

# SHIRE OF EXMOUTH



## *ORDINARY COUNCIL MEETING*

### *MINUTES*

*20 DECEMBER 2012*

#### CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on 21st February 2013 as a true and accurate record of the Ordinary Council Meeting held on 20<sup>th</sup> December, 2012.

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

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


## DISCLAIMER

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

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

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

# INDEX OF MINUTES

1.	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS .....	5
2.	RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE .....	5
3.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....	6
4.	PUBLIC QUESTIONS TIME.....	6
5	APPLICATIONS FOR LEAVE OF ABSENCE.....	7
6.	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....	7
10.3.2	LEASE ALLOCATIONS – EXMOUTH AERODROME.....	8
7.	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION .....	11
8.	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS.....	11
9.	REPORT OF COUNCILLORS .....	11
10.1	CHIEF EXECUTIVE OFFICER .....	12
10.1.1	CHIEF EXECUTIVE OFFICERS REPORT .....	12
10.1.2	MEETING DATES 2013.....	16
10.1.3	COUNCIL POLICY MANUAL REVIEW – TOWN PLANNING .....	18
10.1.4	COUNCIL POLICY MANUAL REVIEW – AVIATION SERVICES.....	21
10.2	EXECUTIVE MANAGER CORPORATE SERVICES.....	23
10.2.1	GENERAL REPORT .....	23
10.2.2	MONTHLY FINANCIAL STATEMENTS AND REPORT .....	27
10.2.3	REVISION FORWARD CAPITAL WORKS PLAN 2010/11 TO 2014/15.....	29
10.2.4	CHANGE METHOD OF VALUATION OF LAND.....	31
10.3	EXECUTIVE MANAGER AVIATION SERVICES .....	33
10.3.1	GENERAL REPORT .....	33
10.4	EXECUTIVE MANAGER COMMUNITY ENGAGEMENT .....	37
10.4.1	GENERAL REPORT .....	37
10.5	EXECUTIVE MANAGER HEALTH & BUILDING .....	42
10.5.1	GENERAL REPORT .....	42
10.5.2	UNBUDGETED EXPENDITURE – REPLACEMENT AQUA RUN .....	47
10.6	EXECUTIVE MANAGER TOWN PLANNING .....	49
10.6.1	GENERAL REPORT .....	49
10.6.2	FINAL ADOPTION OF SCHEME AMENDMENT 29.....	53
10.6.3	SCHEME AMENDMENT 30 - AMENDING OF THE ZONING TABLE.....	57
10.6.4	CANAL JETTY ADJACENT TO LOT 317 (23) GNULLI COURT EXMOUTH.....	60
10.6.5	CANAL JETTY ADJACENT TO LOT 359 (9) KESTREL PLACE EXMOUTH.....	64
10.6.6	CANAL JETTY ADJACENT TO LOT 414 (48) MADAFFARI DRIVE EXMOUTH.....	68
10.6.7	CANAL JETTY ADJACENT TO LOT 375 (22) CORELLA COURT EXMOUTH .....	72
10.6.8	REQUEST FOR REMOVAL OF GREY WATER INSTALLATION REQUIREMENT FOR THE GROUPED HOUSING DEVELOPMENT UPON LOT 190 (20) SNAPPER LOOP, EXMOUTH .....	76
10.6.9	CHANGE OF USE -HOLIDAY ACCOMMODATION UPON LOT 404 (22) MADAFFARI DRIVE, EXMOUTH .....	79
10.6.10	PROPOSED NEW CARAVAN AND CAMPING SITE, LOT 1403 TRUSCOTT CRESCENT .....	85
10.7	EXECUTIVE MANAGER ENGINEERING SERVICES.....	88

<b>10.7.1</b>	<b>GENERAL REPORT .....</b>	<b>88</b>
<b>11.</b>	<b>ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....</b>	<b>90</b>
<b>12.</b>	<b>NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING.....</b>	<b>90</b>
<b>12.1</b>	<b>ROYALTIES FOR REGIONS – CLGF 2012/13 ALLOCATION.....</b>	<b>90</b>
<b>12.2</b>	<b>REQUEST TO MINISTER - ‘SUPERTOWN’ STATUS.....</b>	<b>92</b>
<b>12.3</b>	<b>EXMOUTH VISITOR CENTRE – FUTURE DIRECTIONS .....</b>	<b>95</b>
<b>12.4</b>	<b>TENDER 09/2012 TALANJEE OVAL, EXMOUTH SPORT LIGHTING .....</b>	<b>101</b>
<b>13.</b>	<b>MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS.....</b>	<b>103</b>
<b>14.</b>	<b>CLOSURE OF MEETING .....</b>	<b>103</b>

# ORDINARY COUNCIL MEETING MINUTES

## *Our Vision*

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

## *Our Purpose*

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

## *Our Strategic Objectives*

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

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

The Shire President declared the meeting open at 3.16pm.

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

Councillor C (Turk) Shales	Shire President
Councillor S Fitzgerald	Deputy Shire President
Councillor R Winzer	
Councillor M Hood	
Councillor J Warren	
Mr B Price	Chief Executive Officer
Ms V Volkoff	Administration Manager
Mrs J Kox	Executive Manager Aviation Services
Mr R Kempe	Executive Manager Community Engagement
Mr P Barber	Environmental Health Officer
Mr R Mhasho	Executive Manager Town Planning
Mr K Woodward	Executive Manager Engineering Services

### **GALLERY**

Visitors: 10

### **APOLOGIES**

Councillor G Thompson (Approved Leave of Absence)  
Mrs S O'Toole Executive Manager Corporate Services  
Mr R Manning Executive Manager Health & Building

### **LEAVE**

Nil

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

Nil

### 4. PUBLIC QUESTIONS TIME

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

#### **Council Consideration Towards Public**

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

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

Two questions were submitted by Heather Lake in relation to matters affecting the Exmouth Aerodrome and in particular Agenda Item 10.3.2.

1. *Will the Council defer the current motions afoot until*
  - a) *The principals of the existing leaseholds affected are available for more extensive consultation of NLAP proposal. More time invested in this process will ensure existing tenures are workable and then there will be less chance of the Shire facing a barrage of dissatisfaction after the fact. Concurrently, this enables Councils to become familiar with what the NPLAN means to those who may be part of it and they can then vote cognitively on the strategic direction.*
  - b) *If the NLAP is able to accommodate our needs in area we will have a legitimate choice between a new amended lease within the NLAP or maintenance of a current lease. Our preference is to be a part of the improvements the Plan appears to offer. If we are faced with a reduction in lease area at this point through a premature vote by the Council, we will have no choice but to maintain our current lease until it runs out. At this time we have no security of any future tenure which will erode time and investment place in our microlight activity.*

The Shire President responded that the Council will consider deferring the Agenda Item until the next ordinary meeting so that further negotiations can be undertaken with all stakeholders.

2. *Additionally, would Council consider looking into land availability for any further lease development to the South of North West Airworks, relieving the pressure of a reduction in our lease hold area in the current location where our existing infrastructure is, when considering other applications for leased areas at EA.*

The Shire President responded by advising that the proposed Exmouth Aerodrome Master Plan being undertaken by Mr Andrew Forte would address all future land uses at the sight.

**5 APPLICATIONS FOR LEAVE OF ABSENCE**

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

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

Nil

**6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 15 November 2012 be confirmed as a true and correct record of proceedings.

<b>COUNCIL DECISION – 01-1212 - ITEM 6</b>
--

Moved Councillor Winzer, Seconded Councillor Fitzgerald.

*That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 15 November 2012 be confirmed as a true and correct record of proceedings.*


**CARRIED 5/0**

The Shire President requested to have item 10.3.2 – Lease Allocations – Exmouth Aerodrome brought forward as the next item for discussion due to a number of members of the gallery attending for this item.

## 10. REPORTS OF OFFICERS

### 10.3 Executive Manager Aviation Services

#### 10.3.2 Lease Allocations – Exmouth Aerodrome

Location:	Exmouth
Applicant:	J Kox
File Reference:	TT.SP.1
Disclosure of Interest:	Nil
Date:	6 December 2012
Author:	Executive Manager Aviation Services, Jenny Kox
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

#### **SUMMARY**

This report recommends Council endorse the proposed lease allocations at Exmouth Aerodrome (*refer Attachment Item 1*)

#### **BACKGROUND**

At the October Ordinary Council Meeting, Council endorsed the undertaking of an aerodrome Master Plan for Exmouth Aerodrome that will provide greater external land use definition and also identify priority development works to support continued growth of general aviation.

There are currently two (2) planning applications with Council to build hangars at the aerodrome. One application is associated to the operation of a business directly related to the use of the aerodrome whilst the other is for a private party whose uses the aerodrome on a regular basis with his aircraft. These applications have not been progressed awaiting preparation of the Master Plan.

#### **COMMENT**

The Exmouth Aerodrome is Reserved Land on which a Management Order exists for the purpose of aviation relation activities managed by the Shire of Exmouth. When considering a planning application on reserved land, 'Council shall have regard to the ultimate purpose intended for the reserve'.

Previously leases at the aerodrome have been approved with purpose in mind but without the benefit of a planned layout to best utilise the land available to access the runway, taxiways and roadways or for future development. There are currently no defined 'Lots' on the site or development guidelines in place to assist in planning and building application approvals specific to the operational regulations around an aerodrome.

Preliminary work for the Master Plan has been undertaken to review the current lease areas at the aerodrome with improved access and better facilitation of land in mind.

A copy of the current and proposed lease allocations is provided at *Attachment Item 1*.

The proposed lease allocations seek to create additional hangar reserves, aprons and taxiways whilst taking into consideration the movement areas required for aircraft currently utilising the aerodrome as well as larger aircraft for future development. In addition, the plan looks to realign current leased areas to a more functional alignment.



Current leases at Exmouth Aerodrome are detailed below

Lessee	Size	Commencement Date	Term	Completion Date
Birds Eye View Ningaloo	6084m <sup>2</sup>	31 October 2008	10 years (+ 10 years)	30 October 2018 (30 October 2028)
CHC – sublease of Birds Eye View	Hangar on above land	30 April 2012	1 year	30 April 2013
Bristow Helicopters Aust.	Unconfirmed	1 January 2007	10 years (+ 10 years)	31 December 2016 (31 December 2026)
Peter & Heather Lake	Unconfirmed	1 January 2007	10 years (+ 10 years)	31 December 2016 (31 December 2026)
Norwest Air Work Pty Ltd	2.4378 Ha	1 January 2007	10 years (+ 10 years)	31 December 2016 (31 December 2026)

Further, an audit is required to establish existing features and infrastructure on each lease area to ensure existing infrastructure and buildings are Council approved and compliant with the *Building Act 2011*. This will assist in the Master Plan process and determine future Shire development requirements. It is recommended that the audit be undertaken by an independent building surveyor and that this consultancy also provide recommendations in relation to an appropriate fire hydrant system to service the aerodrome.

It is also proposed that design guidelines be prepared for Exmouth Aerodrome.

### **CONSULTATION**

CEO, Executive Managers, Strategic Project Officer & Exmouth Aerodrome leaseholders.

### **STATUTORY ENVIRONMENT**

*Land Administration Act 1997*

*Building Act 2011*

Shire of Exmouth Town Planning Scheme No. 3.

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

Acceptance of the plan will require budgeted & planned infrastructure development over a number of years to build taxiways and aprons.

### **STRATEGIC IMPLICATIONS**

*Economic*

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

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

*Civic Leadership*

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

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

### **VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION – 10.3.2**

*That the Council of the Shire of Exmouth:*

- 1. Formally adopt the New Lease Allocations Plan (EXM-001 – Attachment Item 1);*
- 2. Endorse the preparation of Design Guidelines specific to Exmouth Aerodrome;*
- 3. Endorse the undertaking of an independent Building Audit on all leased properties at Exmouth Aerodrome;*
- 4. Delegate authority to the Chief Executive Officer to negotiate variations to leased areas with lessees to reallocate land to the new plan; and*
- 5. Delegate authority to the Chief Executive Officer to action any deficiencies identified in the Building Audit.*

*Councillor Shales requested that Report 10.3.2 to lay on the table to enable further negotiations with lease holders.*

**COUNCIL DECISION – 11-1212 – 10.3.2**

Moved Councillor Fitzgerald, Seconded Councillor Warren.

*That the Council of the Shire of Exmouth lay the matter (December 2012 Agenda Report 10.3.2) on the table until further negotiation is held with affected stakeholders to be presented to the next Ordinary Council meeting.*

**CARRIED 5/0**

**7. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

The Shire President did not provide a formal written report for the month of December but reported on the following significant events that took place during the month which included

- Vlaming Head Lighthouse 100 Year anniversary events undertaken over the period 7 – 10 December. The Shire President took the opportunity to sincerely congratulate the event organisers and volunteers for their contribution.
- Attendance at the Exmouth District High School Awards Presentation Night held on Wednesday 12 December.
- Visitation from Hon Brendon Grylls MLA, Minister for Regional Development & Lands to officially launch the CBD/Foreshore project funding.

**8. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

Nil

**9. REPORT OF COUNCILLORS**

Councillor Winzer advised having attended several meetings over the past month including WALGA State Council meeting, Gascoyne RRG and Gascoyne Zone Meetings held in Exmouth.


Councillor Hood advised that he had attended several Exmouth Visitor Centre Management Committee meetings throughout the month to formulate a Business Case moving forward. He is also looking at the possibilities of forming a committee to reinstate the Race Club in Exmouth.

Councillor Warren advised having received correspondence from Rio Tinto, advising they were pleased to accept the Tourism Marketing Strategy specific to Rio Tinto workers proposal and positive commitment from the Shire. Further discussions will be had with the Shire in the future on this matter.

## 10. REPORTS OF OFFICER

### 10.1 Chief Executive Officer

#### 10.1.1 Chief Executive Officers Report

Location:	Exmouth
Applicant:	Chief Executive Officer
File Reference:	
Disclosure of Interest:	Nil
Date:	12 December 2012
Author:	Chief Executive Officer, Mr B Price
Signature of Author:	

#### **SUMMARY**

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

#### **BACKGROUND**

##### **Planning Meetings Perth**

The EMTP and myself were in Perth for the week of 19 – 23 November to attend the ‘Aligning Regional & State Planning Across WA’ Conference.

Whilst in Perth we took the opportunity to meet with Tourism WA and RDL to discuss the forward planning of a future Caravan Park for Exmouth. Tourism WA have indicated that they are prepared to fund a feasibility/needs study including conceptual plans for consideration.

A meeting was also held with the Department of Housing to discuss the Affordable Housing project proposed for Lefroy Street which is elaborated on further in the EMTP report.

##### **Ningaloo Centre**

Further progress has been made on the Ningaloo Centre. Ronnie Fleay (Chair NOERC), Andrew Forte (SPO) and myself met with Professor Carlos Duarte, UWA on Monday 19 November to progress the Ningaloo Alliance Vision Document that will assist in proving the Research industry commitment to the project during the business case process. Discussion was also held on the configuration/fitout requirements to be included in the design brief for the Research component of the project. The next meeting of the Alliance will be held in February 2013.

Andrew Forte has also met with the two shortlisted builders to discuss the process of finalising the Design Brief prior to formal tender invitation.

An EOI was submitted to the Regional Development Australia (RDA Federal Government) Round 4 funding program. This program has \$ 175m for infrastructure projects that address the identified priorities of the Regional Development committees and have a strong regional impact. Grants need to be between \$500,000 and \$15m. The Council have submitted an EOI for \$ 8m towards the Ningaloo Centre project. Six EOIs for this round were submitted in the Midwest/Gascoyne region which will be shortlisted by the committee to 3 to be referred to the Commonwealth. If successful a full Business Case needs to be submitted by 11 April 2013.

Shire President, SPO and myself will be in Perth during the third week of January to meet with RDL to release the \$2.2m stage 1 planning funding for the project as well as a meeting with Lotterywest to discuss funding opportunities.

##### **Horizon Power – Underground Power Program**

EMES and myself met with Mr Mark Bruce, Manager Gascoyne/Midwest Region Horizon Power, in Exmouth on Monday 26 November to discuss partnering arrangements with the proposed undergrounding of the power network on the roads affected by the CBD revitalisation project. Negotiations were successful

with Horizon Power coming on board and giving a commitment to the project. Works will be undertaken on the Payne Street section in early 2013 with further works to be carried out late 2013 on the Thew, Kennedy, and Learmonth Street sections.

**Visit by Ian Fletcher – Chair Regional Development Councils (RDC)**

The Shire President and myself met with Mr Ian Fletcher, Chair of Regional Development Council (RDC), Mr Tony Beard Chair GDC and Mr Steve Webster CEO GDC on Thursday 29 November 2012.

Project updates were provided on

- CBD/Foreshore Revitalisation Project
- Ningaloo Centre Project
- Nimitz Street Subdivision
- Exmouth Power Station
- Exmouth Boat Harbour
- Defence Hub Opportunities

Mr Fletcher was very impressed with the vision and the extensive planning that has been undertaken. He said that Exmouth is well placed to benefit from the development opportunities in the future.

Mr Fletcher provided a presentation on the Vision of the RDC for the future to the Gascoyne Zone meeting being held in Exmouth on Thursday 29 November 2012. Attached is a copy of the powerpoint for Councillor information. (Refer *Attachment 1*)

**Vlaming Head Lighthouse 100 Year Anniversary**

The Vlaming Head Lighthouse 100 Year Anniversary was held over the weekend of 7 – 10 December 2012. This included organised tours, Anniversary Ball, and the Lighthouse spectacular on the Hill.

It can only be said that the whole event was absolutely *outstanding* with immense complimentary feedback received from the community. Full credit is extended to the Council employees involved, particularly Jaci Cutler whose events coordination skills for the event were remarkable.

**Visit by Hon Brendon Grylls, Minister for Regional Development & Lands**

The Hon Minister Brendon Grylls visited Exmouth on Wednesday 12 December 2012 to officially announce the \$6m funding of the CBD/Foreshore Revitalisation project from the R4R program.

The Minister was extremely impressed with the significant development progress of the town since his last visit two years ago and commended the Council on their forward vision, planning and strategies to grow the town into the future.

**Official Openings R4R Projects**

Mr Vince Catania. Member for the North West, officially opened the EDHS Hard Courts project and the WWII/Vlaming Head Interpretive project that received funding assistance from the Royalties for Regions program on Thursday 13 December 2012.

**Staffing Issues**

Negotiations are currently being held with the EMCE & EMTP for an extension of their current employment contracts beyond their current expiry date. An update will be provided to the Council once these have been finalised.

I will be away on leave from 4 – 11 January 2013 but will be on call over the Christmas/New Year period.

**Other Meetings & Functions attended by the CEO**

1. EMHB, EMES and myself met with Chris Neretlis, Customer & Business Services Manager for the Water Corporation in Exmouth on Tuesday 27 November 2012 to discuss WWTP and other water issues for Exmouth.
2. Cr Winzer, EMES and myself attended the Gascoyne RRG meeting held in Exmouth on Thursday 29 November 2012.

3. Cr Winzer and myself attended the Gascoyne Zone Meeting held in Exmouth on Thursday 29 November 2012.
4. EMAS & myself convened the Learmonth Airport Security Committee meeting held in Exmouth on Monday 3 December 2012.
5. EMAS & myself convened the Learmonth Heliport Consultative Committee meeting held at the Novotel on Tuesday 4 December 2012.
6. Shire President & myself attended the GRSC meeting held in Carnarvon on Tuesday 11 December 2012.
7. Shire President, EMCE and myself met with Jim Williams, Chair EVC on Wednesday 12 December 2012 to hold preliminary discussions on the business case proposal for the EVC moving forward.
8. Shire President & myself attended the EDHS year 11/12 Awards presentation night at the Town Hall on Wednesday 12 December 2012.
9. Councillors and staff attended the National Party Sundowner at the Novotel Resort on Wednesday 12 December 2012.
10. Councillors & staff attended the Annual Christmas Function held at the Exmouth Golf Club on Friday 14 December 2012.

**Other Meetings Scheduled for next Month**

1. Shire President & Cr Hood to meet with representatives from HESS in Exmouth on Friday 14 December 2012.
2. EMES & myself to meet with Justin Marshall, Western Power, in Exmouth on Friday 14 December 2012 to discuss the Underground Power Program.
3. Shire President & myself are to meet with Mr Ken Baston, Member for the Mining & Pastoral Region, in Exmouth on Wednesday 19 December 2012 to discuss Exmouth issues.
4. Shire President, SPO and myself to meet various agencies in relation to the Ningaloo Centre in Perth on Tuesday 22 & Wednesday 23 January 2013.

**COMMENT**

Nil

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

Nil

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Civic Leadership

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

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

**VOTING REQUIREMENTS**

Simple Majority

<b>OFFICER'S RECOMMENDATION – 10.1.1</b>
--

*That the Council of the Shire of Exmouth receive the Chief Executive Officers Report for the month of December 2012.*

**COUNCIL DECISION – 02-1212 – 10.1.1**

Moved Councillor Winzer, Seconded Councillor Fitzgerald.

*That the Council of the Shire of Exmouth receive the Chief Executive Officers Report for the month of December 2012.*

**CARRIED 5/0**


## 10. REPORTS OF OFFICER

### 10.1 Chief Executive Officer

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#### 10.1.2 Meeting Dates 2013

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Location:	Exmouth
Applicant:	Chief Executive Officer
File Reference:	GV.CM.0
Disclosure of Interest:	Nil
Date:	6 December 2012
Author:	Chief Executive Officer, Mr B Price
Signature of Author:	

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#### **SUMMARY**

Council endorsement of the proposed Ordinary Council meeting dates for 2013 is required.

#### **BACKGROUND**

Below are the proposed meeting dates for the year 2013, being the third Thursday of the month and commencing at 3.00pm unless listed otherwise.

##### **January – No Council Meeting**

21 February 2013  
21 March 2013  
18 April 2013  
16 May 2013  
20 June 2013  
18 July 2013  
15 August 2013  
19 September 2013  
17 October 2013  
21 November 2013  
19 December 2013

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

#### **COMMENT**

Nil

#### **CONSULTATION**

Nil

#### **STATUTORY ENVIRONMENT**

Local Government (Administration) Regulations 1996.

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

Nil

#### **STRATEGIC IMPLICATIONS**

Civic Leadership

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

- Outcome 4.1: To be a collaborative community with the capacity to manage the current and future direction of Exmouth.



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

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION – 10.1.2**

*That the Council of the Shire of Exmouth endorse the following dates for Ordinary Council meetings for the 2013 year.*

*January – No Council Meeting  
21 February 2013  
21 March 2013  
18 April 2013  
16 May 2013  
20 June 2013  
18 July 2013  
15 August 2013  
19 September 2013  
17 October 2013  
21 November 2013  
19 December 2013*

**COUNCIL DECISION – 03-1212 – 10.1.2**

Moved Councillor Hood, Seconded Councillor Fitzgerald.

*That the Council of the Shire of Exmouth endorse the following dates for Ordinary Council meetings for the 2013 year.*


*January – No Council Meeting  
21 February 2013  
21 March 2013  
18 April 2013  
16 May 2013  
20 June 2013  
18 July 2013  
15 August 2013  
19 September 2013  
17 October 2013  
21 November 2013  
19 December 2013*

**CARRIED 5/0**

## 10. REPORTS OF OFFICER

### 10.1 Chief Executive Officer

#### 10.1.3 Council Policy Manual Review – Town Planning

Location: Exmouth  
 Applicant: Nil  
 File Reference: CM.PO.1  
 Disclosure of Interest: Nil  
 Date:  
 Author: Chief Executive Officer, Bill Price  
 Signature of Author: 

#### **SUMMARY**

This report recommends that the Council of the Shire of Exmouth adopt policies under the Town Planning section of the Council Policy Manual.

