



Ordinary Council Meeting
Agenda
28 April 2016

NOTICE OF MEETING

Notice is hereby given that the

Shire of Exmouth
Ordinary Council Meeting

will be held on
28 April 2016
Commencing at 5.00pm
In the Council Chambers, Administration Centre,
22 Maidstone Crescent, Exmouth



Bill Price
Chief Executive Officer

28 April 2016

Disclaimer

The advice and information contained herein is given by and to the Council without liability or responsibility 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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DECLARATION OF INTERESTS (NOTES FOR YOUR GUIDANCE) (updated 13 March 2000)

A member who has a **Financial Interest** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest:

- (a) In a written notice given to the Chief Executive Officer before the Meeting or;
- (b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- (c) Preside at the part of the Meeting, relating to the matter or;
- (d) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the *Local Government Act 1995*.

NOTES ON FINANCIAL INTEREST (FOR YOUR GUIDANCE)

The following notes are a basic guide for Councillors when they are considering whether they have a **Financial Interest** in a matter. I intend to include these notes in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measure in money terms. There are exceptions in the *Local Government Act 1995* but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The **only** exceptions are:
 - 6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the *Local Government Act*; or
 - 6.2 Where the Minister allows the Councillor to participate under s5.69 (3) of the *Local Government Act*, with or without conditions.

INTERESTS AFFECTING IMPARTIALITY

DEFINITION: *An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'.*

A member who has an **Interest Affecting Impartiality** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest;

- (a) in a written notice given to the Chief Executive Officer before the Meeting; or
- (b) at the Meeting, immediately before the matter is discussed.

IMPACT OF AN IMPARTIALITY CLOSURE

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote.

With the declaration of this new type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.

SHIRE OF EXMOUTH DISCLOSURE OF INTEREST

To: Chief Executive Officer

As required by Section 5.65(1)(a) of the Local Government Act 1995, I _____ hereby declare my interest in the following matters included on the Agenda paper for the Council/Committee meeting to be held on _____ (Date).

| Item No. | Subject | Details of Interest | *Extent of Interest (see below) |
|----------|---------|---------------------|------------------------------------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

*Extent of Interest only has to be declared if the Councillor also requests to remain present at a meeting, preside, or participate in discussions or the decision making process (see item 6 below)

Councillor / Employee Signature _____ Date _____

NB:

1. This notice must be given to the Chief Executive Officer prior to the meeting or at the meeting immediately before the matter in which you have an interest is discussed, Section 5.65(2)(a) & (b).
2. It remains Councillor's responsibility to make further declarations to the Council if a matter arises during the course of a meeting and no previous declarations have been made.
3. It is a Councillor's responsibility to ensure that the interest is brought to the attention of the Council/Committee when the Agenda item arises and to ensure that it is recorded in the minutes.
4. It remains the Councillor's responsibility to ensure that he/she does not vote on a matter in which a declaration has been made, unless specifically entitled under the Local Government Act 1995. This responsibility also includes the recording of particulars in minutes to ensure they are correct when such minutes are being confirmed.
5. It is recommended that when previewing Agendas, Councillors mark Agendas with items on which an interest is to be declared and complete the declaration form at the same time.
6. Councillors may be allowed to remain at meetings at which they have declared an interest and may also be allowed to preside (if applicable) and participate in discussions and the decision making process upon the declared matter subject to strict compliance with the enabling provisions of the Local Government Act 1995 and appropriately recorded resolutions of the Council. Where Councillor's request consideration of such Council approval the affected Councillor must vacate the Council Chambers in the first instance whilst the Council discusses and decides upon the Councillor's application.
7. Local Governments are required to include in their codes of conduct certain provisions in relation to the disclosure of interests that are perceived to affect the impartiality of elected members or employees. It is the Councillor's responsibility to declare those matters where they perceive they may have an Impartiality Interest – however Councillor's are entitled to stay in the room, participate in the debate and vote on matters where they have declared an Impartiality Interest.

Remember: The responsibility to declare an interest rests with individual Councillors. If Councillor's are in any doubt seek legal opinion or, to be absolutely sure, simply declare in any case.

Office Use Only:

Date/Initial

1. Particulars of declaration given to the meeting _____

2. Particulars recorded in the minutes _____

Signed by the Chief Executive Officer _____

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ORDINARY COUNCIL MEETING AGENDA

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

2 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

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).

5 DECLARATIONS OF INTEREST

| Item/Description | Name | Detail of Interest | Extent of Interest |
|------------------|------|--------------------|--------------------|
| | | | |

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.

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 31 March 2016 be confirmed as a true and correct record of proceedings.

