



Ordinary Council Meeting
Minutes
24 August 2016

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on 29 September 2016 as a true and accurate record of the Ordinary Council Meeting held on 24 August 2016.

A handwritten signature in black ink, appearing to read "Cr (Turk) Shales".

.....
Cr (Turk) Shales

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.

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

Signed at Exmouth



(B Price), Chief Executive Officer Shire of Exmouth

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ORDINARY COUNCIL MEETING MINTUES

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 welcomed the gallery, Council employees Josh Koontz and Mark Johnson and declared the meeting open at 5.00pm.

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

Councillor C (Turk) Shales	Shire President
Councillor M Hood	Deputy Shire President
Councillor R (Bob) Todd	
Councillor J Roscic	
Mr B Price	Chief Executive Officer
Mrs S O'Toole	Executive Manager Corporate Services
Mr Roge Kempe	Executive Manager Community Engagement
Mrs J Kox	Executive Manager Aviation Services
Mr R Manning	Executive Manager Health & Building
Mr M Johnson	Planning Officer
Mr K Woodward	Executive Manager Engineering Services
Mrs M Head	Minute Clerk

GALLERY

Visitors 2

APOLOGIES

Councillor S McHutchison

Mr R Mhasho

Executive Manager Town Planning

LEAVE OF ABSENCE

Nil

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTIONS TIME

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

Council Consideration Towards Public

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

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

Nil

5. DECLARATIONS OF INTEREST

Item/Description	Name	Detail of Interest	Extent of Interest
Nil			

6. APPLICATIONS FOR LEAVE OF ABSENCE

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

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

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 27 July 2016 and the Special Council Meeting held on the 9 August 2016 be confirmed as a true and correct record of proceedings.

COUNCIL RESOLUTION

ITEM 7

Res No: 03-0816

MOVED: Cr Todd

SECONDED: Cr Hood

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 27 July 2016 and the Special Council Meeting held on the 9 August 2016 be confirmed as a true and correct record of proceedings.

CARRIED 4/0

8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

The Shire President advised there will be an Extraordinary Election, conducted as a postal election on the 23 September 2016, after two nominations were received from Graham Jones and Jackie Brooks, for the Councillor vacancy. He wished both candidates all the best for the election. The President also thanked Mr Graham Little, Returning Officer from the Australian Electoral Commission for his assistance during the nomination period.

Ballot papers will be posted from the 26 August 2016.

He went on to congratulate Josh Koontz, Pool Manager who was recently awarded the 2016 Presidents Award of Excellence. He stated the Staff and Councillors were all very proud of Josh's achievements; and thanked him for all his hard work. He continued to read out the presentation speech by Mr Jeff Fondacaro, President LIWA Aquatics:

'Each year I consider who should be recognised in front of their peers for their outstanding contributions to the industry, LIWA Aquatics and their communities. This year I want to recognise a member who has without doubt ticked all those boxes over many years.

I am well aware of this individual's contribution to LIWA Aquatics over many years but I was blown away when I contacted their workplace and requested some additional local feedback. What I received back from the community was incredibly moving and provided positive re-enforcement that my award this year was on the money.

I would like to read the following comments before asking this year's winner of the President's Award of Excellence to join me on the stage.



Josh Koontz and Jeff Fondacaro, President of LIWA Aquatics

From his CEO

As the CEO of the Shire I'm delighted to hear that our staff member is the recipient of this year's LIWA Aquatic Presidents Award for Excellence. 'Excellence' is indeed a befitting word to describe this person, his work ethic, his leadership, the mentoring he provides to his staff and his contribution and commitment to not only the Shire but the community in general.

We are very fortunate to have this person working for us, for over 10 years. From day one they have demonstrated great understanding of pool operations and has implemented a range of improvements over the years. This person has been able to keep one of the few remaining Memorial type Swimming Pools in WA running off the original 50 year old filtration system; and not just running, but maintaining extraordinary high water quality.

I briefly mentioned about Josh's Koontz commitment and contribution to the Exmouth community. Rather than take my word for it, here are a few statements that the Shire received from some of the community groups and organisations that Josh works closely with, both in and out of work:

Some testimonials from local community groups

Exmouth District High School Principal, Mr Raymond Denholm

Exmouth District High school has depended a great deal on the usage of the pool facilities for Physical Education classes during the hot months of the year. This has involved numerous classes coming and going to the pool. Josh has managed to cater for our needs whilst still maintaining a professional and friendly service to the rest of the public. Over the years he has been a key factor in the running of both our primary and secondary swimming carnivals.

During various school functions Josh has also been one of the first to put his hand up and help out. He has fulfilled a position on the school council and was a key member in the inaugural chaplaincy committee that worked towards introducing a chaplain to the school. Josh's community spirit has also been seen in simple things like helping out at before school pancake breakfasts.

Exmouth Amateur Swimming Club President, Mr Stephen Haines

On behalf of the Exmouth Amateur swimming Club I would like to congratulate Josh on receiving this prestigious award.

Josh has been a bastion of support for our club, working tirelessly every season providing access to the pool at short notice and using his own personal time to cover the hours required. Our Thursday club nights would not occur without this support.

Josh has contributed to the successful hosting of several major regional and state swimming championships held in Exmouth.

Our club enjoys a strong relationship with our local shire and community, this has been facilitated by Josh with his management of the pool and its various competing users. Josh is a pleasure to deal with, no problem is too small or too difficult to work out a solution.

Well done Josh a very worthy winner.

Exmouth Police & Citizens Youth Club Coordinator, Mrs Lauren Rampling

Josh is a brilliant pool manager. PCYC regularly use the pool for different activities and events and he is so helpful, flexible and fun to work with. Nothing is ever too much trouble for Josh, and he is one of the world's nicest people and he has created a fabulous environment and culture at the swimming pool. He works incredibly hard to make things happen and have provide a great centre for swimming. The pool during the hot summer months is a real community hub, and part of that is down to Josh and all the work he does. Josh has a great rapport with the young people of Exmouth and is someone that they can turn to and is an excellent role model. It is a pleasure to work with him and provide events for the community at such a great location, Exmouth PCYC are thrilled he's getting this award and all of his hard work is being acknowledged. He puts an incredible amount of effort into the pool that that is reflected in the lovely surroundings and the numbers of people that use the facility.

Cape Board Riders Club President, Mr Paul Betts

On behalf of the Exmouth Cape Board Riders Club, we would like to congratulate Josh on this award. Josh has been a valuable member of the club, as a committee member over the years serving as vice president, competition co-ordinator and general committee positions. His happy nature and organizational skills are a great attribute to the club. Once again congratulations Josh.