#### **BACKGROUND**

This report is a review of all Town Planning Policies with the intent to amend or rescind Policies which are not relevant in determining planning matters. The Planning and Development Act 2005 and the Shire of Exmouth Town Planning Scheme No.3 limit matters which may be dealt with by Policies and ancillary matters to:

1. Policies in respect of any matter to which the Act relates; and
2. Any other matter necessary or incidental to the sustainable development or use of land.

#### **COMMENT**

The Shire of Exmouth Town Planning Scheme No. 3 provides the statutory process for creating, amending or rescinding Policies which deal with planning matters and the Act outlines the legal framework and limitations of powers which may be incorporated into the Scheme and Policies. Tabled below is a summary of recommendations from the Policy review:

1. Maintain the following Policies for reasons tabled below:-

Policy No.	Policy Name	Comment
6.13	Temporary Workers Accommodation	Edited to be simplified and improved formatting.
6.14	Naming of roads, public places and streets	No Changes or issues
6.15	Construction of Shed/Barn Style Dwellings	No Changes or issues
6.16	Design Guidelines for Exmouth Marina Village Precinct 'A'	No Changes or issues
6.17	Design Guidelines for Lot 11 and 12 Market Street	Edited to include provision of the ODP including objectives of the policy, definitions, policy context, policy provisions and approval procedure.
6.18	Town Planning Fees	No Changes or issues
6.19	District Water Management Strategy	No Changes
6.20	Design Guidelines for Exmouth Marina Village Precinct 'B'	Modified 'A combination of pitched and flat/skillion roofs is acceptable.' to 'Single storey dwellings must include a substantial pitched roof component of this combination within the main dwelling, excluding the carport roof.' ( <i>refer Attachment 2</i> )

6.21	Design Guidelines for Exmouth Marina Village Precinct 'C'	No Changes
6.22	Sand and Dust control on Private Property	No significant changes. Improved formatting
6.23	Second hand buildings and second hand building materials	No significant changes. Improved formatting

**CONSULTATION**

Executive Managers

**STATUTORY ENVIRONMENT**

Planning and Development Act 2005

Shire of Exmouth Town Planning Scheme No. 3

**POLICY IMPLICATIONS**

All Local Planning Policies

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Strategic Objective: 2 - To consistently apply the Principles of Good Governance

- Key Actions 1.To continue ethical and responsible decision making

Strategic Objective: 3 - To communicate effectively

- Key Actions 1. To convey relevant information using appropriate communication channels

Strategic Objective 4: To promote socioeconomic development

- Key Actions 1. Manage land use development  
2. Promote culture, arts and recreation  
3. Support and manage tourism

Strategic Objective 5: To value our environment and heritage

- Key Actions 1. To develop and implement policies and statutory processes that ensure balanced decision making

**VOTING REQUIREMENTS**

Absolute Majority

**OFFICER'S RECOMMENDATION – 10.1.3**

*That the Council of the Shire of Exmouth adopt the following draft Policies by publication once a week for 2 consecutive weeks in a local newspaper circulating within the Scheme Area giving details of where the draft Policies may be inspected, providing for a period of 21 days for public comment:*

Policy No.	Policy Name	Comment
6.13	Temporary Workers Accommodation	Edited to be simplified and improved formatting.
6.14	Naming of roads, public places and streets	No Changes or issues
6.15	Construction of Shed/Barn Style Dwellings	No Changes or issues
6.16	Design Guidelines for Exmouth Marina Village Precinct 'A'	No Changes or issues
6.17	Design Guidelines for Lot 11 and 12 Market Street	Edited to include provision of the ODP including objectives of the policy, definitions, policy context, policy provisions and approval procedure.
6.18	Town Planning Fees	No Changes or issues

6.19	District Water Management Strategy	No Changes
6.20	Design Guidelines for Exmouth Marina Village Precinct 'B'	Modified 'A combination of pitched and flat/skillion roofs is acceptable.' to 'Single storey dwellings must include a substantial pitched roof component of this combination within the main dwelling, excluding the carport roof.' ( <i>refer Attachment 2</i> )
6.21	Design Guidelines for Exmouth Marina Village Precinct 'C'	No Changes
6.22	Sand and Dust control on Private Property	No significant changes. Improved formatting
6.23	Second hand buildings and second hand building materials	No significant changes. Improved formatting

<b>COUNCIL DECISION – 04-1212 – 10.1.3</b>
--

Moved Councillor Warren, Seconded Councillor Hood.

*That the Council of the Shire of Exmouth adopt the following draft Policies by publication once a week for 2 consecutive weeks in a local newspaper circulating within the Scheme Area giving details of where the draft Policies may be inspected, providing for a period of 21 days for public comment:*

<b>Policy No.</b>	<b>Policy Name</b>	<b>Comment</b>
6.13	Temporary Workers Accommodation	Edited to be simplified and improved formatting.
6.14	Naming of roads, public places and streets	No Changes or issues
6.15	Construction of Shed/Barn Style Dwellings	No Changes or issues
6.16	Design Guidelines for Exmouth Marina Village Precinct 'A'	No Changes or issues
6.17	Design Guidelines for Lot 11 and 12 Market Street	Edited to include provision of the ODP including objectives of the policy, definitions, policy context, policy provisions and approval procedure.
6.18	Town Planning Fees	No Changes or issues
6.19	District Water Management Strategy	No Changes
6.20	Design Guidelines for Exmouth Marina Village Precinct 'B'	Modified 'A combination of pitched and flat/skillion roofs is acceptable.' to 'Single storey dwellings must include a substantial pitched roof component of this combination within the main dwelling, excluding the carport roof.' ( <i>refer Attachment 2</i> )
6.21	Design Guidelines for Exmouth Marina Village Precinct 'C'	No Changes
6.22	Sand and Dust control on Private Property	No significant changes. Improved formatting
6.23	Second hand buildings and second hand building materials	No significant changes. Improved formatting

**CARRIED by ABSOLUTE MAJORITY 5/0**


## 10. REPORTS OF OFFICERS

### 10.1 Chief Executive Officer

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#### 10.1.4 Council Policy Manual Review – Aviation Services

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Location:	Exmouth
Applicant:	J Kox
File Reference:	CM.PO.1
Disclosure of Interest:	Nil
Date:	6 December 2012
Author:	Chief Executive Officer, Bill Price
Signature of Author:	

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#### **SUMMARY**

This report recommends the adoption of an amended Policy under the Aviation Services sphere of the Council Policy Manual.

#### **BACKGROUND**

It is the policy of the Council to maintain a manual recording the various policies of the Council. Policies are to relate to issues of an on-going nature, policy decisions on single issues are not to be recorded in the manual.

The objectives of the Council's Policy Manual are:

- To provide Council with a formal written record of all policy decisions;
- To provide the staff with precise guidelines in which to act in accordance with Council's wishes;
- To enable the staff to act promptly in accordance with Council's requirements, but without continual reference to Council;
- To enable Councillors to adequately handle enquiries from electors without undue reference to the staff or the Council;
- To enable Council to maintain a continual review of Council Policy decisions and to ensure they are in keeping with community expectations, current trends and circumstances;
- To enable ratepayers to obtain immediate advice on matters of Council Policy.

Executive staff have been conducting a major review of the existing Shire of Exmouth Policy Manual, with a number of changes recommended in line with industry standards and guidelines.

Due to the volume and complexities of the existing Policy Manual, it is intended that over the next few ordinary Council meetings, the Executive will present sections of the revised Manual based on the following departmental headings

- Governance
- Corporate Services
- Aviation Services
- Community Engagement
- Health & Building
- Town Planning & Emergency Management
- Engineering
- Ranger & Emergency Services

This agenda item specifically relates to policies reviewed under the Aviation Services section.

#### **COMMENT**

The Executive Manager Aviation Services provides a summary below of the existing Policies historically listed under the heading of Airport and the proposed changes to the same.

Policy No.	Policy Name	Comment
3.1	Learmonth Airport	Amended to include Learmonth Heliport and commitment to regulatory requirements
3.2	Exmouth Aerodrome	Amended to change name from Exmouth Light Aircraft Strip
3.3	Display of Promotional material and Advertising Signs at the Learmonth Airport Terminals	Amended to identify further advertising opportunities and allow regulatory and government advertising within the terminals. Removal of Exmouth Visitor Centre Marketing Committee in approval process.

A copy of the changes to original policies is provided at **Attachment 3**.

### **CONSULTATION**

Executive Managers

### **STATUTORY ENVIRONMENT**

Section 2.7 of the Local Government Act 1995 states that one of the roles of a Council is to determine the Local Government's policies.

### **POLICY IMPLICATIONS**

All Airport Policies

### **FINANCIAL IMPLICATIONS**

Nil

### **STRATEGIC IMPLICATIONS**

#### Economic

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

- Outcome: 1.3: Diverse tourism opportunities

#### Civic Leadership

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

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

### **VOTING REQUIREMENTS**

Absolute Majority

### **OFFICER'S RECOMMENDATION – 10.1.4**

*That the Council of the Shire of Exmouth formally adopt the reviewed Policies numbered 3.1 to 3.3 contained within the Aviation Services section of the Council Policy Manual and delegate authority to the Chief Executive Officer to implement the adopted Council Policies where appropriate.*

### **COUNCIL DECISION – 05-1212 – 10.1.4**

Moved Councillor Winzer, Seconded Councillor Fitzgerald.

*That the Council of the Shire of Exmouth formally adopt the reviewed Policies numbered 3.1 to 3.3 contained within the Aviation Services section of the Council Policy Manual and delegate authority to the Chief Executive Officer to implement the adopted Council Policies where appropriate.*

**CARRIED by ABSOLUTE MAJORITY 5/0**

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

Location: Exmouth  
 Applicant: S O'Toole  
 File Reference: CM.RE.0  
 Disclosure of Interest: Nil  
 Date: 12 December 2012  
 Author: Executive Manager Corporate Services

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

**SUMMARY**

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

**BACKGROUND****Financial Workshops**

Our Senior Finance Officer attended 2 days of Training in Perth during December 2012 which covered topics including Tax Updates, GST and fundamental accounting in Local Government.

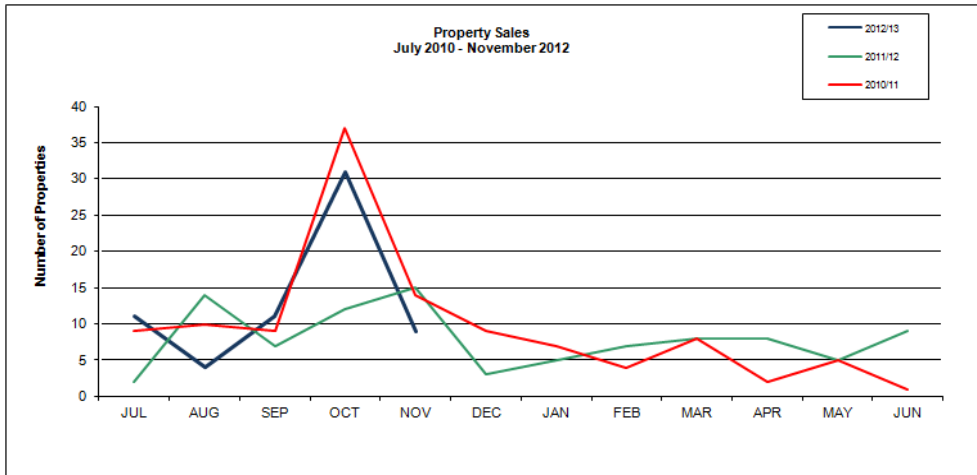
**RATES****Property Sales**

Below is a summary of properties sold during 2012/13:

**2012/13 Summary of Property Sales**

Number Sold	Land Usage	Total Sales	Average Sale
38	Vacant Land	\$9,185,003	\$241,711
19	Residential	\$9,104,000	\$479,158
6	Industrial	\$1,306,000	\$217,667
3	Mixed Use	\$99,000	\$33,000
0	Composite Devel	\$0	\$0
0	Special Use	\$0	\$0
0	Tourism	\$0	\$0
<b>66</b>		<b>\$19,694,003</b>	

Property Sales	2012/13	2011/12	2010/11
JUL	11	2	9
AUG	4	14	10
SEP	11	7	9
OCT	31	12	37
NOV	9	15	14
DEC		3	9
JAN		5	7
FEB		7	4
MAR		8	8
APR		8	2
MAY		5	5
JUN		9	1
	66	95	115



**Outstanding Rates and Charges**

**2012/13 Rates Collection Analysis**

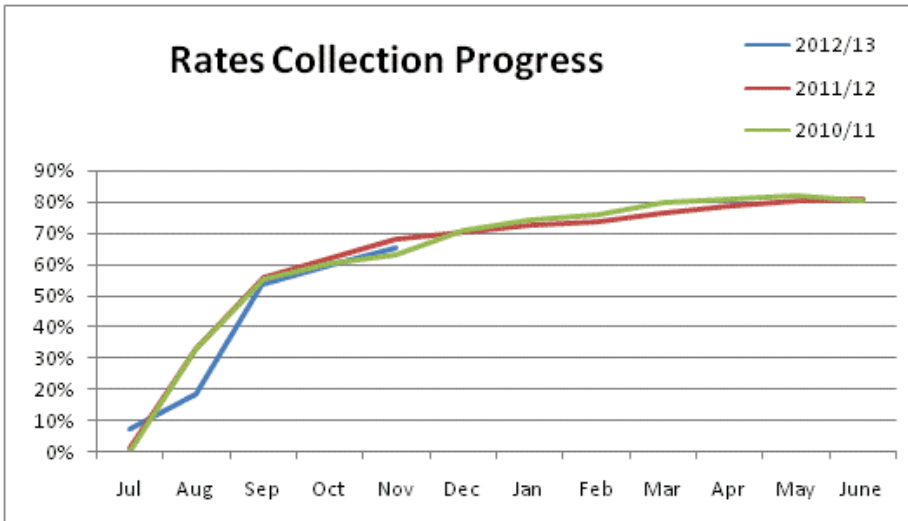
	\$
Rates & Charges Levied 2012/13	3,700,105
Arrears 1 July 2012	827,863
Less Collections	<b>(2,946,345)</b>
<b>Total Rates &amp; Charges Outstanding</b>	<b>1,581,623</b>
Less Pensioner Deferred Rates	<b>(13,288)</b>
<b>Total Rates Collectable</b>	<b>1,568,335</b>
<b>% Collected to Date</b>	<b>65.4%</b>
Notices Sent	6/08/2012
Due Date	10/09/2012
Reminder Notice Sent	19/09/2012
Final Notice Sent	5/10/2012

**Comparative percentage of rates collected monthly**

	2012/13	2011/12	2010/11
Rates Due Date	10/09/2012	2/09/2011	2/09/2010
Jul	7%	1%	0%
Aug	19%	33%	33%
Sep	54%	56%	55%
Oct	60%	62%	60%
Nov	65%	68%	63%
Dec		70%	71%
Jan		72%	74%
Feb		74%	76%
Mar		77%	80%
Apr		79%	81%
May		81%	82%
June		81%	80%

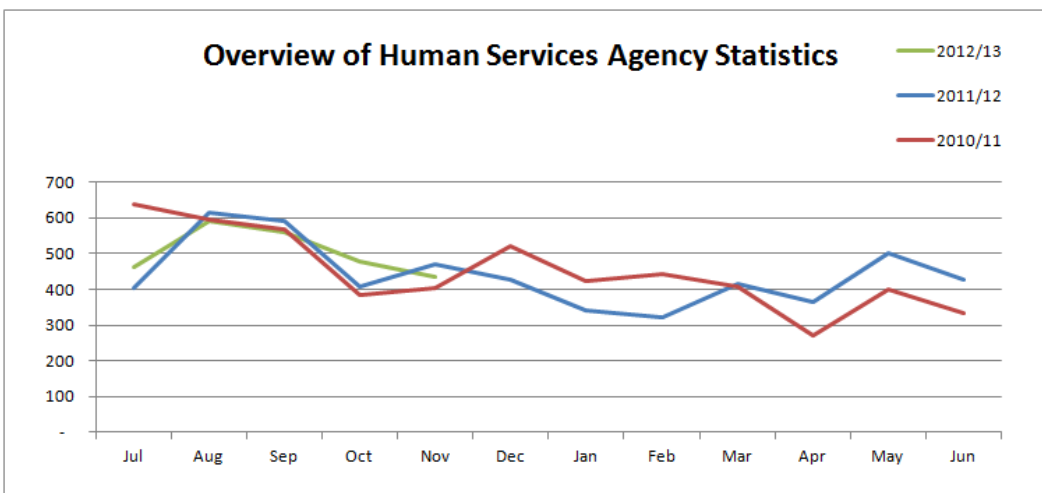


### Graphical Overview of Rates Collection



### Human Services Agency (formerly Centrelink)

						Hours of Operation/week		
						12.5	15	15
	Lodgement of Forms/Assist with Completion	Referrals to Call Centre & CSC	Assist with use of Equipment & Computer	Respond to General Enquiries	TOTAL	2012/13	2011/12	2010/11
Jul	127	102	34	201	464	464	403	637
Aug	189	95	44	264	592	592	615	595
Sep	221	84	31	224	560	560	590	567
Oct	165	89	21	203	478	478	406	383
Nov	133	100	42	161	436	436	469	402
Dec	-	-	-	-	-	-	427	521
Jan	-	-	-	-	-	-	340	424
Feb	-	-	-	-	-	-	320	441
Mar	-	-	-	-	-	-	416	409
Apr	-	-	-	-	-	-	364	271
May	-	-	-	-	-	-	500	400
Jun	-	-	-	-	-	-	428	334
<b>TOTAL</b>	<b>835</b>	<b>470</b>	<b>172</b>	<b>1,053</b>	<b>2,530</b>	<b>2,530</b>	<b>5,278</b>	<b>5,384</b>



**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

Local Government Act S 3.58

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Civic Leadership

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

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

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION – 10.2.1**

*That the Council of the Shire of Exmouth receive the Executive Manager Corporate Services Report for the month of December 2012.*

**COUNCIL DECISION – 06-1212 – 10.2.1**

Moved Councillor Fitzgerald, Seconded Councillor Warren.


*That the Council of the Shire of Exmouth receive the Executive Manager Corporate Services Report for the month of December 2012.*

**CARRIED 5/0**

**10. REPORTS OF OFFICERS**

**10.2 Executive Manager Corporate Services**

**10.2.2 Monthly Financial Statements and Report**

Location:	Exmouth
Applicant:	S O'Toole
File Reference:	FM.FI.0
Disclosure of Interest:	Nil
Date:	12 December 2012
Author:	Executive Manager Corporate Services, Sue O'Toole
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

**SUMMARY**

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

**BACKGROUND**

Financial report for the period ended 30 November 2012 has been prepared and a copy of the Report is attached as *Attachment Item 1* and a complete list of accounts for payment is attached as *Attachment Item 2*.

**COMMENT**

Nil

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

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

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Civic Leadership

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

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

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION – 10.2.2**

1. *The monthly financial report for period ended 30 November 2012 be accepted; and*
2. *The accounts as listed in the monthly financial report be received:*
  - a. *Municipal Fund ~ November 2012 \$725,415.60 incorporating cheque numbers 12018 to 12054 inclusive and direct debits*
  - b. *Trust Fund ~ \$7613.66 incorporating cheque number 400748 inclusive and direct debits.*

*Outstanding Creditors totalling ~ \$543,373.63*

**COUNCIL DECISION – 07-1212 – 10.2.2**


Moved Councillor Hood, Seconded Councillor Winzer.

1. *The monthly financial report for period ended 30 November 2012 be accepted; and*
2. *The accounts as listed in the monthly financial report be received:*
  - a. *Municipal Fund ~ November 2012 \$725,415.60 incorporating cheque numbers 12018 to 12054 inclusive and direct debits*
  - b. *Trust Fund ~ \$7613.66 incorporating cheque number 400748 inclusive and direct debits.*

*Outstanding Creditors totalling ~ \$543,373.63*

**CARRIED 5/0**

**10. REPORTS OF OFFICERS****10.2 Executive Manager Corporate Services****10.2.3 Revision Forward Capital Works Plan 2010/11 to 2014/15**

Location:	Exmouth
Applicant:	S O'Toole
File Reference:	FM.FC.0
Disclosure of Interest:	Nil
Date:	27 November 2012
Author:	Executive Manager Corporate Services, Sue O'Toole
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

**SUMMARY**

This report requests Council to endorse the revised Shire of Exmouth's Forward Capital Works Plan (FCWP) for the period 2010/11 to 2014/15 and submit to the Department of Regional Development and Lands.

**BACKGROUND**

Provision of adequate FCWP, informed by strategic and asset management plans is a prerequisite to access the individual local government allocations from the Country Local Government Fund. Our Forward Capital Works Plan (FCWP) was prepared by UHY Haines Norton and endorsed by Council at the Ordinary Council Meeting held 9 December, 2010. This plan has since been amended at the OCM held on 17 March 2011 and again on 17 November 2011 to include project works at Learmonth Airport; expansion to the existing apron sections for new Helicopter and General Aviation Operations and Enclosing Transit Lounge.

**COMMENT**

The FCWP is to be reviewed annually to ensure the plan contains details of future capital works identified in Councils annual budget.

A revised copy of the FCWP is attached for endorsement. (Refer *Attachment 3*)

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

Nil

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Civic Leadership

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

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

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION – 10.2.3**

*That the Council of the Shire of Exmouth endorse the revised Forward Capital Works Plan for the five year period commencing 1 July 2010 and submit to the Department of Regional Development and Lands.*

**COUNCIL DECISION – 08-1212 – 10.2.3**


Moved Councillor Warren, Seconded Councillor Winzer.

*That the Council of the Shire of Exmouth endorse the revised Forward Capital Works Plan for the five year period commencing 1 July 2010 and submit to the Department of Regional Development and Lands.*

**CARRIED 5/0**

**10. REPORTS OF OFFICERS****10.2 Executive Manager Corporate Services****10.2.4 Change Method of Valuation of Land**


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Location:	Exmouth
Applicant:	Ningaloo Lighthouse Resort
File Reference:	RV.VA.0
Disclosure of Interest:	Nil
Date:	27 November 2012
Author:	Executive Manager Corporate Services, Sue O'Toole
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

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**SUMMARY**

This report recommends Council seek the approval of the Minister for Local Government that the basis for rating Lot 309 on Plan 40825, Lyndon Locations 191 and 262 Yardie Creek Road, Exmouth be changed from unimproved value to gross rental value.

**BACKGROUND**

A valuation based on unimproved value has been provided by the Valuer General for a newly created lease for sewerage ponds. It would seem this method of valuation of this lease is inconsistent and inequitable for the current land use.

Section 6.28 of the Local Government Act 1995 requires the Minister for Local Government to determine the method of valuation of land to be used by a local government and publish a notice of the determination in the Government Gazette.

In determining the method of valuation to be used by a local government, the Minister is to have regard to the principle that the basis for a rate on any land is to be either:

1. Where the land is used predominantly for rural purposes, the unimproved value of the land; and
2. Where the land is used predominately non rural purposes, the gross rental value of the land.

**COMMENT**

Ningaloo Lighthouse Resort is leasing Lot 309 on Plan 40825 which is located near the existing Caravan Park for the purpose of sewerage ponds. The current method of valuation used for this lease is based on an unimproved value of \$211,000 with a total area of 4.0ha. Currently there are no improvements on these lots with the exception of sewerage ponds. (Refer *Attachment 4*)

Considering the predominant use of the property is non rural, it would seem appropriate the method for rating purposes should be valued based on a gross rental value and in this regard, Council should apply to have this changed.

