



Ordinary Council Meeting Minutes 21 August 2014

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on 18 September 2014 as a true and accurate record of the Ordinary Council Meeting held on 21 August 2014.

.....
C (Turk) Shales
Shire President

All attachment items referred to in these minutes are available for public perusal at the Shire office


DISCLAIMER

The advice and information contained herein is given by and to the Council without liability for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

Please note this agenda contains recommendations which have not yet been adopted by Council.

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Signed at Exmouth  (B Price), Chief Executive Officer Shire of Exmouth

INDEX OF MINUTES

1.	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS.....	5
2.	RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE.....	5
3.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	5
4.	PUBLIC QUESTIONS TIME	5
5.	DECLARATIONS OF INTEREST	6
6.	APPLICATIONS FOR LEAVE OF ABSENCE	6
7.	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	6
8.	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION.....	7
9.	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS	7
10.	REPORT OF COUNCILLORS.....	7
11.	REPORTS OF OFFICER	9
11.1	CHIEF EXECUTIVE OFFICER	9
11.1.1	CHIEF EXECUTIVE OFFICERS REPORT	9
11.2	EXECUTIVE MANAGER CORPORATE SERVICES.....	13
11.2.1	GENERAL REPORT	13
11.2.2	MONTHLY FINANCIAL STATEMENTS AND REPORT	16
11.2.3	ADOPTION OF THE 2014/15 BUDGET	18
11.2.4	YACHT CLUB LEASE	23
11.3	EXECUTIVE MANAGER AVIATION SERVICES.....	25
11.3.1	GENERAL REPORT	25
11.4	EXECUTIVE MANAGER COMMUNITY ENGAGEMENT.....	29
11.4.1	GENERAL REPORT	29
11.4.2	INTEREST FREE LOAN APPLICATION BY EXMOUTH MOTORCYCLE CLUB	33
11.4.3	CSRFF SMALL GRANTS APPLICATIONS AND SHIRE PRIORITIES.....	35
11.4.4	DISABILITY ACCESS AND INCLUSION PLAN SERVICES TO THE PUBLIC	39
11.5	EXECUTIVE MANAGER HEALTH & BUILDING	42
11.5.1	GENERAL REPORT	42
11.6	EXECUTIVE MANAGER TOWN PLANNING	47
11.6.1	GENERAL REPORT	47
11.6.2	REVIEW OF LOCAL LAWS – DOGS LOCAL LAW.....	50
11.6.3	REVIEW OF LOCAL LAWS – SHIRE OF EXMOUTH CEMETERIES AMENDMENT LOCAL LAW 2014.....	54
11.6.4	GARAGE – LOT 26 (50) MORTISS STREET, EXMOUTH	58
11.6.5	OUTBUILDING AND CARPORT – LOT 802 (17) KING PLACE, EXMOUTH.....	62
11.6.6	MULTIPURPOSE COMMUNITY CENTRE – PORTION RESERVE 50807, LOT 1431 WILLERSDORF ROAD, EXMOUTH.....	67
11.7	EXECUTIVE MANAGER ENGINEERING SERVICES.....	90
11.7.1	GENERAL REPORT	90
11.7.2	EXMOUTH GOLF CLUB	93
11.7.3	WANDRRA TENDERS 01-06/2014.....	95

12.	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	103
13.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	103
14.	MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS.....	103
15.	CLOSURE OF MEETING.....	103

ORDINARY COUNCIL MEETING MINUTES

Our Vision

To support and develop a vibrant, welcoming community that embraces its past, values its present and plans for a sustainable future

Our Purpose

To responsibly provide governance for the whole community in the best interest of current and future generations

Our Strategic Objectives

- ❖ To provide sustainable management of the organisation
- ❖ To consistently apply the principles of Good Governance
 - ❖ To communicate effectively
 - ❖ To promote socioeconomic development
 - ❖ To value our environment and heritage

1. **DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

The Shire President declared the meeting open at 4:00pm.

2. **RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE**

Councillor C (Turk) Shales	Shire President
Councillor M Hood	Deputy Shire President
Councillor R Winzer	
Councillor G Thompson	
Councillor S McHutchison	
Councillor R (Bob) Todd	
Mr B Price	Chief Executive Officer
Mrs S O'Toole	Executive Manager Corporate Services
Mrs J Kox	Executive Manager Aviation Services
Mr R Kempe	Executive Manager Community Engagement
Mr R Manning	Executive Manager Health & Building
Mr R Mhasho	Executive Manager Town Planning
Mr K Woodward	Executive Manager Engineering Services

GALLERY

Visitors: 4

APOLOGIES

Nil

3. **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

4. **PUBLIC QUESTIONS TIME**

In accordance with section 5.24 of the Local Government Act 1995, a 15 minute public question time is made available to allow members of the public the opportunity of questioning Council on matters concerning them.

Council Consideration Towards Public

When public questions necessitate resolutions of Council, out of courtesy and at the President discretion the matter is to be dealt with immediately to allow the public to observe the determination of the matter (obviates the need for the public to wait an undetermined period of time).

When a matter is listed on the Agenda and member/s of the public are in attendance to observe the determination of the matter, out of courtesy and at the discretion of the President the matter is to be brought forward on the agenda and dealt with immediately to allow the public to observe the determination of the matter (again this obviates the need for the public to wait an indeterminate period of time).

Two questions were submitted by Branwen Smith.

Q1. Is a permanent stage, of adequate quality and dimensions, with backstage green room facilities and a high standard of acoustics, that will cater for both WA's top touring performing arts companies and Exmouth's growing performing arts culture, to be incorporated into the building of the Ningaloo Centre?

A1. The inclusion of a purpose built performing arts centre within the Ningaloo Centre is certainly desired but will be dependent on adequate funding. It is being considered within all aspects of planning however the Ningaloo Centre has always been designed to be a multi-use, multi-purpose facility.

Q2. Is the Council aware of the desire of some of WA's top performing arts companies, such as WA Ballet and WA Opera, to include Exmouth in their regional touring schedule?

A2. No, the Shire has not received any correspondence from WA Ballet or WA Opera regarding the possibility of performing in Exmouth.

5. DECLARATIONS OF INTEREST

Item/Description	Name	Detail of Interest	Extent of Interest
11.2.4 – Exmouth Yacht Club Lease	Cr R Winzer	Impartiality	Social Member
	Cr S McHutchison	Impartiality	Social Member
11.6.6 – Ningaloo Centre	Cr S McHutchison	Impartiality	Secretary of Exmouth Cultural Arts Centre Inc
11.7.2 – Exmouth Golf Club	Cr M Hood	Impartiality	Social Member
	Cr S McHutchison	Impartiality	Social Member
	B Price	Impartiality	Social Member
11.7.3 – WANDRRA Tenders	Cr C (Turk) Shales	Indirect Financial	Son in law is a tenderer

6. APPLICATIONS FOR LEAVE OF ABSENCE

The Local Government Act 1995 (Section 2.25) provides that a Council may, by resolution, grant leave of absence to a member for Ordinary Council Meetings. A member who is absent, without first obtaining leave of the Council, throughout three consecutive Ordinary meetings of the Council is disqualified from continuing his or her membership of the Council.

Disqualification from membership of the Council for failure to attend Ordinary Meetings of the Council will be avoided so long as the Council grants leave prior to the member being absent. The leave cannot be granted retrospectively. An apology for non attendance at a meeting is not an application for leave of absence.

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 17 July 2014 be confirmed as a true and correct record of proceedings.

COUNCIL DECISION – 01-0814 - ITEM 7

Moved Councillor Todd, Seconded Councillor Thompson.

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 17 July 2014 be confirmed as a true and correct record of proceedings.

CARRIED 6/0

8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

10. REPORT OF COUNCILLORS

The Shire President reported on the following

- Attendance and speech at Vietnam Veterans Day held on Monday 18 August 2014,
- Attendance at various Ningaloo Centre meetings,
- Attendance at Local Government Week from 6-8 August 2014.

Councillor Hood reported on the following

- The Exmouth Visitor Centre had nominated for the GWN Tourism Awards WA. Exmouth are in the top three, competing against Derby and Cocos Islands.
- Attended a function held at the Novotel Ningaloo Resort with the judges on Monday 18 August 2014. There was a lot of positive feedback received from the judges regarding service provision from the Exmouth Visitor Centre and throughout the Tourism Industry within Exmouth, the judges were also very impressed and positive about the revitalisation of the town and foreshore area.

Councillor McHutchison reported on the following

- Attended ArtQuest 2014, there were 134 entries and over 360 people attended over the 3 day event
- Attended Local Government Week from 6-8 August 2014
- Visited a gallery in Fremantle which gave a lot of great ideas for future activities in Exmouth
- Attended the Music Recital held on Saturday 16 August 2014 which was a great success with 134 people attending, many local artists, it was a great event and a great turnout.

Councillor Todd reported on the following

- Further progress of the Men's Shed, they have formed an interim committee and Lauren has done an excellent job in assisting with the start up process and the process of Incorporation.
- Attended Oil & Gas meetings and a meeting with Tony Johnston advising that Woodside are fully supportive of the Ningaloo Centre.

Councillor Winzer reported on the following

- Attendance to Local Government Week where an impromptu Zone meeting with Minister Simpson was held. Key topics for discussion included illegal camping and nature based camping on Pastoral Stations
- Attendance at a LMEC Meeting to be held on 26 August 2014,
- Participation in Zone teleconference to be held on 28 August 2014
- Attendance to the next State Council meeting to be held on 2 September 2014
- Emergency Management Short Course on the 3 September 2014.

COUNCIL DECISION – 02-0814 - ITEM 10

Moved Councillor Thompson, Seconded Councillor Hood.


That Council receive the Councillors reports for the month of August 2014.

CARRIED 6/0

11. REPORTS OF OFFICER

11.1 Chief Executive Officer

11.1.1 Chief Executive Officers Report

Location: Exmouth
Applicant: Chief Executive Officer
File Reference: GV.CM.0
Disclosure of Interest: Nil
Date: 12 August 2014
Author: Chief Executive Officer, Mr B Price
Signature of Author: 

SUMMARY

The following report contains a brief summary of significant activities, events or issues that were raised since the last meeting.

BACKGROUND

Ningaloo Centre

Contract 04/2013 'Design and Construction of the Ningaloo Centre' Activity

Stage 3 Design Development report will be presented to the Project Committee by the architect and builder on 19 August 2014 in Exmouth.

Interim DD drawings and Room Data Sheets (RDS) were supplied and reviewed by both Durack and the Shire, which has enabled refined comment, particularly on the RDS (finishes and fit out items). Multiple meetings with the architect/builder have occurred throughout the DD stage that has allowed confirmation that all contract requirements are being met, that exemplar public building standards and finishes apply and that cost savings to deliver are not to the detriment of expectations. Assurances to this extent have been provided by the architect.

An updated Quantity Surveyor cost plan is to form part of the DD report. This is to capture all contract construction cost elements.

A meeting of the Management Committee will be held on Tuesday morning 19 August 2014 to discuss the reports.

Department of Regional Development (DRD)

The Ningaloo Centre Stage 2 Business Case – 'Construction and Fit Out' is an agenda item for the Directors' General Reference Group meeting (22 agencies) on 22 August 2014. Chaired by DRD and with opportunity to air any further issue, it will then pass into Treasury for a final review before submit to the Minister. Treasury have 10 days to respond before submit to the Minister.

All agencies (22 of) have already made comment when the BC2 was circulated and 6 raised points following the formal circulation. Responses to comments have now been addressed by correspondence to DRD on 1 August 2014.

Following BC2 endorsement by the Minister and Cabinet the project will be able to move to the construction phase, subject to the building contractual approvals, while the funding agreement is finalised.

Community Development Grant (CDG) Funding

Next reporting milestone is 30 October 2014, where upon photographic evidence of site works and an approved building licence are required. Matera Construction is aware of this date.

Lotterywest

The Shire of Exmouth has been notified by Lotterywest that it has been successful with its grant application in support of the Ningaloo Centre project, subject to execution of a Building Grant Agreement currently under preparation.

Official Opening of CBD/Foreshore Revitalisation Project

It is proposed that the Official Opening Ceremony of the CBD/Foreshore Revitalisation Project will be held on 11 October 2014 which is a Saturday and the last weekend of School Holidays. The theme of the opening will be based around Street Carnival which will involve all of the shops in the Town centre.

The draft programme includes:

1. Formal opening/speeches/acknowledgements.
2. Kids activities like remote control car races, chalk art.
3. Shop activities and participation, like sausage sizzle, fashion shows, buskers, music.
4. Unveiling of public art piece(s)

Visit by Minister Baston and Minister Hames

The Shire President and myself attended a meeting with Dr Kim Hames, Deputy Premier and Hon Ken Baston, Minister for Agriculture, on their recent visit to Exmouth on Friday 1 August 2014. Discussions centred on the agenda of the Coastal Towns & Settlements Cabinet Subcommittee.

Submissions to the 2015 Defence White Paper

Council would be aware of their submission to the 2013 ADF Posture Review under the previous Federal Labor Government. The Prime Minister Tony Abbott and Defence Minister David Johnston have announced that the Government is developing a new Defence White Paper to be released in 2015.

Submissions are again invited to the 2015 Defence White Paper closing 26 September 2014. Suggested topics include:

- Australia's Strategic Interests
- Objectives of the ADF
- Force Posture and Bases
- Force Structure and Preparedness
- Defence Culture & Personnel
- Budget & Finances, and
- Organisational Reform.

It is recommended that Council update their previous submission and make a formal submission for Exmouth to be a Defence Hub.

US Forces Delegation

On Thursday 21 August 2014, Council will receive a delegation of US Forces who have been managing the C-Band Radar project being completed at the HEH Base to make a small presentation of appreciation to Council and the community for Exmouth's hospitality during their stay here.

The delegation will consist of:

Major Eric Underhill: Officer in Charge
Captain Bruce Champion: Project Engineer
Technical Sergeant Marc Muniz: Team Medic
Chief Master Sergeant Stephen Thorenz: Project Manager (meeting organiser)
Chief Master Sergeant Robert Hosienni: Civil Engineer
Master Sergeant Michael Morgan: Antenna Team Chief
Master Sergeant Mark Simmon: Control Room Team Chief
Master Sergeant Clifford Donceel: Antenna Team Chief
Master Sergeant Americo Otero: Electronics Team Chief
Technical Sergeant Jason Fornwald: Cable Team Chief
Technical Sergeant James Heimbuecher: Electronics Team Chief

Meeting with Horizon Power

The EMTP and myself met with representatives from Horizon Power on Friday 1 August 2014 to discuss various issues in relation to power provision in Exmouth.

Major items of discussion included:

1. Old Power Station Site – HP have agreed in principle to allow Council access to a large portion of the Old Power Station site (including the Main Building, half of laydown area, and the Southeast corner with HP retaining workshop and the other half of laydown area). The arrangement will be for a long term peppercorn lease as HP cannot transfer the obligation for the contamination of the site. This will give the Council the opportunity to explore the Emergency Services Precinct and recycling drop-off centre.
2. Existing Power Station - HP advised that Worley Parsons have called for tenders for the sale of the existing power contract until 2024. Discussions were held on the need to relocate the existing site post the end of the contract term so that the expected urban sprawl to the South will not be restricted. It was resolved that Council, post the adoption of the new Town Planning Scheme (TPS), write to Minister for Energy and HP advising that there is no future for the existing site to remain past the 2024 contract.
3. Renewable Energy – HP advised that there is currently room for expansion of renewable energy (solar panels) options on the residential front. I advised that Council have been managing a register of interested households who have expressed an interest in this matter. HP will provide an update to the community in the near future.
4. Underground Power Programme – Discussions were held on the opportunity for the Gascoyne Underground Power Programme (GUPP) to be rolled out in the near future and after the completion of the Pilbara Underground Power Programme (PUPP).

Staffing Matters

During the month I conducted Performance Reviews for all Executive Managers and PA. I am extremely pleased to report that no issues were raised and that my staff are all performing to an extremely high standard.

The new ‘All of Staff Workplace Agreement’ has again been circulated for review by staff with a second vote to be held on Wednesday 20 August 2014. If the majority decision is to approve the Agreement I will present it to Council for formal adoption.

I will be on leave from 5 -15 September 2014.

Other Meetings & Functions attended by the CEO

1. EMAS and myself met with Darren Hutchins, Regional Manager Department of Transport, on Tuesday 22 July 2014 regarding the Learmonth Airport Bus Service.
2. EMCE and myself met with Mr Glen Whisson, Marine Researcher Consultant, on Tuesday 22 July 2014 regarding a possibility of re-establishing Navy Pier & Cape Cam into the Ningaloo Centre.
3. EMAS and myself attended the Learmonth Airport Security Committee meeting held on Wednesday 23 July 2014.
4. EMAS and myself attended the Learmonth Airport Consultative Meeting on Wednesday 23 July 2014.
5. Shire President, EMAS and myself met with Julian Barry & Steve Barrett from Qantas on Thursday 24 July 2014 regarding their future operations and obligations after Virgin’s announcement to cease their Learmonth RPT Route.
6. Shire President, EMAS and myself attended the Qantas Stakeholder Meeting held on Thursday 24 July 2014.
7. Met with members of Core Business Australia, consultants engaged to handle the WANDRRA Tenders on behalf of Council, on Tuesday 29 July 2014.
8. EMTP and myself participated in a teleconference with Chief Super Intendant Rob Kox from Department of Fire and Emergency Services on Monday 4 August 2014 regarding future Bush Fire Brigade Management.
9. The Shire President, Councillors Winzer, McHutchison, Todd and myself attended Local Government Week from 5 – 9 August 2014.

10. Cr Todd and myself have held numerous meetings with the McDonald Family in relation to accessing the Old Navy Bus for the Ningaloo Centre project.
11. I met with Mr Tony Johnstone, Woodside, on Wednesday 13 August to discuss various community projects.

Meetings Scheduled for Next Month

1. Cr Winzer and myself to participate in a teleconference of the Gascoyne Zone on Thursday 28 August 2014.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

Objective 4: To work together as custodians of now and the future.

- Outcome: 4.1: To be a collaborative community with the capacity to manage the current and future direction of Exmouth
- Outcome: 4.2: A local government that is respected, professional, trustworthy and accountable
- Outcome: 4.3: To be strong advocates representing the region's interests

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.1.1

That Council receive the Chief Executive Officers Report for the month of August 2014.

COUNCIL DECISION – 03-0814 – 11.1.1

Moved Councillor Thompson, Seconded Councillor Hood.

That Council receive the Chief Executive Officers Report for the month of August 2014.

CARRIED 6/0

11. REPORTS OF OFFICERS

11.2 Executive Manager Corporate Services

11.2.1 General Report

Location: Exmouth
 Applicant: S O'Toole
 File Reference: CM.RE.0
 Disclosure of Interest: Nil
 Date: 5 August 2014
 Author: Executive Manager Corporate Services

Signature of Author: 

Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

The following report contains a brief summary of activities and issues that were raised during the last month.

BACKGROUND

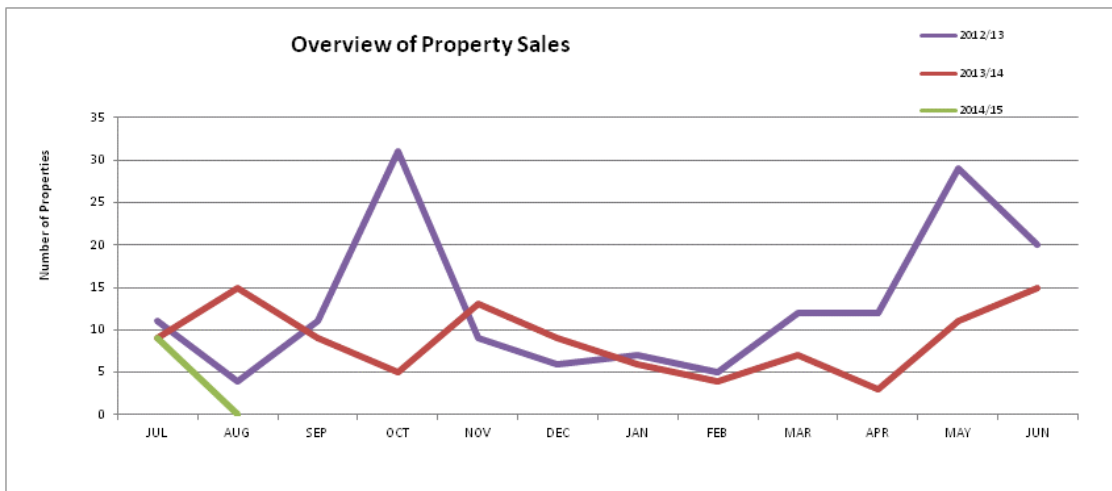
Property Sales

Below is a summary of properties sold during 2014/15:

2014/15 Summary of Property Sales			
Number Sold	Land Usage	Total Sales	Average Sale
1	Vacant Land	\$335,000	\$335,000
7	Residential	\$3,583,000	\$511,857
1	Industrial	\$740,000	\$740,000
0	Mixed Use	\$0	\$0
0	Composite Devel	\$0	\$0
0	Special Use	\$0	\$0
0	Tourism	\$0	\$0
9		\$4,658,000	

Property Sales	2014/15	2013/14	2012/13
JUL	9	9	11
AUG		15	4
SEP		9	11
OCT		5	31
NOV		13	9
DEC		9	6
JAN		6	7
FEB		4	5
MAR		7	12
APR		3	12
MAY		11	29
JUN		15	20
	9	106	157

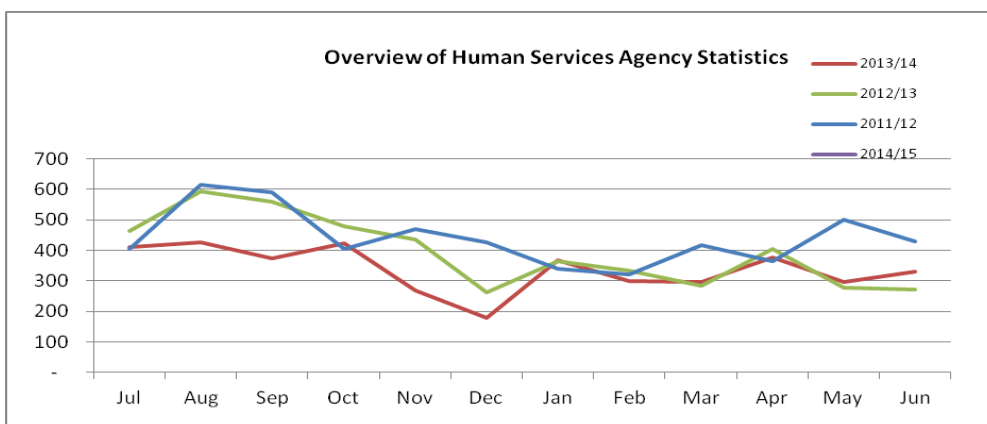
Property Sales (cont.)



Human Services Agency (formerly Centrelink)

Summary of Agent Statistics for 2014/15:

	Lodgement of Forms/Assist with Completion	Referrals to Call Centre & CSC	Assist with use of Equipment & Computer	Respond to General Enquiries	TOTAL	Hours of Operation/week			
						12.5	12.5	15	15
						2014/15	2013/14	2012/13	2011/12
Jul	82	51	62	195	390	390	411	464	403
Aug	-	-	-	-	-	427	592	615	
Sep	-	-	-	-	-	373	560	590	
Oct	-	-	-	-	-	422	478	406	
Nov	-	-	-	-	-	268	436	469	
Dec	-	-	-	-	-	178	262	427	
Jan	-	-	-	-	-	367	364	340	
Feb	-	-	-	-	-	299	332	320	
Mar	-	-	-	-	-	296	285	416	
Apr	-	-	-	-	-	377	403	364	
May	-	-	-	-	-	296	278	500	
Jun	-	-	-	-	-	331	272	428	
TOTAL	82	51	62	195	390	390	4,045	4,726	5,278



CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

Objective 4: To work together as custodians of now and the future.