Exmouth Christian Fellowship Elder, Mr Johannes Haverkate

Josh has an affinity with the young and has a desire to see them grow solid citizens. As Pool Manager he is perfectly placed to interact and instil meaningful life skills into them. Josh is also the lead in the local Assembly Of God church directing the congregants both adults and youth in a direction to be an asset to the community. He continually shows that he is outward looking and has the interests of the community and especially the children at heart.

Closing comment from Shire of Exmouth CEO, Mr Bill Price:

On behalf of the Shire and community of Exmouth, congratulations Josh on being awarded this most deserving acknowledgement from your peers.

What a great testament to wonderful person who truly represents the great qualities we should all aspire to. LIWA Aquatics has benefitted from the great support we get from Josh with our North West Seminar and I know everyone loves to return to Exmouth for the event'.

He also advised that Officers recently attended the 2016 WA Tourism Conference in Perth where Exmouth was recently named the winner of the GWN7 Top Tourism Award for a town with a population under 5,000. Judges were particularly impressed by the community's recognition of the importance of tourism, their plans for the future and the quality tourism experiences for visitors. Exmouth received a \$10,000 airtime package from GWN7 which the Exmouth Visitors Centre will use for the Exmouth promotional video.

9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

10. REPORT OF COUNCILLORS

Date	Activity	Councillor				
		Cr Shales	Cr Hood	Cr McHutchison	Cr Roscic	Cr Todd
29/07/16	Presented prizes at the Exmouth Cultural Art Centre Inc. Annual Art Exhibition, Art Quest. Christine Bailey won the major prize in Category A "Looking Through the Window" and 175 entries were received with a good representation from the youth of Exmouth.			✓		
01/08/16	Training in Local Government Emergency Management Preparation.			✓		
02/08/16	Training in Managing Recovery Activities for Local Government.			✓		
03/08/16 – 05/08/16	WALGA 2016 Convention "Local Impact" including a meeting with Paul Toussaint-Jackson from Australian Floating Decks and the CEO.			✓		✓
09/08/16	CEO Preliminary Performance Appraisal Review.	✓		✓		✓
	Special Council Meeting to adopt Budget.	✓	✓	✓	✓	✓
10/08/16	Meet and Greet the Hon. Albert Jacob, Minister for the Environment.			✓		
	Community Consultation Session 4; Local Planning Scheme and Strategy – Natural Environment, Pastoral and Community Infrastructure.			✓		✓
11/08/16	Candidate Information Night.			✓		✓
	Interview with ABC re: whale interaction tours.	✓				
	One of 5 Judges (including Tim Winton) for the Ningalens Festival Short Film Competition. Congratulations to Pete Firth and helpers for a very successful day and night.			✓		
12/08/16	Citizenship Ceremony.	✓				
13/08/16	Presented 2 of the Short Film Competition Prizes at Ningalens Festival. Sadie James, Artist of Coral Bay took out 1st Prize with a film about recycling and the message if you see some rubbish, pick it up and dispose of it sensibly even if you didn't drop it originally.			✓		
17/08/16	Community Consultation Session 5; Local Planning Scheme & Strategy – Town Centre.	✓		✓		
	ECAC Inc. Committee Meeting.			✓		
18/08/16	Meeting with Department of Transport re: Harbour expansion.	✓				
	Vietnam Veterans Day Service. Cr McHutchison laid the Shire wreath.	✓		✓		

11. EXECUTIVE SERVICES

11.1 TERMINATION OF SUBLEASE ARRANGEMENTS – LEASE AREA 16 EXMOUTH AERODROME

File Reference:	CP.OP.2
Responsible Officer:	Executive Manager Aviation Services
Date of Report:	16 August 2016
Applicant/Proponent:	Norwest Air Works & Bristow Helicopters Pty Ltd
Disclosure of Interest:	Nil
Attachment(s):	1. Notification of Termination of Sublease Arrangements

PURPOSE

That Council resolve to terminate the sub-lease arrangements between Norwest Air Works Pty Ltd and Bristow Helicopters Pty Ltd for the 400m² hangar premises located on Lease Area 16 Exmouth Aerodrome effective 31 October 2016.

BACKGROUND

Council endorsed the hangar premises (400m²) situated on Lease Area 16 Exmouth Aerodrome (Lyndon Location 73) to be sublet by Bristow Helicopters Pty Ltd (Bristow) from Norwest Air Works Pty Ltd (NAW) at the April 2014 Ordinary Council Meeting (Decision 25-0414). The term of the sublease was for 5 years.

COMMENT

The executed sublease agreement is effective from 1 August 2014 for 30 months (therefore ceasing on 31 January 2017) with an option of a further term up to (but not exceeding) the 5 years approved by Council. Bristow have the option to terminate the sublease by providing 3 months' notice to NAW.

Termination notification was received by NAW from Bristow to be effective 31 October 2016 and is provided in Attachment 1.

CONSULTATION

Norwest Airworks

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Policy No. 2.4 Leases

FINANCIAL IMPLICATIONS

Due to the early termination of the sublease agreement, there will seven months loss of payment (\$7,000) of sub-lease rent.

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2011-2021 and Corporate Business Plan 2016-2020.

- Economic: 1 To be a diverse and innovative economy with a range of local employment opportunities.
 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.*
- Civic Leadership: 4 To work together as custodians of now and the future.
 4.2 *A local government that is respected, professional, trustworthy and accountable.*

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 11.1

That Council resolve to terminate the sub-lease arrangements between Norwest Air Works Pty Ltd (ACN 077 650 081) and Bristow Helicopters Pty Ltd (ACN 000 565 579) for the 400m² hangar premises located on Lease Area 16 Exmouth Aerodrome.

COUNCIL RESOLUTION

ITEM 11.1

Res No: 04-0816

MOVED: Cr Todd

SECONDED: Cr Hood

That Council resolve to terminate the sub-lease arrangements between Norwest Air Works Pty Ltd (ACN 077 650 081) and Bristow Helicopters Pty Ltd (ACN 000 565 579) for the 400m² hangar premises located on Lease Area 16 Exmouth Aerodrome.

CARRIED 4/0 by ABSOLUTE MAJORITY

12 CORPORATE SERVICES

12.1 FINANCIAL STATEMENT FOR PERIOD ENDING 31 JULY 2016

File Reference:	FM.FL.0
Responsible Officer:	Executive Manager Corporate Services
Date of Report:	17 August 2016
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Financial Report as at 31 July 2016

PURPOSE

The provisions of the *Local Government Act 1995* and associated Regulations require a monthly financial report for presentation to the Council. This report recommends Council accept the financial report.

