



Shire of
Exmouth

Ordinary Council Meeting
Minutes
20 March 2014

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on 17 April 2014 as a true and accurate record of the Ordinary Council Meeting held on 20 March, 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.

No responsibility whatsoever is implied or accepted by the Shire of Exmouth for any act, omission, statement or intimation occurring during the Council/Committee meetings or during formal/informal conversations with staff. The Shire of Exmouth disclaims any liability for any loss whatsoever and however caused arising out of reliance by any person or legal entity on any such act, omission, statement or intimation. Any person or legal entity who acts or fails to act in reliance upon any statement does so at the person's or legal entity's own risk.

In particular and without derogating in any way from the broader disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Exmouth during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Exmouth. The Shire of Exmouth warns that anyone who has an application lodged with the Shire of Exmouth must obtain and should only rely on written confirmation of the outcome of the application.

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

INDEX OF MINUTES

1.	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS.....	4
2.	RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE.....	4
3.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	4
4.	PUBLIC QUESTIONS TIME	4
5	APPLICATIONS FOR LEAVE OF ABSENCE	5
6.	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	5
7.	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION.....	5
8.	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS	5
9.	REPORT OF COUNCILLORS.....	5
9.1	SHIRE PRESIDENTS REPORT.....	7
10.	REPORTS OF OFFICER	9
10.1	CHIEF EXECUTIVE OFFICER	9
10.1.1	CHIEF EXECUTIVE OFFICERS REPORT	9
10.1.2	2013 COMPLIANCE AUDIT RETURN	13
10.2	EXECUTIVE MANAGER CORPORATE SERVICES.....	15
10.2.1	GENERAL REPORT.....	15
10.2.2	MONTHLY FINANCIAL STATEMENTS AND REPORT.....	19
10.2.3	2013/14 BUDGET REVIEW	21
10.3	EXECUTIVE MANAGER AVIATION SERVICES.....	24
10.3.1	GENERAL REPORT.....	24
10.3.2	ASSIGNMENT OF MEETING/REST ROOM – LEARMONTH AIRPORT	28
10.4	EXECUTIVE MANAGER COMMUNITY ENGAGEMENT.....	31
10.4.1	GENERAL REPORT.....	31
10.4.2	CSRFF (SMALL GRANT ROUND) FUNDING APPLICATIONS	35
10.5	EXECUTIVE MANAGER HEALTH & BUILDING	37
10.5.1	GENERAL REPORT.....	37
10.6	EXECUTIVE MANAGER TOWN PLANNING	41
10.6.1	GENERAL REPORT.....	41
10.6.2	ACTIVITY ON LOCAL GOVERNMENT PROPERTY, SALE OF FROZEN SEAFOOD – VISITORS CENTRE CARPARK	45
10.6.3	AIRCRAFT HANGER – LOT 73 (R32867) MINILYA-EXMOUTH RD, EXMOUTH.....	48
10.6.4	INDUSTRIAL SHED AND CARETAKERS DWELLING – LOT 999 (1) GRIFFITHS WAY, EXMOUTH	55
10.7	EXECUTIVE MANAGER ENGINEERING SERVICES	62
10.7.1	GENERAL REPORT.....	62
11.	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	66
12.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	66
12.1	LICENSE AGREEMENT – USE OF PINDAN PIT ACCESS ROAD.....	66
13.	MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS.....	68
14.	CLOSURE OF MEETING.....	68

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 5.00pm and acknowledged Jon Warren ex-councillor to the meeting as an observer.

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
Mr R Kempe	Executive Manager Community Engagement
Mrs J Kox	Executive Manager Aviation Services
Mr R Manning	Executive Manager Health & Building
Mr R Mhasho	Executive Manager Town Planning
Mr K Woodward	Executive Manager Engineering Services
Mr Andrew Forte	Strategic Projects Officer

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).

No questions were submitted.

5 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.

Councillor Thompson requested a leave of absence for the Ordinary Council Meetings to be held on the 17 April and 15 May 2014.

COUNCIL DECISION – 01-0314 - ITEM 5

Moved Councillor Winzer, Seconded Councillor Hood.

That the Council of the Shire of Exmouth accept Councillor Thompson’s request for a leave of absence for the Ordinary Council Meetings to be held on the 17 April and 15 May 2014.

CARRIED 6/0

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 20 March 2014 be confirmed as a true and correct record of proceedings.

COUNCIL DECISION – 02-0314 - ITEM 6

Moved Councillor McHutchison, Seconded Councillor Thompson.

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 20 March 2014 be confirmed as a true and correct record of proceedings.

CARRIED 6/0

7. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

8. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

9. REPORT OF COUNCILLORS

Councillor Hood advised that four conceptual designs for the Race Club have been produced and that the group will commence obtaining costing’s for the designs.

He also attended an Exmouth Visitors Centre meeting advising that a new committee has been appointed.

Councillor McHutchison attended the Lioness Club unveiling of the water fountain in the Ross Street Mall commemorating the community service of the late Eileen Banfield.

Councillor Todd attending a meeting with BHP, Apache and Woodside in relation to oil spill procedures.

Cr Winzer advised he attended the following meetings:

- January 13 - Bunbury, site visit with MWAC Committee to investigate the "3Bin" project and waste handling on site for the proposed on sale of the resulting waste product.
- February 19 - Attended MWAC Meeting at WALGA West Leederville.
- February 27 - Attended Gascoyne Zone and Regional Road Group Meeting in Carnarvon, with Keith Woodward. The following were referred to WALGA for discussion: PATS, system inquiry and referral and Tyre disposal options.
Zone - Exmouth / Shark Bay to revisit the Fish Waste problem.
- March 4 - Attended the Official Opening of the new WALGA building ONE 70.
- March 5 - Attended WALGA State Council, and introduced the Zones Deputy Cheryl Cowell, (Shark Bay President), to State Council.
- March 6 - Attended the Road Forum, held at the Burswood, Some of the issues raised. Road Safety, Student driver training, Road designs, Road conditions & maintenance.
- March 7 - Attended a forum on "Waste to Energy" held at The Perron Centre, Victoria Park.
- March 14 - Attended Shire Chambers to meet with Gas & Oil group for preliminary oil spill contingency plan.

9.1 Shire Presidents Report

Location: Exmouth
Applicant: Cr C (Turk) Shales
File Reference: GV.CM.0
Disclosure of Interest: Nil
Date: 17 March 2014
Signature of Author: 

SUMMARY

Following is a report on some of the activities, events and issues over the past month.

BACKGROUND

Already the CBD Revitalisation is taking shape and the Town Centre looks more open. The fenced improvements to the Swimming Pool add to the wonderful outlook of the Spray Park and Federation Park.

- 21/02/2014 - Completed first conference of N.C.W.H.A.C.
- 22/02/2014 - Interview with Rod Quinn ABC.
- 23/03/2014 - Bundegi Nature Strip.
- 24/02/2014 - Met with Durak regarding awards night.
- 04/03/2014 - Call from Shane Walkey (Australian Defence Force) re: movements during the year.
- 06/03/2014 - To the Swimming Club for a speech and congratulations to them for their achievements at the Country Pennants Championships in York where they won C Division.
- 05/03/2014 - Meeting with Russell re: Driftwood leasing.
- 07/03/2014 - Meeting with Steve Webster CEO of GDC and Steve Jenkins and Jo Bruyn from DoT.
- 08/03/2014 - Talks with Darren Headley from Base Marine.
- 11/03/2014 - Exmouth Land Group meeting.
- 12/03/2014 - Meeting with Chevron re: retirement of Thevenard.
- 13/04/2014 - Meeting with Durack in Geraldton re: Ningaloo Centre.
- 16/03/2014 - Meeting with Rec Fish.

COMMENT

Nil

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: 4.1: 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

COUNCILLOR'S RECOMMENDATION – 9.1

That the Council of the Shire of Exmouth receive the Shire Presidents Report for the month of March 2014.

COUNCIL DECISION – 03-0314 - 9.1

Moved Councillor Todd, Seconded Councillor Winzer.


That the Council of the Shire of Exmouth receive the Shire Presidents Report for the month of March 2014.

CARRIED 6/0

10. REPORTS OF OFFICER

10.1 Chief Executive Officer

10.1.1 Chief Executive Officers Report

Location:	Exmouth
Applicant:	Chief Executive Officer
File Reference:	GV.CM.0
Disclosure of Interest:	Nil
Date:	10 March 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 - Project Officer Report – 11 March 2014

1. Contract 04/2013 ‘Design and Construction of the Ningaloo Centre’ Activity

Stage 2 ‘Schematic Design’ plans now include a mezzanine floor over the café, visitor centre and retail gallery. This provides an area for mechanical services and a new area for centre management offices, the later with outlook to marine exhibition and entrance foyer. It also enables the café and retail gallery to have a ceiling cover aiding noise attenuation and customer focus toward the product. The mezzanine floor will have a 4.22 metre Finished Floor Level (FFL) and the above Terrestrial Display a 7.55 metre FFL.

Site Architects have established stakeholder meetings in Exmouth 20 & 21 March 2014 to present Stage 2 interim work and consult on the internal spatial arrangements of the respective working areas within the Ningaloo Centre. Their aim is to round out Stage 2 and commence Stage 3 ‘Design Development’ at the beginning of April 2014. This involves detailed structural and services integration consultancy and an update of the (tendered) cost schedule.

Matera’s current program has a forward works package comprising earthworks, sewer and services commencing in July followed by a building construction start in October 2014. The commencement of physical works is a hold point in the contract requiring approval by the Principal. The approvals necessary before commencement include development application approval, building licence issue and executed construction Funding Agreements with Commonwealth and State Departments.

Freeman Ryan Design (FRD) Director, Susan Freeman and curator/writer Michael Davis conducted content development meetings in Perth 24/25 and Exmouth on 26/27/28 February 2014. Both EMCE and SPO were briefed on the thematic framework and concurrence on the Ningaloo Centre Concept Report (as presented) was given.

Content for the Local Public Exhibition space is FRD’s priority at present such that the stories to be told and exhibited can be balanced across physical, photographic, multimedia and audio format within the allocated space. Many contacts have been established and FRD are delighted with the response so far from agencies and individuals.

By June FRD aim to have a list of objects/articles available to be exhibited. It will require the Shire, at this time, to have established an archive loan register and designated a responsible person to undertake curator duties. FRD have provided guidance on the protocols for registering and responsibilities.

A meeting with Durack TAFE management in Geraldton, attended by President Turk Shales, CEO Bill Price and SPO on the 13 March 2014 addressed the key commercial matters forming the basis of the future lease of space to Durack within the Ningaloo Centre. Durack will take a term tenancy, manage the aquarium and research laboratory spaces and meet its own outgoings. The lease terms can be finalised once construction plans and timelines are firm.

UWA Oceans Research Institute Director, Professor Carlos Duarte, has agreed to circulate a Ningaloo Centre project status update to Ningaloo Alliance members and request they identify research projects and needs for support eg bookings that will be live at the time the Centre comes to life, and even think of an event that can be brought to the centre for an inaugural event. A Ningaloo Alliance member meeting is proposed later in the year when building works commence.

2. Department of Regional Development (DRD)

DRD have advised the following decisions have been reached post the Gascoyne Advisory Group meeting of 24 February 2014.

- Ningaloo Centre – Stage 1 Planning. The Department accepts the Shire's responses and will make the second payment of \$1.805 million for the Stage 1 Planning project as per the current FAA.
- Ningaloo Centre – Stage 2 Construction and Fit Out. The GAG agreed to support Gascoyne Revitalisation Plan (GRP) funding of \$19.820 million towards the \$29.382 million Ningaloo Centre Stage 2 construction project. The release of these GRP funds remain subject to the governance and approval processes for R4R and the GRP funds.

3. Community Development Grant (CDG) Funding

The Department of Infrastructure and Regional Development, Infrastructure Investment Division, have supplied a draft CDG Funding Agreement, which has been reviewed by SPO. Contractually it is the same as the RDA Funding Agreement with the exception of dates and cash flow which needed to be altered to suit Matera's latest program.

The \$7 million CDG Funding Agreement with the Shire toward the Ningaloo Centre project is now undergoing Commonwealth contracts QA review and is expected to be formally presented to the Shire for signing by the end of March 2014.

Exmouth Harbour Upgrade Steering Committee

I attended the second meeting of the Exmouth Boat Harbour Steering Committee which was held in the Exmouth Council Chambers on Friday 7 March 2014.

Other attendees included Steve Jenkins, Executive Director Coastal Infrastructure, Jo Bruyn DoT, Steve Webster, GDC and Andrew Mann, DRD via teleconference.

An updated Project Program Status report and latest conceptual designs were presented to the meeting for discussion which will be tabled at the meeting for Councillor information.

Discussion was also held on the need for DoT to finalise the Waterways Management Agreement between the Council & DoT, and the need for input to finalise the Design Guidelines for the Harbour prior to the future development proposals.

WA Local Government Grants Commission Public Hearing

The WA Local Government Grants Commission has written to advise that they will be visiting Exmouth to conduct a public hearing on Tuesday 25 March 2014 between 8.30am to 10.30am.

This is a requirement as per section 11(2)(c) of the *Local Government (Financial Assistance) Act 1995*.

Members attending will be

- Mr Linton Reynolds (Chairman)
- Pat Hooper (Commissioner)
- Mr Shannon Wood (Policy & Research Officer)

The only real issue for Council to raise with the Commission in relation to disability factor would be the need to recognise the number of tourists for the majority of the year impacting on Council infrastructure and increasing operational costs.

Exmouth Race Track Proposal

Terry Illich, Civil Engineer, has provided Council with 4 conceptual plan options for the proposed Race Track to be located on Reserve 29066 for consideration of the Council during the briefing session.

Plans will be tabled at the meeting.

Staffing Issues

Formal negotiations of the All of Staff Workplace Agreement will commence on Tuesday 25 March 2014 to be facilitated by Anne Lake HR Consultant. Hopefully a new agreement will be in a draft format by the end of that week for formal consideration.