8 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

9 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

10 REPORT OF COUNCILLORS

| Date | Activity | Councillor | | | | | |
|----------|---------------------------------------------------------------------------------|------------|---------|----------|----------------|-----------|---------|
| | | Cr Shales | Cr Hood | Cr Coote | Cr McHutchison | Cr Roscic | Cr Todd |
| 04/04/16 | GDC Board Meeting in Carnarvon. | ✓ | | | | | |
| 05/04/16 | Meeting with Director General (Department of Regional Development) Ralph Addis. | ✓ | | | | | |
| | Represented Cr Shales at Durack presentation. | | | | | | ✓ |
| | Durack celebration and Awards night. | | | | ✓ | | |

| Date | Activity | Councillor | | | | | |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|---------|----------|----------------|-----------|---------|
| | | Cr Shales | Cr Hood | Cr Coote | Cr McHutchison | Cr Roscic | Cr Todd |
| 06/04/16 | Small Grants Round (GDC Carnarvon). 45 applicants reduced to 22 then funding applied under strict guidelines to divide some \$564,000. | ✓ | | | | | |
| 07/04/16 | Citizenship Ceremony. | ✓ | | | | | |
| 11/04/16 | Attended Mens Shed Meeting. | | | | | | ✓ |
| 13/04/16 | Visit to Exmouth by Minister for Defence Marise Payne. The Minister arrived in the morning went to the RAAF Base for introductions and inspection; then to the Harold E Holt Base for same followed by luncheon at Novotel hosted by the Member for Durack Melissa Price and the Exmouth Chamber of Commerce. Guests were local businesses. Topic was obviously white paper release and how it will affect Exmouth and its people. This was followed by a short meeting with the Minister, myself, David Parker from Quadrant Energy, Acting CEO Keith Woodward and Cr Shane Coote from Toll Ipec. Topic being the future of Exmouth, the 50 billion developing Northern Australia Fund and most importantly the Deep Water Wharf with regards the Defence Force housing naval boats at the location. The Minister was very interested and asked me to increase dialogue with her office. | ✓ | | ✓ | | | |
| 14/04/16 | Letters of thanks drafted for Minister Payne, Member for Durack Melissa Price, David Parker from Quadrant Energy and Member for North West Vince Catania. Interview with Tom Zaubmayr (Pilbara News) on Ministers visit. | ✓ | | | | | |
| 16/04/16 | Art in the Park – volunteered to help provide activities. | | | | ✓ | | |
| 19/04/16 | Ningaloo Centre Project Management Committee meeting. | ✓ | | | ✓ | | ✓ |
| 20/04/16 | Pacific Eden Cruise Ship Meet and Greet volunteer. Due to weather conditions the passengers stayed on board so volunteers spread the word around town to locals and visitors to save the event at the EGFC. | | | | ✓ | | |
| | 'Staircase to the Moon' production which included many of our students who attended workshops and performed with the cast on the night. | | | | ✓ | | |

| | | | | | | | |
|----------|-----------------------------------------------------------------------|--|--|--|---|--|---|
| | Well done to the Shire staff for organising and supporting his event. | | | | | | |
| 25/04/16 | ANZAC Day Service | | | | ✓ | | |
| | Represented Shire President at ANZAC Day Service | | | | | | ✓ |

11. EXECUTIVE SERVICES

Nil

12. CORPORATE SERVICES

12.1 FINANCIAL STATEMENT FOR PERIOD ENDING 31 MARCH 2016

| | |
|-------------------------|----------------------------------------|
| File Reference: | FM.FI.0 |
| Responsible Officer: | Executive Manager Corporate Services |
| Date of Report: | 15 April 2016 |
| Applicant/Proponent: | Nil |
| Disclosure of Interest: | Nil |
| Attachment(s): | 1 Financial Report as at 31 March 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 March 2016 has been prepared and a copy of the Report is attached.

The following table displays the Council's year to date position to 31 March 2016 including the projected closing position for 2015/16 financial year. The 2015/16 Budget estimated to deliver a budget with a small surplus of \$2,880, however the current projected forecast closing position to 30 June 2016 is estimated a surplus of \$103,859.

| 2015/16 | Year to Date Actual | Year to Date Budget | Amended Budget | On Target with YTD Budget | Forecast to 30/6/16 | Forecast Impact on Surplus |
|---------------------------|---------------------|---------------------|----------------|---------------------------|---------------------|----------------------------|
| | \$ | \$ | \$ | % | | |
| Operating Revenue | 25,143,325 | 20,097,888 | 33,132,978 | 129.6% | 36,854,403 | ▲ |
| Operating Expenditure | (12,568,361) | (13,297,554) | (17,555,344) | 94.5% | (17,460,616) | ▲ |
| Non Operating Revenue | 1,110,088 | 1,112,494 | 3,773,922 | 99.8% | 2,066,958 | ▼ |
| Non Operating Expenditure | (8,359,984) | (10,316,973) | (24,655,384) | 81.0% | (26,690,197) | ▼ |
| Non cash Items Included | 3,308,215 | 2,816,770 | 3,873,829 | 117.4% | 3,929,817 | |
| Surplus C/Fwd June 2015 | 1,403,494 | 1,432,879 | 1,432,879 | 97.9% | 1,403,494 | ▼ |
| Surplus/(Deficit) | 10,036,776 | 1,845,504 | 2,880 | 543.9% | 103,859 | ▲ |

