



Ordinary Council Meeting Minutes 17 July 2014

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on 21 August 2014 as a true and accurate record of the Ordinary Council Meeting held on 17 July, 2014.

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

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


DISCLAIMER

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

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

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

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ORDINARY COUNCIL MEETING MINUTES

Our Vision

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

Our Purpose

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

Our Strategic Objectives

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

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 4:03pm.

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

Councillor C (Turk) Shales
Councillor G Thompson
Councillor S McHutchison
Councillor R (Bob) Todd
Mr B Price
Mrs S O'Toole
Mrs J Kox
Mr R Kempe
Mr R Manning
Mr R Mhasho
Joanne Gordon

Shire President

Chief Executive Officer
Executive Manager Corporate Services
Executive Manager Aviation Services
Executive Manager Community Engagement
Executive Manager Health & Building
Executive Manager Town Planning
Acting Executive Manager Engineering Services

GALLERY

Visitors:

APOLOGIES

Councillor M Hood
Mr K Woodward

Deputy Shire President
Executive Manager Engineering Services

APPROVED LEAVE OF ABSENCE

Councillor R Winzer

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).

1 Question was submitted by Mrs Brooke Collins.

Q1. The bollards that have been placed in Kennedy Street are blocking off the driveway to the old Whalers building, how will the new tenants access the property if this is blocked off?

A1. The Shire is currently in negotiations with the owners of the property to arrange for new driveway access to the rear of the property through the new carpark.

1 Question was submitted by Mr Rene Schwengeler.

Q1. Has the Shire received the WANDRRA funding yet?

A2. The Shire has not received the funds as yet however have called tenders which will be advertised in this Saturday's West Australian, so as a successful tenderer can be awarded the contract and begin works as soon as the funding is available.

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 19 June 2014 and the minutes of the Special Council Meeting held on 30 June 2014 be confirmed as a true and correct record of proceedings.

COUNCIL DECISION – 01-0714 - ITEM 6

Moved Councillor Todd, Seconded Councillor Thompson.

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 19 June 2014 and the minutes of the Special Council Meeting held on 30 June 2014 be confirmed as a true and correct record of proceedings.

CARRIED 4/0

7. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

8. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

9. REPORT OF COUNCILLORS

Councillor McHutchison informed Council that whilst on holidays in Queensland she visited a number of Art Galleries to obtain ideas for the Ningaloo Centre. She also judged the Craft Show of which there were over 200 entries.

Councillor Todd informed Council of his attendance at a recent APPEEA social gathering. He also attended another Men's Shed meeting, along with EMCE which was extremely productive. He also advised of his attendance to a number of meetings regarding the Ningaloo Centre.

In advance of this month's Ordinary Council Meeting, Councillor Winzer provided in writing the following details of activities, events and meetings he attended since the last Ordinary Council Meeting:

Councillor Winzer attended the Gascoyne Zone Meeting along with the Chief Executive Officer on the 26 June 2014 in Carnarvon, and in addition to the Zone Status Reports was a presentation by Mr Jim Miller on wild dog management and strategy in dealing with them in the Gascoyne region.

He attended The Regional Road Group meeting held in the afternoon of 26 June 2014 along with the Chief Executive Officer and Executive Manager Engineering Services. Probably one of the most notable issues that came up over and above the reduction of State/Federal funds was the increase in road area to cover. The area of responsibility under the new guidelines takes in Exmouth to the north west/beyond Newman to the north east/beyond Sandstone in the southeast, and almost to Jurien Bay to the south west. The new area is to be known as Midwest/Gascoyne.

He attended the State Council meeting on 2 July 2014. The first part of the day was the WALGA budget for 2014/15, and was followed by the report on the progress of the various Zones agenda items. There was much debate around Metropolitan amalgamations and costings, and although we are not directly affected at this point, there is a strong probability we could be, even if there is variation to the model selected for the Metropolitan area.

9.1 Shire Presidents Report

Location: Exmouth
 Applicant: Cr C (Turk) Shales
 File Reference: GV.CM.0
 Disclosure of Interest: Nil
 Date: 12 July 2014
 Signature of Author:



SUMMARY

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

BACKGROUND

School Holidays are upon us and the town is buzzing. Lots of positive comments about the CBD upgrade being received. The carparks have been put to the test and are working a treat.

- 23 June 2014 I had an interview with Miss Sarah Duffy, PHD Student from New South Wales about Exmouth and what it has to offer.
- 25 June 2014 I received several calls regarding food storage trucks delivering to Oil & Gas ships – all resolved.
- 26 June 2014 I was advised by Tom Englebrecht that the Nimitz Street Subdivision was passed by the Landcorp Board and has now been signed off by the Premier, construction is to begin in April 2015.
- 26 June 2014 the Chief Executive Officer and myself met with Mr Trevor Clarke regarding concept plans for Exmouth IGA.
- 26 June 2014 I spoke with Mr Vince Catania MLA Member for North West Central regarding the Ningaloo Centre and Tatabiddi Boat Ramp.
- 1 July 2014 the Chief Executive Officer and myself met with Mr Steven Riley regarding various issues in town.
- 2 July 2014 I met with Mr Shane Coote from Toll
- 3 July 2014 I met with Mr Stephen Webster Chief Executive Officer, Gascoyne Development Commission regarding a Deepwater Port Investigation Study.
- 10 July 2014 I spoke with Melissa Price via phone regarding Virgin's announcement to cease its Perth-Learmonth Service as of October 2014.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

- Outcome: 4.3: To be strong advocates representing the region's interests

VOTING REQUIREMENTS

Simple Majority

COUNCILLOR'S RECOMMENDATION – 9.1
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That the Council of the Shire of Exmouth receive the Shire Presidents Report for the month of July 2014.

COUNCIL DECISION – 02-0714 – 9.1

Moved Councillor Thompson, Seconded Councillor McHutchison.


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

CARRIED 4/0

10. REPORTS OF OFFICER

10.1 Chief Executive Officer

10.1.1 Chief Executive Officers Report

Location:	Exmouth
Applicant:	Chief Executive Officer
File Reference:	GV.CM.0
Disclosure of Interest:	Nil
Date:	2014
Author:	Chief Executive Officer, Mr B Price
Signature of Author:	

SUMMARY

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

BACKGROUND

Ningaloo Centre

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

Stage 3 Design Development is underway. Matera's Stage 3 reporting is scheduled for end of July and it will provide a further refinement of the cost estimate and design development drawings. The next Project Committee meeting to discuss the Stage 3 outputs will be early August and Site Architecture have indicated they will travel to Exmouth to present their report.

Regular meetings and email exchanges are occurring under this stage of work with the objective of ensuring the intent of the schematic design and room fit out needs are met with costs contained.