Other Meetings & Functions attended by the CEO

1. Shire President & myself met with Steve Webster, CEO GDC, in Exmouth on Friday 7 March 2014 to discuss the Gascoyne Regional Blueprint document, pressing the issue for the Defence Hub Strategy being identified as a Flagship priority for Exmouth.
2. I met Kim Pervan & Karen Thompson, GDC, on Monday 10 March 2014 to provide updates on current projects.
3. Shire President, EMTP and myself attended the Exmouth Land Group meeting held in Exmouth on Tuesday 11 March 2014.
4. Shire President, Cr Todd and myself met with representatives from Chevron in Exmouth on Wednesday 12 March 2014 to discuss the Retirement of Thevenard Island project.
5. Shire President, EMHB and CEO met with Andrew Rowland, CEO of Recfish West, on Sunday 16 March 2014 in Exmouth to discuss future funding and project opportunities under the Recreational Fishing Initiatives Fund.

Other Meetings Scheduled for next Month

1. Shire President and myself to meet on Thursday 20 March 2014 with representatives of DPaW and proponents for Eco-Camp proposed in the Jurabi Marine Park.
2. EMTP, EMCE and CEO to meet on Friday 28 March 2014 with Malcolm Goff, consultant undertaking Gascoyne Workforce Development Plans.
3. CEO to meet in Carnarvon on Monday 31 March 2014 with members of the RDA – Gascoyne Economic Development Strategy.
4. Shire President interested Councillors and CEO to meet with in Exmouth on Wednesday 2 April 2014, with Reece Waldock, Director General, and Nina Lyhne DoT to discuss Exmouth Marina Harbour.
5. EMTP & CEO to attend various departmental meetings in Perth on Thursday 3 and Friday 4 April 2014.

COMMENT

Nil

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: 4.1: 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 – 10.1.1

That the Council of the Shire of Exmouth receive the Chief Executive Officers Report for the month of March 2014.

COUNCIL DECISION – 04-0314 – 10.1.1

Moved Councillor Hood, Seconded Councillor Winzer.


That the Council of the Shire of Exmouth receive the Chief Executive Officers Report for the month of March 2014.

CARRIED 6/0

10. REPORTS OF OFFICER

10.1 Chief Executive Officer

10.1.2 2013 Compliance Audit Return

Location:	Exmouth
Applicant:	Department of Local Government
File Reference:	FM.AD.1
Disclosure of Interest:	Nil
Date:	17 March 2014
Author:	Chief Executive Officer, Bill Price
Signature of Author:	

SUMMARY

The Annual Compliance Return for the Shire of Exmouth requires Council's Audit Committee consideration and endorsement before being submitted to the Council and Department of Local Government. The Officer's recommendation is to endorse the report based on the Audit Committee's recommendation and forward it to the Department.

BACKGROUND

Pursuant to Regulations 14 & 15 of the *Local Government (Audit) Regulations 1996*, each year Local Governments are required to complete the Compliance Audit Return for Local Government. Part of this process requires the presentation of the Compliance Return to the Audit Committee, previously the ordinary Council meeting, where it is to be formally adopted and returned to the Department of Local Government.

The Compliance Audit Return has been shortened and simplified by the Department from previous years and is one of the tools that allows Council to monitor how the organisation is functioning. The Return places emphasis on highlighting many areas where there may be non-compliance and where appropriate, the required remedial action.

There were no matters of non-compliance contained within the report.

COMMENT

A copy of the Minutes of the Audit Committee held on Thursday 20 March 2014 and completed 2013 Compliance Audit Return is provided to Councillors for consideration (Refer *Attachment 1 & 2*).

CONSULTATION

Senior Managers delegated responsibility for certain functions have completed relevant sections of the Return.

STATUTORY ENVIRONMENT

Pursuant to Regulations 14 & 15 of the *Local Government (Audit) Regulations 1996* requires the 2013 Compliance Audit Return to be completed and returned by the 31 March 2014.

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

Absolute Majority

OFFICER'S RECOMMENDATION – 10.1. 2

That the Council of the Shire of Exmouth endorse the completed 2013 Compliance Audit Return.

COUNCIL DECISION – 05-0314 – 10.1.2

Moved Councillor Winzer, Seconded Councillor Todd

That the Council of the Shire of Exmouth endorse the completed 2013 Compliance Audit Return.

CARRIED by ABSOLUTE MAJORITY 6/0

10. REPORTS OF OFFICERS**10.2 Executive Manager Corporate Services****10.2.1 General Report**

Location: Exmouth
 Applicant: S O'Toole
 File Reference: CM.RE.0
 Disclosure of Interest: Nil
 Date: 11 March 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**Fringe Benefits Tax Seminar**

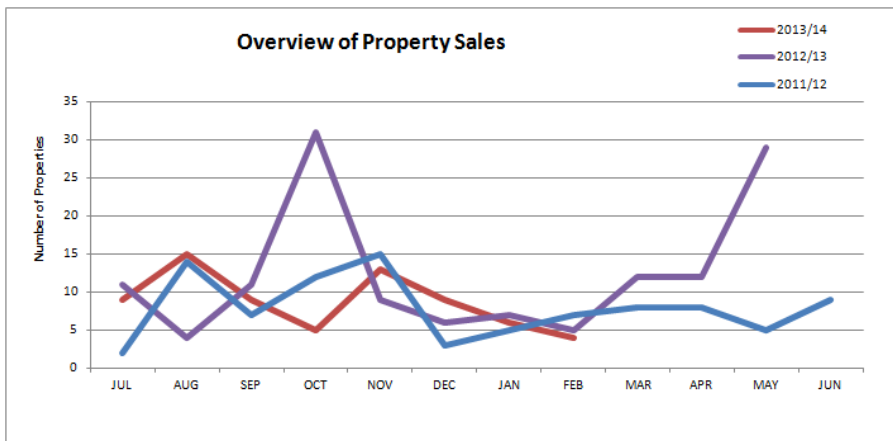
Our Senior Finance Officer attended the annual Fringe Benefits Tax (FBT) Seminar held in Perth on 25 February 2014. Australian Taxation College presented an overview of changes to the legislation as well as providing an update on issues relevant to assist officers in completing the 2014 FBT Return.

Rating**Property Sales**

Below is a summary of properties sold during 2013/14:

2013/14 Summary of Property Sales			
Number Sold	Land Usage	Total Sales	Average Sale
34	Vacant Land	\$11,906,000	\$350,176
30	Residential	\$15,872,500	\$529,083
6	Industrial	\$5,799,500	\$966,583
0	Mixed Use	\$0	\$0
0	Composite Devel	\$0	\$0
0	Special Use	\$0	\$0
0	Tourism	\$0	\$0
70		\$33,578,000	

Property Sales	2013/14	2012/13	2011/12
JUL	9	11	2
AUG	15	4	14
SEP	9	11	7
OCT	5	31	12
NOV	13	9	15
DEC	9	6	3
JAN	6	7	5
FEB	4	5	7
MAR		12	8
APR		12	8
MAY		29	5
JUN		20	9
	70	157	95



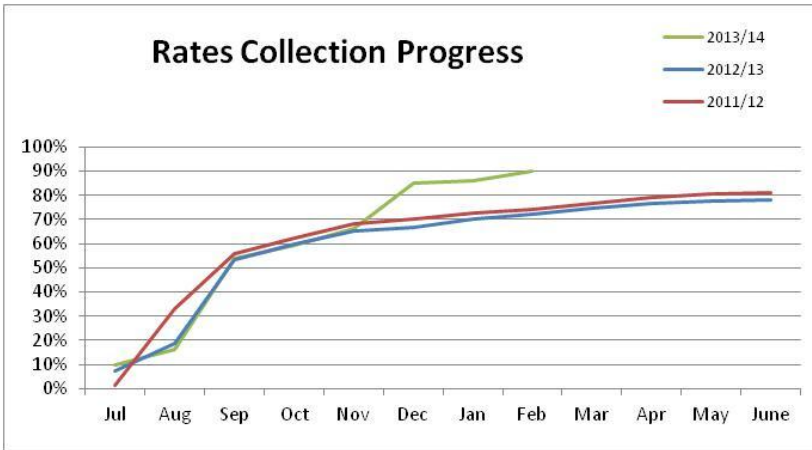
Rates Collection

Summonses were issued on the 24 February 2014 for those ratepayers who haven't made arrangements for the payment of their outstanding rates.

Summary of Rates and Charges Collection	
2013/14 Rates Collection Analysis	
	\$
Rates & Charges Levied 2013/14	3,695,854
Arrears 1 July 2012	995,039
Less Collections	(4,202,222)
Total Rates & Charges Outstanding	488,671
Less Pensioner Deferred Rates	(18,210)
Total Rates Collectable	470,461
% Collected to Date	90.0%
Notices Sent	7/08/2013
Due Date	11/09/2013
Reminder Notice Sent	19/09/2013
Final Notice Sent	18/10/2013
Notice of Intention to Summons Sent	20/11/2013
Summons Issued	24/02/2014

Comparative percentage of rates collected monthly			
	2013/14	2012/13	2011/12
Rates Due Date	11/09/2013	10/09/2012	2/09/2011
Jul	10%	7%	1%
Aug	16%	19%	33%
Sep	54%	54%	56%
Oct	59%	60%	62%
Nov	66%	65%	68%
Dec	85%	67%	70%
Jan	86%	70%	72%
Feb	90%	72%	74%
Mar		75%	77%
Apr		77%	79%
May		78%	81%
June		78%	81%

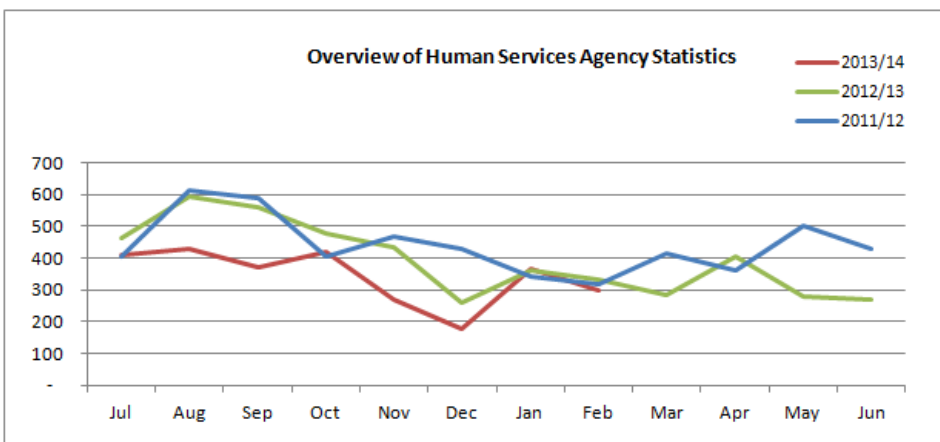
Graphical Overview of Rates Collection



Human Services Agency (formerly Centrelink)

Summary of Agent Statistics for 2013/14:

	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
						2013/14	2012/13	2011/12	2010/11
Jul	118	81	13	199	411	411	464	403	637
Aug	149	68	21	189	427	427	592	615	595
Sep	129	79	19	146	373	373	560	590	567
Oct	142	57	40	183	422	422	478	406	383
Nov	90	34	36	108	268	268	436	469	402
Dec	45	27	32	74	178	178	262	427	521
Jan	101	61	52	153	367	367	364	340	424
Feb	108	40	39	112	299	299	332	320	441
Mar					-		285	416	409
Apr					-		403	364	271
May					-		278	500	400
Jun					-		272	428	334
TOTAL	882	447	252	1,164	2,745	2,745	4,726	5,278	5,384



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 – 10.2.1

That the Council of the Shire of Exmouth receive the Executive Manager Corporate Services Report for the month of March 2014.

COUNCIL DECISION – 06-0314 – 10.2.1

Moved Councillor Todd, Seconded Councillor McHutchison

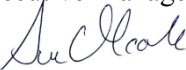
That the Council of the Shire of Exmouth receive the Executive Manager Corporate Services Report for the month of March 2014.

CARRIED 6/0

10. REPORTS OF OFFICERS

10.2 Executive Manager Corporate Services

10.2.2 Monthly Financial Statements and Report

Location:	Exmouth
Applicant:	S O'Toole
File Reference:	FM.FI.0
Disclosure of Interest:	Nil
Date:	11 March 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 28 February 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 – 10.2.2

That the Council of the Shire of Exmouth:

1. *The monthly financial reports for period ended February 2014 be accepted; and*

The accounts as listed in the monthly financial report be received for Municipal Fund ~ February 2014 \$1,128,927.77 incorporating cheque numbers 12608 to 12632 inclusive and direct debits.

Outstanding Creditors as at February 2014 ~ \$97,813.68

COUNCIL DECISION – 07-0314 – 10.2.2

Moved Councillor Todd, Seconded Councillor Thompson.

That the Council of the Shire of Exmouth:

1. The monthly financial reports for period ended February 2014 be accepted; and

*The accounts as listed in the monthly financial report be received for Municipal Fund
~ February 2014 \$1,128,927.77 incorporating cheque numbers 12608 to 12632
inclusive and direct debits.*

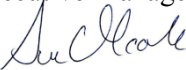
Outstanding Creditors as at February 2014 ~ \$97,813.68

CARRIED 6/0

10. REPORTS OF OFFICERS

10.2 Executive Manager Corporate Services

10.2.3 2013/14 Budget Review

Location:	Exmouth
Applicant:	S O'Toole
File Reference:	FM.DU.13.14
Disclosure of Interest:	Nil
Date:	17 March 2014
Author:	Executive Manager Corporate Services, Sue O'Toole
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends Council adopt this Mid-Year Budget Review prepared as at 28 February 2014 with no budget amendments required for the 2013/14 Budget.

BACKGROUND

A review of budget projections as at 28 February 2014 was conducted and a comparison of the year to date actual results with the adopted budget has established whether Council are continuing meeting its budget commitments. Using a materiality level of \$10,000 or 10% against each of the accounts has highlighted a number of timing differences rather than a permanent difference.

COMMENT

The financial report for the period 1 July 2013 to 28 February 2014 is attached (Refer *Attachment 1*) to the Council Report 10.2.2 Monthly Financial Statements and Reports. This financial report includes:

- **Statement of Financial Activity** – displays the Council's year to date position to 28 February 2014 including the projected closing position for 2013/14 financial year.
- **Identified Material Variances Report** – Examines the financial performance of the year to date actual revenue and expenditure against the year to date budget.
- **Forecast Under or Over Revenue/Expenditure Report** – Examines the forecast closing position compared to the Budget as at 30 June 2014, providing an explanation of amounts > \$2,000 at an account level. This has been based upon assumptions expected to be followed by Officers and will be reasonably attainable.