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

COMMENT**Financial Ratios**

The following financial ratios are designed to provide a clearer interpretation of the performance and financial results of Council and a comparison with the annual budget.

| Key Performance Indicators | | YTD Actual | YTD Budget | Amended Budget |
|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|-----------------------|
| Operating Sustainability | | | | |
| Operating Surplus Ratio | <i>An indicator of the extent of which revenues raised covers operational expenses only or are available for capital funding</i> | | | |
| | Operating revenue minus Operating Expense | (1,959,884) | (2,605,750) | (4,398,450) |
| | Own source Operating Revenue | 8,999,202 | 9,339,636 | 10,954,106 |
| | Target Standards - Ratio is between 0 and 15% | -22% | -28% | -40% |
| Asset Sustainability Ratio | | | | |
| Asset Sustainability Ratio | <i>An indicator of the extent to which assets managed by a local government are being renewed or replaced as they reach the end of their useful lives</i> | | | |
| | Capital renewal and replacement expenditure | 645,115 | | 818,656 |
| | Depreciation Expense | 3,217,655 | | 4,187,091 |
| | Target Standards - Ratio is greater than 0.90 | 0.20 | | 0.20 |
| Own Source Revenue Ratio | | | | |
| Own Source Revenue Ratio | <i>An indicator of a local government's ability to cover its costs through its own revenue efforts</i> | | | |
| | Own source operating revenue | 8,999,202 | 9,339,636 | 10,954,106 |
| | Operating Expenses | 12,568,363 | 13,307,334 | 17,555,344 |
| | Target Standards - Ratio is greater than 0.40 | 0.72 | 0.70 | 0.62 |
| Debt Ratio | | | | |
| Debt Service Cover Ratio | <i>An indicator of a local government's ability to generate sufficient cash to cover its debt payments</i> | | | |
| | Operating surplus before interest expenses and depreciation | 1,304,718 | 579,340 | (145,710) |
| | Principal and interest expense | 115,458 | 114,016 | 177,035 |
| | Target Standards - Ratio is greater than or equal to 2 | 11.30 | 5.08 | -0.82 |
| Liquidity Ratio | | | | |
| Current Ratio | <i>A measure of a local government's liquidity and its ability to meet its short term financial obligations from unrestricted current assets</i> | | | |
| | Current Assets less Restricted Assets | 10,422,718 | | 1,085,230 |
| | Current Liabilities less Current Liabilities associated with Restricted Assets | 938,871 | | 628,003 |
| | Target Standards - Ratio is greater than or equal to 1 | 11.10 | | 1.73 |

Statement of Financial Position

Total Current Assets have decreased by 12.28% from February to March 2016. The balance of outstanding rates decreased due to the receipt of the final rates instalment due by 11 March 2016. Sundry Debtor accounts were also reduced by receipt of a grant of \$1,050,000 for the Ningaloo Centre Project. Current Liabilities have decreased by 31.34% from February to March 2016 due to a reduction in Creditors invoices paid prior to end of month. Non-Current Assets have increased slightly by .71% to recognise capital acquisitions purchased to date. Non-Current Liabilities remain unchanged from March 2016.

| | 31/03/2016 | 28/2/16 | % Change |
|--------------------|-------------|-------------|----------|
| Current | | | |
| Assets | 15,167,566 | 17,291,085 | (12.28%) |
| Liabilities | (1,287,686) | (1,875,561) | (31.34%) |
| Non Current | | | |
| Assets | 85,504,584 | 84,899,243 | 0.71% |
| Liabilities | (1,437,766) | (1,437,766) | 0.00% |
| NET ASSETS | 97,946,698 | 98,877,002 | |

Capital Expenditure

The 2015/16 budget included \$23,328,051 for capital expenditure, with the majority of expenditure associated with major projects including Ningaloo Centre and infrastructure improvements. The timing of projects influences the variance with the year to date budget, which currently shows Council is 74% on target.

| Asset Class | Year to Date Actual | Year to Date Budget | YTD Variance | Annual Budget |
|-----------------------|---------------------|---------------------|--------------|-------------------|
| | \$ | \$ | % | \$ |
| Land & Buildings | 4,098,475 | 7,891,244 | 52% | 19,046,000 |
| Furniture & Equipment | 36,695 | 14,000 | 262% | 24,000 |
| Land Held for Resale | 158,875 | 0 | | 109,386 |
| Plant & Equipment | 591,102 | 655,312 | 90% | 809,412 |
| Infrastructure Roads | 2,213,304 | 1,337,246 | 166% | 2,763,458 |
| Infrastructure Other | 481,531 | 346,069 | 139% | 575,795 |
| TOTAL | 7,579,982 | 10,243,871 | 74% | 23,328,051 |

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 2012-2016.