- Outcome: 4.2: A local government that is respected, professional, trustworthy and accountable

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.2.1

That Council receive the Executive Manager Corporate Services Report for the month of August 2014.


COUNCIL DECISION – 04-0814 – 11.2.1

Moved Councillor Todd, Seconded Councillor Winzer.

That Council receive the Executive Manager Corporate Services Report for the month of August 2014.

CARRIED 6/0

11. REPORTS OF OFFICERS**11.2 Executive Manager Corporate Services****11.2.2 Monthly Financial Statements and Report**

Location:	Exmouth
Applicant:	S O'Toole
File Reference:	FM.FI.0
Disclosure of Interest:	Nil
Date:	5 August 2014
Author:	Executive Manager Corporate Services, Sue O'Toole
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

The provisions of the Local Government Act 1995 and associated Regulations require the Shire of Exmouth to produce a monthly financial management report for presentation to the Council. This report recommends Council accept the financial reports and pass the accounts for payment.

BACKGROUND

Financial report for the period ended 30 July 2014 has been prepared and a copy of the Report is attached as *Attachment 1* and a complete list of accounts for payment is attached as *Attachment 2*.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Civic Leadership**

Objective 4: To work together as custodians of now and the future.

- Outcome: 4.2: A local government that is respected, professional, trustworthy and accountable

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.2.2

That Council:

1. *The monthly financial reports for period ended July 2014 be accepted; and*
2. *The accounts as listed in the monthly financial report be received for;*
Municipal Fund ~ July 2014 \$2,069,609.02 incorporating 12791 to 12820 and direct debits
Trust Fund – July 2014 \$5,469.60 incorporating of cheque 400791 to 400792 and direct debits
Outstanding Creditors as at July 2014 ~ \$1,344,645.13

COUNCIL DECISION – 05-0814 – 11.2.2

Moved Councillor Hood, Seconded Councillor Todd.

That Council:


- 1. The monthly financial reports for period ended July 2014 be accepted; and***
- 2. The accounts as listed in the monthly financial report be received for;***
Municipal Fund ~ July 2014 \$2,069,609.02 incorporating 12791 to 12820 and direct debits
Trust Fund – July 2014 \$5,469.60 incorporating of cheque 400791 to 400792 and direct debits
Outstanding Creditors as at July 2014 ~ \$1,344,645.13

CARRIED 6/0

11. REPORTS OF OFFICERS

11.2 Executive Manager Corporate Services

11.2.3 Adoption of the 2014/15 Budget

Applicant:	B Price
File Reference:	FM.BU.14.15
Disclosure of Interest:	Nil
Date:	6 August 2014
Author:	Executive Manager Corporate Services
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends the Council of the Shire of Exmouth adopt the 2014/15 Budget.

BACKGROUND

Council is required to prepare and adopt in the manner and form prescribed its annual budget by no later than the 31 August each year in accordance with Section 6.2 of the Local Government Act 1995.

Prior to adopting the budget, Ministerial approval was sought to impose a rating proposal to levy a minimum payment on vacant land that applies to a greater percentage of vacant properties than is allowed under section 6.35(5) of the Local Government Act 2005.

This approval was granted on 8 August 2014 and is valid for the 2014/15 financial year for GRV Marina Vacant Land \$1,440 and GRV Residential Development Vacant Land \$400.

COMMENT

The Draft Budget for 2014/15 has been prepared in accordance with the Local Government Act and is attached for consideration and final adoption (Refer *Attachment 3*).

The Budget includes a number of key projects, including Capital Program featuring \$24.1m of planned works, with the main projects being:

- \$477,000 towards a recycling initiative at the Waste Site, subject to grant funding includes a Baler Machine and Glass Crusher. Also improvements are planned to the Road Access & Parking as well as upgrades to the Waste Water Treatment Ponds.
- \$737,000 for improvements to Tantabiddi.
- \$260,000 to construct 4 Jetties in the Marina at 1 Marlin Terrace Exmouth.
- \$245,000 to construct a shed and ablutions at Exmouth Aerodrome in addition to upgrades to the runway and fencing.
- \$238,000 for upgrades to Airport and Heliport Buildings at Learmonth Airport. Also replacement of furniture and signage.
- \$350,000 for upgrades to staff housing.
- \$1.3m towards a proposed subdivision of 11 Lots in Heron Way.
- \$16.4m to commence construction of the Ningaloo Centre in Murat Road.
- \$1.3m on Road Preservation and Resurfacing.
- \$1.5m towards Flood Mitigation works in Reid Street (Stage 2 works).

The draft Budget incorporates a general rate increase of 2.9% which has been based on an estimate of the general increase in the net cost of services.

STATUTORY ENVIRONMENT

Section 6.2 & 6.35 (5) Local Government Act 1995
Local Government Financial Management Regulations 22-33

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The Budget outlines the financial plans for the Shire during 2014/15 and contains estimated revenue and expenditure which is monitored throughout the year with an estimated Closing Surplus of \$11,851.

STRATEGIC IMPLICATIONS**Civic Leadership**

Objective 4: To work together as custodians of now and the future.

- Outcome: 4.2: A local government that is respected, professional, trustworthy and accountable

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATIONS – 10.2.3

That Council in accordance with Section 6.2(1) of the Local Government Act 1995, having considered any submissions received on the intended Differential Rates, Specified Area Rate, adopt the Budget for the financial year ending June 30, 2015 as resolved below :-

Differential General Rates:

Impose a differential general rate on rateable land within the Municipality of Exmouth in accordance with Section 6.33 of the Local Government Act 1995 and adopt the following schedule of differential rates:

<i>Rate Category</i>	<i>Rate In Dollar \$</i>	<i>Minimum Payment</i>
<i>GRV Commercial - Industrial</i>	<i>0.0686</i>	<i>\$700.00</i>
<i>GRV Commercial - Industrial Vacant Land</i>	<i>0.0995</i>	<i>\$700.00</i>
<i>GRV Marina</i>	<i>0.0942</i>	<i>\$1,440.00</i>
<i>GRV Marina Vacant Land</i>	<i>0.1068</i>	<i>\$1,440.00</i>
<i>GRV Residential</i>	<i>0.0658</i>	<i>\$700.00</i>
<i>GRV Residential Development</i>	<i>0.0573</i>	<i>\$700.00</i>
<i>GRV Residential Development Vacant Land</i>	<i>0.0573</i>	<i>\$400.00</i>
<i>GRV Special Rural</i>	<i>0.0534</i>	<i>\$800.00</i>
<i>GRV Special Rural Vacant Land</i>	<i>0.0642</i>	<i>\$800.00</i>
<i>UV Rural</i>	<i>0.0730</i>	<i>\$750.00</i>
<i>UV Mining</i>	<i>0.1405</i>	<i>\$320.00</i>
<i>GRV Specified Area Rate</i>	<i>0.012863</i>	<i>\$64.60</i>

Rubbish Removal Charges:

Set the following rubbish removal charges:

- Residential \$346.00 for the weekly removal of each 240 litre mobile garbage bin; one collection per week.*
- Commercial \$286.20 for the weekly removal of each 240 litre mobile garbage bin; one collection per week*

Due Date for Payment of Rates and Charges:

Set the due date for the single payment of a rate or service charge for the 2014/15 financial year to be 30 September 2014

Due Date for Payment of Rate Instalments

Set the due date for the payment of rate instalments for the 2013/14 financial year as follows:-

First Instalment	30 September 2014
Second Instalment	1 December 2014
Third Instalment	2 February 2015
Fourth Instalment	2 April 2015

Options for Payment of Rates and Charges:

Option 1: Prompt Payment Due no later than 4:00pm on 30 September 2014

Option 3: Four equal instalments

- i) First instalment due no later than 4:00pm on 30 September 2014
- ii) Second instalment due no later than 4:00pm on 1 December 2014
- iii) Third instalment due no later than 4:00pm on 2 February 2015
- iv) Fourth instalment due no later than 4:00pm on 2 April 2015

Option 2: Two equal instalments

- i) First instalment due no later than 4:00pm on 30 September 2014
- ii) Second instalment due no later than 4:00pm on 1 December 2014

Administration Charge on Instalments:

Set an administration charge of \$12.65 per rate instalment notice for the 2014/15 financial year where the instalment plan is selected.

Interest on Rate Instalments

Set as an additional charge by way of interest where the instalment plan is selected an interest rate of 5.5% for the 2014/15 financial year.

Late Payment Interest Charge:

Set an interest rate of 11% for the 2014/15 financial year as penalty interest for the late payment of rates and charges.

Interest on Money Owing to Council – General Debtors:

Set an interest rate of 11% for the 2014/15 financial year and in accordance with Section 6.13(6) of the Local Government Act 1995, the period of time after which an account incurs interest is 60 days.

Reserve Fund:

Create Reserve Funds and allocate funds to and from the Reserve Funds for the financial year ending 30 June 2015 as specified in the 2014/15 Budget document.

Trust Fund Budget:

Adopt the Trust Fund Budget for the financial year ending 30 June 2015 as included in the 2014/15 Budget.

Imposition of Fees and Charges:

Adopt the Schedule of Fees and Charges for the financial year ending 30 June 2015 as included in the 2014/15 Budget.

Material Variance:

The 2014/15 Financial Statements presented to Council during the Financial Year for review and comparison to Budget will indicate Variance Value plus (+) or minus (-) of 10% or \$10,000, whichever is the greater.

Call Tenders:

Authorise the CEO to call Tenders for Goods and Services where there is provision in the 2014/15 Budget, with Council to determine the outcome of all Tenders.

COUNCIL DECISION – 06-0814 – 11.2.3

Moved Councillor Todd, Seconded Councillor McHutchison.

That Council in accordance with Section 6.2(1) of the Local Government Act 1995, having considered any submissions received on the intended Differential Rates, Specified Area Rate, adopt the Budget for the financial year ending June 30, 2015 as resolved below :-

Differential General Rates:

Impose a differential general rate on rateable land within the Municipality of Exmouth in accordance with Section 6.33 of the Local Government Act 1995 and adopt the following schedule of differential rates:

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Create Reserve Funds and allocate funds to and from the Reserve Funds for the financial year ending 30 June 2015 as specified in the 2014/15 Budget document.

Trust Fund Budget:

Adopt the Trust Fund Budget for the financial year ending 30 June 2015 as included in the 2014/15 Budget.

Imposition of Fees and Charges:

Adopt the Schedule of Fees and Charges for the financial year ending 30 June 2015 as included in the 2014/15 Budget.

Material Variance:

The 2014/15 Financial Statements presented to Council during the Financial Year for review and comparison to Budget will indicate Variance Value plus (+) or minus (-) of 10% or \$10,000, whichever is the greater.

Call Tenders:

Authorise the CEO to call Tenders for Goods and Services where there is provision in the 2014/15 Budget, with Council to determine the outcome of all Tenders.

CARRIED by ABSOLUTE MAJORITY 6/0


The Chief Executive Officer took the opportunity to congratulate and thank Sue O'Toole, Executive Manager Corporate Services, for her outstanding work on compiling the budget.

Councillor Winzer and Councillor McHutchison declared an impartiality interest in the following report stating that they are social members of the Exmouth Yacht Club. As a consequence, there may be a perception that their impartiality on the matter may be affected. They both declared that they will consider this matter on its merits and vote accordingly.

11. REPORTS OF OFFICERS

11.2 Executive Manager Corporate Services

11.2.4 Yacht Club Lease

Location:	Exmouth
Applicant:	Exmouth Yacht Club
File Reference:	R31006
Disclosure of Interest:	Councillor Winzer, Councillor McHutchison
Date:	8 August 2014
Author:	Administration Manager, Vanessa Volkoff
Signature of Author:	
Senior Officer:	Executive Manager Corporate Services, Ms S O'Toole

SUMMARY

This report seeks Council's approval to renew a Lease for Exmouth Yacht Club on whole of Reserve 31006 for a 10 + 10 year term.

BACKGROUND

Records indicate that interest to start a Sailing Club in Exmouth commenced in February 1969 and was inaugurated with the appointment of officials in March 1976. The Reserve was created for the purpose of a Yacht Club Site and the club entered into a formal lease for the land with the Shire on 2 April 1973 for \$10.00 per annum on a 21 year term commencing 1 July 1972 and expiring on 30 June 1993. During this time the rental fee was amended at Budget meeting held 22 August 1983 to apply \$350.00 per annum. On expiry of this lease the Club negotiated their current lease agreement commencing 1 November 1993 for a 21 year term expiring 30 October 2014.

The premises on the Land are built and maintained by the Yacht Club. Recent upgrades to the premises included new toilets, caretaker residence, playground and commercial kitchen located inside a shed.

The Yacht Club are not for profit incorporated entity and carry out various related events and races throughout the year. They operate on a member basis with additional funds coming from venue hire and bar sales (under Yacht Club management and liquor licence) such as weddings, private functions and live music/bands.

The Yacht Club have a permanent caretaker live on the premises as a security measure, for the reason that the club had suffered multiple break-ins and vandalism in the past. There is no compliance for caretakers on managed Reserves aside from Building Codes for permanent residential dwellings (eg: no caravans and cyclone rated) therefore the provision of a caretaker can be conditional to Council having no objection. If Council have no objection to a residential caretaker living permanently on the Reserve and prefer not manage the arrangement as a sublease, the Caretaker can be referenced and recognised in the lease, conditional to the Building Code and Local Laws.

The Club upgraded the caretaker residence on the premises on past advice from the Minister of Local Government that caretakers were no longer permitted to occupy caravans as permanent accommodations. The Club were granted Planning Approval from the Shire of Exmouth on 5 July 1999 under Town Planning Scheme No 3 and completed construction using CSRFF Grant Funds under Building Licence 228/99.

COMMENT

The Yacht Club are aiming at generating much needed funds for the club by subletting a portion of the premises. Accordingly they have completed kitchen refurbishments and are in the process of registering the

kitchen for commercial use to sublet for functions and events. The Yacht Club lease can incorporate allowing subleases on application to the Shire. Consent will be conditional to meeting relevant Food Act legislation, lease purpose, Minister for Lands approval and zoning classifications with no limits on sublease rental fee.

CONSULTATION

WALGA

STATUTORY ENVIRONMENT

Food Act

Building Code

POLICY IMPLICATIONS

Policy 2.4 – Leases

FINANCIAL IMPLICATIONS

The 2014/15 Budget included revenue of \$350

STRATEGIC IMPLICATIONS

Civic Leadership

Objective 3: To be a dynamic, passionate and safe community valuing natural and cultural heritage.

- Outcome: 3.5: Maintain and increase the participation levels in local community organisations and clubs.

Objective 4: To work together as custodians of now and the future.

- Outcome: 4.1: To be a collaborative community with the capacity to manage the current and future direction of Exmouth
- Outcome: 4.2: A local government that is respected, professional, trustworthy and accountable
- Outcome: 4.3: To be strong advocates representing the region's interests

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.2.4

That Council:

1. *Endorse a lease for Exmouth Yacht Club Inc for 10 + 10 years (at the discretion of Council) on a peppercorn basis for the purpose of a Yacht Club and related functions of a Yacht Club and subject to approval of the Minister for Lands.*
2. *Delegate Authority to the Chief Executive Officer to assess application to sublease on this Lease based on internal Shire policy, procedures, any relevant legislation and subject to a public building inspection.*

COUNCIL DECISION – 07-0814 – 11.2.4

Moved Councillor Todd, Seconded Councillor Winzer.

That Council:


1. *Endorse a lease for Exmouth Yacht Club Inc for 10 + 10 years (at the discretion of Council) on a peppercorn basis for the purpose of a Yacht Club and related functions of a Yacht Club and subject to approval of the Minister for Lands.*
2. *Delegate Authority to the Chief Executive Officer to assess application to sublease on this Lease based on internal Shire policy, procedures, any relevant legislation and subject to a public building inspection.*

CARRIED 6/0

11. REPORTS OF OFFICERS

11.3 Executive Manager Aviation Services

11.3.1 General Report

Location:	Exmouth
Applicant:	J Kox
File Reference:	TT.SP.0
Disclosure of Interest:	Nil
Date:	11 August 2014
Author:	Executive Manager Aviation Services, Jenny Kox
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

The following Aviation Services Department report contains a brief summary of significant activities and issues arising since the July 2014 Council Meeting agenda report.

BACKGROUND

Defence

The Learmonth Airport Master Plan review by Defence has been received with a number of amendments required. These will be actioned where appropriate and resubmitted to Defence in the coming weeks.

Monthly Learmonth Advisory Committee Meetings continue to raise no significant issues.

Regulatory

The Airport Security Committee meeting was held on 23 July 2014 with no outstanding issues.

A meeting with Airservices Australia representatives was held on 31 July 2014 to discuss a number of issues including the replacement DVOR project, now scheduled for commencement in March 2015.

Network Aviation undertook an audit of airport facilities as part of their compliance program on 30 July 2014.

The Department of Transport has released the Review of Regulated Air Services discussion paper for comment. The discussion paper recommends that the Perth-Learmonth (Exmouth) route be fully deregulated at the end of the current contract in February 2016. A response to the discussion paper is currently being prepared.

Correspondence was also forwarded to the Department of Transport in relation to the cessation of VARA Perth-Learmonth services.

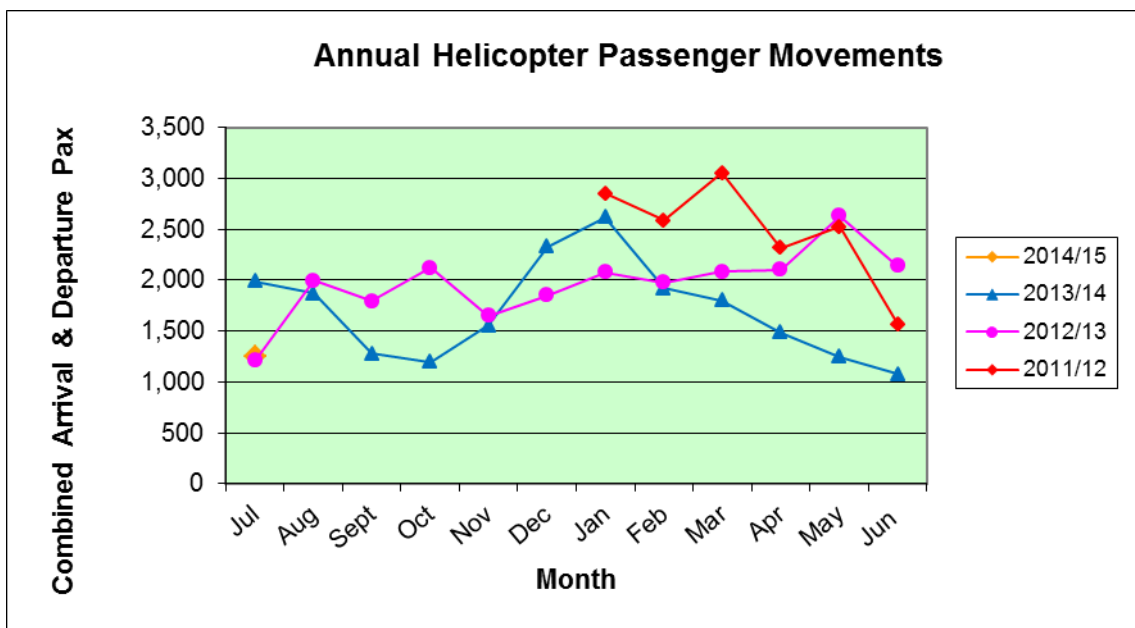
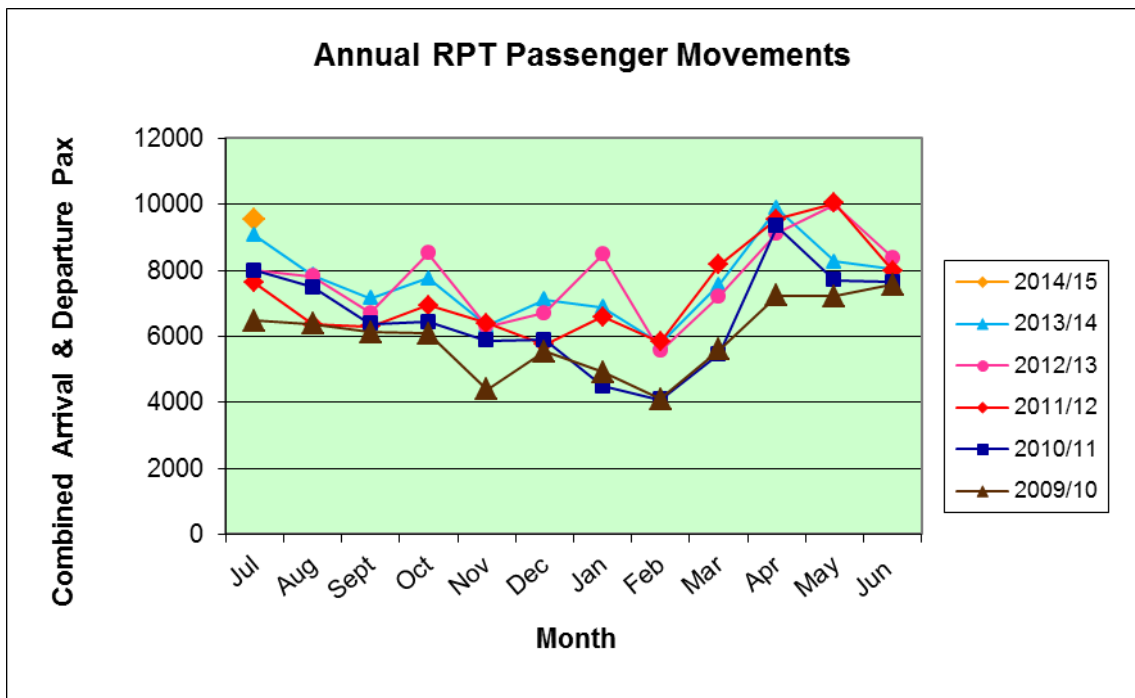
Airlines/Air Operators/Industry

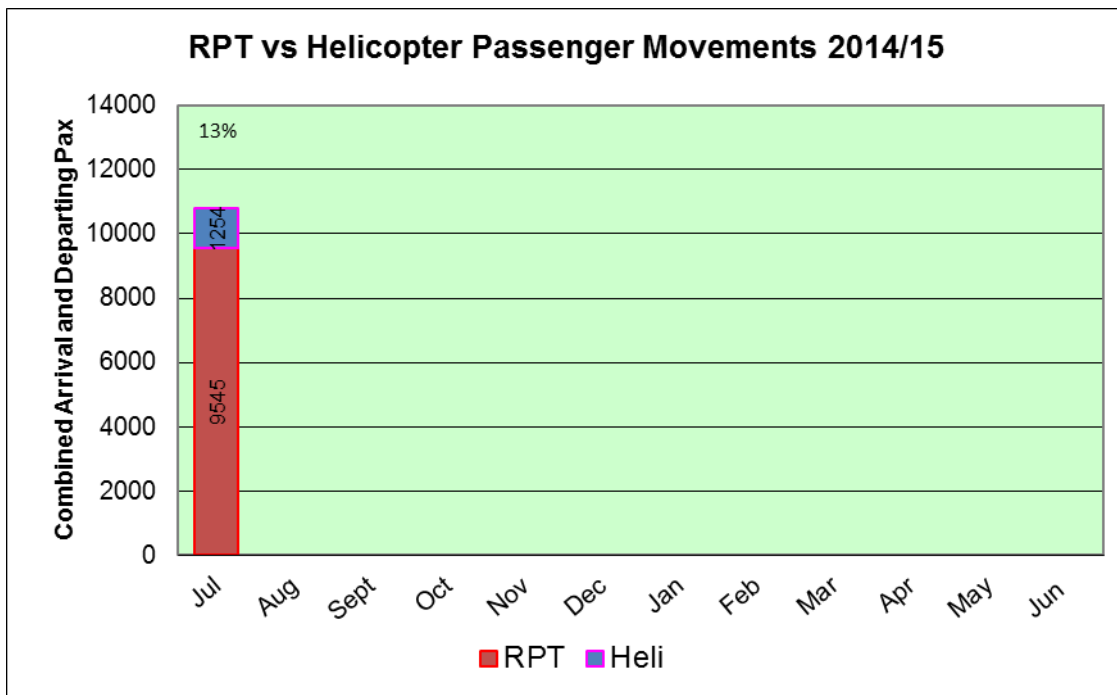
A meeting was held with Steve Barrett and Julian Barry of Qantas on how they are responding to the cessation of VARA services into Learmonth. As a result, regular meetings will be held with Qantas to ensure both parties are aware of upcoming activity and service requirements.