BACKGROUND

A financial report for the period ended 31 July 2016 has been prepared and a copy of the Report is attached.

COMMENT

As the 2016/17 Budget was adopted on 9 August 2016, there are no comparatives between the actuals and the budget throughout the July 2016 Financial Report.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

In accordance with Regulation 34 (5), a report must be compiled on variances greater than the materiality threshold adopted by Council of \$10,000 or 10% whichever is the greater. As this report is composed at a program level, variance commentary considers the most significant items that comprise the variance.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2011-2021 and Corporate Business Plan 2016-2020.

Civic Leadership: 4 To work together as custodians of now and the future.
4.2 *A local government that is respected, professional, trustworthy and accountable.*

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

ITEM 12.1

That Council pursuant to Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Administration) Regulations 1996* resolves to receive the Financial Report for the financial period ending 31 July 2016.

COUNCIL RESOLUTION

ITEM 12.1

Res No: 05-0816

MOVED: Cr Hood

SECONDED: Cr Todd

That Council pursuant to Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Administration) Regulations 1996* resolves to receive the Financial Report for the financial period ending 31 July 2016.

CARRIED 4/0

12.2 LIST OF ACCOUNTS FOR PERIOD ENDING 31 JULY 2016

File Reference:	FM.FI.0
Responsible Officer:	Executive Manager Corporate Services
Date of Report:	17 August 2016
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. List of Accounts for period ending 31 July 2016.

PURPOSE

To advise Council of payments made since the previous Ordinary Council Meeting.

BACKGROUND

Council continue to meet our terms of credit as established between suppliers and aspire to obtain discounts where practicable. Payments have been approved by authorised officers in accordance with agreed delegations and policy frameworks.

COMMENT

Council has given delegated authority that allows the Chief Executive Officer to approve payments from Council's bank accounts either via cheque or through electronic lodgement.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Payments are to be made in accordance with Part 6, Division 4 of the *Local Government Act 1995* and as per the *Local Government (Financial Management) Regulations 1996*. Payments are to be made through the municipal fund, trust fund or reserve funds. Payments are to be in accordance with approved systems as authorised by the CEO.

POLICY IMPLICATIONS

Policy 2.10 – Purchasing Policy and
Policy 2.17 - Regional Price Preference Policy (where applicable)

FINANCIAL IMPLICATIONS

Payments are made under delegated authority and are within defined and approved budgets. Payment is made within agreed trade terms and in a timely manner.

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2011-2021 and Corporate Business Plan 2016-2020.

- Civic Leadership: 4 To work together as custodians of now and the future.
4.2 *A local government that is respected, professional, trustworthy and accountable*
-

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION**ITEM 12.2**

That Council pursuant to Sections 6.7 and 6.9 of the *Local Government Act 1995* resolves to accept payments being made up of:

1. Municipal Fund – July 2016 \$3,936,303.24 incorporating of cheques 13316 - 13328 and direct debits; and
2. Trust Fund – July 2016 \$1,000.00 incorporating of cheque 400845 and direct debits.

with Outstanding Creditors as at 31 July 2016 being \$628,985.54.

COUNCIL RESOLUTION**ITEM 12.2**

Res No: 06-0816

MOVED: Cr Todd

SECONDED: Cr Hood

That Council pursuant to Sections 6.7 and 6.9 of the *Local Government Act 1995* resolves to accept payments being made up of:

- 1. Municipal Fund – July 2016 \$3,936,303.24 incorporating of cheques 13316 - 13328 and direct debits; and**
- 2. Trust Fund – July 2016 \$1,000.00 incorporating of cheque 400845 and direct debits.**

with Outstanding Creditors as at 31 July 2016 being \$628,985.54.

CARRIED 4/0

13 AVIATION SERVICES

Nil.

14 COMMUNITY ENGAGEMENT

Nil.

15 HEALTH & BUILDING SERVICES

15.1 PROPOSED BUDGET AMENDMENT – MULTIPURPOSE MEETING ROOM/STORAGE FACILITY PALTRIDGE MEMORIAL SWIMMING POOL

File Reference:	CP.AD.1
Responsible Officer:	Executive Manager Health & Building Services
Date of Report:	19 August 2016
Applicant/Proponent:	Executive Manager Health & Building Services
Disclosure of Interest:	Nil
Attachment(s):	1. Plans of Proposed Multipurpose Meeting Room/Storage Facility for Paltridge Memorial Swimming Pool

PURPOSE

To request a minor amendment to the 2016/2017 Council Budget to facilitate the roll-over of the Community Pool Revitalisation Program (CPRP) 2016/17 grant with the future CPRP 2017/18 grant for a capital works project in 2017/18 at the Paltridge Memorial Swimming Pool.

BACKGROUND

The Community Pool Revitalisation Program (CPRP) provides funding to regional local governments to assist with the maintenance and upgrades of their aquatic centres. Funding of up to \$32,000 per aquatic centre is available to eligible local governments. The Shire of Exmouth has applied for this grant every year since it started in 2014. Some of the items/upgrades received through the grant have been:

- Automatic Chlorine Shutdown System;
- Lane Ropes;
- Staff Training – Lifeguards and Pool Managers; and
- Free Bronze Medallion Training for members of the community.

The Minister for Sports and Recreation will also allow local governments to apply for a Future Capital Project. This grant is placed in a specified reserve account to be budgeted towards a Future Capital Project that will occur in 2017/18.

COMMENT

As the Council will be aware the buildings at the Paltridge Memorial Swimming Pool (the Pool) are past their use-by date and the Council recently adopted concept plans for the future redevelopment of the facility. The full redevelopment works are currently planned to commence the 2019/20 financial year.

The Multipurpose Meeting Room/Storage Facility (refer Attachment 1) form an integral part of the future redevelopment plans. However, the benefits that the above development will bring to the facility are urgently needed for use by the Shire, Exmouth Amateur Swimming Club (the Club) and many other pool user groups. These facilities will help increase the usage of the pool by the

community through having a facility for Bronze Medallion Training, Swim Club dry training, a general purpose meeting room etc. and the possibly of a Crèche for mums and dads using the pool. It will also provide additional storage space for pool equipment and external user groups as well as a dedicated storage area for the Club allowing for further equipment to be purchased such as exercise equipment and swim training equipment. The construction of the building will also facilitate for a smoother transition when the older buildings are demolished, providing much needed storage areas as the current storage areas will be demolished and the option of a temporary entrance into the facility minimising the disruption to patrons should the pool redevelopment works be staged.