Department of Regional Development (DRD)

DRD have advised the Gascoyne Revitalisation Plan (GRP) approval process has now commenced for the Shire's Ningaloo Centre Stage 2 Business Case – 'Construction and Fit Out'. The business case sets out the justification for a \$19.82M allocation of funds from the Gascoyne Development Plan.

A formal request submitted to DRD for the release of the notional \$125k contingency allocated in the Stage 1 FAA was agreed to and paid before 30 June 2014. The full R4R contribution of \$2.18M under the Stage 1 FAA has now been made. An extension of time to close out expenditure of Stage 1 has been granted to 31 December 2014.

Community Development Grant (CDG) Funding

The initial milestone progress report effective 30 June 2014 has been submitted to the Department of Infrastructure and Regional Development. The CDG Funding Agreement required evidence of an independently prepared project estimate, which was evidenced by the Schematic Design report updated cost estimate.

The next milestone report effective date is 30 October 2014 when evidence is to be provided that building approval has been obtained, construction has commenced and all funding contributions have been confirmed.

Lotterywest

A comprehensive Shire of Exmouth grant application in support of the Ningaloo Centre construction project resides with Lotterywest and advice received is it will be considered by the board at their next meeting on 24 July 2014.

Chevron Australia Pty Ltd

A meeting with Emma Sandys, Social Investment Specialist, occurred on 1 July 2014 to provide an update on the Ningaloo Centre project. Chevron is very keen to be a part of project and indicated support would be forthcoming for an application for a sponsorship that targets marine research and the environment and have this connect with the community. There are several options being considered as a package for a social investment grant application. Chevron would be pleased if some of their marine research report findings could be shared.

Visit by Minister for Transport, Finance Hon Dean Nalder MLA

The Minister for Transport, Hon Dean Nalder has indicated that he will be visiting Exmouth on Wednesday 1 October 2014 and has set aside time between 11.30am – 12.30pm to meet with the Council.

An agenda package is currently being compiled for the Minister's visit which will focus on

1. Exmouth Boat Harbour Upgrade
2. Upgrade Mortiss Street including intersection with Murat Road
3. Issue of floodways on Minilya Exmouth Road restricting access to Learmonth during flooding periods.
4. Future plans for Learmonth – Perth Airline route.

Tidy Towns

This year Exmouth nominated for Tidiest Town in WA with a community submission by the closing date of 1 June 2014. This year's submission entailed many great events, projects and initiatives including the Town Centre Revitalisation Stage 2, Federation Park completion and opening in conjunction with the 25th Anniversary of the Variety Bash, the Water Spray Ground, Town Beach upgrade, Pool Fencing and new pool covers, Exmouth 50 Year Celebration including the historical mosaics and many more.

The Tidy Towns judges, Mr Peter and Mrs Rhonda Ashton visited Exmouth on Tuesday 1 July 2014. Council officers showcased Exmouth via a powerpoint photo presentation along with a short tour of the town of which the judges seemed very impressed taking many photos along the way.

Gascoyne Economic Alliance

I attended along with Gascoyne CEO's and members of the Gascoyne RDA, a meeting in Carnarvon on Thursday 26 June 2014, to discuss the concept of establishing a Gascoyne Economic Alliance as an initiative by the Midwest/Gascoyne RDA. Below is the draft Terms of Reference for the proposed committee should it come to fruition.

The Gascoyne Economic Alliance is a professional economic development organisation representing Carnarvon, Exmouth, Shark Bay and Upper Gascoyne shires in the Gascoyne region of Western Australia.

The Gascoyne Economic Alliance (the Alliance) is an incorporated partnership that has been established to drive forward strategic priorities for economic regeneration and economic inclusion in the Gascoyne region; to provide a forum to discuss regional issues across interest groups and municipalities resulting in better coordinated approach to research, consultation and planning that will support the delivery of projects and services that will benefit the Gascoyne region.

The Alliance will be the peak regional economic development and tourism body providing a collaborative approach to open and maintain dialogue with federal, state and local governments, industry and business, to develop and drive major projects and provide greater services and initiatives within and for the Gascoyne region.

With a large and growing network of business, academic and governmental partners, the Alliance will directly assist companies with competitive location or expansion projects by connecting them with the right people, the appropriate resources and the most meaningful and relevant information.

The Alliance will also promote the Gascoyne region's business, academic and lifestyle strengths nationally to attract the nation's best companies, entrepreneurs and professional talent. Ultimately, the goal of the Alliance is to strengthen regional employment, build on the current base of high-value industries, and significantly improve the economic future for all who live and work in the Gascoyne region.

The Alliance is organised as a public/private, not-for-profit association supported and led by the region's most influential business leaders, four local governments, and top academic institutions. In addition to these important economic development partners, the Alliance will collaborate closely with other entities throughout the Gascoyne region to ensure a globally competitive, sustainable regional economy.

The Gascoyne Economic Alliance will enable the Gascoyne region to compete more effectively in a global marketplace and improve investment attraction, resulting in greater prosperity locally, regionally, and nationally.

Vision

A thriving Gascoyne enjoying a quality of life valued by all.

Mission

To create a thriving regional centre of economic activity where business investment and dynamism sustain employment and opportunity for all, bringing a quality of life that is valued by residents and visitors alike.

Increasing self-reliance through strong regional strategic alliances is the key to ensuring that economic growth benefits all Gascoynians.

The Councils were of the consensus that the proposal required further investigation particularly addressing the issues of

- Duplication of similar committee structures (i.e. GDC).
- Difficulty in securing quality representation on the board.
- Lack of funding to achieve outcomes.
- Who would provide and fund the administrative support.
- The state of the current regional relationship.

I will keep Council informed on the progress of the initiative.

Staffing Matters

Negotiations are continuing with the new 'All of Staff Workplace Agreement' with four main areas requiring further deliberation.

1. Ex Factor
2. Performance Bonus
3. Paid Parental Leave
4. Purchased Leave.

I expect that these issues will be clarified with another vote being put over the next month.

Other Meetings & Functions attended by the CEO

1. Met with Colleen Quirk from Small Business Centre Gascoyne on Tuesday 24 June 2014.
2. Met with delegation from the Pindan Action Group on Tuesday 24 June 2014 in relation to the future of the Pindan Pit.
3. Met with Sharon Lister on Wednesday 25 June 2014 in relation to issues at Mrs Macs Shed.
4. Councillor Winzer and myself attended the Gascoyne Country Zone Meeting in Carnarvon on Thursday 26 June 2014.
5. Councillor Winzer, EMES and myself attended the Regional Road Group Meeting in Carnarvon on Thursday 26 June 2014.
6. Shire President & myself met with representatives of the ADF in Exmouth on Tuesday 1 July 2014 to discuss the proposed Northern Exercise being held in September.