**CONSULTATION**

Landgate

**STATUTORY ENVIRONMENT**

Local Government Act 1995 S 6.28

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

As this valuation has not been applied, changing the method of valuation will not decrease Council's revenue.

**STRATEGIC IMPLICATIONS**

Civic Leadership

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

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

**VOTING REQUIREMENTS**

Absolute Majority

**OFFICER'S RECOMMENDATION – 10.2.4**

*That the Council of the Shire of Exmouth:*

1. *Request the Minister for Local Government to change the method of valuation of Lot 309 on Plan 40825 Yardie Creek Road Exmouth from unimproved value to gross rental value in accordance with Section 6.28 of the Local Government Act 1995.*
2. *Note the effective date of the new method of valuation for the affected land will be 1 July 2012.*

**COUNCIL DECISION – 09-1212 – 10.2.4**

Moved Councillor Hood, Seconded Councillor Winzer.

*That the Council of the Shire of Exmouth:*

1. *Request the Minister for Local Government to change the method of valuation of Lot 309 on Plan 40825 Yardie Creek Road Exmouth from unimproved value to gross rental value in accordance with Section 6.28 of the Local Government Act 1995.*
2. *Note the effective date of the new method of valuation for the affected land will be 1 July 2012.*

**CARRIED by ABSOLUTE MAJORITY 5/0**




## 10. REPORTS OF OFFICERS

### 10.3 Executive Manager Aviation Services

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#### 10.3.1 General Report

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Location:	Exmouth
Applicant:	J Kox
File Reference:	TT.SP.0
Disclosure of Interest:	Nil
Date:	10 December 2012
Author:	Executive Manager Aviation Services, Jenny Kox
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

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#### **SUMMARY**

The following Aviation Services Department report contains a brief summary of significant activities and issues arising since the November 2012 agenda report.

#### **BACKGROUND**

##### **Defence**

The monthly LACM (Learmonth Airport Consultative Meeting) with RAAF continue with information exchange minuted and distributed.

There are no issues for resolve at the moment.

Department of Defence were notified of filming by GWN taking place out the front of the terminal on Thursday 29<sup>th</sup> November 2012. The footage was reviewed by a member of the Defence force with questioning of all parties. A formal report of the incident was lodged by Defence.

All requests for delegated approval of charter operations to licenced operator status have now been approved.

##### **Regulatory**

Aviation Security Inspectors from the Office of Transport Security (OTS) were on site during the first week of December conducting an audit of the screening point. There were no non-conformances, recommendations or observations out of the audit.

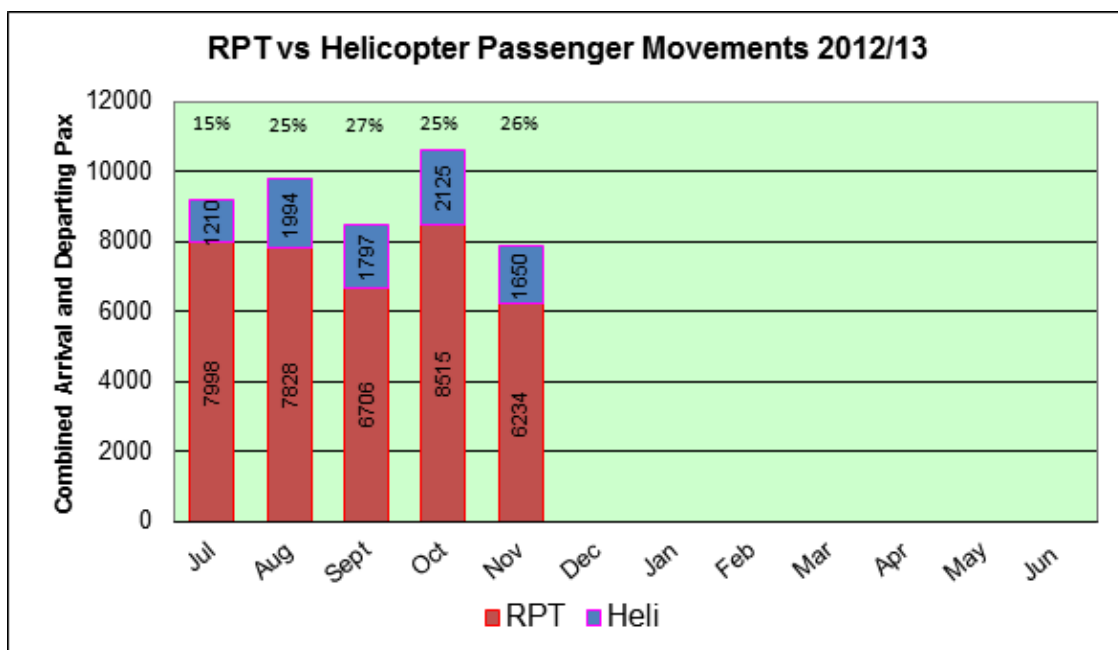
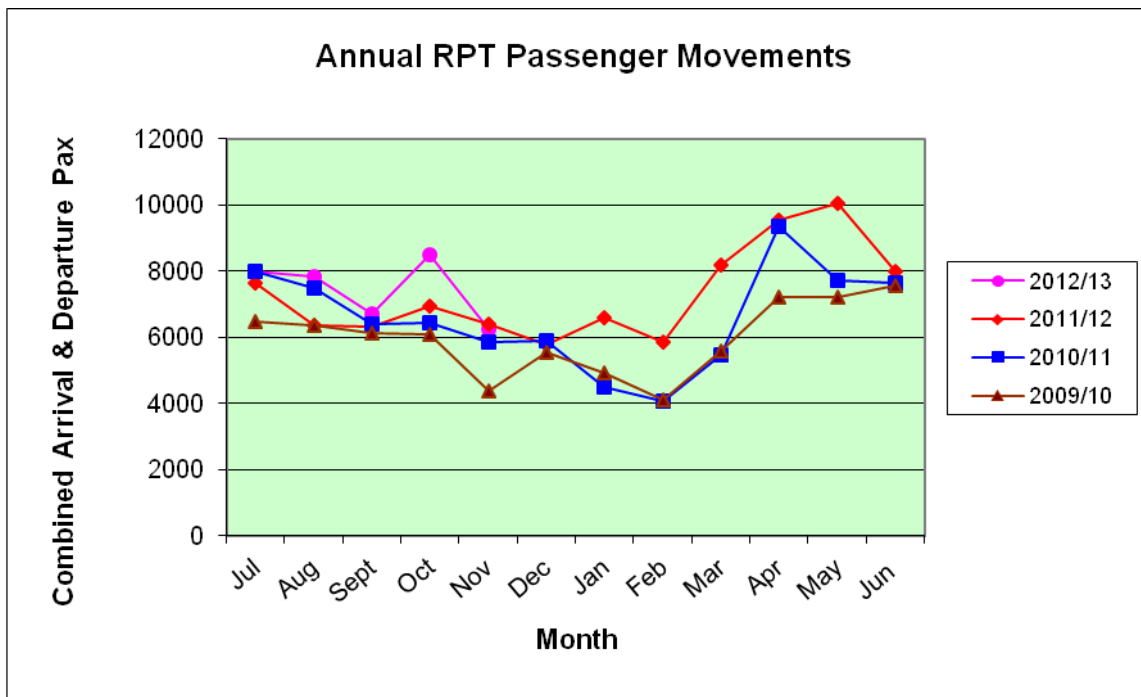
The Aviation Security Committee meeting was held on 3<sup>rd</sup> December 2012 and members endorsed the amendments to the Transport Security Plan which will now be lodged with the Department of Infrastructure and Transport for approval.

##### **Airlines/Air Operators/Industry**

November RPT passenger numbers (combined Qantas and Skywest) were 6234 and almost identical to the same month for the last two last years. Overall passenger numbers were down on last month but aggregated numbers for the financial year to date still sees a 10.83% increase on last year and 9.05% on the year prior.

See the graphical presentation of statistics below.

The number of passengers per RPT flight verses the number of helicopter passengers is included below. CHC helicopters have continued Saturday operations since the grounding of the EC225 fleet in October 2012.



Qantas have cancelled their afternoon services for Christmas and New Year’s Day and Skywest has moved the arrival of their 0755 service to 1315 for 25-30 December, 01 January & 13 January. This unfortunately means staffing across a full day on Christmas and New Years Day.

**Airport**

Quotes by builders to modify the screening area have been received and are being reviewed. Separable works will include additional fire & hose reels and modifications to fire egress doors to ensure BCA compliance. This project is now under the mid-year budget review and is unlikely to proceed this financial year.

Internal and external window cleaning has been undertaken with great results. The windows on the airside are showing signs of extreme calcium exposure and will require regular cleaning by airport staff to limit further damage which is being undertaken.

The SS Mildura lantern from the Vlaming Head Lighthouse celebrations has taken up residence at the airport within the arrivals area.

**Heliport**

CHC helicopters (for Shell) have continued to utilise Learmonth for technical stops to and from Karratha each Saturday as a result of the EC225 fleet grounding. These operations are expected to cease on 22<sup>nd</sup> December 2012.

The Learmonth Heliport Consultative Meeting was held on 4<sup>th</sup> December 2012. Shell advised that they will be using Learmonth for cyclone de-manning. Woodside will be jointly supporting Shell and BHP Billiton with their de-man requirements. It is expected that only BHPB flights will be operational on Christmas and New Year's Days.

**Staffing**

There will be no change to staffing levels during the Christmas/New Year period as flights will be operational each day.

Hearing tests will be undertaken on all staff (including works staff) from 12<sup>th</sup> December 2012 to establish baseline hearing levels.

**Leasing**

The new office/store building for Toll/Exmouth Freight Services is now complete. Exmouth Freight Services have been provided a draft copy of the lease to move forward to execution.

A meeting was held with Birds Eye View regarding further expansion of premises at Exmouth Aerodrome. This is further detailed in Item 10.3.2.

**Projects**

Establishment & survey of the required runway length and installation of solar lights at Exmouth Aerodrome is underway and expected to be completed by mid-January.

Installation of apron lighting to the new apron area at Learmonth is in progress and should be completed within a week.

**Other Items**

As mentioned at the last Council meeting, the establishment of heliport operations at Learmonth Airport won the Australian Airports Association Regional Airport of the Year– 50,000 to 499,999 Passengers category. 10 nominations were received for the category featuring runway and terminal upgrades at airports such as Port Hedland, Tamworth, Wagga Wagga and Mount Gambier. Below is the award presentation photo with Mr Michael Homer, Regional Sales Director of Airbus and Mr Stephen Goodwin, National Chairman of the Australian Airports Association and the Shire CEO with Mr Brett Rankin of Woodside Energy Ltd and Mr Phillip Rawcliffe of BHP Billiton.



**Exmouth Aerodrome**

Grading of the road and northern end of the runway has been undertaken to rectify some depressions, especially along the tie-in to the sealed areas. Grading will now occur on a more regular basis.

**COMMENT**

Nil

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

Nil

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Economic

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

- Outcome: 1.5: Maintain and Improve Shire Infrastructure.

Civic Leadership

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

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

Comply with Commonwealth regulatory and Defence operating requirements.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION – 10.3.1**

*That the Council of the Shire of Exmouth receive the Executive Manager Aviation Services Report for the month of December 2012.*


**COUNCIL DECISION – 10-1212 – 10.3.1**

Moved Councillor Fitzgerald, Seconded Councillor Warren.

*That the Council of the Shire of Exmouth receive the Executive Manager Aviation Services Report for the month of December 2012.*

**CARRIED 5/0**

**10. REPORTS OF OFFICERS****10.4 Executive Manager Community Engagement****10.4.1 General Report**

Location: Exmouth  
 Applicant: R Kempe  
 File Reference: GV.CM.0  
 Disclosure of Interest: Nil  
 Date: 11 December 2012  
 Author: Executive Manager Community Engagement, Rogé Kempe  
 Signature of Author:   
 Senior Officer: Chief Executive Officer, Bill Price

**SUMMARY**

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

**BACKGROUND****Visitor Centre**

Door Statistics:

	<b>2010/11</b>	<b>2011/12</b>	<b>2012/13</b>	<b>Compared to last year</b>
<b>JUL</b>	19833	16175	17548	1373
<b>AUG</b>	15165	15147	14960	-187
<b>SEP</b>	12309	10901	11537	636
<b>OCT</b>	10890	9474	10371	897
<b>NOV</b>	6255	6119	5291	-572
<b>DEC</b>	5272	5029		
<b>JAN</b>	5355	4874		
<b>FEB</b>	3200	3073		
<b>MAR</b>	6740	5124		
<b>APR</b>	13062	11565		
<b>MAY</b>	13243	12130		
<b>JUN</b>	13956	12480		
<b>TOTAL</b>	<b>125,280</b>	<b>112,091</b>	<b>59,707</b>	<b>+2,147</b>

**Door Count November 2012**

- Total visitor numbers 5291
- The average visitor number per day in November was 176

**Door Count November 2011**

- Total visitor numbers 6119
- The average visitor number per day in November was 213

**Book Easy statistics**

<b>Accommodation</b>	<b>Nov 12</b>	<b>Oct 12</b>	<b>Nov 11</b>
Online Accommodation Bookings	62	101	84
Average Spend per booking	\$507.40	\$282.87	\$470.13

Tours			
Online Tour Bookings	136	391	175
Average Spend per booking	\$166.50	\$170	\$191.33

Staff Changes

Bev Marston has resigned from her position as Visitor Centre Manager. Bec Lawson will be the Acting Visitor Centre Manager until the end of June 2013.

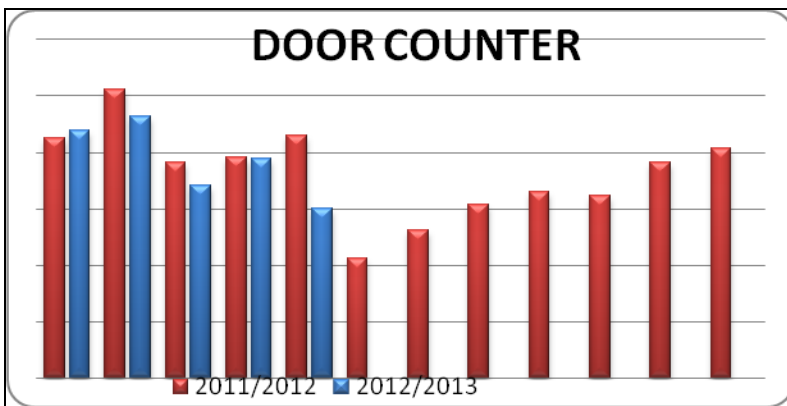
EVC Future Directions

The Visitor Centre Marketing Committee has a proposal to present on the future direction of the Centre; this is part of a separate Council report which will be addressed later on in the agenda.

Australia’s Coral Coast

The EMCE was asked if he was interested in taking up the Local Government position on the board of Australia’s Coral Coast and to represent tourism interest of Local Government in the region.

Library and Community Resource Centre (CRC)



Patrons using the library have dropped this month, although we do remember November 2011 as a very busy month. It has been reported that it has become a trend that fewer of the older generation are travelling in the north.

It was also noticed this year a lot of our ‘grey nomads’ have E-readers and purchase their books online or down load from their home computer. Travelling back packers and families remained constant visitors to the Library and CRC. Our book exchange has been extremely popular with both locals and visitors.

The library staff visited the new mothers group in November 2012 to introduce new mums to the importance of reading and sharing books with their babies and to introduce the mums to the resources and information available through our library services and SLWA website.

The Better Beginning Winners



From left to right - Mum Nadia with Kyah, Kalani and Malakai Owens, Mum Tasha with Miila and Lily Lee, Mum Autumn with Missi and Zeppelin Famlonga, Mum Kristy with Sophie Niikkula

## Community Development

### Vlaming Head Lighthouse Centenary

Please refer to photographs of the activities:

#### 1. Lighthouse Ball

On 7 December 2012 the Shire Hall was transformed to amaze 200 people in their finery. The ball was a sell out event and there could have been an additional 100 tickets sold easily; just 1 ticket on sale on Exmouth Info attracted 25 callers. An army of people worked behind the scenes to ensure the event was successful, this included 10 kitchen staff from Whalers Restaurant, 5 bar staff, 1 security, Sound & Light by Lachlan Edwards, and Sharlene Williams welcoming people at the door. As well as everyone that was involved in transforming the Hall to a venue suitable for a ball, in the week prior.

And not to forget, our fantastic band Hip Mo' Toast with Libby Hammer made the night swing and people couldn't help but get on the dance floor.

The Auction of 2 bottles of champagne label number 1 and 100 resulted in nearly \$1000 towards the upkeep and restoration of Vlaming Head Lighthouse. Thank you to the sponsors Cellarbrations at Sam's Cellars.

#### 2. Lighthouse Tours

Approximately 170 people took up the opportunity to have a look inside the lighthouse; there was a waiting list for this event. The tours provided an opportunity for visitors to hear the stories of her past as told by volunteers Ron Campbell, Wayne Britton and Ken Baker and view the magnificent inner workings of the lighthouse which remain in full working order to this day.

#### 3. Light Delights

The night of nights turned out to be a once in a lifetime event and included:

- A Welcome to Country by Ann Preest, which was very well received. Inspirational words were spoken by Jeremy Garlett regarding the importance of the lighthouse area to all people and our shared responsibility to look after it.
- Tears welled up when Hallelujah was played at the time the lighthouse was lit on the night.
- Goosebumps appeared when Jarrad Blackburn and the Exmouth District High School Choir sung the Lighthouse Song which was specifically composed for the occasion.
- Jeremy Garlett playing the didgeridoo at the event really blended in with the character of the place and was incredibly popular with the audience.
- Residents and Visitors brought 100 lanterns in a parade to the anticipating crowd. Proceeded by a 5 metre replica of the SS Mildura carried by the Volunteer Fire Brigade. Also, a 3 metre replica of the Lighthouse was carried through the crowd by 4 visitors from 4 different States from the Lighthouses of Australia Inc. The lanterns were constructed during the October School Holidays and the lantern co-ordinator, Bec Massey, returned for the parade.
- Illuminart exceeded everyone's expectations with their projection art onto the lighthouse telling the history of the Northwest Cape and the Vlaming Head Lighthouse. It was a fitting tribute to the Lighthouse and a perfect way to end the evening.

#### 4. Arts Competition:

There were a total of 30 entries (15 adults and 15 child and youth), the open best judged art piece was won by Alana Whitford – oil on canvas – 'Mildura Wreck'.

#### 5. Camp out at Lighthouse Caravan Park

122 people (84 adults and 38 kids) camped out at the Lighthouse Caravan Park. Notwithstanding the weather on that day, kids had a great time and many new friendships were made. About 30 people ended up staying for an extra night.



6. Weather; Always the Weather!

A difficult decision was made on Saturday 8 December to postpone the Light Delights event to the next day. The prospect of thunderstorms in the evening created a risk if going ahead. It turned out that the next day, Sunday 9 December was a perfect night for the celebrations.

Upcoming Events by the Community Development Team

The team are currently working on the Australia Day celebrations in partnership with the Pool staff, which will include the presentation of the Australia Day Active Citizenship Awards, Plastic Bottle Boat Regatta, and the unveiling of the Mrs Mac's sponsored Aqua Run.

Skateboarding Australia has contacted the team in relation to running coaching workshops during the January 2013 school holidays. The coaches will work with our children to improve their skills, as well as some local people that have expressed an interest to become qualified coaches themselves. The skate park events will also include a clean-up at the park and the coaches have been asked to address anti-social behaviour at the park. PCYC will be asked to run a disco to close the skate clinics.

Grants Updates

- Successful application for a DSR grant (\$25,000) for the development of a Recreation Centre Precinct Plan
- Successful application for a BHP Billiton grant (\$22,500) for a youth exchange programme with City of Swan

Media and Community Information

The Shire provided the following community information:

- Shire Newsletter – November 2012
- Learmonth wins prestigious award; Northern Guardian
- Media coverage for the Lighthouse Celebrations – ABC Radio special editions and GWN News

COMMENT

NIL

CONSULTATION

NIL

STATUTORY ENVIRONMENT

NIL

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

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

Outcome 1.3 – Diverse Tourism opportunities.

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

Outcome 3.3 –An inclusive, responsible and cohesive community.

Outcome 3.5 –Maintain and increase participation levels in local community organisations and clubs.

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

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

VOTING REQUIREMENTS

Simple Majority



**OFFICER'S RECOMMENDATION – 10.4.1**

*That the Council of the Shire of Exmouth receive the Executive Manager Community Engagement Report for the month of December 2012.*

**COUNCIL DECISION – 12-1212 – 10.4.1**

Moved Councillor Fitzgerald, Seconded Councillor Warren.

*That the Council of the Shire of Exmouth receive the Executive Manager Community Engagement Report for the month of December 2012.*

**CARRIED 5/0**

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

Location: Exmouth  
 Applicant: R M Manning  
 File Reference: GV.CM.0  
 Disclosure of Interest: Nil  
 Date: 11th December 2012  
 Author: Executive Manager Health & Building, R M Manning

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

**SUMMARY**

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

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

Below is a summary of building licence and building certificate applications and approvals up to 10<sup>th</sup> December 2012.

Building Applications						
Application No	Date Received	Lot No	Development Location	Description	Decision	Decision Date
20120055	23/04/2012	285	27 Lefroy Street	Fence	Approved	20/11/12
20120085	10/07/2012	203	Cobia Close	Single Dwelling	Processing	
20120095	23/07/2012	120	Bluefin Cove	Timber Thatched Roof	Awaiting information from applicant	
20120133	25/09/2012	313	313 Pebble Beach Road	Single Dwelling	Approved	25/10/12
20120135	05/10/2012	1112	(Site 222) Nimitz Street	Shed	Approved	18/12/12
20120143	25/10/2012	1005	9 Warren Way	Patio	Approved	29/10/12
20120144	31/10/2012	145	41 Snapper Loop	Patio	Approved	12/11/12
20120145	31/10/2012	11478	39 Welch Street	Caretakers Residence	Awaiting information from applicant	
20120147	05/11/2012	1340	27 Salmon Loop	Swimming pool, verandah extension, gazebo and fence	Approved	23/11/12
20120152	08/11/12	367	Corella Court	Swimming pool	Approved	12/11/12
20120153	13/11/12	60	20 Searaven Crescent	Single dwelling	Approved	21/11/12
20120154	21/11/12	71	Nimitz Street	Patio upgrade	Approved	26/11/12
20120155	27/11/12	33	Cooyou Close	Single dwelling	Approved	11/12/12
20120156	06/12/12	127	Skipjack Circle	Shed	Awaiting information from applicant	
20120157	06/12/12	420	Madaffari	Jetty	Approved	11/12/12
20120158	06/12/12	367	Corella Court	Jetty	Approved	11/12/12
20120159	07/12/12	340	Kestrel Place	Jetty	Approved	11/12/12

**Summary of Building Licence/Permit Applications**  
**2005 to Year to date 10<sup>th</sup> December 2012**

Year	No. Applications	Total Value of Works	No. Applications up to 10 <sup>th</sup> December 2012	Value up to 10 <sup>th</sup> December 2012
2006	148	\$23,758,341.45	132	\$22,407,166.00
2007	138	\$19,487,319.01	119	\$17,677,224.51
2008	140	\$23,065,372.40	130	\$22,514,322.40
2009	140	\$24,780,872.94	132	\$22,019,772.94
2010	202	\$25,165,355.12	193	\$25,198,557.12
2011	186	\$26,904,705.11	181	\$26,082,485.11
2012			140	\$20,442,068.00

## **COMMENT**

### **BUILDING**

Council Executive Manager Health & Building and the Building Surveyor both attended a 90min Satellite Conference on recent amendments to the new building laws. The conference was coordinated by the Building Commission and the Australian Institute of Building Surveyors.