There have been a number of delayed services during the past month due to unserviceable aircraft affecting both airlines.

July RPT passenger numbers were the highest on record for that month, being 487 more passengers than for the same period last year. Helicopter passenger numbers were again 13% of the RPT passenger numbers, indicative of the current low level drilling campaign.

See the graphical presentation of statistics below.





Airport

Improvements to mobile telephone communications within the airport buildings is currently being investigated in conjunction with Telstra representatives. A satellite phone has been purchased to reduce operational risks due to ongoing communication issues.

Heliport

Very little change on activity through the Heliport this month. Awaiting the return of Atwood Eagle for its next drilling campaign.

Staffing

Cameron Regterschot has resigned from his position at the heliport. Cameron’s last day will be 19 August 2014. This position will not be replaced at this time.

Leasing

The sub-lease between Norwest Airwork & Bristow Helicopters approved at the April Ordinary Council Meeting has been finalised and executed, effective 1 August 2014.

Projects

Work continues on the car park upgrade with further line marking, public notices and quotes for civil works being sourced.

Painting of rental car booths is underway to bring into line with the colour palette of other furniture.

Exmouth Aerodrome

Nil

Other Items

Nil

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

Objective 1: To be a diverse and innovative economy with a range of local employment opportunities.

- Outcome: 1.1: To increase the number of local businesses, industries and services that will provide a range of employment opportunities for the people of Exmouth
- Outcome: 1.2: Planned and balanced economic growth
- Outcome: 1.3: Diverse tourism opportunities

Civic Leadership

Objective 4: To work together as custodians of now and the future

- Outcome: 4.1: To be a collaborative community with the capacity to manage the current and future direction of Exmouth
- Outcome: 4.2: A local government that is respected, professional, trustworthy and accountable.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.3.1

That Council receive the Executive Manager Aviation Services Report for the month of August 2014.

COUNCIL DECISION – 08-0814 – 11.3.1

Moved Councillor Todd, Seconded Councillor Thompson.


That Council receive the Executive Manager Aviation Services Report for the month of August 2014.

CARRIED 6/0

11. REPORTS OF OFFICERS

11.4 Executive Manager Community Engagement

11.4.1 General Report

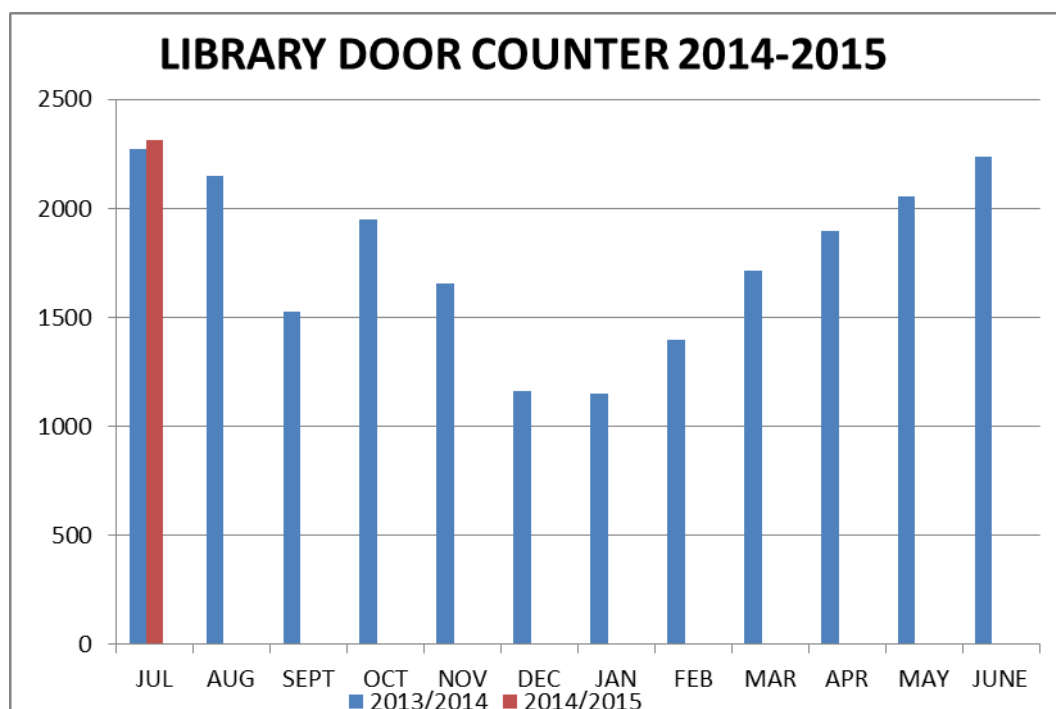
Location:	Exmouth
Applicant:	L Rampling
File Reference:	GV.CM.0
Disclosure of Interest:	Nil
Date:	13 August 2014
Author:	Community Development Officer, Lauren Rampling
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

The following report contains a brief summary of significant activities, events and issues that were raised during the last month.

BACKGROUND

Library and Community Resource Centre (CRC)



2313 people made use of the library facilities in July, compared to 2270 for the same period last year. 2989 items were processed for circulation an increase of 354 items on July 2013.

The Libraries Story, Rhyme and Craft Time continues on Tuesdays with approximately 20 to 25 children attending each week. Our current theme is the Alphabet with song, a story and craft relating to a new letter each week.



Sketch Book Display

The Sketchbook Project takes place each year, in conjunction with the [KickstART Festival](#) for National Youth Week. It is an opportunity for young people, aged 12-25 to create something completely unique and share it with the world. Participants are sent a free blank sketchbook which are ready to be cut, torn, painted and filled. During the July School Holiday Program, Community Development ran a sketch book morning under the trees at the back of the library and the SLWA Travelling Sketchbooks were on display for a two week period.

The Ningaloo Centre - Library

Roge Kempe and Sharon Regterschot travelled to Perth recently to meet with Andrew Forte, Strategic Project Officer Ningaloo Centre and Site Architectures Paul Edwards, Christian Wetjen and Amy Stewart for a tour of 4 metropolitan libraries. The group visited Baldivis, Falcon, South Perth and The Grove; followed by a summary session and discussions on the floor plan and color scheme of the Ningaloo Centre Library. It was a chance to view other library technology, design, layouts and furniture and meet the librarians to hear their views on what works well and what doesn't.

Community Development

July School Holiday Program

Sand castles, amazing race, sketchbooks, and shell creatures were all part of the July School Holiday program. Numbers were good at most events, but the most popular was the amazing race which attracted 30 people. The feedback from this event was positive from participants and the local businesses involved. Five local businesses were asked to give out clues and all said that they would be happy to do it again, as all young people involved were polite and patient. PCYC, ECAC and DPaW were also offering School Holiday Activities and this did not appear to impact on numbers at Shire events.



Relay for Life

Officers within the team expressed an interest in setting up Relay for Life in Exmouth. The first meeting to establish if there was enough community support took place in early August, with the aim of having Relay set up for 2015. The meeting was well attended and a strong committee of 13 has been chosen. There are approx. 25 people willing to help get relay 2015 off the ground and work will be starting on planning the event from September 2014.

Men's Shed

The visit from the Carnarvon's Men's Group proved to be a success and demonstrated the possibilities open to the group. The Carnarvon group wish to remain in contact with the Exmouth blokes and support them as they become a fully operational shed.

At the last meeting of the Exmouth Group some significant progress has been made, the group are ready to start the process of becoming an Incorporated organisation, this has meant that they have formalised some of their structures and for the interim have nominated the following people to take up "executive committee" positions until a full public meeting is held in line with the statutory requirements of the Incorporations Act. Daryl Spicer has agreed to act as President, Shawn O'Toole has agreed to act as Vice President; Shaun Fell

will be acting as Secretary and Barry Cullen will take on the role of Treasurer. They will be working with the CDO through the process of Incorporation.

The group also discussed the type of activities they would be keen to offer as part of their shed, and currently they are: Metal work, Wood shop, assistance to those in the community in need; community garden and support to other local NFP's.

Club Talk

As part of the Club Development Scheme - Support for Local Clubs, a 3 hour workshop was held covering clubs and their use of social media. Topics covered included cyber safety; twitter; Facebook and the new team app; which was demonstrated and would be of great assistance to clubs. Turnout was lower than expected; however those that attended were very positive about the workshop and were intending to put into practice what they've learnt.

Youth Action Exmouth

The YAE Events Handbook will shortly be with printers and this can then be distributed. The acquittal for the BHP Billiton support of this project has been completed; Officers are just waiting for the printed handbook to include with the acquittal. This will then allow Officers and BHP Billiton representatives to continue their discussions regarding further support for this project.

Gascoyne Display at the Perth Royal Show

The Shire of Carnarvon have previously co-ordinated the region's efforts for the display. This year they are no longer able to fulfil this role and for 2014 the GDC have agreed to step in and co-ordinate efforts across the region.

Shows on the Go

Exmouth Yacht Club are partnering with Community Development to bring the Country Arts WA regional show "Dust of Uruzgan" to Exmouth. The Yacht club have been working hard to promote the event, and it is hoped that the community will support this performance.

As part of the regional tour the Show's star also offers workshops; and Exmouth District High School have been able to take up this opportunity. The workshops will be attended by Primary and High School students and cover creative and song writing; both in English and New Guinea Pidgin.

Australasian Safari

Australasian Safari is an annual off road endurance motorsport event that traverse's over 3,200kms of unforgiving terrain over 7 days and they will arrive in Exmouth on Wednesday 24 September. With over 500 competitors and support crew this will be a big production, and the Exmouth Ovals will be transformed into a huge bivouac, the community will be able to go down to the Oval and check out the rally vehicles as they come in.

Military Open Day

The Military are also here on Wednesday 24 September and will be using the south end of Talanjee oval to set up a public display of military equipment for the afternoon. There will be helicopters, trucks, weapons, and attack dogs on site and plenty of demonstrations. There will also be plenty of personnel on hand to talk to and a recruitment table for those interested in joining up with the forces.

Media and Community Information

- Shire Newsletter
- Airport specific newsletter
- Northern Guardian – Men's Shed 21/7/14

Staffing

Executive Certificate in Event Management

The CAO attended this course run by University of Technology Sydney which went over 4 days covering all aspects of event and conference management, making good networks with other event professionals and the Pilbara local government officers. CAO has now achieved an Executive Certificate in Event Management.

Maternity Leave

The CDO will commence maternity leave on Friday 12 September 2014, with a return scheduled for August 2015. Recruitment for a replacement during this period has begun, and it is anticipated that the successful applicant will commence late September / early October.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

Objective 1: To be a diverse and innovative economy with a range of local employment opportunities.

- Outcome 1.3 – Diverse Tourism opportunities.

Social

Objective 3: To be a dynamic, passionate and safe community valuing natural and cultural heritage.

- Outcome 3.3 –An inclusive, responsible and cohesive community.
- Outcome 3.5 –Maintain and increase participation levels in local community organisations and clubs.

Civic Leadership

Objective 4: To work together as custodians of now and the future

- Outcome 4.2 –A local government that is respected, professional, trustworthy and accountable.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.4.1

That Council receive the Community Engagement Report for the month of August 2014.

COUNCIL DECISION – 09-0814 – 11.4.1

Moved Councillor Winzer, Seconded Councillor McHutchison.


That Council receive the Community Engagement Report for the month of August 2014.

CARRIED 6/0

11. REPORTS OF OFFICERS

11.4 Executive Manager Community Engagement

11.4.2 Interest Free Loan Application by Exmouth Motorcycle Club

Location:	Exmouth
Applicant:	L Rampling
File Reference:	FM.LO.0
Disclosure of Interest:	Nil
Date:	13 August 2014
Author:	Lauren Rampling, Community Development Officer
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends to Council to consider the provision of an interest free loan to the Exmouth Motorcycle Club of \$10,000 from the Shire's Community Development Fund for the erection of safety fencing and other improvements at their Track.

BACKGROUND

Council received a request to consider the provision of a loan to the Exmouth Motorcycle Club of \$10,000 from the Shire's Community Development Fund for the erection of safety fencing, shade structures and a portable ablution block with septic tank and leach drains.

The Shire's Community Development Fund is regulated by Council Policy 2.2 "*Interest Free Loans to Clubs & Organisations*" and states the following purpose:

"Council has set aside funding in a Community Development Reserve Fund for the provision of interest free loans to Exmouth clubs and organisations to assist in the provision of facilities and equipment for the betterment of the club or organization and its members".

COMMENT

The Policy 2.2 states:

"The Executive Manager of Community Engagement (EMCE) and the Executive Manager Corporate Services (EMCS) should undertake assessment of the application with a recommendation to the Council for final approval or otherwise of the loan. Assessment should be based on:

- *Perceived ability for the loan to be repaid in full and for repayments to be made on time;*
- *Ensuring that there is an apparent benefit not only to the club/organization but also to the wider community from the loan being given;*
- *Clubs/organisations must have been in existence for 2 years and clearly demonstrated a stabilised or increased membership;*
- *Prior to an application being lodged, an applicant has used their best endeavours to source grant funding to assist with their purchase.*
- *Clubs/organisations must provide Council with an end of year financial statement for each year of the loan.*

As the EMCE is currently on leave, the EMCS and CDO have assessed this application. The application form is attached for your information. (Refer **Attachment 1**)

Council is informed that the Exmouth Motorcycle Club complies with and/or is expected to be able to comply with the above requirements. Specifically, the Club is a place for many local people and visitors to be physically active and to meet others. The club is a relatively new club, and it should be commended for its vision and desire to ensure a safe state of the art track for its members. The Club are involved with the Club

Development Program and have completed the ASC Health Check. The club are now addressing the areas that required some additional focus, for example some minor Governance issues. The club were very strong on policies, procedures and risk management.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Policy 2.2 - Interest Free Loans to Clubs & Organisations

FINANCIAL IMPLICATIONS

The Shire's Community Development Fund Reserve currently has a balance of \$203,000. If Council agree to this loan, then the impact of the loan of the total reserve would be minimal.

The following clubs currently hold loan funds totalling \$304,750:

Golf Club	\$ 35,000
Bowling Club	\$170,000
Squash Club	\$ 11,000
Truscott Club	\$ 10,000
Exmouth Game Fishing Club	\$78,750

Policy 2.2 stipulates that "an application fee of 5% will be charged on any new application"

The Exmouth Motorcycle Club will be charged the 5% if their loan application is successful. The club have suggested a repayment schedule of \$1500 per year for the first six years of the loan, and a final payment of \$1000. Based on their accounts the EMCS is comfortable with this schedule and does not feel that it would put any undue strain on the club to make these repayments. Should the club default on the loan there are some assets that the Shire would be able to have access to, to recover the debt.

STRATEGIC IMPLICATIONS

Social

Objective 3: To be a dynamic, passionate and safe community valuing natural and cultural heritage.

- Outcome 3.3 –An inclusive, responsible and cohesive community.
- Outcome 3.5 –Maintain and increase participation levels in local community organisations and clubs.

Civic Leadership

Objective 4: To work together as custodians of now and the future

- Outcome 4.2 –A local government that is respected, professional, trustworthy and accountable.

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION – 11.4.2

That Council approves the Interest Free Loan to the Exmouth Motorcycle Club subject to satisfactory repayments schedule as documented above and full insurance cover on assets.

COUNCIL DECISION – 10-0814 – 11.4.2

Moved Councillor Todd, Seconded Councillor Winzer.

That Council approves the Interest Free Loan to the Exmouth Motorcycle Club subject to satisfactory repayments schedule as documented above and full insurance cover on assets.

CARRIED by ABSOLUTE MAJORITY 6/0

11. REPORTS OF OFFICERS

11.4 Executive Manager Community Engagement

11.4.3 CSRFF Small Grants Applications and Shire Priorities

Location: Exmouth
 Applicant: L Rampling
 File Reference: GS.PR.1
 Disclosure of Interest: Nil
 Date: 13 August 2014
 Author: Lauren Rampling, Community Development Officer
 Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report documents the one internal Community Sport and Recreation Facilities Fund (CSRFF) small grant application for new fencing at Talanjee Oval and along Murat Road, and one external application from Exmouth Motorcycle Club for safety fencing and other improvements at the Club. As part of the CSRFF process Council is required to prioritise these applications.

BACKGROUND

The Department of Sport and Recreation ("DSR") administers the CSRFF grant funding program for small, annual and forward-planning grants. Priority is given to projects that lead to facility sharing and rationalisation. Multi-purpose facilities reduce infrastructure required to meet similar needs and increase sustainability.

The maximum CSRFF grant approved by the State Government will be no greater than one-third of the total estimated cost of the applicant's project and must be matched by the applicant's own cash or in-kind contribution. Furthermore the balances of one-third funds required are to be sourced by the applicant. A development bonus can be requested by applicants who meet certain criteria which enable CSRFF grants to cover up to 50% of the total project costs, Exmouth falls within the development bonus; therefore allowing the Local Government and Clubs to apply for 50% of the funding.

Applicants must be either a local government authority, not for profit sport, recreation or community organisation and incorporated under the WA Associations Incorporation Act 1987. Clubs must demonstrate equitable access to the public on a short-term and casual basis.

The types of projects which will be considered for funding include:

- Upgrade and addition to existing facilities where they will lead to an increase in physical activity or more rational use of facilities.
- Construction of new facilities to meet sport and recreation needs.
- New or replacement of synthetic surfaces. Where an application is made for a new or synthetic surface, evidence of long-term planning for all nearby facilities is required.

It is a requirement that applicants first discuss their proposal with the DSR's Regional Manager to be able to receive the formal application CSRFF form. The DSR will also identify any shortcomings and offer assistance to bring an application up to an acceptable standard.

The table below identifies the cost (excluding GST) of each project together with required/requested Council contribution (Refer *Attachment 2 & 3*) for the full grant applications.

Funding Source	Exmouth Motorcycle Club	Shire of Exmouth
Council Contribution		\$72,930
Applicant's Cash	\$14,780	
Voluntary Labour	\$14,990	
Donated Materials		
Corporate Sponsorship & Club cash	\$9,000	
Other state or federal funding		
CSRFF Grant Requested	\$35,593	\$72,930
Development Bonus Requested	YES	YES
Total Cost of Project	\$74,363	\$145,860

The Department of Sport and Recreation requires projects to be rated and ranked by Council using the following criteria:

Project Rating

- Well planned and needed by the municipality
- Well planned and needed by the applicant
- Needed by the municipality - more planning required
- Needed by the applicant – more planning required
- Idea has merit – more preliminary work needed
- Not recommended

COMMENT

To assist Council officers have the following comments to make; however Council has the opportunity to amend the project rating and re-prioritise the proposed ranking.

The applications have been assessed, using the Project Assessment Sheet provided by the DSR (refer *Attachment 4*). Council is informed:

Exmouth Motorcycle Club

- Is satisfactory in all areas listed (for example design, project justification, financial viability etc.)
- Is ranked 1 out of 2 in terms of the Shire's priorities
- Rates as "well planned and needed by the applicant"
- Will receive the required Shire planning and building approvals at a later stage
- Will extend what the motorcycle club is able to offer to its members and the community

Shire of Exmouth

- Is satisfactory in all areas listed (for example design, project justification, financial viability etc.)
- Is ranked 2 out of 2 in terms of the Shire's priorities
- Rates as "well planned and needed by the municipality"
- Will receive the required Shire planning and building approvals at a later stage

Applicant	Project Summary	Council Funds Required and Budgeted?	Proposed Project Rating	Proposed Priority Ranking
Exmouth Motorcycle Club	Fencing and other improvements to the local club	\$10,000 (applied for an interest free loan)	Well Planned and needed by the applicant	1
Shire of Exmouth	Fencing	\$80,223	Well planned and needed by the municipality	2

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Shire of Exmouth –Fencing Application

\$80,223 has been allocated in the 2014/15 budget for this project

Exmouth Motorcycle Club – Fencing, Shade and Ablutions

The Club have applied for an interest free loan from the Shire of Exmouth Community Development Fund for \$10,000, this contributes to the applicant's cash contribution.

STRATEGIC IMPLICATIONSEconomic

Objective 1: To be a diverse and innovative economy with a range of local employment opportunities.

- Outcome 1.3 – Diverse Tourism opportunities.

Social

Objective 3: To be a dynamic, passionate and safe community valuing natural and cultural heritage.

- Outcome 3.3 –An inclusive, responsible and cohesive community.
- Outcome 3.5 –Maintain and increase participation levels in local community organisations and clubs.

Civic Leadership

Objective 4: To work together as custodians of now and the future

- Outcome 4.2 –A local government that is respected, professional, trustworthy and accountable.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.4.3*That Council:*

1. Endorse the application submitted by Exmouth Motorcycle Club from the CRSFF as priority 1 for Exmouth and inform the DSR accordingly
2. Endorse the application submitted by the Shire of Exmouth for fencing of Talanjee Oval from the CSRFF as the priority 2 for Exmouth and to inform the DSR accordingly.

COUNCIL DECISION – 11-0814 – 11.4.3

Moved Councillor Hood, Seconded Councillor Todd.

That Council:


- 1. Endorse the application submitted by Exmouth Motorcycle Club from the CRSFF as priority 1 for Exmouth and inform the DSR accordingly*
- 2. Endorse the application submitted by the Shire of Exmouth for fencing of Talanjee Oval from the CSRFF as the priority 2 for Exmouth and to inform the DSR accordingly.*

CARRIED 6/0

11. REPORTS OF OFFICERS

11.4 Executive Manager Community Engagement

11.4.4 Disability Access and Inclusion Plan Services to the Public

Location:	Exmouth
Applicant:	L Rampling
File Reference:	GR.SL.27
Disclosure of Interest:	Nil
Date:	13 August 2014
Author:	Community Development Officer, Lauren Rampling
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends that the Council use a special condition in contracts and tender documentation as part of the contract of agents and contractors to comply with the Disability Services Act 1993 (Amended 2004).

BACKGROUND

The Shire of Exmouth must comply with reporting regulations associated with the Disability Access and Inclusion Plan (DAIP). The Disability Services Act 1993 (amended 2004) makes DAIPs mandatory and prescribes their development, implementation and reporting.

It requires that DAIPs are implemented by public authority staff and also applies to agents and contractors providing a service to the public. The Shire of Exmouth currently has no mechanism for reporting how we apply this process to agents and contractors. We have a statutory duty to do this and this report sets out how this can be implemented Council wide.

As you will be aware Local Government Authorities are required to develop and implement a Disability Access and Inclusion Plan (DAIP) under the Disability Services Act 1993 (amended 2004).

The requirements of DAIPs ensure that people with disability can access services, facilities, buildings and information provided by public authorities in Western Australia in a way that facilitates increased independence, opportunities and inclusion within the community.

The current DAIP was adopted in August 2013, and as a Local Government we have a number of obligations we have to report on. One area of the DAIP that needs immediate attention is how we ensure contractors are aware of their obligations in relation to the statutory duty we have to report on the plan.

