



Ordinary Council Meeting Minutes 17 April 2014

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on 15 May 2014 as a true and accurate record of the Ordinary Council Meeting held on 17 April, 2014.

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

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


DISCLAIMER

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

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

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

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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 5.03pm.

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 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 Mhasho	Executive Manager Town Planning
Mr K Woodward	Executive Manager Engineering Services

GALLERY

Visitors: 2

APOLOGIES

Councillor G Thompson
Mr R Manning Executive Manager Health & Building

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).

Nil

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.

The Shire President requested a leave of absence for the May Ordinary Council Meeting.

COUNCIL DECISION – 01-0414 - ITEM 5

Moved Councillor Winzer, Seconded Councillor Todd.

That the Council of the Shire of Exmouth approve the Shire President’s application for a leave of absence for the Ordinary Council Meeting to be held on 15 May 2014.

CARRIED 5/0

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

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

COUNCIL DECISION – 02-0414 - ITEM 6

Moved Councillor Winzer, Seconded Councillor Todd.

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

CARRIED 5/0

7. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

The Shire President thanked Councillor Todd for representing the Shire at the School Anzac Day Ceremony and Councillor Hood for attending the Durack Awards Presentation Night, in his absence.

8. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

9. REPORT OF COUNCILLORS

Councillor Hood informed Council of a meeting he attended with Colonel Mike Birtles and Mr Shayne Wakeley from Australia Defence Force. He attended a National Landscapes Meeting and also attended the public hearing in Karratha on the Inquiry into Developing Northern Australia, along with the Chief Executive Officer and Shire President.

Councillor McHutchison informed Council of her attendance to the National Landscapes workshop and the Living Smart 3 day Course. She also attended a meeting with committee members of the Junior Cricket club. She attended one of their games to see about 100 children participating along with lots of parents and spectators. She informed that it was very well organised and great to see the extensive community involvement. Councillor McHutchison also attended a 2 day workshop with Cultural Arts.

9.1 Shire Presidents Report

Location: Exmouth
 Applicant: Cr C (Turk) Shales
 File Reference:
 Disclosure of Interest: Nil
 Date: 10 April 2014
 Signature of Author:



SUMMARY

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

BACKGROUND

- Had an interview with Barry Nichols from ABC regarding everything happening in Exmouth and our Tourism identity on 24 March 2014
- Attended a Grants Committee Hearing on 25 March 2014
- Met with members from Base Marine regarding future engagement with Oil & Gas including local employment on 26 March 2014
- Attended a meeting with LotteryWest regarding funding for the Ningaloo Centre on 1 April 2014
- Attended a meeting with the Mr Reece Waldock, Director General of Department of Transport to discuss the Exmouth Boat Harbour Upgrade on 2 April 2014
- Attended a teleconference with Tom Engelbretch from LandCorp regarding the Nimitz Street Subdivision on 7 April 2014
- Met with Colonel Mike Birtles and Mr Shayne Wakeley from Australia Defence Force on 8 March 2014
- Attended a public hearing for the Inquiry into the Development of Northern Australia in Karratha from 8-9 April 2014
- Met with Chris Trowbridge Logistics Superintendent and Supply Chain Manager from Apache regarding Oil Spill Contingencies on 11 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

COUNCILLOR'S RECOMMENDATION – 9.1

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

COUNCIL DECISION – 03-0414 - 9.1

Moved Councillor Todd, Seconded Councillor Hood.


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

CARRIED 5/0

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 April 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

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

Site Architecture and SPO convened stakeholder workshop meetings in Exmouth 20 & 21 March to discuss the current schematic design and identify key changes and updates.

Refinement of the user area layouts to accommodate key requirements has occurred and will be presented with Stage 2 'Schematic Design' reporting, along with an update of the cost estimate for sign off by Council's Project Management Committee.

EMTP provided an over view to Site Architecture of the information expected to progress Planning Application, which will be managed by the Shire planners. Planning approval is required to enable commencement of the forward works package, which Matera would like to commence in July. A building licence is required to commence building construction and this is subject to receipt of the detailed design drawings/specifications certified by a building surveyor.

Department of Regional Development (DRD)

The Stage 2 Business Case – 'Construction and Fit Out' is on track to be reviewed by the Director's Reference Group and GAG in May before cabinet signoff thereafter.

SPO has met with DRD project officers and undertaken a number of changes to the Business Case to reflect the revised contribution amount of \$19.82 million from the Royalties for Regions Gascoyne Revitalisation Plan fund toward the Ningaloo Centre construction and fit out.

Other contributions for Stage 2 comprise \$1.90 million from the Shire of Exmouth and \$7 million from the Commonwealth totalling \$28.72 million for the construction and fit out work.

Community Development Grant (CDG) Funding

The Department of Infrastructure and Regional Development, Infrastructure Investment Division CDG Funding Agreement with Council has been executed and returned to the Department for their dating and signing.

The \$7 million CDG Funding will be cash flowed over two years, commencing 2014/15. Funding is toward building construction and its fit out.

Ningaloo Alliance

UWA Oceans Research Institute Director, Professor Carlos Duarte, has circulated a project status update to Ningaloo Alliance members. Durack Institute of Technology's correspondence, introducing Durack to the Ningaloo Alliance members, formed part of the package.

Lotterywest

Representatives from Lotterywest met with Shire President & CEO in Exmouth on 1 April to discuss the Community Grant Application for the Ningaloo Centre. Supplementary information, by way of correspondence, will be supplied clarifying the community user beneficiaries and the collective benefit flowing to the community from rationalisation of spaces. Council will also be able to accept, subject to favourable outcome of the community grant application, that no other significant Capital Funds from Lotterywest would arise relating to community spaces, with the exception perhaps of some assistance to remodel of the current Visitors Centre as a Child Care Centre.

SPO has arranged to meet the Lotterywest Community Grant Manager to inform on progress and update on the latest schematic plans and the concepts for the public exhibition space.

Media

Since the last meeting the West Australian Travel Writer included an article on the Ningaloo Centre Project which is attached for Councillor information. (Refer *Attachment 1*)

Community Information Forum

The next Community Information Forum is proposed to be held on Tuesday 15 April 2014 at the Shire Hall commencing at 6.30pm. The program will include presentations on the following

- Update on the CBD/Foreshore Revitalisation Project.
- Launch of the new Branding Design for the Council.
- Update on the proposed new Caravan Park Project
- Update on the Town Planning Scheme.
- Update on the Ningaloo Centre Project.
- Tidy Towns Presentation.
- Other Business.

Department of Transport Director General Visit

The Shire President, Councillors and myself met with the Director General for the Department of Transport Mr Reese Waldock and Ms Nina Lyhne DoT on Wednesday 2 April 2014 to discuss the future development of the Exmouth Boat Harbour.

Inquiry into Developing Northern Australia - Public Hearing

The Shire President, Councillor Hood and myself attended a public hearing regarding the Inquiry into Developing Northern Australia held in Karratha on Wednesday 9 April 2014. Attached is a Presentation that the Shire's delegates presented to the Joint Select Committee of Northern Australia (Refer *Attachment 2*).

Members of the Joint Select Committee on Northern Australia who were in attendance included:

- Chair: The Hon Warren Entsch MP
- The Hon Alannah MacTiernan MP
- Mr George Christensen MP
- Senator Deborah O'Neill
- Senator Alan Eggleston
- Senator Sue Boyce
- Senator Rachel Siewert
- Senator Ian MacDonald
- Ms Melissa Price MP
- The Hon Warren Snowdon MP

Regional Development Australia – Gascoyne Economic Alliance

The Gascoyne Shire Council CEO's and representatives from the Midwest-Gascoyne Regional Development Authority met in Carnarvon on Monday 31 March to discuss the Regional Development Australia (RDA) Gascoyne Economic Development Strategy (GEDS) and the proposed Gascoyne Economic Alliance (GEA).

The GEDS identifies the sectors and industries in which the region has a strategic advantage; those that drive or have the potential to transform the regional economy. A collaborative approach in these sectors and

industries will provide the motivation and incentives to the government to provide funding for the identified programs.

This is similar to the State Governments GDC Gascoyne Regional Blueprint document. Discussion centred on the unnecessary duplication across agencies, the lack of regionality currently being experienced in the Gascoyne and in Exmouth's case the opportunity to participate in Pilbara region.

Water Corporation/Department of Defence – WWTP Meeting

The EMTP & myself met with representatives from the Water Corporation and Department of Defence at the Water corporation Headquarters on Thursday 3 April in an attempt to expedite the lease of Defence Land to locate the proposed new WWTP for Exmouth. This was a result of correspondence sent from the Council direct to the Minister for Defence advising of the stalemate.

The DoD has been problematic on the issue and the project is at risk of being postponed if the land issue cannot be resolved. We took the opportunity to present all of the development opportunities that are constrained because of the existing buffer zone restrictions and that the existing WWTP is nearing its capacity with the growth of the town.

Attached is a copy of the minutes taken from the meeting for Councillor information. (Refer **Attachment 3**)

Horizon Power

The EMTP and myself took the opportunity to meet with Mr Laurie Curro, Manager Capacity Services Horizon Power, in Perth on Friday 4 April 2014 to discuss the opportunity of the Council acquiring the Old Power Station site to be developed as an Emergency Response Precinct.

Discussion was also held on the future planning strategy of a new potential site for the existing Power Station post the lease termination date of 2024.

Staffing Issues

Formal negotiations of the All of Staff Workplace Agreement have been held over the past week and a draft version of the document has been provided to all staff for review.

I will be on Long Service Leave from Friday 18 April 2014 returning for work on Monday 26 May 2014. The Executive Manager Aviation will be Acting Chief Executive Officer for the period 22 April 2014 through to 4 May 2014, with the Executive Manager for Health & Building Acting from the 5 May 2014 until 25 May 2014 in my absence.

Progress on the new Workplace Agreement has been steady with a final draft nearing completion for consideration and voting by both parties.

The formal adoption of the new Agreement is proposed to be presented to the May Council meeting for Council endorsement.

Other Meetings & Functions attended by the CEO

1. EMTP and myself met with Mr Henty Farrar, Department of Lands in Perth on Thursday 3 April to discuss various Land issues in Exmouth.
2. EMTP and myself met with members from Department of Housing in Perth on Friday 4 April to discuss the Affordable Housing Project.
3. EMTP and myself met with members from Tourism WA in Perth on Friday 4 April to discuss the new caravan park.

Other Meetings Scheduled for next Month

1. Meeting with Ms Ruth Sheen, Director General of the Department of Training & Workforce Development, Bert Beevers, Managing Director Durack Institute of Technology and Malcolm Smith Durack Institute Governing Council Chair, on Wednesday 16 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 April 2014.


COUNCIL DECISION – 04-0414 – 10.1.1

Moved Councillor Todd, Seconded Councillor Hood.

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

CARRIED 5/0

10. REPORTS OF OFFICER**10.1 Chief Executive Officer****10.1.2 Fee Waiver for Exmouth PCYC Junior Football**

Location:	Exmouth
Applicant:	PCYC Junior Football
File Reference:	CS.SP.16
Disclosure of Interest:	Nil
Date:	10 April 2014
Author:	Chief Executive Officer, Mr B Price
Signature of Author:	

SUMMARY

This report recommends that the Council for the Shire of Exmouth grant a full fee waiver for the use of Talanjee Ovals for the 2014 Exmouth PCYC Junior Football Season.

BACKGROUND

Council has received a request from Exmouth PCYC Junior Football for a fee waiver for the use of Talanjee Oval for their 2014 Season.

The Season begins 2 May 2014 and ends 15 August 2014. The 2013/14 Fees & Charges for the private hire of Talanjee oval is \$16.50 per hour. Fees for 3 hours hire per week, for 13 weeks is requested to be waived totalling \$643.50.

COMMENT

The Junior Football Competition is an extremely popular sporting activity for the youth of Exmouth. With a consistent high level of participants and subsequent supporters and spectators each weekly event attracts up to 180 people to Talanjee Oval encouraging community involvement and support for our youth in sport.

In the past, the Council has granted fee waivers for Junior Sporting activities to encourage maximum participation by our youth.

In consideration of the positive impact that this sporting activity brings to the youth and associated families of our community the Chief Executive Officer is recommending that the Council support the request from Exmouth PCYC Junior Football for a full fee waiver for their 2014 season.

In accordance with Council Delegation Number 39 – Granting of Concession or Writing off Money “*the Chief Executive Officer is delegated authority to grant or waive concessions on money or write off any amount of money that is owed to the Shire of Exmouth up to a limit of \$500*” therefore the amount of \$643.50 requires Council approval.

Should Council grant approval of the fee waiver, in return the Council may request that this financial support be recognised and Council be acknowledged as a sponsor of the season.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Council Delegation Number 39 - Granting of Concession or Writing off Money

FINANCIAL IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Should the Council grant approval for the full fee waiver as recommended, the following is an estimate of the loss of income should the Council grant a full fee waiver:-

- Hire of Talanjee Oval 3 hours per week, for a total of 13 weeks
= 39 hours X \$16.50
- TOTAL = \$643.50

STRATEGIC IMPLICATIONS

Social

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

- Outcome 3.2: Excellent lifestyle, recreational and cultural facilities.
- Outcome 3.3: An inclusive, responsible and cohesive community.
- 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 4.2: A local government that is respected, professional, trustworthy and accountable.

VOTING REQUIREMENTS

Absolute Majority

OFFICER’S RECOMMENDATION – 10.1.2
--

That the Council of the Shire of Exmouth grants Exmouth PCYC Junior Football a full fee waiver for use of Talanjee oval for 3 hours per week for a period of 13 weeks starting 2 May 2014 and ending 15 August 2014 and that the Exmouth PCYC Junior Football is advised that the granting of the above is subject to the Shire of Exmouth being acknowledged as a sponsor for the season.

COUNCIL DECISION – 05-0414 – 10.1.2
--

Moved Councillor Hood, Seconded Councillor McHutchison.

That the Council of the Shire of Exmouth grants Exmouth PCYC Junior Football a full fee waiver for use of Talanjee oval for 3 hours per week for a period of 13 weeks starting 2 May 2014 and ending 15 August 2014 and that the Exmouth PCYC Junior Football is advised that the granting of the above is subject to the Shire of Exmouth being acknowledged as a sponsor for the season.

CARRIED by ABSOLUTE MAJORITY 5/0

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: 2 April 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**Records Training**

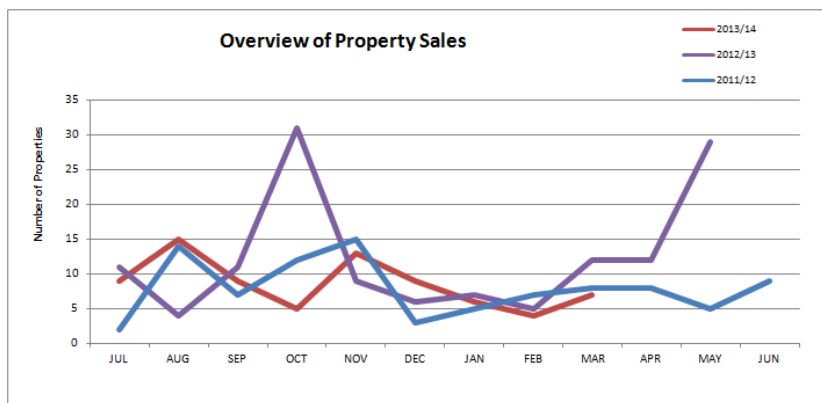
Our Records Officer, Julianne Roulston attended the City of East Fremantle for 1 day of training on 24 March 2014. The City of East Fremantle's Records Officer presented training on the use of Synergy Records as well as the archiving processes. Julianne gained valuable insight on how records processes are to function and the Shire of Exmouth will be progressing with the implementation of plastic archive boxes which will improve the life of the stored records and prevent any damages that may be caused by pests or flooding.