The original 2013/14 Budget projected to deliver a budget with a small surplus of \$10,522. A review was conducted to compare the actual revenue and expenditure and assessed whether the remaining budget for the year needed to be amended. The projected forecast closing position for 2013/14 will reduce to \$6,268, although some accounts have been identified as having under or over revenue and expenditure. Where this occurred forecast savings have been identified where possible to offset the additional costs.

Listed below is an explanation of identified major expenditure and revenue expectations of specific projects not proceeding, reduction in revenue or timing issues:

Governance

- Super Town Program Budget included \$50,000 expenditure & revenue. Although this had a net result of \$0, this project is not being initiated in 2013/14.
- Gascoyne Regional Service Alliance included \$25,000, however it's not anticipated any expenditure will occur for the remainder of the financial year.

Law, Order, Public Safety

- The Budget included \$20,000 towards an Emergency Response Precinct however this project has been deferred to 2014/15.

Community Amenities

- The budget included receiving Grants for Waste & Recycling totalling \$399,570, and was planned to be expended on a Waste Site Shed, Access Parking, Baler Machine & Glass Crusher. This project is now being managed by our neighbouring shire and will not be initiated in 2013/14.
- Expenditure towards a new Town Planning Scheme and the use of consultants has been revised with an overall saving of \$110,910.

Recreation & Culture

- Due to major works in the town centre as part of the town revitalisation program, works planned in various parks and gardens have been scaled down.
- Council were unsuccessful in obtaining a grant from Round 5 of the Regional Development Australia Fund of \$129,299 which was planned to be expended towards infrastructure at town beach.

Transport

- The town revitalisation program includes redevelopment of the CBD and foreshore area and expenditure is being closely monitored to identify our progress towards the end result. The forecast to 30 June 2014 shows an increase in anticipated expenditure by \$814,191 however this is being offset in reductions in expenditure to other areas so we can deliver the desired outcomes of this project.
- Due to less activity at the Heliport, Processing Fees are lower than anticipated by \$105,000 however by revising our programs and various projects, this program forecasts to be under budget by \$69,862.

Monitoring of the financial statements will occur each month until the end of the financial year, and the forecast results may change each month as future expenditure and revenue expectations are refined and additional information is received.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government (Financial) Regulations 33A

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

Absolute Majority

OFFICER'S RECOMMENDATION – 10.2.3

That the Council of the Shire of Exmouth adopt the 2013/14 Budget Review prepared as at 28 February 2014.

COUNCIL DECISION – 08-0314 – 10.2.3

Moved Councillor McHutchison, Seconded Councillor Hood.


That the Council of the Shire of Exmouth adopt the 2013/14 Budget Review prepared as at 28 February 2014.

CARRIED by ABSOLUTE MAJORITY 6/0

10. REPORTS OF OFFICERS

10.3 Executive Manager Aviation Services

10.3.1 General Report

Location:	Exmouth
Applicant:	J Kox
File Reference:	TT.SP.0
Disclosure of Interest:	Nil
Date:	11 March 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 February 2014 Council Meeting agenda report.

BACKGROUND

Defence

No further response on the proposed relocation of the fuel facility. Comment on the new shed proposal is still awaiting Airservices Australia approval.

Amended Learmonth Airport Master Plan plans have been received and forwarded to Defence Support Group. The amended plans identify the proposed fuel facility, relocation of future ATC/ARFF facility and future power generation site. The Master Plan itself will be updated to reflect the changes to the plans and submitted to defence for approval in due course.

Regulatory

An audit of the screening point and Transport Security Program (TSP) was undertaken by the Office of Transport Security on 26 March 2014 with no issues being identified. OTS inspectors were impressed with the new screening layout and improved passenger flow. Changes will be required to the TSP once building access control improvements are complete.

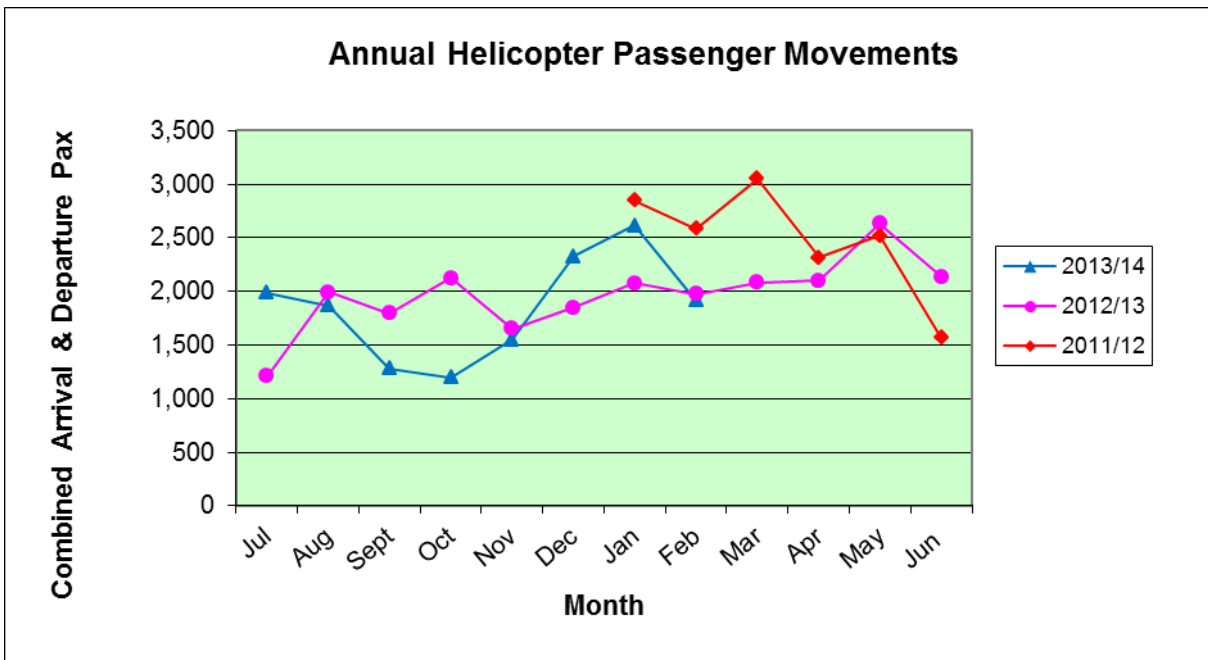
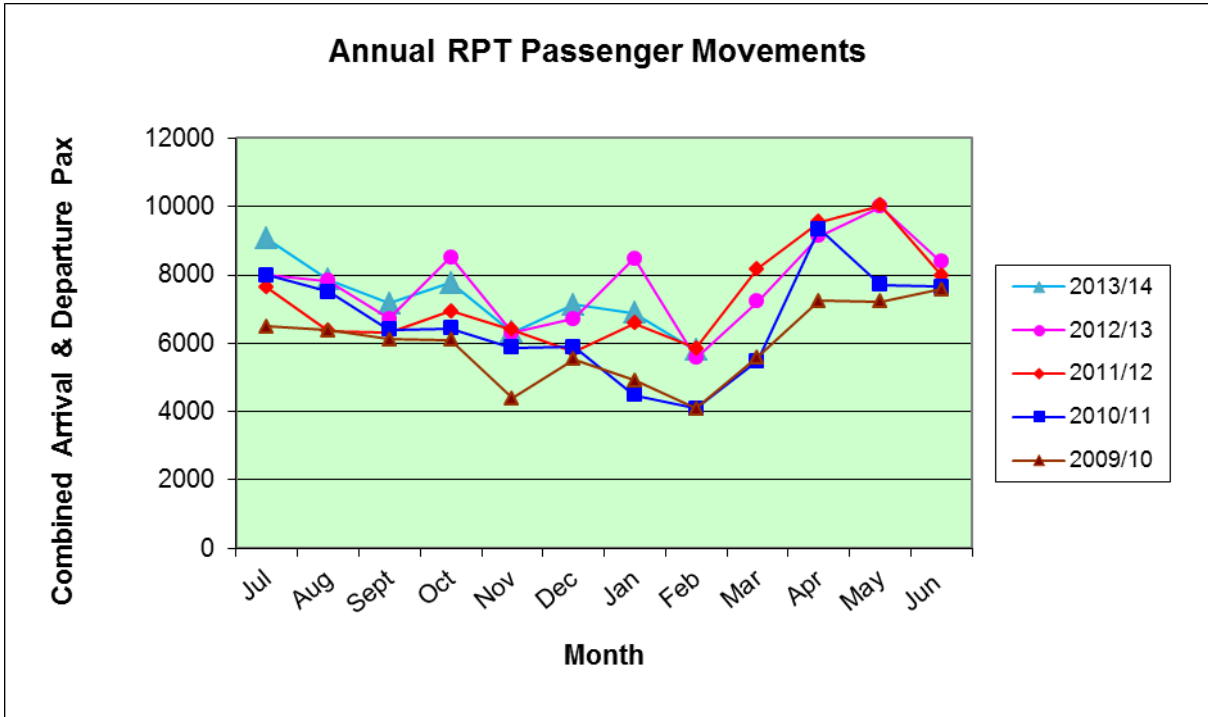
Airlines/Air Operators/Industry

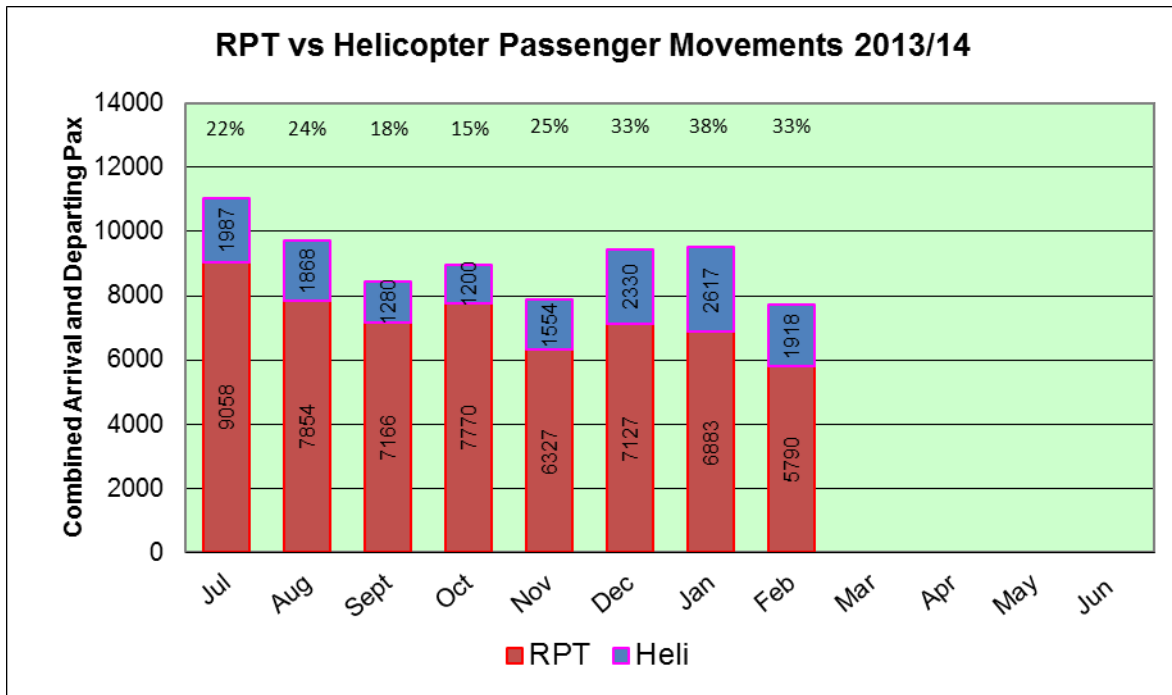
Correspondence has been received from Qantas and Virgin Australia requesting financial assistance in terms of landing, screening and passenger facilitation fee reductions to help them address their significant mid-year profit losses. A response has been provided to both operators that support will be considered on the freeze of charges for 2014/15 and the development of new operating routes.

With no cyclone response activities during February, helicopter passenger numbers were the lowest for February in 3 years. Two drilling vessels departed Exmouth around 10 March 2014 however there have been a number of ad-hoc flights to the seismic investigation ship, Polarcus Almia.

February continues the annual trend of being the lowest month for passenger movements, however, RPT passenger numbers were slightly up on the same period in 2013.

See the graphical presentation of statistics below.





Airport

Network Aviation have nominated Learmonth Airport as their testing location for seeking CASA certification as a Regulated Public Transport operator. Certification testing will be undertaken at the end of March 2014.

Heliport

Nan-Hai IV and Jack Bates (BHPB) have completed their drilling campaigns and have departed Exmouth around 10 March 2014.

Bristow undertook their annual audit of services and have identified a couple of areas for improvement based on changes to their operations. It has been agreed that Clif O’Toole will be signed off by Bristow to train staff locally in refuelling of helicopters. The Heliport coordinator is assisting Bristow in the preparation of a refuelling manual for industry-wide use.

A preliminary meeting will be held with corporate affairs representatives from Apache, BHP Billiton and Woodside on 13 March 2014 on a joint industry regional response plan for Exmouth operations to identify current facilities and identify any areas for improvement.

Staffing

Nil to update.

Leasing

The State Administrative Tribunal has determined that the preliminary issue on the size of the lease held by Bird’s Eye View at Exmouth Aerodrome is dismissed, that is, the tenure of the lease is not relevant to the planning issue under review. A meeting has been requested by Mrs Lake and Mr Penfold at a time and date yet to be determined. No agenda has been provided for the meeting to date.

Projects

Toilet refurbishment works at the heliport are now complete with all in full operation as of 10 March 2014.

Fire hose reel relocation is also complete. Other projects such as access control and doors upgrades continue which will then see improved emergency exits within the terminal.

Other Items

Nil to update.