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 resolves to receive the Financial Reports for the financial period ending 31 March 2016.

12.2 LIST OF ACCOUNTS FOR PERIOD ENDING 31 MARCH 2016

| | |
|-------------------------|------------------------------------------------------|
| File Reference: | FM.FI.0 |
| Responsible Officer: | Executive Manager Corporate Services |
| Date of Report: | 15 April 2016 |
| Applicant/Proponent: | Nil |
| Disclosure of Interest: | Nil |
| Attachment(s): | 1. List of Accounts for period ending 31 March 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 2012-2016.

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 resolves to accept accepts payments from 1 March to 31 March 2016 being made up of:

1. Municipal Fund \$2,085,243.52 incorporating of cheques 13265 to 13273 and direct debits; and
2. Trust Fund – \$2,645.14 incorporating cheque 400840 and direct debits;

Outstanding Creditors as at 31 March 2016 being \$197,542.88

13 AVIATION SERVICES

Nil

14 COMMUNITY ENGAGEMENT

14.1 NINGALOO VISITOR CENTRE REPORTING; KEY PERFORMANCE INDICATORS

| | |
|-------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| File Reference: | CS.SP.29 |
| Responsible Officer: | Executive Manager Community Engagement |
| Date of Report: | 18 April 2016 |
| Applicant/Proponent: | Ningaloo Visitor Centre Marketing Committee |
| Disclosure of Interest: | Nil |
| Attachment(s): | <ol style="list-style-type: none">1 Bi-Annual Review of the Shire of Exmouth Funding Agreement KPIs (1 April 2016)2 NVCM Contact List 2016 |

PURPOSE

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

Officers recommend that Council accepts the April 2016 KPI Review Report from the NVCMC as presented with this Council Report.

BACKGROUND

The Shire of Exmouth entered into a formal Funding Agreement in 2013 with the Exmouth Visitor Centre Management Committee - EVCMC (now called Ningaloo Visitor Centre Management Committee – NVCMC) outlining the support provided by the Shire of Exmouth and the conditions for this support.

The NVCMC is required to develop Key Performance Indicators to guide their deliverables and to provide specific reporting requirements 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 November 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 attachments provide the April 2016 report to Council on the achievements of the NVCMC in Key Performance Areas identified in the Centre's Strategic Plan 2013-2017.

COMMENT

A report outlining the achievements against Key Performance Indicators was submitted with the Shire by the NVCMC (refer Attachment 1).

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

- Various surveys were conducted and they provide a good benchmark for the performance of the NVC as seen by: staff, NVC members and visitors to the region.
- The Ningaloo Visitor Centre has represented WA at the Qantas Australian Tourism Awards 2015 which indicates that they excel in their field of work.
- The Ningaloo Visitor Centre now has a complete Management Committee with the appointment of Mick Husband as the chair of the committee (refer Attachment 2).
- The progress on the reviewed KPI's has been slow and the review of the Committee's Strategic Plan has not progressed much since the start of 2016. Although most of the reportable KPI's are still current and actively monitoring the operations of the Visitor Centre (i.e financial reports, surveys, compliance reports), it is recommended that Council requests a separate report from the Committee to outline how it proposes to progress the review of its Strategic Plan and KPI proposal. This is to include a timeframe for development and presentation to Council.

Overall, officers commend the NVCMC and staff of the Visitor Centre on the progress made over the past period.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The Funding Agreement between the Shire and the NVC manages the contributions by the Shire of Exmouth towards the operations of the Visitor Centre.

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2011-2021 and Corporate Business Plan 2012-2016.

- Economic: 1 To be a diverse and innovative economy with a range of local employment opportunities.
 1.3 *Diverse tourism opportunities.*
- 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 14.1

That Council:

1. Accepts the Bi-Annual Review of the Shire of Exmouth Funding Agreement KPI'S report (April 2016) from the Ningaloo Visitor Centre Marketing Committee; and
2. Requests the Ningaloo Visitor Centre Marketing Committee to develop a report for Council which outlines how it proposes to progress the review of its Strategic Plan and KPI proposals. This report is to include a timeframe for development and presentation to Council.