Requirements of Agents and Contractors

The Act requires DAIPs to be implemented by agents and contractors as well as the staff of a public authority. This furthers the expectation that services or facilities provided through public money are accessible for all members of the community. Contracted services in which the public authority itself is the recipient of the services are not relevant to the DAIP.

Services provided to the public by agents and contractors are to be conducted consistent with the contracting public authority's DAIP. Agents and contractors are required to implement strategies which directly relate to the task they are undertaking. For example, if a contractor is developing a new website then this relates to Outcome 3: Accessible information. Major road works for example would also need to be included. However if an organisation was training Council staff then there would be no reporting requirement – as it does not directly affect the Public.

The Disability Services Commission have produced a best practice guide for this process should you require further information. (Refer *Attachment 5*)

COMMENT

The State Supply Commission has best practice guidelines outlining recommended steps to make contracted services accessible for people with disability, "Buying Wisely to Ensure Access for People with Disability". These guidelines recommend that "tender documentation incorporate information about access requirements so that potential contractors should be provided with the opportunity to familiarise themselves with these requirements and undertake an assessment of the feasibility and costs of meeting them".

Tenderers must state their intended compliance with all conditions and any special conditions of a tender. If the tenderer becomes the preferred provider the agency can then enter into negotiations about the special condition.

The State Solicitor's Office developed the following clause as a special condition to be inserted into relevant contracts to facilitate the provision of accessible services under the Act.

Local governments can choose whether to use the special condition or develop their own clause. However, even if this special condition is not used by a local government, contracted services to the public still need to comply with the requirements of the Act. For this reason the use of the special condition by local governments is strongly encouraged because it informs contractors of the local government's DAIP and notes the key legislative requirements for contractors to:

- implement the local government's DAIP
- report on access activities undertaken to support that implementation.

It would be considered prudent to adopt the special condition, therefore there could be no misunderstanding of roles and responsibilities. The special condition is as follows:

Disability Access and Inclusion Plan

If the Contract involves the supply of services to the public, then the successful respondent will:

- (i) to the extent practicable, implement the Shire of Exmouth's "Disability Access and Inclusion Plan" prepared under the Disability Services Act 1993; and
- (ii) provide a report to Council by June in each year of the Contract Term and at project completion reporting on the extent to which the successful Respondent has implemented the Customer's Disability Access and Inclusion Plan.

The clause will:

- apply only to new contracts or contract variations
- apply to services provided to the public
- not apply to services provided directly to the public authority itself, such as cleaners and rewiring of telephones.

In agreeing to the special condition the tenderer agrees to:

- undertake the contract in a manner consistent with their principal's DAIP
- provide an annual report to the public authority about DAIP outcome areas supported.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

The Disability Services Act (WA) 1993; Amended 2004

The Disability Discrimination Act 1992

The Equal Opportunities Act (WA) 1984

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

Objective 1: To be a diverse and innovative economy with a range of local employment opportunities.

- Outcome 1.3 – Diverse Tourism opportunities.

Social

Objective 3: To be a dynamic, passionate and safe community valuing natural and cultural heritage.

- Outcome 3.3 –An inclusive, responsible and cohesive community.
- Outcome 3.5 –Maintain and increase participation levels in local community organisations and clubs.

Civic Leadership

Objective 4: To work together as custodians of now and the future

- Outcome 4.2 –A local government that is respected, professional, trustworthy and accountable.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.4.4

That Council use the Special Condition, as follows in contracts and tender documentation as part of the contract of agents and contractors used by the Shire of Exmouth to comply with the Disability Services Act 1993 (Amended 2004):

Disability Access and Inclusion Plan

If the Contract involves the supply of Services to the public, then the successful Respondent will:

- to the extent practicable, implement the Shire of Exmouth's "Disability Access and Inclusion Plan" prepared under the Disability Services Act 1993; and*
- provide a report to Council by June in each year of the Contract Term and at project completion reporting on the extent to which the successful Respondent has implemented the Customer's Disability Access and Inclusion Plan.*

COUNCIL DECISION – 12-0814 – 11.4.4

Moved Councillor Todd, Seconded Councillor McHutchison.

That Council use the Special Condition, as follows in contracts and tender documentation as part of the contract of agents and contractors used by the Shire of Exmouth to comply with the Disability Services Act 1993 (Amended 2004):

Disability Access and Inclusion Plan

If the Contract involves the supply of Services to the public, then the successful Respondent will:

- to the extent practicable, implement the Shire of Exmouth's "Disability Access and Inclusion Plan" prepared under the Disability Services Act 1993; and*
- provide a report to Council by June in each year of the Contract Term and at project completion reporting on the extent to which the successful Respondent has implemented the Customer's Disability Access and Inclusion Plan.*

CARRIED 6/0

11. REPORTS OF OFFICERS**11.5 Executive Manager Health & Building****11.5.1 General Report**

Location: Exmouth
 Applicant: R M Manning
 File Reference: GV.CM.0
 Disclosure of Interest: Nil
 Date: 6 August 2014
 Author: Executive Manager Health & Building, R M Manning

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

The following report contains a brief summary of significant activities, events or issues that were raised during last month.

BACKGROUND**Applications for Permits and Certificates Pursuant to the Building Act 2011**

Below is a summary of building permits and building certificate applications and approvals up to 31 July 2014.

Building Applications						
Application No	Date Received	Lot No	Development Location	Description	Decision	Decision Date
14/39	07/04/2014	1	Burkett Road	3 x 4 bedroom transportable & 1 x commercial kitchen	Awaiting information from applicant	
14/47	30/04/2014	390	19 Corella Court	Single dwelling	Awaiting information from applicant	
14/66	28/05/2014	40	40/2 Welch Street	Single dwelling	Awaiting information from applicant	
14/67	28/05/2014	15	15/2 Welch Street	Single dwelling	Awaiting information from applicant	
14/68	28/05/2014	41	41/2 Welch Street	Single dwelling	Awaiting information from applicant	
14/70	29/05/2014	351	25 Kestrel Place	Single dwelling	Awaiting information from applicant	
14/71	30/05/2014	359	9 Kestrel Place	Single dwelling	Approved	30/07/2014
14/78	01/07/2014	778	6 Tonge Place	Verandah	Approved	09/07/2014
14/79	03/07/2014	44	9 Searaven Crescent	Fence	Approved	09/07/2014
14/80	08/07/2014	3	Sargent Street	Single dwelling	Approved	10/07/2014
14/81	07/07/2014	348	17 Ningaloo Street	Swimming Pool & Decking	Approved	10/07/2014
14/82	11/07/2014	379	30 Corella Court	Single dwelling	Approved	30/07/2014
14/83	14/07/2014	318	Minilya-Exmouth Road	Single dwelling	Approved	29/07/2014
14/87	22/07/2014	407	28 Madaffari Drive	Fencing	Approved	31/07/2014
14/88	29/07/2014	121	35 Skipjack Circle	Fence	Awaiting Planning Approval	
14/89	30/07/2014	1371	1 Heron Way	Carport	Approved	04/08/2014

Summary of Building Licence/Permit Applications
2007 to Year to date

Year	No. Applications	Total Value of Works	No. Applications up 31 July 2014	Value up to 31 July 2014
2007- 2008	114	\$13,465,725	6	\$1,318,450
2008- 2009	132	\$26,600,941	12	\$1,895,621
2009 - 2010	198	\$26,916,869	12	\$1,203,805
2010 - 2011	188	\$24,816,605	16	\$1,149,755
2011-2012	144	\$23,057,154	16	\$4,794,271
2012- 2013	150	\$19,931,790	17	\$1,893,538
2013-2014	159	\$23,404,990	13	\$2,458,567
2014-2015			9	\$2,224,267

COMMENT

BUILDING

There are no new matters of building compliance to report on in this period.

ENVIRONMENTAL HEALTH

General health functions are progressing with routine food premise inspections, septic inspections, water sampling and Health Local Law enquiries.

Bundegi Boat Ramp Toilets and Fish Cleaning Station

On Monday 4 August 2014 the water supply to the toilets and fish cleaning station at Bundegi Beach was turned off due to an unacceptable water sample result. These samples weren't taken by the Shire but by the Department of Defence (DoD). Resampling occurred on 11 August 2014 and the results were found to be satisfactory however, there was a further delay of a few days in having the water turned back on as the DoD were seeking confirmation of corrective action by the Shire.

Due to access and water testing being done by the Department of Defence changes are being made as currently the Shire can't access the valves to control the water. A valve is being placed on the Shire side of the fence; this will aid the Shire if works need to be done to the toilet. In addition Defence will stop testing from the fish cleaning station, which has a higher risk of producing an unsatisfactory result. A sign has also been placed at the station advising people not to drink the water.

The above incident caused Officers to review the signage at Tantabiddi Boat Ramp and Hunters Access. Signs advising that the water supplies to these facilities are not suitable for drinking were placed at these locations several years ago but they have either been removed or are no longer legible. New signage will be reinstated.

Federation Park Water Sprayground Wins Silver Medal

Water Features By Design, the company that constructed the Federation Park Water Sprayground, entered the facility in to the 2014 Annual Swimming Pool and Spa Association (WA) Awards for Excellence. There were over 200 entrants for the awards with about 20 competing in the category of Water Feature. Water Features By Design took out Silver and Bronze in the category with Councils Federation Park Water Sprayground being the feature earning the Silver Medal – see picture below lifted from the SPASA (WA) website.

The water sprayground will soon see some additional interpretive signage and play features installed as part of the collaborative project with the Exmouth Department of Parks and Wildlife.



Waste Management and Recycling

The collection of e-waste at the landfill site is currently being recorded and options are currently being researched in relation for transportation to a recycling agent.

Council Officers have recently been advised that the Shire of Carnarvon has finally submitted the acquittal for their previous Regional CLGF grant to the Department for Regional Development. This should pave the way for the signing of the Department for Regional Development Financial Assistance Agreement for the CLGF 2012-2013 Regional Group Project – Waste and Recycling Infrastructure for the Gascoyne Region.

If all goes to plan Exmouth should have a ‘bring to centre’ established by mid 2015 where residents and business people can deliver recyclables to for processing. Such recyclables should include paper, cardboard, aluminium cans, steel cans and possibly plastic bottles for baling and freighting to recycling markets. A glass crusher is also planned for the centre with the crushed glass being available for road and footpath construction or other non-structural concrete works.

The Landfill Attendant Brian Woods resigned on the 12 August 2014 and is starting another position with the Shire’s Engineering Services as Part Time Public Amenities Waste Officer. Thanks to Brian for his great work and dedication while working at the landfill site, he will be missed.

Sentinel Chickens & Mosquito Borne Diseases

The University of Western Australia’s Sentinel Chicken Bleeding Program is continuing with bi-monthly bleeding of chicken flocks. There were no new positives blood tests to report of for Murray Valley Encephalitis, Kunjin Virus or other flaviviruses from the rounds of testing up to 30 July 2014.

Paltridge Memorial Swimming Pool

Swimming Pool Manager, Josh Koontz attended the 45th Annual LIWA Conference on 11 & 12 August 2014 in Fremantle. The conference focus was on maintaining networks through the industry with other pool managers and suppliers, gaining a better understanding of regulations and where the industry is heading, learning from other pools on how they do things in all areas of managing aquatic facilities of all sizes and sharpening skills in the way we provide supervision at our pool which we can pass on to our staff.

Pool Open Day 2014

The swimming pool is gearing up ready for another fun packed season and will open with the annual Open Day this year two weeks earlier than usual on Sunday 31 August 1pm to 5pm. The fun packed afternoon will consist of the Aqua Run, fun and games around and in the pool, registrations for Swimming Club and Learn to Swim for all ages. Information will also be provided to the public regarding the coming pool season.

As with previous years, the Pool Open Day is a free event with no gate entry fees or Aqua-Run use being charged.

New Pool Covers

On Josh's return to work after the winter break he was pleased to see that the new pool covers are making a big difference in the water temperature of the pool. Generally around the middle of August the pool temperature is around 19°C but this season it is currently hovering around the 24°C mark.

This is a great relief for Josh and his team with the annual Lifeguard Requals scheduled for Saturday 16 August 2014. The increased water temperature will make the in-water Requal activities a lot more pleasant and will promote greater use of the facility early in the season by all pool users.

Longer Pool Season with Sunday Openings

Due to the higher pool temperatures with the new covers and the recent addition of a new duty manager to the team, the pool will now be open more hours and have an extended pool season.

The pool season will now be extended for an extra month running from the beginning of September to the end of May which is a total of 9 months. This season the pool will also be open Sundays and Early Morning Swimming will be extended by two months. The pool hours will now be:-

Monday to Friday 11am - 6pm;

Saturday and Sunday 12noon - 6pm; and

Early morning swimming commencing 29 September 2014 Monday, Wednesday and Friday 6am - 7.30am.

NOTE:- Early morning swimming would ordinarily not commence until late Oct.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Environment

Objective 2: To have a balanced respect for our environment and heritage, both natural and built.

- Outcome 2.4: To be a leader in eco-friendly initiatives and innovations.

Social

Objective 3: To be a dynamic, passionate and safe community valuing natural and cultural heritage.

- Outcome 3.2: Excellent lifestyle, recreational and cultural facilities.
- Outcome 3.3: An inclusive, responsible and cohesive community.
- Outcome 3.4: A community that is well informed and educated about our natural, cultural and built environment.
- Outcome 3.5 - Maintain and increase the participation levels in local community organisations and clubs.

Civic Leadership

Objective 4: To work together as custodians for now and the future.

- Outcome 4.1: To be a collaborative community with the capacity to manage the current and future direction of Exmouth.
- Outcome 4.2: A local government that is respected, professional, trustworthy and accountable.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.5.1

That Council receive the Executive Manager Health & Building Report for the month of August 2014.

COUNCIL DECISION – 13-0814 – 11.5.1

Moved Councillor Hood, Seconded Councillor Thompson.

That Council receive the Executive Manager Health & Building Report for the month of August 2014.

CARRIED 6/0

11. REPORTS OF OFFICERS**11.6 Executive Manager Town Planning****11.6.1 General Report**

Location: Exmouth
 Applicant: Nil
 File Reference: LP.PL.0
 Disclosure of Interest: Nil
 Date: 6 August 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer:

Chief Executive Officer, Bill Price

SUMMARY

The following report contains a brief summary of significant activities, events or issues that were raised during the last month.

BACKGROUND**Planning Applications and Approvals**

Below is a summary of planning applications and approvals up to 6 August 2014.

Applic No	Lodgement Date	Lot	Property Address	Description	Decision	Date Determined
PA08/14	20/01/2014	1	4A Pellew Street	Open Carport	On Hold	
PA106/14	04/06/2014	11	Madaffari Drive	Two Storey Dwelling	Approved	18/07/2014
PA113/14	09/06/2014	37	10 Searaven Crescent	Outbuilding	Approved	17/07/2014
PA119/14	17/06/2014	50	Minilya Exmouth Road	Expanded Stockpile Area And Services Compound	Approved	18/07/2014
PA122/14	26/06/2014	802	17 King Place	Outbuilding	August OCM	
PA124/14	27/06/2014	829	1 Pelias Street	Sign	Processing	
PA125/14	02/07/2014	1378	19 Preston Street	Outdoor Living Area	Processing	
PA128/14	08/07/2014	1431	Willersdorf Road	Ningaloo Centre	Processing	
PA129/14	08/07/2014	26	50 Mortiss Street	Garage (boat port)	August OCM	
PA132/14	23/07/2014	333	Lot 333 Kestrel Place	Fence	Processing	
PA133/14	23/07/2014	1014	11 Eurayle Street	Home occupation	Approved	29/07/2014
PA134/14	24/07/2014	1131	23 Koolinda Way	Carport	Approved	30/07/2014
PA135/14	25/07/2014		Burkett Road	Public utility	Approved	04/08/2014
PA136/14	28/07/2014	491	4 Eurayle Street	Home Occupation	Processing	
PA137/14	30/07/2014	117	9 Tautog Street	Shed	Processing	
PA138/14	30/07/2014	121	35 Skipjack Circle	Fencing	Processing	
PA139/14	05/08/2014	1104	5 Campbell Way	Garage Extension	Processing	

Summary of Total Planning applications and Local Government Property Permits

Summary of Total Planning Application/Codes Variations	
Year	No. Applications
2009-2010	131
2010-2011	149
2011-2012	163
2012-2013	175
2013-2014	149
2014/2015 (to date)	13

Permits issued for an Activity on Local Government Property	
Month	No. Applications
February	2
March	8
April	15
May	7
June	3
July	1

BACKGROUND

Exmouth Marina Village Outline Development Plan Modification-Lot 481 Madaffari Drive, Exmouth

At the May 2014 Ordinary Council Meeting, Council resolved to adopt a major departure to Exmouth Marina Village Outline Development Plan. The modified Outline Development Plan was approved by WAPC subject to a fee.

Special Rural Lots Development - Lot 300 Heron Way, Exmouth

At the July 2014 Ordinary Council Meeting, Council resolved to adopt the business case for the development of 11 lots. The business case is currently being advertised with comments period closing on 8 September 2014.

Ranger Services

A summary of the activities performed by Ranger Services during July 2014.

	Dogs	Camping	Parking	Litter	Fire	Off road	Other
Warning/caution	0	0	7	10	0	0	0
Infringement	0	51	2	0	0	0	0
Court	0	0	0	0	0	0	0
July Total	0	51	9	10	0	0	0
2014 - 2015 Totals	0	51	9	10	0	0	0

Reserve 30625 - Lot 614 (26) Mortiss Street

In accordance with Council Decision 26-0614-6.1.1 at the Special Council Meeting held on 30 June 2014, Ranger Services took action to ensure that Natalie Bourke vacated Reserve 30625, Lot 614 (26) Mortiss Street.

Emergency Overflow Camp Ground

The Shire's Emergency Overflow Camp Ground opened during July with the school holidays being the only period required to accommodate travellers with a total of 110 bookings being taken.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Shire of Exmouth Town Planning Scheme No 3
Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

Objective 1: To be a diverse and innovative economy with a range of local employment opportunities.

- Outcome 1.2 - Planned and balanced economic growth.

Environment

Objective 2: To have a balanced respect for our environment and heritage, both natural and built.

- Outcome 2.2: Our pristine natural environment and biodiversity will be understood, maintained and protected.
- Outcome 2.4: To be a leader in eco-friendly initiatives and innovations.

Social

Objective 3: To be a dynamic, passionate and safe community valuing natural and cultural heritage.

- Outcome 3.2: Excellent lifestyle, recreational and cultural facilities.
- Outcome 3.3: An inclusive, responsible and cohesive community.
- Outcome 3.4: A community that is well informed and educated about our natural, cultural and built environment.
- Outcome 3.5 - Maintain and increase the participation levels in local community organisations and clubs.

Civic Leadership

Objective 4: To work together as custodians for now and the future.

- Outcome 4.1: To be a collaborative community with the capacity to manage the current and future direction of Exmouth.
- Outcome 4.2: A local government that is respected, professional, trustworthy and accountable.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.6.1
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That Council receive the Executive Manager Town Planning Report for the month of August 2014.

COUNCIL DECISION – 14-0814 – 11.6.1
--

Moved Councillor McHutchison, Seconded Councillor Todd.

That Council receive the Executive Manager Town Planning Report for the month of August 2014.

CARRIED 6/0

Councillor Winzer declared an impartiality interest in the following report stating that he is a Life Member of the German Shepherds Dog Association of WA Inc. As a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he will consider this matter on its merits and vote accordingly.

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.2 Review of Local Laws – Dogs Local Law

Location:	Exmouth
Applicant:	N/A
File Reference:	LE.LO.4
Disclosure of Interest:	Councillor Winzer
Date:	8 July 2014
Author:	Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer:

Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council adopt the proposed Shire of Exmouth Dogs Amendment Local Law for advertising and public notice. (Refer *Attachment 1*)

BACKGROUND

Local governments are able to make local laws about dogs under section 49 of the Dog Act 1976. The Act is prescriptive, in that it limits those matters about which local laws can be made. Most matters relating to the keeping of dogs are dealt with by the Act itself and its associated Regulations.

The *Shire of Exmouth Dogs Local Law* was made in 2000, and was last amended in 2004. It is based on a model developed by the WA Local Government Association which is in itself, widely used in many local governments, and deals with:

- Impounding of dogs;
- Fencing requirement and limitations on the number of dogs that can be kept (currently 2 in a townsite and 4 outside it);
- Kennels;
- Areas where dogs are prohibited, and dog exercise areas; and
- A requirement for dog faeces to be removed if in a public place.

It also provides for penalties for contravention, and modified penalties for minor breaches.

COMMENT

The *Dog Act and Regulations* were amended by Parliament in late October 2013, a summary of which is:

- From 1 November 2013, all new dogs and dogs on change of ownership must be microchipped, and by 1 November 2015, all other dogs must be microchipped;
- Changes to provisions dealing with the nuisance caused by barking dogs;
- Increased penalties for offences under the Act, with minimum penalties stipulated for offences in relation to dangerous dogs;
- New provisions to enable courts to impose a requirement for dog owners to attend and complete a dog training course in place of or in addition to a penalty;
- Allowing local governments to decide by a Council resolution and giving local public notice instead of having to do so by listing them in a local law:
 - areas under its care, control and management where dogs can be exercised off leash; and

- a place where dogs are prohibited at all times or at a time specified.
- Changing provisions under which local governments can limit by local law the maximum number of dogs that can be kept on premises to 2, 3, 4, 5 or 6 only; and which:
 - cannot prevent the keeping in or at premises of one or 2 dogs that have reached 3 months of age and any pup of either of those dogs under that age; and
 - cannot apply to dogs kept at premises that are licensed as an approved kennel establishment; and
 - cannot apply to dangerous dogs (declared) or dangerous dogs (restricted breed).

The final two points affect the Shire's existing local law, although only changes in relation to areas where dogs are prohibited absolutely, and where dogs can be exercised off lead are required (Part 5 of the existing local law) are required.

In themselves, the changes now provide a more simple process for designation of these areas – *under s31(2B) of the Dog Act 1976*, Council can stipulate places where dogs are to be prohibited absolutely from being in, entering or being in by giving local public comment for a period of at least 28 days and considering the results.

Similarly, pursuant to *s31(3A) of the Dog Act 1976*, the Shire can designate or amend off leash exercise areas in a similar fashion. Finally, as modified penalties in the local law have not been amended for some time, the Shire should take the opportunity to do so.

A proposed draft *Shire of Exmouth Dogs Amendment Local Law* is attached. (Refer ***Attachment 1***)

The Act requires the person presiding at a Council meeting to give notice of the purpose and effect of the proposed local law by ensuring that the purpose and effect is included in the agenda for the meeting and that the minutes of the meeting include the purpose and effect of the proposed local law.