Exmouth Aerodrome

Plans for the tanks for fire fighting water supply have been prepared with specifications for the solar pump and ancillary fixtures and fittings agreed. Quotes to undertake the works are being sourced prior to purchase of equipment.

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 – 10.3.1

That the Council of the Shire of Exmouth receive the Executive Manager Aviation Services Report for the month of March 2014.


COUNCIL DECISION – 09-0314 – 10.3.1

Moved Councillor Winzer, Seconded Councillor Todd.

That the Council of the Shire of Exmouth receive the Executive Manager Aviation Services Report for the month of March 2014.

CARRIED 6/0

10. REPORTS OF OFFICERS**10.3 Executive Manager Aviation Services****10.3.2 Assignment of Meeting/Rest Room – Learmonth Airport**

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

SUMMARY

This report recommends Council endorse that the new Meeting/Rest Area at Learmonth Airport become a non-exclusive use area rather than leased to one party and that the 2013/14 Fees and Charges be amended to include a per hour hire rate for such.

BACKGROUND

A joint sublease was in place with Skywest Airlines, now Virgin Australia Regional Airlines (VARA) and Qantas Airways Limited for the Crew Rest Area (CRA) located adjacent to the arrivals alcove. The CRA is 28.4m² and was furnished in most part by Skywest, with the option for Council to purchase the furniture at the end of the lease period. Some items were added during the term by Qantas and are labelled accordingly, with others the property of Council.

The CRA is utilised by crews of the first service each weekday which arrive around 7am and depart at 11.30am to meet the airline's mandatory rest requirements. In February 2013, Skywest/VARA ceased using the CRA on a regular basis due to changes in their schedule which sees their aircraft now turned around within 35 minutes of arrival.

Relocation of the CRA was identified in the 2013/14 budget due to a lack of privacy for crew and airport staff in its current location, noise attributed to its use, the lack of airport staff amenities, no meeting room and the need for emergency management & emergency response storage.

A storage area within the check-in hall of the terminal was identified by both parties as a viable alternative and has been renovated to become an enclosed, air-conditioned area of 21.56m². The new rest room will also be charged out as a meeting room, thus a multi-purpose facility.

COMMENT

The current lease for the CRA with VARA expired on 30 June 2013. VARA have verbally advised they no longer want to lease a rest room as their operational need has changed.

The Qantas CRA lease expired on 31 December 2013. Qantas have indicated they still require use of a rest room, however, are concerned about the rental rates charges at all airports.

As this room is usually only used 4 hours each weekday by Qantas crew, it is recommended that rather than the room be exclusively leased by one party, that a non-exclusive use access licence be applied. A non-exclusive access licence will enable all users to pay a per-hour or per-day rate or negotiated annual fee for use, and the room be available for others.

Qantas has advised they would be interested in a five (5) year access licence and have requested that they pay an annual rate so that increases are known for the term of the licence agreement.

CONSULTATION

Qantas Airways Limited
Virgin Australia Regional Airlines

STATUTORY ENVIRONMENT

The licence agreement will require an amendment to the 2013/14 Fees and Charges to include a fee per hour or part thereof for use.

The leasing of property is provided within Section 3.58 Disposal of Property of the *Local Government Act 1995*. This section permits the disposal or lease of property to third parties for appropriate consideration as deemed by Council whilst assessed against commercial market values and requires public advertising of the intent to dispose of property.

POLICY IMPLICATIONS

Policy 3.7 – Leasing

FINANCIAL IMPLICATIONS

Currently, income for the CRA is received into Learmonth Airport Operating Revenue – Leases & Rentals and was determined on the number of users. Where there was one user, the fee was \$9,266 per annum + GST, for two users \$4,633 per annum + GST. Outgoings were paid separately. Qantas has been paying the 2 user fee, although a new agreement should see reverting to the single user fee.

Given that we are experiencing unprecedented times within the Australian aviation industry with both major airlines suffering significant half-year financial losses, and that Council is in receipt of a request from Qantas to review all costs to assist them in turning around that loss, the proposed annual fee for the rest room is therefore set around the previous ‘one user’ fee (refer *Confidential Attachment 1*). This would see a slight reduction in expected income for the room for the current financial year.

The proposed amendment to the fees and charges are as below:

Meeting/Rest Room Hire (Non-Exclusive Use)	a/c	FEE	GST	TOTAL
Per hour (or part thereof):	R126250	\$5.00	\$0.50	\$5.50
Per day:	R126250	\$30.00	\$3.00	\$33.00
Annual fee (Subject to negotiation and Council Policy)	R126250			
Cleaning fee (per hour or part thereof):	R126250	\$28.00	\$2.80	\$30.80

The annual licence fee proposed for Qantas will see a return on capital investment in just over 5 years provided current usage is maintained. The annual fee is based upon an hourly rate for 20 hours/week usage. Additional usage is charged at the hourly rate.

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

Absolute Majority

OFFICER'S RECOMMENDATION – 10.3.2
--

That the Council of the Shire of Exmouth:

1. Pursuant to Section 6.16(3) of the Local Government Act, 1995 resolves to amend the Learmonth Airport Fees and Charges to include Meeting / Rest Room Hire (non-exclusive use) inclusive of GST at:
 - \$5.50 per hour (or part thereof);
 - \$33.00 per day;
 - Annual fee (Subject to negotiation and Council Policy); and
 - \$30.80 Cleaning fee (per hour or part thereof).

and give local public notice of its intention to introduce the above Learmonth Airport Fees and Charges commencing 1 April 2014;

2. Agree in principal to enter into a non-exclusive use access licence with Qantas Airways Limited (ABN 16 009 661 901) for the Rest Room at Learmonth Airport Terminal Building being 21.54m² for a term of 5 years at an initial rate of \$3,640 plus GST;
3. In accordance with Section 3.58 Disposal of Property of the Local Government Act 1995 publicly advertising the above proposed access licence with Qantas Airways Pty Ltd at the negotiated rate in accordance with Council policies; and
4. Delegate Authority to the Chief Executive Officer to execute an access licence upon closure of the advertising period subject to no adverse submissions being received and leasing conditions being to the satisfaction of the Chief Executive Officer.

COUNCIL DECISION – 10-0314 – 10.3.2
--

Moved Councillor Todd, Seconded Councillor Hood.

That the Council of the Shire of Exmouth:

1. Pursuant to Section 6.16(3) of the Local Government Act, 1995 resolves to amend the Learmonth Airport Fees and Charges to include Meeting / Rest Room Hire (non-exclusive use) inclusive of GST at:
 - \$5.50 per hour (or part thereof);
 - \$33.00 per day;
 - Annual fee (Subject to negotiation and Council Policy); and
 - \$30.80 Cleaning fee (per hour or part thereof).

and give local public notice of its intention to introduce the above Learmonth Airport Fees and Charges commencing 1 April 2014;

2. Agree in principal to enter into a non-exclusive use access licence with Qantas Airways Limited (ABN 16 009 661 901) for the Rest Room at Learmonth Airport Terminal Building being 21.54m² for a term of 5 years at an initial rate of \$3,640 plus GST;
3. In accordance with Section 3.58 Disposal of Property of the Local Government Act 1995 publicly advertising the above proposed access licence with Qantas Airways Pty Ltd at the negotiated rate in accordance with Council policies; and
4. Delegate Authority to the Chief Executive Officer to execute an access licence upon closure of the advertising period subject to no adverse submissions being received and leasing conditions being to the satisfaction of the Chief Executive Officer.

CARRIED by ABSOLUTE MAJORITY 6/0

10. REPORTS OF OFFICERS

10.4 Executive Manager Community Engagement

10.4.1 General Report

Location:	Exmouth
Applicant:	R Kempe
File Reference:	GV.ME.0
Disclosure of Interest:	Nil
Date:	11 March 2014
Author:	Executive Manager Community Engagement, Rogé Kempe
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

Tourism

Exmouth Visitor Centre

The Exmouth Visitor Centre had its first committee meeting with new committee members.

Matt Winter (Ningaloo Whaleshark Swim) is serving as Chairperson this year and Gina Nowak (Ningaloo Ecology Cruises) will serve as Vice Chairperson.

New committee members are Craig Adams (Pearl Charter), Jackie Brooks (Ningaloo Lodge), Lannie Riley (Sail Ningaloo) and Peta Walker (Ningaloo Marine Interactions).

Rogé Kempe, Mick Hood (Shire of Exmouth representatives), Sheila Beer (Ningaloo Bed & Breakfast) and Chelsea Godson (DPaW - NCWH) all remain on the committee.

National Landscapes programme

Our Ningaloo-Shark Bay National Landscape committee is developing an Experience Development Strategy (EDS) and is progressing nicely with a first discussion paper released for comment and a second round of regional workshops and consultations planned for the end of March early April.

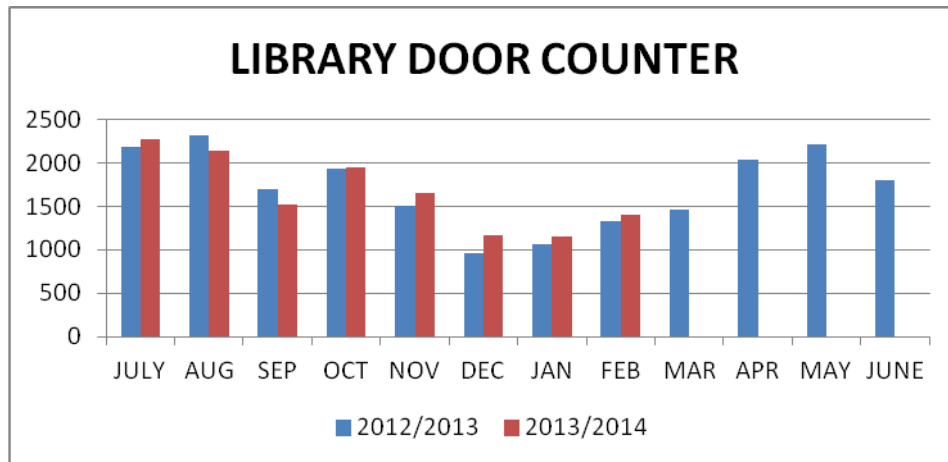
Gascoyne Tourism Strategy

In February 2014, the Gascoyne Development Commission engaged KPP Business Development to undertake the preparation of a Gascoyne Tourism Strategy.

The purpose of the Gascoyne Tourism Strategy is to recognise the broad tourism product offered in the Gascoyne, identify the main gaps and opportunities to determine the Gascoyne's realistic tourism potential, and develop strategies for a coordinated approach to identifying what enhancements, actions and messages are required to promote and facilitate continuing tourism growth across the Gascoyne.

The Strategy will provide a strategic framework and action plan to enable the Gascoyne region to broaden its appeal and deliver achievements beyond destination marketing and localised products through a coordinated and collaborative intra-regional approach (Refer *Attachment 1*).

Library and Community Resource Centre (CRC)



Nearly 1400 people made use of the Library facilities compared to 1329 for the same period last year. Inter Library loans (borrowed items from other libraries) this month totalled 75 items compared to 61 items in February 2013.

The weekly Story, Rhyme & Craft time remains popular within the community and creates a very lively library environment.



Community Development

Youth Matters

Event Management Handbook – a consultant has been engaged to assist in completing the Handbook. He will be working with Youth Action Exmouth (YAE) young people during the April school holidays. The consultant will complete the handbook so it will be ready for printing and distribution.

KicksART Festival Visit -The CD team are currently working with other local youth professionals to select the 5 young people that will be attending the KickstART festival this year.

This is a wonderful opportunity for the young people and a real strength of the YAE program. This year the group will be staying in Fremantle and there are a number of different activities planned. It will give them a taste of youth festivals and sharing ideas with youth organising festivals in WA. They will need to commit to working in the YAE program for 12 months.

Recruitment of young people for YAE -The YAE group currently has 7 members, which is positive after losing 2 of the original members after they have moved elsewhere to pursue their schooling. The CD team are keen to encourage more young people to join and are considering another recruitment drive.

Smallest Cinema in WA -A group of 3 YAE members spent a day in the Cape Range National Park with the CDO to produce a short film. The film focuses on the local environment and what they believe is so special about it. DPaW are involved in this project and assisted with sourcing the film crew. The film is currently being edited and it will be premiered during the April School holiday program as part of the Smallest Cinema in WA event. The Smallest Cinema will be screenings of a range of short movies in the store room next to the Vlamingh Head Lighthouse.

Health

A Health Expo will be held in June and organised in partnership with the Exmouth Hospital. The CAO applied to the Cancer Council to run a Relay for Life weekend in 2014 but were not able to assist due to lack of resources by the Cancer Council.

Fashion workshop

Trish Bygott from Madam Bukeshla Bouquet in Fremantle came to Exmouth to deliver a workshop in creating enviro-fashion, making a garment reflecting the environment.

Two workshops were held at the EDHS and 20 girls aged 12-17 attended the youth workshop. The community workshop was attended by 12 adults. Both were a success and the results will be shown at the Whale Shark Festival. The participants have planned more workshops to continue with this project in the next month.

Finally, Three Island Whale Shark Dive have very generously offered one of their boats, a photographer and some free-divers for a day so we will hopefully get some great shots of the garments and be able to use them for promotional material as well as for the exhibition.

Men's Shed

The Shire has been very generously offered some machines for the Men's shed. The machines have been inspected and we do currently have the space to store them until a space for the shed is available. However there are a number of OHS implications if we take them and this is currently being considered by Executive Managers.

Whaleshark Festival

Staff met with Darren Cossill, chair of the Whaleshark Festival to go through the planned activities for May this year. Discussions focussed on permit requirements and Shire assistance requested. The Festival will be held at different locations over 4 days, at Federation Park (Thursday), Novotel (Friday), Talanjee Oval and Grace's Tavern (Saturday) and Yacht Club (Sunday). A festival programme will become available in a few weeks' time.

Radio 666

Officers have contacted radio station Classic Hits 666 (broadcast from Carnarvon) in an effort to see how the broadcasts can also be received in Exmouth. The radio station was interested in the idea but formal approval needs to come from the Australian Communications and Media Authority (ACMA). A letter was sent to ACMA and officers are waiting for a response.

The Radio Station is an excellent station with a wide coverage of regional relevant and service specific information. Coverage currently stops about 80Km short of Exmouth and the Shire seeks to extend the coverage to include, not only Exmouth but the entire Ningaloo Coast, by way of a repeater station on or near Cape Range.