15 HEALTH & BUILDING SERVICES

15.1 WASTE & RECYCLING INFRASTRUCTURE PROJECT

| | |
|-------------------------|----------------------------------------------------------------------------------|
| File Reference: | WM.SP.1 |
| Responsible Officer: | Executive Manager Health & Building Services |
| Date of Report: | 11 April 2016 |
| Applicant/Proponent: | Nil |
| Disclosure of Interest: | Nil |
| Attachment(s): | 1. Waste Data and Estimated Cash Flows – Regional Waste & Infrastructure Project |

PURPOSE

To seek Council direction as to whether to proceed with the Regional Waste & Infrastructure Project.

BACKGROUND

In 2015 the Shire's of Exmouth, Carnarvon and Shark Bay signed a Royalties for Regions Financial Assistance Agreement that facilitated the release of grant funds allocated to Gascoyne Group Country Local Government Fund 2012-2013 for Regional Group Project – Waste & Recycling Infrastructure for the Gascoyne Region. Separate funding was also obtained via the W.A. Waste Authority for the appointment of a suitably qualified and experienced project manager to guide and assist the above local governments with the implementation of the project.

In late 2015 ASK Waste Management (ASK WM) was appointed the consultancy contract for the management of the project. Before proceeding with the implementation of the project ASK WM prepared a detailed report looking at current market values for recyclable materials and the cost of providing recycling services in regional WA. The Waste Data and Estimated Cash Flows (Final Version 2: 29 Feb 2016) report (the report) from ASK WM was provided to Council in March 2016 (refer Attachment 1). The purpose of the report was to ensure the respective Councils of Exmouth, Carnarvon and Shark Bay had a clear understanding of the on-going operational costs of providing a recycling service to their residents and ratepayers.

In relation to Exmouth, the costings detailed in the report were based on the implementation of the project including:-

- establishment of a Bring Centre as a central location for residents, business proprietors and visitors to deliver recyclables in designated drop off points;
- the construction of a processing shed at the Qualing Scarp Waste Disposal Site for the baling and storage of collected materials for transporting to markets; and
- the procurement of other equipment for the processing of glass and recycling waste concrete for local re-use as well as for the better on-site management of tyres, green waste and scrap metal.

The project consultant is now waiting for the formal approval of the Council/s before proceeding with the full implementation of the project.

COMMENT

In the Financial Summary of the Preface to the report (page iv) the consultant provides an average annual cost over a 10 year period for the operation of the Bring Centre recycling service. The cost, specified as \$ per residential ratepayer, is shown to be between \$13 for low yield recycling rate and \$19 for high yield.

An analysis of the figures used finds that the consultant may have only considered about 820 'residential' properties. However, all of the developed residential parts of the Marina zone and the Special Rural lots should have also been considered which would have resulted in about 970 residences currently within the Shire. If we are to consider a 10 year average for the number of dwellings then this figure would be over 1,000. Therefore the above cost per residential ratepayer (high yield recycling rate) would in fact be \$15.40 over a ten year average and \$13.50 within the 2017/18 financial year (being the first year of operation).

In the report the consultant has not spread the cost of the recycling service over commercial property ratepayers. Due to the cost of providing the service, it is recommended that commercial users should pay for the use of the service. However, Council officers do not support the above recommendation as the Bring Centre (i.e. place to drop-off recyclable materials) will be un-manned so there is no way of collecting any fees from commercial users of the centre. Therefore if there is a consideration of spreading the cost of the service across rateable properties it should be all rateable properties. Owing to the above, if the operational cost of the recycling service is to be spread across the rates of all developed properties, the average cost per property over 10 years based on high yield figures is estimated at \$12; and \$10.55 for the 2017/18 financial year. Note the above figures are based on applying an averaged figure across all properties. Proper rate modelling of such a charge (if it were to be charged this way) would mean properties with a higher GRV would pay more than those with a lesser GRV.

The report gives the Council a reasonable understanding of the cost of proceeding with the project. Based on the feedback in recent years from the Exmouth community, this is a function and service that they would like the Council to provide. The community interest for a broader range of recycling opportunities in Exmouth was certainly clear from the community consultation during the development of the Shire of Exmouth 10+ Year Strategic Community Plan 2011.

The issue that the Council needs to be satisfied of is whether the cost per ratepayer as demonstrated above is seen as reasonable and palatable. The officer views a charge of \$10 to \$12 per ratepayer as a very reasonable outcome for the delivery of such a broad range of recycling options in such a small, remote regional town.

Subject to Council approving the implementation of the project, if all goes as planned the consultant's project timelines sees the Bring Centre and processing facility operational by March/April 2017 leaving only 2-4 months of operational expense relating to the service in the 2016/17 financial year. The Bring Centre is to be located on a portion of the old power station site at the corner of Huston & Pelias St (Lot 301) whilst the processing facility is to be located at the Qualing Scarp Waste Disposal Site and operated by existing waste site staff. Considering that there should be only minimal impact on the 2016/17 operational budget and that there are other

pressures upon the general rating system in 2016/17, the officer recommends that no additional charge be levied for the 2016/17 year.