7. Shire President and myself met with Steve Riley, Local Business Owner on Tuesday 1 July 2014 in relation to the local tourism economic climate.
8. Councillor Todd and myself attended an evening with members from the Australian Petroleum Production & Exploration Association (APPEA) on Wednesday 2 July 2014.
9. Shire President, Councillor Todd and myself met with Stephen Webster, Chief Executive Officer of Gascoyne Development Commission on Thursday 3 July 2014 to discuss regional issues.
10. EMTP, Planning Officer and myself met with representatives from MG Kailis on Tuesday 8 July 2014 in relation to development proposals at their Learmonth site.
11. EMAS and myself participated in a teleconference with Mr Peter Ryan, Aviation Policy Division of Department of Transport on Friday 11 July 2014 in relation to RADS funding.
12. EMTP, Ranger and myself met with DFES Chief Superintendent Mr Rob Cox and Mr John Newman on Monday 14 July 2014 regarding Bush Fire Response Management.

Meetings Scheduled for Next Month

1. Shire President, Councillors Winzer, McHutchison, Todd and myself to attend Local Government Week from 5 – 9 August 2014.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

- Outcome: 4.1: To be a collaborative community with the capacity to manage the current and future direction of Exmouth
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- Outcome: 4.3: To be strong advocates representing the region's interests

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.1.1

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

COUNCIL DECISION – 03-0714 – 10.1.1

Moved Councillor Thompson, Seconded Councillor Todd.


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

CARRIED 4/0

10. REPORTS OF OFFICER

10.1 Chief Executive Officer

10.1.2 New Council Policy– Corporate Services

Location:	Exmouth
Applicant:	Chief Executive Officer
File Reference:	CM.PO.1
Disclosure of Interest:	Nil
Date:	11 July 2014
Author:	Chief Executive Officer, Bill Price
Signature of Author:	

SUMMARY

This report recommends that Council authorise statewide advertising for a new Council Policy under the Corporate Sphere of the Council Policy Manual regarding a Regional Price Preference being applied when carrying out purchasing evaluations.

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.

The Council Policy Manual is divided into 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 a new policy to be included in the Corporate Services Section of the Council Policy Manual.

COMMENT

The new Policy 2.17 – Regional Price Preference is provided for Council consideration at *Attachment 1*.

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.

Regulation 24E of the Local Government Regulations 1996 states that a minimum of 4 weeks statewide public notice and opportunity for public comment must be given before adoption of any Regional Price Preference Policy.

POLICY IMPLICATIONS

Corporate Services Policies

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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- Outcome: 4.3: To be strong advocates representing the region's interests

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION – 10.1.2
--

That the Council of the Shire of Exmouth authorise the Chief Executive Officer to carry out statewide advertising of Policy 2.17 - Regional Price Preference to allow public comment for a period of 4 weeks in accordance with Local Government Regulations.

COUNCIL DECISION – 04-0714 – 10.1.2
--

Moved Councillor Todd, Seconded Councillor McHutchison.

That the Council of the Shire of Exmouth authorise the Chief Executive Officer to carry out statewide advertising of Policy 2.17 - Regional Price Preference to allow public comment for a period of 4 weeks in accordance with Local Government Regulations.

CARRIED by ABSOLUTE MAJORITY 4/0

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: 3 July 2014
 Author: Executive Manager Corporate Services

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Rates Debt Recovery - Magistrates Court Workshop

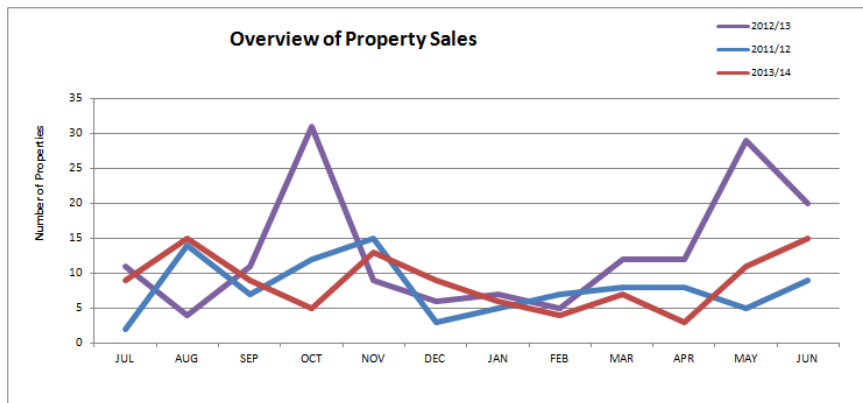
The Executive Manager Corporate Services and Finance Officer attended a Magistrates Court Workshop of which was held on 12 June 2014 at the City of Bayswater. The workshop was presented by Vern Richards from Midland Magistrates Court and Debt Recovery Agency, Baycorp. The workshop covered the Civil Proceedings of debt recovery including, lodgement of documents through the Magistrates Court, Initiation and Service, Enforcement of Judgement and other informative material on the processes of debt recovery through legal action. The workshop was beneficial and information obtained will be implemented within the debt recovery procedures currently in place at Council.

Property Sales

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

2013/14 Summary of Property Sales			
Number Sold	Land Usage	Total Sales	Average Sale
55	Vacant Land	\$16,655,000	\$302,818
44	Residential	\$23,138,500	\$525,875
7	Industrial	\$6,503,500	\$929,071
0	Mixed Use	\$0	\$0
0	Composite Devel	\$0	\$0
0	Special Use	\$0	\$0
0	Tourism	\$0	\$0
106		\$46,297,000	

Property Sales	2013/14	2012/13	2011/12
JUL	9	11	2
AUG	15	4	14
SEP	9	11	7
OCT	5	31	12
NOV	13	9	15
DEC	9	6	3
JAN	6	7	5
FEB	4	5	7
MAR	7	12	8
APR	3	12	8
MAY	11	29	5
JUN	15	20	9
	106	157	95

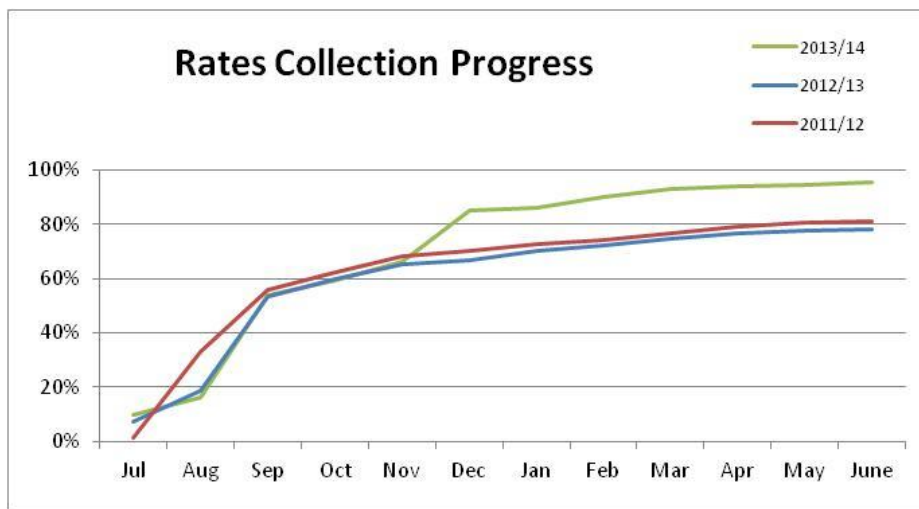
Property Sales (cont.)**Rates Collection**