The Conference provided an update on recent amendments to the Building Act 2011 and offered some clarification of the same and other matters, including but not limited to:-

- Work affecting other land;
- “Stopping the clock” i.e. time to process and application, rather that ‘re-setting the clock’ when a permit authority requests additional information;
- Certificates of Occupancy & changes of use – whole of building, parts of building; multiple certificates for different tenancies, etc; and
- A number of minor text amendments to remove ambiguity from various sections of the legislation.

A Building Commission Industry Bulletin has been released providing details on the recent amendments to the Building Act (Refer to *Attachment 1*).

### **ENVIRONMENTAL HEALTH**

#### **NWEHO Group Meeting – Broome 21-23 November 2012**

The Executive Manager Health & Building attended a series of meetings and interactive workshops with Environmental Health Officers/Managers from the northwest in Broome (21-23 Nov). Representatives from all local governments from the Shires of Exmouth to East Pilbara (in the south) and north to Wyndham-East Kimberly attended three full days covering the following:-

- Day One: Mosquito Control Programs; A presentation on an investigation of a Malaria case from the Curtin Detention Centre; Tobacco control and grant funding opportunities for defining no-smoking areas at public facilities, play grounds etc; Public Health Bill update; and NWEHO Group Meeting.
- Day Two: Food Safety Program Verification Workshop presented by 3 officers from the Dept of Health’s (DoH) Food Unit; and
- Day Three: Public Events Risk Management presentations and workshop.

The Public Events Risk Management session on day 3 was open to event organisers, Not-for Profit groups, emergency service providers and anyone that is or would like to be involved in public events. The workshop attracted 40-50 participants from all the sectors mentioned above. Individual presentations were provided by James Sheridan (LGIS) on risk management, Sid Brodie (DoH) the obligations of the event organiser, the role of local government EHO’s & the DoH,; and Darren Heath (Events Industry Association) delivered an interesting account from the event industry’s perspective. The day concluded with a panel Q&A session.

#### **EHO Water Sampling Training**

Late in November the Shire’s Environmental Health Officer, Mr Patrick Barber attended a four day water sampling course in Perth. Patrick’s attendance at the course was arranged with the assistance of Water Corporation, Carnarvon and the following subjects were covered:

1. Introduction to Water Quality
2. Field Instruments – Chlorine Meter Module
3. Field Instruments – pH Meter Module
4. Wastewater Treatment Lagoons
5. Monitoring – the Key to Bore field Management

Patrick has been able to update the Shire's Water Sampling Officer on some sampling techniques learned from the training and would like to take this opportunity to thank both the Shire and the Water Corporation for making it possible for him to attend the abovementioned course.

A letter of appreciation has been sent to the Water Corporation Operations Manager, Gascoyne District in relation to the above.

#### Exmouth Power Station Noise Attenuation Works & Noise Survey Results

The CEO, EMTP and EMHB will be meeting with Mr McClintock of Worley Parsons in late January 2013 to discuss the results of the recent noise survey that was carried out following the completed noise attenuation works.

A further update on this matter will be provided to the Council in the February 2013 OCM as Council officers have not been provided any information at this stage.

#### **Waste Management and Recycling**

##### Household Hazardous Waste Disposal Program

Late in October 2012 the Shire's Environmental Health Department submitted an expression of interest for the Shire of Exmouth to be considered in hosting a fully funded Household Hazardous Waste Temporary Collection Day. A response was received on the 10<sup>th</sup> December 2012 advising that the Shire of Exmouth had not been selected for a fully funded event and further advising that a limited budget is still available for a co-funded.

The above program is funded by the Waste Authority through the Landfill Levy and is administered by the WALGA.

To participate in a co-funded event WALGA is seeking a financial contribution from the Shire of \$22,250 plus additional transport and labour costs (because Exmouth is outside the metropolitan area) plus other in kind support. Needless to say, Council officers have responded to the above offer in the negative.

The above is yet another example of where State and Federal Government waste management and recycling initiatives are structured to only serve local governments in cities or close there-to. Remote and regional local governments that need additional support to be able to participate in such schemes because of the increase freight and labour costs are often precluded for this very reason. A Federal Government e-waste recycling scheme is another similar example of the above and the state Waste Authority funding of the freight of domestic batteries collected by Local Government for recycling is another.

##### Domestic Battery Recycling Program at EDHS

The winning class for semester two at Exmouth District High School for the most weight of batteries collected for recycling was (again) Year 2 - Room 11, with 22.56kg of batteries collected. The participating classes from Rooms 1 to 16 collected over 108kg of domestic batteries during semester two and a total of almost 180kg for the school year.

The EMHB attended the school assembly on Thursday 8<sup>th</sup> December 2012 to present the Battery Recycling Program Certificates of Achievement to the students of Room 11 and announce the winning class for the year, also the Room 11 students. For the class with the highest total weight at the end of the year the Room 11 students won a free fun session at the Paltridge Memorial Swimming Pool with special activities and a treat organised by the Shire's Swimming Pool Manager.

Two 44Gal drums have now been filled with domestic batteries since the commencement of the program in May 2011. Arrangements are now being made to for the drums to be transported to Perth where the batteries will be sent away for recycling.

**Occupational Safety & Health**

Over a four day visit during November the Shire's OSH consultants from LGIS conducted a number of audits and training workshops, and attended several meetings. The visit cumulated with them attending a regular OSH Committee meeting on the 16<sup>th</sup> November 2012.

**Sentinel Chickens & Mosquito Borne Diseases**

The University of Western Australia's Sentinel Chicken Bleeding Program is continuing with monthly bleeding of chicken flocks. There were no new positives blood tests to report of for Murray Valley Encephalitis, Kunjin Virus or other flaviviruses from the round of testing up to 30<sup>th</sup> November 2012.

**Paltridge Memorial Swimming Pool**

	<b><u>2012</u></b>	<b><u>2011</u></b>	<b><u>2010</u></b>
<b>Pool Users</b>	5440	6664	5631

November 2012 at the pool was busier than normal with a number of private bookings for events such as Gymnastics Windup - 150 People, Anglican Social Event - 37 people, XYG Youth Group - 56 people and a SU Leavers booking - 100 Leavers and 40 supervisors.

Senior Aqua Fitness has started again and Aqua Zumba will be starting in the near future.

The pool's 5 year old Aqua Run has finally worn out, suffering some irreparable tears along the seams from just too many kids having too much fun on it. A separate report is provided to Council regarding the acquisition of a replacement Aqua Run.

There have also been some upgrades and new additions to the pool with the replacement of the diving board due to numerous cracks in the old one and a mobile 1.5m high basketball hoop & backboard for the edge of the pool; the latter is proving to be very popular with the town's youth.

**Dive-In Movies**

The first Dive-In Movies for the season was held on the 17<sup>th</sup> of November 2012 with 54 people attending which wasn't a bad turn out considering the water temperature was still quite cool.

The Dive-In Movies are averaging between 50-60 patrons for each screening which is just over what is required to break even on the night.

The next movie screened will be `Rio` which will be shown on the evening of the 22<sup>nd</sup> of December 2012.

**Festive Season Pool Hours Summary**

The pool will be closed on Christmas day and there will be no early morning swimming between Christmas Day and New Year's Day. All other pool hours will remain the same throughout the Christmas-New Year period.

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

Nil

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

## **STRATEGIC IMPLICATIONS**

### Environment

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

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

### Social

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

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

### Civic Leadership

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

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

## **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER'S RECOMMENDATION – 10.5.1**

*That the Council of the Shire of Exmouth receive the Executive Manager Health & Building Report for the month of December 2012.*

### **COUNCIL DECISION – 13-1212 – 10.5.1**

Moved Councillor Fitzgerald, Seconded Councillor Hood.

*That the Council of the Shire of Exmouth receive the Executive Manager Health & Building Report for the month of December 2012.*

**CARRIED 5/0**

**10. REPORTS OF OFFICERS****10.5 Executive Manager Health & Building****10.5.2 Unbudgeted Expenditure – Replacement Aqua Run**

Location: Exmouth  
 Applicant: R M Manning  
 File Reference: CP.AD.1  
 Disclosure of Interest: Nil  
 Date: 11 December 2012  
 Author: Executive Manager Health & Building, R M Manning

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

**SUMMARY**

This report recommends that the Council of the Shire of Exmouth approve unbudgeted expenditure of approximately \$12,000 for the purchase of a replacement Aqua Run for the Partridge Memorial Swimming Pool. The purchase being funded by a \$10,000 donation to the Paltridge Memorial Swimming Pool and associated infrastructure and the balance by a transfer of funds from interest earned on the Community Development Fund Reserve account.

**BACKGROUND**

The Aqua Run at the Paltridge Memorial Swimming Pool (the Pool) has suffered some irreparable damage along seams. The Aqua Run was five years old which was about one year over the normal life expectancy for this type of infrastructure.

Council officers were in the process of identifying an appropriate grant scheme that could provide a fast turnaround to ensure a new Aqua Run could be landed in Exmouth and operation before the 2013 Australia Day Celebrations at the pool when the ladies from Mrs Mac's Shed approached the Swimming Pool Manager (Josh Koontz) offering \$5,000 to the Shire towards the Paltridge Memorial Swimming Pool and associated infrastructure.

**COMMENT**

The initial response by Council officers to the Mrs Mac's ladies was the Shire wouldn't feel right accepting funds from Mrs Mac's when there may be other clubs or community groups that could benefit from the funding. In addition to the above, the ladies were advised that as the replacement Aqua Run would cost over \$10,000 the Shire would still need to find another grant source so we may as well get all the funds from another source. To which the ladies responded with an offer of \$10,000 towards Paltridge Memorial Swimming Pool and associated infrastructure. It would please them no end to see something physical and tangible that the kids of Exmouth would have hours and hours of fun (and exercise) on and the ladies could be proud knowing their hard work and funds made it possible.

Owing to the above and not wanting to disappoint the ladies from Mrs Mac's Council Officers recently accepted a cheque for \$10,000 from Mrs Mac's Shed toward Paltridge Memorial Pool and associated infrastructure.

Josh and the Environmental Health team discussed what to do with the \$10,000 and it seemed fitting to put it towards a replacement Aqua Run and for the Shire to find the balance of funds to make this acquisition.

Josh has been in contact with the main company that designs and constructs this type of apparatus for the Australia/NZ region and he has come up with a great design (Refer to **Attachment 2**). The proposed new Aqua Run complies with the new requirements of the Health (Aquatic Facilities) Regulations, is about 2m longer than the old one and offers a challenging circuit suitable for young children and the bigger kids. An allowance has been made in the cost of the Aqua Run to have Mrs Mac's Shed stencilled on the side of the

Aqua Run in acknowledgement of their generous contribution towards the Paltridge Memorial Swimming Pool and associated infrastructure that made it possible for Council Officers to purchase the replacement Aqua Run.

The plan is to have the launch of the new Aqua Run on Australia Day 2013 and offer a big thank you to the ladies from Mrs Mac's at this event.

**CONSULTATION**

Nil.

**STATUTORY ENVIRONMENT**

Nil

**POLICY IMPLICATIONS**

Policy 2.10 Purchasing Policy

**FINANCIAL IMPLICATIONS**

The quote for the replacement Aqua Run plus accessories is \$10,050 (excl. GST). Including freight from NZ to Exmouth the final amount is expected to be approximately \$12,000 (excl. GST). Council Officers intend to use the \$10,000 donation from Mrs Mac's Shed towards the purchase of the replacement Aqua Run and request that the Council approve of the funds required for this purchase to be drawn from the interest earned on the Community Development Fund Reserve.

**STRATEGIC IMPLICATIONS**

Social

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

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

**VOTING REQUIREMENTS**

Absolute Majority

**OFFICER'S RECOMMENDATION – 10.5.2**

*That the Council of the Shire of Exmouth approve unbudgeted expenditure of approximately \$12,000 (final amount subject to cost of freight) for the acquisition of a replacement Aqua Run for the Paltridge Memorial Swimming Pool. The purchase being primarily funded by a donation of \$10,000 from Mrs Mac's Shed towards the Paltridge Memorial Swimming Pool and associated infrastructure and the balance to be funded by a transfer from interest earned on the Community Development Fund Reserve.*

**COUNCIL DECISION – 14-1212 – 10.5.2**

Moved Councillor Hood, Seconded Councillor Fitzgerald.

*That the Council of the Shire of Exmouth approve unbudgeted expenditure of approximately \$12,000 (final amount subject to cost of freight) for the acquisition of a replacement Aqua Run for the Paltridge Memorial Swimming Pool. The purchase being primarily funded by a donation of \$10,000 from Mrs Mac's Shed towards the Paltridge Memorial Swimming Pool and associated infrastructure and the balance to be funded by a transfer from interest earned on the Community Development Fund Reserve.*

**CARRIED by ABSOLUTE MAJORITY 5/0**



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

Location: Exmouth  
 Applicant: Nil  
 File Reference: LP.PL.0  
 Disclosure of Interest: Nil  
 Date: 9 December 2012  
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer:

Chief Executive Officer, Bill Price

**SUMMARY**

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

**BACKGROUND****Planning Applications and Approvals**

Below is a summary of planning applications and approvals up to 10 December 2012.

Applic No	Lodgement Date	Lot	Property Address	Description.	Decision	Date Determined
PA89/12	10/08/2012	977	10 Schmidt Way	Renovation & Additions	Awaiting information from application	
PA95/12	30/08/2012	122	12 Grenadier Street	Oversized Outbuilding	Awaiting information from application	
PA135/12	26/10/12	42	Cooyou Close	Single dwelling	Processing	
PA136/12	9/11/12	204	46 Cobia Close	Holiday Accommodation - New	Processing	
PA137/12	09/11/12	46	Cooyou Close	Holiday Accommodation -New	Neighbourhood consultation closes 21/12/12	
<b>PA141/12</b>	<b>14/11/12</b>	<b>414</b>	<b>48 Madaffari Drive</b>	<b>Jetty</b>	<b>December OCM</b>	
<b>PA143/12</b>	<b>13/11/12</b>	<b>317</b>	<b>Gnulli Court</b>	<b>Jetty</b>	<b>December OCM</b>	
PA144/12	15/11/12	169	30, Unit 25 Dugong Close	Holiday Accommodation - New	Neighbourhood consultation closes 21/12/12	
PA145/12	21/11/2012	169	30, Unit 7 Dugong Close	Holiday Accommodation -New	Neighbourhood consultation closes 13/12/12	
<b>PA146/12</b>	<b>20/11/12</b>	<b>404</b>	<b>22 Madaffari Drive</b>	<b>Holiday Accommodation - New</b>	<b>December OCM</b>	
PA147/12	30/11/12	3	23 Salmon Loop	Holiday Accommodation - New	Neighbourhood consultation closes 02/01/13	
PA148/12	27/11/12	404	<b>22 Madaffari Drive</b>	Decking	Neighbourhood consultation closes 24/12/12	
PA150/12	27/11/12	187	<b>25 Kennedy Street</b>	Holiday Accommodation - New	Neighbourhood consultation closes 02/01/13	
<b>PA151/12</b>	<b>04/12/12</b>	<b>1112</b>	<b>Site 222, 1 Nimitz Street</b>	<b>Outbuilding</b>	<b>Approved</b>	<b>06/12/12</b>
<b>PA152/12</b>	<b>06/12/12</b>	<b>360</b>	<b>7 Kestrel Place</b>	<b>Retaining Walls</b>	<b>Approved</b>	<b>10/12/12</b>
PA153/12	06/12/12	1094	10 Campbell Way	Holiday Accommodation – New	Neighbourhood consultation closes 02/01/13	
<b>PA154/12</b>	<b>14/11/12</b>	<b>359</b>	<b>Kestrel Place</b>	<b>Jetty</b>	<b>December OCM</b>	
<b>PA155/12</b>	<b>07/12/12</b>	<b>375</b>	<b>Corella Court</b>	<b>Jetty</b>	<b>December OCM</b>	

**BACKGROUND****COMMENT****Perth visit 19-24 November 2012**

The CEO and myself attended a 2 day conference in Perth on Aligning Regional & State Planning across WA. The conference was attended by different stakeholders and Councils from across WA. Whilst in Perth, two meetings were also held one with Department of Housing to further discuss the Lefroy Street Housing Project and the other one with Tourism WA to discuss the initiation of the new caravan park project.

**Northern Planning Fund- Local Planning Strategy & New Town Planning Scheme**

Council is advised that the Department of Planning are currently drafting the funding agreement for the Local Planning Strategy and Local Planning Scheme project. Tenders for the project will be advertised beginning January 2013 after the signing of the funding agreement (Refer to *Attachment 1*)

**Exmouth South Structure Plan**

The consultant preparing the Exmouth South Structure Plan submitted the draft plan. The draft Structure Plan is in two parts, one document (report and plans) and the Appendices as a separate document containing the Community Survey Report, MP Rogers Report and the summary matrix that compared the marine supply base site options.

It is requested that the Councillors and the Executive staff carefully review the Draft Structure Plan and supporting Structure Plan report and provide feedback and direction as to any modifications required prior to the document being in a format that can proceed to advertising. The draft plan will be advertised for public comments in February 2013. (Refer to *Attachment 2*).

**Approval of Lot 5000 Learmonth Street Subdivision**

The Western Australian Planning Commission has approved the subdivision of Lot 5000 Learmonth Street. The subdivision will yield a total of 23 lots. (Refer to *Attachment 3*).

**Draft Jetties, Boat Ramps and Waterways Local Law**

Council officers are continuing to review the submissions of the draft local law. Officers are researching and investigating different options in relation to these submissions to ensure consistency throughout the State but also ensure the health and safety of the waterways and its users. This draft local law will be presented to Council at the February Ordinary Council Meeting.

**Relocation of the Exmouth Waste Water Treatment Ponds**

Council is advised that Water Corporation has provided tangible dates for the implementation of the relocation of the Exmouth Waste Water Treatment ponds project. It is envisaged that the project will be completed by March 2016. (Refer to *Attachment 4*).

**Ranger Services**

A summary of the activities performed by Ranger Services during November 2012.

	<b>Dogs</b>	<b>Camping</b>	<b>Parking</b>	<b>Litter</b>	<b>Fire</b>	<b>Off road</b>	<b>Other</b>
Warning/caution	5	2	1	1	31	0	0
Infringement	2	5	1	0	0	0	0
Court	0	0	0	0	0	0	0
<b>October Total</b>	<b>7</b>	<b>7</b>	<b>1</b>	<b>1</b>	<b>31</b>	<b>0</b>	<b>0</b>
July-September Total	18	45	12	3	0	1	5
<b>2012-2013 Totals</b>	<b>25</b>	<b>52</b>	<b>13</b>	<b>4</b>	<b>31</b>	<b>1</b>	<b>5</b>

## **Emergency Services**

*Cyclone Season Preparations:* The Exmouth Local Emergency Management Committee Cyclone Booklet has been distributed out into the community for their information.

*Annual Cyclone Clean up:* The Ranger patrolled around town to inspect piles of waste which have been put out for collection by Council to ensure the community was complying with the guidelines issued out into the community. Those properties which were identified as non-compliant were approached and either an information leaflet was left or the resident was spoken to and provided with an information leaflet. The information leaflet that was left at the property, explained that they were non-compliant with the clean-up guidelines and advised them to ensure they comply otherwise waste will be left behind. This information leaflet also included the guidelines as advertised.

*Bush Fires:* On Sunday 25<sup>th</sup> November, a lightning strike started a bush fire which burnt for a total of 2 days approximately 60kms south of Exmouth. The fire burnt approximately 1200-1500ha and affected the Minilya-Exmouth Road enough to require the road to be closed for a few hours on Monday 26<sup>th</sup> November.

*Bush Fire Preparations:* A Building Protection Zone advisory letter was sent to a number of property owners within the district, including, but not limited to, the Department of Defense, the Department of Environment and Conservations, pastoralists and other property owners that are identified to be within high fire danger areas. This letter provided advice to those recipients as to how they can prepare themselves and their property against bush fires.

## **CONSULTATION**

Nil

## **STATUTORY ENVIRONMENT**

Planning and Development Act 2005

Shire of Exmouth Town Planning Scheme No 3.

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Nil

## **STRATEGIC IMPLICATIONS**

### Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

### Environment

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

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

### Social

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

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

### Civic Leadership

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

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

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION – 10.6.1**

*That the Council of the Shire of Exmouth receive the Executive Manager Town Planning Report for the month of December 2012*

**COUNCIL DECISION – 15-1212 – 10.6.1**

Moved Councillor Fitzgerald, Seconded Councillor Warren.

*That the Council of the Shire of Exmouth receive the Executive Manager Town Planning Report for the month of December 2012.*

**CARRIED 5/0**

## 10. REPORTS OF OFFICERS

### 10.6 Executive Manager Town Planning

#### 10.6.2 Final Adoption of Scheme Amendment 29

Location: Exmouth  
 Applicant: Shire of Exmouth  
 File Reference: LP.PL.2.29  
 Disclosure of Interest: Nil  
 Date: 26<sup>th</sup> November 2012  
 Author: Executive Manager Town Planning, Rhassel Mhasho  
 Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

#### SUMMARY

This report recommends that the Council of the Shire of Exmouth adopt Scheme Amendment 29 without modification and execute the Amendment in accordance with Section 22 of the Town Planning Regulations 1967. (Refer to *Attachment 5*).

#### BACKGROUND

In July 2012 Council resolved to adopt Scheme Amendment 29 to amend Local Planning Scheme No.3 for the purpose of initiating formal advertising pursuant to section 75 of the Planning and Development Act 2005. The Amendment seeks to:

1. Rezoning portion of Lot 847 Nimitz Street and portion of Lot 500 Reid Street, Exmouth, from 'Recreation and Open Space' to 'Residential Development'.
2. Amend the scheme map accordingly as depicted on the Scheme Amendment Map.

The amendment will facilitate the development of portion of Lot 847 Nimitz Street and portion of Lot 500 Reid Street for residential purposes, consistent with the Outline Development Plan (ODP) across the broader Nimitz Street land parcel. Reclassifying the land from Recreation and Open Space, as shown on the Scheme Map, to Residential Development will facilitate future residential development of the land.

#### COMMENT

Council advertised Scheme Amendment 29 for one week in the Northern Guardian and on community notice boards inviting public comment for a period of 42 days. Advertising began on the 3<sup>rd</sup> October 2012 and submissions were accepted on or before the 15<sup>th</sup> November 2012 and four submissions were received. The schedule of submission is shown below.

