2024-25)
Junior Aquatic Membership 1 month	N/A	\$37.00
Junior Aquatic Membership 3 month	N/A	\$92.00
Junior Aquatic Membership 12 month	N/A	\$281.00
Junior Aquatic Membership Direct Debit (Fortnightly)	N/A	\$14.00
Rehabilitation session up to 60 minutes – initial consult	\$100.00	\$105.00
Rehabilitation session up to 60 minutes – subsequent consult	\$85.00	\$90.00
Social sports – individual program (per person per session)	N/A	\$5.00
Casual / Out of Season Hire of Western Pavilion – Community / Club (incl. Not for Profit) - per hour	N/A	\$16.00
Casual / Out of Season Hire of Western Pavilion – Commercial / Standard - per hour	N/A	\$32.00

2. Requests the Chief Executive Officer advertise the proposed amended fees and charges in accordance with Section 6.19 of the *Local Government Act 1995*.
- 

### **LOCATION PLAN**

Margaret River Recreation Centre  
Gloucester Park Sporting Precinct

### **BACKGROUND**

The Shire's Schedule of Fees and Charges for 2024-25 was endorsed by Council as part of the 2024-25 Annual Budget at the Ordinary Council Meeting on 24 July 2024 (OM2024/114).

Since the adoption of the 2024-25 Schedule of Fees and Charges, there has been significant demand for a junior aquatic membership fee, and for casual facility hire of the Western Pavilion, which there are currently no applicable fees. In considering these fees and charges, a review of the sport and recreation fees and charges was conducted, and some minor changes are being proposed to standardise the individual social sports fee (badminton and pickleball) and to increase the fee for the Shire's Exercise Physiology services to reflect benchmarking and consumer price index (CPI).

### **STATUTORY AND POLICY REQUIREMENTS RELEVANT TO DECISION**

Under the *Local Government Act 1995* section 6.16(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.

Under the *Local Government Act 1995* section 6.17(1):

In determining the amount of a fees or charges for a service or for goods a local government is required to take into consideration the following factors –

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

Under the *Local Government Act 1995* section 6.16(3):

Fees and charges are to be imposed when adopting the annual budget but may be –

- (d) imposed\* during a financial year; and
- (e) amended\* from time to time during a financial year.

Under the *Local Government Act 1995* section 6.19:

If a local government wishes to impose any fees or charges...after the annual budget has been adopted it must, before introducing the fees and charges, give local public notice of –

- (a) its intention to do so; and
- (b) the date from which it is proposed the fees or charges will be imposed.

\* *Absolute majority required*

### **PREVIOUS RESOLUTIONS**

Nil

### **STRATEGIC COMMUNITY PLAN 2040**

#### **Performance**

**Outcome PF.2:** Community and customer focus

**Strategy PF.2.1:** Provide, facilitate and fund a wide range of mandatory and community services that are responsive, agile, cost-effective, and that deliver a high-quality customer experience

#### **People**

**Outcome PE.3:** Active, healthy and fulfilling lifestyles

**Strategy PE.3.3:** Provide, facilitate and fund quality recreational services, multi-purpose facilities, sporting grounds and holiday parks

### **CONSULTATION AND ADVICE**

- Other local government organisations including City of Busselton

- Private Allied Health Services
- Internal Officers

### **DISCUSSION / OFFICER COMMENTS**

#### Introduction of Junior Aquatic Membership Fee

Historically there has been no junior aquatic membership fee, however since reopening the pool in April 2024, there has been growing demand for this fee structure. Currently the closest available fee is the Youth Full Facility Membership (1 month, \$70 and 3 months, \$120) and an annual Swim Club membership (\$340), which is available for club access only, however as the demand has been for aquatic only, the full facility membership fee does not cover the demand of the community for an aquatic only junior membership.

To support affordable access to all Shire sport and recreation services, and address a current gap in the fee structure, the junior aquatic membership fee is proposed to be included at a 50% discounted rate of the standard aquatic membership pricing tiers, to ensure it is more affordable than the full facility youth membership fee. The junior aquatic membership will be available to all children aged 5 to 15 years inclusive, to coincide with the same age parameters of the casual child swim entry and child swim 10 pass. The proposed fees are as follows:

- Junior Aquatic Membership 1 month: \$37.00
- Junior Aquatic Membership 3 month: \$92.00
- Junior Aquatic Membership 12 month: \$281.00
- Junior Aquatic Membership Direct Debit (Fortnightly): \$14.00

#### Fee increases for Exercise Physiology consultations services

The fee for an initial consult with the Shire's exercise physiologist was endorsed in the 2023-24 Schedule of Fees and Charges to increase from \$90 to \$110. After further internal review, on 23 August 2023, Council endorsed a ten dollar reduction of the exercise physiology initial consultation fee from \$110 to \$100 (OM2023/161). Subsequent consults are \$85 per session.