The few months of operation at the close of the 2016/17 year should provide a reasonable insight into the operational staff costs of the recycling programme. By then, freighting and other operational arrangements will be in place that will provide a more accurate understanding of the true full cost of running the service. This will provide sufficient data to estimate the 2017/18 operational cost of the service and the relevant rate modelling can be done to levy/charge the required funds to cover the service in the 2017/18 rates.

The Waste Avoidance and Resource Recovery Act 2007 (s.66) provides Local Government with the ability to impose a general rate across the rate base to raise funds for "*the purpose of providing for the proper performance of all or any of the waste services it provides*". The definition of waste services includes the "*collection, transportation, storage, treatment, processing, sorting, recycling or disposal of waste*" and incorporates all aspects of waste management requirements over the short, medium and long term.

Prior to adopting the 2017/18 budget Council Officers will present rate modelling incorporating recycling charges or other options for cost recovery.

CONSULTATION

Exmouth community via the Shire of Exmouth 10+ Year Strategic Community Plan 2011.

STATUTORY ENVIRONMENT

Relevant extracts of the Waste Avoidance and Resource Recovery Act 2007:-

waste service means —

- (a) *the collection, transport, storage, treatment, processing, sorting, recycling or disposal of waste; or*
- (b) *the provision of receptacles for the temporary deposit of waste; or*
- (c) *the provision and management of waste facilities, machinery for the disposal of waste and processes for dealing with waste;*

66. Local government may impose waste collection rate

- (1) *A local government may impose on rateable land within its district, and cause to be collected, an annual rate for the purpose of providing for the proper performance of all or any of the waste services it provides.*
- (2) *The annual rate must not exceed —*
 - (a) *12 cents in the dollar on the gross rental value; or*
 - (b) *where the system of valuation on the basis of the unimproved value is adopted, 3 cents in the dollar on the unimproved value of the land in fee simple.*
- (3) *The provisions of the Local Government Act 1995 relating to the making, payment and recovery of general rates apply with respect to rates referred to in subsection (1).*

68. Fees and charges fixed by local government

Nothing in this Part prevents or restricts a local government from imposing or recovering a fee or charge in respect of waste services under the Local Government Act 1995 section 6.16.

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 2012-2016.

- 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.*
 - 1.5 *Maintain and improve Shire infrastructure.*
- Environment:
- 2 To have a balanced respect for our environment and heritage, both natural and built.
 - 2.4 *To be a leader in eco-friendly initiatives and innovations.*
 - 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.*
 - 2.6 *Incorporate Climate Change impacts onto current and future planning and policy of Land Developments.*
- Social:
- 3 To be a dynamic, passionate and safe community valuing natural and cultural heritage.
 - 3.4 *A community that is well informed and educated about our natural, cultural and built environment.*
 - 3.5 *Maintain and increase participation levels in local community organisations and clubs.*
- 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 15.1**

That Council support the implementation of the Regional Waste and Recycling Infrastructure Project utilising the grant funds allocated to the project from the Gascoyne Group Country Local Government Fund 2012-2013. The funds are to be used to facilitate the development of infrastructure and procurement of plant and machinery necessary to operate recycling/re-use services relating such materials as aluminium, glass, concrete, cardboard/paper, plastics and steel (as the markets and operational costs determine as viable).

Further to the above, Council acknowledge that there will be additional annual operational costs associated with running the recycling initiatives to be accommodated in the 2017/18 and future budgets. The above costs will need to be charged via the rates or other appropriate user pays systems, the final details of which to be confirmed at or before the adoption of the 2017/18 budget.

16 TOWN PLANNING SERVICES

16.1 CONSIDERATION OF WAPC MODIFICATIONS – DRAFT LOCAL PLANNING STRATEGY AND DRAFT LOCAL PLANNING SCHEME 4

| | |
|-------------------------|------------------------------------------|
| File Reference: | LP.PL.0.2 / LP.PL.4 |
| Responsible Officer: | Executive Manager Town Planning Services |
| Date of Report: | 23 March 2016 |
| Applicant/Proponent: | Nil |
| Disclosure of Interest: | Nil |
| Attachment(s): | 1. WAPC requested modifications |

PURPOSE

This report recommends that Council resolve to proceed with the Draft Local Planning Strategy (Strategy) and Draft Local Planning Scheme No.4 (Scheme) including accompanying maps making all modifications as requested by the West Australian Planning Commission (WAPC) (refer Attachment 1), prior to advertising.

BACKGROUND

Council passed a resolution at its October 2015 meeting to adopt the strategy (revision 6) and scheme (revision 9) for forwarding to the WAPC requesting consent to advertise. The WAPC have requested modifications be made to the Strategy and Scheme prior to advertising (refer Attachment 1).