The estimated cost of the project in 2015 was almost \$200,000. Seed funding for the project is proposed to be jointly by the Shire (\$6,000) and the Club (\$20,000). It is proposed to roll-over the 2016/17 allocation of the CPRP grant with the 2017/18 allocation and these funds (\$64,000) will form leverage funding toward the project. The balance of the funds will be subject of the GDC grant (approximately \$110,000) of funds coming from a GDC Gascoyne Regional Grants Scheme. The funds for successful projects under above GDC grants scheme are not released until July 2017. Therefore, should the above application be successful, works on the Multipurpose Meeting Room/Storage Facility could not commence until the 2017/18 financial year.

In the recently adopted 2016/17 Council Budget the current year's \$32,000 CPRP grant was allocated towards training (\$7,000, forming part of the total \$12,000 – E113355) and purchasing paint to repaint the pool bowl (\$25,000 – A125020). The current budget also has an allocation of \$40,000 (A113101) for the Shared Storage Facility, with \$20,000 being from general municipal funds and \$20,000 was to be drawn down from the Swimming Pool Reserve (L019210).

Given the above proposed change in direction, there now needs to be consideration by Council of some minor budget amendment variations as detailed under Financial Implications below.

CONSULTATION

Exmouth Amateur Swimming Club

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The following minor budget amendments are proposed to the 2016/17 Council Budget:

- Operating Revenue R113270 – GRANT (DSR) \$7000 to be reduced to \$0
- Operating Expenditure E113355 – Training \$12,000 to be reduced to \$5,000
- Non-Operating Revenue R113702 - Grants (DSR) \$25,000 to be increased to \$32,000

These amounts will not be spent in the 16/17 financial year. The \$32,000 will be placed in the Unspent Grants and Contributions Reserve (L030340 – DSR Grants). In the 17/18 financial year this amount will be combined with the 17/18 grant funding round, a total of \$64,000.

Further to the above, Non-Operating Expenditure A113101 – Shared Storage Facility \$40,000 should be reduced to \$0 as the works will not proceed until 2017/18; and Transfer from Reserve L019210 – Swimming Pool Reserve \$20,000 can be reduced to \$5,000. The original \$20,000 towards the Shared Storage Facility is no longer necessary, however \$5,000 will still be required from the reserve account towards the painting of the pool bowl. The other \$20,000 for the painting of the bowl (\$25,000 total) will be funded by the previous \$20,000 of general municipal funds that was allocated to the Shared Storage Facility project.

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2011-2021 and Corporate Business Plan 2016-2020.

- Economic: 1 To be a diverse and innovative economy with a range of local employment opportunities.
 1.5 *Maintain and improve Shire infrastructure.*
- Environment: 2 To have a balanced respect for our environment and heritage, both natural and built.
 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: 3 To be a dynamic, passionate and safe community valuing natural and cultural heritage.
 3.1 *Retain a safe community environment.*
 3.2 *Excellent lifestyle, recreational and cultural facilities.*
 3.3 *An inclusive, responsible and cohesive community.*
 3.5 *Maintain and increase participation levels in local community organisations and clubs.*
 3.6 *Expand education and training facilities and opportunities.*
 3.7 *Residents and visitors have access to appropriate services and facilities to enhance their health and wellbeing.*

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 15.1

That Council approve the following amendments to the 2016/2017 Budget:

ACCOUNT	AMOUNT FROM	AMOUNT TO
R113270	\$7,000	\$0
E113355	\$12,000	\$5,000
R113702	\$25,000	\$32,000
A113101	\$40,000	\$0
L019210	\$20,000	\$5,000
L030340	\$0	\$32,000

COUNCIL RESOLUTION**ITEM 15.1****Res No: 07-0816****MOVED: Cr Roscic****SECONDED: Cr Hood****That Council approve the following amendments to the 2016/2017 Budget:**

ACCOUNT	AMOUNT FROM	AMOUNT TO
R113270	\$7,000	\$0
E113355	\$12,000	\$5,000
R113702	\$25,000	\$32,000
A113101	\$40,000	\$0
L019210	\$20,000	\$5,000
L030340	\$0	\$32,000

CARRIED 4/0 by ABSOLUTE MAJORITY

16 TOWN PLANNING SERVICES

16.1 FINAL APPROVAL PROPOSED COVENANT – PORTIONS OF RESERVE 47803 TO BE AMALGAMATED INTO ADJOINING FREEHOLD LOTS

File Reference:	R47803
Responsible Officer:	Executive Manager Town Planning Services
Date of Report:	17 August 2016
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Proposed Local Planning Scheme No. 4 Provisions

PURPOSE

That Council supports following advertising the proposed Local Planning Scheme No. 4 provisions to be applied to development on portions of Reserve 47803 to be amalgamated to adjacent lots, and advise the Department of Lands that the covenant is to have the following wording "*Development shall be in accordance with the relevant Local Planning Scheme.*"

BACKGROUND

At the 29 June 2016 Ordinary Council Meeting, Council resolved (Decision 12-0616): to advertise the proposed Local Planning Scheme No. 4 provisions to be applied to development on portions of Reserve 47803 to be amalgamated to adjacent lots for a period of not less than 21 days to all those affected adjoining landowners.



Location Plan - Portions of Reserve 47803 to be amalgamated

COMMENT

Proposed Local Planning Scheme No. 4 Provisions

The provisions (refer Attachment 1) proposed to be included in Local Planning Scheme No. 4 have been prepared based on:

- i. the assumption that the portions of Reserve 47803 to be amalgamated will be to existing lots;
- ii. provisions of Draft Local Planning Scheme No. 4 - Special Use Zone 6 – Area A – Canal Lots relating to development within the Conditional Development Area; and
- iii. an existing development (planning) approval for a stairway in Reserve 47803.

The portions of Reserve 47803 to be amalgamated slopes down from an approximate finished floor level of 5.25m AHD to an upper rock wall of a similar level to the upper retaining wall in Draft Local Planning Scheme No. 4 - Special Use Zone 6 - Area A Canal Lots. Therefore setbacks from the canal side are recommended to be taken from the top of the upper rock wall. The setbacks proposed are consistent to the provisions of the Special Use Zone 6 - Area A Canal Lots - Conditional Development Area. Due to existing dwellings being developed in accordance with the current Detailed Area Plan only open sided structures should be supported in the portions of Reserve 47803 to be amalgamated, otherwise existing views of the canal will be significantly compromised and existing dwellings will be 'boxed in'.