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
37	Vacant Land	\$12,573,000	\$339,811
34	Residential	\$17,807,500	\$523,750
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
77		\$36,180,000	

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	7	12	8
APR		12	8
MAY		29	5
JUN		20	9
	77	157	95



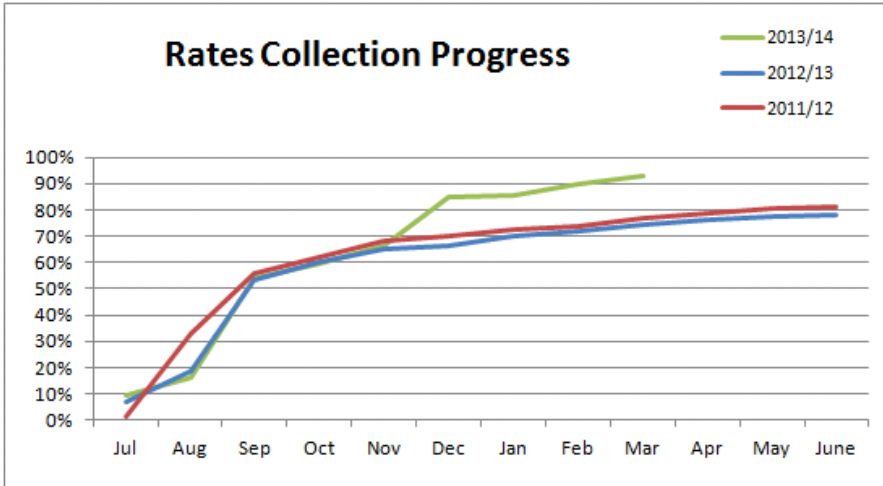
Rates Collection

2013/14 Rates Collection Analysis			
			\$
Rates & Charges Levied 2013/14			3,657,799
Arrears 1 July 2012			995,039
Less Collections			(4,297,500)
Total Rates & Charges Outstanding			355,338
Less Pensioner Deferred Rates			(18,210)
Total Rates Collectable			337,128
% Collected to Date			92.8%
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
2013/14	\$	Accum \$	% Red'd
Jul	76,936	76,936	9.6%
Aug	669,285	746,221	16.4%
Sep	1,762,741	2,508,962	53.9%
Oct	258,751	2,767,713	59.3%
Nov	339,368	3,107,081	66.3%
Dec	832,396	3,939,477	84.7%
Jan	51,178	3,990,655	85.8%
Feb	211,567	4,202,222	90.0%
Mar	95,278	4,297,500	92.8%

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	93%	75%	77%
Apr		77%	79%
May		78%	81%
June		78%	81%

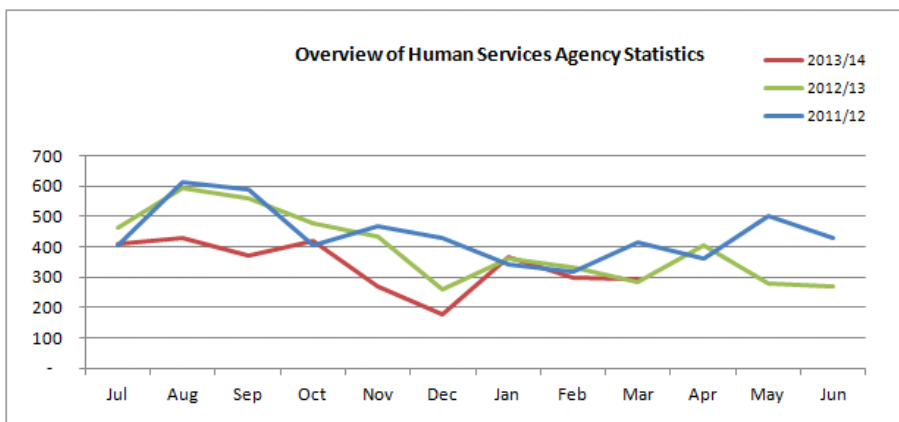
Graphical Overview of Rates Collection



Human Services Agency (formerly Centrelink)

Summary of Agent Statistics for 2013/14:

						Hours of Operation/week			
						12.5	12.5	15	15
	Lodgement of Forms/Assist with Completion	Referrals to Call Centre & CSC	Assist with use of Equipment & Computer	Respond to General Enquiries	TOTAL	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	103	34	47	112	296	296	285	416	409
Apr	-	-	-	-	-	-	403	364	271
May	-	-	-	-	-	-	278	500	400
Jun	-	-	-	-	-	-	272	428	334
TOTAL	985	481	299	1,276	3,041	3,041	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 April 2014.


COUNCIL DECISION – 06-0414 – 10.2.1

Moved Councillor Winzer, Seconded Councillor Todd.

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

CARRIED 5/0

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:	2 April 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 31 March 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 March 2014 be accepted; and*
2. *The accounts as listed in the monthly financial report be received for;*
Municipal Fund ~ March 2014 \$1,894,987.86 incorporating 12633 to 12673 and direct debits
Trust Fund – March 2014 \$982.34 incorporating direct debits.
Outstanding Creditors as at March 2014 ~ \$133,217.49

COUNCIL DECISION – 07-0414 – 10.2.2

Moved Councillor Todd, Seconded Councillor McHutchison.

That the Council of the Shire of Exmouth:


1. *The monthly financial reports for period ended March 2014 be accepted; and*
2. *The accounts as listed in the monthly financial report be received for;*
Municipal Fund ~ March 2014 \$1,894,987.86 incorporating 12633 to 12673 and direct debits
Trust Fund – March 2014 \$982.34 incorporating direct debits.
Outstanding Creditors as at March 2014 ~ \$133,217.49

CARRIED 5/0

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:	4 April 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 March 2014 Council Meeting agenda report.

BACKGROUND

Defence

Approvals for the proposed fuel facility site and new shed have been received from Defence. Completion of the tender document is underway with a view to be bought to Council for consideration in the coming months. Officers are currently in the process of appointing a contractor to install the new shed.

FLTLT Russell Cocks from Pearce represented RAAF at the last Learmonth Advisory Committee Meeting. FLTLT Cocks has oversight of Learmonth base operations. There were no significant issues raised at the March 2014 meeting.

Regulatory

CASA were on site 3-4 April 2014 conducting a certification proving audit of Network Aviation and their contractors. The proving flight was to look to certify Network Aviation as a RPT operator and Learmonth Airport was their nominated destination port. Airport staff were on hand to perform screening and ARO functions for the flight, which arrived at 5pm and departed at 9pm on 4 April 2014.

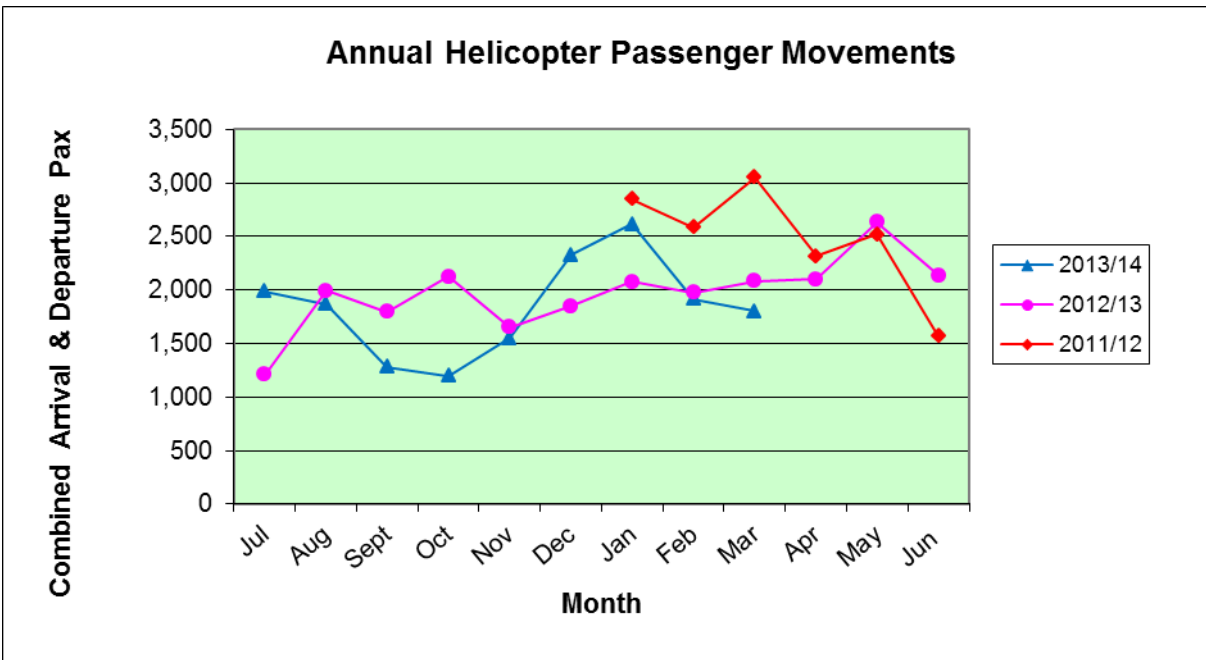
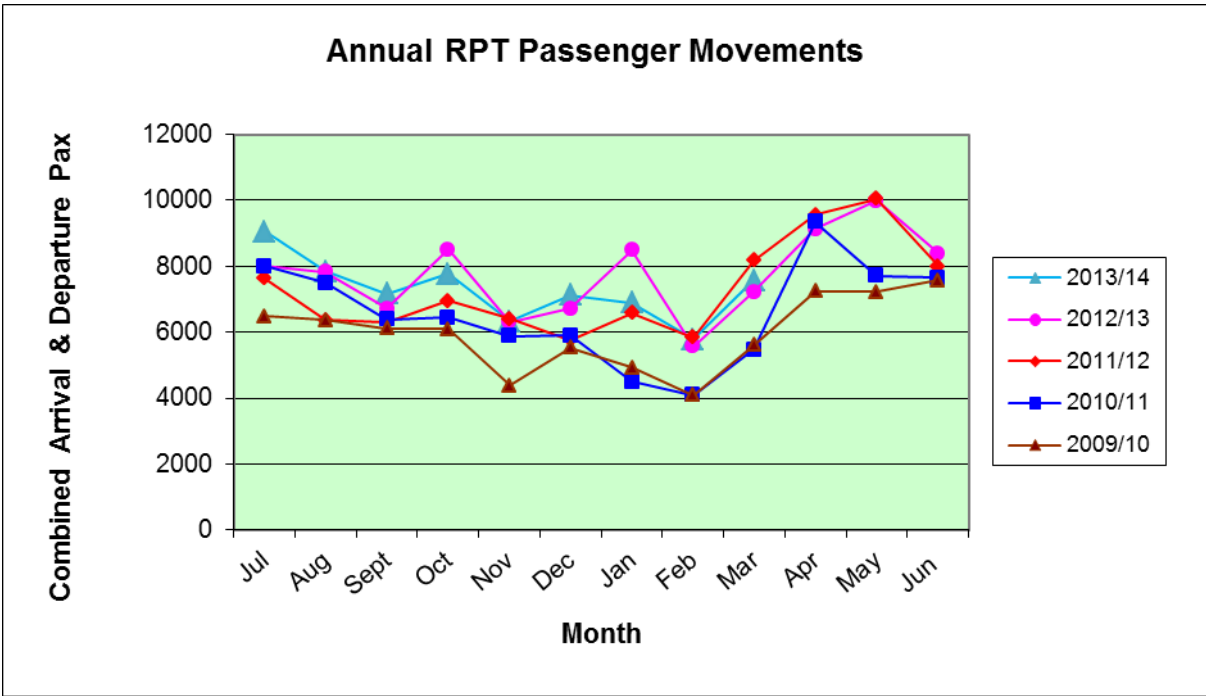
Airlines/Air Operators/Industry

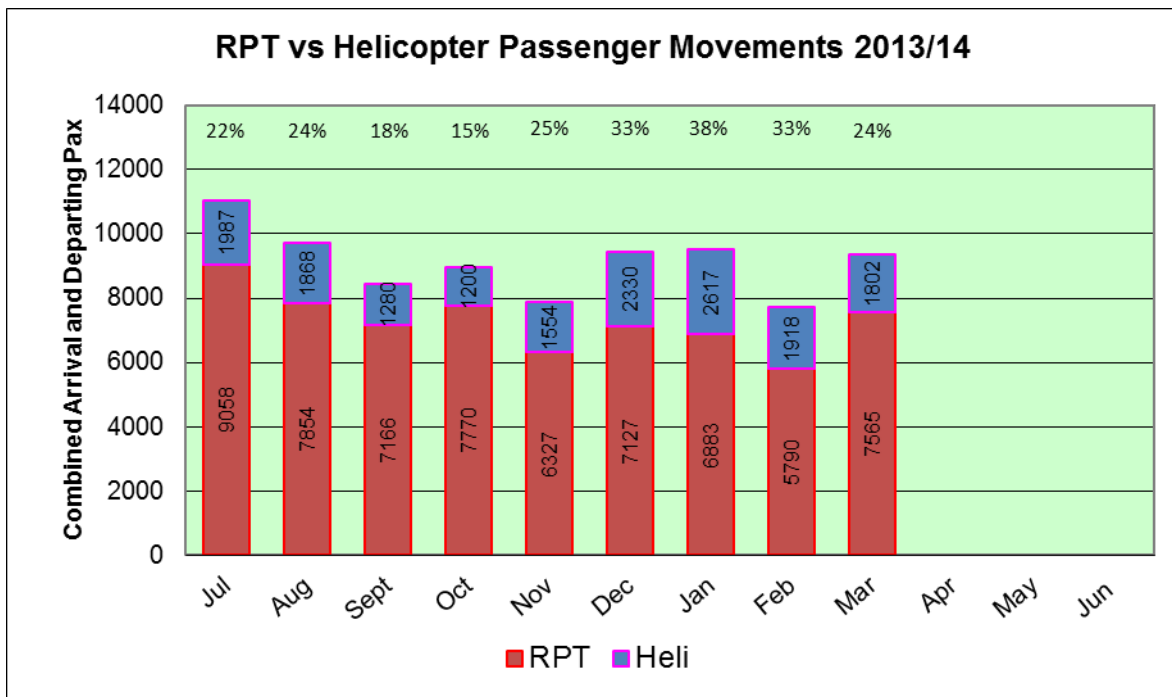
March continues the annual upward trend of passenger numbers until the end of the financial year. Whilst RPT numbers were higher than 2013, there were 600 passengers less than in 2012.

A quiet month at the heliport contributed to this but was balanced by an increase in RPT passengers. April should see a further increase in passengers and will also include school holiday traffic.

End of financial year passenger numbers are on target to be around the same as for 2012/13, being approximately 93,000 passengers.

See the graphical presentation of statistics below.





Airport

A water shutdown from the Defence Supply on 26 March 2014 put test to the new pump and tank system which successfully supplied water to the airport terminal.

Heliport

Usual FPSO business apart for Ningaloo Vision which is away for normal maintenance and due back any day. Jack Bates drilling vessel departed mid-March (a month earlier than originally advised) and only the Atwood Falcon drilling rig remains at this time.

On 18 March 2014, Woodside commenced on-site alcohol and other drugs (AOD) testing of their drilling staff/contractors with testing undertaken by Western Diagnostics Pathology. A couple of days training were undertaken by heliport staff on the procedures to be followed should a non-negative test be returned.

Staffing

Nil to update.

Leasing

The rest room access licence agreement has been sent to Qantas Airways for further consideration. Advertising the terms of the agreement will occur once it is confirmed Qantas is happy with the content and price.

Projects

Upgrades to access control systems for the airport buildings are progressing with all doors, electronic locks and electric modifications ordered and/or commenced. Full installation of all components is planned for mid-May 2014.

Other Items

Nil

Exmouth Aerodrome

Minor runway works were undertaken on 4 April 2014 with further improvement works to be completed in coming months.

Fire fighting water storage tanks and the solar pump have been ordered and should be received within 6 weeks with installation to follow. It is the responsibility of Bristow Helicopters Australia and Norwest Air Works to connect to the tanks.

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 April 2014.

COUNCIL DECISION – 08-0414 – 10.3.1

Moved Councillor Todd, Seconded Councillor Winzer.


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

CARRIED 5/0

10. REPORTS OF OFFICERS

10.3 Executive Manager Aviation Services

10.3.2 Lease of Lot 1 Exmouth Aerodrome to Peter & Heather Lake trading as Lakewood Trust

Location:	Lot 1 Lyndon Location 73, Exmouth Aerodrome
Applicant:	J Kox
File Reference:	TT.SP.1, CP.OP.2
Disclosure of Interest:	Nil
Date:	4 April 2014
Author:	Executive Manager Aviation Services, Jenny Kox
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report seeks Council's approval to rescind the current lease held by Peter Lake & Heather Shave at Exmouth Aerodrome and enter into a new lease with Peter & Heather Lake trading as Lakewood Trust for Lot 1 at Exmouth Aerodrome (Lyndon Location 73) for the purpose of commercial microlight flying activities and operations.