On 24 July 2024, Council endorsed the 2024-25 Schedule of Fees and Charges (OM2024/114). There was no increase in the exercise physiology consultation fees. To account for the CPI, the amended consultation fees per appointment for 2024-25 are proposed as follows:

- Rehabilitation session up to 60 minutes – initial consult: \$105.00
- Rehabilitation session up to 60 minutes – subsequent consult: \$90.00

#### Standardisation of Individual Social Sport Fee (Margaret River Recreation Centre)

Currently the Schedule of Fees and Charges does not include a specific fee for individual social sports run through the Shire's sport and recreation services (direct programs) or external providers (indirect programs). The two applicable sports where a fee is required are pickleball and badminton.

Currently pickleball is delivered by the Shire's fitness and recreation team, and when it commenced it was targeted as a seniors program, for which there is currently a \$3 *Seniors program per person fee*. This fee is no longer applicable to the wide-ranging age profile and demographics of players. A standardised \$5 per person per program fee is proposed to account for the additional cost of delivering this program with a staff member running the session and programming the schedule. It has also been identified that the social badminton pennants run on a Tuesday morning are paying \$6 per person, using the *casual use of multi-purpose courts fee*.

Both the badminton and pickleball programs capture a similar age profile and demographic of player, and therefore a standardised rate covering both sports is proposed. The wording of the fee as individual social sports is intended to be over-arching and cover any future individual social sport programs that may be introduced, rather than specifically stating the type of sport. Proposed fee as follows:

- Social sports – individual program (per person per session): \$5.00

#### Casual Facility Hire Western Pavilion (Gloucester Park)

There has been an increasing demand for casual facility hire of the Western Pavilion, however, there is no fee in the Schedule of Fees and Charges that can be applied. Presently there is a seasonal hire fee, which is applied to Football Margaret River (FMR) April to September inclusive, and the Margaret River Hawks Cricket Club (MRHCC) October to March inclusive.

The casual facility fee is required to address other demand for the hire of the facility, including but not limited to commercial operators, community groups, sports clubs (out of season), and not for profit groups.

The introduction of the fee is to provide fair and equitable access from a financial viewpoint. FMR and MRHCC are paying a seasonal hire fee for the facility and work closely with the Shire to accommodate other user groups to hire the facility when they are in season, however there is no fee charged to these user groups. Examples where the fee would be applied may be LJ Soccer (commercial operator) that uses the facility during school holiday periods, FMR that use the facility during the cricket season tenancy for their annual carnival on the March long weekend, clubs wishing to use the facility for committee meetings or functions, and other hirers looking for a function space to use.

Whilst FMR and MRHCC are charged a seasonal hire fee, this is not an exclusive use agreement of the facility, and therefore the Shire and the club in season will continue to work collaboratively to hire the facility for other hirers within the community to make use of the facility when it is not in use and available to book. It should also be noted that full use of the pavilion (i.e. change rooms) may not be included in casual hire of the pavilion, and a cleaning fee at actual cost is already listed in the 2024-25 Schedule which would be applied to casual hire of the pavilion. The proposed fee structure has been compared to that of Lessor Hall in Augusta, and other local governments such as the City of Busselton (Churchill Park Hall). This benchmarking ensures an equitable and consistent pricing model that benefits our community, whilst ensuring cost recovery for upkeep and maintenance of the facility. The proposed fees for the casual hire of the western pavilion are outlined as follows:

- Casual / Out of Season Hire of Western Pavilion – Community / Club (incl. Not for Profit) - per hour: \$16.00
- Casual / Out of Season Hire of Western Pavilion – Commercial / Standard - per hour: \$32.00

#### **FINANCIAL IMPLICATIONS**

##### **Implications, Long Term Financial Plan, Whole of Life Cycle Considerations**

Proposed changes to fees and charges are not expected to have significant budgetary implications – any reduction in fees and charges are likely to be offset by increased uptake of the services offered.