It is believed the station would:

- Be a great addition to and offering radio station choice within a currently very limited offer in our community.
- Create synergies by providing Exmouth businesses an opportunity to market themselves locally and in the region and for regional businesses to inform Exmouth residents (services and shopping).
- Offer up-to-date information for Tourists into the Exmouth Region.
- Make the area a safer one by providing urgent service announcements including emergency information (cyclone, bush fire, road and the like), relevant to the region.

Media and Community Information

- Shire newsletter for February 2014.
- Officers developed a survey for key stakeholders regarding the Water Spray Park to receive feedback and suggestions for improvements and to assist in acquitting grants.
- Media information regarding Ningaloo Centre – interpretation.

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 – 10.4.1

That the Council of the Shire of Exmouth receive the Executive Manager Community Engagement Report for the month of March 2014.

COUNCIL DECISION – 11-0314 – 10.4.1

Moved Councillor McHutchison, Seconded Councillor Todd.

That the Council of the Shire of Exmouth receive the Executive Manager Community Engagement Report for the month of March 2014.

CARRIED 6/0

10. REPORTS OF OFFICERS**10.4 Executive Manager Community Engagement****10.4.2 CSRFF (Small Grant Round) Funding Applications**

Location:	Exmouth
Applicant:	R Kempe
File Reference:	GS.PR.1
Disclosure of Interest:	Nil
Date:	11 March 2014
Author:	Executive Manager Community Engagement, Rogé Kempe
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends to Council to prioritise the applications made for the ‘*Community Sporting and Recreation Facilities Fund (CSRFF)*’ for Exmouth and to inform the Department of Sport & Recreation accordingly.

BACKGROUND

The Shire of Exmouth received a request from the Department of Sport & Recreation (DSR) to assess applications submitted by Exmouth clubs and organisations for the ‘*Community Sporting and Recreation Facilities Fund (CSRFF) – Small Grants*’ funding by the Department.

The following application will be made with DSR (Refer *Attachment 2*):

- Exmouth Golf Club – additional Clubhouse Office and Storage Room.

COMMENT

Using the ‘*Project Assessment Sheet*’ provided by DSR (Refer *Attachment 3*), the following comments for prioritisation of the initiative are made:

- The application scores “satisfactory” in all relevant areas.
- The project aligns with the ongoing improvements made to the Golf Club premises and grounds.
- The project is well planned and needed by the applicant.
- The project builds on the club’s Strategic Plan and improvements in operations and governance.

CONSULTATION

Officers have been in contact with Department of Sport & Recreation, Carnarvon Office, regarding the draft application and grant requirements.

Officers have been in contact with clubs that according to DSR intended to submit an application under the CSRFF scheme.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There are no financial implications for Council in regard to the CSRFF applications made by the Exmouth Golf Club and the Exmouth Motorcycle Club.

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

Simple Majority

OFFICER'S RECOMMENDATION – 10.4.2
--

That the Council of the Shire of Exmouth prioritises the applications for the 'Community Sporting and Recreation Facilities Fund (CSRFF)' as follows: Priority 1 of 1 is Exmouth Golf Club for an additional Clubhouse Office and Storage Room.

COUNCIL DECISION – 12-0314 – 10.4.2
--

Moved Councillor Hood, Seconded Councillor McHutchison.

That the Council of the Shire of Exmouth prioritises the applications for the 'Community Sporting and Recreation Facilities Fund (CSRFF)' as follows: Priority 1 of 1 is Exmouth Golf Club for an additional Clubhouse Office and Storage Room.

CARRIED 6/0

10. REPORTS OF OFFICERS**10.5 Executive Manager Health & Building****10.5.1 General Report**

Location: Exmouth
 Applicant: R M Manning
 File Reference: GV.CM.0
 Disclosure of Interest: Nil
 Date: 10 March 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 licence and building certificate applications and approvals up to 28 February 2014.

Building Applications						
Application No	Date Received	Lot No	Development Location	Description	Decision	Decision Date
13/186	11/12/2013	158	Tuckey Street	Outbuilding	Awaiting information from applicant	
13/187	11/12/2013	384	31 Corella Court	Jetty	Awaiting information from applicant	
13/188	11/12/2013	343	343 Kestrel Place	Jetty	Awaiting information from applicant	
14/02	14/01/2014	120	38 Bluefin Cove	Pergola	Approved	18/02/2014
14/03	21/01/2014	403	20 Madaffari Drive	Jetty	Approved	13/12/2014
14/14	03/02/2014	1112	1 (Site 222)Nimitz Street	Signage	Approved	13/02/2014
14/15	04/02/2014	110	19 Snapper Loop	Fence	Approved	06/02/2014
14/16	04/02/2014	422	64 Madaffari Drive	Deck Extension	Approved	21/02/2014
14/17	06/02/2014	317	Gnulli Court	Single dwelling and Swimming Pool	Approved	17/03/2014
14/18	10/02/2014	940	48 Stokes Hughes Street	Single Dwelling	Approved	17/02/2014
14/19	13/02/2014		Payne Street	Boundary Fencing	Approved	17/02/2014
14/20	14/02/2014	118	35 Snapper Loop	Swimming Pool	Approved	17/02/2014
14/21	17/02/2014	111	56 Bluefin Cove	Single Dwelling	Approved	07/03/2014
14/22	25/02/2014	1334	2 Salmon Loop	Patio	Processing	
14/23	25/02/2014	1112	1 (Site 216) Nimitz Street	Patio	Approved	06/03/2014

Summary of Building Licence/Permit Applications
2007 to Year to date 28 February 2014

Year	No. Applications	Total Value of Works	No. Applications up to 28 February 2014	Value up to 28 February 2014
2007- 2008	114	\$13,465,725.00	78	\$9,507,707
2008- 2009	132	\$26,600,941.00	91	\$19,436,323
2009 - 2010	198	\$26,916,869.00	107	\$16,607,842
2010 - 2011	188	\$24,816,605.00	107	\$16,520,433
2011-2012	144	\$23,057,154.00	100	\$16,953,004
2012- 2013	150	\$19,931,790.00	95	\$14,572,901
2013-2014			109	\$16,360,997

COMMENT

BUILDING

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

The building approval statistics continue to show growth in comparison to last year and steady compared to recent years.

ENVIRONMENTAL HEALTH

Waste Management and Recycling

Council Officers are currently in liaison with officers from the Shires of Carnarvon and Shark Bay in finalising 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 early 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.

Qualing Scarp Landfill Site

A submersible solar powered borehole pump and water storage tank have been ordered for the landfill site. This will allow the Landfill Site to have water for the following usage:-

- Dust suppression
- Fight fighting
- Toilet ablutions
- Emergency shower

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 11 February 2014.

There is currently a lot of mosquito borne disease activity in the State north of Exmouth (most in the Pilbara region). However, as Exmouth has not experienced the consistent rains that areas further north have, there is not expected to be a similar pattern of disease activity emerging for Exmouth.

Paltridge Memorial Swimming Pool

	<u>2014</u>	<u>2013</u>	<u>2012</u>	<u>2011</u>
Pool Users	3341	4372	3432	4216

Virtual Swim to Rottnest

There were 18 participants in total for the above event which was held on Saturday 22 February 2014. The participants consisted of a novelty team of 10 children, 1 team of 4 swimmers (the ‘Shire Sharks’) and 2 teams of 2 swimmers all swimming a combined total of 20km each (400 laps/team). In addition to promoting physical fitness the event is also to raise money for charity and Exmouth chose the Royal Flying Doctor Service. From individual donations a total of \$316.00 was raised and from the collection tin at the front gate raising money on the day \$81.90 was raised. Total numbers for the event were 40 people, 18 competitors and 22 spectators. Times that the teams swam the 20km in were between 6 hours and 7 minutes for the fastest and the final team to complete the virtual swim to Rottnest did it in 8 hours and 12 minutes.

Sport and Recreation Grant Update – Pool Blankets and New Fencing

The new pool fence is now completed and looks great. Landscaping and grassed/paved areas in the extended pool grounds will be completed over the coming weeks.

The pool blankets are due to arrive before the end of March.

Sunday Openings Postponed

Unfortunately due to a lack of qualified Pool Duty Managers Sunday openings will be postponed until next pool season.

Coming Up Events

March is going to be a very busy month for the pool and its staff with the ‘Learn to Swim’ program currently running, Interim Swimming lessons running from the 5 to the 18 March, the Primary School Carnival on the 20 March, the High School Carnival on the 21 March and the Swimming Club Championships on the 16 March.

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.

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.5.1

That the Council of the Shire of Exmouth receive the Executive Manager Health & Building Report for the month of March 2014.

COUNCIL DECISION – 13-0314 – 10.5.1

Moved Councillor Hood, Seconded Councillor Thompson.

That the Council of the Shire of Exmouth receive the Executive Manager Health & Building Report for the month of March 2014.

CARRIED 6/0

10. REPORTS OF OFFICERS**10.6 Executive Manager Town Planning****10.6.1 General Report**

Location: Exmouth
 Applicant: Nil
 File Reference: LP.PL.0
 Disclosure of Interest: Nil
 Date: 10 March 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 11 March 2014.

Applic No	Lodgement Date	Lot	Property Address	Description	Decision	Date Determined
PA122/13	23/09/2013	304	Minilya Exmouth Road	Single Dwelling, Garage, Pool, Pavilion & Ancillary Accommodation Unit	Processing	
PA151/13	27/11/2013	198	Yardie Creek Road	Underground Fuel Storage and Bowser For Sales to Public	Approved	27/02/2014
PA173/13	10/01/2014	999	1 Griffiths Way	Shed with Caretakers Dwelling within	March OCM	
PA08/14	20/01/2014	1	4A Pellew Street	Open Carport	On Hold	
PA09/14	20/01/2014	3	Sargent Street	Transform Shed into Single Dwelling	Approved	28/02/2014
PA11/14	30/01/2014	135	65 Skipjack Circle	Over Height Shed & Carport	Approved	27/02/2014
PA13/14	04/02/2014	707	5 Gooley Street	Outbuilding	Approved	07/03/2014
PA17/14	10/02/2014	621	1 Reymond Street	Home Occupation	Approved	12/02/2014
PA19/14	10/02/2014	317	Gnulli Court	Single Dwelling	Approved	21/02/2014
PA20/14	13/02/2014	162	Tuckey Street	Single Dwelling	Processing	
PA23/14	17/02/2014	281	19 Lefroy Street	Home Occupation (Waxing and Massage)	Approved	27/02/2014
PA24/14	17/02/2014		Yardie Creek and Minilya Exmouth Road Reserves	Ningaloo World Heritage Signage	Approved	10/03/2014
PA25/14	18/02/2014	2014	30 Payne Street	Extensions	Approved	05/03/2014
PA26/14	18/02/2014	649	22 Hall Street	Oversized Outbuilding	Approved	11/03/2014
PA27/14	21/02/2014	350	27 Kestrel Place	Single Dwelling	Approved	07/03/2014
PA29/14	25/02/2014	379	30 Corella Court	Single Dwelling	Neighbour Consultation	
PA31/14	04/03/2014	31	Pellew Street	Sea Container and outbuilding	Awaiting information from applicant	
PA34/14	05/03/2014	363	Kestrel Place	Jetty	Awaiting information form applicant	
PA35/14	06/03/2014	R37 664	Minilya Exmouth Road	Sea Container, Fence and Water Tank	Processing	
PA37/14	06/03/2014	319	11 Pellew Street	Change of Use	Processing	

Summary of Total Planning Application/Codes Variations	
Year	No. Applications
2009-2010	131
2010-2011	149
2011-2012	163
2012-2013	175
2013-2014 (to date)	102

Permits issued for an Activity on Local Government Property	
Month	No. Applications
January	2
February	2

Amendment to the Nimitz Street Outline Development Plan

Council is notified RPS (Planning Consultants) are still working through modifications as requested by WAPC in December. The Outline Development Plan will be submitted to WAPC for endorsement as soon Council is satisfied with the amended ODP.

Disposal of Reserves

Council resolved in November 2013 to dispose of portions of Reserve 47803 (Lot 1477) Madaffari Drive, Exmouth for sale and amalgamation with adjoining lots. The public comment period closed at 4pm on Thursday 13 March 2014. Officers are currently assessing the comments received and will be included in the Ordinary Council Meeting in April 2014.

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

During the February 2014 Ordinary Council meeting, Council resolved to adopt a major departure to Exmouth Marina Outline Development Plan. The modified Outline Development Plan is currently being advertised with comments period closing on Wednesday 16 April 2014. All adjacent owners and relevant public authorities will be notified in writing of the proposed changes to the Nimitz Street Outline Development Plan.

Lot 300 Heron Way Freehold Subdivision, Exmouth

Council is notified that the Western Australian Planning Commission has approved the freehold subdivision on the above lot. The subdivision will yield 11 special rural lots. (Refer *Attachment 1*)

Reserve 29086, Exmouth

Council is notified that the Department of Lands has amended Reserve 29086 to exclude Lot 501 of DP77047 for staff housing with a new management order being issued under the Land Administration Act. (Refer *Attachment 2*)

Local Planning Policy 6.16: Design Guidelines for Exmouth Marina Village Precinct A

During the February Ordinary Council meeting, Council resolved to adopt draft Local Planning Policy 6.16: Design Guidelines for Exmouth Marina Village Precinct A for advertising. The Policy is currently being advertised with comments period closing on Wednesday 9 April 2014.

Local Planning Scheme and Strategy

LPS Mapping and Strategy Report

The *LPS Mapping* (Sheets 1 – 6) has been refined following Council advice in January/February and re-issued as attachments to the first draft of the LPS Report circulated in mid- February 2013 for preliminary consideration and comment.

The *LSP Reporting* itself is currently subject to refinement following the critical review of the report format undertaken in close liaison with Council Officers. A revised document is currently being re-formatted by Taylor Burrell Barnett (TBB) to address the agreed shortcomings of specific sections of the report with particular emphasis on developing a clear and concise 'Planning Issues' section of the LPS. It has been agreed that reporting will be forwarded section-by-section to assist the efficient review by Council Officers. Officers will be targeting this process as a priority ahead of the LPS Scheme/Text to ensure a successful outcome.