BACKGROUND

At the 15 September 2005 Ordinary Council Meeting (OCM), Council resolved:

That the Council of the Shire of Exmouth accept the termination lease between the Shire of Exmouth and Norwest Airwork Pty Ltd on the 31st December 2005 and provide in-principle support to the establishment of sub-lease arrangements between the Shire of Exmouth and

- *Norwest Airwork Pty Ltd for the current southern hanger and surrounding office facilities, inclusive of the shared use of accessways and runways (for the purpose of small aircraft flights, servicing and business administration);*
- *Bristows for the current northern hanger and surrounding office facilities, inclusive of the shared use of accessways and runways (for the purpose of Helicopter maintenance, operations and business administration); and*
- *Mr Peter Lake/Gavin Penfold for the future northern hanger (former Shire hanger) inclusive of the shared use of accessways and runways (for the purpose of constructing a private microlight hanger and business).*

This enabled Council to directly lease land to Peter Lake & Heather Shave (formerly known as Ningaloo High Pty Ltd) which they currently occupy at Exmouth Aerodrome (previously "Exmouth Light Aircraft Strip" and renamed to "Exmouth Aerodrome" in September 2012).

Effective 1 January 2007, Council executed a lease with Peter Lake & Heather Shave for 10 years with an optional further term of 10 years (at Council's discretion) being for 2,716m² land at Exmouth Aerodrome.

Work commenced in 2010 to establish planned operational areas and lease allocations at the then Exmouth Light Aircraft Strip. This work was further supported when Council resolved at the 18 October 2012 OCM that a Master Plan for Exmouth Aerodrome be prepared (Decision 12-1012 -10.3.3).

In preparing the plans, a survey of each lease area was undertaken using the lease plans and known features to determine current lease areas. Consultation with leaseholders was also undertaken to take into consideration, where possible, their future development needs.

Further, at the 21 March 2013 OCM, Council resolved by Decision 09-0313 – 10.3.2:

That the Council of the Shire of Exmouth:

1. ***Formally adopt the Lease Allocation Plan (EXM-004);***
2. ***Endorse the preparation of Design Guidelines specific to Exmouth Aerodrome as part of the Town Planning Scheme review; and***
3. ***Delegate authority to the Chief Executive Officer to negotiate variations to leased areas with lessees to reallocate land to the new plan.***

The Exmouth Aerodrome Lease Allocation Plans provide for planned development of land and operational areas and improved access and will form part of the Master Plan.

COMMENT

The Exmouth Aerodrome is Reserved Land on which a Management Order exists for the purpose of aviation related activities managed by the Shire of Exmouth.

With the endorsement of the Lease Allocation Plans, Lakewood Trust were provided the following options with respect to their lease:

1. Retain their current lease 'as is' which expires on 31 December 2016 but execute a Deed of Variation to include the scaled, detailed lease area plan will be required.

OR

2. Rescind their current lease and enter into a new lease for Lot 1 on Lease Allocation Plan with a term up to 10 years with a 10 year option as the 'time clock' starts again.

A rental rate proposal for Lot 1 was provided to Lakewood Trust for consideration. The proposal sees retention of the current rental rate until the completion of the initial term of the current lease, with CPI being applied annually. From 1 July 2017, a new agreed rate is applied which has CPI applied annually and allows for market rent review every 3 years. The indicative rates to be applied are summarised in the attached (refer ***Confidential Attachment 1***).

On 2 April 2014, Ms Lake confirmed Lakewood Trusts' agreement to enter into a new lease with Council for Lot 1.

CONSULTATION

Lakewood Trust

STATUTORY ENVIRONMENT

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.

Reserve 32867 (the Light Aircraft Strip) is currently vested with the Shire of Exmouth for the purpose of "Aerial Landing Ground". It consists of an area of 494.8598 hectares and is located adjacent to the Exmouth-Minilya Road approximately 1-15 kms south of the Exmouth townsite. Council has been provided the power to lease for this site up to 21 years, subject to the approval of the Minister.

POLICY IMPLICATIONS

Policy 2.4 - Leases

FINANCIAL IMPLICATIONS

A valuation was undertaken on 8 February 2013 which recommended a rate of \$6.00 per m² for the current leased area and the new Lot which equates to \$15,390.00 per annum plus GST for Lot 1.

The annual lease fee proposed will be equivalent to that currently received until the end of 2016/17 financial year after which there will be an increase in rental fee to achieve a rent more in line with the valued rate.

This amount is exclusive to all outgoing costs and connections to utilities. Therefore there is no loss of income by executing the proposed terms and an increase in income will be realised from 1 July 2017.

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 – 10.3.2
--

That the Council of the Shire of Exmouth:

1. *Approve the termination of the lease between the Shire of Exmouth and Peter Lake & Heather Shave on, or prior to 30 June 2014 for the area currently leased at Exmouth Aerodrome (Lyndon Lot 73);*
2. *Agree in principal to enter into a lease with Peter & Heather Lake trading as Lakewood Trust (ABN 24 192 984 992) for Lot 1 at Exmouth Aerodrome (Lyndon Lot 73) being 2,565m² for a term of 10 years + 10 years at an initial rate of \$1,798.54 plus GST;*
3. *Endorse publicly advertising the above proposed lease to Peter & Heather Lake trading as Lakewood Trust at the negotiated rate in accordance with Council policies;*
4. *Delegate Authority to the Chief Executive Officer to execute a lease document 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; and*
5. *Delegate Authority to the Chief Executive Officer to approve any further terms of the lease.*

COUNCIL DECISION – 09-0414 – 10.3.2
--

Moved Councillor McHutchison, Seconded Councillor Hood.

That the Council of the Shire of Exmouth:

1. *Approve the termination of the lease between the Shire of Exmouth and Peter Lake & Heather Shave on, or prior to 30 June 2014 for the area currently leased at Exmouth Aerodrome (Lyndon Lot 73);*
2. *Agree in principal to enter into a lease with Peter & Heather Lake trading as Lakewood Trust (ABN 24 192 984 992) for Lot 1 at Exmouth Aerodrome (Lyndon Lot 73) being 2,565m² for a term of 10 years + 10 years at an initial rate of \$1,798.54 plus GST;*


3. *Endorse publicly advertising the above proposed lease to Peter & Heather Lake trading as Lakewood Trust at the negotiated rate in accordance with Council policies;*
4. *Delegate Authority to the Chief Executive Officer to execute a lease document 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; and*
5. *Delegate Authority to the Chief Executive Officer to approve any further terms of the lease.*

CARRIED 5/0

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:	7 April 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

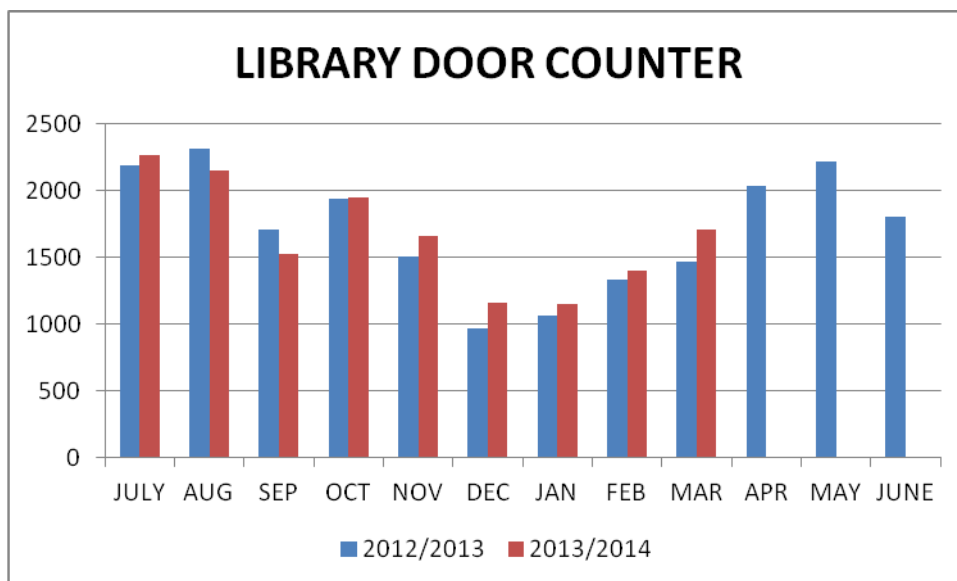
Tourism

National Landscapes Programme

A second round of regional workshops and visits was undertaken for the Ningaloo-Shark Bay National Landscape programme with a committee meeting in Carnarvon this month. Workshops were held in Exmouth, Coral Bay, Carnarvon and Shark Bay. The Consultants immersed themselves in some of the Hero Experiences on offer, including a swim with the Whalesharks, a visit to the 2 mile Jetty in Carnarvon, a visit to Mt Augustus and a range of guided tours in Shark Bay.

The development of the Experience Development Strategy (EDS) is progressing with a first draft presented and available for comment.

Public Library



In the month of March 1712 people made use of the Library facilities compared with 1465 for the same period last year, an increase of 247 people.

Thanks Dad Photo Competition

All Gascoyne Libraries worked with Children & Family Services on the “Thanks Dad!” photo competition during the months of February and March.

Prizes were donated by various businesses from across the Gascoyne. More than 100 entries were received with 3 overall winners, 5 town winners and 10 category winners. Entrants were asked to submit a photograph of a child and a male role model. Exmouth’s winning photograph was of Derek Nunn with his daughter Jamie. Their prizes were presented to them in the Exmouth Public library.



Community Development

Health Matters

Staff attended a Medicare Local meeting with a range of health professionals to discuss the gaps in available health services in Exmouth and how Medicare Local can assist in filling these gaps.

Some issues have already been addressed, like the waiting times for an appointment at the Exmouth Hospital; the 4th doctor now starts earlier to help clear the backlog of appointments. The average waiting time is now 1½ weeks, down from 4 weeks.

Additional hours have been given for a chronic care nurse, and the hours of the social workers have been increased to a full-time position. A local physiotherapist has been given hours to treat hospital patients.

The next 4 issues that will be addressed are:

1. Private GP clinic
2. Visiting Specialists
3. Drug & Alcohol related issues
4. Mental health

The *Northern Gascoyne Primary Health Care Service Directory* is now available in hard copy and will be updated every month on Medicare Local’s Website, www.gmml.org.au.

Fashion Workshop

Workshops were held earlier this year to create “enviro-fashion” which resulted in 13 garments all locally designed and made. This month, the garments were used for underwater photography to not only showcase the designs but also the natural environment and Ningaloo Reef.

Many thanks go to *Three Island Whale Shark Dive* and their staff who generously offered one of their boats, a photographer and free-divers for the day. The results of this programme will be shown at the Whale Shark Festival 2014.



Youth Matters*KickstART Festival Visit*

The Community Development team are taking 4 Youth Action Exmouth members to Perth this month. The group has a full itinerary, and visits scheduled include a full day at the KickstART festival, visiting the Year 12 Prospectus at the WA Art Gallery, and attending the opening of the Esplanade Youth Plaza in Fremantle. The group are excited to attend the festival and the opening – the opening features the unveiling of the largest metropolitan skate park and first parkour park in the City. Parkour is the sport of Free Running, which is something very popular with this age group.

The group intend to source an act for the Whaleshark Festival during this visit. The purpose is to bring a youth element to the local festival that will be a new experience for their peers and something to attract young people to come along and get involved. Last year the group sourced an MC; DJ and artist that all ran workshops and were popular with young people.

Recruitment of young people for Youth Action Exmouth -The YAE group currently has 7 members, and officers and members undertook another recruitment drive and were present at Ross Street Mall to seek some ideas and input from young people regarding activities they would be interested in.

Men's Shed

The CDO has organised a public meeting for Tuesday 29th April to try and engage the community in this process. Regional Men's Health will also be in attendance as they will be presenting about the many benefits of being part of a Men's shed. The team will be publicising this meeting extensively, in the hope of engaging more of the community, and being able to accurately assess the support for such an initiative.

Whaleshark Festival and Gascoyne in May (GIM)

A festival programme is being developed and finalised in coming weeks and the Shire was offered advertising space as one of the major supporters of the festival.

Officers attended a meeting with Gascoyne in May, the overarching committee for all Gascoyne Festivals, to develop a Strategic Business Plan. It is anticipated that this plan will give clear direction to the objectives of the Committee but also the future funding models to keep the executive officer and the Artistic Director on board for the future of Gascoyne in May.

Media and Community Information

- Shire newsletter for March 2014
- Ningaloo Centre – West Australian 5 April 2014

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 1.3 – 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 April 2014.

COUNCIL DECISION – 10-0414 – 10.4.1

Moved Councillor Todd, Seconded Councillor McHutchison.


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

CARRIED 5/0

10. REPORTS OF OFFICERS

10.4 Executive Manager Community Engagement

10.4.2 Exmouth Visitor Centre Reporting on KPIs

Location:	Exmouth
Applicant:	R Kempe
File Reference:	CS.SP.29
Disclosure of Interest:	Nil
Date:	7 April 2014
Author:	Executive Manager Community Engagement, Rogé Kempe
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

The Council of the Shire of Exmouth supports the Exmouth Visitor Centre operations with a cash contribution and in return requires from the Exmouth Visitor Centre Marketing Committee (EVCMC) bi-annual review reports regarding their achievements against Key Performance Indicators (KPIs).

Officers recommend that Council accepts the April 2014 KPI Review Report from the EVCMC as presented with this Council Report.

BACKGROUND

The Shire of Exmouth has entered into a formal Funding Agreement with the EVCMC outlining the support provided by the Shire of Exmouth and the conditions for this support. This includes:

- An annual fixed cash contribution of \$220,000 for the first two financial years (2013/14 and 2014/15) with an anticipated reduction in future years (50% of the net profit made by the EVC in the previous financial year).
- The provision of free of rental charge use of the current Exmouth Visitor Centre building and relocation of the EVC into the new Ningaloo Centre in the future.
- Representation of Council on the new proposed EVC Marketing Committee as follows: 1 Council representative (voting member), 1 staff member (non-voting).
- Key Performance Indicators to guide the deliverables by the EVC, and specific reporting requirements for the Management Committee to Council.

Reporting requirements on Key Performance Areas/Indicators are embedded in the Funding Agreement between the two parties as follows:

Evaluation and reporting

- *EVCMC shall conduct evaluations of its performance in relation to the **Key Performance Indicators** and its implementation of the Strategic Plan on a biannual basis in March and September of each year during the Term.*
- *EVCMC shall provide a report to the Shire detailing the results and outcome of each bi-annual evaluation by 1 April and 1 October of each year during the Term, unless otherwise agreed by the Shire.*
- *EVCMC shall additionally provide to the Shire:*
 - *a copy of its audited annual statement of accounts for each preceding financial year by no later than 1 November in each year of the Term;*
 - *advice of any changes in its office holders or its rules of association; and*
 - *any information on EVCMC's membership or other information in relation to the management or activities of EVCMC requested by the Shire to determine EVCMC's compliance with the Key Performance Indicators.*

This Council item and attachment provides the April 2014 Report to Council on the achievements of the EVCMC in Key Performance Areas identified in the Centre’s Strategic Plan 2013-2017.

COMMENT

A full Report outlining the achievements against Key Performance Indicators was submitted by the EVCMC (Refer *Attachment 1*).

Regarding the KPI reporting, officers bring to Council’s attention the following:

- Considerable progress has been made in the areas of staff training and review of internal policies and procedures.
- Memberships and sponsorships related actions require more time;
- Many actions have been undertaken, have become of an ongoing nature (review/monitor) or have become obsolete as circumstances have changed.

In all, officers commend the EVCMC and staff of the Visitor Centre on the progress made.

Future Reporting on KPIs

The Committee is aware that many of the current KPIs have already been achieved or have become obsolete.

The newly formed Committee likes to determine the future planning and direction of the EVC which in turn will assist to update existing KPIs and incorporate new ones. A workshop will be planned to review and update the Strategic Plan and Business Plan and this also opens up the opportunity to include some new KPIs from the Marketing Strategy.

In accordance with the Funding Agreement, any proposed change in KPIs needs to be approved by Council and officers will bring this matter to Council in due course, but before the next bi-annual KPI report of November 2014.

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.

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 – 10.4.2

That the Council of the Shire of Exmouth accepts the April 2014 bi-annual Review Report from the Exmouth Visitor Centre Marketing Committee.

COUNCIL DECISION – 11-0414 – 10.4.2

Moved Councillor Winzer, Seconded Councillor Todd.

That the Council of the Shire of Exmouth accepts the April 2014 bi-annual Review Report from the Exmouth Visitor Centre Marketing Committee.

CARRIED 5/0

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: 6 April 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 applications for permits and certificates made pursuant to the Building Act 2011 received up to 31 March 2014.