Rates Collection Analysis			
			\$
Rates & Charges Levied 2013/14			3,655,982
Arrears 1 July 2012			995,039
Less Collections			(4,375,969)
Total Rates & Charges Outstanding			275,052
Less Pensioner Deferred Rates			(21,427)
Total Rates Collectable			253,625
% Collected to Date			94.5%
Notices Sent			7/08/2013
Due Date			11/09/2013
Reminder Notice Sent			19/09/2013
Final Notice Sent			18/10/2013
Notice of Intention to Summons Sent			20/11/2013
Summons Issued			24/02/2014

Comparative percentage of rates collected monthly

	2013/14	2012/13	2011/12
Rates Due Date	11/09/2013	10/09/2012	2/09/2011
Jul	10%	7%	1%
Aug	16%	19%	33%
Sep	54%	54%	56%
Oct	59%	60%	62%
Nov	66%	65%	68%
Dec	85%	67%	70%
Jan	86%	70%	72%
Feb	90%	72%	74%
Mar	93%	75%	77%
Apr	94%	77%	79%
May	94%	78%	81%
June	96%	78%	81%

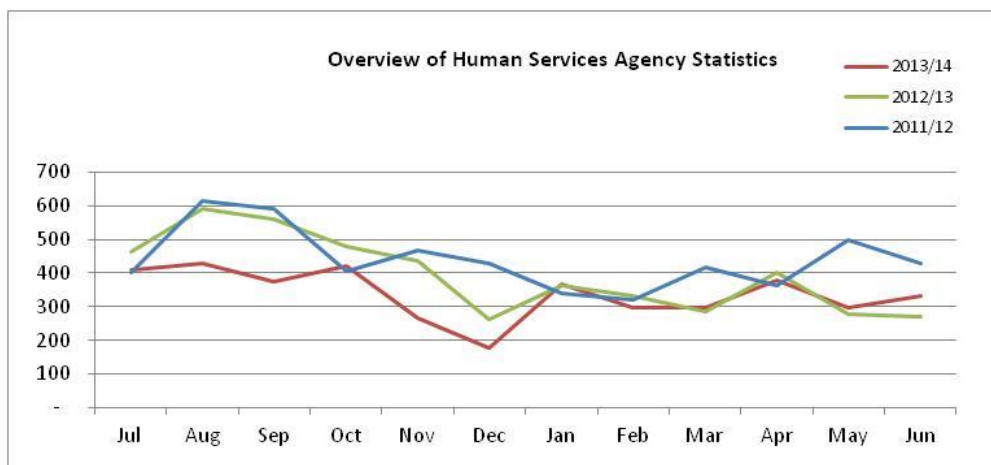
Graphical Overview of Rates Collection



Human Services Agency (formerly Centrelink)

Summary of Agent Statistics for 2013/14:

						Hours of Operation/week			
						12.5	12.5	15	15
	Lodgement of Forms/Assist with Completion	Referrals to Call Centre & CSC	Assist with use of Equipment & Computer	Respond to General Enquiries	TOTAL	2013/14	2012/13	2011/12	2010/11
Jul	118	81	13	199	411	411	464	403	637
Aug	149	68	21	189	427	427	592	615	595
Sep	129	79	19	146	373	373	560	590	567
Oct	142	57	40	183	422	422	478	406	383
Nov	90	34	36	108	268	268	436	469	402
Dec	45	27	32	74	178	178	262	427	521
Jan	101	61	52	153	367	367	364	340	424
Feb	108	40	39	112	299	299	332	320	441
Mar	103	34	47	112	296	296	285	416	409
Apr	187	44	48	98	377	377	403	364	271
May	97	34	55	110	296	296	278	500	400
Jun	82	49	48	152	331	331	272	428	334
TOTAL	1,351	608	450	1,636	4,045	4,045	4,726	5,278	5,384



CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.2.1
--

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

COUNCIL DECISION – 05-0714 – 10.2.1
--

Moved Councillor Thompson, Seconded Councillor Todd.

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

CARRIED 4/0

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:	3 July 2014
Author:	Executive Manager Corporate Services, Sue O'Toole
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Financial report for the period ended 30 June 2014 has been prepared and a copy of the Report is attached as ***Attachment 1*** and a complete list of accounts for payment is attached as ***Attachment 2***.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Civic Leadership**

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.2.2

That the Council of the Shire of Exmouth:

- 1. The monthly financial reports for period ended June 2014 be accepted; and*
- 2. The accounts as listed in the monthly financial report be received for;*
Municipal Fund ~ June 2014 \$1,164,605.98 incorporating 12757 to 12789 and direct debits
Trust Fund – June 2014 \$12,667.52 incorporating of cheque 400790 and direct debits
Outstanding Creditors as at June 2014 ~ \$1,549,678.70

COUNCIL DECISION – 06-0714 – 10.2.2
--

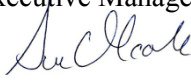
Moved Councillor Todd, Seconded Councillor Thompson.

That the Council of the Shire of Exmouth:

- 1. The monthly financial reports for period ended June 2014 be accepted; and*
- 2. The accounts as listed in the monthly financial report be received for;
Municipal Fund ~ June 2014 \$1,164,605.98 incorporating 12757 to 12789 and direct debits
Trust Fund – June 2014 \$12,667.52 incorporating of cheque 400790 and direct debits
Outstanding Creditors as at June 2014 ~ \$1,549,678.70*

CARRIED 4/0

10. REPORTS OF OFFICERS**10.2 Executive Manager Corporate Services****10.2.3 Rates Debtor Write Off**

Location:	Exmouth
Applicant:	S O'Toole
File Reference:	FM.DB.1
Disclosure of Interest:	Nil
Date:	3 July 2014
Author:	Executive Manager Corporate Services, Sue O'Toole
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council write off outstanding rates, legal charges and penalty interest of \$8952.76 as of 30 June 2014 and any subsequent interest levied charges for 233 Lyndon Location, Exmouth.

BACKGROUND

Lyndon Location 233 Lyndon, Minilya-Exmouth Road Exmouth was leased from the Department of Lands to Cape Seafarms Pty Ltd in 1999. The Lessee was intending to establish a prawn hatchery, however this never eventuated.