Local Planning Scheme No. 4 – Mapping and Text

In relation to LPS 4 (Sheets 1-14), the *Scheme Maps* have been advanced to a stage where a first draft can be circulated for preliminary consideration pending the advancement of the LPS Report recommendations as referenced above. It has been agreed to hold back the circulation of the Scheme Maps until the week beginning 17 March 2014, allowing internal review noting that refinement of the Scheme Maps may occur as a result of discussing the LPS recommendations. It has been confirmed that the Mapping Files are compatible with the DoP mapping system. The supporting *Scheme Text* has also been concurrently progressed with Part 5 Development Provisions being specifically targeted.

Workshop

A date has been confirmed for the Shire/TBB/DoP working meeting for the Week beginning 1 April 2014 to coincide with other meetings being attended by the Shire Officers in Perth. Documentation and points of discussion will be prepared in consultation with Council Officers prior to this date. Johan Gildenhuis and Robert Moore from the DoP have confirmed they are pleased to attend to provide informal pre-lodgement advice, noting we will engage with the DoP immediately following the Shire/TBB working session

Ranger Services

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

	Dogs	Camping	Parking	Litter	Fire	Off road	Other
Warning/caution	0	1	5	0	0	0	7
Infringement	3	9	0	0	0	0	0
Court	0	0	0	0	0	0	0
February Total	3	10	5	0	0	0	7
2013-2014 Totals	37	69	28	2	161	0	21

Review of Local Laws

Conway Highbury Pty Ltd, has supplied draft copies of the following local laws for review in recent weeks:

- Cat Control Local Law
- Cemeteries Local Law
- Dogs Local Law
- Public Places and Local Government Property Local Law

Each of the above local laws are currently being reviewed by the relevant officers. The Parking Local Law has been drafted and ready for a final review before being tabled to Council.

The Public Places and Local Government Property Local Law has been drafted as a combination of the current Activities on Thoroughfares and Trading in Public Places and Thoroughfares Local Law and the Property Local Law. The combination of these local laws as it:

1. Reduces the number of local laws the Shire needs to maintain
2. Removes a lot of duplication with respect to definitions, permit provisions and enforcement; and
3. Allows the Shire to allocate responsibility for various parts of the local law to different staff or areas of the organisation.

Officers will continue to review the submitted drafts to provide comments to the consultant to ensure the local laws are suitable and ready to be adopted by Council.

Sand Mitigation

Inspections have been conducted and correspondence has been received by a number of property owners within the Crevalle / Searaven subdivision with the majority complying. Those that have not complied with Council's notice will be issued a final notice.

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 – 10.6.1

That the Council of the Shire of Exmouth receive the Executive Manager Town Planning Report for the month of March 2014.

COUNCIL DECISION – 14-0314 – 10.6.1

Moved Councillor Thompson, Seconded Councillor Todd.

That the Council of the Shire of Exmouth receive the Executive Manager Town Planning Report for the month of March 2014.

CARRIED 6/0

10. REPORTS OF OFFICERS

10.6 Executive Manager Town Planning

10.6.2 Activity on Local Government Property, Sale of Frozen Seafood – Visitors Centre Carpark

Location: Visitors Centre Carpark, Exmouth
 Applicant: MG Kailis Pty Ltd
 File Reference: LP.PE.0
 Disclosure of Interest: Nil
 Date: 6 March 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council approve the application for activity on Local Government Property for the sale of frozen seafood for maximum period of 2 weeks at the Exmouth Visitors Centre car park.

BACKGROUND

Council has been formally approached to use the Exmouth Visitors Centre car park for the sale of frozen seafood by MG Kailis. In December 2011, Council noted “any application from a trader wishing to operate longer than two weeks will be referred to the full Council for consideration.”

MG Kailis were previously operating from a lot in the Driftwood Centre upon Kennedy Street in the Town Centre.

MG Kailis proposes the sale of frozen seafood at the Exmouth Visitors Centre car park next to the big prawn for twelve (12) months from 12/4/14 to 11/4/15, during daylight hours only from 10am to 5pm every day. A truck will be parked next to the big prawn at the Visitors Centre carpark. Trading will occur directly out of the truck. The area proposed to be used is 34m². The applicant has submitted Certificate of Currency for \$50 million for public liability insurance.

COMMENT

The proposal has been assessed against the *Local Government Act 1995* and Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law. In determining the sale of frozen seafood the Council must consider the following relevant clauses of the Activities in Thoroughfares and Trading in Thoroughfares and Public Places Local Law.

Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law

Local Law Provisions	Officer Comment
<i>In determining an application for a permit for the purposes of this Division, the local government is to have regard to –</i>	The proposed activity will complement the existing prawn location next to the Visitors Centre. Tourists and locals will see the big prawn and be able to buy frozen prawns at that location. The location fronts Murat Road and will attract a high number of tourists. Further the proposed activity will activate the vacant car park.
<i>(a) any relevant policies of the local government;</i>	
<i>(b) the desirability of the proposed activity;</i>	The key guiding principle is that “legislation should not restrict competition unless it
<i>(c) the location of the proposed activity;</i>	can be demonstrated that:
<i>(d) the principles set out in the Competition Principles Agreement;</i>	a) the benefits of the restriction to the community as a whole outweigh the costs; and
<i>(e) such other matters as the</i>	b) the objectives of the legislation [Local Law] can only be achieved by restricting competition.”

<p><i>local government may consider to be relevant in the circumstances of the case.</i></p>	<p>Council should consider the implications of approving long term permits on the town centre, mixed use area and currently vacant marina commercial area.</p> <p>MG Kailis were previously operating as a shop from the Driftwood Centre in Kennedy Street. To encourage development and use of commercial areas long term permits for uses that could be accommodated within existing commercial areas, are not recommended for approval.</p> <p>The application is recommend for approval to operate in tourist season only for the following reasons:</p> <ul style="list-style-type: none"> - the big prawn will only be displayed outside cyclone season in the tourist season, - the location is suitable for the activity, - the activity will address Murat road, and - the activity will complement the visitors centre in tourist season. <p>As per the draft Local Tourism Strategy the tourist season is defined as April – October.</p> <p>Should the applicant wish to operate on an annual basis all year round they should obtain and operate from a lot/lease area within an appropriate commercial area.</p>
<p><i>The local government may refuse to approve an application for a permit under this Division on one or more of the following grounds;</i></p> <ul style="list-style-type: none"> - <i>that the needs of the district, or the part for which the permit is sought, are adequately catered for by established shops or by persons who have valid permits to carry on trading or to conduct a stall.</i> - <i>such other grounds as the local government may consider to be relevant in the circumstances of the case.</i> 	<p>The proposed activity provides an additional service to the town. The sale of frozen seafood is partly covered by existing shops, however they are not located within 300m of the Visitors Centre car park and to encourage competition and meet the Competition Principles Agreement the activity is deemed suitable.</p>

The recommended 2 weeks to trade in the Visitors Centre carpark is consistent with previous council decisions.

Council received further information from the applicant which was tabled at the meeting for councillor consideration.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government Property Local Law

Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law

Weights and Measures Act 1915

Competition Principles Agreement

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

In accordance with 2013/2014 fees and charges

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.

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 3.4: 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 – 10.6.2

That the Council of the Shire of Exmouth approve the application for activity on Local Government Property for the sale of frozen seafood upon Exmouth Visitors Centre car park for a maximum period of two weeks (2) between April and October subject to standard permit conditions and the inclusion of an additional condition scales shall be tested and certified in accordance with the provisions of the Weights and Measures Act 1915.

Advice:

- i. *Should the applicant wish to operate on an annual basis all year round they should operate from a lot/lease area within an appropriate commercial zone.*

COUNCIL DECISION – 15-0314 – 10.6.2

Moved Councillor Thompson, Seconded Councillor Hood.

That the Council of the Shire of Exmouth approve the application for activity on Local Government Property for the sale of frozen seafood upon Exmouth Visitors Centre car park for a maximum period of two weeks (2) between April and October subject to standard permit conditions and the inclusion of an additional condition scales shall be tested and certified in accordance with the provisions of the Weights and Measures Act 1915.

Advice:

- i. *Should the applicant wish to operate on an annual basis all year round they should operate from a lot/lease area within an appropriate commercial zone.*

CARRIED 6/0

10. REPORTS OF OFFICERS

10.6 Executive Manager Town Planning

10.6.3 Aircraft Hanger – Lot 73 (R32867) Minilya-Exmouth Rd, Exmouth

Location: Lot 73 (R32867) Minilya-Exmouth Rd, Exmouth
 Applicant: Bird's Eye View
 File Reference: R32867/3 (PA162/12)
 Disclosure of Interest: Nil
 Date: 7 March 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council grant conditional planning approval for a second aircraft hangar upon a portion of Lot 73 (R32867) Minilya-Exmouth Rd, Exmouth. (Refer *Attachment 3*).

BACKGROUND

Council received a planning application in December 2012 for the building of a second hangar on a portion of Lot 73 which the applicant currently leases from Council. Part of the proposed development was outside the current lease area. The application for an aircraft hangar for Bird's Eye View was put on hold for more than 60 days and automatically deemed refusal in accordance with provisions of the Planning and Development Act 2005. The application was put on hold as the issue of determining the Birds Eye View actual lease area had not been resolved, and because there was no Council meeting held in January 2013.

At the March 2013 Council meeting Council endorsed the landside development locality site plans for the Exmouth Aerodrome (EXM-004 Sheets 1-4). Plans were prepared to provide strategic direction on future development at Exmouth Aerodrome and have taken into account the land required for future business development as advised by each leaseholder. The applicant's existing and proposed development was intended to be contained within Lot 11 on the Exmouth Aerodrome Master Plan.

In March 2013 Bird's Eye View commenced a review of the Shire's deemed refusal of the application in the State Administrative Tribunal (SAT).

There was unsuccessful mediation in SAT in determining the Birds Eye View lease area in June 2013. At the end of the mediation both parties agreed that there should be a determination of the preliminary issue by SAT, namely as to the extent of the lease area held by the applicant.

Ultimately, the SAT determined that the preliminary issue was not a matter that affects the planning merits of the development application and therefore the issue was not within the tribunal's jurisdiction. The true extent of the applicants lease area was irrelevant to the planning merits of the subject application, given that the respondent (and the SAT on review) could grant owner's consent to the application being made.

The Shire had also previously stated in its written submissions in relation to the preliminary issue: *'That if the proposed development is outside of the applicants existing lease area, it is willing to increase the lease area so as to include the proposed development.'*



PROPOSAL

- Aircraft Hangar
 - o 20m x 21.2m
 - o Monoclad roof and wall cladding
 - o 5.7m roof pitching height
 - o Five sliding doors
 - o 1m wide concrete apron at each end
- The proposed hanger is to be built on land that is within Crown Land Lot 73 (R32867/3) that is reserved for the purpose of ‘Aerial landing ground’.

COMMENT

The development has been assessed against the Shire of Exmouth Town Planning Scheme No. 3, Exmouth Aerodrome Landside Development Plans and draft Exmouth Aerodrome Design Guidelines.

Shire of Exmouth Town Planning Scheme Number 3 (Scheme)

The land is zoned Public Purpose within the Scheme.

Scheme Provisions	Officer Comment
<i>“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.”</i>	Reserve 32867 has a designated purpose of ‘Aerial Landing Ground’. The proposed aircraft hangar facilitates development of the intended purpose of the reserve. The land is not reserved for the purposes of a public authority.
<i>“When considering any application for planning approval, the Council shall have regard to and may impose conditions on the provision of parking spaces and the details of locating and designing the required parking spaces; landscaping, and pedestrian spaces on the lot”</i>	Parking is currently not an issue in the area of proposed development. Further the landside development locality site plans provide designated areas for parking (yet to be constructed). No additional conditions have been included regarding parking.

Exmouth Aerodrome Landside Development Locality Site Plans (EXM-004 Sheets 1-4)

The proposed hanger is within the proposed 5158.5m² Lot 11 in the Council endorsed Exmouth Aerodrome Landside Development Locality Site Plans. This proposed Lot 11 is within GA Precinct (Code A).

Draft Exmouth Aerodrome Design Guidelines

Draft design guidelines have been prepared to facilitate and create a high standard of consistent development within the Exmouth Aerodrome. Although these provisions have not been endorsed by Council and have no legal weighting they have been taken into consideration to ensure consistency with future development when the design guidelines are adopted and formalised.

Provisions	Officer Comment
No bulk fuel storage/supply is permitted in any lease area without approval by Council.	Not proposed. Included as an additional advice note within this approval.
Structures must be built out of non-reflective materials and in accordance with the Shire colour palette.	Details not provided. Additional conditions included.
The Obstacle Limiting Surfaces of the runway strip must not be infringed by any development. The height of the building shall be determined by the OLS.	The obstacle limiting surface has not been determined to define maximum building heights. The 5.7m roof pitching height is considered appropriate given the setback of the hangar from the runway and common flight paths. Compliant
Any external lighting (including within the approach area) must be shielded from above to prevent pilot blinding.	Details of lighting not provided. Additional advice note included.
Signage will be limited to that affixed on the building and must be approved by the Shire in accordance with the Signage policy.	Details of signage not provided. Additional advice note included.
General Aviation operations only permitted within this precinct (maximum Code A aircraft)	Details not provided, Conditioned.
At least 5m setback off each side boundary (inclusive of opened hangar doors) is required.	The applicant has not provided details regarding side setbacks from the proposed Lot 11 as per the landside development locality site plans. The proposed Lot 11 has been designed to take into account the existing building area of Birds Eye View. As the proposed Lot 11 has a width of 90.5m and the existing hangar is located centrally within the proposed Lot 11 the new hangar can achieve a 5m setback from the western lot boundary, when it is created.

ISSUES**Lease Area**

The issue of the Birds Eye View lease has not been resolved. As stated in previous legal advice '*The Shires planning approval grants permission for the development only, it does not create any estate or interest in the subject land.*' SAT's determination that the lease area is not a matter that affects planning merits of the development application is the reason for recommending planning approval. By granting planning approval the Shire will adhere to SAT's determination. The land tenure issue still remains. An additional condition has been included which requires the issue of the lease area to be resolved prior to building of the hangar.