Purpose

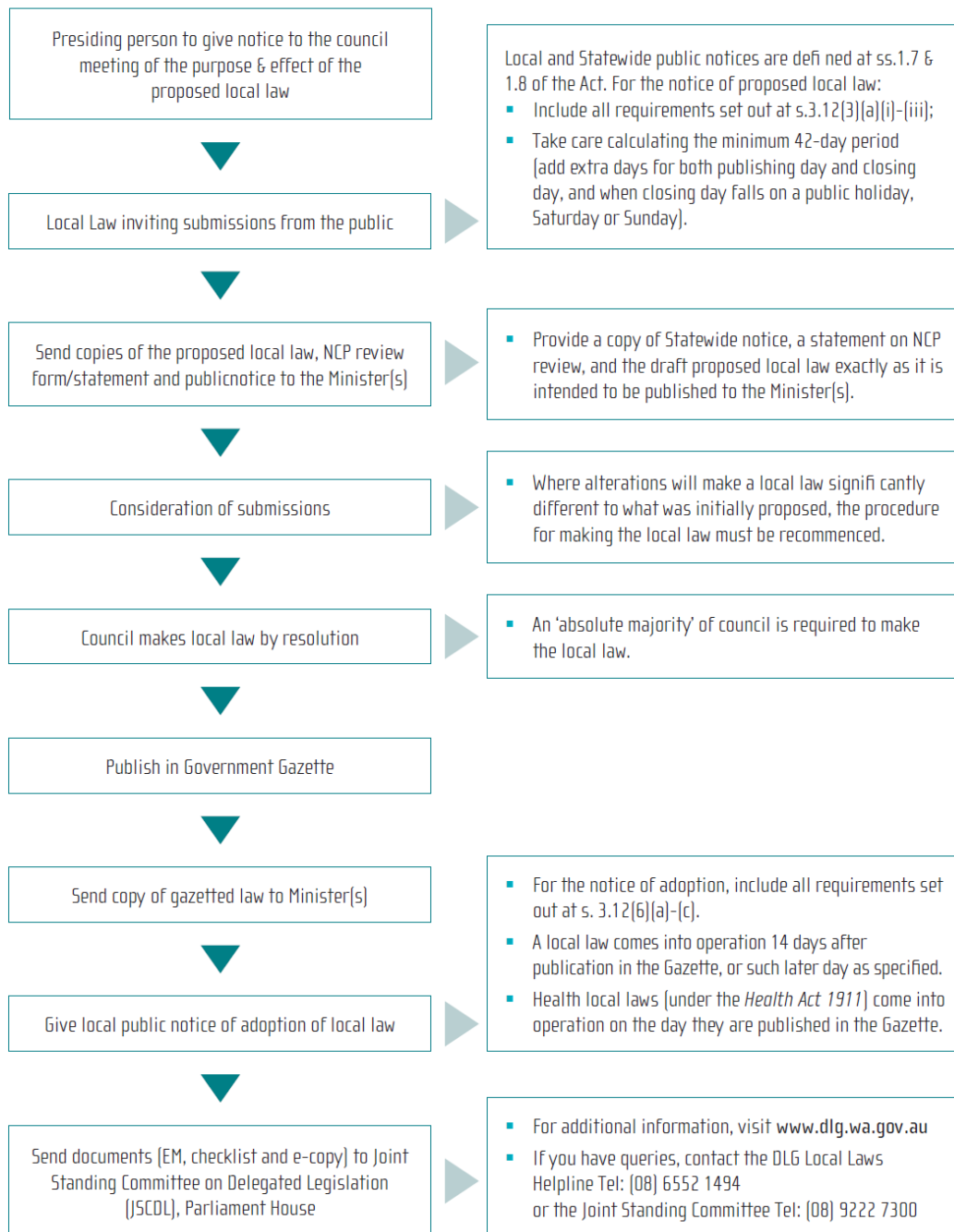
To amend the *Shire of Exmouth Dogs Local Law 2000* to reflect recent amendments to the Dog Act 1976 in relation to the process to designate areas where dogs are prohibited absolutely, and areas where dogs may be exercised off lead; and to increase modified penalties.

Effect

The Local Law is amended and modified penalties increased.

Section 3.12 of the Local Government Act and Regulation 3 of the Local Government (Functions & General) Regulations 1996 set out the procedural requirements to amend a local law, and which are the same as that required for the making of a local law.

A summary of s3.12 is:



CONSULTATION

Section 3.12(3) of the Local Government Act 1995 requires the local government to give State-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears.

STATUTORY ENVIRONMENT

Dog Act 1976
Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Social**

Objective 3: To be a dynamic, passionate and safe community valuing natural and cultural heritage.

- Outcome 3.2: Excellent lifestyle, recreational and cultural facilities..

Civic Leadership

Objective 4: To work together as custodians for now and the future.

- Outcome 4.1: To be a collaborative community with the capacity to manage the current and future direction of Exmouth.
- Outcome 4.2: A local government that is respected, professional, trustworthy and accountable.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.6.2

That Council;

1. *In accordance with s3.12(3)(a)(b) and (3a) of the Local Government Act 1995, gives state wide and local public notice stating that it proposes to make a Dogs Amendment Local Law, and a summary of its purpose and effect;*
2. *Note that:*
 - a. *Copies of the proposed local law may be inspected at the Shire offices;*
 - b. *Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;*
 - c. *In accordance with s3.12(4), as soon as the notice is given, a copy be supplied to the Minister for Local Government;*
 - d. *In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and*
3. *Resolves that the results be presented to Council for consideration of any submissions received.*

COUNCIL DECISION – 15-0814 – 11.6.2

Moved Councillor Hood, Seconded Councillor McHutchison.

That Council;

1. *In accordance with s3.12(3)(a)(b) and (3a) of the Local Government Act 1995, gives state wide and local public notice stating that it proposes to make a Dogs Amendment Local Law, and a summary of its purpose and effect;*
2. *Note that:*
 - a. *Copies of the proposed local law may be inspected at the Shire offices;*
 - b. *Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;*
 - c. *In accordance with s3.12(4), as soon as the notice is given, a copy be supplied to the Minister for Local Government;*
 - d. *In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and*
3. *Resolves that the results be presented to Council for consideration of any submissions received.*

CARRIED 6/0

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.3 Review of Local Laws – Shire of Exmouth Cemeteries Amendment Local Law 2014

Location: Exmouth
 Applicant: N/A
 File Reference: LE.LO 3
 Disclosure of Interest: Nil
 Date: 8 July 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council adopt the proposed Shire of Exmouth Cemeteries Amendment Local Law 2014 for advertising and public notice.

BACKGROUND

Local governments are able to make local laws about cemeteries under s54 of the *Cemeteries Act 1986*, which requires use of Part 3 (basically s3.12) of the *Local Government Act 1995*.

The Cemeteries Local Law was made in 1999. It is based on a model developed by The Governor in 1998, and is in wide use in many local governments.

COMMENT

The provisions of the local law rarely require application, but a review of it has suggested a minor amendment in relation to clause 8.2, which relates to allowing guide dogs into the cemetery. Basically, the Commonwealth *Disability Discrimination Act 1992* provides for persons who may be disabled to be accompanied by an assistance animal, which in most cases is likely to be a dog but does not have to be.

Clauses 8.1 and 8.2 currently provide that:

8.1 Animals

Subject to clause 8.2, a person shall not bring an animal into or permit an animal to enter or remain in the cemetery, other than with the approval of the CEO or an authorised officer.

8.2 Guide Dogs

Clause 8.1 shall not apply to a hearing impaired person or a person who is blind or partially blind and is accompanied by a hearing or guide dog.

A minor amendment is required to delete the existing clause 8.2 and replace it with:

8.2 Assistance Animals

Clause 8.1 does not apply to an animal who is being used as an assistance animal as defined in the *Disability Discrimination Act 1992 (Commonwealth)*.

A proposed draft *Shire of Exmouth Cemeteries Amendment Local Law 2014* is attached (refer **Attachment 2**).

The Act requires the person presiding at a Council meeting to give notice of the purpose and effect of the proposed local law by ensuring that the purpose and effect is included in the agenda for the meeting and that the minutes of the meeting include the purpose and effect of the proposed local law.

Purpose

To amend the *Local Laws Relating to the Exmouth Public Cemetery* to allow an animal that is being used as an assistance animal as defined in the *Disability Discrimination Act 1992 (Commonwealth)* into the cemetery.

Effect

The Local Law is amended to allow assistance animals into the cemetery.

Section 3.12 of the Local Government Act and Regulation 3 of the Local Government (Functions & General) Regulations 1996 set out the procedural requirements to amend a local law, which are the same as that required for the making of a local law.

A summary of s3.12 is:



CONSULTATION

Section 3.12(3) of the Act requires the local government to give State-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarised in the notice for a period of 6 weeks after it first appears.

STATUTORY ENVIRONMENT

Cemeteries Act 1986

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

Objective 4: To work together as custodians for now and the future.

- Outcome 4.1: To be a collaborative community with the capacity to manage the current and future direction of Exmouth.
- Outcome 4.2: A local government that is respected, professional, trustworthy and accountable.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.6.3

That Council:

1. *In accordance with s3.12(3)(a)(b) and (3a) of the Local Government Act 1995, gives state wide and local public notice stating that it proposes to make a Shire of Exmouth Cemetery Amendment Local Law 2014, and a summary of its purpose and effect;*
2. *Note that:*
 - a. *Copies of the proposed local law may be inspected at the Shire offices;*
 - b. *Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;*
 - c. *In accordance with s3.12(4), as soon as the notice is given, a copy be supplied to the Minister for Local Government;*
 - d. *In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and*
3. *Resolves that the results be presented to Council for consideration of any submissions received.*

COUNCIL DECISION – 16-0814 – 11.6.3

Moved Councillor Todd, Seconded Councillor Thompson.

That Council:

1. *In accordance with s3.12(3)(a)(b) and (3a) of the Local Government Act 1995, gives state wide and local public notice stating that it proposes to make a Shire of Exmouth Cemetery Amendment Local Law 2014, and a summary of its purpose and effect;*
2. *Note that:*
 - a. *Copies of the proposed local law may be inspected at the Shire offices;*
 - b. *Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;*
 - c. *In accordance with s3.12(4), as soon as the notice is given, a copy be supplied to the Minister for Local Government;*

d. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and

3. Resolves that the results be presented to Council for consideration of any submissions received.

CARRIED 6/0

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.4 Garage – Lot 26 (50) Mortiss Street, Exmouth

Location: Lot 26 (50) Mortiss Street, Exmouth
 Applicant: Jae Bruynzeel
 File Reference: A1936 (PA129/14)
 Disclosure of Interest: Nil
 Date: 29 August 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council refuse planning approval for a garage upon Lot 26 (50) Mortiss Street, Exmouth.

BACKGROUND

The subject lot is vacant, has an area of 527m², and is zoned Residential Development in the Scheme. The area has an Outline Development Plan which has been adopted as Local Planning Policy 6.17: Design Guidelines for Lot 11 and 12 Market Street. The Outline Development Plan classifies the lot Residential R20 with additional land use options including Cottage Industry, Office and Consulting Rooms. The aerial image below identifies Lot 26 (50) Mortiss Street where the proponent seeks planning approval to build a solid garage on the side boundary (Refer *Attachment 3*).



Lot 26 (50) Mortiss St, Exmouth

COMMENT

The proposal has been assessed against the Town Planning Scheme No. 3 (Scheme), the Western Australian Residential Design Codes (R-Codes) and Local Planning Policy 6.17: Design Guidelines for Lot 11 and 12 Market Street.

The proposed garage does not meet the 'Deemed to Comply' requirements for lot boundary setbacks of the R-Codes, as it has 14m on the boundary in lieu of 9m. The garage was then assessed against the 'Design Principles' of the R-Codes. The proposed garage does not meet the design principles of the R-Codes, as it is not an outdoor living area and will have adverse impacts on the amenity of the adjoining property. The proposed garage varies the setback requirements of the R-Codes.

Further the proposed garage does not comply with the requirements of Local Planning Policy 6.17: Design Guidelines for Lot 11 and 12 Market Street with a nil side setback in lieu of 1.5m.

Having regard to the above Council officers recommend that Council refuse planning approval for a garage on the boundary for the following reasons:

1. The garage varies the 'Deemed to Comply' requirements of the Residential Design Codes – Lot Boundary Setbacks with 14m on the boundary in lieu of 9m;
2. The garage varies the 'Design Principles' of the Residential Design Codes – Lot Boundary Setbacks, as it will detract from the visual amenity of neighbouring properties and increase building bulk of the adjoining lot;
3. The garage varies the requirements of Councils Local Planning Policy 6.17 with nil side setback in lieu of 1.5m; and
4. Approval will set precedence for future development to be on the side boundary for a length of up to 14m.

CONSULTATION

In accordance with the requirements of the R-Codes adjoining impacted neighbours were invited to comment on the proposed variation from Wednesday 9 July 2014 to Wednesday 23 July 2014 for a period of 14 days. A summary is tabled below:

Property	Received	Comment
Lot 27 (52) Mortiss Street, Exmouth	Nil	Nil

It appears consultation was undertaken with the adjoining neighbour by the applicant prior to formal submission (Refer *Attachment 4*).

Shire Officers had further discussions and follow up meetings with the applicant to address the planning issues. Officers suggested having portion of the garage as an entirely open carport or having portion of the garage setback off the side boundary. However the applicant wanted to proceed with the original application for determination.

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Town Planning Scheme No. 3
Residential Design Codes WA

POLICY IMPLICATIONS

Local Planning Policy 6.2: Colour Palette
Local Planning Policy 6.17: Design Guidelines for Lot 11 and 12 Market Street

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Economic**

Objective 1: To be a diverse and innovative economy with a range of local employment opportunities.

- Outcome 1.2 - Planned and balanced economic growth.

Social

Objective 3: To be a dynamic, passionate and safe community valuing natural and cultural heritage.

- Outcome 3.3: An inclusive, responsible and cohesive community.
- Outcome 3.4: A community that is well informed and educated about our natural, cultural and built environment.

Civic Leadership

Objective 4: To work together as custodians for now and the future.

- Outcome 4.1: To be a collaborative community with the capacity to manage the current and future direction of Exmouth.
- Outcome 4.2: A local government that is respected, professional, trustworthy and accountable.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.6.4

That Council refuses planning approval for a garage upon Lot 26 (50) Mortiss St, Exmouth for the following reasons:

1. *The garage varies the 'Deemed to Comply' requirements of the Residential Design Codes – Lot Boundary Setbacks with 14m on the boundary in lieu of 9m;*
2. *The garage varies the 'Design Principles' of the Residential Design Codes – Lot Boundary Setbacks, as it will detract from the visual amenity of neighbouring properties and increase building bulk of the adjoining lot;*
3. *The garage varies the requirements of Council Local Planning Policy 6.17 with nil side setback in lieu of 1.5m;*
4. *Approval will set precedence for future development to be on the side boundary for a length of up to 14m.*

Advice

- i. *An applicant aggrieved by a decision of the Council in respect of the exercise of discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005 (as amended). Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).*

COUNCIL DECISION – 17-0814 – 11.6.4

Moved Councillor Todd, Seconded Councillor Hood.

That Council refuses planning approval for a garage upon Lot 26 (50) Mortiss St, Exmouth for the following reasons:

1. *The garage varies the 'Deemed to Comply' requirements of the Residential Design Codes – Lot Boundary Setbacks with 14m on the boundary in lieu of 9m;*
2. *The garage varies the 'Design Principles' of the Residential Design Codes – Lot Boundary Setbacks, as it will detract from the visual amenity of neighbouring properties and increase building bulk of the adjoining lot;*
3. *The garage varies the requirements of Council Local Planning Policy 6.17 with nil side setback in lieu of 1.5m;*
4. *Approval will set precedence for future development to be on the side boundary for a length of up to 14m.*

Advice

- i. An applicant aggrieved by a decision of the Council in respect of the exercise of discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005 (as amended). Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).***

CARRIED 6/0

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.5 Outbuilding and Carport – Lot 802 (17) King Place, Exmouth

Location: Lot 802 (17) King Place, Exmouth
 Applicant: Jennifer Thompson & Johannes Visser
 File Reference: A549 (PA122/14)
 Disclosure of Interest: Nil
 Date: 11 August 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that the Council grant conditional planning approval for an oversized Outbuilding and Carport upon Lot 802 (17) King Place, Exmouth.

BACKGROUND

The subject lot is 1012m² and has an existing dwelling. It is zoned Residential R17.5 in the Scheme. The aerial image below shows the location of Lot 802 (17) King Place where the proponent is seeking planning approval for an oversized outbuilding and carport (refer *Attachment 5*).



COMMENT

The proposal has been assessed under the Shire of Exmouth Town Planning Scheme No. 3 (Scheme), the Western Australian Residential Design Codes (R-Codes) and Council’s Local Planning Policy 6.6 - Outbuildings (Policy).

Under the Scheme, the subject site is zoned Residential and it's considered that the proposed outbuilding subject to this planning application is consistent with the zone objectives.

Under Local Planning Policy 6.6 – Outbuildings it is considered that the proposed oversized outbuilding meets the requirements of the policy.

However, the proposed outbuilding and carport does not meet the 'Deemed to Comply' requirements for Outbuildings of the R-Codes, as the outbuilding has a 3.5m wall height in lieu of 2.4m, nil side setback from Lot 1 and 2 King Place in lieu of 1.5m and 4.34m ridge height in lieu of 4.2m.

Having regard to the above, Council Officers recommend that the Council grant conditional planning approval for the outbuilding and carport for the following reasons:

1. The increase in the wall height is considered negligible and does not conflict with the intent of the provision which is to not detract from the streetscape or the visual amenity of residents or neighbouring properties. The proposed wall height of the outbuilding accords with the provisions of the Policy.
2. A 4.34m roof/ridge height accords to the provisions of the Policy which provide for a maximum gable roof height (or apex) of 4.5m measured from the natural ground level.
3. The applicant is proposing a nil side setback in lieu of 1.5m for the outbuilding according to the R-Codes. The Policy allows outbuildings on a boundary (setback 0mm or between 700mm to 900mm) in the following circumstances:
 - Existing development – where the wall abuts an existing or simultaneously constructed wall of similar or greater dimension

Following a visit on site by Council officers it was agreed that the applicant can build on the boundary provided his neighbour will also build his outbuilding on the boundary so that the two walls are abutting. The two neighbours on the western side boundary have no objection to the outbuilding being located on the boundary.

CONSULTATION

In accordance with the requirements of the R-Codes adjoining neighbours are to be consulted. Adjacent properties were invited to comment on the proposed variation from **Thursday 17 July 2014 to Thursday 31 July 2014** for a period of 14 days. A summary is tabled below:

Property	Received	Officer's Comment
Lot 763 (9) Ingleton Street	Nil	
Lot 801 (19) King Place	Do not object.	
Lot 1 (15) King Place	Do not object. I have no objections to the proposed outbuilding being built on the fence line.	
Lot 2 (15) King Place	Nil. The proposed building will be close to the shared driveway of 1/15 and 2/15 King Place therefore should not pose any significant issues.	

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Town Planning Scheme No. 3
Residential Design Codes WA

POLICY IMPLICATIONS

Local Planning Policy 6.2: Colour Palette for Developments
Local Planning Policy 6.6: Outbuildings

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

Objective 1: To be a diverse and innovative economy with a range of local employment opportunities.

- Outcome 1.2 - Planned and balanced economic growth.

Civic Leadership

Objective 4: To work together as custodians for now and the future.

- Outcome 4.1: To be a collaborative community with the capacity to manage the current and future direction of Exmouth.
- Outcome 4.2: A local government that is respected, professional, trustworthy and accountable.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION - 11.6.5
--

That Council grants planning approval for an Outbuilding and Carport upon Lot 802 (17) King Place, Exmouth subject to the following conditions:

- 1. The development being carried out generally in accordance with the Shire of Exmouth Town Planning Scheme No. 3 and the amended approved plans (PA122/14);*
- 2. The external cladding of the outbuilding to be consistent with Council Policy 6.2 - Colour Palette for Developments;*
- 3. The outbuilding having a nil western side setback and 3m from the rear boundary;*
- 4. Concrete footings shall not encroach beyond the limits of the site;*
- 5. The carport being an entirely open structure at the front and eastern side to the satisfaction of Council Officers;*
- 6. The outbuilding shall have a maximum wall height of 3.5m and a maximum pitched roof height of 4.34m;*
- 7. The outbuilding shall not be used for habitable purposes;*
- 8. Zinalume shall not be used as a building material;*
- 9. Storm water being managed on site and/or discharged into the Shire's road drainage system, in accordance with Council Policy, the Building Code of Australia and to satisfaction of Council Officers;*
- 10. Vehicle crossovers between the road carriageway and the property boundary being in accordance with Council Policy and the Residential Design Codes of Western Australia. Formed driveways shall be setback a minimum of 0.5m from the side boundary;*
- 11. Any additional development not being in accordance with the original application or conditions of approval, as outlined above will require further approval by the Shire of Exmouth. Any commencement of development not subject of a current approval is an offence under the Shire of Exmouth Town Planning Scheme No.3;*
- 12. Any substantial variation from the approved plans contained herein requires a separate planning approval. Should your plans for a building licence differ from these plans, a building licence may not be issued until such time as fresh planning approval is granted; and*
- 13. The approval granted is valid up to two (2) years of the date of this approval. Should the use approved not substantially commence within this time, the approval will lapse.*

Advice

- Prior to any construction, the applicant being required to obtain a building permit approval from the Shire of Exmouth.*

- ii. *The approval granted is not to be construed as approval granted under the Building Act 2011, Building Regulations 2012 or any other relevant statutory approval.*
- iii. *In accordance with Shire of Exmouth Local Laws a person shall not park a service vehicle, commercial vehicle or trailer on a street verge for more than 4 hours consecutively or on a street verge for the purpose of repairing, servicing or cleaning that vehicle.*
- iv. *An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005 (as amended). Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).*

COUNCIL DECISION – 18-0814 – 11.6.5
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Moved Councillor Todd, Seconded Councillor McHutchison.

That Council grants planning approval for an Outbuilding and Carport upon Lot 802 (17) King Place, Exmouth subject to the following conditions:

1. ***The development being carried out generally in accordance with the Shire of Exmouth Town Planning Scheme No. 3 and the amended approved plans (PA122/14);***
2. ***The external cladding of the outbuilding to be consistent with Council Policy 6.2 - Colour Palette for Developments;***
3. ***The outbuilding having a nil western side setback and 3m from the rear boundary;***
4. ***Concrete footings shall not encroach beyond the limits of the site;***
5. ***The carport being an entirely open structure at the front and eastern side to the satisfaction of Council Officers;***
6. ***The outbuilding shall have a maximum wall height of 3.5m and a maximum pitched roof height of 4.34m;***
7. ***The outbuilding shall not be used for habitable purposes;***
8. ***Zincalume shall not be used as a building material;***
9. ***Storm water being managed on site and/or discharged into the Shire's road drainage system, in accordance with Council Policy, the Building Code of Australia and to satisfaction of Council Officers;***
10. ***Vehicle crossovers between the road carriageway and the property boundary being in accordance with Council Policy and the Residential Design Codes of Western Australia. Formed driveways shall be setback a minimum of 0.5m from the side boundary;***
11. ***Any additional development not being in accordance with the original application or conditions of approval, as outlined above will require further approval by the Shire of Exmouth. Any commencement of development not subject of a current approval is an offence under the Shire of Exmouth Town Planning Scheme No.3;***
12. ***Any substantial variation from the approved plans contained herein requires a separate planning approval. Should your plans for a building licence differ from these plans, a building licence may not be issued until such time as fresh planning approval is granted; and***
13. ***The approval granted is valid up to two (2) years of the date of this approval. Should the use approved not substantially commence within this time, the approval will lapse.***

Advice

- i. Prior to any construction, the applicant being required to obtain a building permit approval from the Shire of Exmouth.*
- ii. The approval granted is not to be construed as approval granted under the Building Act 2011, Building Regulations 2012 or any other relevant statutory approval.*
- iii. In accordance with Shire of Exmouth Local Laws a person shall not park a service vehicle, commercial vehicle or trailer on a street verge for more than 4 hours consecutively or on a street verge for the purpose of repairing, servicing or cleaning that vehicle.*
- iv. An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005 (as amended). Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017)*

CARRIED 6/0

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.6 Multipurpose Community Centre – Portion Reserve 50807, Lot 1431 Willersdorf Road, Exmouth

Location: Portion Reserve 50807, Lot 1431 Willersdorf Road, Exmouth
 Applicant: Matera Group
 File Reference: R50807 (PA128/14)
 Disclosure of Interest: Councillor McHutchison
 Date: 7 August 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends the Council grant conditional planning approval for a Multi-Purpose Community Centre upon portion Reserve 50807, Lot 1431 Willersdorf Rd, Exmouth.