During this period, rates and charges were never paid in full which lead to their file being lodged with Debt Recovery Agency since 2006. Council continued over the years with little success in recovering the total rates outstanding, and received notification in October 2012 from Pilot Partners Chartered Accountants advising they had been appointed liquidators of Cape Seafarms Pty Ltd.

The Department of Lands who initiated the lease indicated that Cape Seafarms Pty Ltd also owed money to them for the lease and had been unable to recover their outstanding debt and as a consequence, had cancelled the lease.

COMMENT

Unfortunately Council are unable to continue with legal action as Cape Seafarms Pty Ltd are in liquidation. Usually outstanding rates and charges would remain as a debt on the land, however in this instance, the lease has been cancelled and the land has become non rateable, therefore there seems little opportunity to recover this debt.

Considering the above, it is proposed that Council write off the outstanding rates as detailed below:

	Total
	\$
Rates	4448.05
Interest	3119.61
Legal Charges	1385.10
	8,952.76

CONSULTATION

Department of Lands

STATUTORY ENVIRONMENT

Section 6.53 & 6.55 of the Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The financial implication resulting from the recommendation is a loss of outstanding rates, legal charges and penalty interest of \$8952.76 as of 30 June 2014 and any subsequent interest levied charges for 233 Lyndon Location, Exmouth.

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION – 10.2.3

That the Council of the Shire of Exmouth write off outstanding rates, legal charges and penalty interest of \$8952.76 as of 30 June 2014 and any subsequent interest levied charges for 233 Lyndon Location, Exmouth as recovery of the outstanding account as payment is not expected to be received. Land is now unrateable.

COUNCIL DECISION – 07-0714 – 10.2.3

Moved Councillor McHutchison, Seconded Councillor Todd.

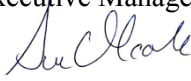
That the Council of the Shire of Exmouth write off outstanding rates, legal charges and penalty interest of \$8952.76 as of 30 June 2014 and any subsequent interest levied charges for 233 Lyndon Location, Exmouth as recovery of the outstanding account as payment is not expected to be received. Land is now unrateable.

CARRIED by ABSOLUTE MAJORITY 4/0

10. REPORTS OF OFFICERS

10.2 Executive Manager Corporate Services

10.2.4 Differential Rating 2014/2015

Location:	Exmouth
Applicant:	S O'Toole
File Reference:	FM.BU.14.15
Disclosure of Interest:	Nil
Date:	7 July 2014
Author:	Executive Manager Corporate Services, Sue O'Toole
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

That Council endorse the differential rates as proposed for the 2014/15 budget including the objects and reasons and seek Ministerial approval to impose a general minimum for properties in the Marina Vacant Land and Residential Development Vacant Land category which are more than 50% than the total number of properties.

BACKGROUND

The Local Government Act 1995 provides for Councils to levy rates to fund the estimated annual budget deficiency for the forthcoming financial year after taking into account all other forms of revenue. Councils can impose a differential general rate and are required to give local public notice of its intention to do so.

COMMENT

2014/15 is a revaluation year for Gross Rental Values (GRV) which is part of a four year cycle and properties on Unimproved Values (UV), have their values set annually. The following information has been provided by the Valuer General as an indicative guide to the movement in values between categories:

GRV Categories:	% Increase/Decrease
Residential	+ 21.20%
Commercial	+ 23.64%
Industrial	+ 30.69%
Vacant Land	- 18.69%
Misc.	+ 33.27%

UV Categories	Minimal increase/decrease
----------------------	----------------------------------

In correspondence received from the Valuer General, it noted *“that the % change in values for ‘vacant land’ is significant when compared to the other land use classifications. The use of a ‘differential rate’ or other mechanisms available within the Local Government Act may be appropriate to smooth out these anomalies and provide a more equitable distribution of the rates burden”*.

To ensure equity with the rating system, for the 2014/15 financial year, eleven (11) differential rating categories are proposed and the objects and reasons for these are included as **Attachment 3**:

Rate Category	Rate In Dollar \$	Minimum Payment
GRV Commercial-Industrial	0.0686	\$700
GRV Commercial-Industrial Vacant Land	0.0995	\$700
GRV Marina	0.0942	\$1,440
GRV Marina Vacant Land	0.1068	\$1,440
GRV Residential	0.0658	\$700
GRV Residential Development	0.0573	\$700
GRV Residential Development Vacant Land	0.0573	\$400
GRV Special Rural	0.0534	\$800
GRV Special Rural Vacant Land	0.0642	\$800
UV Rural	0.0730	\$750
UV Mining	0.1405	\$320
GRV Specified Area Rate	0.12863	\$64.60

Each of the differential rating categories has been increased by CPI (March 2014) 2.9% to reflect an increase in the rates required to meet our community expectations and needs as outlined in our Strategic Community Plan and Corporate Business Plan.

However not all properties will receive a uniform 2.9% increase due to their valuation increasing by a factor greater than the average increase or for other properties, it will be less due to their valuation either not changing or it has decreased by a factor less than the average increase.

To address the reduction in valuations for vacant land, Officers carried out an analysis of each of the zones and concluded 2 zones where the GRV's were considerably reduced. Marina precinct had the greatest reduction in GRV's from \$3.5m down to \$2.7m, and Commercial-Industrial zones from \$1.5m down to \$1.1m. All other zones GRV's had a minimal decrease/increase or remained at the same value.

As Council can't afford to have a significant reduction in rates, it was necessary to create new rating categories for vacant land where the level of service provided to each of the zones was higher than other areas and this is reflective in the higher rate in the dollar than properties with improvements.

In addition, Ministerial approval must be sought to impose a general minimum as the number of properties are 50% more than the total number of properties for the following categories:

- Marina Vacant Land
There are a total of 313 properties in this category, with 230 properties GRV less than \$10,000. The ability to levy rates on a fair and equitable basis could not be achieved without having more than 50% of properties on minimum rates.
- Residential Development Vacant Land
There are a total of 10 properties in this category and all have a GRV less than \$3,630. Although the zoning allows for residential development, the land is subject to flooding and can only be used for recreational purposes, i.e. horse blocks.

Included in the 2014/15 Differential Rating proposal is a Specified Area Rate to be applied to properties zoned Marina that have canal frontage in the Exmouth Marina Precinct. As in previous years, these funds are used for the annual water monitoring costs, periodic dredging, clearing and maintenance of the canal waterways.