Reflective Materials

The applicant has not provided details regarding materials. Additional conditions included to ensure blinding of pilots does not become an issue.

Storage of Fuel

The applicant has not provided details regarding the storage of fuel. Additional condition included to ensure that fuel is not stored on site.

External Lighting

The applicant has not provided details regarding external lighting. Additional condition included to ensure blinding of pilots does not become an issue.

Signage

The applicant has not provided details regarding signage. Additional advice note included. As per draft aerodrome design guidelines all signage shall be affixed to a building.

Stormwater

The applicant has not provided details regarding stormwater. A standard condition has been applied to ensure all stormwater is retained on site or discharged into the Shire road drainage system.

Colour Palette

The applicant has not provided details regarding colour. A standard condition has been applied to ensure compliance with the Shire's adopted colour palette.

Officer recommends approval of the aircraft hangar (PA162/12) as the proposed hangar is sited within the proposed Lot 11 from the Exmouth Aerodrome Landside Development Locality Plans which Council is willing to offer to the applicant as a new lease.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Town Planning Scheme No.3
Planning and Development Act 2005

POLICY IMPLICATIONS

Local Planning Policy 6.2: Colour Palette for Developments

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.

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 – 10.6.3
--

That the Council of the Shire of Exmouth grant planning approval for a second aircraft hangar upon the portion of Lot 73 (Reserve 32867) Minilya-Exmouth Road, Exmouth, being proposed Lot 11 subject to the following conditions:

- 1. The development being carried out generally in accordance with the approved plans (PA162/12) and the Shire of Exmouth Town Planning Scheme Number 3 to the satisfaction of Council officers;*
- 2. 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;*
- 3. Zincalume is not a permitted building material;*
- 4. No bulk fuel storage/supply is permitted without prior approval by Council.*
- 5. Maximum Code A aircraft only, are permitted within the hangar and immediate surrounding area;*
- 6. The owner treating the roof and/or wall surface to reduce glare if, in the opinion of the Executive Manager Aviation Services, the glare adversely affects the amenity of the area and pilots following completion of the development;*
- 7. The development having external colours consistent with Council's Policy (6.2) Colour Palette for Developments (attached);*
- 8. Any additional lighting shall be shielded from above to prevent pilot blinding to the satisfaction of the Executive Manager Aviation Services;*
- 9. 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;*
- 10. 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*
- 11. The approval granted being valid for a period of two (2) years from 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 Shire's planning approval for construction of a second hangar grants permission for the development under the Shire of Exmouth Town Planning Scheme No. 3 only; it does not create any additional proprietary estate or interest in the subject land. Prior to the applicant proceeding with any development, the applicant must first secure appropriate tenure over any land outside the existing lease area either in the form of a new lease or by way of a variation to the existing lease. The applicant should contact the Shire's CEO to arrange for a suitable form of tenure over land the subject of the approved development, which is outside the current lease area.*
- iii) Any additional signage may require additional planning approval. All signage shall be affixed to a building. The Shire's planning department can be contacted on (08) 9949 3000.*

- iv) *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.*
- v) *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 – 16-0314 – 10.6.3
--

Moved Councillor Todd, Seconded Councillor Winzer.

That the Council of the Shire of Exmouth grant planning approval for a second aircraft hangar upon the portion of Lot 73 (Reserve 32867) Minilya-Exmouth Road, Exmouth, being proposed Lot 11 subject to the following conditions:

1. *The development being carried out generally in accordance with the approved plans (PA162/12) and the Shire of Exmouth Town Planning Scheme Number 3 to the satisfaction of Council officers;*
2. *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;*
3. *Zincalume is not a permitted building material;*
4. *No bulk fuel storage/supply is permitted without prior approval by Council.*
5. *Maximum Code A aircraft only, are permitted within the hangar and immediate surrounding area;*
6. *The owner treating the roof and/or wall surface to reduce glare if, in the opinion of the Executive Manager Aviation Services, the glare adversely affects the amenity of the area and pilots following completion of the development;*
7. *The development having external colours consistent with Council's Policy (6.2) Colour Palette for Developments (attached);*
8. *Any additional lighting shall be shielded from above to prevent pilot blinding to the satisfaction of the Executive Manager Aviation Services;*
9. *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;*
10. *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*
11. *The approval granted being valid for a period of two (2) years from 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 Shire's planning approval for construction of a second hangar grants permission for the development under the Shire of Exmouth Town Planning Scheme No. 3 only; it does not create any additional proprietary estate or interest in the subject land. Prior to the applicant proceeding with any*

development, the applicant must first secure appropriate tenure over any land outside the existing lease area either in the form of a new lease or by way of a variation to the existing lease. The applicant should contact the Shire's CEO to arrange for a suitable form of tenure over land the subject of the approved development, which is outside the current lease area.

- iii) Any additional signage may require additional planning approval. All signage shall be affixed to a building. The Shire's planning department can be contacted on (08) 9949 3000.*
- iv) 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.*
- v) 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

10. REPORTS OF OFFICERS

10.6 Executive Manager Town Planning

10.6.4 Industrial Shed and Caretakers Dwelling – Lot 999 (1) Griffiths Way, Exmouth

Location: Lot 999 (1) Griffiths Way, Exmouth
 Applicant: Daemon Bass
 File Reference: A979 (PA173/13)
 Disclosure of Interest: Nil
 Date: 10 March 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

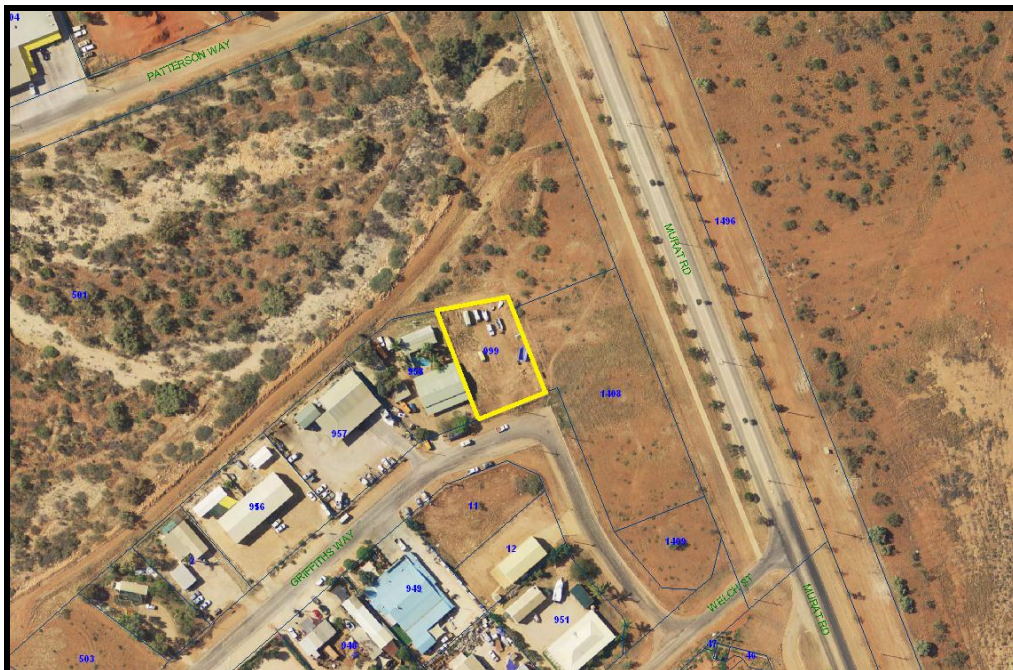
SUMMARY

This report recommends that Council grant conditional planning approval for an industrial shed with caretakers dwelling upon Lot 999 (1) Griffiths Way, Exmouth. (Refer **Attachment 4**).

BACKGROUND

The subject lot received planning approval (PA6/12) under delegation for service industry (marine services workshop) and motor vehicle and marine sales (vehicle hire, Avis) in January 2012. This approval required 4 standard parking bays and 1 disabled bay. Condition 6 of the approval which requires 2.5m depth landscaping from the front lot boundary has not been met.

The majority of the lot has been raised with an approved 0.95m high retaining to reduce any potential impact of flooding from the major floodway located behind the lot. However following Reid Street flood mitigation works additional fill is not required.



PROPOSAL

An industrial shed, with an internal caretakers dwelling, office and open deck on the upper level. The caretakers dwelling has 2 bedrooms, living/kitchen room, and a bathroom with internal laundry. The industrial shed will be used for storing parts, assembly and repairing for marine operations.

COMMENT

The proposal has been assessed against the Shire of Exmouth Town Planning Scheme No. 3 (Scheme) and Local Planning Policy 6.4 Caretakers Dwelling.

Shire of Exmouth Town Planning Scheme Number 3 (Scheme)

The subject land is zoned Light Industrial in the Scheme.

Objectives:

- b) *To achieve and maintain a high standard of presentation to Murat Road*

The proposed application generally meets the objectives of the light industrial area as it provides an industrial use, however the standard and presentation to Murat Road may be considered poor, and dominating from Murat Road.

Scheme Provisions	Officer Comment
The first 2.5m of the front setback shall be landscaped to the satisfaction of the Council.	Previously conditioned. Landscaping in the first 2.5m setback from the front lot boundary has not been provided in accordance with the previous planning approval.
A caretakers dwelling shall have a total floor area which shall not exceed 100m ² measured from the external face of walls.	104.36m ² proposed, non-compliant refer issues.
Open verandahs may be permitted with a caretakers dwelling but shall not be enclosed by any means unless the total floor area remains within the 100m ² .	A 76.49m ² deck on the first floor is proposed. This deck is open on two sides and attached to the proposed upper floor office and caretakers dwelling. The office and deck will be used as part of the business, however as direct access to the deck is provided from the caretakers dwelling it is likely it will be used by residents of the caretakers dwelling. Refer issue.

ISSUES**Presentation to Murat Road**

Objective B of the Light Industrial area is '*To achieve and maintain a high standard of presentation to Murat Road*'. The proposed development will have a significant impact on the presentation of Murat when entering town. To reduce the impacts of presentation to Murat Road officers through negotiation with the applicant reduced the wall height from 7m to 6m and changed the design so the open deck addresses Murat Road from the side and rear. Further the applicant has indicated landscaping to be provided along the eastern and northern lot boundary. There is potential for future development upon Unallocated Crown Land (UCL) Lot 1408. Design and development guidelines are required for the future development of UCL Lot 1408 to ensure high quality development which addresses Murat Road occurs. Officer recommends approval of the proposed development.

Landscaping

Condition 6 of previous approval in January 2012 required the first 2.5m to be landscaped. This condition has not been met. However the applicant has provided approx. 2.5m of landscaping within the front setback area. The first 2.5m has been developed as parking. This is considered acceptable to meet parking requirements and some landscaping has been provided within the front setback. 4 trees have been identified in the submitted plan in the first 2.5m front setback, these trees can be provided to improve the streetscape and provide shade to parking bays. Additional condition included.

Area of Caretakers Dwelling

The proposed caretakers dwelling is 104.36m². This varies the provisions of Local Planning Policy 6.4 Caretaker Dwellings and State Planning Bulletin 70. A caretakers dwelling is to have a total floor area of 100m² or less. The applicant has not provided adequate justification for this variation. An additional condition has been included which requires the caretakers dwelling to be a maximum of 100m². Modified plans can be accepted at a building permit application stage.

First floor Deck/Verandah

The first floor deck with an area of 76.49m² has direct access from the caretakers dwelling and office. In accordance with Caretaker provisions of the Town Planning Scheme Number 3 '*Open verandahs may be permitted with a caretakers dwelling but shall not be enclosed by any means unless the total floor area remains within the 100m².*' The proposed verandah is enclosed by 2 sides. Although the deck will be used by caretaker residents it will also be used for business operation as the office is located on the upper floor. As the use of the deck is not solely for use by caretaker residents officer recommends approval of the upper floor deck providing direct access to the caretakers dwelling and office. Further the open deck is considered to increase the standard of presentation to Murat Road as it breaks the visual impact of the wall from Murat Road.

Parking

With the proposed additions a total of 13 parking bays are required to be provided and line marked. 1 of these bays shall provide for disabled parking. Breakdown of parking requirement below:

- 5 bays for proposed warehouse/industry
- 2 bays for proposed office
- 1 bay for caretakers dwelling
- 5 bays for the existing development

With plans submitted by the applicant 14 parking bays can be provided. An assessment of this plan against lot has identified that 13 to 14 parking bays can be provided. Relevant conditions included.

Stormwater

Details regarding stormwater have not been provided. A standard condition shall apply to ensure stormwater is retained on site or directed into the shires road drainage system.

Colour palette

The applicant has not provided details regarding colours to be used with the shed. A condition shall be applied to ensure consistency with Council's colour palette.