#### **Amendment No. 29 – Schedule of Submissions**

No	Submission From	Submission	Recommendation	
			Shire of Exmouth	WAPC
1	Main Roads PO Box 480 Carnarvon 6701	Main Roads has no objections, comments as proposal.	Noted	
2	Water Corporation PO Box 100 Leederville 6902	The Corporation has assessed the proposal and has no objections. Currently the area is not included in the water supply planning as residential use. A planning review is programmed 2013/2014. If the proponent wishes to seek advice on how this area is to be serviced prior to the review a formal request can be made.	Noted	

<p>3</p>	<p>Ken &amp; Kaye Warburton PO Box 527 Exmouth WA 6707</p>	<p>We object to the rezoning for the following reasons: The original plan allowed for Lot 847 -500 Reid St, area to be left as is, acting as a nature strip. This area Lot 500 has a grove of gum trees. These gum trees were planted by a long term resident who has since left Exmouth. The growth of these trees was carefully placed in a natural depression where storm water runs into and gathers creating a perfect environment for them to reach maturity. This in turn provides a top story which has encouraged the growth of indigenous shrubs to thrive. These in turn have provided an under story which has allowed grass to grow.  Both the shrubby bushes and grasses provide food and shelter for a variety of birds to inhabit. Finches, Budgies and Quails live and breed there. As the taller trees provide shelter for larger species, pigeons, doves etc, the smaller birds can also thrive.  Quails are ground dwellers and need the protection of the grasses for both food and shelter. The vegetation in this area provides seed for food for the species already mentioned. As the storm water fun off from Kennedy Street and Nimitz Street has always collected there I see no plan of dealing with this issue if this area is altered from how it is now.  Exmouth has a lot of dry times and to see some greenery along Reid St is aesthetically soothing tourists walk up from the Caravan Parks to photograph and enjoy this area also.</p>	<p>The remainder of land may be retained as public open space.  The existing natural depressions have been retained where possible to provide for drainage and storm water run-off.  An environmental report was completed by Coffey Environments as part of the Nimitz Street ODP application. The environmental report identified the vegetation condition ranged from 'poor' to 'very poor'. It advised that future development of the subject land is not likely to have a significant impact on any fauna identified. The environmental report is available for inspection.</p>	
<p>4</p>	<p>Julie Throne PO Box 1114 Exmouth 6707</p>	<p>I wish to register concern for the fragmentation and potential loss of quality of the Parks and Recreation area that will result from the proposed Scheme Amendment.  Removing the significant width of 'Green Corridor' that joins the current residential area to the southern Parks and Recreation zone and only offering smaller linear strips and patches of open space (obviously for drainage purposes) will greatly reduce the urban habitat and movement opportunity for local wildlife. The proposed small, thin patches of open space and reserve will also require a lot more maintenance due to increased weed encroachment and pedestrian access as opposed to larger areas of bush reserve which are relatively self-managed.  If the rezoning is successful I would encourage the planners to reassess the ODP to retain as much of the existing natural vegetation in a wide corridor as part of the Open Space requirements for the development, not just 'filling the gaps' of the map area to work around the housing. If kept on the eastern boundary, this will also keep the maximum buffer between the mixed use zone and new</p>	<p>The Outline Development Plan (ODP) for the Nimitz Street subdivision provides in excess of the Planning and Development Act requirement for 10% public open space.  The proposed parks are not fragmented they are connected to each other.  The environmental report submitted as part of the Nimitz Street ODP advised that future development of the subject land is not likely to have a significant impact on any fauna identified.  Vegetation on the eastern side of Reid Street provides a buffer to the mixed use zone reducing potential land use conflicts.</p>	

		<p>residential area to avoid potential conflicts once the housing is established. Surely that was the original purpose of the reserve (as well as for conservation?).</p> <p>I don't support removing areas of bush land because it provides flatter and easier access land for development when other areas could be a building priority due to a lack of significant or quality vegetation. If that is the main purpose for this rezoning then I don't support it (I have not seen any environmental surveys for the area).</p> <p>With the potential loss of the state protected Parks and Recreation Reserve, I appeal to WAPC, LandCorp and the Shire to consider providing Open Space above the minimum requirements for development to cater for an equal area of conservation land in the study area (preferably in the form of corridors) as well as the necessary drainage reserves and an active recreation area (with a public toilet and park equipment suitable for young children, as the existing park on that side of town is only suitable for bigger kids).</p> <p>Thank you for the opportunity to provide comment.</p>	<p>The environmental report prepared by Coffey Environments as part of the Nimitz Street ODP application identified there was no significant or quality vegetation in the area.</p> <p>The Outline Development Plan (ODP) for the Nimitz Street subdivision provides in excess of the Planning and Development Act requirement for 10% public open space.</p>	
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Based on these above discussion Council is recommended to adopt Scheme Amendment 29 without modification and execute the Amendment in accordance with section 22 of the *Town Planning Regulations 1967*.

**CONSULTATION**

Consultation was undertaken for 42 days in accordance with Section 15 of the *Town Planning Regulations 1967*.

**STATUTORY ENVIRONMENT**

Planning and Development Act 2005  
 Town Planning Regulations 1967  
 Shire of Exmouth Town Planning Scheme No. 3

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Environment

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

- Outcome 2.2: Our pristine natural environment and biodiversity will be understood, maintained and protected.

Social

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

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

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

Civic Leadership

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

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

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION – 10.6.2**

*That the Council of the Shire of Exmouth adopt Scheme Amendment 29 without modification and execute the Amendment in accordance with section 22 of the Town Planning Regulations 1967.*

**COUNCIL DECISION – 16-1212 – 10.6.2**

Moved Councillor Fitzgerald, Seconded Councillor Hood.

*That the Council of the Shire of Exmouth adopt Scheme Amendment 29 without modification and execute the Amendment in accordance with section 22 of the Town Planning Regulations 1967.*

**CARRIED 5/0**



## 10. REPORTS OF OFFICERS

### 10.6 Executive Manager Town Planning

#### 10.6.3 Scheme Amendment 30 - Amending of the Zoning Table

Location: Exmouth  
 Applicant: RPS Environment and Planning Pty Ltd  
 File Reference: LP.PL.2.30  
 Disclosure of Interest: Nil  
 Date: 26 November 2012  
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

#### **SUMMARY**

This report recommends that Council initiate Scheme Amendment 30 for the purpose of commencing public advertising. The Amendment seeks to change the permissibility of 'Motor Vehicle and Marine Sales' within the tourist zone from 'X' to 'IP' under the zoning table in Town Planning Scheme No.3. (Refer to **Attachment 6**).

#### **BACKGROUND**

A letter was sent from the Shire of Exmouth dated 17<sup>th</sup> August 2012 to the Exmouth Escape Resort following discussions, advising that the car hire business being undertaken as part of the resort operations is a use which is not permitted in the Tourist zone under the Town Planning Scheme No.3.

Exmouth Escape Resort wish to continue operating their car hire operations and seek a scheme amendment. The planning department have indicated their support for the scheme amendment within the tourist zone as the amendment will provide opportunities across all tourist zoned land to provide guests with car hire services which are complementary to tourism functions.

#### **COMMENT**

Scheme amendments are controlled by the Planning and Development Act 2005 and the Town Planning Regulations 1967. These statutory documents outline the processes to be undertaken in scheme amendments whilst Town Planning Scheme No 3 can be used to provide guidance on the assessment of this amendment.

It should be noted that only the Council can initiate an amendment, with final approval being granted by the Minister for Planning having regard to advice from the Western Australian Planning Commission.

#### **Amending the permissibility of 'Motor Vehicle and Marine Sales' within the Tourist zone from 'X' to 'IP' under the zoning table in Town Planning Scheme No.3**

Council is requested to support the amendment of the permissibility of 'Motor Vehicle and Marine Sales' within the tourist precinct. Currently Town Planning Scheme No 3 does not permit 'Motor Vehicle and Marine Sales' within the tourist precinct and is classified as an 'X' use. The scheme defines 'Motor Vehicle and Marine Sales' means any land or buildings used for the display and sale or hire of new or second hand motorcycles, cars, trucks, caravans, and boats or any one or more of them and may include the servicing of motor vehicles sold from the site. The request for a scheme amendment has come from car hire operations within the tourist precinct.

Scheme Amendment 30 proposes to amend the zoning table in Town Planning Scheme No.3 to classify 'Motor Vehicle and Marine Sales' in the tourist zone an 'IP' use meaning that the use is not permitted unless such use is incidental to the predominant use as decided and approved by Council. It is recommended that Council supports this scheme amendment as it will provide opportunity for all tourist zoned land to provide guests with car hire services.

### **CONSULTATION**

All amendments are required to be referred to the Environmental Protection Authority for advice on whether any environmental assessment is required. The amendment will be formally advertised for a minimum of 42 days once EPA advice is received.

### **STATUTORY ENVIRONMENT**

Planning and Development Act 2005  
Town Planning Scheme No.3  
Town Planning Regulations 1967

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

Nil

### **STRATEGIC IMPLICATIONS**

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Social

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

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

Civic Leadership

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

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

### **VOTING REQUIREMENTS**

Simple Majority

<b>OFFICER'S RECOMMENDATION – 10.6.3</b>
--

*That the Council of the Shire of Exmouth:*

1. *Adopt Amendment 30 to Local Planning Scheme No. 3 for the purpose of initiating formal advertising pursuant to Section 75 of the Planning and Development Act 2005 for the purposes of:*

*Amending the zoning table by changing 'Motor Vehicle and Marine Sales' from 'X' to an incidental use 'IP' in the tourist zone.*

2. *Refer the proposed Amendment No.30 to the Environmental Protection Authority and on receipt of EPA advice, proceed to formally advertise the amendment for a minimum of 42 days; and*
3. *Council to reconsider Scheme Amendment 30 in light of any submissions received following the advertising process.*

**COUNCIL DECISION – 17-1212 – 10.6.3**

Moved Councillor Warren, Seconded Councillor Hood.

*That the Council of the Shire of Exmouth:*

1. *Adopt Amendment 30 to Local Planning Scheme No. 3 for the purpose of initiating formal advertising pursuant to Section 75 of the Planning and Development Act 2005 for the purposes of:  
  
Amending the zoning table by changing 'Motor Vehicle and Marine Sales' from 'X' to an incidental use 'IP' in the tourist zone.*
2. *Refer the proposed Amendment No.30 to the Environmental Protection Authority and on receipt of EPA advice, proceed to formally advertise the amendment for a minimum of 42 days; and*
3. *Council to reconsider Scheme Amendment 30 in light of any submissions received following the advertising process.*

**CARRIED 5/0**

## 10. REPORTS OF OFFICERS

### 10.6 Executive Manager Town Planning

#### 10.6.4 Canal Jetty Adjacent to Lot 317 (23) Gnulli Court Exmouth

Location	Lot 317 (23) Gnulli Court, Exmouth
Applicant:	Luke Wyllie
File Reference:	A1431
Disclosure of Interest:	Nil
Date:	15 November 2012
Author:	Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer:

Chief Executive Officer, Bill Price

#### **SUMMARY**

This report recommends Council grant conditional planning approval for the development of a jetty and mooring posts adjacent to Lot 317 (23) Gnulli Court in the Exmouth Marina Village precinct A. (Refer to *Attachment 7*).

#### **BACKGROUND**

The applicant proposes to construct a jetty adjacent to Lot 317 (23) Gnulli Court, Exmouth.

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

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

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

#### **PROPOSAL**

- Jetty protruding 11.09m into the canal from the canal wall
- Jetty located in the centre of the jetty envelope
- Floating pontoon with two mooring posts

#### **COMMENT**

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

#### **ISSUES**

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

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

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

Council officers recommend that the Shire of Exmouth grant conditional planning approval.

### **CONSULTATION**

Department of Transport

### **STATUTORY ENVIRONMENT**

Town Planning Scheme No.3 and the following statutory policies adopted by Council under Part 9.6 of that Scheme:-

- Exmouth Marina Village Outline Development Plan;
- Exmouth Marina Village Superlot A Design Guidelines;
- Exmouth Floodplain Management Strategy 07; and
- Exmouth Marina Village Canal Boat Mooring Management Plan and Standard Operating Procedures (BMMP & SOP’s).

### **POLICY IMPLICATIONS**

Policy 6.34: Exmouth Marina Village Canal Boat Mooring Management Plan and Standard Operating Procedures.

### **FINANCIAL IMPLICATIONS**

Nil

### **STRATEGIC IMPLICATIONS**

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Environment

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

Civic Leadership

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

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

### **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER’S RECOMMENDATION – 10.6.4**

*That the Council of the Shire of Exmouth grant conditional planning approval for a jetty and mooring posts adjacent to Lot 317 (23) Gnulli Court, Exmouth subject to the following conditions:*

1. *The development being carried out in accordance with the Design Guidelines for the Exmouth Marina Village Precinct ‘A’ to the satisfaction of Council Officers;*
2. *The development being carried out generally in accordance with the Shire of Exmouth Town Planning Scheme No. 3 and the amended approved plans (PA143/12) to the satisfaction of Council Officers;*

3. *The boat mooring and jetty being constructed wholly within the jetty and mooring envelopes for the subject lot;*
4. *No boat is permitted to be moored in a manner that allows any part of the boat to extend outside the approved mooring envelope, being 13.8m from the canal setout line;*
5. *The jetty structure not putting a horizontal surcharge load on the canal wall;*
6. *Mooring piles and associated envelope areas not being roofed or having structures built on, around, adjacent to, or within the approved jetty area;*
7. *All structures being constructed to approved engineering standards, and in accordance with plans and specifications to the satisfaction of the Department of Transport – Coastal Facilities Branch;*
8. *The obtaining of all relevant licenses and permits (including a jetty license) from the Department of Transport, prior to obtaining a building permit from Council;*
9. *All proposed jetty designs are to be approved by the Department of Transport - Coastal Facilities Branch, with engineering plans and detail being in accordance with the Exmouth Marina Village Canal Boat Mooring Management Plan; and*
10. *The approval granted is valid up to two (2) years from the date of this approval. Should the use approved not substantially commence within this time, the approval will lapse.*

**FOOTNOTES**

- i) *Prior to any construction, the applicant being required to obtain a building permits approval from the Shire of Exmouth.*
- ii) *Enclosed is a copy of the Exmouth Marina Village Canal Boat Mooring Management Plan and Standard Operating Procedures.*
- iii) *The maximum powerboat permissible is 15 metres in length in accordance with the Canal Boat Mooring Management Plan.*
- iv) *The maximum sail boat permissible is 10 metres in length in accordance with the Canal Boat Mooring Management Plan.*
- v) *The mooring of boats shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.*
- vi) *The maximum number of vessels that can be moored at any time is one (1);*
- vii) *Council Officers may enter uninvited onto your property, including your vessel or jetty provided the provisions of the Local Government Act are adhered to.*
- viii) *The approval granted is not to be construed as approval granted under The Building Act 2011, Building Regulations 2012 or any other relevant statutory approval.*
- ix) *An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005.*

**COUNCIL DECISION – 18-1212 – 10.6.4**

Moved Councillor Fitzgerald, Seconded Councillor Warren.

*That the Council of the Shire of Exmouth grant conditional planning approval for a jetty and mooring posts adjacent to Lot 317 (23) Gnulli Court, Exmouth subject to the following conditions:*

1. *The development being carried out in accordance with the Design Guidelines for the Exmouth Marina Village Precinct ‘A’ to the satisfaction of Council Officers;*
2. *The development being carried out generally in accordance with the Shire of Exmouth Town Planning Scheme No. 3 and the amended approved plans (PA143/12) to the satisfaction of Council Officers;*
3. *The boat mooring and jetty being constructed wholly within the jetty and mooring envelopes for the subject lot;*

4. *No boat is permitted to be moored in a manner that allows any part of the boat to extend outside the approved mooring envelope, being 13.8m from the canal setout line;*
5. *The jetty structure not putting a horizontal surcharge load on the canal wall;*
6. *Mooring piles and associated envelope areas not being roofed or having structures built on, around, adjacent to, or within the approved jetty area;*
7. *All structures being constructed to approved engineering standards, and in accordance with plans and specifications to the satisfaction of the Department of Transport – Coastal Facilities Branch;*
8. *The obtaining of all relevant licenses and permits (including a jetty license) from the Department of Transport, prior to obtaining a building permit from Council;*
9. *All proposed jetty designs are to be approved by the Department of Transport - Coastal Facilities Branch, with engineering plans and detail being in accordance with the Exmouth Marina Village Canal Boat Mooring Management Plan; and*
10. *The approval granted is valid up to two (2) years from the date of this approval. Should the use approved not substantially commence within this time, the approval will lapse.*

#### **FOOTNOTES**

- i) *Prior to any construction, the applicant being required to obtain a building permits approval from the Shire of Exmouth.*
- ii) *Enclosed is a copy of the Exmouth Marina Village Canal Boat Mooring Management Plan and Standard Operating Procedures.*
- iii) *The maximum powerboat permissible is 15 metres in length in accordance with the Canal Boat Mooring Management Plan.*
- iv) *The maximum sail boat permissible is 10 metres in length in accordance with the Canal Boat Mooring Management Plan.*
- v) *The mooring of boats shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.*
- vi) *The maximum number of vessels that can be moored at any time is one (1);*
- vii) *Council Officers may enter uninvited onto your property, including your vessel or jetty provided the provisions of the Local Government Act are adhered to.*
- viii) *The approval granted is not to be construed as approval granted under The Building Act 2011, Building Regulations 2012 or any other relevant statutory approval.*
- ix) *An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005.*

**CARRIED 5/0**

## 10. REPORTS OF OFFICERS

### 10.6 Executive Manager Town Planning

#### 10.6.5 Canal Jetty Adjacent to Lot 359 (9) Kestrel Place Exmouth

Location:	Lot 359 (9) Kestrel Place Exmouth
Applicant:	Brad Spiers
File Reference:	A1492
Disclosure of Interest:	Nil
Date:	15 November 2012
Author:	Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer:

Chief Executive Officer, Bill Price

#### **SUMMARY**

This report recommends Council under grant conditional planning approval for the development of a jetty and mooring posts adjacent to Lot 359 (9) Kestrel Place in the Exmouth Marina Village precinct A. (Refer to *Attachment 8*).

#### **BACKGROUND**

The applicant proposes to construct a jetty adjacent to Lot 359 (9) Kestrel Place, Exmouth.

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

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

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

#### **PROPOSAL**

- Jetty protruding 11.09m into the canal from the canal wall
- Jetty located in the centre of the jetty envelope
- Floating pontoon with two mooring posts

#### **COMMENT**

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

#### **ISSUES**

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



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

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

Council Officers recommend that the Shire of Exmouth grant conditional planning approval.

### **CONSULTATION**

Department of Transport

### **STATUTORY ENVIRONMENT**

Town Planning Scheme No.3 and the following statutory policies adopted by Council under Part 9.6 of that Scheme:-

- Exmouth Marina Village Outline Development Plan;
- Exmouth Marina Village Superlot A Design Guidelines;
- Exmouth Floodplain Management Strategy 07; and
- Exmouth Marina Village Canal Boat Mooring Management Plan and Standard Operating Procedures (BMMP & SOP's).

### **POLICY IMPLICATIONS**

Policy 6.34: Exmouth Marina Village Canal Boat Mooring Management Plan and Standard Operating Procedures.

### **FINANCIAL IMPLICATIONS**

Nil

### **STRATEGIC IMPLICATIONS**

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Environment

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

Civic Leadership

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

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

### **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER'S RECOMMENDATION – 10.6.5**

*That the Council of the Shire of Exmouth grant conditional planning approval for a jetty and mooring posts adjacent to Lot 359 (9) Kestrel Place, Exmouth subject to the following conditions:-*

- 1. The development being carried out in accordance with the Design Guidelines for the Exmouth Marina Village Precinct ‘A’ to the satisfaction of Council Officers;*
- 2. The development being carried out generally in accordance with the Shire of Exmouth Town Planning Scheme No. 3 and the amended approved plans (PA142/12) to the satisfaction of Council Officers;*
- 3. The boat mooring and jetty being constructed wholly within the jetty and mooring envelopes for the subject lot;*

4. *No boat is permitted to be moored in a manner that allows any part of the boat to extend outside the approved mooring envelope, being 13.8m to 14m from the canal setout line;*
5. *The jetty structure not putting a horizontal surcharge load on the canal wall;*
6. *Mooring piles and associated envelope areas not being roofed or having structures built on, around, adjacent to, or within the approved jetty area;*
7. *All structures being constructed to approved engineering standards, and in accordance with plans and specifications to the satisfaction of the Department of Transport – Coastal Facilities Branch;*
8. *The obtaining of all relevant licenses and permits (including a jetty license) from the Department of Transport, prior to obtaining a building permit from Council;*
9. *All proposed jetty designs are to be approved by the Department of Transport - Coastal Facilities Branch, with engineering plans and detail being in accordance with the Exmouth Marina Village Canal Boat Mooring Management Plan; and*
10. *The approval granted is valid up to two (2) years from the date of this approval. Should the use approved not substantially commence within this time, the approval will lapse;*

#### FOOTNOTES

- i) *Prior to any construction, the applicant being required to obtain a building permits approval from the Shire of Exmouth.*
- ii) *Enclosed is a copy of the Exmouth Marina Village Canal Boat Mooring Management Plan and Standard Operating Procedures.*
- iii) *The maximum powerboat permissible is 15 metres in length in accordance with the Canal Boat Mooring Management Plan.*
- iv) *The maximum sail boat permissible is 10 metres in length in accordance with the Canal Boat Mooring Management Plan.*
- v) *The mooring of boats shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.*
- vi) *The maximum number of vessels that can be moored at any time is one (1);*
- vii) *Council Officers may enter uninvited onto your property, including your vessel or jetty provided the provisions of the Local Government Act are adhered to.*
- viii) *The approval granted is not to be construed as approval granted under The Building Act 2011, Building Regulations 2012 or any other relevant statutory approval.*
- ix) *An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005.*

<b>COUNCIL DECISION – 19-1212 – 10.6.5</b>
--

Moved Councillor Fitzgerald, Seconded Councillor Warren.

***That the Council of the Shire of Exmouth grant conditional planning approval for a jetty and mooring posts adjacent to Lot 359 (9) Kestrel Place, Exmouth subject to the following conditions:-***

1. ***The development being carried out in accordance with the Design Guidelines for the Exmouth Marina Village Precinct ‘A’ to the satisfaction of Council Officers;***
2. ***The development being carried out generally in accordance with the Shire of Exmouth Town Planning Scheme No. 3 and the amended approved plans (PA142/12) to the satisfaction of Council Officers;***
3. ***The boat mooring and jetty being constructed wholly within the jetty and mooring envelopes for the subject lot;***
4. ***No boat is permitted to be moored in a manner that allows any part of the boat to extend outside the approved mooring envelope, being 13.8m to 14m from the canal setout line;***

5. *The jetty structure not putting a horizontal surcharge load on the canal wall;*
6. *Mooring piles and associated envelope areas not being roofed or having structures built on, around, adjacent to, or within the approved jetty area;*
7. *All structures being constructed to approved engineering standards, and in accordance with plans and specifications to the satisfaction of the Department of Transport – Coastal Facilities Branch;*
8. *The obtaining of all relevant licenses and permits (including a jetty license) from the Department of Transport, prior to obtaining a building permit from Council;*
9. *All proposed jetty designs are to be approved by the Department of Transport - Coastal Facilities Branch, with engineering plans and detail being in accordance with the Exmouth Marina Village Canal Boat Mooring Management Plan; and*
10. *The approval granted is valid up to two (2) years from the date of this approval. Should the use approved not substantially commence within this time, the approval will lapse.*

**FOOTNOTES**

- i) *Prior to any construction, the applicant being required to obtain a building permits approval from the Shire of Exmouth.*
- ii) *Enclosed is a copy of the Exmouth Marina Village Canal Boat Mooring Management Plan and Standard Operating Procedures.*
- iii) *The maximum powerboat permissible is 15 metres in length in accordance with the Canal Boat Mooring Management Plan.*
- iv) *The maximum sail boat permissible is 10 metres in length in accordance with the Canal Boat Mooring Management Plan.*
- v) *The mooring of boats shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.*
- vi) *The maximum number of vessels that can be moored at any time is one (1);*
- vii) *Council Officers may enter uninvited onto your property, including your vessel or jetty provided the provisions of the Local Government Act are adhered to.*
- viii) *The approval granted is not to be construed as approval granted under The Building Act 2011, Building Regulations 2012 or any other relevant statutory approval.*
- ix) *An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005.*

**CARRIED 5/0**

## 10. REPORTS OF OFFICERS

### 10.6 Executive Manager Town Planning

#### 10.6.6 Canal Jetty Adjacent to Lot 414 (48) Madaffari Drive Exmouth

Location: Lot 414 (48) Madaffari Drive Exmouth  
 Applicant: Dean Robert Tait  
 File Reference: A1543  
 Disclosure of Interest: Nil  
 Date: 15 November 2012  
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

#### **SUMMARY**

This report recommends Council under grant conditional planning approval for the development of a jetty and mooring posts adjacent to lot 414 (48) Madaffari Drive in the Exmouth Marina Village precinct A. (Refer to *Attachment 9*).