Following Councillors agreement at the Draft Budget Meeting held 30 June 2014, public advertising has occurred of the proposed differential rating for 2014/15.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Section 6.32, 6.33, 6.35 & 6.36 Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Rating income will be included in the 2014/15 Budget, estimated at \$3,042,600

STRATEGIC IMPLICATIONS**Civic Leadership**

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

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

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION – 10.2.4*That the Council of the Shire of Exmouth:*

1. *Endorse the following differential rating categories for the 2014/15 Budget;*

Rate Category	Rate In Dollar \$	Minimum Payment
GRV Commercial-Industrial	0.0686	\$700
GRV Commercial-Industrial Vacant Land	0.0995	\$700
GRV Marina	0.0942	\$1,440
GRV Marina Vacant Land	0.1068	\$1,440
GRV Residential	0.0658	\$700
GRV Residential Development	0.0573	\$700
GRV Residential Development Vacant Land	0.0573	\$400
GRV Special Rural	0.0534	\$800
GRV Special Rural Vacant Land	0.0642	\$800
UV Rural	0.0730	\$750
UV Mining	0.1405	\$320
GRV Specified Area Rate	0.012863	\$64.60

2. *Adopt the objects and reasons for each of the proposed differential rates and minimum payments;*
3. *Endorse the CEO's action in advertising the differential rates and call for submissions by 31 July 2014;*
4. *Apply to the Minister for Local Government for approval to impose a minimum payment on more than 50% of the total number of properties in the Marina Vacant Land and Residential Development Vacant Land categories.*

COUNCIL DECISION – 08-0714 – 10.2.4

Moved Councillor Todd, Seconded Councillor Thompson.

That the Council of the Shire of Exmouth:

1. *Endorse the following differential rating categories for the 2014/15 Budget;*

Rate Category	Rate In Dollar \$	Minimum Payment
GRV Commercial-Industrial	0.0686	\$700
GRV Commercial-Industrial Vacant Land	0.0995	\$700
GRV Marina	0.0942	\$1,440
GRV Marina Vacant Land	0.1068	\$1,440
GRV Residential	0.0658	\$700
GRV Residential Development	0.0573	\$700
GRV Residential Development Vacant Land	0.0573	\$400
GRV Special Rural	0.0534	\$800
GRV Special Rural Vacant Land	0.0642	\$800
UV Rural	0.0730	\$750
UV Mining	0.1405	\$320
GRV Specified Area Rate	0.012863	\$64.60

2. *Adopt the objects and reasons for each of the proposed differential rates and minimum payments;*


3. *Endorse the CEO's action in advertising the differential rates and call for submissions by 31 July 2014;*
4. *Apply to the Minister for Local Government for approval to impose a minimum payment on more than 50% of the total number of properties in the Marina Vacant Land and Residential Development Vacant Land categories.*

CARRIED by ABSOLUTE MAJORITY 4/0

10. REPORTS OF OFFICERS

10.3 Executive Manager Aviation Services

10.3.1 General Report

Location:	Exmouth
Applicant:	J Kox
File Reference:	TT.SP.0
Disclosure of Interest:	Nil
Date:	10 July 2014
Author:	Executive Manager Aviation Services, Jenny Kox
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

The following Aviation Services Department report contains a brief summary of significant activities and issues arising since the June 2014 Council Meeting agenda report.

BACKGROUND

Defence

The Learmonth Airport Environmental Management Plan has been approved by Defence. The Learmonth Airport Master Plan is currently under review by Defence representatives.

Monthly Learmonth Advisory Committee Meetings continue to raise no significant issues.

Regulatory

To support the Department of Transport WA in their bid to seek ongoing funding for the Regional Airports Development Scheme (RADS), draft project cases have been prepared for works where funding may be sought by Council in the 2015/16 to 2019/20 financial years. The draft project cases provided identified fencing and runway improvements to Exmouth Aerodrome, and an apron & taxiway overlay to Learmonth Airport.

A desk-top emergency exercise was undertaken by Qantas representatives on 24 June 2014.

Airlines/Air Operators/Industry

On 9 July 2014, Virgin Australia Regional Airlines announced that it will be ceasing its services into Learmonth/Exmouth from 13 October 2014. VARA carried 15,322 passengers in the 2013/14 financial year, which represented 17% of the market.

Qantas are seeking a change of schedule for their weekday afternoon service to arrive later at 1430 rather than at 1350 to enable single day travel from Brisbane. The departure time will be unaffected. If approved by Defence, this change will be effective from 18 August 2014.

Qantas have also made a change to airframes operating into Learmonth for some services by utilising a Network F100 (100 seats) in lieu of a B717 (125 seats). The F100 aircraft operates Tuesday, Wednesday and Friday mornings and Tuesday afternoon (replacing the Q400). The Tuesday afternoon service also arrives earlier (at 1320) and departs later (at 1540).