#### **SUSTAINABILITY IMPLICATIONS**

##### **Environmental, Social, Economic, Contribution to 'Net Zero' Targets**

The social and community development benefits of the proposed rates could include:

- Increased sporting activity within the Shire;
- Increase in the diversity of sporting programs and promote opportunities for social inclusion and interaction; and
- Increased level of physical and mental health wellbeing within the community.

#### **ADVOCACY**

Nil

#### **RISK ASSESSMENT**

Nil

#### **OFFICER RECOMMENDATION / COUNCIL DECISION**

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**CR BINKS, CR MUIR OM2024/156**

**That Council:**

- 1. Endorses the following amendments to the 2024-25 Schedule of Fees and Charges for proposed junior aquatic membership and Western Pavilion facility hire fees and charges and amended exercise physiology and individual social sports fees and charges as follows;**



SHIRE OF AUGUSTA MARGARET RIVER  
ORDINARY COUNCIL MEETING AGENDA 23 OCTOBER 2024

Fee Name	Current Fee (2024-25)	New Fee (2024-25)
Junior Aquatic Membership 1 month	N/A	\$37.00
Junior Aquatic Membership 3 month	N/A	\$92.00
Junior Aquatic Membership 12 month	N/A	\$281.00
Junior Aquatic Membership Direct Debit (Fortnightly)	N/A	\$14.00
Rehabilitation session up to 60 minutes – initial consult	\$100.00	\$105.00
Rehabilitation session up to 60 minutes – subsequent consult	\$85.00	\$90.00
Social sports – individual program (per person per session)	N/A	\$5.00
Casual / Out of Season Hire of Western Pavilion – Community / Club (incl. Not for Profit) - per hour	N/A	\$16.00
Casual / Out of Season Hire of Western Pavilion – Commercial / Standard - per hour	N/A	\$32.00

2. Requests the Chief Executive Officer advertise the proposed amended fees and charges in accordance with section 6.19 of the *Local Government Act 1995*.

**CARRIED BY ABSOLUTE MAJORITY 6/0  
FOR: CRS BINKS, BOLAND, D'ATH, KENNAUGH, MELDRUM, MUIR  
AGAINST: NIL**

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

Nil

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

Nil

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

**14.1. Members**

Nil

**14.2. Chief Executive Officer**

**14.2.1. REVIEW OF COUNCILLOR REPRESENTATION**

**REASON FOR TREATING AS URGENT**

Proposals by Local Governments relating to the number of offices of councillors must be submitted to the Local Government Advisory Board before 30 January 2025 if any orders are to be made prior to the 2025 local government elections.

Given the timeframe for the completion of the administrative processes is usually within three to four months from when a proposal is considered by the Board, it is recommended this item be dealt with as urgent business.

**PROCEDURAL MOTION / COUNCIL DECISION**

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**CR BINKS, CR KENNAUGH OM2024/157**

**That Item 14.2.1 Review of Councillor Representation, be accepted as new business of an urgent nature.**

**CARRIED 6/0  
FOR: CRS BINKS, BOLAND, D'ATH, KENNAUGH, MELDRUM, MUIR  
AGAINST: NIL**

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#### 14.2.1 REVIEW OF COUNCILLOR REPRESENTATION

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<b>Location/Address</b>	Shire Augusta Margaret River
<b>Applicant/Landowner</b>	N/A
<b>File Reference</b>	GOV/4
<b>Report Author</b>	Claire Schiller, Senior Governance and Risk Officer
<b>Authorising Officer</b>	Ian McLeod, Manager Legal and Governance
<b>Authority/Discretion</b>	Legislative

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#### REASON FOR URGENT

Proposals by Local Governments relating to the number of offices of councillors must be submitted to the Local Government Advisory Board before 30 January 2025 if any orders are to be made prior to the 2025 local government elections.

Given the timeframe for the completion of the administrative processes is usually within three to four months from when a proposal is considered by the Board, it is recommended this item be dealt with as urgent business.

#### IN BRIEF

- In May 2023, as part of the Local Government Act reforms, the Minister for Local Government increased the number of elected members for the Shire Augusta Margaret River (Shire) from seven to eight to accommodate an additional office for a Shire President, directly elected by the people.
- Having eight elected members has increased the potential for tied votes, the use of casting votes, increased the quorum size and increased costs and resource demands.
- To return to a total of seven elected members, Council must submit a proposal to the Local Government Advisory Board (Board), requesting a reduction in the number of Councillors before the 2025 local government elections.