The Shire has approved a stairway in a portion of Reserve 47803 proposed to be amalgamated. Additional provisions have been included relating to this type of development to ensure a consistent built form and for existing view corridors to be maintained. Provisions for fencing on the side boundary have been created based on the provisions of the existing Detailed Area Plan. Provisions for all other fencing and retaining walls have been created based on provisions relating to development in Special Use Zone 6 - Area A – Canal Lots - Conditional Development Area. Figure C1 – Area C is required to be amended to indicate Residential Addition of Canal Side Land, and amending scheme map 5 is required to include the land within Special Use Zone 6. The provisions (refer Attachment 1) are proposed to be included in Local Planning Scheme No. 4 under Special Use Zone 6 - Area C, as a modification required to the scheme following advertising.

CONSULTATION

In accordance with Council resolution (Decision 12-0616) affected adjoining landowners were sent a copy of the proposed Local Planning Scheme No. 4 provisions and given the opportunity to provide comment within 21 days of notification, from Wednesday 6 July 2016 to Wednesday 27 July 2016. The owners of the strata lots were given the opportunity to provide comment within 21 days of notification, from Thursday 14 July 2016 to Thursday 4 August 2016. A summary is tabled below:

Address	Submitters Comment	Officers Comment
Lot 6 (N102) Madaffari Dr	<i>Yes we would like to own the property at the back of lot for security of our house and safety of the public being at the edge of canal.</i>	Support for proposed amalgamation. The proposed scheme provisions allow for the development of fencing which will increase security from the canal side. The submitter's comments are Noted .
Lot 7 (N104) Madaffari Dr	Nil	Nil
Lot 8 (N106) Madaffari Dr	Nil	Nil
Lot 9 (N108) Madaffari Dr	Nil	Nil
Lot 10 (N110) Madaffari Dr	Nil	Nil
Lot 11 (N112) Madaffari Dr	<i>Something must be done by the Shire, or the owners of the adjacent holdings to stabilize this land. The land owners could do this if it became part of their title.</i>	Support for proposed amalgamation. The proposed scheme provisions allow for the development of retaining walls to provide increased stabilisation to the land. The submitter's comments are Noted .
Lot 12 (N114) Madaffari Dr	Nil	Nil
Lot 13 (N116) Madaffari Dr	Nil	Nil
Lot 14 (N118) Madaffari Dr	Nil	Nil
Lot 15 (N120) Madaffari Dr	Nil	Nil
Strata Lot 1 (N132) Madaffari Dr	Nil	Nil
Strata Lot 2 (N132A) Madaffari Dr	Nil	Nil
Lot 17 (N134) Madaffari Dr	Nil	Nil
Lot 18 (N136) Madaffari Dr	Nil	Nil
Lot 19 (N138) Madaffari Dr	Nil	Nil
Lot 20 (N140) Madaffari Dr	Nil	Nil
Lot 21 (N142) Madaffari Dr	Nil	Nil
Lot 22 (N144) Madaffari Dr	Nil	Nil
Lot 23 (N146) Madaffari Dr	<i>We and many owners in this precinct would be keen to have a mooring envelope and hope that the Shire will act to pursue this with Department of Transport, not just the amalgamation.</i>	At the 19 February 2015 Ordinary Council Meeting, Council resolved (Decision 23-0215): to request the Department of Lands (DoL) to proceed with the proposed disposal and amalgamation of portions of Reserve 47803 with adjoining lots following formal advertising; and that the land being offered does not include any mooring envelope or jetty envelope area. Any such proposal would be a separate land administration project, and may be further investigated at a later stage. The submitter's comments are Noted .
Strata Lot 1 (N148) Madaffari Dr	Nil	Nil
Strata Lot 2 (N148A) Madaffari Dr	Nil	Nil

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Land Administration Act 1997
Land Administration Regulations 1998
Draft Local Planning Scheme No. 4

POLICY IMPLICATIONS

Council Policy 6.16 - Design Guidelines for Exmouth Marina Village Precinct A

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2011-2021 and Corporate Business Plan 2016-2020.

- Environment: 2 To have a balanced respect for our environment and heritage, both natural and built.
2.1 *To maintain and improve access and connectivity to our natural assets.*
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: 3 To be a dynamic, passionate and safe community valuing natural and cultural heritage.
3.2 *Excellent lifestyle, recreational and cultural facilities.*
3.8 *There is a diverse range of residential land options available.*
- Civic Leadership: 4 To work together as custodians of now and the future.
4.1 *To be a collaborative community with the capacity to manage the current and future direction of Exmouth.*
4.2 *A local government that is respected, professional, trustworthy and accountable.*
4.3 *To be strong advocates representing the region's interests.*

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

ITEM 16.1

That Council:

1. Supports the Proposed Local Planning Scheme No. 4 Provisions (refer Attachment 1) to be applied to development on portions of Reserve 47803 be included as a recommended modification to Local Planning Scheme No. 4 following its advertising;
2. Advise the Department of Lands of the proposed provisions and that the covenant is to have the following wording "Development shall be in accordance with the relevant Local Planning Scheme"; and
3. Advise submitters of the officer's response and resolution in relation to the proposal.

COUNCIL RESOLUTION**ITEM 16.1****Res No: 08-0816****MOVED: Cr Roscic****SECONDED: Cr Todd****That Council:**

- 1. Supports the Proposed Local Planning Scheme No. 4 Provisions (refer Attachment 1) to be applied to development on portions of Reserve 47803 be included as a recommended modification to Local Planning Scheme No. 4 following its advertising;**
- 2. Advise the Department of Lands of the proposed provisions and that the covenant is to have the following wording "Development shall be in accordance with the relevant Local Planning Scheme"; and**
- 3. Advise submitters of the officer's response and resolution in relation to the proposal.**

CARRIED 4/0

16.2 ACTIVITY ON LOCAL GOVERNMENT PROPERTY – GROUP FITNESS CLASSES – KOOBOOROO OVAL

File Reference:	LP.PE.0
Responsible Officer:	Executive Manager Town Planning Services
Date of Report:	25 August 2016
Applicant/Proponent:	Positive Steps – Karen Rule
Disclosure of Interest:	Nil
Attachment(s):	1. Site plan of Koobooroo Oval showing proposed location.

PURPOSE

That Council approve the application for Activity on Local Government Property for group fitness classes for a period of about (12) twelve weeks at the Koobooroo Oval.

BACKGROUND

In December 2011, Council noted that;

“any application from a trader wishing to operate longer than two weeks will be referred to the full Council for consideration.”

This proposal is to operate group fitness classes for a period of about twelve (12) weeks; therefore it has to be determined by Council.