Applications for Permits and Certificates Pursuant to the Building Act 2011						
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	Approved	11/04/14
14/22	25/02/2014	1334	2 Salmon Loop	Patio	Approved	14/03/14
14/23	25/02/2014	1112	Site 216, 1 Nimitz Street	Patio/Alfresco	Approved	06/03/14
14/24	27/02/2014	R20965	Maidstone Crescent	Demolition Permit - Public Toilet Block	Approved	27/02/14
14/25	06/03/2014	70	8 Bennett Street	Reposition Existing Building on Lot	Awaiting information from applicant	
14/26	11/03/2014	118	35 Snapper Loop	Raise Roof Garage And Addition of Patio	Approved	13/03/14
14/27	13/03/2014	135	65 Skipjack Circle,	Shed/Carport	Approved	19/03/14
14/28	13/03/2014	37	10 Searaven Crescent	Carport / Alfresco Patio	Approved	19/03/14
14/29	13/03/2014	1499	20 Nimitz Street	Sea Container	Approved	20/03/14
14/30	17/03/2014	145	15 Dugong Close	House	Approved	27/03/14
14/31	18/03/2014	198	Yardie Creek Road	Rigid Annexe	Awaiting information from applicant	
14/32	20/03/2014	649	22 Hall Street,	Outbuilding	Approved	27/03/14
14/33	24/03/2014	16	(Loc 73) Murat Road	Annex To Generator Shed, 7 x Sea Container Footings & Tie Downs	Approved	07/04/14
14/34	26/03/2014	1142	6 Koolinda Way	Outbuilding	Processing	

Summary of Building Permit Applications
2007 to Year to date 31 March 2014

Year	No. Applications	Total Value of Works	No. Applications up 31 March 2014	Value up to 31 March 2014
2007- 2008	114	\$13,465,725.00	88	\$11,215,607
2008- 2009	132	\$26,600,941.00	99	\$21,396,866
2009 - 2010	198	\$26,916,869.00	123	\$18,081,876
2010 - 2011	188	\$24,816,605.00	118	\$18,164,195
2011-2012	144	\$23,057,154.00	118	\$20,077,405
2012- 2013	150	\$19,931,790.00	107	\$16,343,045
2013-2014			118	\$16,356,997

COMMENT

BUILDING

Included in the above table of applications for permits and certificates for the month of March 2014 is a demolition Permit for the Town Centre Public Toilets. Nb:- The above permit is not included in the statistics for the second table which is a summary of Building Permit activity only.

A point of interest in the Building Permits approved for jetties is Application #13/188. This is a new 'two pile' jetty design that in association with a 'mooring arrangement plan' has been certified by a practising structural engineer and approved by the Department of Transport as suitable to hold a 12.5m vessel during cyclonic conditions. Previously, all cyclonic jetty and mooring arrangements for vessels over 8m have been engineered as a four pile system.

Preliminary Review of Fencing Local Laws

Council officers recently reviewed the Shire of Exmouth Fencing Local Laws. The Council will be presented with a re-draft of the proposed new local law in the coming months. The review mostly involved updating the format to be consistent with the current 'model' for Fencing Local Laws, deleting clauses that were now more appropriately covered by the Residential Design Codes, updating the reference to zones to be consistent with the new (DRAFT) Town Planning Scheme and increase the standard of a 'sufficient fence' for Residential Zones from 'rail-less link or chain mesh of a height of 900mm' to a 1,200mm high link or chain mesh fence supported by a top and bottom rail.

ENVIRONMENTAL HEALTH

In addition to the general environmental health functions, Council officers are paying particular attention on food premises and caravan parks in the lead up to the coming busy tourist season.

Living Smart Facilitator Training 28-30 March 2014

The Shire of Exmouth with support from the Durack Institute of Technology hosted the Living Smart Facilitator Training on the 28-30 March 2014. The course attracted a diverse group of seven locals that are very enthusiastic about rolling out the Living Smart Program to the broader Exmouth community. Unfortunately no one from neighbouring towns attended the course which meant the numbers were a bit less than was hoped. Normally minimum numbers of 15 are required to secure the training; however as Living Smart had funding left over from a Lotteries West grant to deliver the training in regional areas so the Exmouth course was able to proceed.

The diversity in participants made up for the lack of numbers. Whilst the training was quite intensive and included many staying up to 'wee' hours of the morning Saturday night doing homework, all agreed that they learnt a lot and they were all keen to help spread the word about what we can all do as individuals in our own homes to live smarter and more sustainably.

The group (pictured below) are currently busy planning the first of what will be 2-3 full seven-eight week Living Smart Programs to be delivered over the next 18 months.



NW EHO Group Meeting (Broome) 3-4 April 2014

Council officers could not attend this year's North West Environmental Health Officer's Group Meeting in person. However, the Executive Manager Health & Building participated in the general discussion session via telephone link up on the afternoon of 4 April 2014.

There were a lot of topics discussed and information shared across the vast regions. The following items were of particular interest from the afternoon's discussions:-

- The NW EHO Group will re-establish formal links with Environmental Health Australia (WA). This was viewed as a very positive step as it will facilitate EHA sponsorship of the once year meeting in the NW, assist with training and professional development opportunities, and provide a forum to hold a second yearly NW Group meeting during the annual State EHA(WA) Conference.
- Problems and challenges in relation to recycling in the NW were discussed. Bring-too Centres have proven to be a much better means of reducing contamination of recyclables than using a co-mingled kerbside MGB for recyclables. Stockpiling baled material and/or working in association with neighbouring Councils to ensure that a critical mass of recyclables is collected before taking the product to market greatly improves the bargaining power with the scrap merchants and centres that buy the baled recyclable products.
- The Shire of Broome are about to 'ramp-up' their wheel clamping action on illegal campers. This was introduced last season to target repeat offenders and those that had already been issued infringements but refused to pay.

Waste Management and Recycling**Qualing Scarp Waste Disposal Site Operations**

The current seven day a week opening of the waste site and the limitations of man hours available to cover the roster, results in the two full time staff only ever being on shift on the same days for 5 days every fortnight. As an attendant needs to be at, or in close proximity to the tip office/check point, the current opening hours and rostering is not efficient or productive use of the available man-power. Winning cover material for the tip face, excavation of new 'Food Pits' and moving the dirt around the site can only be done when there are two staff on shift at once or the site is closed to the public.

Owing to the above, Council officers recently reviewed statistics of customer patronage to the waste site over a three month period. From the above, Sundays were found to be a clear stand out for reduced patronage and earnings compared to the other days. Over the 3 month period, an average of 5-6 vehicles used the waste disposal site on Sundays and tip fees of only \$175 were received in total for the period. This equates to approximately one vehicle per hour. Of the mid-week days, there doesn't appear to be any one day of the week that is consistently more or less busy, it seems to be very irregular apart from Wednesday being a day of less visits by compactor waste trucks (including the Shire truck).

In the 2014/2015 budget deliberations the Council may wish to consider whether closing the tip on a Sunday and re-allocating the staff hours to an extended Saturday opening and other mid-week hours would be a better and more productive allocation of the wages.

2012/13 CLGF Regional Group Waste & Recycling Infrastructure

A final version of the Financial Funding Agreement (FAA) has now been completed for signing that all parties are satisfied with. Unfortunately the Department of Regional Development cannot release a signed and sealed version of the FAA until the Shire of Carnarvon submits the acquittal of their 2010/11 CLGF project.

In anticipation of the FAA being finalised and the funds being released in a timely manner, milestones have been set which, if all running smoothly will see a Bring-too Centre operational in Exmouth by 31 January 2015.

In addition to the CLGF grant for the infrastructure the Shire's of Shark Bay, Carnarvon and Exmouth have secured funding from the Waste Authority for the appointment of an industry specialist consultant as a Project Manager to assist the Regional Waste Group with the public relations/education campaign and the identification and acquisition of the most suitable plant and equipment to fulfil the purposes of the project. EOI's will soon be called for the Project Manager position.

EDHS Work Experience Placement

Following discussions with staff from the Exmouth District High School the Shire of Exmouth will support a Work Experience placement for a student at the Qualing Scarp Waste Disposal Site commencing the second term. The student will work at the waste site one day per week (Wednesdays) under the supervision of the Waste Site Supervisor.

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 21 March 2014.

Paltridge Memorial Swimming Pool

	<u>2014</u>	<u>2013</u>	<u>2012</u>	<u>2011</u>
Pool Users	5335	5130	5013	5541

The pool blankets arrived late in March and were recently unpacked and installed by the Swimming Pool Manager (SPM). The SPM has confirmed that even after the recent cool change in the weather the blankets are proving very effective with the water temperature still being maintained at 27.5degC, while the water temperature in other large commercial pools in town has dropped to around 24degC. This is the last part of

the 2014 pool upgrade works that were greatly assisted by a grant from the Department of Sport and Recreation. Work has now begun with the acquittal of the DSR grant.

Over the coming April school holidays the pool will be offering Aqua Run Fun Days on Mondays and Wednesdays and the last Dive In Movie for the season, `Parental Guidance`, will take place on the evening of Easter Saturday – 19 April 2014.

Over the Easter period the pool will be closed on Good Friday and Easter Sunday; and open on Easter Saturday and Easter Monday.

The 2013/14 Pool Season will end on 9 May 2014. During the pool closure the pool will be repainted. A Request for Quotation closed on 4 April 2014 with the successful contractor being local company Statewide Fibreglass. Council officers have looked at a range of options for the re-use of the existing pool water and to date have not been able to identify anyone or a project that can use the water.

The facility is scheduled to reopen two weeks earlier than usual with a Pool Open Day on 31st August 2014, this will be subject to the pool water meeting satisfactory chemical tests and microbiological analysis following the re-filling of the freshly painted pool.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Environment

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

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

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.5.1
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That the Council of the Shire of Exmouth receive the Executive Manager Health & Building Report for the month of April 2014.

COUNCIL DECISION – 12-0414 – 10.5.1

Moved Councillor Todd, Seconded Councillor Hood.

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

CARRIED 5/0

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: 7 April 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 9 April 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	On Hold	
PA08/14	20/01/2014	1	4A Pellew Street	Open Carport	On Hold	
PA20/14	13/02/2014	162	Tuckey Street	Single Dwelling	On Hold	
PA29/14	25/02/2014	379	30 Corella Court	Single Dwelling	Approved	07/04/14
PA31/14	04/03/2014	31	9 Pellew Street	Sea Container and outbuilding	Cancelled	
PA34/14	05/03/2014	363	Kestrel Place	Jetty	April OCM	
PA35/14	06/03/2014	R37664	Minilya Exmouth Road	Sea Container, Fence and Water Tank	Awaiting information from the applicant	
PA37/14	06/03/2014	319	11 Pellew Street	Change of Use	Processing	
PA38/14	07/03/2014	173	Lyndon Location	Signage	Approved	07/04/14
PA39/14	11/03/2014	379	30 Corella Court	Holiday Accommodation	Processing	
PA41/14	12/03/2014	227	46 Kennedy Street	Verandah off side of existing shed and bathroom	Approved	12/03/14
PA42/14	13/03/2014	561	Murat Road	Signage	Approved	24/03/14
PA48/14	21/03/2014	361	5 Kestrel Place	Single dwelling and Swimming Pool	Neighbourhood consultation	
PA51/14	24/03/2014	900	2 Welch Street	Hoarding Sign	Approved	28/03/14
PA52/14	24/03/2014	1104	5 Campbell Way	Home Occupation – Event Hire	Neighbourhood consultation	
PA53/14	26/03/2014	607	2 Christie Street	Signage	Approved	28/03/14
PA55/14	01/04/2014	15	Welch Street	Unit	April OCM	
PA58/14	02/04/2014	312	Minilya Exmouth Road	Ancillary Accommodation	Approved	09/04/14
PA60/14	03/04/2014	305	Minilya Exmouth Road	Swimming Pool	Processing	
PA61/14	04/04/2014	167	17 Maidstone Crescent	Storage and Sorting Room	Processing	
PA62/14	04/04/2014	363	1 Kestrel Place	Single Dwelling	Processing	

PA63/14	04/04/2014	1371	1 HeronWay	Carport and Garden Shed	Processing
PA64/14	04/04/2014	166	Lyndon Location	Temporary Construction Accommodation	April OCM
PA65/14	04/04/2014	344	30 Kestrel Place	Retaining Walls	Processing
PA67/14	08/04/2014	R47981	1480 Neale Cove	Industrial Marine Land Uses	April OCM

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)	116

Permits issued for an Activity on Local Government Property	
Month	No. Applications
January	2
February	2
March	8

COMMENT

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

During the February 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

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 comments period for the Policy closed on Wednesday 9 April 2014.

State Administrative Tribunal – Mediation DR 103/2013 Penfold v Shire of Exmouth

The State Administrative Tribunal has issued an order advising that the applicant, Bird's Eye View, has withdrawn the above matter. (Refer *Attachment 1*)

Local Planning Scheme and Strategy Project Update No. 9:

Shire Officers and TBB Working Meeting

Shire Officers and Taylor Burrell Bennett (TBB) engaged in a productive 8hr Working Meeting on Tuesday 1 April at which various items were discussed and resolved. The Final Edits to the Local Planning Strategy (LPS) Mapping have been agreed. The format of the LPS Report: Part 1 (Objective, Strategies and Actions) and Part 2 (Background and Analysis of Issues) were also agreed, with TBB working to deliver the Final Draft LPS by the end of April. Final section edits are being forwarded for Council Officer feedback in the interim period.

Meeting with Shire Officers/TBB and Department of Planning

A meeting was held on Wednesday 2 April enabling the Shire/TBB to update the Department of Planning (DoP) Officers (Johan Gildenhuys and Robert Moore) on the status of the LPS and Local Planning Scheme 4 (LPS4). The Part 1 and Part 2 format of the LPS as presented by TBB were favourably received. Various issues arising from the Working Meeting on 1 April required DoP clarification, all of which were openly discussed and resolved as to the way forward. Day to day operational matters experienced by the Shire were highlighted at the meeting to assist drafting of applicable Scheme Text provisions. The DoP provided guidance on specific areas eg tourism provisions, residential development zones and structure plan provisions. The manner in which to ultimately zone the 'industrial investigations areas' (identified on the LPS) to avoid EPA assessment was a particular point of discussion. It was agreed that a pre-meeting with the EPA should be arranged by the Shire (with TBB in attendance) to discuss appropriate course of action to remove risk of EPA assessment. Informal pre-lodgement advice from the DoP was notably beneficial to ensure DoP assessment of the LPS is expedient upon lodgement. It was agreed to include the DoP in discussions when required.

Local Planning Scheme No. 4 – Mapping and Text

The LPS4 Scheme Maps are in an advanced stage of refinement with edits currently taking place in response to feedback received from the Shire /TBB Working Meeting. The circulation of Draft copies of the Scheme Maps is being targeted to coincide with the final drafting of Part 4 and 5 Provisions. A further working

meeting/phone hook-up will be arranged to specifically discuss the scheme text provisions, including engagement with the DoP on higher level procedural issues as they arise.

Arrangements have been made for Council's 'Resolution to prepare LPS 4' to be advertised with targeted government agencies being notified of pending advertising procedures for both the LPS and LPS4. Adjoining Local Government Areas will also be notified to ensure compliance with Town Planning Regulation 5(1) and 5(2). TBB have provided Shire Officers with assistance in this regard.

Lefroy Affordable Housing in Exmouth

Council in conjunction with the Department of Housing (DoH) are currently working on the Exmouth Key Worker Housing Project. The Department of Housing are currently finalising the land tenure arrangements and the business case to be submitted to cabinet for approval.

New Caravan Park

Council during the December 2012 meeting gave an in principle support for Tourism WA to investigate the possibility of a new caravan park on Lot 1403 Truscott Crescent. Porter Consulting Engineers were engaged in December 2013 to prepare the servicing report which is now completed and the report is currently under review by Tourism WA.

A number of studies will be undertaken by Tourism WA over the coming year in preparation for the release of the site in 2016; including a Geotechnical report, Coastal Management Plan, Flora and Fauna Study and a site works assessment/feature survey. The site is constrained by the location of the waste water treatment plant and Native Title, both of which are being progressed by the relevant agencies.

Ranger Services

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

	Dogs	Camping	Parking	Litter	Fire	Off road	Other
Warning/caution	2	0	4	0	0	0	2
Infringement	4	21	1	0	0	0	0
Court	0	0	0	0	0	0	0
February Total	6	21	5	0	0	0	2
2013-2014 Totals	42	90	33	2	161	0	21

Review of Local Laws

Conway Highbury Pty Ltd, are continuing to work on the Local Law Review. Below is a summary of the progress:

- *Cemeteries Local Law*: drafted and ready for a final review before being tabled to Council for adoption for advertising;
- *Dogs Local Law*: drafted and ready for a final review before being tabled to Council for adoption for advertising;
- *Parking Local Law*: drafted and ready for a final review before being tabled to Council for adoption for advertising;
- *Fencing Local Law*: initial draft provided and currently being reviewed by the relevant officers;
- *Public Places and Local Government Property Local Law*: initial draft provided and is currently being reviewed by the relevant officers;
- *Standing Orders Local Law*: initial draft provided and is currently being reviewed by the relevant officers.
- *Cat Control Local Law*: initial draft provided and is currently being reviewed by the relevant officers

The Cat Control Local Law is currently being reviewed by both the consultant and the relevant Council Officers. It has been requested that the consultant investigate further restrictions in which Council can impose of Cat owners to ensure the protection of native wildlife and the World Heritage Area. Currently other Local Government have provisions which could assist Council, however, further research needs to be done to ensure the local law is appropriate for adoption.