#### ATTACHMENTS

Nil

#### VOTING REQUIREMENTS

Absolute Majority

#### OFFICER RECOMMENDATION

That Council in accordance with clause 5 b) of Schedule 2.2 of the *Local Government Act 1995*, proposes to the Local Government Advisory Board:

1. That an order be made under s2.18 (3) (a) of the *Local Government Act 1995* to decrease the number of offices of councillor from seven (7) to six (6) (plus the Shire President) to take effect prior to the 2025 local government elections;
  2. Is of the opinion that the proposal is one of a minor nature and not one about which public submissions need to be invited; and
  3. Requests the CEO submit this proposal to the Local Government Advisory Board for its consideration.
- 

#### LOCATION PLAN

Nil

## BACKGROUND

- In July 2022, Council initiated a review of the Shire's wards and representation system in accordance with clause 6(2) of Schedule 2.2 of the LG Act (OM2022/112).
- On 20 September 2022, as part of the LG Act reforms, the Department Local Government, Sport and Cultural Industries (DLGSC) foreshadowed mandatory elector Mayor/President for local government Bands 1&2 and requested local governments voluntarily change their method of filling the office of Shire President prior to the reform.
- In November 2022 Council completed its review of wards and representation and resolved to retain 'no wards' with seven elected members, and not to make a resolution under section 2.11 of the LG Act to voluntarily change the method of the filling of office of the President (OM2022/203).
- On 16 May 2023 the DLGSC appointed the Shire an additional office of a President elected by the electors, with the seven existing positions of councillor remaining, increasing the total number of elected members to eight.

## STATUTORY ENVIRONMENT / LEGAL IMPLICATIONS

Clauses 5, 9 and 10 of Schedule 2.2 of the LG Act provide:

- 5. Local government may propose ward changes or make minor proposals**  
*A local government may, whether or not it has received a submission —*
- (a) *carry out a review of whether or not an order under section 2.2, 2.3(3) or 2.18 should, in the council's opinion, be made; or*
  - (b) *propose\* to the Advisory Board the making of an order under section 2.2(1), 2.3(3) or 2.18(3) if, in the opinion of the council, the proposal is —*
    - (i) *one of a minor nature; and*
    - (ii) *not one about which public submissions need be invited;**or*
  - (c) *propose\* to the Minister the making of an order changing the name of the district or a ward.*
- 9. Proposal by local government**  
*On completing a review, the local government is to make a report in writing to the Advisory Board and may propose\* to the Board the making of any order under section 2.2(1), 2.3(3) or 2.18(3) it thinks fit.*
- 10. Recommendation by Advisory Board**
- (1) *Where under clause 5(b) a local government proposes to the Advisory Board the making of an order under section 2.2(1), 2.3(3) or 2.18(3), and the Board is of the opinion that the proposal is —*
    - (a) *one of a minor nature; and*
    - (b) *not one about which public submissions need be invited,*  
*the Board, in a written report to the Minister, is to recommend the making of the order but otherwise is to inform the local government accordingly and the local government is to carry out a review.*

*\* Absolute majority required.*

## STRATEGIC COMMUNITY PLAN 2040

### Performance

**Outcome PF.1:** Responsible planning and ownership of outcomes

**Strategy PF.1.1:** Regulate and provide support to attract and develop diverse Councillors that lead and deliver on the community's vision for the future

## CONSULTATION AND ADVICE

Executive Leadership Team

Local Government Advisory Board

## DISCUSSION / OFFICER COMMENTS

Following the 2022 review of the Shire wards and representation system, Council's adopted position was to retain seven elected members in order to avoid tied votes. In addition Council deemed that nine members would be considered excessive given that:

- the Shire only has 11,500 electors; and
- that the range on the number of Councillors for local government with a population of between 5000 and 75,000 is from five to nine Councillors (including the mayor/president).

Since the review preceded the 2023 Local Government Act reforms, Council did not account for a directly elected President as an additional position on the basis that a change to an elector elected president would include an order decreasing the number of Councillors in accordance with s2.18A(2)(a) of the *LG Act 1995*, however no such order was made by Governor.