PROPOSAL

The applicant has formally applied to Council to use the Koobooroo Oval for group fitness classes. These classes will be for a period of about twelve (12) weeks from 20 September 2016 to 9 December 2016 between 6am and 7am every Tuesday, Wednesday and Friday. She intends to use an area that is approximately 40m² at the Koobooroo Oval (refer Attachment 1) and have one (1) person working at the fitness classes. The applicant is a fully qualified fitness instructor/personal trainer and has submitted proof of public liability insurance.

COMMENT

The proposal has been assessed against the *Local Government Act 1995* and Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law. In determining the use of the Koobooroo Oval for group fitness classes Council must consider the following relevant clauses of the Activities in Thoroughfares and Trading in Thoroughfares and Public Places Local Law.

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

Local Law Provisions	Officer Comment
<p><i>In determining an application for a permit for the purposes of this Division, the local government is to have regard to –</i></p> <p><i>(a) any relevant policies of the local government;</i></p> <p><i>(b) the desirability of the proposed activity;</i></p> <p><i>(c) the location of the proposed activity;</i></p> <p><i>(d) the principles set out in the Competition Principles Agreement;</i></p> <p><i>(e) such other matters as the local government may consider to be relevant in the circumstances of the case.</i></p>	<p>The Shire has no specific policies for the use of shire ovals.</p> <p>The proposed activity is highly suitable in that location as the current use of Koobooroo Oval is mainly for sporting activities and recreation.</p> <p>Koobooroo Oval is a good location for the proposed group fitness classes as it is used by many sporting clubs and individuals for various sporting and fitness activities.</p> <p>The key guiding principle is that <i>“legislation should not restrict competition unless it can be demonstrated that:</i></p> <p><i>a) the benefits of the restriction to the community as a whole outweigh the costs; and</i></p> <p><i>b) the objectives of the legislation [Local Law] can only be achieved by restricting competition.”</i></p> <p>Council should consider the implications of approving long term permits at the shire ovals. Consideration should be given to other sporting clubs and organisations who currently use the ovals or who may wish to use it in future.</p> <p>The proposed period and time of the group fitness classes is quite appropriate as early in the morning Koobooroo Oval is not actively used. The proposed activity will encourage more use of the oval.</p> <p>The application is recommended for approval to operate in the proposed time period for the following reasons:</p> <ul style="list-style-type: none"> - Group fitness classes will encourage more use of the town’s ovals. - Koobooroo Oval is a suitable location for the activity.

	<ul style="list-style-type: none"> - The applicant proposes no equipment but only body weight exercises; and - The activity will complement existing uses at the oval.
<p><i>The local government may refuse to approve an application for a permit under this Division on any one or more of the following grounds;</i></p> <ul style="list-style-type: none"> - <i>that the applicant has committed a breach of any provision of this local law or of any written law relevant to the activity in respect of which the permit is sought;</i> - <i>that the applicant is not a desirable or suitable person to hold a permit;</i> - <i>such other grounds as the local government may consider to be relevant in the circumstances of the case.</i> 	<p>The proposed activity provides an additional service to the town. Group fitness classes are partly catered for by Ningaloo Reef Gym and some existing personal trainers in town; however, they are not located within 300m of the Koobooroo Oval. Also the applicant is not proposing to operate everyday but on selected days every week and just for an hour early morning. To encourage competition and meet the Competition Principles Agreement the activity is deemed suitable.</p>
<p><i>A stallholder or trader shall not –</i></p> <ul style="list-style-type: none"> <i>(a) attempt to conduct a business within a distance of 300m of any shop or permanent place of business and has for sale any goods or services of the kind being offered for sale by the stallholder or trader.</i> 	<p>The proposed activity is not within 300m of any other permanent businesses offering group fitness classes.</p>

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government Property Local Law

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

Competition Principles Agreement

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2011-2021 and Corporate Business Plan 2016-2020.

- Economic: 1 To be a diverse and innovative economy with a range of local employment opportunities.
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.*
- Social: 3 To be a dynamic, passionate and safe community valuing natural and cultural heritage.
3.2 *Excellent lifestyle, recreational and cultural facilities.*
3.7 *Residents and visitors have access to appropriate services and facilities to enhance their health and wellbeing.*
- Civic Leadership: 4 To work together as custodians of now and the future.
4.1 *To be a collaborative community with the capacity to manage the current and future direction of Exmouth.*
4.2 *A local government that is respected, professional, trustworthy and accountable.*

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

ITEM 16.2

That Council approve the permit application for activity on Local Government Property for group fitness classes upon Koobooroo Oval for a maximum period of twelve (12) weeks between 20 September 2016 and 9 December 2016 and delegate authority to the Executive Manager Town Planning to issue the permit subject to standard conditions.

COUNCIL RESOLUTION

ITEM 16.2

Res No: 09-0816

MOVED: Cr Todd

SECONDED: Cr Hood

That Council approve the permit application for activity on Local Government Property for group fitness classes upon Koobooroo Oval for a maximum period of twelve (12) weeks between 20 September 2016 and 9 December 2016 and delegate authority to the Executive Manager Town Planning to issue the permit subject to standard conditions.

CARRIED 4/0

16.3 FORMALISE WALKING TRAIL - LOTS 1403 AND 1404 ON DEPOSITED PLAN 192085 AND LOT 1407 ON DEPOSITED PLAN 192609

File Reference:	LP.PL.0.2016
Responsible Officer:	Executive Manager Title
Date of Report:	12 August 2016
Applicant/Proponent:	Shire of Exmouth
Disclosure of Interest:	Nil
Attachment(s):	1. Walking Trail Site Plan

PURPOSE

That Council resolves to formalise the use of an existing walking trail from the Exmouth Golf Club to Warne Street west of the primary dune through Unallocated Crown Land (UCL) Lots 1403 and 1404 on Deposited Plan 192085 and Lot 1407 on Deposited Plan 192609 (refer Attachment 1) for the public at large by obtaining consent under the *Land Administration Act 1997*.

BACKGROUND

Currently a walking trail exists through the subject UCL lots owned by the Department of Lands which is used by the general public. There is no formal consent in place under the *Land Administration Act 1997* (the Act) for the public at large to access this land. This is a valued walking trail by the Exmouth community for beach access and recreation. Therefore, it is recommended that Council seek to formalise consent for the use of the walking trail so that people accessing it are doing so lawfully.

Outside of the subject lots, the remainder of the walking trail is through crown land reserves vested to the Shire of Exmouth for purposes consistent with its use meaning its use for these portions is lawful.

COMMENT

The Department of Lands administers the management of crown land through the *Land Administration Act 1997*. The Act requires prior consent to be obtained for accessing crown land. There are a number of processes available through the Act to provide the public at large consent to access the subject walking trail as follows:

- Section 91 Licence.
- Section 195 public access easement.
- Crown land reservation.