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.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Shire of Exmouth Town Planning Scheme No. 3

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 April 2014.

COUNCIL DECISION – 13-0414 – 10.6.1

Moved Councillor McHutchison, Seconded Councillor Todd.

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

CARRIED 5/0

10. REPORTS OF OFFICERS

10.6 Executive Manager Town Planning

10.6.2 Canal Jetty with Cyclonic Mooring - Lot 363 (1) Kestrel Place, Exmouth

Location: Lot 363 (1) Kestrel Place, Exmouth
 Applicant: Reitsema Property Trust
 File Reference: A1496 (PA34/14)
 Disclosure of Interest: Nil
 Date: 24 March 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer:

Chief Executive Officer, Bill Price

SUMMARY

This report recommends that the Council of the Shire of Exmouth grant conditional planning approval for the development of a floating jetty and mooring posts adjacent to Lot 363 (1) Kestrel Place in the Exmouth Marina Village Precinct A, prior to development of a dwelling.

BACKGROUND

The applicant proposes to construct a jetty and mooring posts upon Lot 363 (1) Kestrel Place, Exmouth and two (2) cyclonic mooring piles adjacent to Lot 363 (1) Kestrel Place within the designated mooring envelope.

The Department of Transport (DoT) gave Council powers to approve “broad development approval” for jetty applications which have been lodged with Council. The term ‘broad approval’ is used; on the basis that no plans that are submitted (other than general location / site plans) will be endorsed.

It has been discussed and agreed upon by Council’s Town Planning Department, Environmental Health and Building Department, and DoT that the basic principles of the Exmouth Marina Village Boat Mooring Management Plan, Standard Operating Procedures and Local Laws should form the basis of any approval, with the technical details regarding design and engineering of the proposed jetties being assessed by the DoT at Jetty license application stage.

- i) Development of a ‘jetty’ is ancillary to a dwelling.
- ii) The proposed jetty will be within the designated mooring envelope.



PROPOSAL

- Jetty and pontoon structure protruding 8.9m into the canal from the canal setout line.
- Floating pontoon with four (4) pile cyclonic mooring system.
- Pile cut off level 4.3m AHD.
- Two cyclonic mooring posts in the mooring envelope with 0.5m side setbacks.

COMMENT

The proposal for a jetty has been assessed under the Shire of Exmouth Town Planning Scheme No. 3, Local Laws and various Local Planning Policies. These instruments outline the permissibility for this proposal within the Scheme Area. In accordance with the Scheme, a jetty within the Marina zone is classified as an 'IP' use meaning the use is not permitted unless such use is incidental to the predominant use as approved by Council.

ISSUES**Jetty Prior to Dwelling**

The applicant seeks Council to consider a variation to approve a jetty prior to the construction of a dwelling. Under Council's Policy the proposal is considered to be an 'IP' use meaning the use is incidental to the predominant use. The Exmouth Marina Precinct A Design Guidelines states:

"It is considered that development ancillary to the main dwelling including gazebos, pergolas, decks, retaining walls, and jetties should be dealt with as if they were listed as a 'permitted' use as long as they comply with any relevant site requirements under these guidelines."

The clause is intended to limit a jetty to be ancillary to a dwelling, encouraging infill residential development to prevent vacant land within the Marina. Generally it is considered that the owner has provided sufficient justification to support approval.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Town Planning Scheme Number 3
Planning and Development Act 2005

POLICY IMPLICATIONS

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

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 – 10.6.2
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That the Council of the Shire of Exmouth grant planning approval for a jetty and mooring posts upon and adjacent to Lot 363 (1) Kestrel Place, Exmouth subject to the following conditions:-

- 1. The development being carried out in accordance with Local Planning Policy 6.16: Design Guidelines for the Exmouth Marina Village Precinct 'A' to the satisfaction of Council Officers;*
- 2. The development being carried out generally in accordance with the Shire of Exmouth Town Planning Scheme No. 3 and the approved plans (PA34/14) to the satisfaction of Council Officers;*
- 3. The boat mooring and jetty being constructed wholly within the jetty and mooring envelopes for the subject lot;*
- 4. No boat is permitted to be moored in a manner that allows any part of the boat to extend outside the approved mooring envelope, being 13.8m from the canal setout line;*
- 5. The jetty structure not putting a horizontal surcharge load on the canal wall;*
- 6. No gangway or pontoon structure is permitted to extend beyond the cadastral boundaries of the subject lot;*
- 7. Cyclonic mooring piles in the mooring envelope shall have a minimum side setback of 0.5m;*
- 8. Mooring piles and associated envelope areas not being roofed or having structures built on, around, adjacent to, or within the approved jetty area;*
- 9. All piles must be fitted with a buoyant sliding collar fitted with lugs for attaching the mooring lines;*
- 10. The applicant shall obtain a permit for a barge vessel to enter Local Government Property, to carry out construction works in the waterway;*
- 11. All proposed jetty designs are to be approved by the Department of Transport - Coastal Facilities Branch, with engineering plans and detail being in accordance with the Exmouth Marina Village Canal Boat Mooring Management Plan;*
- 12. 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;*
- 13. 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*
- 14. The approval granted is valid up to 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) Enclosed is a copy of the Exmouth Marina Village Canal Boat Mooring Management Plan and Standard Operating Procedures.*
- iii) The maximum powerboat permissible is 15 metres in length in accordance with the Canal Boat Mooring Management Plan.*
- iv) The maximum sail boat permissible is 10 metres in length in accordance with the Canal Boat Mooring Management Plan.*
- v) The mooring of boats shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.*
- vi) Council Officers may enter uninvited onto your property, including your vessel or jetty provided the provisions of the Local Government Act are adhered to.*
- vii) 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.*

- viii) *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 – 14-0414 – 10.6.2
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Moved Councillor Hood, Seconded Councillor Todd.

That the Council of the Shire of Exmouth grant planning approval for a jetty and mooring posts upon and adjacent to Lot 363 (1) Kestrel Place, Exmouth subject to the following conditions:-

1. *The development being carried out in accordance with Local Planning Policy 6.16: Design Guidelines for the Exmouth Marina Village Precinct 'A' to the satisfaction of Council Officers;*
2. *The development being carried out generally in accordance with the Shire of Exmouth Town Planning Scheme No. 3 and the approved plans (PA34/14) to the satisfaction of Council Officers;*
3. *The boat mooring and jetty being constructed wholly within the jetty and mooring envelopes for the subject lot;*
4. *No boat is permitted to be moored in a manner that allows any part of the boat to extend outside the approved mooring envelope, being 13.8m from the canal setout line;*
5. *The jetty structure not putting a horizontal surcharge load on the canal wall;*
6. *No gangway or pontoon structure is permitted to extend beyond the cadastral boundaries of the subject lot;*
7. *Cyclonic mooring piles in the mooring envelope shall have a minimum side setback of 0.5m;*
8. *Mooring piles and associated envelope areas not being roofed or having structures built on, around, adjacent to, or within the approved jetty area;*
9. *All piles must be fitted with a buoyant sliding collar fitted with lugs for attaching the mooring lines;*
10. *The applicant shall obtain a permit for a barge vessel to enter Local Government Property, to carry out construction works in the waterway;*
11. *All proposed jetty designs are to be approved by the Department of Transport - Coastal Facilities Branch, with engineering plans and detail being in accordance with the Exmouth Marina Village Canal Boat Mooring Management Plan;*
12. *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;*
13. *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*
14. *The approval granted is valid up to 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) *Enclosed is a copy of the Exmouth Marina Village Canal Boat Mooring Management Plan and Standard Operating Procedures.*
- iii) *The maximum powerboat permissible is 15 metres in length in accordance with the Canal Boat Mooring Management Plan.*
- iv) *The maximum sail boat permissible is 10 metres in length in accordance with the Canal Boat Mooring Management Plan.*
- v) *The mooring of boats shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.*

- vi) *Council Officers may enter uninvited onto your property, including your vessel or jetty provided the provisions of the Local Government Act are adhered to.*
- vii) *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.*
- viii) *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 5/0

10. REPORTS OF OFFICERS**10.6 Executive Manager Town Planning****10.6.3 Disposal of Portions of Reserve 47803 (Lot 1477) Madaffari Drive following Consultation, Exmouth**

Location: Reserve 47803 (Lot 1477) Madaffari Drive, Exmouth
 Applicant: Shire of Exmouth
 File Reference: R47803
 Disclosure of Interest: Nil
 Date: 7 April 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that the Council of the Shire of Exmouth request the Department of Lands to proceed with the proposed disposal and amalgamation of portions of Reserve 47803 with adjoining lots following formal advertising; and not proceed with the creation of a duplex block.

BACKGROUND

Council resolved in March 2013 for the proposed disposal of portions of Reserve 47803 (Lot 1477) Madaffari Drive, Exmouth for sale and amalgamation with adjoining lots.

On the 22 October 2013 Department of Lands advised the Shire that advertising was required in accordance with Section 152/20A guidelines. The Department of Lands have also advised they are in the process of preparing a survey of the land.

Council resolution 21 November 2013:

“That the Council of the Shire of Exmouth:

- 1. Advertise the proposed disposal of portions of Reserve 47803 in the Northern Guardian and community notice boards for 42 days;*
- 2. Notify public authorities and affected individuals as the Council nominates who are likely to be affected by the disposal;*
- 3. Invite nominated public authorities to make a submission to the Council within 6 weeks after the notice is given; and*
- 4. Place a sign on the Reserve to advertise the disposal of the Reserve.”*



COMMENT

Guidelines for the Administration of Section 20A 'Public Recreation' Reserves

"Where the reserve is to be cancelled or substantially reduced, a Council or other proponent must signpost the affected reserve to indicate the intended change, advertise in the local newspaper and, in appropriate cases, canvass nearby landholders by mail in order to demonstrate to the Minister the level of ratepayers support. This action may be satisfied by town planning procedures where formal rezoning's are required."

"Where relocation of unwanted Section 20A land does not offer the best solution to the local community's needs, with the prior approval of the Minister of Lands and DPUD, a Council may dispose of identified reserves and apply the proceeds to capital improvements to other recreation reserves in the general locality. A condition of a reserves grant to a Council for disposal will require that a trust fund be established for this purpose and that a separate audit and audit certificates be provided annually to show how the proceeds have been applied. Should certification be inadequate or indicate a breach of conditions, the Minister for Local Government will be asked to issue directions under the Local Government Act to address the situation"

Shire of Exmouth Town Planning Scheme Number 3

Reserve 47803 is currently zoned 'Marina' in accordance with the Shire of Exmouth Town Planning Scheme Number 3.

In accordance with West Australian Planning Commission a reduction in Public Open Space can be considered when the proceeds from the sale are allocated to improve capital infrastructure in surrounding Public Open Space, or given back to the Crown. It is intended that proceeds from the sale of the portions of Reserve 47803 will be used to develop and landscape surrounding public open spaces within the Marina.

There will be a benefit to the community as surrounding open spaces will be developed and landscaped to a high standard. Using the revenue from the sale of the portion of the reserve will help to make Public Open Spaces in the Marina more attractive.

ISSUES

Proposed Duplex Block

The owners of adjoining Lot 100 (132) Madaffari Drive Strata lots 1 and 2 have submitted an objection to the proposed creation of a duplex lot. The owners have designed both strata dwellings to maximize views and orientation towards the footbridge, park and ocean on the assumption that the adjoining reserve would never be developed for residential purposes. The owner paid more for this block with uninterrupted views.

Residential development of land upon portion of Reserve 47803 via creation of a duplex block where the existing playground is located will significantly comprise the existing development and value of the property upon Lot 100 (132) Madaffari Dive Strata lots 1 and 2. Officer recommends that the Council of the Shire of Exmouth not proceed with the creation of a duplex block.

Owners that don't purchase portion of additional land offered to them

Where owners do not wish to purchase additional land it is intended the land will remain in ownership by the Department of Lands.

Permissible Land Uses and Development

Permissible land uses and development will include open structures such as gazebos, swimming pools, decking, and open style outdoor structures considered to be ancillary to the main dwelling for outdoor living purposes. It is envisaged the area will be developed in similar style to the conditional development area within Precinct A canal lots.

Storerooms, sheds, habitable rooms and ancillary dwellings will not be permitted as precedence has already been set with the construction of dwellings in accordance with the current Detailed Area Plan. These structures are considered not to address the canal waterway providing visual surveillance and the majority of land proposed for amalgamation is below the 1:100 year flood event.

Modification is required to be made to the current Detailed Area Plan to incorporate planning provisions for the areas to be amalgamated. Shire officers are currently working on detailed development provisions taking into consideration the existing Detailed Area Plan.

Jetty Envelopes

Public access along the canal side thoroughfare in front of all the affected lots will be maintained. Safe defined access will be provided to the public thoroughfare when funds from the sale of portions of the reserve are received and the reserve is upgraded.

The Department of Transport also advised jetty structures and mooring envelopes cannot be considered until a detailed survey is undertaken and further investigations

CONSULTATION

Consultation letters were sent to the following authorities giving the opportunity to provide comment within a period of 50 days of notification from Wednesday 22 January 2014 to Thursday 13 March 2014. The proposed disposal and creation of a duplex block was advertised in the Northern Guardian giving the opportunity to provide comment within a period of 49 days of notification from Thursday 23 January 2014 to Thursday 13 March 2014.

Reserve 47803 was signposted advertising the proposed disposal of portions of the reserve, and proposed creation of a duplex block. The sign gave the opportunity to provide comment prior to Thursday 13 March 2014. Affected landowners were notified of the proposed disposal. Comments provided in the table below:

Address	Support	Comment	Officer Comment
Mahon Lot 6 Madaffari Dr	Yes, subject to	We would be interested finding out more when the time comes if we weren't able to afford it what would happen to that bit of land?	If unable to purchase portion of the reserve it would become a separate lot and remain in ownership by the Department of Lands.
NOCI 2003 LTD Lot 7 Madaffari Dr		Thanks for sending the notification regarding the availability of the land for purchase. Can you confirm what land is available – ie are you still intending to keep a public thoroughfare along this side of the marina? I look forward to understanding the options regarding the land on offer	The public thoroughfare is intended to remain. When the Public Open Space is upgraded safer, defined, and proper access will be provided to the public thoroughfare.

		and also if you have a current valuation that you are proposing for this land. We are the owners of block7. (Under the name of NOCI2003 Pty Ltd.)	
Zambonetti Lot 8 Madaffari Dr	Yes, subject to	The owner provided in principle support for the proposed amalgamation over the phone subject to valuation and final cost.	Nil
Cooke Lot 9 Madaffari Dr	Yes, subject to	Many thanks for your prompt and full reply. We would be interested in further investigating the purchase of the additional area including a private jetty envelope, depending on the cost. At this stage, we are not sure whether we would be looking at developing that land or using it for landscaping. We look forward to hearing of further developments.	Noted, interest in having a private jetty and mooring envelope. Detailed development design guidelines will be prepared with provisions relating to development and landscaping.
Freedman Lot 14 Madaffari Dr	Yes	We are interested in purchase of the adjoining land for freehold for development and the mooring envelope. Ours is lot 14.	Noted, interest in having a private jetty and mooring envelope.
Bevan Lot 15 Madaffari Dr	No response	Nil	Nil
Lord Lot 16 Strata Lot 1 Madaffari Dr Lord Lot 16 Strata Lot 2 Madaffari Dr	Yes	I am writing to lodge a serious disapproval of the Exmouth Shire's application to use/or develop land at Lot No. 1477 (Reserve 47803) Madaffari Drive, Exmouth. We are owners of the neighbouring block Lot No. 16 Madaffari Drive, Exmouth who have recently spent over 1.5 million dollars building 2 two storey townhouses on our property. We spent close to \$50 000 to hire an architect who would design our houses to make full use of the views of the marina, foot bridge and town beach, both sides of the marina, including and predominantly from the west facing playground side. As shown in supporting photos from our side balconies we can get views of both the foot bridge and town beach in front of the Novotel. Plans attached will show that no balconies have been built on the other side of properties due to the fact that it adjoins a private block and it will eventually be built upon. The shires intention to change the zoning of this block will severely impact the value, selling ability and aesthetic appearance of the property. Our property will be devalued in the	Noted, the owners have spent a significant amount of money on designing and developing their property to make full use of views available. By allowing residential development on the adjoining lot views will be lost and it will significantly compromise the value, and design of the property.