BACKGROUND

The Council in April 2013 selected a preferred tender for the design and construction of an iconic multi-purpose building incorporating spaces for the community, visitors, and education, research and gallery/exhibition purposes. The multi-purpose community centre is a Shire project and will provide rationalisation of existing services and community groups within the Exmouth town site.

The Shire is currently undertaking due diligence in submission of its own project for planning approval to address all relevant planning matters, ensuring positive development outcomes.

Reserve 50807 has a designated land use of agricultural research station and recreation. The proposed multi-purpose community centre includes research offices and workshops. The reserve has a management order issued to the Shire. The proposed use is generally in accordance with the designated purpose of the reserve.

The subject portion of the reserve is vacant, and is zoned Public Purpose in the Scheme. The aerial image below identifies the portion of Reserve 50807, Lot 1431 Willersdorf Road, Exmouth where the proponent seeks planning approval to build a Multipurpose Community Centre (Refer *Attachment 6*).



Portion Lot 1431 Willersdorf Road

COMMENT

The proposal has been assessed against the provisions of the Shire of Exmouth Town Planning Scheme Number 3, Exmouth Townsite Structure Plan and various local planning policies.

ASSESSMENT

The area is currently zoned 'Public Purpose' in Town Planning Scheme No. 3 and Clause 2.2 of the Scheme below gives guidance is assessing development on reserves.

Where an application for planning approval is made with respect to land within a Reserve, the Council shall have regard to the ultimate purpose intended for the Reserve and the Council shall, in the case of land reserved for the purposes of a public authority, confer with that authority before granting its planning approval

Reserve 50807 has a designated land use of agricultural research station and recreation. The proposed multi-purpose community centre includes research offices and workshops. The reserve has a Management Order issued to the Shire. The proposed use is generally in accordance with the designated purpose of the reserve.

The structure plan identifies the proposed location as Mixed Use. Mixed Use is defined as 'a vibrant and sustainable environment that overtime has the potential to integrate living, working, cultural, community and leisure opportunities'. This contemporary interpretation of mixed use allows a range of compatible uses to co-locate both adjacent to one another and vertically within individual buildings. The proposed development generally complies with the intended use as it includes working, cultural, community and leisure opportunities

Built Form**External Material**

In accordance with the provisions of Local Planning Policy 6.7 (LLP 6.7) "*The buildings external walls shall be constructed of masonry brick, render or the like with elements of timber weatherboard, corrugated steel to provide a variety of materials. Colorbond corrugated sheeting with profiles running horizontally, panels to be broken up to avoid long unarticulated areas*" and "*Large prefabricated steel sheds with limited aesthetic qualities will not be permitted*"

The predominate external material is Metallic Colorbond Ribbed panels, with feature steel cladding over entrances and canopies, and small sections of exposed aggregate and recycled timber. In accordance with the requirements of LPP 6.7 colorbond shall not be the predominant building material.

A masonry finish has not been used as a common building material for development fronting Murat Road. Officer recommends the predominant colorbond material fronting Murat Road and Truscott Crescent be further broken up with elements of render or rammed earth, additional conditions included.

Building Height

The proposed development has a maximum pitched roof height of 11.75m above natural ground level in lieu of maximum 5.5m as stated in LPP6.7: Development fronting Murat Road. The proposed increase in height is appropriate to define the development as an iconic landmark building and considering the large setbacks from Murat Road. Only portion of the roof is at 11.75m above natural ground level. Officer recommends approval of increased building height.

Articulation of Façade and Activation of Murat Road Frontage

In accordance with the provisions of LPP6.7 large prefabricated steel sheds will not be permitted. The proposed development may appear 'shed' like without adequate articulation. Increased articulation of the façade is required and fronting Murat Road, increasing the size of the main entry feature canopy so it is visible from North of the development, and using further additional elements of render or rammed earth on the facades. Additional conditions included and development should seek to *encourage an active frontage to streets to maximise passive surveillance.*

Activation is predominantly central within the development with the 'breakout' outdoor sitting area adjacent the community centre and library and café. The student courtyard on the southern side of the development will provide activation to this side. Officer recommends an additional courtyard be provided in the Murat

Road setback area adjacent either the library, staff lunch room. An additional ‘breakout’ courtyard within the Murat Road setback will provide increased activation with Murat Road

Connection between Community Centre and the rest of the building

The plans show separation between the community centre and the rest of the building. A foyer cover over to link the Community Centre with Library would provide connectivity and shade over. It is important the Ningaloo Centre is viewed as one and this will enhance the visual activation for visitation from the town site direction.

Movement

The creation of integrated, highly connective, attractive and safe spaces for pedestrians, which respond to the local climate, should also be considered using the following urban design principles:

- *Improving the amenity of streets for pedestrians, including provision of shading and shelter*
The main entry from Murat Rd is covered and pedestrian walkway from the north includes feature canopy overhangs. The pedestrian walkway from the south does not include any overhangs over the footpath. The proposed development does not provide cover for pedestrians on the southern walkway ‘pedestrian journey’ between the southern carpark and main entrance. Two (2) small to medium trees ranging from 2m-4m are proposed in the southern walkway. To provide increased pedestrian amenity and shading and increase the articulation of the front façade officer recommends a minimum of one feature canopy be included to cover the pedestrian walkway between the Murat Road pedestrian entrance and the southern carpark. Additional condition included.
- *Ensuring a highly connected and legible movement network to facilitate the most efficient and direct movement*
The southern and northern carparks are connected but can only be accessed through gates. No all-round public access In accordance with the requirements of the Exmouth South Structure Plan and orderly planning requirements all round vehicular public access is required. Vehicular access to the eastern side of the development is restricted to staff and service vehicles only. This is an issue as public vehicular parking is predominantly provided to the north of the development (78) bays, compared to (34) bays on the southern side. The southern side of the development is the predominant entry when entering Exmouth town site, and is likely to fill quickly. Public vehicular connectivity onsite is required between the northern and southern parking areas. Additional condition included.
- *Southern Side Pedestrian Entrance*
The development has a southern side pedestrian entrance to the Durack zone. As this is not the main entrance and provides the closest access point to the southern carpark there may be issues with the public predominantly using this access rather than the entrance off Murat Road. Officer recommends appropriate signage be placed or restricted card/key access to this entrance to encourage pedestrian use of the main entrance fronting Murat Road.

Local Planning Policy 6.7 Murat Road Development Guidelines

The Policy provides guidance to all development on Murat Road. Below are the objectives of the Policy:

Objectives

- *To implement design guidelines for development proposals that address or are clearly visible from Murat Road;*
- *To enhance to streetscape appearance of buildings and site development to a high standard of presentation;*
- *To encourage a diversity of architectural presentation to the streetscape that enhances a tourism character for the Exmouth Township entry road; and*
- *To provide design guidance to developers to assist with streamlining the planning development process.*

An assessment of the proposal was carried out against the policy provisions. Below is the detailed assessment;

Policy Provisions	Officer Comment
<p>Vehicle crossovers shall be limited to one per property. In the case of corner lots, access shall be from the secondary road.</p> <p>Vehicle crossovers to be constructed to accord with National Engineering Standards; Austroads Guide to Traffic Engineering Practice, Part 5 Intersections.</p>	Two crossovers from secondary street, non-compliant. (<i>discussed under crossover</i>)
The pedestrian dual use footpath alignment shall take precedence over the vehicle crossover.	Proposed waiting bay in footpath in Truscott Crescent, non-compliant. (<i>issue 10, waiting bay Truscott Crescent</i>)
The buildings external walls shall be constructed of masonry brick, render or the like with elements of timber weatherboard, corrugated steel to provide a variety of materials. Colorbond corrugated sheeting with profiles running horizontally, panels to be broken up to avoid long unarticulated areas.	The predominant external material is Metallic Colorbond Ribbed panels with feature steel cladding over entrances and canopies, small sections of exposed aggregate and recycled timber. Non-compliant refer issue.
Large prefabricated steel sheds with limited aesthetic qualities will not be permitted.	The design includes articulation of the façade and prominent features over entrances. Multiple materials have been identified. Compliant and conditioned.
Any signage located on the Lot or building shall comply with Council's Signage Policy.	<p>Signs will be located at all main entry points.</p> <p>Signage will be designed and incorporated within the overall facades, creating a unique branding and way-finding feature for the development.</p> <p>Details regarding signage have not been provided.</p>
External lighting to be provided to improve night time visibility around the perimeter of the building/s and accord with National Crime Prevention through Environmental Design Principles.	Lighting details have not been provided.

Sand and Dust Control

Local Planning Policy 6.22 requires the preparation of a detailed Dust Management Plan for all works associated with land development and construction sites where all the following criteria are met:-

- The land area is equal to or greater than 2,000m²; and
- The proposed development is close to an existing urban area; and
- Earthworks, land clearing or other site work is likely to generate dust in adverse conditions; and/or
- The development is for the construction of significant development

In accordance with the requirements of LPP 6.22 a Dust Management Plan shall be required to be submitted prior to the issue of a building permit. Additional condition has been included.

Parking

Clause 4.2 and Schedule 4 of the Town Planning Scheme set out parking requirements for development. A detailed parking assessment has been undertaken using the provisions of TPS3, LPP6.11 and the Local Parking Policy where Exmouth parking provisions are silent. The table below refer parking issue below. Additional conditions have been included below.

The proposal includes 127 parking bays:

- 78 bays north, including overflow parking and 1 loading bay
- 15 bays east, dedicated for staff
- 34 bays south, including 8 bays for Durack and 1 loading bay

Ground Floor

Land Use	Area Total	Requirement	Required to Provide
Office/Reception (Green)	412m ²	5 bays per 100m ² (TPS3)	21
Public Exhibition/Gallery /Library/GLA (Orange)	1766m ²	1 bay per 40m ² (other LG policy)	45
Café/kitchen/bar (Circle)	139m ²	13 bays per 100m ² (Exmouth, Policy)	18
Retail (Pink)	121m ²	1 bay per 15m ² (other LG policy)	9
Workshop (Yellow)	312m ²	3 bays per 200m ² (TPS3)	5
Meeting Room (Blue)	71m ²	11 bays per 100m ² (Exmouth, Policy)	8
		Sub-Total	106

First Floor

Land Use	Area Total	Requirement	Required to Provide
Office/Reception (Green)	68m ²	5 bays per 100m ² (TPS3)	4
Public Exhibition/Gallery /Library/GLA (Orange)	55m ²	1 bay per 40m ² (other LG policy)	2
		Sub-Total	6

Second Floor

Land Use	Area Total	Requirement	Required to Provide
Public Exhibition/Gallery /Library/GLA (Orange)	152m ²	1 bay per 40m ² (other LG policy)	4
		Sub-Total	4
		Total	116

Following a detailed assessment of land uses a minimum of 116 parking bays shall be provided. Adequate parking has been provided for the development inclusive of the northern overflow parking.

Cycle Parking

The applicant has indicated cycle racks to be located at both northern and southern side of the development at the Durack and community entry forecourts. Cycle parking is not provided at the main entry forecourt. This is appropriate as it improves the visual impact of the main entry reducing clutter and encourages pedestrian activity along the 'Pedestrian Journey' rather than higher speed cyclists.

Long Vehicle Parking

"In the case of land uses which attract special use vehicles Council may require the provision of bays marked for the exclusive use of service vehicles, buses, taxis, coaches, cars with trailers and boats (Local Planning Policy 6.11)."

<i>Provided</i>	<i>Officer Comment</i>
The application includes a bus pick up/drop off bay at the southern entrance.	This pick up/drop off bay is sited appropriately within the development in close proximity to the 'pedestrian journey'. The bay will require marking and signposting to ensure vehicles do park in the bay long term.
The application includes a long vehicle waiting bay in the Truscott Crescent Road reserve where there is an existing pedestrian footpath.	This varies the provisions of LPP6.7 which states <i>"The pedestrian dual use footpath alignment shall take precedence over the vehicle crossover."</i> However there is need for a long vehicle waiting bay adjacent the Aspen caravan park entrance.

	Caravans in peak tourist season are currently waiting in the road carriageway adjacent to caravan park waiting to check in. Officer recommends approval of the long vehicle waiting bay in the Truscott crescent road reserve to address traffic issues.
Long vehicle parking provided in both the northern and southern areas, 12 bays north and 14 bays south inclusive within the 127 parking bays provided.	There are no provisions for the minimum number of long vehicle parking bays required. Officer considers 26 long vehicle parking bays both in northern and southern parking areas sufficient.

Exmouth parking provisions do not state requirements for long vehicle parking. Officers have used other local government parking policies; long vehicle parking shall be 10m x 3.2m additional condition included.

Motorcycle Parking

Exmouth does not have any motorcycle parking requirements, Officers have noted motorbikes are commonly used in Exmouth and have used the provisions of other local parking policies. *“Motorcycle parking bays shall be 10% of total parking requirement”* therefore a minimum of 12 motorcycle parking bays are required. (116 x 0.1 = 12).

Additional condition has been included requiring a minimum of 3 motorcycle parking bays be provided in the northern parking area and a minimum of 3 motorcycle parking bays be provided in the southern parking area. In accordance with other local government parking policies the minimum dimension shall be 1.2m x 2.5m.

Disabled Parking

The application includes disabled parking both in the northern and southern parking areas. The applicant has advised ramps to building entries and at the rear of the premises will be in accordance with relevant Australian Standards.

In accordance with the requirements of the Exmouth Town Planning Scheme 1 disabled bay is required for every 100 parking bays, therefore a minimum of 2 disabled parking bays are required. The application includes 3 disabled bays provided, 2 in the northern parking area and 1 in the southern parking area. It is recommended that an additional Disabled Parking Bay be included in the South carpark.

Staff Parking

The application includes 15 secure staff parking bays in eastern parking area. Based on the proposed land uses a minimum of 26 staff will be accommodated within the development. In accordance with the Shire of Exmouth Local Parking Policy, 1 additional car bay is to be provided for every 2 staff members. Therefore a minimum of 13 bays are required for staff parking in addition to the 116. A total of 129 parking bays are required. The application includes 127 bays. Considering proximity of the development within the townsite and location to the existing visitors centre with adequate parking, the Officer recommends approval of 127 parking bays in lieu of 129. Compliant.

Delivery, Service and Loading Bays

The application includes a single oversize loading bay adjacent the eastern staff parking area within a secure yard. The loading bay will be shared for deliveries. The application also includes 2 loading bays within the general public 127 parking bays; one in the northern area and one in southern parking area. Compliant.

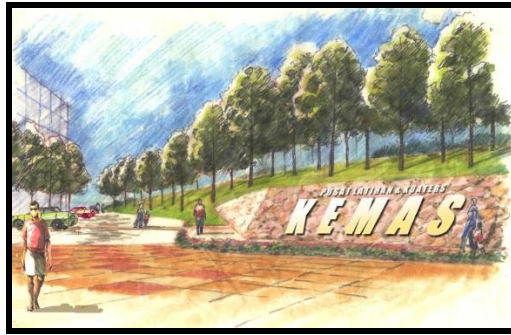
Crossovers

A maximum of one (1) crossover in accordance with the provisions of LPP6.7. The southern entry crossover is located within 15m of the Murat/Truscott truncation. This crossover design is not supported, due to its proximity to the 4 way intersection. To increase traffic safety and reduce hazards officer recommends that The assessment should include the impact of the traffic on the waiting bay for the caravan park. Additional conditions included.

Signage

Local Planning Policy 6.8 guides signage within town. The applicant has indicated that signage will be located at all main entrances. If put direction on the wall adjacent the entrance this may be appropriate however specific details have not been provided. A standard wall sign size and maximum height shall be created to ensure consistent appropriate design. Additional advice note included.

Officer notes there is need for a feature sign displaying the development as 'Ningaloo Centre' given the size and complexity of the development within a predominantly tourist town. An appropriate feature could be part of the landscaping design and landscaping mound, or part of the main feature entry. Additional advice note included.

**Colour**

The application states external colours to be based on the adopted Exmouth colour palette. Additional condition included. The colour schedule will need to be submitted as part of the building licence

Lighting

The applicant has not submitted details of lighting. A detailed lighting plan is required prior to the issue of a building permit. Lighting shall be down lit to reduce sky glare and light spill into surrounding precincts. Appropriate lighting is to be provided to all pedestrian paths, parking areas and building entries. Lighting shall be incorporated in the architectural landscape design. Additional conditions included.

Bin Rubbish Collection

The application includes a waste collection area for bins on the eastern side of the development within the eastern parking area. There is a bin storage area behind café adjacent internal landscaped courtyard/playground and a bin storage area adjacent the toy library. The bin storage areas are screened from public view. Additional conditions included.

Stormwater and Drainage

The applicant states *"To avoid water inundation to internal areas, all roof runoff will be directed away from the building into stormwater swales via Mansard roofs avoiding potential blockage and overflow during heavy rains."* Landscape swales will be incorporated into the stormwater and drainage design which will be engineered to withstand 1 in 100 year flood events. The application states stormwater management will be further developed with appointed Hydraulic and Civil consultants. Additional condition included which requires a stormwater management plan.

The floor level for the entire development is raised 400mm above natural ground level. This is appropriate stormwater management as the surrounding buildings within close proximity have been raised up to 0.5m above natural ground level to reduce the impacts of flooding. The increase in FFL by 0.5m will have minimal impact on adjoining development. Compliant. The proposed development is not identified as being within a major flood risk area in the Exmouth Town Site Floodplain Management Strategy.

External Fixtures and Fittings

The applicant has stated 'no mechanical or plant equipment will be located on roofs'. 'All required services penetrating the roof will be incorporated into the roof design ensuring visual impact is kept at a minimal.' Additional conditions included.

Landscaping

Local Planning Policy 6.10 Landscaping gives guidance on the landscape requirement in Exmouth. In accordance with the provisions of Local Planning Policy 6.7: Murat Road Guidelines landscape screening

may be required for building in excess of 3.5m. Six (6) shade trees between 2 and 4m are proposed in the Murat Road setback area. A landscape mound is also proposed in the Murat Road setback area. Considering the architectural prominence of the building as an iconic landmark development officer considers the proposed landscaping in the Murat road setback adequate. Additional landscaping provisions included. Landscaped areas are to be reticulated, with all necessary conduits being installed prior to hard surfacing. Additional condition included.

Shade trees have been provided in northern and eastern parking areas only. No shade trees are proposed in the southern parking area. In accordance with the provisions of LPP6.7, one (1) shade tree is required for every 7 parking bays. A minimum of 5 shade trees are required in the southern parking area, and a minimum of 5 shade trees are required in the northern overflow parking area. Additional conditions included.

Considering the above officer recommends that the Council grant conditional planning approval for the proposed multi-purpose community centre. Officer recommends that the Council of the Shire of Exmouth grant conditional planning approval for a multi-purpose community centre upon portion Reserve 50807, Lot 1431 Willersdorf Road, Exmouth subject to the project team addressing issues and complying with the conditions listed.

CONSULTATION

Consultation letters were sent to the following authorities and adjoining landowners giving the opportunity to provide comment within a period of 21 days of notification from Tuesday 8 July 2014 to Tuesday 29 July 2014. Comments provided in the table below:

Address/Authority/Department	Comment	Officer Comment
Executive Manager Engineering Department - SoE		
Executive Manager Health and Building Department - SoE		
Horizon Power	No comment received	
Water Corporation	No comment received	
Telstra	No comment received	
Department of Treasury and Finance – Office of the Government Architect	<p>Thank you for your invitation to provide comment on the design of the Proposed Multi-Purpose Community Centre for Exmouth.</p> <p>The role of the Government Architect is to provide leadership and strategic advice to Government to improve the design of public buildings and spaces and enhance the quality of the built environment. The preparation of the design review comments attached has been undertaken consistent with this role.</p> <p>The Office of the Government Architect (OGA) is particularly interested in seeing that the State Government’s commitment to good design in our built environment is applied with the same commitment to projects in regional Western Australia as it is to those in metropolitan areas – an ambition that is emphasised within the Government’s ‘Better Places and Spaces’ built environment policy released in early 2013. Regional Western Australia is home to a large number of our significant public buildings. We hope that the Exmouth Multi-Purpose Community Centre will continue this legacy.</p> <p>Our comments have been prepared within the framework of the built environment policy and the design criteria of the OGA’s</p>	Discussed under comments

	<p>‘General Design Standard’. We hope that these comments can be utilised constructively by the council to improve design outcomes for the project. It is understood that – given the timing of this review, the nature of the planning controls available and the contractual arrangements that the Shire has in place with the delivery team – the full scope of our recommendations may not be able to be implemented.</p> <p>IMPACT - Character</p> <p>The character of the building’s design is clearly driven by a desire to engage with the landscape context of the Cape Range and is supported. This achieves a civic presence and a clear identity for the project while resisting an institutional appearance. A key challenge presented by this strategy is the need to translate the informality of the built form into planning that is clear and coherent and allows for construction that is rationally organised with fewer complicated junctions and details. While areas such as the Community Centre and Library are clearly organised, the Visitor Centre’s public spaces and galleries are less successful in this regard. In these areas we encourage more clear arrangement of structural walls, openings and bulkheads. We note the improvement of gallery layouts that occurred between the Schematic Design and Design Development stages and we encourage that further refinement continue.</p> <p>Exemplar projects of cultural and civic facilities within unique landscape settings have been attached for your reference. The intent of the images selected is to demonstrate how projects based of abstract forms can be implemented while maintaining constructability and legibility. These projects may be useful in supporting the Shire’s aspiration for a holistic approach to the facility’s design. Refer to Attachment 1: ‘Character’ Exemplar Projects.</p> <p>Built Form</p> <p>We support the intent of the built form as a unique response to the region’s landscape that will contribute to a distinctive sense of identity for the local community. However, we note that there is a risk that budgetary restrictions may result in pressure to reduce the articulation of the built form in a way that compromises its abstract landscape-derived qualities, potentially resulting in a form that is more industrial or shed-like in its expression. This would be a poor outcome and we therefore recommend, should value engineering exercises be</p>	
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	<p>required, that other methods of cost reduction are sought.</p> <p>Materials High-quality materials, such as exposed recycled timber and feature Corten steel cladding, have been nominated for the building's facades and are supported. We suggest that specific provisions be established to ensure that an attractive and consistent finish is achieved for the tilt-up concrete panelling that is proposed.</p> <p>There is potential for the recycled timber to be used in a more meaningful way, as an integrated formal element rather than be employed solely as screening to glazing and service elements.</p> <p>Interior Environment We recognise the extent to which the proposed '<i>Reef to Range Journey</i>' experience has driven the internal planning and volumetric arrangement of the Visitor Centre Galleries. Given the intensity of ramping and the length of the '<i>Reef to Range Journey</i>', a strong onus is placed on the quality of the experience, particularly the level of comfort and engagement at landing points and terrestrial displays. In particular Terrestrial Display 03 warrants particular consideration as the ultimate destination of the '<i>journey</i>'. While the narrative qualities of this journey are valued, our view is that it could be made richer by improving views out to the exterior setting, from landings and Terrestrial Display areas. Currently views from Terrestrial Display areas on upper floors look out on to parts of the building that don't appear to have been designed or specifically considered for this purpose. While a look-out is described in the briefing material provided, the elevations don't show any look-out opportunities from the highest point of the building.</p> <p>Local climatic conditions, coupled with the specialist functions of the exhibition spaces, result in a requirement for an intensive service loading in terms of mechanical air delivery. It is unclear from the drawings how these services (and others, such as fire prevention services) will be integrated within the interior volumes and what their impact will be on the experience of the galleries.</p> <p>Generally, the drawings and material provided for review lacked the detail required to make informed comments on the quality of the interior environment. The interior environment of the Ningaloo Centre</p>	
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	<p>has an excellent opportunity to continue the design intent of the built form. As with commentary above on ‘Character’ please see the Attachment 1: ‘Character’ Exemplar Projects.</p> <p>We note the importance of maintaining quality materials, finishes and fittings of interior environments as the project enters the documentation and construction phase. We encourage ongoing monitoring of these elements and additional provisions and agreements if necessary to ensure that the quality of internal spaces is not compromised.</p> <p>External Environment</p> <p>We are conscious that the landscaping may not be prioritised within the current cost plan for the project. This is of concern, as we consider that a well-developed landscape design that integrates fully with the built form proposal will be critical for the architectural approach to be successful. An increased scope for landscaping could be attended to as a separately staged (and possibly funded) component of the overall development. Potential strategies for consideration include:</p> <ul style="list-style-type: none"> • engaging a Landscape Architect • extending the ‘landscape’ narrative of the architecture more fully into the site through improved planning and design of carpark areas • developing an engaging, robust, and both climatically and culturally appropriate soft landscaping proposal. • Exemplar projects of cultural and civic facilities within unique landscape settings have been attached, for reference. <p>Urban and Social Factors</p> <p>We observe a tendency to place important public or communal facilities (such as the cafe, visitor centre retail, retail gallery, public exhibition spaces) in areas that do not interface with Murat Road, connect spatially with external public spaces or connect visually to areas beyond the site. There is an opportunity for these facilities to be arranged so that they engage more clearly with the public realm and improve the overall sense of accessibility, welcomeness, openness and inclusivity of the centre. The commercial viability of the café and retail functions could also be significantly enhanced if they</p>	
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were to engage more directly with Murat Road. Strategies might include:

- Moving the cafe to the current location of the toilets on the west of the facility where it could provide a greater sense of activity and a more welcoming experience to visitors and passers-by whether driving or on foot;
- Re-organising functional arrangements to enable the foyer and public gallery to have greater presence and visual connection to Murat Road;
- More clearly defining possible activities or uses for the public space around the Ningaloo Centre Entry Forecourt;
- Improving visibility and legibility of entry points in general to areas beyond the site (the entrances to key facilities are mainly hidden or not clearly signified by the built form and planning arrangement).