The Department has advised that they would likely require the land to be either reserved and management vested to the Shire of Exmouth or for an easement to be created over the land in favour of the Shire of Exmouth. However, they also advised that the matter would be subject to further investigation to determine the most appropriate process. Crown land that is reserved is done so for a purpose in the public interest and is vested to a person and/or organisation to be managed and used for that purpose. Therefore, the land can be vested to the management of the Shire of

Exmouth for a public interest which allows people to use the existing walking trail, such as recreation. Alternatively, an easement can be created over the land specifically to allow access for the public at large, however the lot would not be vested to the Shire of Exmouth.

These processes may require the completion of the 'Future Act' process under the *Native Title Act 1993* to extinguish native title. The Future Act process can be extensive generally taking up to three years, but can take much longer depending on negotiations required with native title claimants through the process. Therefore, if the Future Act process is required it is recommended that a Section 91 License is sought to provide more immediate consent for access while the Future Act process is being progressed.

A Section 91 License is similar to Council's permit for an activity on Local Govern property process where consent is given to use land for a certain purpose generally no longer than a twelve (12) month period. Therefore, this process cannot provide permanent consent for access, however it is a much quicker process that only consent from the native title holders is required instead of the requirement to complete the Future Act process. Therefore, the use of the track can be made lawful through temporary Section 91 Licenses while the Future Act process is being carried out.

CONSULTATION

The matter has been queried with the Department of Land who advised that the most appropriate method of formalising the public access is either through the creation of an easement or through a crown land reservation so that the land can be vested to the Shire of Exmouth for a public purpose. However, they also advised that it is possible for a Section 91 Licence to be granted while the Future Act process is being carried out.

STATUTORY ENVIRONMENT

Land Administration Act 1997

Native Title Act 1993

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

When a crown reservation is vested to a person and/or organisation they are responsible for the management of that land. Similarly, an easement being created in favour of a person and/or organisation results in them being responsible for the maintenance of that land comprising that easement.

There is a fee applicable for a Section 91 license which is dependent upon the nature of the application.

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2011-2021 and Corporate Business Plan 2016-2020.

- Economic:
- 1 To be a diverse and innovative economy with a range of local employment opportunities.
 - 1.3 *Diverse tourism opportunities.*

- Environment: 2 To have a balanced respect for our environment and heritage, both natural and built.
2.1 *To maintain and improve access and connectivity to our natural assets.*
- Social: 3 To be a dynamic, passionate and safe community valuing natural and cultural heritage.
3.1 *Retain a safe community environment.*
3.2 *Excellent lifestyle, recreational and cultural facilities.*
3.7 *Residents and visitors have access to appropriate services and facilities to enhance their health and wellbeing.*
- Civic Leadership: 4 To work together as custodians of now and the future.
4.1 *To be a collaborative community with the capacity to manage the current and future direction of Exmouth.*
4.2 *A local government that is respected, professional, trustworthy and accountable.*
4.3 *To be strong advocates representing the region's interests.*

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

ITEM 16.3

That Council resolves to formalise the use of an existing walking trail from the Exmouth Golf Club to Warne Street west of the primary dune through Unallocated Crown Land Lots 1403 and 1404 on Deposited Plan 192085 and Lot 1407 on Deposited Plan 192609, as outlined in Attachment 1, for the public at large by obtaining consent under the *Land Administration Act 1997*, including any requirement to complete the 'Future Act' process under the *Native Title Act 1993*.

COUNCIL RESOLUTION

ITEM 16.3

Res No: 10-0816

MOVED: Cr Roscic

SECONDED: Cr Todd

That Council resolves to formalise the use of an existing walking trail from the Exmouth Golf Club to Warne Street west of the primary dune through Unallocated Crown Land Lots 1403 and 1404 on Deposited Plan 192085 and Lot 1407 on Deposited Plan 192609, as outlined in Attachment 1, for the public at large by obtaining consent under the *Land Administration Act 1997*, including any requirement to complete the 'Future Act' process under the *Native Title Act 1993*.

CARRIED 4/0

17 ENGINEERING SERVICES

Nil.

18. ITEMS FOR INFORMATION ONLY

Responsible Officer: Chief Executive Officer

Disclosure of Interest: Nil

PURPOSE

To advise Council of the information items for July 2016.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION

ITEM 18

That Council note the following information items:

- 18.1 Register of Documents Stamped with the Shire of Exmouth Common Seal
 - 18.2 Concessions on Fees for Council Facilities for July 2016
 - 18.3 Building Decisions Issued up to 31 July 2016
 - 18.4 Planning Decisions Issued up to 31 July 2016
-

COUNCIL RESOLUTION

ITEM 18

Res No: 11-0816

MOVED: Cr Hood

SECONDED: Cr Todd

That Council note the following information items:

- **18.1 Register of Documents Stamped with the Shire of Exmouth Common Seal**
- **18.2 Concessions on Fees for Council Facilities for July 2016**
- **18.3 Building Decisions Issued up to 31 July 2016**
- **18.4 Planning Decisions Issued up to 31 July 2016**

CARRIED 4/0

18.1 REGISTER OF DOCUMENTS STAMPED WITH THE SHIRE OF EXMOUTH COMMON SEAL

Responsible Officer: Chief Executive Officer

Disclosure of Interest: Nil

PURPOSE

To advise Council of documents, as listed below, that have been stamped with the Common Seal of the Shire of Exmouth since the last meeting.

DATE	DOCUMENT
25/07/16	Sale of Lot 9 Catalina Close Exmouth

18.2 CONCESSIONS ON FEES FOR COUNCIL FACILITIES FOR JULY 2016

File Reference: CP.US.0

Responsible Officer: Executive Manager Community Engagement

Date of Report: 17 August 2016

Disclosure of Interest: Nil

PURPOSE

To provide Council with a summary of all concessions on fees for Council's facilities and services under Section 4.1 of the *Register of Delegations of Authority from Council to the CEO and Other Officers* since the last Ordinary Council Meeting.