COMMENT

This report provides Council with the formal opportunity to consider the modifications requested by the WAPC. The modifications are requested to provide consistency with the Planning and Development (Local Planning Schemes) Regulations 2015, State Planning Policies, improve readability, provide clarification, prevent conflict, ensure consistency between the Strategy and Scheme, and ensure consistency with current local planning policies.

Officer recommends that Council proceed with advertising of the Local Planning Strategy and Local Planning Scheme 4 after making all modifications as requested by the WAPC as the modifications will greatly improve the documents, and ensure consistency with all relevant statutory framework.

CONSULTATION

Department of Planning

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Town Planning Scheme No. 3

SPP 1.0 – State Planning Framework Policy

SPP 2.0 – Environment and Natural Resources Policy

SPP 2.5 – Land Use Planning in Rural Areas
 SPP 2.6 – State Coastal Planning Policy
 SPP 2.7 – Public Drinking Water Source Protection Policy
 SPP 2.9 – Water Resources
 SPP 3.0 – Urban Growth and Settlement
 SPP 3.1 – Residential Design Codes
 SPP 3.2 – Aboriginal Settlements
 SPP 3.5 – Historic Heritage Conservation
 SPP 3.7 – Planning in Bushfire Prone Areas
 SPP 4.1 – State Industrial Buffer Policy
 SPP 6.3 – Ningaloo Coast

POLICY IMPLICATIONS

All Local Planning Policies

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2011-2021 and Corporate Business Plan 2012-2016.

| | | |
|-------------------|-----|-----------------------------------------------------------------------------------------------------------------|
| Economic: | 1 | <u>To be a diverse and innovative economy with a range of local employment opportunities.</u> |
| | 1.2 | <i>Planned and balanced economic growth.</i> |
| Environment: | 2 | <u>To have a balanced respect for our environment and heritage, both natural and built.</u> |
| | 2.2 | <i>Our pristine natural environment and biodiversity will be understood, maintained and protected.</i> |
| Social: | 3 | <u>To be a dynamic, passionate and safe community valuing natural and cultural heritage.</u> |
| | 3.4 | <i>A community that is well informed and educated about our natural, cultural and built environment.</i> |
| Civic Leadership: | 4 | <u>To work together as custodians of now and the future.</u> |
| | 4.1 | <i>To be a collaborative community with the capacity to manage the current and future direction of Exmouth.</i> |
| | 4.2 | <i>A local government that is respected, professional, trustworthy and accountable.</i> |
| | 4.3 | <i>To be strong advocates representing the region's interests.</i> |

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

ITEM 16.1

That Council:

1. Resolves to proceed with the Local Planning Strategy and Local Planning Scheme No. 4 making all modifications as requested by the West Australian Planning Commission (refer Attachment 1); and

2. Provide the Department of Planning with a copy of the modified Local Planning Strategy and Local Planning Scheme No. 4 prior to advertising.

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 April 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 April 2016
- 18.3 Building Decisions Issued up to 31 March 2016
- 18.4 Planning Decisions Issued up to 31 March 2016

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 |
|-------------|------------------------------------------------------------|
| 12/04/2016 | Sublease Agreement – Exmouth Airport Bar and Kiosk Pty Ltd |
| 22/04/2016 | Loan Agreement – Exmouth Golf Club |

18.2 CONCESSIONS ON FEES FOR COUNCIL FACILITIES FOR APRIL 2016

File Reference: CP.US.0

Responsible Officer: Executive Manager Community Engagement

Date of Report: 20 April 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) |
|----------------------------|-----------------------------------------------------|---------------------|
| WA Country Health Services | Advertising Immunisation community notice board | \$5.00 |
| WA Country Health Services | Advertising Immunisation digital notice board | \$5.00 |
| Exmouth Anglican Church | Advertising community notice board (Church Service) | \$29.50 |
| Exmouth Anglican Church | Advertising community notice board (Church Service) | \$29.50 |
| Exmouth Mens Shed | Advertising digital notice board (AGM) | \$2.50 |
| Exmouth Mens Shed | Advertising community notice board (AGM) | \$2.50 |
| EGFC Gamex | Advertising community noticeboard (Gamex events) | \$30.00 |
| Sea Shepherd | Advertising community noticeboard (beach clean-up) | \$5.00 |
| PCYC | Hire of Shire Hall kitchen cooking class | \$29.00 |

18.3 BUILDING DECISIONS ISSUED UP TO 31 MARCH 2016

File Reference: GV.CM.0

Responsible Officer: Executive Manager Health & Building Services

Date of Report: 20 April 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 for the above period.