Officer recommends conditional planning approval for an industrial shed and caretakers dwelling upon Lot 999 (1) Griffiths Way, Exmouth.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Town Planning Scheme No. 3

POLICY IMPLICATIONS

Local Planning Policy 6.2: Colour Palette for Developments
Local Planning Policy 6.4: Caretakers Dwelling

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 – 10.6.4

That the Council of the Shire of Exmouth grant conditional planning approval for an industrial shed and caretakers dwelling upon Lot 999 (1) Griffiths Way, Exmouth subject to the following conditions:

- 1. The development being carried out generally in accordance with the approved plans (PA173/13) and the Shire of Exmouth Town Planning Scheme Number 3 to the satisfaction of Council officers;*
- 2. The external cladding of the shed shall be consistent with Council's Policy 6.2 – Colour Palette for Developments;*
- 3. 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;*
- 4. Zincolume shall not be used as a building material;*
- 5. Concrete footings shall not encroach beyond the limits of the site;*
- 6. Additional fill to raise the lot is not permitted;*
- 7. A minimum of four (4) trees being planted within the first 2.5m setback to the satisfaction of Council;*
- 8. Landscaping areas being planted within two (2) months of occupation of the proposed development;*
- 9. All emissions with the associated use are to be retained on site;*
- 10. The approved uses are to be operated so that there is no interference with the amenity of the area or detrimental effect on any person by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, wastewater, waste products, grit, oil or otherwise;*
- 11. External clothes drying facilities, rubbish bins and all service fittings and fixtures shall not be visible from public roads and screened appropriately from adjoining properties;*

Caretakers Dwelling

- 12. If the predominate permissible use ceases to exist, the caretaker's dwelling approval will have lapsed and the caretaker's dwelling must be vacated by the occupier;*
- 13. Any approved caretaker dwelling must not be leased to anyone other than a caretaker/owner and family (separate to the approved use);*
- 14. The caretaker's dwelling shall have a total floor area not exceeding 100m² measured from the external face of walls;*
- 15. The caretaker's dwelling only being occupied by person(s) directly related to the operations of the business upon the subject lot;*
- 16. The owner shall prepare and sign, prior to occupying the caretaker's dwelling, a statutory declaration advising that the prospective caretaker acknowledging accordingly, that occupancy of the caretaker's dwelling may result in a lesser or lower enjoyment of residential living, and the application of lesser or lower prescribed environmental health standards, that would ordinarily be expected if living in the Shire's designated residential areas i.e. swimming pool;*

Parking

17. A minimum of thirteen (13) spaces being set aside for parking, marked permanently and located so as to be easily accessible;
18. All parking bays having minimum dimensions in accordance with Shire of Exmouth Town Planning Scheme Number 3 Parking Requirements (2.7 x 5.4m). This is in recognition of the relatively high use of large 4x4 vehicles in Exmouth;
19. All vehicle parking, manoeuvring and circulation areas being suitably constructed and marked in accordance with Council Policy;
20. One (1) parking bay having a minimum width of 3.2 metres, preferably 3.8 metres, to comply with the Australian Standards (AS 2890.1) for disabled parking;
21. All parking provided for the approved uses shall be wholly located within the lot;
22. 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
23. 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
24. 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). Any additional signage may require additional planning approval. Contact the Shire of Exmouth Town Planning Department on 9949 3000.
- iii). The applicant is advised landscaping is to compromise species of plants as defined within Councils Landscaping Policy.
- iv). 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.
- v). 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 – 17-0314 – 10.6.4

Moved Councillor Hood, Seconded Councillor Todd.

That the Council of the Shire of Exmouth grant conditional planning approval for an industrial shed and caretakers dwelling upon Lot 999 (1) Griffiths Way, Exmouth subject to the following conditions:

1. ***The development being carried out generally in accordance with the approved plans (PA173/13) and the Shire of Exmouth Town Planning Scheme Number 3 to the satisfaction of Council officers;***
2. ***The external cladding of the shed shall be consistent with Council's Policy 6.2 – Colour Palette for Developments;***

3. *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;*
4. *Zincalume shall not be used as a building material;*
5. *Concrete footings shall not encroach beyond the limits of the site;*
6. *Additional fill to raise the lot is not permitted;*
7. *A minimum of four (4) trees being planted within the first 2.5m setback to the satisfaction of Council;*
8. *Landscaping areas being planted within two (2) months of occupation of the proposed development;*
9. *All emissions with the associated use are to be retained on site;*
10. *The approved uses are to be operated so that there is no interference with the amenity of the area or detrimental effect on any person by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, wastewater, waste products, grit, oil or otherwise;*
11. *External clothes drying facilities, rubbish bins and all service fittings and fixtures shall not be visible from public roads and screened appropriately from adjoining properties;*

Caretakers Dwelling

12. *If the predominate permissible use ceases to exist, the caretaker's dwelling approval will have lapsed and the caretaker's dwelling must be vacated by the occupier;*
13. *Any approved caretaker dwelling must not be leased to anyone other than a caretaker/owner and family (separate to the approved use);*
14. *The caretaker's dwelling shall have a total floor area not exceeding 100m² measured from the external face of walls;*
15. *The caretaker's dwelling only being occupied by person(s) directly related to the operations of the business upon the subject lot;*
16. *The owner shall prepare and sign, prior to occupying the caretaker's dwelling, a statutory declaration advising that the prospective caretaker acknowledging accordingly, that occupancy of the caretaker's dwelling may result in a lesser or lower enjoyment of residential living, and the application of lesser or lower prescribed environmental health standards, that would ordinarily be expected if living in the Shire's designated residential areas i.e. swimming pool;*

Parking

17. *A minimum of thirteen (13) spaces being set aside for parking, marked permanently and located so as to be easily accessible;*
18. *All parking bays having minimum dimensions in accordance with Shire of Exmouth Town Planning Scheme Number 3 Parking Requirements (2.7 x 5.4m). This is in recognition of the relatively high use of large 4x4 vehicles in Exmouth;*
19. *All vehicle parking, manoeuvring and circulation areas being suitably constructed and marked in accordance with Council Policy;*
20. *One (1) parking bay having a minimum width of 3.2 metres, preferably 3.8 metres, to comply with the Australian Standards (AS 2890.1) for disabled parking;*
21. *All parking provided for the approved uses shall be wholly located within the lot;*

22. *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*
23. *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*
24. *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) *Any additional signage may require additional planning approval. Contact the Shire of Exmouth Town Planning Department on 9949 3000.*
- iii) *The applicant is advised landscaping is to compromise species of plants as defined within Councils Landscaping Policy.*
- iv) *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.*
- v) *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).*

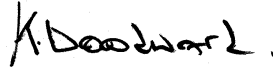
CARRIED 6/0

10. REPORTS OF OFFICERS

10.7 Executive Manager Engineering Services

10.7.1 General Report

Location: Exmouth
 Applicant: Keith Woodward
 File Reference: GV.ME.0
 Disclosure of Interest: Nil
 Date: March 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

Exmouth Town Centre Revitalisation Construction Works

The Exmouth Town Centre Revitalisation civil works and the underground power project is proceeding to plans and expected costs. It has been my observations that whilst road works and underground power works are disruptive there has been minimal interruption to the community. Over the next two weeks the road works focus is to open the Kennedy Street car park for limited use prior to sealing, and the Thew Street extension to Learmonth Street. Once this occurs the Thew Street interconnect to Maidstone Crescent will be constructed. When these roads and car parks are opened to traffic, the area on Kennedy Street between IGA and the car park will be constructed.

I have attached for Council's information the project report. This report provides an overview of the road works, car parking and drainage construction related to the Exmouth Town Centre Revitalisation project. The structure of the report will include the Site Meeting Minutes and the associated Gantt charts. This information provides a thorough project overview and the report topic includes:

1. Communication and Responsibility
2. Workplace Health and Safety
3. Complaints and Residents
4. Authority Requirements
5. Program and Construction
6. Information Requests and Variations
7. Contractual
8. Other Items
9. Construction Gantt program

(Refer *Attachment 1*) - Report Exmouth Town Centre 5 March 2014.

Underground Power

This report provides an overview of the underground power construction related to the Exmouth Town Centre Revitalisation project. The structure of the report will include the Project Business Report. This information provides a thorough project overview and the report topic includes:

1. Project Status Summary
2. Project Milestones Achieved
3. Critical Issues
4. Problems, Resolutions, Corrective Actions
5. Actioned Planned Comment on Progress

(Refer **Attachment 2**) - Part A-Underground Power Project Business Report.

Dilapidation Survey

Prior to commencement of civil works in the town centre a dilapidation survey was undertaken. A dilapidation survey is also called a structural survey and is the review of an existing structural condition of surrounding structures and infrastructure before a construction, demolition or development starts. All faults such as cracks, distortion, leakages, cracks and other building imperfections are recorded in written notes and photographs. This level of reporting is essential when it comes to property damage claims. The survey data has been attached for Council information.

Landscaping Plans

Hassel Landscape Architectures have designed the landscape for the Town Centre. The design concept and feature plans have been attached for Council information. (Refer **Attachment 3**) - Landscape Plans

2013-2014 Engineering Services Construction Program

The Engineering Services Project Schedule 2013/2014 provides an overview of the project start and completion dates. It is important to note that staffing levels, contractor availability, private works and environmental conditions such as cyclone/floods influence the project timeframes.

Engineering Services 2013-2014		Start Date	Finish Date
Maintenance (Road Crew)			
Federation Park and Payne Street	Capital	1/7/13	22/8/13
General Town Street Maintenance	Maintenance	22/8/13	1/10/13
Guide Posts/Signage/Pot Holes	Maintenance	22/8/13	1/10/13
Exmouth Aerodrome	Maintenance	1/10/13	7/10/13
Excavation Tantabiddi	Contract/Shire	22/9/13	26/9/13
Sand Removal Tantabiddi	Maintenance	7/10/13	14/10/13
Learmonth Airport	Maintenance	14/10/13	22/10/13
Fire Breaks	Maintenance	22/10/13	25/10/13
Cyclone Verge Clean-up	Maintenance	22/10/13	7/11/13
General Town Street Maintenance	Maintenance	7/11/13	18/11/13
First Aid/Superlot B	Maintenance/Training	18/11/13	25/11/13
Murat Rd Street Trees	Capital	25/11/13	5/12/13
Ningaloo Access Road	Capital	2/12/13	11/12/13
Town Streets General maintenance	Maintenance	11/12/13	17/12/13
Murat Rd Street Trees	Maintenance	17/12/13	20/12/13
Nimitz Street Footpath Back Fill	Maintenance	11/12/13	12/12/13
Light House Safety Barrier		20/12/13	24/12/13
Fire Break Light Aircraft Strip	Maintenance	17/12/13	20/12/13
Superlot B Exmouth Marina	Maintenance	17/12/13	20/12/13
Cemetery	Capital	30/12/13	15/1/14
Depot Town Cyclone Preparation	Maintenance	20/12/13	25/12/13
Christmas Shutdown	Maintenance	25/12/13	30/12/13
New year's Eve Project		31/12/13	6/1/14
General Town Street Maintenance/Guide Posts/Signage/Pot Holes	Maintenance	6/1/14	5/2/14
Murat Road Street Construction and Lights	Capital	5/2/14	26/3/14
Town Beach Carpark		26/3/14	17/4/14
Exmouth Aerodrome		5/2/14	11/2/14
Bitumen Seal YCR, Murat, Lane and School, LAS, Learmonth, Reid/Murat, Kestrel, lighthouse	Capital	26/3/14	31/3/14
Yardie Creek Road Works	Capital	17/4/14	15/5/14

Engineering Services 2013-2014		Start Date	Finish Date
Coastal Beach Accesses, fencing, steps	Maintenance	15/5/14	23/5/14
Exmouth Aerodrome	Maintenance	23/5/14	28/5/14
Charles Knife Road	Capital	28/5/14	15/7/14
Capital			
LIA Floodway	Capital	31/3/14	8/7/14
Capital Revitalisation			
Kennedy Street Development of Mall	Contract	17/2/14	12/6/14
Kennedy Street Development of Carpark	Contract	17/2/14	12/6/14
Bonefin redevelopment of Carpark and link into Maidstone Crescent	Contract	17/2/14	12/6/14
Thew to Learmonth Street Development	Contract	17/2/14	12/6/14
Town Beach Landscaping	Shire/Contract	27/1/14	18/2/14
Marina Bridge Landscaping	Shire/Contract	27/1/14	21/5/14

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONSEconomic

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 – 10.7.1

That the Council of the Shire of Exmouth receives the Executive Manager Engineering Services Report for the month of March 2014.

COUNCIL DECISION – 18-0314 – 10.7.1

Moved Councillor Todd, Seconded Councillor Winzer.

That the Council of the Shire of Exmouth receives the Executive Manager Engineering Services Report for the month of March 2014.

CARRIED 6/0

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

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

COUNCIL DECISION – 19-0314 – ITEM 12

Moved Councillor Winzer, Seconded Councillor Hood.

That the Council of the Shire of Exmouth accept the New Business of an Urgent Nature Report 12.1 License Agreement – Use of Pindan Pit Access Road

CARRIED 6/0

Councillor Shales declared an interest in the following report and left the Chambers at 5.54pm.

COUNCIL DECISION – 20-0314 – ITEM 12

Moved Councillor Thompson, Seconded Councillor McHutchison.

That Councillor Hood assume the Chair in the absence of the Shire President.

CARRIED 5/0

12. Chief Executive Officer

12.1 License Agreement – Use of Pindan Pit Access Road

Location: Exmouth
Applicant: Exmouth Civil Pty Ltd
File Reference:
Disclosure of Interest: Nil
Date: 20 March 2014
Author: Chief Executive Officer, Mr B Price
Signature of Author:

SUMMARY

This report recommends that the Council enter into a License Agreement with Exmouth Civil allowing access and use of the Pindan Pit Access Road to service their Quarry operations on Mining Lease M08/470.

BACKGROUND

Exmouth Civil plan to undertake mining operations over 35 hectares within their existing Mining Lease site M08/470, adjacent to Council's Pindan Pit, which will involve the clearing of 5 hectares at a time, crush, screen and stockpiling of 10,000 tonnes of road base, 10,000 tonnes of sub base and the extraction of pindan sand for commercial sale.

Exmouth Civil are seeking Council approval to utilise the existing Pindan Pit Access Road to service their site.

The existing Access Road is in poor condition and currently only services low impact recreational vehicles with the occasional heavy vehicle for sand extraction and is not generally designed or in a compatible condition to service the proposed operation. If Council determine that the proposed commercial mining operations can operate on the existing Road then it will require the Access Road to be upgraded and maintained to ensure the mix of traffic is compatible.

In considering the request for use of the existing Pindan Pit Access Road, I recommend that both parties enter into a License Agreement, which sets out certain conditions. (Refer *Attachment 1*)

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 1.5: Maintain & Improve Shire Infrastructure

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 – 12.2

That the Council enter into a License Agreement with Exmouth Civil allowing access and use of the Pindan Pit Access Road to service their Quarry operations on Mining Lease M08/470.

COUNCIL DECISION – 21-0314 – ITEM 12

Moved Councillor Thompson, Seconded Councillor Todd.

That the Council enter into a License Agreement with Exmouth Civil allowing access and use of the Pindan Pit Access Road to service their Quarry operations on Mining Lease M08/470.

CARRIED 3/2

Councillor Winzer and Councillor Thompson voted against.

Councillor Shales returned to the Chambers at 6.09 pm.

13. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS
Nil

14. CLOSURE OF MEETING
The meeting was declared closed at 6.10pm