		<p>vicinity of \$50 000 to \$100 000. Will the Shire be compensating us for this?</p> <p>When we decided to purchase Lot 16 Madaffari Drive, Exmouth we took into consideration the fact the playground was there and our views could not be built out. We paid more for the block due to this fact. The Shire now can take this away from us, devalue our land and make our tenants sit on their balconies and look directly into someone else's house or property. The result of this will not only impact us financially as one of the properties is currently on the market, but cause unnecessary stress and hardship. Surely there is other Shire owned land in Exmouth that could be sold that would not impact Shire rate payers so greatly if this is a financial issue for the Shire.</p> <p>It feels a little unfair when the Shire can change zonings without direct notification to those owners of land it will directly impact. If we didn't live in Exmouth we would never have known this was happening. Investors/Owners buy land and design houses around the circumstances they are given at the time purchase, often using views, prevailing wind, afternoon sun to develop their properties. We of course were no different and used the views our block gave to their full potential. Obviously if we knew there could be a house built next door we would never have invested in two large patios to that side of the house.</p> <p>This recreational park area we believe would be far more utilised if a little money were to be spent on landscaping and providing shade. During our construction phase we approached the Shire to landscape some of this land, which we were granted for the period of three years. At a cost of more than \$4000 we landscaped, kerbed and reticulated this land, only to then find 12 months down the track the Shire now want to change this zoning. Again it feels very unfair</p>	<p>With the money obtained from selling portion of the reserve the park and playground area can be significantly upgraded.</p>
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		<p>and unethical.</p> <p>We are still confident that we live in a Shire where all Shire rate payers views are listened to and taken into account, where decisions are made fairly and democratically and as such we hope that this application will not go forward and we can maintain the quality of property we thought and know we have built. After living in the Shire of Exmouth for more than fifteen years it would be disappointing to see the Shire put its own agenda before what is right and just.</p> <p>We look forward to hearing that the Shire has decided not to go through with its application to use/develop Lot No. 1477 (Reserve 47803) Madaffari Drive, Exmouth.</p>	
Bruno Lot 17 Madaffari Dr	Yes, subject to	Thank you for speaking with me earlier today. As discussed with you we as owners (Assessment A1218) in the impacted area wish to lodge our interest pursuant to your letter dated 25 March 2013. Please keep us notified as to how and when we may participate in the proposed purchasing of the adjoining reserve.	Noted, interest in purchasing portion of the reserve.
Superannuation Fund (Neil Rae) Lot 21 Madaffari Dr	Yes, subject to	Just confirming our interest in the opportunity to purchase portion of reserve 47803. We have a house on Lot 21. The address is 142 Madaffari Drive. Yes we would like a jetty if possible. Yes we would like to landscape the land involved possibly with a pool, decking and such. Of course our interest in the land is conditional upon a lot of things. I am sure that you understand that.	Noted, interest in having a private jetty and mooring envelope. Detailed development design guidelines will be prepared with provisions relating to development and landscaping.
Ginbey Lot 23 Madaffari Dr		<p>To our knowledge (through Hearsay), the said land was to be public open space, landscaped and maintained by the Shire of Exmouth, but to date nothing has been done despite money apparently being held for this purpose.</p> <p>If the land was to be released into the hands of owners, we would agree that it would be attractive to</p>	<p>Noted</p> <p>Noted, interest in having a private jetty and mooring envelope. Detailed</p>

	<p>have the choice of a mooring envelope for a private jetty, but, would suggest that a similar idea be maintained for the land with no development or large structures allowed whatsoever – ONLY tastefully landscaped gardens, rockeries, low shrubs/trees, decking, paths and stairs.</p> <p>Perhaps the mooring envelope could be allowed to include storage room built into or below decking so that it remains unseen at ground level to protect views.</p> <p>Consideration though should be taken into account that 50% of the lots are unimproved, so if these owners take up the option we strongly protest any changes to the current building setbacks, boundaries, fence heights, restrictions or guidelines. There is also, a more than likely chance that these owners will not enhance their new freehold acquisition until they build, so we would also suggest that there are at least compacted fines material applied to the lots with available funds to maintain uniformity and protect current owners from dust.</p> <p>Provided that an amicable arrangement is made and with all owners agreeing to the guidelines of any proposal approved, Anne and I would welcome the opportunity to acquire a freehold portion of reserve 47803 including a mooring/jetty envelope, for a nominal amount decided upon by negotiation.</p> <p>We thank you for our consideration and await further information as it becomes available.</p> <p>All points in that letter we still hold valid, though we express disappointment after reading the Shire meeting report dated 5 November 2013, that the Jetty Envelopes cannot be considered due to the existing public pathway.</p> <p>May we protest that the pathway (and POS) has to date not been</p>	<p>development design guidelines will be prepared with provisions relating to development and landscaping. The development of large structures will not be permitted.</p> <p>Noted, interest in lower terrace stores.</p> <p>Detailed development design guidelines will be prepared with provisions relating to development and landscaping.</p> <p>Noted, interest in having a private jetty and mooring envelope and purchasing additional land.</p> <p>Although the public pathway will remain for public access there may still be an opportunity for private jetty and mooring envelopes. This is currently under investigation.</p> <p>The public thoroughfare is intended to remain. When</p>
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		<p>maintained in any way, let alone used (except by us). There is no safe public access other than through the marina car park and if we do acquire the land proposed, there will be no alternative via the POS (even though unsafe) which exists now.</p> <p>The paths are continuously littered with debris including rocks, sand, scrub, tumble weeds you name it and has not had any Shire attention since we built 3 years ago.</p> <p>Therefore, we would suggest that mooring envelope could be granted to us inclusive of the pathway providing it remains accessible for emergency and private purposes only and in keeping with the rest of the canal development with Precinct A.</p> <p>The fact that it too, would become our responsibility should also be the desired outcome for the Shire.</p> <p>Furthermore, in addition to the permissible land uses and development, which is mentioned under the heading issues, we would like to suggest that there also be NO Parking of Vehicles, Boats, Caravans or the like be allowed on the newly acquired land area or forward of the existing property building lines.</p> <p>Thank you in consideration of the proposal and we look forward to hearing the progress as it becomes available.</p>	<p>the Public Open Space is upgraded safer, defined, and proper access will be provided to the public thoroughfare.</p> <p>Although the public pathway will remain for public access there may still be an opportunity for private jetty and mooring envelopes. This is currently under investigation.</p> <p>Detailed development design guidelines will be prepared with provisions relating to development and landscaping. The area is not intended to be used for parking of vehicles, boats, caravans to maintain view corridors and the amenity of the area.</p>
<p>Ablett Pty Ltd Lot 24 Strata Lot 1 Madaffari Dr</p> <p>Burkett Lot 24 Strata Lot 2 Madaffari Dr</p>	<p>No response</p> <p>Yes, subject to</p>	<p>Nil</p> <p>I am writing in response to your letter dated 26 March 2013. I would be interested in purchasing a portion of Reserve 47803 adjoining my property. The portion of land would be used as a possible pool with landscaping. I am also interested in developing a private jetty. I understand that the portion of land will be available for purchase; however the final</p>	<p>Nil</p> <p>Noted, interest in having a private jetty and mooring envelope. Detailed development design guidelines will be prepared with provisions relating to development and landscaping.</p>

		decision will be dependent on price.	
Water Corporation PO Box 100 Leederville		<p>With respect to the proposed creation of the duplex lots above in Madaffari Way the Water Corporation offers the following comments: Existing vacuum wastewater system – the resultant increase in development and hence wastewater flow, will likely result at subdivision stage to attract a condition to upgrade the existing vacuum collection chambers at the developers cost.</p> <p>Internal Plumbing – the sewer connection points at the front boundary of the existing lots may not be of sufficient depth to serve by gravity the rear of the lots once they are extended. This may be resolved by increasing the ground level at the rear of the lots.</p> <p>Service connection points at the front boundaries – Consideration should be given to location of further service connection points at the front boundary due to the front of the lots being relative narrow when considering driveways and potential battle axe lots.</p>	

STATUTORY ENVIRONMENT

Land Administration Act 1997

Land Administration Regulations 1998

Town Planning Scheme No. 3

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 1.2 - 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 – 10.6.3

That the Council of the Shire of Exmouth request the Department of Lands proceed with the proposed disposal and amalgamation of portions of Reserve 47803 with adjoining lots following formal advertising, and that the Council will not proceed with the creation of the proposed duplex block.

COUNCIL DECISION – 15-0414 – 10.6.3

Moved Councillor Todd, Seconded Councillor McHutchison.

That the Council of the Shire of Exmouth request the Department of Lands proceed with the proposed disposal and amalgamation of portions of Reserve 47803 with adjoining lots following formal advertising, and that the Council will not proceed with the creation of the proposed duplex block.

CARRIED 5/0

10. REPORTS OF OFFICERS

10.6 Executive Manager Town Planning

10.6.4 Short Stay Accommodation Villa – Strata Lot 15, Parent Lot 900 (2) Murat Road, Exmouth

Location: Strata lot 15, Parent Lot 900 (2) Murat Road, Exmouth
 Applicant: Harrison Building and Development Pty Ltd
 File Reference: Lot 900 Murat Road (PA01/14)
 Disclosure of Interest: Nil
 Date: 7 April 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer:

Chief Executive Officer, Bill Price

SUMMARY

This report recommends that the Council of the Shire of Exmouth grant conditional planning approval for the development of one (1) Short Stay Accommodation Villa upon strata Lot 15, parent Lot 900 (2) Murat Rd Exmouth.

BACKGROUND

In December 2005 the Council of the Shire of Exmouth granted conditional planning approval (PA49b/05) for holiday accommodation, café, tourist, reception building, caretakers dwelling and power transformer upon Lots 395 and 850 Welch St (now Lot 900).

Relevant conditions from previous development approvals and subdivision approval have been referenced and used to form additional conditions in this approval.

The subject parent lot received planning approval for 10 short stay holiday accommodation villas at the February 2014 Council meeting. A condition of the approval requires a minimum of two (2) disabled access villas. Construction of these villas has not commenced.



PROPOSAL

The applicant proposes to develop one (1) short stay accommodation villa with a floor area of 323m².

The short stay accommodation villa is single storey consisting two (2) fully separate units under one (1) roof which could be rented out independently. The design includes three (3) bedrooms, three (3) ensuites – two (2) with showers, two (2) kitchens – one (1) without stovetop, two (2) living areas, two (2) patios, and two (2) outdoor bbq areas. Other features include:

- 30 degree Colourbond Custom Orb pitched roof,
- 3 parking bays 2.6m x 5.4m
- One (1) shared laundry under separate curved roof

Setbacks

Front (Murat Rd)	4m
Rear (internal access Rd)	8.73m
Side	1.27m

COMMENT

The application has been assessed under the Shire of Exmouth Town Planning Scheme (TPS) No. 3, previous approvals and various Local Planning Policies. These instruments outline the permissibility for this proposal. Generally the application complies with relevant policies except in areas discussed under issues.

ISSUES**Reduced Side Setbacks**

The application includes reduced side setbacks of 1.275m in lieu of 1.5m in accordance with the provisions of the Shire of Exmouth Town Planning Scheme Number 3 and the Residential Design Codes. The reduced side setback is recommended for approval as the resort is open plan design with no internal fencing permitted as per the strata management plan. 2.5m between each villa is maintained. Suitable pedestrian access is maintained, and the reduced setback is minimal. Officer recommends approval of the reduced side setbacks.

Colour and Texture Theme

Existing villas have colorbond custom orb roof sheeting and wall cladding which is being proposed on the new villas. This is considered appropriate to ensure a consistent texture theme is maintained.

Existing colours include light greys and whites. The applicant has not provided details for proposed colours. A condition has been applied to ensure a consistent colour is applied to ensure the development maintains a consistent colour theme.

Fencing

The applicant is proposing 1.8m high solid colorbond fencing. Existing constructed villas have 'Type A' fencing fronting Murat Road which consists of masonry piers with removable wrought iron infill panels. This type of fencing provides visual permeability and addresses Murat Road appropriately as per the Murat Design Guidelines Policy. An additional condition has been included which requires fencing fronting Murat Road to be as per the previously approved Type A design.

Landscaping

There is existing landscaping within strata lot 15. This landscaping is adjacent the eastern lot boundary and addresses Murat Road. The landscaping is of high quality and worthy of retention. An additional condition has been included to ensure retention of the existing landscaping. As per the Murat Design Guidelines Policy all landscaping shall be reticulated

Officer recommends conditional planning approval for a short stay holiday accommodation villa upon strata lot 15, parent lot 900 (2) Murat Road, Exmouth.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Planning and Development Act
Town Planning Scheme No. 3

POLICY IMPLICATIONS

Local Planning Policy 6.2: Colour Palette for Developments
 Local Planning Policy 6.7: Murat Road Development Guidelines
 Local Planning Policy 6.10: Landscaping

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONSEconomic

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

- Outcome 1.2 - Planned and balanced economic growth.

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.6.4

That the Council of the Shire of Exmouth grant conditional planning approval for the development of a Short Stay Accommodation Villa upon strata lot 15, parent Lot 900 (2) Murat Road, Exmouth subject to the following conditions:

- 1. Development is to be carried out in accordance with the stamped approved plans (PA55/14) (as amended) to the satisfaction of Council officers;*
- 2. The development hereby permitted shall accord with the existing resort external colour scheme. A schedule of the proposed colours being submitted prior to the application for a building permit;*
- 3. The owner treating the roof surface to reduce glare if, in the opinion of Council, the glare adversely affects the amenity of adjoining or nearby neighbours following completion of the development;*
- 4. 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;*
- 5. All vehicle manoeuvring, access and parking areas shall be sealed with crushed road base, bitumen and/or paved concrete;*
- 6. The maximum period of stay is ninety (90) days on multiple occasions or enblock within twelve (12) sequential months;*
- 7. The noise generated by any activities on-site, including machinery motors or vehicles, shall not exceed the levels as set out under the Environmental (Noise) Regulations;*
- 8. External clothes drying facilities, rubbish bins and all service fittings and fixtures shall not be visible from the internal access road and public roads;*

Fencing

9. *Fencing of the eastern boundary shall be as per 'Type A' design of previous planning approval consisting masonry piers with removable wrought iron infill panels;*

Landscaping

10. *Existing onsite landscaping adjacent the eastern strata lot boundary shall be retained;*
11. *All landscaping shall be fully reticulated;*

Parking

12. *Parking areas are not to be used for general storage or any purpose other than the parking of motor vehicles, trailer boats or trailers;*
13. *All uncovered 90 degree parking bays to be a minimum of 5.5 x 2.7 metres. This is in recognition of the relatively high use of large 4x4 vehicles in Exmouth;*
14. *All vehicle parking, manoeuvring and circulation areas being suitably constructed and marked in accordance with Council Policy;*

Additional Conditions

15. *The property not being used for the use hereby granted until an inspection has been carried out by a Council officer and that officer is satisfied that the conditions of Planning Consent have been complied with;*
16. *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;*
17. *Any substantial variation from the approved plans contained herein requires a separate Council 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;*
18. *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 notes

- i) *Prior to any construction, the applicant being required to obtain a building permit approval from the Shire of Exmouth.*
- ii) *All fencing shall be of adequate structural design to meet cyclone requirements and will require a building permit approval from the Shire of Exmouth.*
- iii) *Plant species used are to conform to Council's Landscape Policy and the recommended species list.*
- iv) *The land/buildings are subject to a Strata Management Agreement. Please be advised that this agreement may contain restrictions and/or additional conditions for the property.*
- v) *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.*
- vi) *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 – 16-0414 – 10.6.4
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Moved Councillor Todd, Seconded Councillor Hood.