#### **BACKGROUND**

The applicant proposes to construct a jetty and mooring posts adjacent to Lot 414 (48) Madaffari Drive, Exmouth.

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

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

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

#### **PROPOSAL**

- Jetty protruding 11.09m into the canal from the canal wall
- Jetty located in the centre of the jetty envelope
- Floating pontoon with two mooring posts

#### **COMMENT**

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

#### **ISSUES**

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

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

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

Council Officers recommend that the Shire of Exmouth grant conditional planning approval.

### **CONSULTATION**

Department of Transport

### **STATUTORY ENVIRONMENT**

Town Planning Scheme No.3 and the following statutory policies adopted by Council under Part 9.6 of that Scheme:-

- Exmouth Marina Village Outline Development Plan;
- Exmouth Marina Village Superlot A Design Guidelines;
- Exmouth Floodplain Management Strategy; and
- Exmouth Marina Village Canal Boat Mooring Management Plan and Standard Operating Procedures (BMMP & SOP's).

### **POLICY IMPLICATIONS**

Policy 6.34: Exmouth Marina Village Canal Boat Mooring Management Plan and Standard Operating Procedures.

### **FINANCIAL IMPLICATIONS**

Nil

### **STRATEGIC IMPLICATIONS**

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Environment

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

Civic Leadership

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

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

### **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER'S RECOMMENDATION – 10.6.6**

*That the Council of the Shire of Exmouth grant conditional planning approval for a jetty and mooring posts adjacent to Lot 414 (48) Madaffari Drive, Exmouth subject to the following conditions:-*

1. *The development being carried out in accordance with the Design Guidelines for the Exmouth Marina Village Precinct 'A' to the satisfaction of Council Officers;*
2. *The development being carried out generally in accordance with the Shire of Exmouth Town Planning Scheme No. 3 and the amended approved plans (PA141/12) to the satisfaction of Council Officers;*
3. *The boat mooring and jetty being constructed wholly within the jetty and mooring envelopes for the subject lot;*

4. *No boat is permitted to be moored in a manner that allows any part of the boat to extend outside the approved mooring envelope, being 13.9m from the canal setout line;*
5. *The jetty structure not putting a horizontal surcharge load on the canal wall;*
6. *Mooring piles and associated envelope areas not being roofed or having structures built on, around, adjacent to, or within the approved jetty area;*
7. *All structures being constructed to approved engineering standards, and in accordance with plans and specifications to the satisfaction of the Department of Transport – Coastal Facilities Branch;*
8. *The obtaining of all relevant licenses and permits (including a jetty license) from the Department of Transport, prior to obtaining a building permit from Council;*
9. *All proposed jetty designs are to be approved by the Department of Transport - Coastal Facilities Branch, with engineering plans and detail being in accordance with the Exmouth Marina Village Canal Boat Mooring Management Plan; and*
10. *The approval granted is valid up to two (2) years from the date of this approval. Should the use approved not substantially commence within this time, the approval will lapse.*

#### FOOTNOTES

- i) *Prior to any construction, the applicant being required to obtain a building permits approval from the Shire of Exmouth.*
- ii) *Enclosed is a copy of the Exmouth Marina Village Canal Boat Mooring Management Plan and Standard Operating Procedures.*
- iii) *The maximum powerboat permissible is 13 metres in length in accordance with the Canal Boat Mooring Management Plan.*
- iv) *The maximum sail boat permissible is 10m in length in accordance with the Canal Boat Mooring Management Plan.*
- v) *The mooring of boats shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.*
- vi) *The maximum number of vessels that can be moored at any time is one (1);*
- vii) *Council Officers may enter uninvited onto your property, including your vessel or jetty provided the provisions of the Local Government Act are adhered to.*
- viii) *The approval granted is not to be construed as approval granted under The Building Act 2011, Building Regulations 2012 or any other relevant statutory approval.*
- ix) *An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005.*

<b>COUNCIL DECISION – 20-1212 – 10.6.6</b>
--

Moved Councillor Fitzgerald, Seconded Councillor Warren.

***That the Council of the Shire of Exmouth grant conditional planning approval for a jetty and mooring posts adjacent to Lot 414 (48) Madaffari Drive, Exmouth subject to the following conditions:-***

1. ***The development being carried out in accordance with the Design Guidelines for the Exmouth Marina Village Precinct 'A' to the satisfaction of Council Officers;***
2. ***The development being carried out generally in accordance with the Shire of Exmouth Town Planning Scheme No. 3 and the amended approved plans (PA141/12) to the satisfaction of Council Officers;***
3. ***The boat mooring and jetty being constructed wholly within the jetty and mooring envelopes for the subject lot;***
4. ***No boat is permitted to be moored in a manner that allows any part of the boat to extend outside the approved mooring envelope, being 13.9m from the canal setout line;***
5. ***The jetty structure not putting a horizontal surcharge load on the canal wall;***

6. *Mooring piles and associated envelope areas not being roofed or having structures built on, around, adjacent to, or within the approved jetty area;*
7. *All structures being constructed to approved engineering standards, and in accordance with plans and specifications to the satisfaction of the Department of Transport – Coastal Facilities Branch;*
8. *The obtaining of all relevant licenses and permits (including a jetty license) from the Department of Transport, prior to obtaining a building permit from Council;*
9. *All proposed jetty designs are to be approved by the Department of Transport - Coastal Facilities Branch, with engineering plans and detail being in accordance with the Exmouth Marina Village Canal Boat Mooring Management Plan; and*
10. *The approval granted is valid up to two (2) years from the date of this approval. Should the use approved not substantially commence within this time, the approval will lapse.*

#### **FOOTNOTES**

- i) *Prior to any construction, the applicant being required to obtain a building permits approval from the Shire of Exmouth.*
- ii) *Enclosed is a copy of the Exmouth Marina Village Canal Boat Mooring Management Plan and Standard Operating Procedures.*
- iii) *The maximum powerboat permissible is 13 metres in length in accordance with the Canal Boat Mooring Management Plan.*
- iv) *The maximum sail boat permissible is 10m in length in accordance with the Canal Boat Mooring Management Plan.*
- v) *The mooring of boats shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.*
- vi) *The maximum number of vessels that can be moored at any time is one (1);*
- vii) *Council Officers may enter uninvited onto your property, including your vessel or jetty provided the provisions of the Local Government Act are adhered to.*
- viii) *The approval granted is not to be construed as approval granted under The Building Act 2011, Building Regulations 2012 or any other relevant statutory approval.*
- ix) *An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005.*

**CARRIED 5/0**

## 10. REPORTS OF OFFICERS

### 10.6 Executive Manager Town Planning

#### 10.6.7 Canal Jetty Adjacent to Lot 375 (22) Corella Court Exmouth

Location: Lot 375 (22) Corella Court, Exmouth  
 Applicant: Mark Hutchinson  
 File Reference: A1507  
 Disclosure of Interest: Nil  
 Date: 10 December 2012  
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

#### **SUMMARY**

This report recommends Council grant conditional planning approval for the development of a jetty and mooring posts adjacent to Lot 375 (22) Corella Court in the Exmouth Marina Village precinct A. (*Refer Attachment 10*).

#### **BACKGROUND**

The applicant proposes to construct a jetty adjacent to Lot 375 (22) Corella Court, Exmouth.

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

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

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

#### **PROPOSAL**

- Jetty protruding 11.09m into the canal from the canal wall
- Jetty located in the centre of the jetty envelope
- Floating pontoon with two mooring posts

#### **COMMENT**

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

#### **ISSUES**

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



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

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

Council Officers recommend that the Shire of Exmouth grant conditional planning approval.

### **CONSULTATION**

Department of Transport

### **STATUTORY ENVIRONMENT**

Town Planning Scheme No.3 and the following statutory policies adopted by Council under Part 9.6 of that Scheme:-

- Exmouth Marina Village Outline Development Plan;
- Exmouth Marina Village Superlot A Design Guidelines;
- Exmouth Floodplain Management Strategy 07; and
- Exmouth Marina Village Canal Boat Mooring Management Plan and Standard Operating Procedures (BMMP & SOP’s).

### **POLICY IMPLICATIONS**

Policy 6.34: Exmouth Marina Village Canal Boat Mooring Management Plan and Standard Operating Procedures.

### **FINANCIAL IMPLICATIONS**

Nil

### **STRATEGIC IMPLICATIONS**

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Environment

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

Civic Leadership

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

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

### **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER’S RECOMMENDATION – 10.6.7**

*That the Council of the Shire of Exmouth grant conditional planning approval for a jetty and mooring posts adjacent to Lot 375 (22) Corella Court, Exmouth subject to the following conditions:-*

- 1. The development being carried out in accordance with the Design Guidelines for the Exmouth Marina Village Precinct ‘A’ to the satisfaction of Council Officers;*
- 2. The development being carried out generally in accordance with the Shire of Exmouth Town Planning Scheme No. 3 and the amended approved plans (PA155/12) to the satisfaction of Council Officers;*
- 3. The boat mooring and jetty being constructed wholly within the jetty and mooring envelopes for the subject lot;*

4. *No boat is permitted to be moored in a manner that allows any part of the boat to extend outside the approved mooring envelope, being 13.8m from the canal setout line;*
5. *The jetty structure not putting a horizontal surcharge load on the canal wall;*
6. *Mooring piles and associated envelope areas not being roofed or having structures built on, around, adjacent to, or within the approved jetty area;*
7. *All structures being constructed to approved engineering standards, and in accordance with plans and specifications to the satisfaction of the Department of Transport – Coastal Facilities Branch;*
8. *The obtaining of all relevant licenses and permits (including a jetty license) from the Department of Transport, prior to obtaining a building permit from Council;*
9. *All proposed jetty designs are to be approved by the Department of Transport - Coastal Facilities Branch, with engineering plans and detail being in accordance with the Exmouth Marina Village Canal Boat Mooring Management Plan; and*
10. *The approval granted is valid up to two (2) years from the date of this approval. Should the use approved not substantially commence within this time, the approval will lapse.*

#### FOOTNOTES

- i) *Prior to any construction, the applicant being required to obtain a building permits approval from the Shire of Exmouth.*
- ii) *Enclosed is a copy of the Exmouth Marina Village Canal Boat Mooring Management Plan and Standard Operating Procedures.*
- iii) *The maximum powerboat permissible is 15 metres in length in accordance with the Canal Boat Mooring Management Plan.*
- iv) *The maximum sail boat permissible is 10 metres in length in accordance with the Canal Boat Mooring Management Plan.*
- v) *The mooring of boats shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.*
- vi) *The maximum number of vessels that can be moored at any time is one (1);*
- vii) *Council Officers may enter uninvited onto your property, including your vessel or jetty provided the provisions of the Local Government Act are adhered to.*
- viii) *The approval granted is not to be construed as approval granted under The Building Act 2011, Building Regulations 2012 or any other relevant statutory approval.*
- ix) *An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005.*

<b>COUNCIL DECISION – 21-1212 – 10.6.7</b>
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Moved Councillor Fitzgerald, Seconded Councillor Warren.

***That the Council of the Shire of Exmouth grant conditional planning approval for a jetty and mooring posts adjacent to Lot 375 (22) Corella Court, Exmouth subject to the following conditions:-***

1. ***The development being carried out in accordance with the Design Guidelines for the Exmouth Marina Village Precinct 'A' to the satisfaction of Council Officers;***
2. ***The development being carried out generally in accordance with the Shire of Exmouth Town Planning Scheme No. 3 and the amended approved plans (PA155/12) to the satisfaction of Council Officers;***
3. ***The boat mooring and jetty being constructed wholly within the jetty and mooring envelopes for the subject lot;***
4. ***No boat is permitted to be moored in a manner that allows any part of the boat to extend outside the approved mooring envelope, being 13.8m from the canal setout line;***
5. ***The jetty structure not putting a horizontal surcharge load on the canal wall;***

6. *Mooring piles and associated envelope areas not being roofed or having structures built on, around, adjacent to, or within the approved jetty area;*
7. *All structures being constructed to approved engineering standards, and in accordance with plans and specifications to the satisfaction of the Department of Transport – Coastal Facilities Branch;*
8. *The obtaining of all relevant licenses and permits (including a jetty license) from the Department of Transport, prior to obtaining a building permit from Council;*
9. *All proposed jetty designs are to be approved by the Department of Transport - Coastal Facilities Branch, with engineering plans and detail being in accordance with the Exmouth Marina Village Canal Boat Mooring Management Plan; and*
10. *The approval granted is valid up to two (2) years from the date of this approval. Should the use approved not substantially commence within this time, the approval will lapse.*

#### **FOOTNOTES**

- i) *Prior to any construction, the applicant being required to obtain a building permits approval from the Shire of Exmouth.*
- ii) *Enclosed is a copy of the Exmouth Marina Village Canal Boat Mooring Management Plan and Standard Operating Procedures.*
- iii) *The maximum powerboat permissible is 15 metres in length in accordance with the Canal Boat Mooring Management Plan.*
- iv) *The maximum sail boat permissible is 10 metres in length in accordance with the Canal Boat Mooring Management Plan.*
- v) *The mooring of boats shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.*
- vi) *The maximum number of vessels that can be moored at any time is one (1);*
- vii) *Council Officers may enter uninvited onto your property, including your vessel or jetty provided the provisions of the Local Government Act are adhered to.*
- viii) *The approval granted is not to be construed as approval granted under The Building Act 2011, Building Regulations 2012 or any other relevant statutory approval.*
- ix) *An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005.*

**CARRIED 5/0**

## 10. REPORTS OF OFFICERS

### 10.6 Executive Manager Town Planning

#### 10.6.8 Request for Removal of Grey Water Installation Requirement for the Grouped Housing Development upon Lot 190 (20) Snapper Loop, Exmouth

Location: Lot 190 (20) Snapper Loop, Exmouth  
 Applicant: Urban and Rural Perspectives  
 File Reference: A1686  
 Disclosure of Interest: Nil  
 Date: 4 December 2012  
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

#### **SUMMARY**

This report recommends that the Council of the Shire of Exmouth support amending planning and building approvals relating to Lot 190 (20) Snapper Loop, Exmouth deleting the requirement for the installation of grey water systems.

#### **BACKGROUND**

On 20 May 2010, Council granted conditional planning approval for a 15 unit grouped housing development upon Lot 190 (20) Snapper Loop. The application included proposed development plans. Sheets 2 and 3 of the development plans state “All dwellings to be connected to a grey water system which will be used to irrigate the landscaping areas. Any excess water to be discharged into the adjoining P.O.S”.

The application was assessed against Council policy 6.32 Skipjack Circle Estate Group Housing which was adopted by Council in May 2008. The requirement for a grey water system was mentioned in the planning assessment report and the assessing officer considered the proposal compliant. Therefore no condition was placed relating to the installation of grey water systems. Footnote (ii) of the assessment report approved by Council states:

*“The developer will have to lodge an application to construct or install an apparatus for the treatment of sewage. This will need to be completed and submitted to the shire of Exmouth health department to obtain approval to install the systems.”*

Planning approval had since lapsed and an application for a renewed approval was sought by Urban and Rural Perspectives (URP). The new assessment report prepared was the same as the previous application as no changes had been made to the proposed development. On 16 August 2012, Council granted renewed conditional planning approval for the 15 unit grouped housing development with the same conditions and advice notes previously approved by Council at its May 2010 meeting.

A letter has been received from URP requesting the removal for the requirement of grey water systems to be provided for 15 single storey grouped dwellings upon lot 190 (20) Snapper Loop (Refer to ***Attachment II***). The request states that the costs associated with the installation of grey water systems for a 15 unit grouped housing development are excessive and that there was no formal planning condition requiring the installation of grey water systems in Planning Approval given by Council in July 2012.

#### **COMMENT**

The applicants request for an amendment to planning and building approvals for the 15 unit grouped housing development can be considered against Council policy 6.32 Skipjack Circle Estate Group Housing Site Design Guidelines and the Exmouth District Water Management Strategy.

### Policy 6.32 Skipjack Circle Estate Group Housing Site Design Guidelines

Policy 6.32 applies specifically to the group housing site adjoining public open space and central to the Skipjack Circle Estate.

The objectives of the policy are:

- *To enhance the streetscape amenity*
- *To promote sustainable design elements into new housing*
- *To integrate the group housing site interface with the central park*

The proposed development generally complies with the requirements of policy 6.32 with the incorporation of sustainable design elements and integration with the existing park, however the applicant request Council to vary design requirement 10. *'The Development shall ensure that each dwelling shall have access to a grey water system for landscaping. Any surplus water may be discharged in the POS subject to Shire approval.'*

The application of design requirement 10 was meant to provide water to be used for gardens around the estate with any surplus water being discharged in the POS. Council is requested to vary the requirement due the large financial cost of the installation of grey water systems and, there is very little amount of land to be landscaped within the estate. The requirement is also inconsistent with the recently adopted Exmouth District Water Management Strategy.

### Exmouth District Water Management Strategy

The Exmouth District Water Management strategy has been prepared to accommodate the future expansion of the Exmouth townsite and provides guidance and management principles that will support future subdivision and development.

The objectives of the strategy are:

- *Provide a broad level stormwater management framework to support future development.*
- *Incorporate appropriate best management practices into the drainage systems that address the environmental and stormwater management issues identified.*
- *Minimise development construction costs, which will result in reduced land costs for future home owners.*
- *Minimise ongoing operation and maintenance costs for the land owners and Shire of Exmouth.*
- *Develop a water conservation strategy for the area that will accommodate existing groundwater allocation constraints for the area.*

In relation to grey water systems the strategy states that wastewater can be used for subsoil irrigation and in some other non-potable water uses. Grey water could be used on a development scale to conserve water.

Exmouth currently has a wastewater treatment facility with water utilised from non-potable sources for the irrigation of public open space around the townsite. Excess greywater supplied directly from individual lots should not be supported as this will affect the amount of waste water that is drained into the waste water treatment facility.

The management strategy does not mention grey water systems as a water management strategy rather a focus on retention of rainwater, use of water efficient appliances and water efficient gardens. Therefore it is recommended that the requirement for grey water systems be deleted from all planning and buildings approvals relating to Lot 190 Snapper Loop. Based on the above the installation of grey water systems at individual lots is recommended, but should be optional.

### CONSULTATION

Nil

### STATUTORY ENVIRONMENT

Shire of Exmouth Town Planning Scheme No.3

Planning and Development Act 2005

### POLICY IMPLICATIONS

Policy 6.32 Skipjack Circle Estate Group Housing Site Design Guidelines

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Civic Leadership

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

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

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION – 10.6.8**

*That the Council of the Shire of Exmouth support amending submitted planning and building approvals for Lot 190 (20) Snapper Loop, Exmouth deleting the requirement or any mention of the installation of grey water systems.*

**COUNCIL DECISION – 22-1212 – 10.6.8**

Moved Councillor Hood, Seconded Councillor Fitzgerald.

*That the Council of the Shire of Exmouth support amending submitted planning and building approvals for Lot 190 (20) Snapper Loop, Exmouth deleting the requirement or any mention of the installation of grey water systems.*

**CARRIED 5/0**

**10. REPORTS OF OFFICERS****10.6 Executive Manager Town Planning****10.6.9 Change of Use -Holiday Accommodation upon Lot 404 (22) Madaffari Drive, Exmouth**

Location: Lot 404 (22) Madaffari Drive, Exmouth  
 Applicant: Vivienne Seers  
 File Reference: A1533  
 Disclosure of Interest: Nil  
 Date: 5<sup>th</sup> December 2012  
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

**SUMMARY**

This report recommends that the Council of the Shire of Exmouth grant conditional planning approval for the use of holiday accommodation upon Lot 404 (22) Madaffari Drive, Exmouth. (Refer to **Attachment 12**).

**BACKGROUND**

The subject property is within the Marina A precinct under the Shire of Exmouth Town Planning Scheme No. 3 (Scheme). The applicant seeks Council's planning approval for the use of holiday accommodation upon the subject land.

Proposal summary:

- Maximum number of occupants: eight (8) persons. This includes no more than four (4) people over the age of 10.
- Maximum number of vehicles: 2 vehicles and 1 trailers (inc. boats on trailers)
- Property to be managed by Ningaloo Reef Holidays
- Tenant Code of Conduct and Management Statement for occupants
- Emergency escape plan for occupants

**COMMENT**

The Shire of Exmouth Town Planning Scheme No. 3 (Scheme) and Local Planning Policy No. 6.27: Holiday Accommodation (Policy 6.27) outlines the permissibility and development requirements for holiday accommodation use within the Marina zone.

Policy 6.27 objectives sought to:

- *Support a diverse accommodation base within the Shire;*
- *Provide an effective management framework and guide for the provision of holiday accommodation (other than within the Tourist zone) within the Shire;*
- *Ensure that a holiday accommodation establishment is maintained to a satisfactory standard and that its use is lawfully conducted;*
- *Ensure that all holiday accommodation accords with Town Planning Scheme No. 3 by undertaking community consultation with adjoining property owners and a formal decision being made by the Council where required;*
- *Ensure holiday accommodation does not compromise the amenity of the residential neighbourhood through appropriate planning approval conditions;*
- *Ensure that holiday accommodation establishments comply with the Building Code of Australia and Regulations and Health Act 1911.*

Generally the proposal conforms with the provisions of the Scheme and the objectives of Policy 6.27.

**Amenity**

Tenant Code of Conduct framework clearly outlines: minimal noise after 10pm, air conditioner use, no smoking, no pets, cyclone information, no outside fires, no fish cleaning, parking and occupancy requirements, bin collection and emergency contacts.

While sufficient, a condition shall be applied to ensure the use can be rescinded if, in the opinion of Council, any activities associated with the use affects amenity (enjoyment) or causes nuisance or annoyance to owners/occupiers of land in the vicinity.

### Number of Occupants

The number of allowable occupants is restricted by the ventilation requirements under the *Health Act 1911*, which defines the following:

- a. *For every person over the age of 10 years, there is to be a minimum of 14 cubic metres of air space per person; and*
- b. *For every person between the ages of 1 & 10 years, there is to be a minimum of 8 cubic metres of air space per person.*

Officers have calculated the permissible number of occupants per bedroom of the submitted floor layout as follows (Schedule 1):

#### **Schedule 1: Allowable Occupants: Lot 404 (22) Madaffari Drive, Exmouth**

Bedroom 1: Total floor space: 16m<sup>2</sup>, Approximate Air Space: 43.84m<sup>3</sup>  
Allowable occupants: 2 adults **OR** 2 adult and 2 child **OR** 1 adult and 3 children **OR** 5 children

Bedroom 2: Total floor space: 13.9m<sup>2</sup>, Approximate Air Space: 38m<sup>3</sup>  
Allowable occupants: 2 adult **OR** 2 adult and 1 child **OR** 1 adult and 3 children **OR** 4 children

Bedroom 3: Total floor space: 13.6m<sup>2</sup>, Approximate Air Space: 37.3m<sup>3</sup>  
Allowable occupants: 2 adult **OR** 2 adult and 1 child **OR** 1 adult and 2 children **OR** 4 children

Bedroom 4: Total floor space: 18m<sup>2</sup>, Approximate Air Space: 49.3m<sup>3</sup>  
Allowable occupants: 2 adult **OR** 2 adult and 2 child **OR** 1 adult and 4 children **OR** 6 children

\*Note: All persons over the age of 10 years require a minimum of 14 cubic metres of air space per person. Children aged up to 10 years require a minimum of 8 cubic metres of air space each. As such, the term 'adult' has been used for persons over the age of 10 years.