FUNCTIONALITY

Access

The ramping system used for the marine and terrestrial galleries has the potential to lack comfort and ease of use for particular types of users and may compromise the experience of the facility. It appears that gradients comply with the Disability Discrimination Act (DDA) albeit at the maximum allowable gradient of 1 in 14. While we believe the ramping strategy may provide a unique experience for some users and, overall, contributes positively to the 'Reef to Range' narrative, we suggest that further steps are taken to improve the amenity of landings and the provision of dedicated rest areas to mitigate fatigue.

Refinement of planning could be undertaken, particularly to the Visitors Centre Foyer and the connecting links to the Library/Cafe Breakout areas, to improve visual connectivity and legibility of access.

Space + Use

The planning arrangement suggests that each key component of the brief (Community Centre, Library Durack Zone, and Visitors Centre/Gallery) has been planned discretely and then assembled into the overall scheme. While the functionality of each of the components would generally appear to be sound we note that there may have been

	<p>opportunities for greater integration of these components, where synergies between areas such as, for example, the Public Exhibition space, Durack Zone education areas and the Library could have been exploited, to encourage interaction and improve levels of spatial utilisation via the provision of shared spaces (where appropriate).</p> <p>The long-term flexibility of gallery spaces may be impacted on by their lack of adjacency and interconnectedness (e.g. there is no direct access between the Public Exhibition space and the Marine Display, or between the Marine Display and Travelling Gallery). This may limit opportunities for adaptation in future as the Shire's and communities needs change or as exhibition materials change. Load bearing walls may make it difficult to create new connections between these spaces should they be desired at a later date.</p> <p>Further rationalisation of internal planning, particularly in the gallery zones, could lead to greater value for money by reducing the total area provided and minimising the complexity of forms, junctions and detailing.</p> <p>Reliance on long, single-loaded linear corridors in the Durack Centre suggests a somewhat inefficient arrangement of spaces in this zone.</p> <p>BUILD QUALITY Performance Appropriate acoustic separation between functional areas needs to be considered, noting that concrete walls may present some challenges, because of the potential need to apply (rather than embed) acoustic material to the walls, adding to their thickness. The need for acoustic separation between plant areas and gallery spaces is of particular concern, as it could compromise the experience of exhibitions if not properly handled.</p> <p>We note that there do not appear to be any passive environmental design measures proposed, aside from feature canopies and screening to glazing and some outdoor areas. There is generally insufficient information provided to enable a fully informed comment on the success of the proposal with regard to passive environmental design performance. We do note, however, that there appears to be no inclusion of breezeways or passive ventilation in general. Artificial lighting will need to be relied on for the Visitor Centre/Gallery zones, although it is recognised that this may be a</p>	
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	<p>requirement should exhibited material be light- sensitive.</p> <p>In material reviewed there did not appear to be any targeting of industry benchmarks for Environmentally Sustainable Design (such as Green Star). Some level of benchmarking is critical to ensure that the Shire can have confidence in the long-term environmental performance and cost of operating the facility.</p> <p>Engineering Due to the large internal volumes, and particularly the environmental requirements of the gallery spaces, life cycle cost analyses of mechanical plant and equipment is encouraged.</p> <p>Construction Selection of external materials and elements appears to be robust and will have good whole- of-life performance.</p> <p>Ensuring no mechanical or plant equipment is located on roofs is strongly supported, as this will minimise roof penetrations which are potential water-leak and maintenance issues in areas subject to cyclonic conditions.</p> <p>Selection of roof pitches and drainage systems appears to minimise maintenance requirements and to limit damage which may be caused by an overflow – i.e. lack of gutters and runoff being directed away from building is strongly supported. We suggest all flashings be carefully detailed and installation monitored to ensure that the risk of leaks is fully addressed.</p> <p>Notes in drawings indicate the finished floor levels are to be elevated by 400mm above natural ground level to protect against 100 year flood levels. This is strongly supported. However some of the floor levels shown on drawings are lower than this (by up to 120mm) and may need to be reconsidered.</p>	
<p>Department of Water</p>	<p>The Exmouth Floodplain Management Study shows that the 100 year ARI flood level at the location of the proposed community centre is estimated to be 6.0 m AHD (refer <i>Attachment 7</i>).</p> <p>Based on our floodplain management strategy for the area, proposed development at this location is considered acceptable with respect to major flooding, subject to a recommended minimum habitable floor level of 6.5 m AHD.</p>	<p>Discussed under comments</p>

	<p>The plans provided show the proposed community centre to have a minimum ground floor level of 6.53 m AHD. Consequently the proposal is considered acceptable with respect to major flooding.</p> <p>Please note that this advice is related to major flooding only and other planning issue, such as local stormwater drainage and environmental issues may also need to be addressed.</p>	
Office of Crime Prevention WA	No comment received	
Department of Health	<p>Water Supply and Wastewater Disposal The proposed development is required to connect to scheme water and reticulated sewerage in accordance with the draft County Sewerage Policy.</p> <p>Health Act Requirements All public related developments (exhibition areas, gallery, community centre, library, etc) to comply with the provisions of the Health Act 1911, related regulations and guidelines and in particular Part VI – Public Buildings.</p> <p>Food Act Requirements All food related aspects (café, kitchen/bar) to comply with the provisions of the Food Act 2008 and related code, regulations and guidelines.</p>	Additional Conditions and Advice Notes have been included to cover these issues.
DFES	No comment received	
Department of Lands	No comment received	
Aspen Parks	No comment received	
Aspen Parks - Exmouth	No comment received	
Lot 36 (2) Pelias Street	No comment received	
Lot 829 (1) Pelias Street	No comment received	
Lot 8 (2) Nimitz Street	No comment received	
State Libraries of WA	No comment received	
Western Australian Museum	No comment received	

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Town Planning Scheme No. 3
Exmouth Townsite Structure Plan

POLICY IMPLICATIONS

Local Planning Policy 6.2 Colour Palette for Developments
Local Planning Policy 6.7 Murat Road Development Guidelines
Local Planning Policy 6.8 Signs
Local Planning Policy 6.10 Landscaping
Local Planning Policy 6.11 Parking
Local Planning Policy 6.19 District Water Management Strategy
Local Planning Policy 6.22 Sand and Dust Control

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONSEconomic

Objective 1: To be a diverse and innovative economy with a range of local employment opportunities.

- Outcome 1.2 - Planned and balanced economic growth.

Civic Leadership

Objective 4: To work together as custodians for now and the future.

- Outcome 4.1: To be a collaborative community with the capacity to manage the current and future direction of Exmouth.
- Outcome 4.2: A local government that is respected, professional, trustworthy and accountable.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION - 11.6.6

That Council grant planning approval for multi-purpose community centre upon portion Reserve 50807, Lot 1431 Willersdorf Road, Exmouth subject to the following conditions:

- 1. The development being carried out generally in accordance with the approved plans (PA128/14) and the Shire of Exmouth Town Planning Scheme Number 3 to the satisfaction of Council Officers;*
- 2. The pedestrian entrance fronting Murat Road and Truscott Crescent shall be made visually prominent from the northern carpark, to the satisfaction of Council Officers;*
- 3. The recommended minimum floor level of the building shall be 6.5 m AHD;*
- 4. Prior to the submission of a building permit application, amended plans incorporating the following amendment shall be submitted and approved*
 - A schedule of material for all the elevation with concrete tilt panel being the dominant building material;*
 - increase activation of the development on Murat Road so that the building addresses Murat and Truscott;*
 - A foyer cover over to link the Community Centre with Library so that the development is viewed as one;*

Crossovers

- 5. The applicant shall provide a detailed traffic assessment plan and report for the intersection of Truscott Crescent/Murat Road intersection.*

Parking

- 6. The applicant shall provide a minimum of 116 standard parking bays. All parking bays shall have a minimum dimension of 2.7 x 5.4m. (Standard car) and a minimum dimension of 3.2m x 10m long vehicles.*
- 7. The applicant shall provide a minimum three (3) motorcycle parking bays in the southern car park and three (3) motorcycle parking bays in the northern car park. All motorcycle parking bays shall have a minimum dimension of 1.2 x 2.5m;*
- 8. Two (2) parking bays in the southern car park and two (2) parking bays in the northern car park having a minimum width of 3.2m, preferably 3.8m to comply with the Australian Standards for disabled parking;*

9. *All vehicle parking, manoeuvring and circulation areas shall be sealed with crushed road base, asphalt, bitumen and/or paved concrete and being suitably constructed and line-marked and drained in accordance with Council Policy and the requirements of the Australian Standards;*
10. *All parking for the development shall be wholly contained within the lot and the northern and southern carpark shall be connected to enable through flow of traffic within the lot;*

Materials

11. *Final details of the external design, materials, finishes and colours for the proposed buildings being submitted and approved prior to applying for a building permit; Zinalume is not a permitted building material*
12. *The colorbond material fronting Murat Road and Truscott Crescent shall be further broken up with elements of render or rammed earth to provide increased articulation to the satisfaction of Council Officers;*
13. *The external cladding of the development to be consistent with the Council Policy 6.2 - Colour Palette for Developments;*

Landscaping

14. *A detailed landscaping and reticulation plan being submitted and approved by the Council prior to the submission of an application for a building permit, with the approved landscaping being installed prior to the occupation of the building and thereafter maintained to a high standard;*
15. *One (1) shade tree shall be provided for every seven (7) parking bays provided, and shall be dispersed evenly in all parking areas;*

Signage

16. *The applicant shall prepare a detailed signage plan to the satisfaction and approval of Council Officer detailing:*
 - *the maximum and minimum dimensions of permissible on wall signs;*
 - *the precise location of on wall signs within the development; and*
 - *the maximum number of permissible signs per tenant/occupant/use/lease;*
17. *The applicant shall prepare detailed plans to the satisfaction and approval of Council Officers for a feature entry sign displaying the development as 'Ningaloo Centre' which is clearly visible from Murat Road; the signage being designed as an integral component of the development with details of any signage being subject to a separate application for approval;*

Construction Plan

18. *A Construction Management Plan (CMP) shall be submitted to and approved by the Council prior to the commencement of works. The CMP shall detail how it is proposed to manage:*
 - *Noise from carrying out work and from plant and trucks;*
 - *Hours of operation;*
 - *Light;*
 - *Dust issues (a detailed Dust Management Plan in accordance with Local planning policy 6.22);*
 - *the delivery of materials and equipment to the site;*
 - *Protection of existing roads, footpaths and services;*
 - *Site Security and the storage of materials and equipment on the site;*
 - *the parking arrangements for the contractors and subcontractors;*
 - *and other matters likely to impact on the surrounding properties;*

External Fittings

19. Any proposed external building plant, including air conditioning units, piping, ducting and water tanks, being located so as to minimise an visual and noise impact on nearby residents or businesses and being screened from view from the street, with details of the location of such plant being submitted for approval prior to applying for a building permit;
20. All service fittings and fixtures penetrating the roof shall be incorporated into the roof design to minimize visual impact;

Lighting

21. The applicant shall submit a detailed lighting plan for the proposed building, prepared by a suitably qualified consultant, emphasising the elegant architectural design to ensure the building provides a significant contribution to the vibrancy of the development after dark the lighting shall be:
- Provided to all pedestrian paths, parking areas and building entries; and
 - Incorporated in the architectural landscape design.
22. Lighting shall be provided at the main entrance area underneath the feature canopy facing Murat Road, and the main feature sign;

Stormwater

23. Storm water being managed on site and/or discharged into the Shire's road drainage system, in accordance with Council Policy, the Building Code of Australia and to satisfaction of Council Officers;
24. The applicant shall submit a stormwater management plan to the satisfaction of Council Officers and Department of Water which shall include detailed engineering plans to accommodate a 1 in 100 year event;

Rubbish

25. Prior to the submission of a building permit application, a Rubbish Management Plan shall be submitted to and considered by Council. The Rubbish Management Plan shall consider service vehicle manoeuvring on the internal road(s) / access-way(s) of the development and location a suitably screened bin storage area. The approved Rubbish Collection Management Plan shall be implemented to the satisfaction of Council;

Environmental Sustainability Design

26. The development shall incorporate Environmental Sustainability Design initiatives where possible;

Additional Conditions

27. Water supply to be connected to the reticulated scheme of a Licensed Water Service Operator and comply with Australian Standard AS 3500;
28. All plumbing to be connected to the sewer of a Licensed Sewer Operator and comply with Australian Standard AS 3500;
29. The following forms (attached) shall be submitted to Shire's Environmental Health Services:
- Form 2 - Application for Certificate of Approval (prior to occupancy); and
 - Form 5 - Certificate of Electrical Compliance. This form to accompany Electrical Installation plans and details, to be submitted for approval; and provide Mechanical Services, Air Conditioning and Ventilation details for approval (where applicable);
30. An Emergency Evacuation plan to be prepared and submitted to the Shire's Environmental Health Services prior to the opening of the premises. The plan is to comply with Australian Standard AS 3745 "Planning for emergencies in facilities" and the Western Australian Fire Brigade requirements. The

plan is to encompass all aspects of safe evacuation during an emergency, including co-ordination and directions for occupant escape, communications, rescue and fire control procedures;

31. *Any additional development not being in accordance with the original application or conditions of approval, as outlined above will require further approval by the Shire of Exmouth. Any commencement of development not subject of a current approval is an offence under the Shire of Exmouth Town Planning Scheme No.3;*
32. *Any substantial variation from the approved plans contained herein requires a separate planning approval. Should your plans for a building permit differ from these plans, a building permit may not be issued until such time as fresh planning approval is granted; and*
33. *The approval granted is valid up to two (2) years of the date of this approval. Should the development approved not substantially commence within this time, the approval will lapse and be of no further effect.*

Advice

- i. *Prior to any construction, the applicant being required to obtain a building permit approval in accordance with the requirements of the Building Code Australia.*
- ii. *The applicant is advised landscaping is to compromise species of plants as defined within Councils Landscaping Policy.*
- iii. *The noise generated by activities on-site, including machinery motors or vehicles is not to exceed the levels as set out under the Environmental Protection (Noise) Regulations 1997.*
- iv. *Detailed plans and specifications of kitchen areas intended for commercial use to be submitted with the application for Building Permit for assessment by Councils Environmental Health Officer for approval prior to any construction. The plans shall comply with the provisions of the Food Act 2008 and related code, regulations and guidelines; and all aspects of the Shire of Exmouth's Food Business Guidelines: Design, operation and construction.*
- v. *Detailed plans and specifications of the 'public buildings' areas of the development to be submitted with the application for Building Permit for assessment by Councils Environmental Health Officer for approval prior to any construction. The plans to include details of:*
 - a) *Location of approved exit signs in the building over all designated exits, directional exit signs where necessary and emergency lighting in accordance with the Building Code of Australia and Australian Standard AS 2293 "Emergency Evacuation Lighting in Buildings" Part 1&2;*
 - b) *Areas where normal lighting is dimmed or extinguished;*
 - c) *Description of approved exit door fittings and the directions in which doors swing;*
 - d) *Location of handrails to steps, stairways and any other changes in floor level which may present a hazard to the public;*
 - e) *Location of decorative treatments in the building; and*
 - f) *Where applicable mechanical services and airconditioning and ventilation system.*
- vi. *The approval granted is not to be construed as approval granted under the Building Act 2011, Building Regulations 2012 or any other relevant statutory approval.*
- vii. *An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005 (as amended). Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).*

COUNCIL DECISION – 19-0814 – 11.6.6

Moved Councillor Thompson, Seconded Councillor Winzer.

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Advice

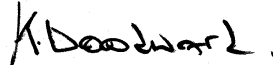
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CARRIED 6/0

11. REPORTS OF OFFICERS**11.7 Executive Manager Engineering Services**

11.7.1 General Report

Location: Exmouth
 Applicant: Keith Woodward
 File Reference: GV.CM.0
 Disclosure of Interest: Nil
 Date: 14 August 2014
 Author: Executive Manager Engineering Services, Keith Woodward
 Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

The following report contains a brief summary of significant activities, events and issues that were raised during the last month.

BACKGROUND**Town Centre and Town Beach**

For the last month the majority of the engineering work force has been working in the town centre and town beach undertaking landscaping works and improving the town centre presentation. The works crew received many positive comments from the tourists in particular regarding the town centre reconstruction works between Federation Park to Learmonth Street, the landscaping and absence of rubbish and litter within the town site.

Long vehicle parking has been problematic however the installation of long vehicle signage should assist directing long vehicles to the long vehicle parking areas. Future town centre improvement activities will include the installation of waste bins, trolley bays and the recladding of the pedestrian bridge from Thew Street into Lefroy Park.

The new fencing at Town Beach is effective and has improved the general presentation of the parkland. The new barbeques have been very popular and the new facilities are being well utilised. Additional space will be expanded into grass and recreational area. The solar lights are working well.

The Exmouth Town Centre Stage 3 design and construction plans have been formulated. The General Arrangement Plan has been included for Council information as ***Attachment 1***.

Tantabiddi Boat Ramp Update

I provided the following information to the Northern Guardian Newspaper:

On the 26th April 2014 a heavy rainfall event impacted Exmouth and its surrounds including the Exmouth Tantabiddi boat ramp. Subsequently the rainfall event was declared a natural disaster by the Government of Western Australia. The flood water flowed down from Cape Range and caused damage to the Tantabiddi boat ramp structure flushing sand offshore to the boat ramp. As a result vessel launch and retrieval processes are onerous affecting recreational and commercial marine activities.

Unfortunately dredging sand costs are not included in the Western Australia Natural Disaster Relief and Recovery Arrangement (WANDRRA) and the Shire is therefore required to manage the funding and reinstatement via alternative means. The estimated cost for dredging is \$400,000.

To resolve these issues the Shire has and is pursuing the following course of action:

- 1. Formally requested financial assistance from the State Government to cover the sand removal costs.*
- 2. Excavated sand from the boat ramp. This process had limited success.*

3. *Is in the process of finalising dredging specifications for the purpose for tendering works once financial assistance becomes available.*
4. *Engaged specialised coastal engineers to design mitigation systems to reduce the impact of similar events in the future.*
5. *Submitted the insurance claim to repair the boat ramp structure.*

On behalf of the Shire of Exmouth I apologise for this inconvenience and disappointment caused and I thank you for your patience.

To further assist launch and retrieval process at Tantabiddi, additional sand excavation was undertaken on the 13, 14 & 15 August 2014. The sand excavation works cleared the southern ramp.

The Shire's insurance company will be paying for the majority of repairs to the boat ramp structure which will include the rock armour revetment and the sunken ramp panels. However the insurance does not cover sand removal as discussed above. The Department of Regional Development has suggested that the Shire apply to have the funds which were acquired via the Recreational Boating Facility grant application for the construction of new carparks to be reallocated towards the dredging. This option is being investigated in conjunction with the CEO, the Shire's consulting coastal engineer and will subsequently be reported to Council in due course.

Golf Course Irrigation Expansion

The Water Corporation (WC) identified the need to construct a new Waste Water Treatment Plant (WWTP) in Exmouth to service the Exmouth growth estimates. The construction of the new Exmouth Waste Water Treatment Plant will be undertaken by the Water Corporation.

In addition to constructing the new WWTP, there is also a need to upgrade the Treated Waste Water Management (TWWM) capacity to cater for the increased wastewater flows. Due to the existing TWWM system (consisting of the irrigation of three ovals, some of the town's road verge and four fairways of the golf course) having reached its maximum capacity, a golf course irrigation expansion is required and it needs to be delivered upfront. The WC is currently planning, designing and will be constructing the irrigation expansion. The WC is paying for the entire project. Construction should be completed by March 2015.

Shot Hole Canyon Road 26 April 2014

26 April 2014 Exmouth was impacted by a surface trough and associated flooding. This event was proclaimed an eligible disaster under the Western Australia Natural Disaster Relief and Recovery Arrangements (WANDRRA) on 2 May 2014. One of the damaged roads was Shothole Canyon Road which washed away for 12.5km.

This situation is not dissimilar to the Shothole Canyon Road damage which occurred in February 2012 associated with the cyclone Carlos stormwater. In 2012 the road was damaged for a distance of 1.5km. WANDRRA paid for the reinstatement which cost \$220,000 which translates to metre rate of \$20.95.

Due to the loss of 12.5km of road on the 26 April 2014 and the reinstatement rate of \$20.95 the cost to reconstruct Shothole Canyon Road would be in proximity to \$1.8m. It would appear that WANDRRA has approved the reinstatement of Shothole Canyon Road to an estimated value of \$1.5m (which does not allow for any betterment works). However it is suggested by Shire Officers, Main Roads and the Department of Parks and Wildlife that reinstatement road standards should be carefully reconsidered because of the associated reinstatement costs, the frequency of events and the location of the road within the floor of a canyon which transmits floodwater from an extensive catchment. Effectively the floor of the canyon is a floodway.

It is suggested that Shothole Canyon Road be reclassified into a designated 4WD only road. In consultation with DPaW, Officers will formulate a road classification standard and advice to be used as a communication tool to allow the public to make an informed decision as to whether they have the skills, knowledge, experience and an appropriate vehicle to navigate the environment.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

Objective 1: To be a diverse and innovative economy with a range of local employment opportunities.

- Outcome 1.5: Maintain & Improve Shire Infrastructure

Environment

Objective 2: To have a balanced respect for our environment and heritage, both natural and built.

- Outcome 2.5: To make Exmouth an attractive town that is a comfortable and welcoming place to live and visit, and reflects the lifestyle values and unique natural environment

Social

Objective 3: To be a dynamic, passionate and safe community valuing natural and cultural heritage.

- Outcome 3.2: Excellent lifestyle, recreational and cultural facilities.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.7.1

That Council receives the Executive Manager Engineering Services Report for the month of August 2014.