### **Process**

The process for considering proposals to the number of councillors is set out in schedule 2.2 of the LG Act and differs depending upon whether the proposal is considered 'minor or not'. The process, if Council considers the proposal to be minor and not one about which public submissions need to be invited, is to resolve by absolute majority to make the proposal. The proposal is then sent to the Local Government Advisory Board who can report and make a recommendation to the Minister. The Minister can then accept or reject the recommendation.

### **Proposal of a Minor Nature**

In accordance with Clause 5 of Schedule 2.2 of the LG Act, this proposal is considered to be of a minor nature, which does not require a period of public consultation. The key factors supporting this determination include:

1. The changes are primarily administrative in nature;
  - Lower likelihood of tied votes
  - Lesser reliance on a casting vote
  - Decreased quorum numbers
  - Lower costs and resource requirements
2. The Shire does not have wards, minimising representation impacts;
3. A comprehensive ward and representation review was conducted in November 2022 which supported seven elected members; and
4. Clause 5(b) of Schedule 2.2 of the LG Act specifically includes orders under s2.18(3) as a kind of proposal that may be considered minor, and that all the potential orders under s2.18 relate to the number of councillors.

### **Why is the impact on electors considered minor?**

The Shire has also considered the level of representation and access for electors. According to the LG Act, local governments with populations between 5,000 and 75,000 are permitted to have between five and nine members. With an estimated population of 18,600, the proposed reduction to six councillors (plus one elector president) remains within the upper range of representation. The Shire has no wards, so a change in the number of elected members would not impact on representation to any particular portion of the district or community.

### **Would there be any harm in conducting a full review even though the change might be considered minor?**

Given that the Shire conducted its most recent Ward Review in November 2022, with district wide consultation, a new public submission process being conducted in 2024 poses risks of overburdening stakeholders, consultation fatigue, misperceptions and expectations that a more comprehensive review of wards is being conducted. There are also significant resource implications involved in seeking and considering submissions.

### **Next steps**

Given Council's stance on a preference for seven elected members, and considering the matter being of a minor nature, it is recommended that a proposal be submitted to the Board requesting a reduction in the number of councillors.

The DLGSC 'Reviewing Ward Boundaries and Representation Overview' document advises 'if a local government would like changes to be in place in time for an ordinary election, it must submit its report to the Board by 30 January (preferably earlier) in the year of that ordinary election'.

If the Board agrees that the proposed change is one of a minor nature, then the Board recommends to the Minister that an order is made. If the Board determines that the matter is one which requires a review, the Board will inform the local government that it needs to carry out a review in accordance with clause 10(1) of Schedule 2.2 of the LG Act.

### **2025 Local Government Elections**

Currently, four councillor terms of office are set to expire in 2025. If the proposal is approved and the changes take effect for the 2025 ordinary election, the reduction in the number of councillor positions will result in three (3) vacancies instead of four (4).

### **FINANCIAL IMPLICATIONS**

#### **Implications, Long Term Financial Plan, Whole of Life Cycle Considerations**

The 2024/25 annual meeting fee for a councillor is \$22,875 plus an annual ICT allowance of \$3,500. In addition a councillor is entitled to reimbursement of expenses in accordance with the Councillor Entitlements Policy. Reducing the number of councillors will lower overall council costs.

### **SUSTAINABILITY IMPLICATIONS**

#### **Environmental, Social, Economic, Contribution to 'Net Zero' Targets**

Nil

### **ADVOCACY**

Nil

### **RISK ASSESSMENT**

Nil

### **OFFICER RECOMMENDATION / COUNCIL DECISION**

#### **CR MUIR, CR KENNAUGH OM2024/158**

That Council in accordance with clause 5 b) of Schedule 2.2 of the *Local Government Act 1995*, proposes to the Local Government Advisory Board:

1. That an order be made under s2.18 (3) (a) of the *Local Government Act 1995* to decrease the number of offices of councillor from seven (7) to six (6) (plus the Shire President) to take effect prior to the 2025 local government elections
2. Is of the opinion that the proposal is one of a minor nature and not one about which public submissions need to be invited; and
3. Requests the CEO submit this proposal to the Local Government Advisory Board for its consideration.

**CARRIED BY ABSOLUTE MAJORITY 5/1  
FOR: CRS BINKS, D'ATH, KENNAUGH, MELDRUM, MUIR  
AGAINST: CR BOLAND**

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### **15. CONFIDENTIAL BUSINESS**

Nil

### **16. CLOSURE OF MEETING**

*The Shire President thanked all in attendance and declared the meeting closed at 5.51pm*