NAME	REASON	AMOUNT \$ (exc GST)
Exmouth Senior Citizens Club	Donation to Arts & Craft for the Senior Citizens 2016/2017	250.00
Exmouth Cultural Arts Centre	Shire Support for Art Quest 2016	600.00
Exmouth Senior & Pensioners Club Annual Craft Fair	Fee waivers as per delegated authority to CEO: <ul style="list-style-type: none"> • Hire of Shire Hall • Food Permit for Annual Craft Fair 	123.00 27.00
David George (Outgoing Compliance & Emergency Services Coordinator)	Hire of Transit House 1 Lefroy Street 3 x nights	104.15
Exmouth Volunteer Fire & Rescue Service	Hire of Recreation Centre for AFL Raffle Draw	41.00

18.3 BUILDING DECISIONS ISSUED UP TO 31 JULY 2016

File Reference: GV.CM.0

Responsible Officer: Executive Manager Health & Building Services

Date of Report: 17 August 2016

Disclosure of Interest: Nil

PURPOSE

To provide Council with the building licence and building certificate applications and approvals made under Delegation pursuant to the Building Act 2011 up to 31 July 2016.

App No.	Date Received	Lot	Street	Description	Status	Decision Date
16/21	22/02/16	146	10 Hunt Street	Outbuilding Extension	Awaiting information from applicant	
16/41	04/04/16	1277	2 Seawolf Close	Dwelling	Awaiting information from applicant	
16/56	25/05/16	925	9 Ningaloo Street	Verandah	Approved	05/07/16
16/69	14/06/16	162	14 Tuckey Street	Dwelling	Approved	14/07/16
16/76	06/07/16	101	7 Jones Place	Verandah Upgrade	Approved	12/07/16
16/77	01/07/16	466	23 Osprey Way	Alterations to Dwelling	Approved	12/07/16
16/78	07/07/16	296	Lyndon Location	Ablution & Amenities Buildings	Approved	21/07/16
16/79	18/7/16	166	Lyndon Location	Workers Accommodation	Approved	11/08/16
16/80	12/07/16	796	10 King Place	Boat Port	Approved	19/07/16
16/82	12/07/16	468	22 Fitzhardinge Street	Decking	Approved	21/07/16
16/83	18/07/16	418	7 Fitzhardinge Street	Verandah Extension	Approved	19/07/16
16/85	21/07/16	1481	Neale Cove	Boat Lifting Facility	Processing	
16/86	21/07/16	165	13 Maidstone Crescent	Additions & Alterations	Approved	12/08/16
16/87	22/07/16	334	19 Ningaloo Street	Dwelling, Additions & Swimming Pool	Processing	
16/88	22/07/16	428	19 Fitzhardinge Street	Swimming Pool	Approved	02/08/16
16/89	25/07/16	662	9 Stewart Street	Room Addition	Approved	08/08/16
16/90	25/07/16	1366	43 Heron Way	Additions to Dwelling	Awaiting information from applicant	
16/91	28/7/16	336	14 Kestrel Place	Dividing Fence	Processing	

18.4 PLANNING DECISIONS ISSUED UP TO 31 JULY 2016

File Reference: LP.PL.0.2016

Responsible Officer: Executive Manager Town Planning

Date of Report: 17 August 2016

Disclosure of Interest: Nil

PURPOSE

To advise Council of the following planning decisions issued under delegation for the above period.

App #	Date Received	Lot	Property Address	Description	Decision	Decision Date
PA21/16	26/02/16	1406	Willersdorf Road	Additions to Club Rooms	Approved	01/08/16
PA45/16	08/04/16	319	11 Pellew Street	Change of Use	Approved	01/08/16
PA70/16	13/06/16	2	Yardie Creek Road	Additional Camping Sites	Processing	
PA84/16	28/06/16	332	6 Kestrel Place	Swimming Pool, Retaining Walls and Stairs	Awaiting further information from Applicant	
PA85/16	29/06/16	390	19 Corella Court	Spa	Approved	19/07/16
PA89/16	12/07/16	390	19 Corella Court	Holiday Accommodation	Processing	
PA90/16	12/07/16	105	41 Ingram Street	Storage Shed	Approved	05/08/16
PA94/16	19/07/16	500	1 Nimitz Street (Site 210)	Carport	Approved	26/07/16
PA95/16	19/07/16	500	1 Nimitz Street (Site 214)	Carport	Approved	29/07/16
PA96/16	21/07/16	165	13 Maidstone Crescent	Dental Surgery Consulting Rooms	Processing	
PA98/16	28/07/16	429	78 Madaffari Drive	Swimming Pool, Decking, Retaining Walls	Approved	02/08/16
PA99/16	29/07/16	19	5 Maley Street	Change of Use & Dwelling, Shed, Carport & Dwelling Additions	Approved	12/08/16

Permits Issued Under the Local Government Act 1995, Local Government Property Local Law.

App	Date Received	Description	Date Issued
PA66/16	01/06/2016	Mobile Food Van – Kona Joe's – Exmouth Visitor Carpark	02/07/2016
PA78/16	21/06/2016	Festival of Sport – Shire of Exmouth – Ovals, Skate Park & Wobiri	04/07/2016
PA86/16	29/06/2016	Exmouth Motorcycle Club – Sausage Sizzle (Election Day) – Shire Hall	01/07/2016
PA87/16	29/06/2016	Medecins Sans Frontiers (Fundraising) – Ross Street Mall	01/07/2016
PA91/16	12/07/2016	Engineered Water Systems – Jetty Construction – Exmouth Marina	15/07/2016
PA92/16	14/07/2016	Wedding at Jacobz Beach – 14 August 2016	26/07/2016
PA93/16	18/07/2016	Filming at Vlaming Head Lighthouse – 20-21 July 2016	19/07/2016
PA97/16	22/07/2016	UTAS – Scientific Surveys – Ross Street Mall and Bundegi & Tantabiddi Boat Ramps	29/07/2016

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

Nil

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

Nil

21. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS

COUNCIL RESOLUTION

ITEM 21.1

Res No: 12-0816

MOVED: Cr Hood

SECONDED: Cr Todd

That Council move Behind Closed Doors at 5.19pm in accordance with the Local Government Act 1995 section 5.23 (2) (A) (C) and (D).

- Legal Issue

CARRIED 4/0

21.1 CORRUPTION AND CRIME COMMISSION INVESTIGATION

COUNCIL RESOLUTION

ITEM 21.1

Res No: 13-0816

MOVED: Cr Hood

SECONDED: Cr Todd

That Council receive the Corruption & Crime Commission (CCC) warrant document issued on Friday 12 August 2016 and approve the engagement of legal representation to assist the Council and implicated employees in the investigative process.

CARRIED 3/1

Cr Roscic voted against.

COUNCIL RESOLUTION

ITEM 21.1

Res No: 14-0816

MOVED: Cr Hood

SECONDED: Cr Todd

That Council return from Behind Closed Doors at 5.25pm.

CARRIED 4/0

22. CLOSURE OF MEETING

The meeting was closed at 5.25pm.