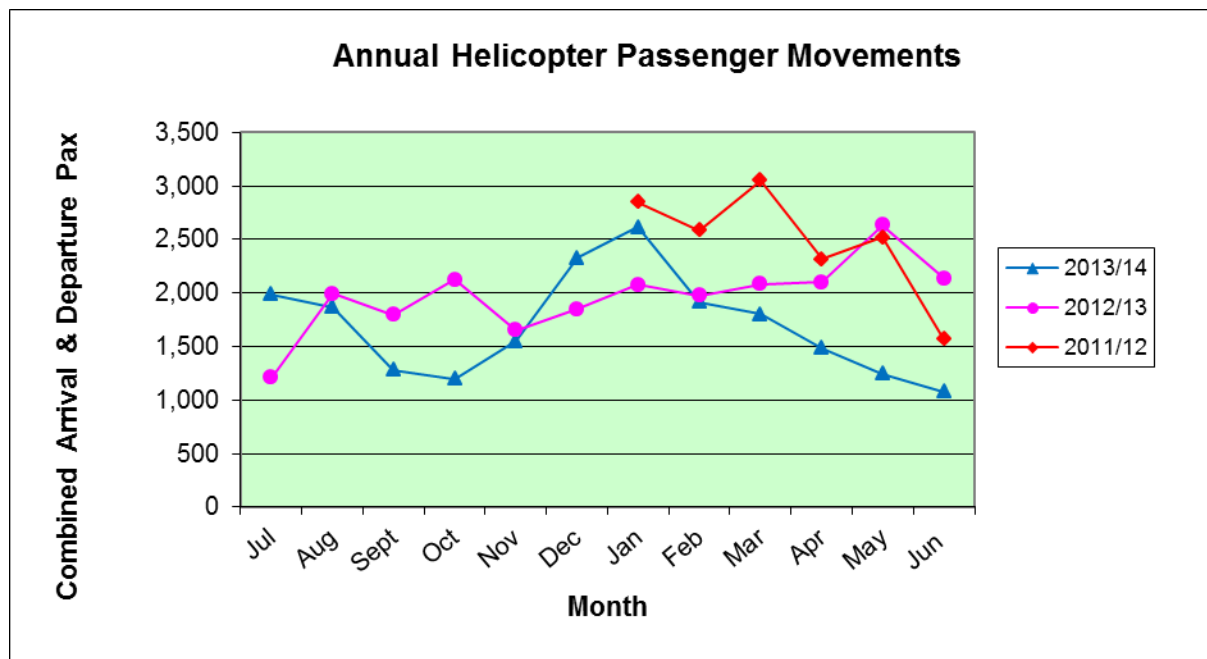
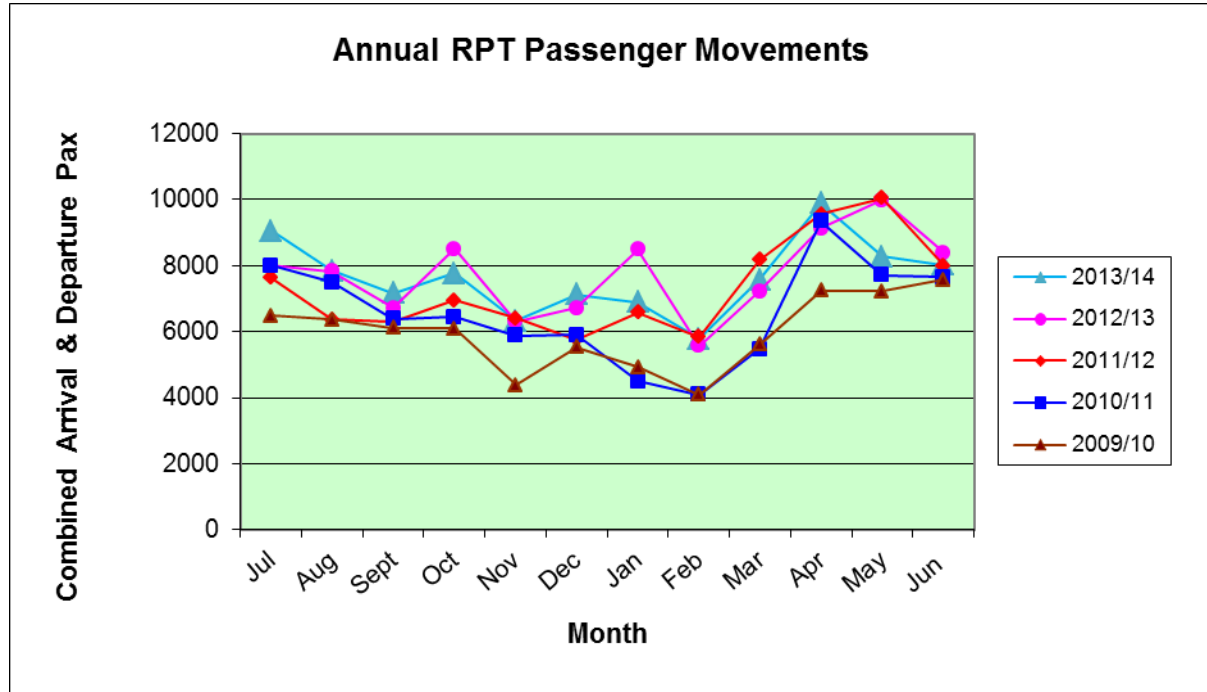
June RPT passenger numbers showed a continuing trend of being lower than May and were slightly down on 2013. Helicopter passenger numbers were the lowest for the year representing 13% of the RPT passenger numbers.

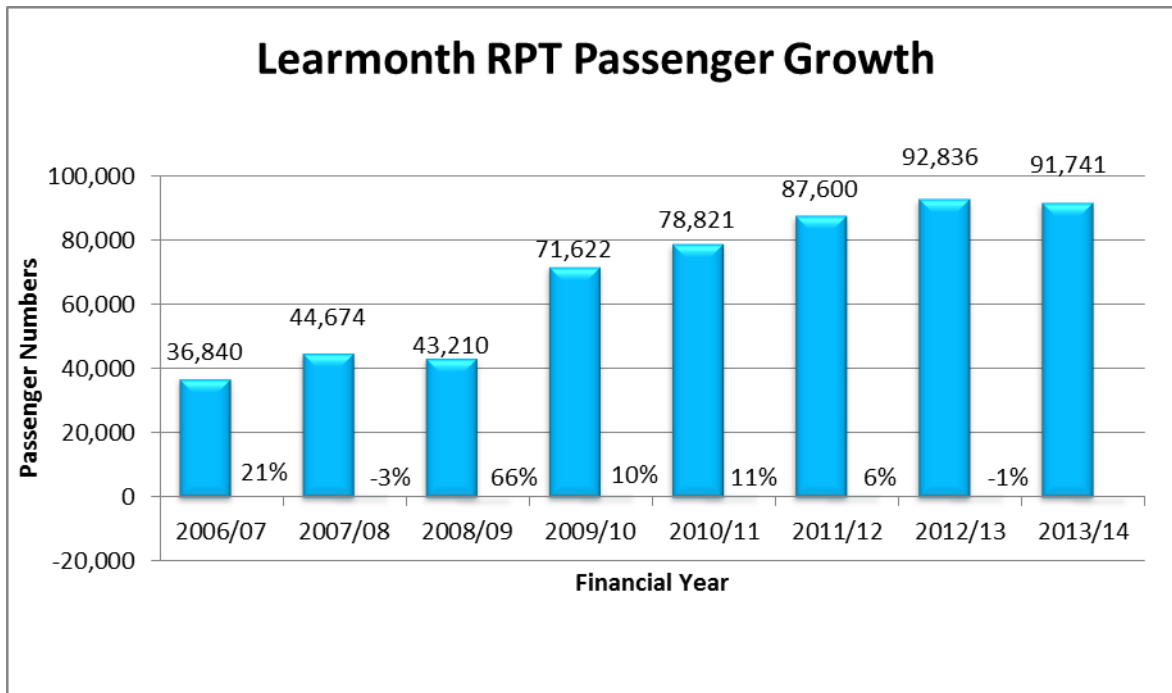
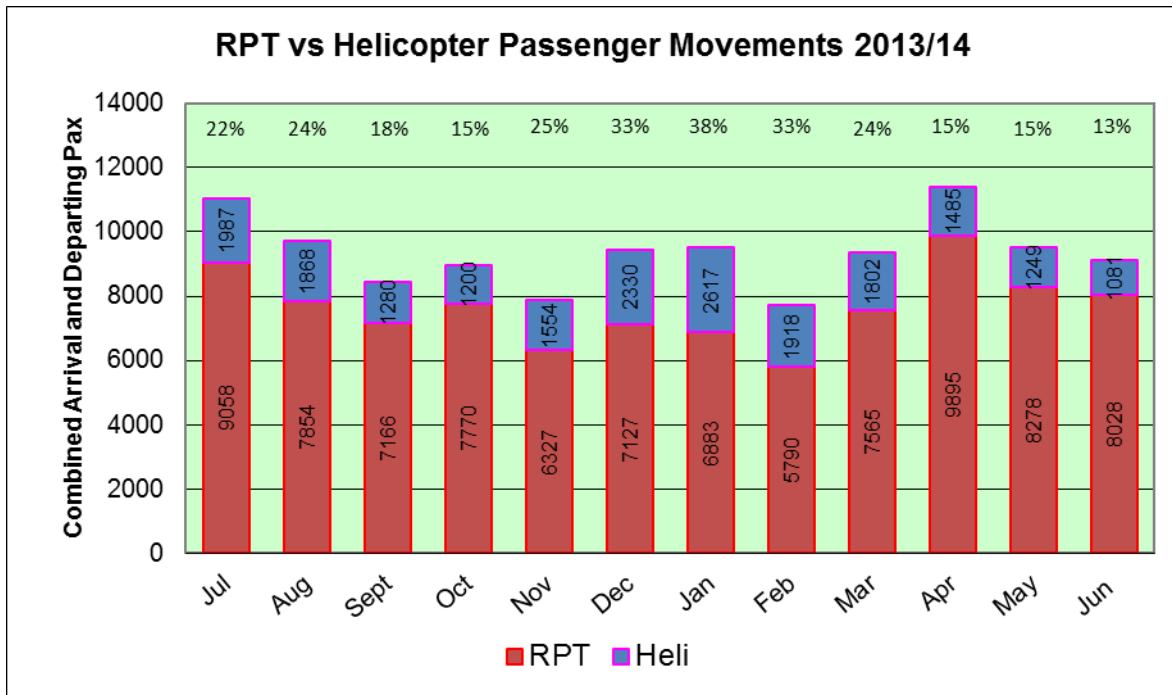
There were 91,741 RPT passengers for the 2013/14 financial year which represents around a 1% decrease (or 1,095 less passengers) on the last financial year.