\*\*The air space is calculated with a 2.74m ceiling height.

### Occupancy Levels

The application states the maximum number of overnight occupants to be eight (8) persons, with no more than four (4) people over the age of 10.

The Shire's Holiday Accommodation Policy (6.27) allows up to 12 persons to be considered in a holiday home, which complies with the ventilation/overcrowding requirements of the *Health Act 1911*. Alternative combinations of adults and children can be accommodated as per Schedule 1 above.

In consideration of the above Schedule, the maximum number of overnight occupants is eight (8) persons, with no more than four (4) people over the age of 10.

Further, the maximum occupancy for each room shall be in accordance with the Shire of Exmouth Health Local Laws and Council Policy.

### Number of Vehicles

The property can accommodate a maximum of two (2) cars and one (1) boat (including trailers) on site. The Holiday Accommodation Policy (6.27) states that car parking shall be calculated on the basis of four persons per vehicle. Given the availability of parking at the front of the property, the number of vehicles and trailers (including boats on trailers) shall be restricted to 2 to 1 respectively.

### Access

Legal access is provided by one sealed crossover off Madaffari Drive and a double carport at the front of the property. The Scheme permits the use of the front setback areas for a means of access and daily parking of vehicles. However, Council may impose conditions concerning:-

- *the proportion of parking spaces to be roofed or covered*
- *the location of the parking spaces on-site and its effect on the amenity of adjoining properties*
- *the suitability and adequacy of proposed screening or landscaping*



**Management Statement and Code of Conduct**

The applicant has submitted a copy of the Tenant Code of Conduct and Fire Evacuation Plan. The documentation is considered sufficient to achieve the desired management framework. A condition shall be applied to ensure the occupancy numbers are written clearly to reflect the relevant Scheme provisions and approval by Council.

**Consultation Undertaken**

All holiday accommodation applications are required to be referred to adjoining owners and occupiers of land for comment on the proposal. Council must consider any submissions received during the advertising period.

Adjoining property owners were invited to comment on the proposal, with the consultation period closing Friday 14 December 2012. No comments were received from neighbours. A list of notified properties is tabled below:

Property	Response	Officers comments
Lot 403 Madaffari Drive	Nil	The proposed change of use is compatible within the precinct. A condition shall be applied to state that Council may vary or rescind its approval if there are any adverse effects on the local amenity, including the enjoyment of neighbouring properties in the vicinity, in accordance with Council Policy.
Lot 405 Madaffari Drive	Nil	

Council officers recommend Council grant planning approval for the use of holiday accommodation subject to conditions.

**CONSULTATION**

The application was referred to adjoining landowners and tenants for comment as per Clause 8.3.3 of Town Planning Scheme No. 3.

**STATUTORY ENVIRONMENT**

Planning and Development Act 2005  
Town Planning Scheme No. 3  
Health Act 1911

**POLICY IMPLICATIONS**

Holiday Accommodation 6.27

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Environment

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

Civic Leadership

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

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

**VOTING REQUIREMENTS**

Simple Majority

<b>OFFICER'S RECOMMENDATION – 10.6.9</b>
--

*That the Council of the Shire of Exmouth grant conditional planning approval for holiday accommodation upon Lot 404 (22) Madaffari Drive, Exmouth subject to the following conditions:-*

1. *Development to accord with the Shire of Exmouth Town Planning Scheme No.3, approved plans (PA146/12) and Local Planning Policy No. 6.27: Holiday Accommodation (as amended) to the satisfaction of Council officers;*
2. *The maximum number of overnight occupants allowed within the dwelling at the same time shall be eight (8) persons. This includes no more than four (4) persons over the age of ten at any one time. Furthermore, the maximum occupancy for each room shall be in accordance with the Shire of Exmouth Health Local Laws and Council Policy;*
3. *The maximum number of vehicles and trailers (including boats on trailers or camper trailers) that can be accommodated on the property shall be two (2) and one (1) respectively. The property does not include the Council road verge or adjoining/nearby vacant land. Potential occupants shall be advised of this prior to booking;*
4. *The property shall provide at least two (2) 240 litre rubbish bins prior to the use commencing;*
5. *The Tenants Code of Conduct shall be clearly displayed in the premises in accordance with Council Policy;*
6. *An emergency response plan (i.e. fire escape route maps etc) is required to be clearly displayed in a conspicuous location within the dwelling, plus:
 
  - *a fire extinguisher, in a clearly visible location (and marked on the emergency response plan), is to be maintained in proper working order; and*
  - *no fires are to be lit outside with the exception of a gas or electric barbeque.**
7. *The property is to be managed by a local caretaker/manager living and readily contactable within ten (10) minutes of the property;*
8. *If in the opinion of Council the approved use adversely affects the local amenity including the enjoyment of neighboring properties, or causes a nuisance to owners/occupiers of the land in the vicinity, or to persons or traffic using roads in the vicinity of the approved use, Council may vary or rescind its approval in accordance with Council Policy;*
9. *The property not being used for the use hereby granted until an inspection has been carried out by a Council officer and that officer is satisfied that the conditions of this approval hereby granted have been complied with; and*
10. *The approval is valid for a period of two (2) years. Upon this period lapsing, the re-application for approval shall be required should the property continue to be used for holiday accommodation.*

Advice

- i) *In regards to Condition (2) above, the number of persons per room shall accord with the following:
 
  - *For every person over the age of 10 years, there is to be a minimum of 14 cubic metres of air space per person; and*
  - *For every person between the ages of 1 & 10 years, there is to be a minimum of 8 cubic metres of air space per person.**

*Below is a Schedule of permitted number of occupants per room which identifies alternative combinations of guests – not to exceed a total of eight (8) persons. This includes no more than four (4) persons over the age of 10 at any one time. This Schedule shall be appropriately displayed in the house.*

**Schedule 1: Allowable Occupants: Lot 404 (22) Madaffari Drive, Exmouth**

Bedroom 1: Total floor space: 16<sup>2</sup>, Approximate Air Space: 43.84m<sup>3</sup>  
 Allowable occupants: 2 adults **OR** 2 adult and 2 child **OR** 1 adult and 3 children **OR** 5 children

Bedroom 2: Total floor space: 13.9 m<sup>2</sup>, Approximate Air Space: 38m<sup>3</sup>  
 Allowable occupants: 2 adult **OR** 2 adult and 1 child **OR** 1 adult and 3 children **OR** 4 children

Bedroom 3: Total floor space: 13.6m<sup>2</sup>, Approximate Air Space: 37.3m<sup>3</sup>  
 Allowable occupants: 2 adult **OR** 2 adult and 1 child **OR** 1 adult and 2 children **OR** 4 children

Bedroom 4: Total floor space: 18m<sup>2</sup>, Approximate Air Space: 49.3m<sup>3</sup>  
 Allowable occupants: 2 adult **OR** 2 adult and 2 child **OR** 1 adult and 4 children **OR** 6 children

\*Note: All persons over the age of 10 years require a minimum of 14 cubic metres of air space per person. Children aged up to 10 years require a minimum of 8 cubic metres of air space each. As such, the term 'adult' has been used for persons over the age of 10 years.

\*\*The air space is calculated with a 2.7m ceiling height.

- ii) *Should the holiday accommodation be viewed as a 'Lodging House' at any time under the Health Act 1911, a permit pursuant to the Shire of Exmouth Health Local Laws will be required. For further Information, please contact the Shire of Exmouth's Health Services on 9949 3000.*
- iii) *An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005.*

**COUNCIL DECISION – 23-1212 – 10.6.9**

Moved Councillor Fitzgerald, Seconded Councillor Warren.

*That the Council of the Shire of Exmouth grant conditional planning approval for holiday accommodation upon Lot 404 (22) Madaffari Drive, Exmouth subject to the following conditions:-*

1. *Development to accord with the Shire of Exmouth Town Planning Scheme No.3, approved plans (PA146/12) and Local Planning Policy No. 6.27: Holiday Accommodation (as amended) to the satisfaction of Council officers;*
2. *The maximum number of overnight occupants allowed within the dwelling at the same time shall be eight (8) persons. This includes no more than four (4) persons over the age of ten at any one time. Furthermore, the maximum occupancy for each room shall be in accordance with the Shire of Exmouth Health Local Laws and Council Policy;*
3. *The maximum number of vehicles and trailers (including boats on trailers or camper trailers) that can be accommodated on the property shall be two (2) and one (1) respectively. The property does not include the Council road verge or adjoining/nearby vacant land. Potential occupants shall be advised of this prior to booking;*
4. *The property shall provide at least two (2) 240 litre rubbish bins prior to the use commencing;*
5. *The Tenants Code of Conduct shall be clearly displayed in the premises in accordance with Council Policy;*
6. *An emergency response plan (i.e. fire escape route maps etc) is required to be clearly displayed in a conspicuous location within the dwelling, plus:*
  - *a fire extinguisher, in a clearly visible location (and marked on the emergency response plan), is to be maintained in proper working order; and*
  - *no fires are to be lit outside with the exception of a gas or electric barbeque.*
7. *The property is to be managed by a local caretaker/manager living and readily contactable within ten (10) minutes of the property;*
8. *If in the opinion of Council the approved use adversely affects the local amenity including the enjoyment of neighboring properties, or causes a nuisance to owners/occupiers of the land in the*

*vicinity, or to persons or traffic using roads in the vicinity of the approved use, Council may vary or rescind its approval in accordance with Council Policy;*

- 9. The property not being used for the use hereby granted until an inspection has been carried out by a Council officer and that officer is satisfied that the conditions of this approval hereby granted have been complied with; and*
- 10. The approval is valid for a period of two (2) years. Upon this period lapsing, the re-application for approval shall be required should the property continue to be used for holiday accommodation.*

**Advice**

- i) In regards to Condition (2) above, the number of persons per room shall accord with the following:*
  - For every person over the age of 10 years, there is to be a minimum of 14 cubic metres of air space per person; and*
  - For every person between the ages of 1 & 10 years, there is to be a minimum of 8 cubic metres of air space per person.*

*Below is a Schedule of permitted number of occupants per room which identifies alternative combinations of guests – not to exceed a total of eight (8) persons. This includes no more than four (4) persons over the age of 10 at any one time. This Schedule shall be appropriately displayed in the house.*

<b>Schedule 1: Allowable Occupants: Lot 404 (22) Madaffari Drive, Exmouth</b>
Bedroom 1: Total floor space: 16 <sup>2</sup> , Approximate Air Space: 43.84m <sup>3</sup> Allowable occupants: 2 adults <b>OR</b> 2 adult and 2 child <b>OR</b> 1 adult and 3 children <b>OR</b> 5 children
Bedroom 2: Total floor space: 13.9 m <sup>2</sup> , Approximate Air Space: 38m <sup>3</sup> Allowable occupants: 2 adult <b>OR</b> 2 adult and 1 child <b>OR</b> 1 adult and 3 children <b>OR</b> 4 children
Bedroom 3: Total floor space: 13.6m <sup>2</sup> , Approximate Air Space: 37.3m <sup>3</sup> Allowable occupants: 2 adult <b>OR</b> 2 adult and 1 child <b>OR</b> 1 adult and 2 children <b>OR</b> 4 children
Bedroom 4: Total floor space: 18m <sup>2</sup> , Approximate Air Space: 49.3m <sup>3</sup> Allowable occupants: 2 adult <b>OR</b> 2 adult and 2 child <b>OR</b> 1 adult and 4 children <b>OR</b> 6 children
*Note: All persons over the age of 10 years require a minimum of 14 cubic metres of air space per person. Children aged up to 10 years require a minimum of 8 cubic metres of air space each. As such, the term ‘adult’ has been used for persons over the age of 10 years.
**The air space is calculated with a 2.7m ceiling height.

- ii) Should the holiday accommodation be viewed as a ‘Lodging House’ at any time under the Health Act 1911, a permit pursuant to the Shire of Exmouth Health Local Laws will be required. For further Information, please contact the Shire of Exmouth’s Health Services on 9949 3000.*
- iii) An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005.*

**CARRIED 4/1  
Councillor Winzer voted against**

## 10. REPORTS OF OFFICERS

### 10.6 Executive Manager Town Planning

#### 10.6.10 Proposed New Caravan and Camping Site, Lot 1403 Truscott Crescent

Location: Lot 1403 Truscott Crescent, Exmouth  
 Applicant: Nil  
 File Reference: LP.GI.0  
 Disclosure of Interest: Nil  
 Date: 5 December 2012  
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

#### **SUMMARY**

This report recommends that the Council of the Shire of Exmouth provides in principle support for Lot 1403 Truscott Crescent to be developed as a 'Caravan and Camping ground' (Refer to *Attachment 13*).

#### **BACKGROUND**

Lot 1403 Truscott Crescent has been identified in the Exmouth Town Centre and Foreshore Revitalisation Plan, Exmouth Structure Plan and by the Department of Tourism as a suitable location for a new caravan and camping ground.

Correspondence between the Department of Regional Development and Lands (DRDL) and the Shire of Exmouth to prepare the Lot as a caravan and camping ground has been on-going since July 2011:

- In July 2011 the Shire requested DRDL to reserve Lot 1403 with a management order issued to the Shire of Exmouth with the power to lease.
- In February 2012 DRDL advised that Lot 1403 cannot be reserved due to a section 91 licence, flooding in western portions of the lot, 500m buffer to the wastewater treatment plant and a 100m coastal setback requirement.
- The Shire responded to DRDL advising that the section 91 licence will remain to provide access and parking to the beach, the wastewater treatment plant will be relocated, the impacts of flooding can be mitigated and the 100m coastal is not an issue as the lot is 100m or further from the coastal setout line.
- In November 2012 DRDL advised they will commence clearance of Lot 1403 to be released on the open market as a long term lease for the purpose of caravan and camping ground. Lot 1403 will be leased on commercial terms and will not be reserved for public purposes as there is an established offering in the Exmouth area and there is considerable demand.

A meeting was held in Perth in November 2012 with key stakeholder groups including the Shire of Exmouth, Department of Tourism and the Department of Regional Development and Lands.

The Department of Tourism are willing to appoint a consultant to undertake a demand and prefeasibility study for the project. The Department of Tourism seeks Council's commitment to prepare the site as an investment ready caravan park development opportunity, providing commitment and in-kind contribution to the project.

#### **PROPOSAL**

It is intended that Lot 1403 will be reserved for the purpose of 'Caravan and Camping Grounds' with the Shire of Exmouth having the power to lease for long terms. Lot 1403 will have an optimum mix of caravan sites, units and cabins combined with associated facilities and services.

## **COMMENT**

The Exmouth Town Centre and Foreshore Revitalisation Plan and the Exmouth Structure Plan have identified the potential for 'Caravan and Camping Grounds' at Lot 1403 Truscott Crescent. Every year an overflow caravan and camping ground is required to meet demand in the peak of tourist season. The provision of a new caravan and camping ground will help to meet tourist demand and provide economic benefits for the Shire.

The location is ideal due to its close proximity to the coast and the town centre. Existing power and drainage infrastructure is located within close proximity and the lot is currently zoned 'Tourist' in the Shire of Exmouth Town Planning Scheme No.3. There are number of minor issues which will need to be resolved before the use can commence.

## **ISSUES**

### **Flooding**

Western portions of Lot 1403 are subject to flooding. Portions of the lot subject to flooding can be used for camping purposes only without the requirement for infrastructure services. Camping can be easily relocated in the unlikely event of flooding.

### **Section 91 Licence**

Lot 1403 has a section 91 licence issued to the Shire of Exmouth for the purpose of 'Car Park and Access' for a term of ten (10) years from April 2007. The car park and access licence can remain as it provides beach and parking access from Truscott Crescent.

### **Waste-Water Treatment Plant Buffer Zone**

Portions of the lot are subject to the 500m no development wastewater treatment plant buffer zone. Discussions have been held between the Shire and Water Corporation regarding the relocation of the waste water treatment plant. Development of the affected portion will not occur until the waste water treatment plant is relocated.

### **Land Tenure**

DRDL have advised the lot will be released on the open market as a long term lease for the purpose of caravan and camping ground. Lot 1403 will be leased on commercial terms and will not be reserved for public purposes. This is not recommended as the Shire will have no control of the lot if it is released in the open market. In similar developments in Broome and Lancelin the proposed caravan and camping ground has been reserved and management order is issued to the Local Government with the power to long term lease. Council should continue to negotiate with DRDL.

### **Native Title**

DRDL advised Native Title rights and interests in the lot will need to be assessed by way of the future act provisions of the Native Title Act. Until a native title assessment is completed the land cannot be reserved.

## **CONSULTATION**

Department of Tourism

Department of Regional Development and Lands

## **STATUTORY ENVIRONMENT**

Shire of Exmouth Town Planning Scheme No.3

Planning and Development Act 2005

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Nil

## **STRATEGIC IMPLICATIONS**

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Environment

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

- Outcome 2.2: Our pristine natural environment and biodiversity will be understood, maintained and protected.

Social

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

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

Civic Leadership

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

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

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION – 10.6.10**

*That the Council of the Shire of Exmouth supports the initiative for Lot 1403 Truscott Crescent to be developed as a caravan and camping ground and that Council partner with Tourism WA and RDL in facilitating the process.*

**COUNCIL DECISION – 24-1212 – 10.6.10**

Moved Councillor Winzer, Seconded Councillor Fitzgerald.

*That the Council of the Shire of Exmouth supports the initiative for Lot 1403 Truscott Crescent to be developed as a caravan and camping ground and that Council partner with Tourism WA and RDL in facilitating the process.*

**CARRIED 4/1**

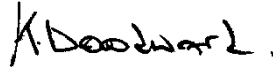
**10. REPORTS OF OFFICERS****10.7 Executive Manager Engineering Services**

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**10.7.1 General Report**

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Location: Exmouth  
 Applicant: Keith Woodward  
 File Reference: Nil  
 Disclosure of Interest: Nil  
 Date: 11 December 2012  
 Author: Executive Manager Engineering Services, Keith Woodward  
 Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

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**SUMMARY**

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

**BACKGROUND****1. Project Status Schedule**

The Engineering Services Project Status Schedule 2012/2013 provides an overview of the project start, progress and completion dates.

It is important to note that staffing levels, contractor availability, private works and environmental conditions such as cyclone/floods influence the project timeframes.

- 2012/2013 Engineering Services Project Status Schedule (*Refer Attachment 1 – Tabled*)

**2. Exmouth CBD/Foreshore Revitalisation*****Seawalls***

The tender to construct the town beach seawall will be advertised on Saturday 15 December 2012. The tender will close on the 18<sup>th</sup> January 2013.

Works will involve the construction of two lengths of seawall at Warne St car-park and the Exmouth Yacht Club in Exmouth, Western Australia. Construction of the Seawalls will include:

- Removal and re-use of rock from the existing seawall at Warne St and the Yacht Club
- Construction of approximately 50m of rock seawall at Warne St car park
- Construction of approximately 130m of rock seawall at the Exmouth Yacht Club
- Construction of a limestone block wall at the rear of the seawall
- Rehabilitation of all disturbed areas

***CBD Civil Design Drawings for Construction***

Attached for Council's information are the Exmouth Town Centre Revitalisation stages 1 and 2 civil construction drawings. The design was developed from the Hassell April 2012 Exmouth CBD and Foreshore Revitalisation Plans.

An independent road safety design audit was conducted in accordance with Main Roads Western Australian assessment criteria to ensure that the Exmouth Shire does not re-design and construct the road network in a manner that has the potential to cause liability as a result of the new geometric road design.



The design drawings have been amended to account for the Road Safety Audit recommendations and are presented to Council for your information and comment. In October 2012 the final draft design drawings were provided to each Councillor for your comment and enquiries.

**COMMENT**

Nil

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

Nil

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

As per Shire 2012/2013 Budget

**STRATEGIC IMPLICATIONS**

Strategic Community Plan 2011-Outcome 1.5 Maintain and Improve Shire Infrastructure

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION – 10.7.1**

*That the Council of the Shire of Exmouth receive the Executive Manager Engineering Services Report for the month of December 2012.*

**COUNCIL DECISION – 25-1212 – 10.7.1**

Moved Councillor Hood, Seconded Councillor Winzer.

*That the Council of the Shire of Exmouth receive the Executive Manager Engineering Services Report for the month of December 2012.*

**CARRIED 5/0**

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

Nil

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

**COUNCIL DECISION – 26-1212 – ITEM 12**

Moved Councillor Fitzgerald, Seconded Councillor Winzer.

*That the Council of the Shire of Exmouth accept the New Business of an Urgent Nature*

*12.1 Royalties for Regions – CLGF 2012/13 Allocation*


*12.2 Request to Minister – ‘SuperTown’ Status*

*12.3 Exmouth Visitor Centre – Future Directions*

*12.4 Tender 09/2012 Talanjee Oval, Exmouth Sport Lighting*

**CARRIED 5/0**

**12.1 Royalties for Regions – CLGF 2012/13 Allocation**

Location:	Exmouth
Applicant:	Department of Regional Development & Lands
File Reference:	GS.PR.6.1
Disclosure of Interest:	Nil
Date:	18 December 2012
Author:	Chief Executive Officer, Mr B Price
Signature of Author:	

**SUMMARY**

Council discussion on the project allocation of their 2012/13 Royalties for Regions CLGF allocation is required.

**BACKGROUND**

Council would be aware of the Royalties for Regions – Country Local Government Fund (CLGF) program that has been initiated by the National Party.

Council allocated their 2008/09 allocation of \$721,045 to the Ross Street Mall Project. As the Government were reviewing the administrative requirements for the scheme no allocation was made to Local Governments on 2009/10.

The new administrative requirements for the continuation of the scheme required Local Governments to provide a 5 year Forward Capital Works Plan (FCWP) which was adopted formally by the Council at the April, 2011 ordinary Council meeting and subsequently reviewed annually. All future funding can only be allocated to the projects identified within this Plan.

The grant allocation for 2010/11 of \$454, 547 was also allocated to the completion of the Ross Street Mall. 2011/12 funds totalling \$ 454,547 was allocated to the Oval Lighting and Water Spray Park project which has yet to be completed.

It is my recommendation that Council commit their allocation of \$399,570 from the 2012/13 CLGF program towards undergrounding of power proposed under the CBD/Foreshore Revitalisation Project. Council are required to make a matching contribution to the State Underground Power Program grant allocation of \$ 400,000. These funds will see the Thew, Maidstone, Kennedy and Learmonth Streets undergrounded.

**COMMENT**

The Learmonth Apron upgrade project has been included in Council’s 5 Year Forward Capital Works Plan (FCWP) which makes it eligible under the program guidelines.

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

Royalties for Regions Legislation and Financial Assistance Agreement.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Allocation of \$ 399,570 CLGF towards the undergrounding of power proposed in the CBD/Foreshore Revitalisation Project in the 2012/13 financial year budget.

**STRATEGIC IMPLICATIONS**

Allocation of Royalties for Regions CLGF to strategic projects identified in the 5 Year Capital Works Program.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION – 12.1**

*That the Council of the Shire of Exmouth allocate their 2012/13 Royalties for Regions Country Local Government Funds (CLGF) towards the undergrounding of power proposed in the CBD/Foreshore Project proposed to be completed in the 2012/13 financial year.*

**COUNCIL DECISION – 27-1212 – 12.1**

Moved Councillor Winzer, Seconded Councillor Fitzgerald.


*That the Council of the Shire of Exmouth allocate their 2012/13 Royalties for Regions Country Local Government Funds (CLGF) towards the undergrounding of power proposed in the CBD/Foreshore Project proposed to be completed in the 2012/13 financial year.*

**CARRIED 5/0**

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## 12.2 Request to Minister - 'SuperTown' Status

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Location: Exmouth  
 Applicant: Minister for Regional Development & Lands  
 File Reference: GS.PR.6.1  
 Disclosure of Interest: Nil  
 Date: 18 December 2012  
 Author: Chief Executive Officer, Mr B Price  
 Signature of Author: 

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### **SUMMARY**

Council endorsement in submitting a formal application to the Minister for Regional Development & Lands to have Exmouth classified in the 'SuperTown' status group.