| App # | Date Received | Lot | Property Address | Description | Decision | Decision Date |
|--------------|-----------------|------------|--------------------------------|------------------------------------------|-------------------------------------|-----------------|
| 16/21 | 22/02/16 | 146 | 10 Hunt Street | Outbuilding Extension | Awaiting information from applicant | |
| 16/26 | 02/03/16 | 324 | 9 Gnulli Court | Jetty and Gangway | Approved | 14/03/16 |
| 16/28 | 03/03/16 | 403 | 20 Madaffari Drive | Dwelling and Retaining Walls | Approved | 15/03/16 |
| 16/30 | 10/03/16 | 190 | 5 Grenadier Street | Storage Shed | Processing | |
| 16/31 | 10/03/16 | 953 | 7 Welch Street | Sea Container Converted to Office | Approved | 15/03/16 |
| 16/32 | 11/03/16 | 325 | 13 Falls Street | Patio | Approved | 15/03/16 |
| 16/33 | 14/03/16 | 6 | 78 Maidstone Crescent | Outbuilding | Approved | 15/03/16 |
| 16/34 | 16/03/16 | 97 | 6 Tautog Street | Fencing | Approved | 23/03/16 |
| 16/35 | 16/03/16 | 481 | 7 Eurayle Street | Fence | Approved | 17/03/16 |
| 16/36 | 16/03/16 | 640 | 13 Stokes Hughes Street | Fencing | Approved | 23/03/16 |
| 16/37 | 21/03/16 | 501 | Lefroy Street | Fencing | Approved | 24/03/16 |
| 16/38 | 21/03/16 | 210 | 7 Carpenter Street | Boundary Fence and Swimming Pool | Approved | 23/03/16 |
| 16/40 | 22/03/16 | 19 | 5 Maley Street | Freestanding Sign | Approved | 23/03/16 |

18.4 PLANNING DECISIONS ISSUED UP TO 31 MARCH 2016

File Reference: LP.PL.0

Responsible Officer: Executive Manager Town Planning

Date of Report: 20 April 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 |
|---------|---------------|------|---------------------|-------------------------------------------|-------------------------------------|---------------|
| PA02/16 | 13/01/16 | 215 | 17 Carpenter Street | Outbuilding | Approved | 15/04/16 |
| PA11/16 | 02/02/16 | 839 | 7 Carter Road | Change Of Use | Approved | 07/04/16 |
| PA13/16 | 10/02/16 | 145 | 15 Dugong Close | Holiday Accommodation | Approved | 23/03/16 |
| PA14/16 | 16/02/16 | | 8 Catalina Close | Single Dwelling | Awaiting information from applicant | |
| PA15/16 | 24/02/16 | 196 | 53 Cobia Close | Single Dwelling Residence | Approved | 15/04/16 |
| PA21/16 | 26/02/16 | 1406 | Willersdorf Road | Additions to Club Rooms | On Hold | |
| PA29/16 | 16/03/16 | 74 | 41 Kennedy Street | Home Occupation | Approved | 31/03/16 |
| PA33/16 | 18/03/16 | 192 | 6 Euryale Street | Home Occupation | Processing | 21/03/16 |
| PA27/16 | 11/03/16 | | 9 Catalina Close | Outbuilding | Processing | |
| PA34/16 | 21/03/16 | 336 | 14 Kestrel Place | Dwelling and Swimming Pool | Approved | 07/04/16 |
| PA36/16 | 21/03/16 | 190 | 5 Grenadier Street | Outbuilding | Approved | 31/03/16 |
| PA38/16 | 23/03/16 | 334 | 19 Ningaloo Street | Dwelling Additions and Ancillary Dwelling | Processing | |
| PA39/16 | 24/03/16 | 899 | 3 Patterson Way | Transportable Office | Approved | 07/04/16 |
| PA40/16 | 24/03/16 | 2 | 34 Tambor Drive | Single dwelling and Ancillary Dwelling | Processing | |

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

| App | Date Received | Description | Date Issued |
|---------|---------------|-----------------------------------------------|-------------|
| PA24/16 | 02/03/2016 | Church Service at Town Beach | 11/03/2016 |
| PA25/16 | 02/03/2016 | Church Service at Lighthouse | 11/03/2016 |
| PA26/16 | 08/03/2016 | Raffle Ticket Sales Ross Street Mall | 11/03/2016 |
| PA30/16 | 17/03/2016 | Mobile Chicken Treat Van | 23/03/2016 |
| PA31/16 | 17/03/2016 | Mobile Spuds and Stuff Van | 23/03/2016 |
| PA35/16 | 21/03/2016 | Wildwest Entertainment - Side Show | 30/03/2016 |
| PA37/16 | 21/03/2016 | Concert In The Park | 23/03/2016 |
| PA41/16 | 31/03/2016 | Clothing Rack Displays Outside Idaho Boutique | 07/04/2016 |

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

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

- 21. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS**

- 22. CLOSURE OF MEETING**