That the Council of the Shire of Exmouth grant conditional planning approval for the development of a Short Stay Accommodation Villa upon strata lot 15, parent Lot 900 (2) Murat Road, Exmouth subject to the following conditions:

- 1. Development is to be carried out in accordance with the stamped approved plans (PA55/I4) (as amended) to the satisfaction of Council officers;*
- 2. The development hereby permitted shall accord with the existing resort external colour scheme. A schedule of the proposed colours being submitted prior to the application for a building permit;*
- 3. The owner treating the roof surface to reduce glare if, in the opinion of Council, the glare adversely affects the amenity of adjoining or nearby neighbours following completion of the development;*
- 4. 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;*
- 5. All vehicle manoeuvring, access and parking areas shall be sealed with crushed road base, bitumen and/or paved concrete;*
- 6. The maximum period of stay is ninety (90) days on multiple occasions or enblock within twelve (12) sequential months;*
- 7. The noise generated by any activities on-site, including machinery motors or vehicles, shall not exceed the levels as set out under the Environmental (Noise) Regulations;*
- 8. External clothes drying facilities, rubbish bins and all service fittings and fixtures shall not be visible from the internal access road and public roads;*

Fencing

- 9. Fencing of the eastern boundary shall be as per 'Type A' design of previous planning approval consisting masonry piers with removable wrought iron infill panels;*

Landscaping

- 10. Existing onsite landscaping adjacent the eastern strata lot boundary shall be retained;*
- 11. All landscaping shall be fully reticulated;*

Parking

- 12. Parking areas are not to be used for general storage or any purpose other than the parking of motor vehicles, trailer boats or trailers;*
- 13. All uncovered 90 degree parking bays to be a minimum of 5.5 x 2.7 metres. This is in recognition of the relatively high use of large 4x4 vehicles in Exmouth;*
- 14. All vehicle parking, manoeuvring and circulation areas being suitably constructed and marked in accordance with Council Policy;*

Additional Conditions

- 15. The property not being used for the use hereby granted until an inspection has been carried out by a Council officer and that officer is satisfied that the conditions of Planning Consent have been complied with;*
- 16. 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;

- 17. Any substantial variation from the approved plans contained herein requires a separate Council 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;*
- 18. 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 notes

- i) Prior to any construction, the applicant being required to obtain a building permit approval from the Shire of Exmouth.*
- ii) All fencing shall be of adequate structural design to meet cyclone requirements and will require a building permit approval from the Shire of Exmouth.*
- iii) Plant species used are to conform to Council's Landscape Policy and the recommended species list.*
- iv) The land/buildings are subject to a Strata Management Agreement. Please be advised that this agreement may contain restrictions and/or additional conditions for the property.*
- v) 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.*
- vi) 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 5/0

10. REPORTS OF OFFICERS

10.6 Executive Manager Town Planning

10.6.5 Temporary Workers Accommodation – Bullara Pastoral Station, Exmouth

Location: Lyndon Location 166, Bullara Pastoral Station, Exmouth
Applicant: Tim Shallcross
File Reference: A514 (PA64/14)
Disclosure of Interest: Nil
Date: 7 April 2014
Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

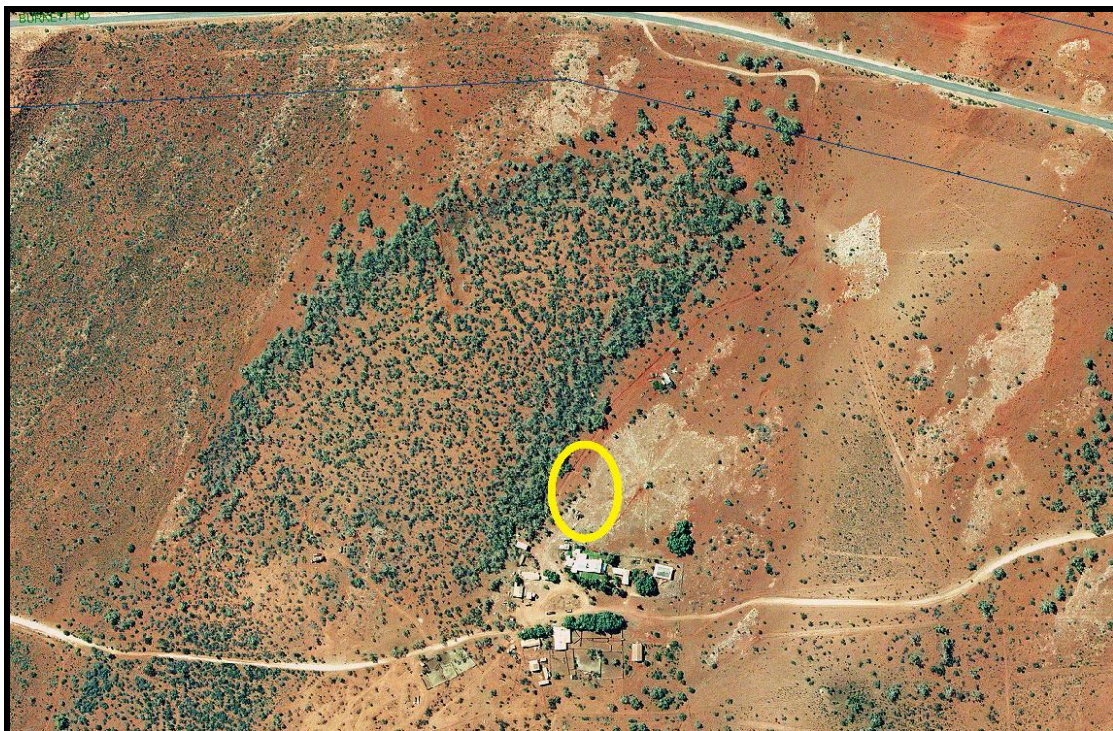
SUMMARY

This report recommends that the Council of the Shire of Exmouth grant conditional temporary planning approval for temporary workers accommodation upon Lyndon Location 166, Bullara Pastoral Station, Exmouth.

BACKGROUND

Telstra are undertaking works to install a new fibre optic cable from Winning Pool Station via Burkett Road to Exmouth to provide increased data and communication services.

The period of works fall within the peak of tourist season, when accommodation is limited. Bullara Station was previously used as a base for workers when the last optic cable was installed. The Telstra work crew are expected to be operating for a period of 5 months.



Proposed Temporary Workers Accommodation just north of Bullara Station Homestead

PROPOSAL

Temporary Workers Accommodation for staff to install new fibre optic cable to service Exmouth. The application includes four (4) transportable units (12m x 3m). There are four (4) bedrooms with individual ensuites in three (3) of the units and a commercial kitchen. Sewerage will be managed via septic tanks and leach drains.

COMMENT

The proposal has been assessed against the Shire of Exmouth Town Planning Scheme No. 3 and Local Planning Policy No 6.13 Temporary Workers Accommodation.

Local Planning Policy No. 6.13 – Temporary Workers Accommodation

	Policy Provisions	Officer Comment
Function/End Use	Preference shall be given to proposals which demonstrate that the resulting infrastructure will facilitate or not impede current or future development.	Sewerage controlled by Septic tanks and leach drains. Water and Power issues will be addressed in the management statement
Form	Each accommodation unit shall contain no more than one (1) bedroom.	Non-complaint, four (4) bedrooms per donga, refer issue.
Management	All developments are required to supply a management statement for the complex for consideration by Council. The management statement is required to demonstrate how the following issues will be addressed: <ul style="list-style-type: none"> - Transport of workers (to and from site a out of hours) - Site access and egress - Catering and hygiene - Emergency management (cyclone prep plan) - Security - Occupant rules of conduct 	To be conditioned

ISSUES**Temporary Planning Approval**

In accordance with the provisions of the Town Planning Scheme temporary planning approval can be granted. The applicant has advised workers are expected to use the facilities for a period of 5 months. Officer recommends granting temporary planning approval for a maximum period of one (1) year which can be permitted under Council Local Planning Policy 6.13 as the accommodation may be required for a longer period, due to project delays.

Temporary planning approval is recommended for the following reasons:

1. It will ensure the workers accommodation is temporarily used;
2. It will ensure all structures are used by workers, and not tourists;
3. Town Planning Scheme Number 3 does not define workers accommodation as a permissible land use within the pastoral zone;
4. Workers accommodation is land use not listed in Bullara Station's pastoral lands diversification permit.

More than One Bedroom Per Unit

In accordance with the provisions of Local Planning Policy 6.13 each accommodation unit shall contain no more than one (1) bedroom. The applicant is proposing four (4) bedrooms per donga/unit. To prevent the

development of many transportable dongas (12) and as the dongas will have no visual impact from Minilya-Exmouth Road and Burkett Road officer recommends conditional temporary approval.

CONSULTATION

In accordance with Local Planning Policy 6.13 all applications for temporary workers accommodation shall be advertised in accordance with Town Planning Scheme Number 3 for a period of 21 days. As the closest affected neighbour is more than 5km away, and due to timing for determination at Council meeting officers have not advertised the application.

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Town Planning Scheme No. 3

POLICY IMPLICATIONS

Local Planning Policy 6.2: Colour Palette
Local Planning Policy 6.13: Temporary Workers Accommodation

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 – 10.6.5
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That the Council of the Shire of Exmouth grant conditional temporary planning approval for temporary workers accommodation upon Lyndon Location 166, Bullara Pastoral Station subject to the following conditions;

1. *The development being carried out generally in accordance with the Shire of Exmouth Town Planning Scheme No. 3 and the approved plans (PA64/14);*
2. *The maximum number of occupants vehicles and trailers (including boats on trailers) permitted on the property shall be one standard vehicle for every two sleeping units. All vehicle parking, maneuvering and circulation areas are to be suitably constructed and marked to the specification and satisfaction of Council Officers;*
3. *Laundry, sanitary and ablution facilities shall be provided or accessible within the lot;*
4. *The temporary workers accommodation land use shall not prejudice the amenity of the pastoral station;*
5. *The Management Statement and Occupant Rules of Conduct shall be clearly displayed in all structures;*
6. *The applicant is required to submit an application to construct or install an apparatus for the treatment of sewerage;*
7. *The applicant is required to submit an application for a lodging house;*

8. *The applicant is required to submit an application for registration of a commercial kitchen;*
9. *The applicant is required to install an apparatus to disinfect water supply to the commercial kitchen and shall be to the approval standard of the Shire of Exmouth Environmental Health Officer;*
10. *If in the opinion of Council the approved use causes a nuisance or annoyance to owners/occupiers of the land in the vicinity, or to persons or traffic using roads in the vicinity of the approved use, Council may withdraw its approval;*
11. *The temporary workers accommodation approval is valid for a maximum period of one (1) year from the date of this approval;*
12. *All structures shall not be used as Temporary Workers Accommodation after the approval period has lapsed;*
13. *The development having external colours consistent with Council's Policy (6.2) Colour Palette for Developments (attached);*
14. *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;*
15. *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;*
16. *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*
17. *The approval granted is valid up to two (2) years from the date of this approval. Should the development 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. The Shire of Exmouth Building Surveyor can be contacted on 9949 3011.*
- ii). *No directional signs are permitted.*
- iii). *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.*
- iv). *An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005 (as amended). Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).*

COUNCIL DECISION – 17-0414 – 10.6.5
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Moved Councillor Hood, Seconded Councillor McHutchison.

That the Council of the Shire of Exmouth grant conditional temporary planning approval for temporary workers accommodation upon Lyndon Location 166, Bullara Pastoral Station subject to the following conditions;

1. ***The development being carried out generally in accordance with the Shire of Exmouth Town Planning Scheme No. 3 and the approved plans (PA64/14);***
2. ***The maximum number of occupants vehicles and trailers (including boats on trailers) permitted on the property shall be one standard vehicle for every two sleeping units. All vehicle parking,***

maneuvering and circulation areas are to be suitably constructed and marked to the specification and satisfaction of Council Officers;

3. *Laundry, sanitary and ablution facilities shall be provided or accessible within the lot;*
4. *The temporary workers accommodation land use shall not prejudice the amenity of the pastoral station;*
5. *The Management Statement and Occupant Rules of Conduct shall be clearly displayed in all structures;*
6. *The applicant is required to submit an application to construct or install an apparatus for the treatment of sewerage;*
7. *The applicant is required to submit an application for a lodging house;*
8. *The applicant is required to submit an application for registration of a commercial kitchen;*
9. *The applicant is required to install an apparatus to disinfect water supply to the commercial kitchen and shall be to the approval standard of the Shire of Exmouth Environmental Health Officer;*
10. *If in the opinion of Council the approved use causes a nuisance or annoyance to owners/occupiers of the land in the vicinity, or to persons or traffic using roads in the vicinity of the approved use, Council may withdraw its approval;*
11. *The temporary workers accommodation approval is valid for a maximum period of one (1) year from the date of this approval;*
12. *All structures shall not be used as Temporary Workers Accommodation after the approval period has lapsed;*
13. *The development having external colours consistent with Council's Policy (6.2) Colour Palette for Developments (attached);*
14. *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;*
15. *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;*
16. *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*
17. *The approval granted is valid up to two (2) years from the date of this approval. Should the development 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. The Shire of Exmouth Building Surveyor can be contacted on 9949 3011.*
- ii). *No directional signs are permitted.*
- iii). *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.*

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

CARRIED 5/0

10. REPORTS OF OFFICERS

10.6 Executive Manager Town Planning

10.6.6 Light Industrial Marine Land Use – Portion Reserve 47981, Lot 1480 Neale Cove Exmouth

Location: R47981, portion Lot 1480 Neale Cove, Exmouth
 Applicant: Darren Hedley
 File Reference: R47981 (PA67/14)
 Disclosure of Interest: Nil
 Date: 8 April 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends the Council of the Shire of Exmouth grant conditional planning approval for light industrial marine land uses upon portion of Reserve 47981, Lot 1480 Neale Cove, Exmouth (Refer *Attachment 2*).

BACKGROUND

The applicant requests preliminary planning approval for light industrial marine land uses upon portion of Department of Transport (DoT) Reserve 47981, Lot 1480 Neale Cove within the Exmouth Marina Village – Precinct E. The applicant is currently negotiating with DoT to secure a lease to develop part of their land. Preliminary approval has been requested by the applicant. The purpose of the future development is to support onshore and offshore operations.



PROPOSAL

Light Industrial Marine Land Uses to support onshore and offshore oil and gas operations (Refer *Attachment 3*). The applicant proposes to submit a detailed development application following preliminary approval of land uses, and finalising a lease with DoT.

COMMENT

The proposed land uses have been assessed using the Shire of Exmouth Town Planning Scheme Number 3, Exmouth Marina Village Outline Development Plan, Exmouth Marina Broad Design Guidelines, Exmouth Boat Harbour Development Report and Detailed Design Guidelines and various Local Planning Policies.

Exmouth Marina Village Outline Development Plan

The Exmouth Marina Village Outline Development Plan identifies the subject site as within Precinct E – Marine Industrial.

There is potential for land use conflict as Lot 1480 is located in close proximity to Marina Precinct C Residential, Novotel Resort and future residential Marina Precinct D. Industrial noise, odour, and pollution impact are to be assessed with use of WAPC guidance statement Number 2 (2005) separation distances between industrial and sensitive land uses (EPA). This document sets the framework and requirements for determining acceptable uses within buffers and certain operative conditions.

The Shire shall have due regard to the WAPC State Industrial Buffer Policy when considering development applications of an industrial nature within the light marine industry area.

WAPC State Industrial Buffer Policy

The proposed application is considered to be light industry. Waste products of the proposed land uses can be conditioned and managed to not adversely affect the amenity of the locality. On-site buffer provisions apply to light industrial land uses.

Light Industry means an Industry;

- *In which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises, will not cause injury to, or will not adversely affect the amenity of the locality by reason of the emission of light, noise, electrical interference, vibration, fumes, smoke, vapour, steam, soot, ash, dust, waste water or other waste products; and*
- *The establishment of which will not, or the conduct of which does not, impose an undue load on any existing or proposed service for the supply or provision of water, gas, electricity, sewerage facilities, or any other like services.*

On Site Buffer Area Provisions	Officer Comment
Light and service industry and technology parks should retain all emissions and hazards on-site or at least within the zone or park area.	Conditioned
On-site buffer areas should be sufficient to address local amenity.	Front, side and canal setback requirements from the Broad Design Guidelines will be applied at a development application stage to ensure adequate buffers are provided to address the local amenity.
Provisions should also be included to ensure acceptable levels of visual amenity.	Provisions relating to the visual amenity of the area are provided in various Local Planning Policies, the Broad Design Guidelines and the Boat Harbour Detailed Design Guidelines. These documents will be applied when a development application is submitted.

Exmouth Marina Village Broad Design Guidelines

The subject site is located in Precinct E: Marine Based Light Industrial. Permitted land uses in Precinct E include boat maintenance and other environmentally acceptable maritime and light industrial uses. The proposed development is a permitted land use.

Exmouth Boat Harbour: Development Report and Detailed Design Guidelines

The Detailed Design Guidelines are currently being reviewed by the Department of Transport and currently in draft. The provisions of this document are to be considered against this proposal but have no legal weighting.

The Design Guidelines classify:

- Light Industrial as a Permitted Use (P)
- Office as an Incidental Predominant Use (IP)

- Storage Yard as an Incidental Predominant Use (IP)

ISSUES

Approval of Land Use without development

This approval has been given for the purpose of providing preliminary support of proposed land uses only and does not permit any development or site works.