### **BACKGROUND**

Council recently hosted a visit from the Hon. Brendon Grylls, Minister for Regional Development & Lands, who announced the Royalties for Regions grant funding to the CBD/Foreshore Revitalisation project.

The Minister advised that he was suitably impressed with the development of the town since his previous visit and was also quite impressed with the forward strategic planning the Council has undertaken for the future. The Minister indicated that Exmouth was well positioned to play a leading role in the future growth of the Northwest and the expected population growth of WA and that Exmouth could be considered as a 'SuperTown' for the region.

The following is a media extract from the Minister for Regional Development announcing the 'SuperTown' initiative

*'SuperTowns' status is an exciting State Government initiative that will begin the process of enhancing and stimulating growth in key regional towns in the southern half of the State.*

*Mr Grylls said the Government had endorsed an initial nine towns to share in \$85.5million in Royalties for Regions funding this year under the Regional Centres Development Plan (SuperTowns).*

*Katanning, Collie, Esperance, Northam, Jurien Bay, Morawa, Boddington, Manjimup and Margaret River have been selected in the first round of the initiative that will give local communities the opportunity to plan and implement projects and services to cater for a major population expansion and economic growth.*

*The Minister said \$5.5million was available in 2011-12 to assist with strategic planning in these communities and \$80million would be allocated to kick-start transformational projects.*

*"The nine towns selected in the first round of SuperTowns now have the opportunity to build on their own unique identity and vision," he said.*

*"With population growth set to double in Western Australia over the next 30 to 40 years, SuperTowns will offer more opportunities and amenities for people who choose to live in the State's regional areas and provide an attractive alternative to living in Perth.*

*"Some regional centres in the southern half of WA will play a critical role in absorbing some of the predicted population growth and the SuperTowns program is designed to help strategically-placed country towns to effectively prepare for this event.*

*"Failure to prepare for rapid population growth would be a mistake, as it was in the Pilbara where lack of strategic planning has been disastrous."*

*Mr Grylls said regional development commissions and local government authorities would play a lead role in the SuperTowns program and be resourced to participate effectively in both the planning phase and project roll-out.*

*“I am excited that Royalties for Regions has created the opportunity for many regional centres to unlock their potential and I look forward to offering them the chance to access funding and assistance from a number of key State Government agencies,” he said.*

*The Minister said regional development commissions needed to work closely with local government and professional planners on regional investment blueprints that enhanced economic and social linkages between SuperTown centres and neighbouring smaller communities.*

*Mr Grylls said towns not listed for first round funding would have the opportunity to participate in a future round.*

*“The selection process for the initial SuperTowns program was based on local and regional economic drivers, as well as each community’s readiness to attract and sustain growth,” he said.*

*The nominations were evaluated by a high-level steering group comprising senior representatives from the departments of Regional Development and Lands; Planning; Local Government; and Agriculture and Food, and representatives from the WA Planning Commission, LandCorp, Regional Development Council and the six southern regional development commissions.*

*The steering group provided advice to the Regional Development Council, which made recommendations to Government for consideration by Cabinet.*

As can be determined in the Ministers statement above, it is the Government’s likely intention to extend the ‘SuperTown’ program to other regions and communities. Exmouth has the potential to be part of this strategy.

**COMMENT**

The Department of Regional Development must have considered Exmouth’s potential as the Council have been invited and involved in the recent Regional Centres Future Forum process.

Attached is a copy of the SuperTowns Vision Statements for Councillor information (*Refer Attachment 1*).

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

Nil.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

SuperTowns have an individual allocation of Royalties for Regions funds to assist in the planning and implementation of projects that will stimulate growth in the regions.

**STRATEGIC IMPLICATIONS**

Having Exmouth recognised as a SuperTown that will allow the opportunity to plan and implement projects and services to cater for a major population expansion and economic growth.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION – 12.2**

*That the Shire of Exmouth write to the Hon. Brendon Grylls, Minister for Regional Development, promoting Exmouth's case to be included in the 'SuperTown' program.*

**COUNCIL DECISION – 28-1212 – 12.2**

Moved Councillor Fitzgerald, Seconded Councillor Warren.

*That the Shire of Exmouth write to the Hon. Brendon Grylls, Minister for Regional Development, promoting Exmouth's case to be included in the 'SuperTown' program.*

**CARRIED 5/0**

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### 12.3 Exmouth Visitor Centre – Future Directions

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Location:	Exmouth
Applicant:	R Kempe
File Reference:	
Disclosure of Interest:	Nil
Date:	14 December 2012
Author:	Executive Manager Community Engagement, Rogé Kempe
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

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#### **SUMMARY**

This report recommends for Council to receive the Exmouth Visitor Centre Management Committee's (EVCMC) report titled "*Future Directions of the Exmouth Visitor Centre (December 2012)*" and to support the proposal of the EVCMC to develop the Exmouth Visitor Centre into an industry-led management of the Exmouth Visitor Centre with Shire financial and in-kind support.

#### **BACKGROUND**

The Shire of Exmouth has a Memorandum of Understanding (MOU) with the Exmouth Visitor Centre Marketing Committee (EVCMC), which formally expired in 2011. However, to date, the operations of the Visitor Centre continue in line and in the spirit of this MOU.

This MOU outlines Council's support for the operations of the EVC, including rent free use of the building on Murat Road, Shire employed provision of an EVC Manager and Assistant Manager. It also outlines management, financial and decision making processes and guidelines. The MOU was only intended to provide a temporary solution for the EVC, with a more permanent arrangement to be implemented at a later date, but has been operational for approximately 7 years with a request to the EVC Marketing Committee to put forward a proposal to Council on the best way forward into the future.

#### **1. Recommendation by Consultants**

It was apparent that a way forward needed to be defined and to investigate this, both Shire of Exmouth and the EVCMC engaged consultants '*Actual to Ideal*' to assist parties with the development of a "Future Directions Plan".

After extensive stakeholder consultation, the consultants presented a report with their findings at a combined meeting of Shire Council/Staff and committee members of the EVCMC on 24 April 2012 with a Report provided to Council.

The primary recommendation as presented by the consultants is to develop the EVC towards a not-for-profit organisation under an industry driven Board of Management.

#### **2. Proposal by EVCMC**

After the May 2012 Council meeting a letter was received from the EVCMC dated 9 May 2012, stating that:

1. The EVCMC had considered the recommendation from the consultants' report and that the primary recommendation for the EVC to become a member managed organisation deserved further investigation.
2. The EVCMC proposed to hold a members information session about the recommendation of the report and to seek support from members to further investigate the recommendation that the EVC be managed by members independently of the Shire of Exmouth.
3. The EVCMC would examine the financial and operational implications of such a concept and report back to Council

### 3. Council decision May 2012

In May 2012 and based on the consultants' recommendation and the EVCMC's request, Council of the Shire of Exmouth resolved to:

1. Receive the consultant's report "Exmouth Visitor Centre Review Recommendation", and
2. Authorise officers to work with the Exmouth Visitor Centre Marketing Committee to further investigate the Primary Recommendation of the report to develop the EVC towards a Not for Profit Organisation under a Board of Management, with the findings and recommendations of this process to be presented to Council at a later date.

### 4. Future Direction plan by the EVCMC

The EVCM investigated the Primary Recommendation, being a re-structure to an industry-run not for profit business. The final proposal was tabled at the AGM held on 11 December 2012 to seek support from the membership base.

Of the EVC members present, 30 supported the proposal with 2 abstaining. The Committee now presents its proposal to the Shire of Exmouth for the Future Direction of the Exmouth Visitor Centre.

### COMMENT

Council has received a report titled "*Future Directions of the Exmouth Visitor Centre (Refer Confidential Attachment 2)*"; Exmouth Visitor Centre Management Committee Proposal to the Shire of Exmouth (Dec 2012)", with the major elements of this Plan being:

1. Executive Summary
2. Strategies and Opportunities to reduce Shire Contribution
3. Draft 5-year Business Plan with projected budget for 2013-2014
4. Draft 5-year Strategic Plan,
5. Committee Consideration of the Primary Recommendation
6. Role and Responsibilities of the EVCMC

### **Proposal**

The Report proposes an industry-led management of the Exmouth Visitor Centre, commencing 1st July 2013. During the December AGM of the EVC, it was decided that this could commence earlier if feasible, especially in light of the recent resignation of the EVC Manager.

From a Shire perspective, the following is a summary of relevant fundamentals of the proposal:

#### Organisational Structure, Staffing and Employment responsibilities:

- All staff of the future Exmouth Visitor Centre will be employed by the new Management Committee; this will cease the need for the Shire to employ a Manager and Assistant Manager for the EVC.
- Use of a Qualified Accountant to oversee the financials of the EVC to ensure accuracy and staff using the correct procedures.
- Use of a Marketing Consultant to oversee the projects that will be carried out by the Management Team and to provide input into a 12-month Marketing Plan.
- The Exmouth Visitor Centre Marketing Committee will change its name back to the Exmouth Visitor Centre Management Committee to re-focus the intent and purpose of the Committee.

#### Financial contributions and responsibilities:

- **Cash:** for a period of 2 years from 1 July 2013 or sooner, the Management Committee requests the Shire of Exmouth to fund operational expenses of the Exmouth Visitor Centre at an annual fixed amount of \$220,000 (based on 2013-14 projected budget included in the proposal).
- **Reduced Cash contribution:** following the initial 2-year period, the Shire of Exmouth's contribution will be reviewed annually, with the Committee proposing a reduction in the contribution each year by a minimum of 50% of the net profit for the financial year just ended. If no profit is made, the next contribution is to remain the same as in the previous year.



- **Minimum Cash Contribution:** at such time as the contribution requested of the Shire is reduced to an amount of \$50,000, the Committee would request the Shire of Exmouth to stay on as an annual Platinum sponsor of the Exmouth Visitor Centre for an amount of \$50,000.
- **In-kind support:** The Shire of Exmouth is requested to continue to provide in-kind support to the Exmouth Visitor Centre with use of the existing premises (including insurance, maintenance and in-situ equipment (e.g. air conditioners) free of charge. This in-kind support would continue as and when the Exmouth Visitor Centre relocated into the Ningaloo Centre.

Other:

- **KPI's:** in return for the requested Shire contribution, the Exmouth Visitor Centre will meet the KPI's set out in its 5-year Strategic Plan, which will be evaluated bi-annually in March and September and a report be prepared to inform Council.
- **Representation on Management Committee:** a Shire Officer or a Shire Councillor will represent Council as a voting member on the Management Committee to provide assurance that the Shire's money is being well-spent and KPI's being met.
- **Funding Agreement:** rather than a revised MOU, the Committee seeks to establish a Funding Agreement with the Shire of Exmouth to be reviewed annually as required.

Additional considerations:

- With the recent resignation of the Manager EVC, Council currently employs an Assistant Manager (currently acting Manager) until end of June 2013 and a Senior Tourism Officer (Casual). It is undesirable to remain in a caretaker mode for too long and it is recommended to seek a transition towards an independently run EVC by early April 2013 in order to commence the recruitment process for the EVC Centre Manager as soon as feasible.
- In order to further streamline partnership processes, officers recommend for Council to revoke the existing *Learmonth Airport Terminal Advertising Agreement* (July 2009) between the Shire of Exmouth and the EVCMC. This Agreement recognises the opportunities for advertising at Learmonth Airport, but introduced an unworkable process with Shire and EVCMC involvement. In light of the new proposed management structure for the EVC combined with proposed changes to the Shire Policy that regulates advertising the airport it is opportune to revoke this Agreement.
- It is recommended that the responsibility for the cleaning of the buildings internal and external (public showers and toilets) areas is transferred to the EVCMC so this is all within the control of one organisation.

**CONSULTATION**

Consultation with Shire staff, EVC members and external key people and organisations was undertaken as part of the development of the Report made by the EVCMC.

**STATUTORY ENVIRONMENT**

Nil

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

The following table provides an overview of Council's current contribution to visitor servicing through the EVC (2012/13 Budget) through Non-transferables (in-kind) and possible transferables (cash component). In the right column is an overview of the proposed 2 year contribution of the Shire would be, based on support provided to an independent, industry run EVC.

The difference between the total current support and future support is just under \$60,000 per annum for the first 2 financial years.

Budget Items		2012_13 Budget		EVC request	
		Non-Transferable	Transfer	In-kind	Cash
<b>Employee Cost</b>	Salary packages (*)		\$145,000		
	Staff house (**)	\$12,700			
	Workerscomp		\$ 3,675		
<b>Operational cost</b>	Cash contribution	\$ -			\$ 220,000
<b>EVC Building</b>	Depreciation	\$23,700		\$23,700	
<b>Insurance</b>	Building/public liability	\$ 4,000		\$4,000	
<b>Overheads</b>	Works labour (building)	\$ 6,800		\$6,800	
	Maint labour/materials	\$12,816		\$12,816	
<b>Utilities</b>	Water	\$ 4,350		\$ 4,000	
<b>Cleaner &amp; materials</b>		\$ 27,500			
<b>Totals</b>		<b>\$91,916</b>	<b>\$ 148,675</b>	<b>\$ 51,666</b>	<b>\$ 220,000</b>
<b>Total Shire</b>			<b>\$ 240,591</b>	<b>\$ 271,666</b>	<b>Difference \$ 30,075</b>

Salary Packages (\*) This excludes \$ 12,000 from EVC toward position

Staff house (\*\*) \$17,900 minus \$5,200 rent income

### **STRATEGIC IMPLICATIONS**

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

Outcome 1.3 – Diverse Tourism opportunities.

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

Outcome 3.3 –An inclusive, responsible and cohesive community.

Outcome 3.5 –Maintain and increase participation levels in local community organisations and clubs.

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

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

### **VOTING REQUIREMENTS**

Absolute Majority

### **OFFICER'S RECOMMENDATION – 12.3**

*That the Council of the Shire of Exmouth:*

1. *Receives the Exmouth Visitor Centre Management Committee's report "Future Directions of the Exmouth Visitor Centre; EVC MC proposal to the Shire of Exmouth 2012" and.*

2. *Revokes the Memorandum of Understanding (May 2005) between the Shire of Exmouth and the Exmouth Visitor Centre Marketing Committee which outlines Council's support for the operations of the EVC, as of the transitional date agreed upon with the EVCMC.*
3. *Authorise the CEO of the Shire of Exmouth to draft up and enter into a funding Agreement with the EVCMC which will outline the support provided by the Shire of Exmouth and the conditions for this support, including but not limited to:*
  - a. *An annual fixed cash contribution of \$220,000 for the first two financial years (2013/14 and 2014/15) with advanced quarterly payments being made and a methodology to be developed to enable a reduction of the Shire contribution in the years thereafter;*
  - b. *The provision of free of rental charge use of the current Exmouth Visitor Centre, based on a formal signed tenant agreement being established, with a view to provide similar support with the proposed relocation of the EVC into the new Ningaloo Centre.*
  - c. *Representation of Council on the new proposed Management Committee as follows: 1 Council representative (voting member), 1 staff member (non-voting).*
  - d. *Key Performance Indicators to guide the deliverables by the EVC*
  - e. *Specific reporting requirements for the Management Committee to Council, including Quarterly Financial Reports, Audited Annual Reports and Monthly Management reports;*
  - f. *The Shire receiving the highest level of Membership benefits available within the EVC membership/sponsorship structure.*
4. *Authorises the CEO of the Shire of Exmouth to review the current tenants' agreement for the Exmouth Visitor Centre building, detailing all conditions of usage to be reflective of the new proposed organisational and management structure of the EVC.*
5. *Requests the EVCMC to provide Council with an updated current constitution which reflects the new corporate and organisational structure and takes into account the Council's interests as the major supporter of the EVC.*
6. *Revokes the Learmonth Airport Terminal Advertising Agreement (July 2009) between the Shire of Exmouth and the Exmouth Visitor Centre Marketing Committee.*

<b>COUNCIL DECISION – 29-1212 – 12.3</b>
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Moved Councillor Winzer, Seconded Councillor Hood .

***That the Council of the Shire of Exmouth:***

1. ***Receives the Exmouth Visitor Centre Management Committee's report "Future Directions of the Exmouth Visitor Centre; EVCMC proposal to the Shire of Exmouth 2012" and.***
2. ***Revokes the Memorandum of Understanding (May 2005) between the Shire of Exmouth and the Exmouth Visitor Centre Marketing Committee which outlines Council's support for the operations of the EVC, as of the transitional date agreed upon with the EVCMC.***
3. ***Authorise the CEO of the Shire of Exmouth to draft up and enter into a funding Agreement with the EVCMC which will outline the support provided by the Shire of Exmouth and the conditions for this support, including but not limited to:***
  - a. ***An annual fixed cash contribution of \$220,000 for the first two financial years (2013/14 and 2014/15) with advanced quarterly payments being made and a methodology to be developed to enable a reduction of the Shire contribution in the years thereafter;***
  - b. ***The provision of free of rental charge use of the current Exmouth Visitor Centre, based on a formal signed tenant agreement being established, with a view to provide similar support with the proposed relocation of the EVC into the new Ningaloo Centre.***

- c. Representation of Council on the new proposed Management Committee as follows: 1 Council representative (voting member), 1 staff member (non-voting).*
  - d. Key Performance Indicators to guide the deliverables by the EVC*
  - e. Specific reporting requirements for the Management Committee to Council, including Quarterly Financial Reports, Audited Annual Reports and Monthly Management reports;*
  - f. The Shire receiving the highest level of Membership benefits available within the EVC membership/sponsorship structure.*
- 4. Authorises the CEO of the Shire of Exmouth to review the current tenants' agreement for the Exmouth Visitor Centre building, detailing all conditions of usage to be reflective of the new proposed organisational and management structure of the EVC.*
- 5. Requests the EVCMC to provide Council with an updated current constitution which reflects the new corporate and organisational structure and takes into account the Council's interests as the major supporter of the EVC.*
- 6. Revokes the Learmonth Airport Terminal Advertising Agreement (July 2009) between the Shire of Exmouth and the Exmouth Visitor Centre Marketing Committee.*

**CARRIED by ABSOLUTE MAJORITY 5/0**

Councillor Hood made special mention of Gina Nowak and Rhonda McGregor, acknowledging all their hard work put into the Exmouth Visitor Centre Marketing Committee. They have both done a fantastic job, which is greatly appreciated.

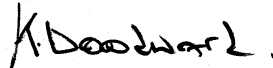
Councillor Shales declared an indirect financial interest in the following Officer Report 12.4 and departed the Chambers at 4.30pm. The Deputy Shire President, Cr Fitzgerald, assumed the chair.

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#### 12.4 Tender 09/2012 Talanjee Oval, Exmouth Sport Lighting

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Location: Exmouth  
 Applicant: Keith Woodward  
 File Reference: Nil  
 Disclosure of Interest: Nil  
 Date: 18 December 2012  
 Author: Executive Manager Engineering Services, Keith Woodward  
 Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

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#### SUMMARY

The Exmouth Shire Council award tender 09/2012 Talanjee Oval, Exmouth Sport Lighting to NW Construction and Electrical.

#### BACKGROUND

The Shire advertised tender 09/2012 Talanjee Oval, Exmouth Sports Lights in the West Australian Newspaper on the Wednesday 21<sup>st</sup> November 2012 and in the Northern Guardian on Wednesday 26<sup>th</sup> November 2012. The tender closed at 2.00pm Friday 7<sup>th</sup> December 2012.

The Shire engaged BEST Consultants to formulate the tender electrical specification and to assist in the review of the tender submissions.

#### COMMENT

The Shire received 3 tender submissions:

1. NW Construction and Electrical
2. Exmouth Electrical
3. Light Base

The tender assessment report is attached and is **Commercial in Confidence** (*Refer Confidential Attachment 3*).

The existing light tower electrical cables have been damaged by rodent. I have included photos of the rodent damage to the supply and control wiring found during repairs. This damage is very extensive and has occurred recently. The supply cable has had all insulation down the pole eaten away and is non-repairable. The lights are not operating and the damage is too extensive/costly to repair considering new light towers will be installed soon.



**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

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

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

The Shire budgeted \$500,000 for this project. \$250,000 is funded by the Department of Sports and Recreation; Racing and Gaming; and \$250,000 from the Shire own funds which are via the Country Local Government Fund as the compulsory matching contribution.

The cost of the Horizon Power connection and the cheapest tender submission exceeds the budget. Negotiations are continuing with Horizon Power to reduce the connection cost. The connection cost is \$147,690.

It is the intention to release the purchase order immediately for the construction of the sports lighting.

***The Project Costs***

<b>Project Description</b>	<b>\$ Cost Estimates ex GST</b>	<b>Actual tendered Rates</b>
Electrical Contractors – Trenching and backfill	\$ 10,909.00	
Electrical Contractors – Fit out and erection of towers	\$ 12,782.00	
Electrical Contractors – Excavate holes & supply concrete	\$ 10,220.00	
Electrical Contractors – Electrical works	\$ 149,651.00	
Supply of Lighting towers	\$ 121,716.00	
Hire of Equipment	\$ 5,612.00	
<b>Sub Total</b>	<b>\$ 310,890.00</b>	<b>\$ 429,126.00</b>
HP Transformer 300/400 amp	\$ 163,636.00	\$ 147,960.00
Signage		
Project Management / Administration costs	\$ 23,974.00	\$ 23,974.00
Project Signage	\$ 1,500.00	\$ 1,500.00
Donated materials		
Volunteer expenses		
<b>Sub Total</b>	<b>\$ 189,110.00</b>	<b>\$ 173,434.00</b>
Cost escalation		
<b>Total project expenditure</b>	<b>\$ 500,000.00</b>	<b>\$ 602,560.00</b>
Variation		-\$ 102,560.00

**STRATEGIC IMPLICATIONS****Economic**

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

- Outcome 1.5: Maintain & Improve Shire Infrastructure

**Environment**

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

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

Social

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

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

**VOTING REQUIREMENTS**

Absolute Majority

**OFFICER'S RECOMMENDATION – 12.4**

*That the Council of the Shire of Exmouth:*

1. *Award Tender 09/2012 Talenjee Oval, Exmouth Sports Lights to NW Construction and Electrical.*
2. *Authorise the Chief Executive Officer and or the Executive Manager Engineering Services to negotiate the scope of works and subsequently the tendered rates.*

*Note:*

*The cost of the Horizon Power connection and the cheapest tender rate exceeds the budget. Negotiations are continuing with Horizon Power to reduce the connection cost. At this current time this issue has not been resolved.*

**COUNCIL DECISION – 30-1212 – 12.4**

Moved Councillor Winzer, Seconded Councillor Hood .

*That the Council of the Shire of Exmouth:*

1. *Award Tender 09/2012 Talenjee Oval, Exmouth Sports Lights to NW Construction and Electrical.*
2. *Authorise the Chief Executive Officer and or the Executive Manager Engineering Services to negotiate the scope of works and subsequently the tendered rates.*

*Note:*

*The cost of the Horizon Power connection and the cheapest tender rate exceeds the budget. Negotiations are continuing with Horizon Power to reduce the connection cost. At this current time this issue has not been resolved.*

**CARRIED by ABSOLUTE MAJORITY 4/0**

Councillor Shales returned to the Chambers at 4.37pm and assumed the chair.

**13. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS**

Nil

**14. CLOSURE OF MEETING**

The Shire President took the opportunity to thank the fellow Councillors, CEO and Staff for their efforts this year and wished all a very Merry Christmas and prosperous New Year.

The Shire President declared the meeting closed at 4.38pm