COUNCIL DECISION – 20-0814 – 11.7.1

Moved Councillor Winzer, Seconded Councillor McHutchison.

That Council receives the Executive Manager Engineering Services Report for the month of August 2014.

CARRIED 6/0

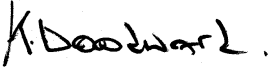
Councillor Hood and Councillor McHutchison declared an impartiality interest in the following report stating that they are social members of the Exmouth Golf Club. As a consequence, there may be a perception that their impartiality on the matter may be affected. They declared that they will consider this matter on its merits and vote accordingly.

Chief Executive Officer Bill Price also declared an impartiality interest in the following report.

11. REPORTS OF OFFICERS

11.7 Executive Manager Engineering Services

11.7.2 Exmouth Golf Club

Location:	Exmouth
Applicant:	Keith Woodward
File Reference:	GV.CM.0
Disclosure of Interest:	Cr Michael Hood, Cr Suzanne McHutchison, CEO Bill Price
Date:	15 August 2014
Author:	Executive Manager Engineering Services, Keith Woodward
Signature of Author:	

Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council authorises the donation of the Kubota ride on mower to the Exmouth Golf Club without the Expressions of Interest advertisements on the Public Notice Board as required by Shire Policy 2.13 Disposal of Surplus Council Furniture and Equipment 20 September 2012.

BACKGROUND

The Exmouth Golf Club has requested a donation or offer to purchase the Shire's old trade/disposal ride on mower (refer *Attachment 2*)

COMMENT

This request is supported by Council Policy 2.13 Disposal of Surplus Council Furniture and Equipment which states "*(d) The furniture and /or equipment is to be offered in the first instance to not-for-profit Exmouth based community, service, sporting or religious groups through Expressions of Interest advertisements on the Public Notice Board*".

However in this situation I am requesting that Council approve the donation request without the Expression of Interest process. The request is a good fit which will assist in raising the presentation standards of the Exmouth Golf Course.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Policy 2.13 Disposal of Surplus Council Furniture and Equipment

FINANCIAL IMPLICATIONS

The 2014/2015 Shire budget included sales proceeds of \$2,500 associated with the disposal of the Kubota mower which is recommended in this report to be donated to the Exmouth Golf Club.

STRATEGIC IMPLICATIONS

Economic

Objective 1: To be a diverse and innovative economy with a range of local employment opportunities.

- Outcome 1.5: Maintain & Improve Shire Infrastructure

Environment

Objective 2: To have a balanced respect for our environment and heritage, both natural and built.

- Outcome 2.5: To make Exmouth an attractive town that is a comfortable and welcoming place to live and visit, and reflects the lifestyle values and unique natural environment

Social

Objective 3: To be a dynamic, passionate and safe community valuing natural and cultural heritage.

- Outcome 3.2: Excellent lifestyle, recreational and cultural facilities.

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION – 11.7.2
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That Council:

- A) authorises the donation of the Kubota ride on mower to the Exmouth Golf Club without the Expressions of Interest advertisements on the Public Notice Board as required by Shire Policy 2.13 Disposal of Surplus Council Furniture and Equipment 20 September 2012; and*
- B) issues a public notice advising of and giving an opportunity for the public to make comment on the above action.*

COUNCIL DECISION – 21-0814 – 11.7.2
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Moved Councillor Todd, Seconded Councillor McHutchison.

That Council:

- A) authorises the donation of the Kubota ride on mower to the Exmouth Golf Club without the Expressions of Interest advertisements on the Public Notice Board as required by Shire Policy 2.13 Disposal of Surplus Council Furniture and Equipment 20 September 2012; and*
- B) issues a public notice advising of and giving an opportunity for the public to make comment on the above action.*

CARRIED by ABSOLUTE MAJORITY 6/0

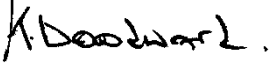
Councillor Shales declared an indirect financial interest in the following report and left the Chambers at 5:11pm.

Cr Hood assumed the role of Chairperson.

11. REPORTS OF OFFICERS

11.7 Executive Manager Engineering Services

11.7.3 WANDRRA Tenders 01-06/2014

Location:	Exmouth
Applicant:	Keith Woodward
File Reference:	CM.TE.012014; CM.TE.012014; CM.TE.012014; CM.TE.012014; CM.TE.012014.
Disclosure of Interest:	Cr C (Turk) Shales
Date:	21 August 2014
Author:	Executive Manager Engineering Services, Keith Woodward
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report provides an overview of the assessment process for six (6) tenders for post-flood restoration work.

The report recommends that tender 03-2014 Minor Works Exmouth South is awarded to Exmouth Civil Pty Ltd and tenders 01-2014 Minor Works Exmouth North and 02-2014 Minor Works Exmouth Central respectively are awarded to Exmouth Hire.

Also recommended is that the Shire:

- Nominates Exmouth Civil as the first priority tender and Mining and Drilling Services Pty Ltd as the second priority tenderer for each of tenders 04-06/ 2014 respectively; then
- Conducts due diligence assessment relating to each tenderers willingness and ability to complete works in accordance with an updated schedule and timeframe. In the event Exmouth Civil confirm they are able to meet the revised schedule they shall be awarded these tenders;
- If Exmouth Civil are unable or unwilling to meet the revised schedule and Mining and Drilling Services confirm their willingness and ability, they will be awarded the tenders.

BACKGROUND

On 26 April 2014, a heavy rainfall event was caused by the passage of a surface trough over the west of the State. The event was activated as a WA Natural Disaster Relief and Recovery Arrangement (WANDRRA) event, AGRN627 Surface Trough and Associated Flooding.

As a result of this rain event, essential public infrastructure within the Exmouth Town Centre was damaged. There are three zones of activity as follows;

- Northern Zone – centred around the Exmouth Town Site
- Central Zone – centred around Shothole Canyon Road
- Southern Zone – centred around Yardie Creek Road

The Shire has issued the following tenders to complete restoration works:

- RFT 01-2014 Minor Works Exmouth North
- RFT 02-2014 Minor Works Exmouth Central
- RFT 03-2014 Minor Works Exmouth South
- RFT 04-2014 Supply of Material Exmouth North

- RFT 05-2014 Supply of Material Exmouth Central
- RFT 06-2014 Supply of Material Exmouth South

The tenders were advertised on the Saturday 19 July in the West Australian and the Shires website from the 21 July 2014. Tenders closed 2pm, Thursday 7 August 2014. Thirty-one (31) enquiries were received during the tender period. Thirteen (13) Companies submitted tenders for RFT 01-03 and Four (4) companies submitted tenders for RFTs 04-06. Three (3) of these companies submitted tenders for all six projects.

COMMENT

Independent Specification, Administration and Assessment of Tenders

Tenders were assessed by an independent panel provided by Core Business Australia (CORE). CORE has been appointed as the project supervisors for WANDRRA flood recovery reinstatement works. As part of the process of engaging contractors to complete tendered works CORE:

- Prepared all tender specifications and documentation;
- Issued tenders and addendums and conducted tender briefings;
- Closed and received tenders; and
- Assessed tenders.

A full assessment report has been provided to Councillors as part of agenda briefing. This report is commercial in confidence. The CORE tender assessment report fully details the tender process and assesses the qualitative assessment, weightings and costs assessment including recommendations. These processes effectively addresses the requirements of the Local Government Act 1995 (Functions and General) Regulation (s.3.57).

A brief summary of the report is included as part of this agenda item.

The tender assessment process included assessment of each tender by the tender panel in the following phases:

- Compliance Assessment resulting in acceptance or rejection of tenders;
- Qualitative Assessment resulting in a weighted individual score being provided for each tender;
- Price Assessment resulting in a weighted individual score for each tender; and
- Compilation of result, final consideration and assessment then recommendations based on achieving the best outcome to complete the works.

Results of Compliance Assessment

Tenders were assessed for compliance against the specifications. Where non-conformances were identified by the panel each instance was investigated and a determination made as to the outcome. In some instances this investigation resulted in contact with tenders for clarification.

The panel deemed each instance either a major or minor non-conformance. In the instance of minor non-conformances tenders continued to be assessed based on the panel's satisfaction that the non-conformance had been resolved or did not affect the outcome of the tender.

The following quantity of tenders were removed from consideration for the reason of major non-conformances:

Responses Removed From Consideration	Reason
Two company's tenders for RFT 01, 02 & 03	Tenders received after the closing time.
One company's tenders for RFT 01, 02, 04, 05 and 06.	Alternative tender. See alternative tender section.
One Companies submission for an unknown number of individual tenders	Email received, no attachments

All instances of non-conformance and the outcome are identified in the tender report.

Qualitative Assessment

Qualitative assessment was undertaken by review of the information provided by tenderers based on the following weighted criteria:

Tenders 01-03		Tenders 04-06
Relevant Experience	(15%)	Compliance with Specification (30%)
Key Personnel	(10%)	
Tenderer's resources	(25%)	

Price Assessment

The price for tenders 01-03 are based on provision by contractors of a schedule of rates for plant, equipment, personal to complete the scope. Tenders 04-06 are based on a schedule of rates for supply of materials to meet a specification. All tender documents clearly detailed that rates were being assessed; quantities were indicative and there would be no guarantee as to the final quantity of work issued.

In order to assess price CORE issued an indicative schedule of hours and quantities to complete each task. An addendum was issued which included revised quantities and the need to provide standby rates.

The total sums provided for tenders received were scaled by the panel to take into account the effect of a 10% allowance for use of standby rates. Tenders were then assessed using a price range formulae with the following weightings:

Tenders 01-03		Tenders 04-06	
Price	(50%)	Price	(70%)

Please note that although 'tendered price' is a weighted component of the qualitative tender, the recommendation will not simply apply to the lowest bid. One of the main objectives of the procurement process is to manage risk and achieve best value while maximising the likelihood of delivery of the scope in the timeframe required.

Results

After completion of weighted assessment of all criteria, the following total scores and ranking were awarded to tenders remaining in consideration after the compliance assessment:

Key: 4MC: 4M Civil; CE: Central Earthmoving; ET: Edwards Transport; EC: Exmouth Civil; EH: Exmouth Hire; EQ: Exmouth Quarries; GC: Griffin Civil; LC: Leeuwin Civil; MDS: Mining & Drilling Services; SPA Stabilised Pavements of Australia; TMC: Texcom Mining & Civil.

RFT 01-2014 Minor Works Exmouth North	4MC	CE	ET	EC	EH	GC	LC	MDS	SPA	TMC
Rank	9	4	10	1	2	7	3	5	8	6
Score/100	40.1	59.9	30	85	80	43.7	64	55	40.7	47.6

RFT 02-2014 Minor Works Exmouth Central	4MC	CE	ET	EC	EH	GC	LC	MDS	SPA	TMC
Rank	8	5	10	1	2	6	3	4	9	7
Score/100	41	60.9	30	83.2	80	50.1	63.2	58	39.4	48.7

RFT 03-2014 Minor Works Exmouth South	4MC	CE	ET	EC	EH	GC	LC	MDS	SPA	TMC
Rank	7	4		1	2	6	3	5	9	8
Score/100	43.3	64.8	30	85.5	80	44.5	66.6	56.8	41.5	41.8

RFT 04-2014 Supply of Material Exmouth North	EC	EQ	MDS	TMC
Rank	1	3	2	4
Score/100	91.2	77.48	88	18

RFT 05-2014 Supply of Material Exmouth Central	EC	EQ	MDS	TMC
Rank	2	3	1	4
Score/100	86.16	78.74	88	18

RFT 06-2014 Supply of Material Exmouth South	EC	EQ	MDS	TMC
Rank	2	3	1	4
Score/100	87.98	73.84	88	18

Consideration of Alternative Tender

One alternative tender was submitted by Exmouth Civil. The tender complied with all compliance criteria and was identical to the conforming tender submitted by the company (Exmouth Civil), except it included a discount clause as follows:

“We have submitted six conforming tenders which consists of RFT 01/2014, 02/2014, 03/2014, 04/2014, 05/2014 and 06/2014. Our non-conforming tender price will be a 5% reduction on our conforming prices if Exmouth Civil are awarded all six work packages.”

The panel analysed the effect of this offer and found that it represented a potential saving over the panel’s recommended approach of splitting the tenders between Exmouth Civil and Exmouth Hire (see recommendations section). The panel believes that the potential saving is not as beneficial as effect of splitting the works and having more than one contractor working at the same time with the ability to vary each contractors workload should one fall behind or have other unforeseen problems, thereby minimising risk of works not being completed on time. Please see the confidential tender assessment report for full detail of assessment of the non-confirming tender.

Recommendations for tender 01-03

Exmouth Civil achieved the highest score (85, 83.2 and 85.5 respectively) for tenders 01 - 03. Exmouth Hire achieved the second highest scores being 80 for each of the three tenders.

In making its recommendation the panel considered that:

- Both tenderers demonstrated the required capability to complete the works; and
- There is a level of urgency to complete works and awarding the work to a number of tenderers will likely result in a more expedient outcome for the community

Based on this it is recommended that the largest of the three tenders (03 - 2014 Minor Works Exmouth South) is awarded to Exmouth Civil Pty Ltd and the two smaller tenders (01-2014 Minor Works Exmouth North and 02 - 2014 Minor Works Exmouth Central) are awarded to Exmouth Hire.

Recommendations for tenders 04-06

Exmouth Civil scored highest in tender 04 / 2014 with 91.2 while Mining and Drilling Services scored highest in Tender 05 / 2014 and 06 / 2014 with 88 in each tender. There is little difference between Exmouth Civil’s Score and Mining and Drilling Services Score in Tenders 5 & 6 of the tenders with Exmouth Civil’s score being only 2.14% less than Mining and Drilling Services score in Tender 5 and 0.02% less in Tender 6.

Of major concern for the panel is the continuous supply of material. The panel has little doubt that either Exmouth Civil or Mining and Drilling can supply the specified material however Exmouth Civil has material in stock, has had it tested and can produce more material immediately. Mining and Drilling Service’s tender is on the basis that MDS mobilise to Exmouth, produce the material and leave. Hence there will be a start-up period where we need to wait for them to mobilise and produce the material, plus a slight chance that the material does not conform to specification. Once MDS leave site, if more material is required (which may only be a small amount), they will need to remobilise.

Therefore the panel believes the offer by Exmouth Civil provides the project with greater flexibility. This is provided that Exmouth Civil can produce material in the quantities required and in the time required. To ascertain this we recommend undertaking further due diligence in order to confirm the Exmouth Civil can

produce the required amount of material in the required timeframe. We also recommend undertaking the same due diligence with Mining and Drilling Services in the event that Exmouth Civil cannot achieve the necessary supply.

The panel recommends the following process is undertaken to confirm supply of materials and award the tender:

- Council nominates Exmouth Civil as the first priority tenderer and Mining and Drilling Services Pty Ltd as the second priority tenderer for each of tenders 04 - 06;
- That the tender assessment panel conducts further due diligence by providing both companies with an updated indicative schedule of works (including indicative timing to undertake the works and hence supply of material);
- Provides a period of five (5) days for each tenderer to confirm whether they believe they can supply sufficient material in alignment with the schedule;
- In the event the 1st priority tenderer confirms they are able to meet the schedule they shall be awarded the tender for works in accordance with the specification and schedule of rates;
- In the event the 1st priority tenderer does not confirm they are able to meet the schedule and the 2nd priority tenderer confirms they are able to meet the schedule, the 2nd priority tenderer shall be awarded the tender for works in accordance with the specification and schedule of rates.

CONSULTATION

A tender briefing was held on the 29th July 2014 with several potential tenderers attending.

Two addendums were issued following receipt of questions. In the instances of some minor non-conformances identified by the panel, communication occurred with tenderers to seek clarification.

STATUTORY ENVIRONMENT

Section 3.57 of the Local Government Act (LGA) 1995 and the LGA Functions and General Regulations, 11 to 24G.

Regulation 18 (4) of the Local Government (Functions and General) Regulations states:

“Tenders that have not been rejected under sub regulation (1), (2), or (3) are to be assessed by the local government by means of a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept and it is to decide which of them it thinks it would be most advantageous to the local government to accept.”

All tenders were evaluated against the selection criteria by which each tender is assigned a score based on the tenderers capacity to meet the tender objectives.

The Contract will be awarded to a Tenderer who best demonstrates the ability to carry out the required service at a competitive price. The tendered prices were assessed via qualitative and compliance criteria to determine the most advantageous outcome to Council.

This means that, although price is considered, the Tender containing the lowest price will not necessarily be accepted, nor will the offer ranked the highest on the qualitative criteria.

POLICY IMPLICATIONS

Policy 2.10 - Purchasing

FINANCIAL IMPLICATIONS

Cost of restoration works are re-claimed under the WANDRRA program subject to the Shire meeting program requirements.

Tendered prices are based on a schedule of rates with the final scope and timing of works to be confirmed. Details of price schedules provided are available in the commercial in confidence tender assessment report provided to Councillors as part of agenda briefing.

STRATEGIC IMPLICATIONS**Economic**

Objective 1: To be a diverse and innovative economy with a range of local employment opportunities.

- Outcome 1.5: Maintain & Improve Shire Infrastructure

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION – 11.7.3

That the Council of the Shire of Exmouth

- a) *Awards tender 01-2014 Minor Works Exmouth North to Exmouth Hire and enter into contract to complete the works in accordance with the specifications and submitted schedule of rates;*
- b) *Awards tender 02-2014 Minor Works Exmouth Central to Exmouth Hire and enter into contract to complete the works in accordance with the specifications and submitted schedule of rates;*
- c) *Awards tender 03-2014 Minor Works Exmouth South to Exmouth Civil Pty Ltd and enter into contract to complete the works in accordance with the specifications and submitted schedule of rates;*
- d) *Nominates Exmouth Civil Pty Ltd as the highest priority tenderer and Mining & Drilling Services Pty Ltd as the second priority tenderer for tender 04-2014 Supply of Material Exmouth North; and*
 - *Conducts further due diligence by providing both companies with an updated indicative schedule of works (including timing); and*
 - *Provides a period of five (5) days for each tenderer to confirm whether they can comply with this schedule; and*

In the event the 1st priority tenderer confirms they are able to meet the schedule they shall be awarded the tender for works in accordance with the specification and schedule of rates.

In the event the 1st priority tender does not confirm they are able to meet the schedule and the 2nd priority tenderer confirms they are able to meet the schedule, the 2nd priority tenderer shall be awarded the tender for works in accordance with the specification and schedule of rates.

- e) *Nominates Exmouth Civil Pty Ltd as the highest priority tenderer and Mining & Drilling Services Pty Ltd as the second priority tenderer for tender 05-2014 Supply of Material Exmouth Central; and*
 - *Conducts further due diligence by providing both companies with an updated indicative schedule of works (including timing); and*
 - *Provides a period of five (5) days for each tenderer to confirm whether they can comply with this schedule; and*

In the event the 1st priority tenderer confirms they are able to meet the schedule they shall be awarded the tender for works in accordance with the specification and schedule of rates.

In the event the 1st priority tender does not confirm they are able to meet the schedule and the 2nd priority tenderer confirms they are able to meet the schedule, the 2nd priority tenderer shall be awarded the tender for works in accordance with the specification and schedule of rates.

- f) *Nominates Exmouth Civil Pty Ltd as the highest priority tenderer and Mining & Drilling Services Pty Ltd as the second priority tenderer for tender 06-2014 Supply of Material Exmouth South; and*

- *Conducts further due diligence by providing both companies with an updated indicative schedule of works (including timing); and*
- *Provides a period of five (5) days for each tenderer to confirm whether they can comply with this schedule; and*

In the event the 1st priority tenderer confirms they are able to meet the schedule they shall be awarded the tender for works in accordance with the specification and schedule of rates.

In the event the 1st priority tender does not confirm they are able to meet the schedule and the 2nd priority tenderer confirms they are able to meet the schedule, the 2nd priority tenderer shall be awarded the tender for works in accordance with the specification and schedule of rates.

COUNCIL DECISION – 22-0814 – 11.7.3
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Moved Councillor Thompson, Seconded Councillor Todd.

That Council:

- Awards tender 01-2014 Minor Works Exmouth North to Exmouth Hire and enter into contract to complete the works in accordance with the specifications and submitted schedule of rates;*
- Awards tender 02-2014 Minor Works Exmouth Central to Exmouth Hire and enter into contract to complete the works in accordance with the specifications and submitted schedule of rates;*
- Awards tender 03-2014 Minor Works Exmouth South to Exmouth Civil Pty Ltd and enter into contract to complete the works in accordance with the specifications and submitted schedule of rates;*
- Nominates Exmouth Civil Pty Ltd as the highest priority tenderer and Mining & Drilling Services Pty Ltd as the second priority tenderer for tender 04-2014 Supply of Material Exmouth North; and*
 - *Conducts further due diligence by providing both companies with an updated indicative schedule of works (including timing); and*
 - *Provides a period of five (5) days for each tenderer to confirm whether they can comply with this schedule; and*

In the event the 1st priority tenderer confirms they are able to meet the schedule they shall be awarded the tender for works in accordance with the specification and schedule of rates.

In the event the 1st priority tender does not confirm they are able to meet the schedule and the 2nd priority tenderer confirms they are able to meet the schedule, the 2nd priority tenderer shall be awarded the tender for works in accordance with the specification and schedule of rates.

- Nominates Exmouth Civil Pty Ltd as the highest priority tenderer and Mining & Drilling Services Pty Ltd as the second priority tenderer for tender 05-2014 Supply of Material Exmouth Central; and*
 - *Conducts further due diligence by providing both companies with an updated indicative schedule of works (including timing); and*
 - *Provides a period of five (5) days for each tenderer to confirm whether they can comply with this schedule; and*

In the event the 1st priority tenderer confirms they are able to meet the schedule they shall be awarded the tender for works in accordance with the specification and schedule of rates.

In the event the 1st priority tender does not confirm they are able to meet the schedule and the 2nd priority tenderer confirms they are able to meet the schedule, the 2nd priority tenderer shall be awarded the tender for works in accordance with the specification and schedule of rates.

f) *Nominates Exmouth Civil Pty Ltd as the highest priority tenderer and Mining & Drilling Services Pty Ltd as the second priority tenderer for tender 06-2014 Supply of Material Exmouth South; and*

- *Conducts further due diligence by providing both companies with an updated indicative schedule of works (including timing); and*
- *Provides a period of five (5) days for each tenderer to confirm whether they can comply with this schedule; and*

In the event the 1st priority tenderer confirms they are able to meet the schedule they shall be awarded the tender for works in accordance with the specification and schedule of rates.

In the event the 1st priority tender does not confirm they are able to meet the schedule and the 2nd priority tenderer confirms they are able to meet the schedule, the 2nd priority tenderer shall be awarded the tender for works in accordance with the specification and schedule of rates.

CARRIED by ABSOLUTE MAJORITY 5/0

Councillor Shales re-entered the Chambers at 5:17pm and resumed the Chair.

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

Nil

13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

Nil

14. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS

COUNCIL DECISION – 23-0814 – ITEM 14

Moved Councillor Todd, Seconded Councillor Winzer.

That Council move Behind Closed Doors at 5:19pm in accordance with the Local Government Act 1995 section 5.23 (2) (A) (C) and (D).

- *Staffing Matter*

CARRIED 6/0

COUNCIL DECISION – 24-0814 – 14.1

Moved Councillor Todd, Seconded Councillor Hood.

That Council adopt the 'All of Staff Collective Agreement 2014' as presented and forward the document to Fair Work Australia for further endorsement.

CARRIED by ABSOLUTE MAJORITY 6/0

COUNCIL DECISION – 25-0814 – ITEM 14

Moved Councillor Winzer, Seconded Councillor Todd.

That Council return from Behind Closed Doors at 5:28pm.

CARRIED 6/0

15. CLOSURE OF MEETING

The Shire President declared the meeting closed at 5:29pm.