Landscaping

The applicant has not indicated any landscaping along the Neale Cove road reserve. In accordance with relevant statutory provisions additional landscaping is required along the Neale Cove boundary. Additional conditions included.

Noise

In accordance with statutory and strategic provisions noise abatement measures will be implemented to reduce conflict from one precinct to the other. A condition has been included stating ‘*The approved use is 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 at all times*’.

Considering the above issues raised in the report which have been addressed through conditions, the Officer recommends that the Council of the Shire of Exmouth grant conditional approval to the application.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Shire of Exmouth Town Planning Scheme No.3
 Exmouth Marina Village Outline Development Plan Including Broad Design Guidelines (2011)
 WAPC State Industrial Buffer Policy

POLICY IMPLICATIONS

Local Planning Policy 6.10: Landscaping
 Local Planning Policy 6.18: Town Planning Fees

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 – 10.6.6

That the Council of the Shire of Exmouth grant planning approval for light industrial marine land uses upon portion of Reserve 47981, Lot 1480 Neale Cove, Exmouth subject to the following conditions;

1. *Land Uses being carried out generally in accordance with the approved plans (as amended) (PA67/14) and the Exmouth Marina Village Outline Development Plan to the satisfaction of Council officers;*

2. *Development and site works shall not commence until a separate application for planning approval is submitted with the Shire of Exmouth which shall include all proposed development in accordance with the Shire of Exmouth Town Planning Scheme Number 3;*
3. *All emissions with the associated uses are to be retained on site;*
4. *Open storage areas are to be sealed with crushed road base or bitumen;*
5. *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 at all times;*
6. *The owner of any canal frontage lot being responsible for the ongoing maintenance of the stabilised surfaces and revetment walls and private jetties within their lot. Each owner being responsible for the ongoing maintenance of any pontoon or jetty that gives access to that lot;*
7. *All canal revetment walls along the canal frontage being kept in a structurally sound condition and not being altered, extended or removed without the prior written approval of the Council and the Department of Transport;*
8. *The discharge of nutrients or chemical substances into waterways is not permitted;*
9. *A landscaping plan being submitted for the approval of Council as part of the application for planning approval for development;*
10. *No fertilisers, other than slow release granular fertilisers specially formulated to reduce nutrient run-off and nutrient infiltration into the water table, being used;*
11. *Landscaping being provided along the lot boundary abutting Neale Cove road reserve to provide appropriate screening from the street in accordance with Council Policy;*
12. *All vehicle parking, manoeuvring and circulation areas being suitably constructed and marked in accordance with Council Policy;*
13. *All car parking associated with the approved land uses shall be wholly contained within the lot;*
14. *Any additional land use 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 a land use not subject of a current approval is an offence under the Shire of Exmouth Town Planning Scheme No.3;*
15. *No activities causing noise and/or inconvenience to neighbours being carried out after 9.00pm or before 6.00am, Monday to Sunday, and not at all on Public Holidays.*
16. *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 is required to obtain planning approval for development from the Shire of Exmouth.*
- ii) *The approval granted is not to be construed as approval granted under the Building Act 2011, Building Regulations 2012 or any other relevant statutory approval.*
- iii) *An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005 (as amended). Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).*

COUNCIL DECISION – 18-0414 – 10.6.6
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Moved Councillor Todd, Seconded Councillor Hood.

That the Council of the Shire of Exmouth grant planning approval for light industrial marine land uses upon portion of Reserve 47981, Lot 1480 Neale Cove, Exmouth subject to the following conditions;

- 1. Land Uses being carried out generally in accordance with the approved plans (as amended) (PA67/14) and the Exmouth Marina Village Outline Development Plan to the satisfaction of Council officers;*
- 2. Development and site works shall not commence until a separate application for planning approval is submitted with the Shire of Exmouth which shall include all proposed development in accordance with the Shire of Exmouth Town Planning Scheme Number 3;*
- 3. All emissions with the associated uses are to be retained on site;*
- 4. Open storage areas are to be sealed with crushed road base or bitumen;*
- 5. 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 at all times;*
- 6. The owner of any canal frontage lot being responsible for the ongoing maintenance of the stabilised surfaces and revetment walls and private jetties within their lot. Each owner being responsible for the ongoing maintenance of any pontoon or jetty that gives access to that lot;*
- 7. All canal revetment walls along the canal frontage being kept in a structurally sound condition and not being altered, extended or removed without the prior written approval of the Council and the Department of Transport;*
- 8. The discharge of nutrients or chemical substances into waterways is not permitted;*
- 9. A landscaping plan being submitted for the approval of Council as part of the application for planning approval for development;*
- 10. No fertilisers, other than slow release granular fertilisers specially formulated to reduce nutrient run-off and nutrient infiltration into the water table, being used;*
- 11. Landscaping being provided along the lot boundary abutting Neale Cove road reserve to provide appropriate screening from the street in accordance with Council Policy;*
- 12. All vehicle parking, manoeuvring and circulation areas being suitably constructed and marked in accordance with Council Policy;*
- 13. All car parking associated with the approved land uses shall be wholly contained within the lot;*
- 14. Any additional land use 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 a land use not subject of a current approval is an offence under the Shire of Exmouth Town Planning Scheme No.3;*
- 15. No activities causing noise and/or inconvenience to neighbours being carried out after 9.00pm or before 6.00am, Monday to Sunday, and not at all on Public Holidays.*
- 16. 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 is required to obtain planning approval for development from the Shire of Exmouth.*

- ii) *The approval granted is not to be construed as approval granted under the Building Act 2011, Building Regulations 2012 or any other relevant statutory approval.*
- iii) *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 4/1
Cr McHutchison voted against.

10. REPORTS OF OFFICERS**10.6 Executive Manager Town Planning****10.6.7 Revocation of the Cancellation of Dog Registration 1400166**

Location: 8B Huston Street, Exmouth
 Applicant: Stuart Butler
 File Reference: LE.IN.3
 Disclosure of Interest: Nil
 Date: 9 April 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report seeks the approval of Council to conditionally revoke the cancellation of registration of a dog, that usually resides at 8B Huston Street, Exmouth and had previously had its registration cancelled during the December 2013 Ordinary Council Meeting.

BACKGROUND

During the December 2013 Ordinary Council Meeting, Council decided (Council Decisions 17-1213-10.6.5) to cancel dog registration number 1400166, for a dog, described as an unsterilized male tan and white coloured staffy cross that lives at 8B Huston Street, Exmouth.

On 3 January 2014, a notice of the cancellation of dog registration 1400166 was sent via the post to the owner of the dog. In accordance with the Dog Act 1976 (the 'Act'), the owner was provided with 28 days to apply to the State Administrative Tribunal for a review of the decision. No application for review was received regarding this decision by Council.

On 28 March 2014, Council Officers impounded the abovementioned dog as it was in a place without consent. The owner of the dog was advised that in accordance with the 'Act' and the abovementioned Council decision, the dog would not be returned and the dog's registration would be officially cancelled with the dog being destroyed or otherwise disposed of.

On 28 March 2014, the applicant wrote to Council, requesting abovementioned decision to be rescinded (Refer *Attachment 4*). As such, no action has been taken by Council Officers to cancel the dog registration and have it destroyed or otherwise disposed of.

COMMENT

From the 3 January 2014 until the 28 March 2014, Council Officers have not received any reports regarding the abovementioned dog roaming unattended in public places, nor have Council Officers impounded the abovementioned dog.

When impounded on the 28 March 2014, it was believed that the dog was attempting to access a female dog that was 'on heat'. It is also noted that previous offences involving the dog were due to attempts at accessing the same female dog whilst 'on heat'.

The owner has advised, in writing, that he is willing to install an electric deterrent fence as a prevention method for the dog escaping his property at 8B Huston Street in addition to the 2 metre high fences currently in place. Research shows that these fences can work if used correctly and the owner takes the time and puts in the effort to properly train the dog. However, they do not always work, the batteries run out or the dog may learn to simply run through the barrier in order to escape the property. Businesses which supply the electric dog containment systems also advise that if the time and effort isn't put in by the owner, the electric collar won't work.

As the dog has not been sterilised, he may again pick up the scent of a female 'on heat' and may attempt to escape. If this occurred during a period in which the batteries have run out, the dog would not receive a shock and will escape his property. The dog may also choose to ignore the shock and run through the barrier in order to escape the property to reach a female 'on heat'.

Council Officers have on a number of occasions recommended to the owner that the dog will need to be sterilised in order to control him due to the dog's nature and personality.

Council is now able to finalise the processes in accordance with the 'Act' to officially cancel the registration of and to officially seize and detain the abovementioned dog. However, Council may choose to revoke the decision made in December 2013 and reinstate dog registration 1400166 as requested by the owner.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Dog Act 1976

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Social

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

- Outcome 3.3: An inclusive, responsible and cohesive community.

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

Absolute Majority

OFFICER'S RECOMMENDATION – 10.6.7
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That the Council of the Shire of Exmouth:

- i). *Rescinds Council Decision – 12-1213 – 10.6.5 made on 19 December 2013 on the condition that:*
 - *The dog, an unsterilised male, tan and white coloured staffy cross is sterilised prior to release from Council's pound at the expense of the owner;*
 - *The owner pays any outstanding monies, including any fees and penalties owed in relation to the impounding of the dog;*
 - *Prior to the release of the dog, the owner installs an electric deterrent device which is approved by the Royal Society for the Prevention of Cruelty to Animals; and*
 - *A probation period of 12 months applies and any offences occurring during this period will result in the dog being seized in accordance with the Dog Act 1976.*

Or

- ii). *Refuses to rescind Council Decision – 12-1213 – 10.6.5 made on 19 December 2013 and proceed with finalizing Council's requirements as per the Dog Act 1976 to cancel the registration and seize and detain the dog.*

COUNCIL DECISION – 19-0414 – 10.6.7

Moved Councillor Todd, Seconded Councillor McHutchison.

That the Council of the Shire of Exmouth rescinds Council Decision – 12-1213 – 10.6.5 made on 19 December 2013 on the condition that:

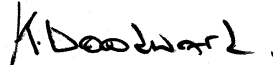
- *The dog, an unsterilised male, tan and white coloured staffy cross is sterilised prior to release from Council's pound at the expense of the owner;*
- *The owner pays any outstanding monies, including any fees and penalties owed in relation to the impounding of the dog;*
- *Prior to the release of the dog, the owner installs an escape proof enclosure which is approved by the Royal Society for the Prevention of Cruelty to Animals; and*
- *A probation period of 12 months applies and any offences occurring during this period will result in the dog being seized in accordance with the Dog Act 1976.*

CARRIED by ABSOLUTE MAJORITY 5/0

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: April 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:

1. Remove the power posts from the car parking areas and Thew Street
2. Bitumen seal the road network and car parks
3. Open Thew Street from Maidstone Crescent to Learmonth Street
4. Open vehicle parking on Thew Street, Kennedy Street long parking area and ½ of the Kennedy Street parking area
5. Commence brick paving on Kennedy Street and Thew Street
6. Commence kerbing

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

Attachment 1-Report Exmouth Town Centre 2 April 2014

Attachment 2-Easter Parking Plan

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.

Attachment 3- 2013-2014 Engineering Services Construction Program

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

As per Shire 2013-2014 Budget

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.5: Maintain & Improve Shire Infrastructure

Environment

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

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

Social

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.7.1

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

COUNCIL DECISION – 20-0414 – 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 April 2014.

CARRIED 5/0

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

Nil

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

COUNCIL DECISION – 21-0414 – ITEM 12

Moved Councillor Winzer, Seconded Councillor Councillor Todd.

That the Council of the Shire of Exmouth accept the New Business of an Urgent Nature Report 12.1 - Change of Queen's Birthday Public Holiday 2016 and Report 12.2 – Change of Ordinary Council Meeting Times.

CARRIED 5/0

12.1 Change of Queen's Birthday Public Holiday 2016

Location: Exmouth
Applicant: Shire of Shark Bay
File Reference: GR.LO.2
Disclosure of Interest: Nil
Date: 17 April 2014
Author: Chief Executive Officer, Bill Price
Signature of Author:



SUMMARY

This report seeks Council's view and resolution to change the Queen's Birthday public holiday from Monday 26 September 2016 to Monday 24 October 2016.

BACKGROUND

The Shire of Shark Bay has commenced planning for their 400th anniversary of Dirk Hartog's landing at Cape Inscription which will occur on Tuesday 25 October 2016.

To encourage people from the Gascoyne and surrounding areas to participate in the celebrations, the Shire of Shark Bay is proposing that the surrounding Shires change the Queen's Birthday public holiday from Monday 26 September 2016 to Monday 24 October 2016.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

The Public and Bank Holidays Act 1972 WA outlines the process in which a public holiday date may be changed.

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 – 12.1

That the Council of the Shire of Exmouth:

- a. *Support the change of date of the Queen’s Birthday from 26 September 2016 to 24 October 2016*

Or

- b. *Do not support the change of date.*


COUNCIL DECISION – 22-0414 – 12.1

Moved Councillor Winzer, Seconded Councillor McHutchison.

That the Council of the Shire of Exmouth do not support the change of date of the Queen’s Birthday Public Holiday in 2016, however will write a letter of full support for the event.

CARRIED 5/0

12.2 Change of Ordinary Council Meeting Time

Location:	Exmouth
Applicant:	Chief Executive Officer
File Reference:	GV.CM.0
Disclosure of Interest:	Nil
Date:	17 November 2013
Author:	Chief Executive Officer, Mr B Price
Signature of Author:	

SUMMARY

Council endorsement is required for a new starting time of 4.00pm for Ordinary Council Meetings.

BACKGROUND

Council at the November 2013 Ordinary Council Meeting endorsed a new starting time of 5.00pm for Council Meetings however the new time has proven difficult for officers with young families.

The Chief Executive Officer proposes to bring the time forward one hour to start at 4.00pm.

Council are required to give local public notice of the proposed dates and times as per Regulation 12(1) of the Local Government (Administration) Regulations 1996.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government (Administration) Regulations 1996.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 12.2

That the Council of the Shire of Exmouth change the time for Ordinary Council Meetings to start at 4.00pm.

COUNCIL DECISION – 23-0414 – 12.1

Moved Councillor Todd, Seconded Councillor Winzer.

That the Council of the Shire of Exmouth change the time for Ordinary Council Meetings to start at 4.00pm.

CARRIED 5/0

13. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS**COUNCIL DECISION – 24-0414 – ITEM 13**

Moved Councillor Winzer, Seconded Councillor Todd.

That the Council of the Shire of Exmouth move Behind Closed Doors at 6.14pm in accordance with the Local Government Act 1995 section 5.23 (2) (A) (C) and (D).

- Legal Matter

CARRIED 5/0

COUNCIL DECISION – 25-0414 – 13.1

Moved Councillor Todd, Seconded Councillor Winzer.

That the Council of the Shire of Exmouth:

1. *Approve a sub-lease of 400m² being the hangar situated on Lot 16 at Exmouth Aerodrome (Lyndon Lot 73) between Norwest Air Work Pty Ltd (ACN 077 650 081) and Bristow Helicopters Pty Ltd (ACN 000 565 579) for a term of 5 years at an initial rate of \$12,000 plus GST per annum in addition to current annual rental rate for Lot 16 provided that;*

(a) The sub-lease contains a condition that helicopters must not operate under their own power in the commercial precinct and only be under-tow when moving from the commercial precinct to the helicopter precinct;

(b) All of the conditions of the head-lease are met in the sub-lease;

(c) The Shire of Exmouth is a signatory to the sub-lease document;

2. *Amend by variation the Permitted Purpose of the executed lease to be:*

The Lessee occupies the Premises primarily for the purpose of a base for the operation of commercial light aircraft flying activities and associated functions including the storage of light aircraft and helicopters and all parts relating to their operation, maintenance, repair, fuelling, SAR equipment, SAR administration and radio communication facilities;

3. *Endorse publicly advertising the above proposed lease between Norwest Air Work Pty Ltd and Bristow Helicopters Pty Ltd at the negotiated rate in accordance with Council policies; and*

4. *Delegate Authority to the Chief Executive Officer to execute a sub-lease document upon closure of the advertising period subject to no adverse submissions being received and sub-leasing conditions being to the satisfaction of the Chief Executive Officer.*

CARRIED 5/0

COUNCIL DECISION – 26-0414 – ITEM 13

Moved Councillor Winzer, Seconded Councillor Todd.

That the Council of the Shire of Exmouth return from Behind Closed Doors at 6.23pm.

CARRIED 5/0

14. CLOSURE OF MEETING

The Shire President declared the meeting closed at 6.24pm.