Heliport operations saw 20,371 passengers in and outbound, which is 3,264 less passengers than the previous financial year (-14%). This decrease can be attributed to the limited cyclone activity this year as well as a reduced drilling campaign by most companies as their focus is on Browse Basin activities.

The average for the financial year of RPT verses helicopter passengers was 23% (previously 26%).

See the graphical presentation of statistics below.

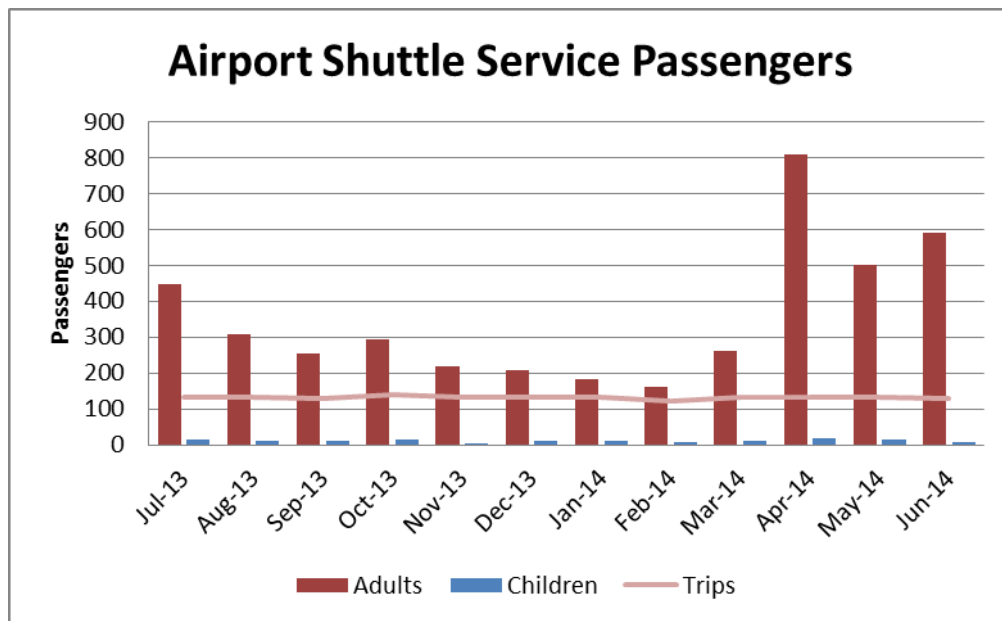




Airport

An expression of interest for mobile telecommunications improvements via the Federal Government \$100M mobile coverage upgrade program has been submitted, noting that approximately 2/3^{rds} of the Shire experiences poor to no mobile phone coverage.

The Airport Shuttle Service contract has seen an increase in passengers utilising the service when compared to the 2012/13 financial year with 107 more passengers (2.5% growth) whilst operating 176 less trips than last year due to airline scheduling changes.



Heliport

As for last month, the heliport continues with baseline operations only. Staff have been assisting with maintenance works around the airport facilities in between operations such as line parking, painting and sign installation.

The 12th meeting of the Learmonth Heliport Consultative Meeting was held on 18 June 2014 with no significant issues identified.

Staffing

Pratima Ojha has resigned from her casual position as her family relocates to Perth. Pratima's last day will be 13 July 2014.

Leasing

Nil

Projects

All 2013/14 capital projects for Aviation Services have been completed. The new shed is in place at Learmonth Airport and the water tanks with the solar bore pump have been installed at Exmouth Aerodrome.



The newly painted arrivals wall has also been completed in colours from the new Shire logo, bringing a brighter, lighter look to the area. The rental car counters will be painted to match the furniture.



Exmouth Aerodrome

A response has been provided to the Department of Premier & Cabinet in relation to questions raised in regards to the WANDRRA submission for repairs to Exmouth Aerodrome. It has been advised that this is the first time WANDRRA has received a request for airport repairs, so a decision may be protracted.

Other Items

Nil

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.3.1
--

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

COUNCIL DECISION – 09-0714 – 10.3.1
--

Moved Councillor McHutchison, Seconded Councillor Thompson.


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

CARRIED 4/0

10. REPORTS OF OFFICERS

10.3 Executive Manager Aviation Services

10.3.2 Learmonth Airport Car Park Master Plan

Location:	Exmouth
Applicant:	J Kox
File Reference:	TT.DE.2
Disclosure of Interest:	Nil
Date:	9 July 2014
Author:	Executive Manager Aviation Services, Jenny Kox
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council endorses the Learmonth Airport Car Park Master Plan.

BACKGROUND

A request for additional rental car bays and improvements to bus parking has prompted a review of the car park layout at Learmonth Airport. In addition, there is continual damage to reticulation systems and below-surface pipes due to vehicles parking on grassed and unsealed areas.

A Car Park Master Plan has therefore been prepared to identify the current deficiencies in the car park and details improvement options.

COMMENT

Attached is a copy of the Learmonth Airport Car Park Master Plan (version 1) for Council consideration and endorsement. (Refer *Attachment 1*)

This plan identifies the deficiencies in the current layout, such as the lack of a designated pick-up and drop off area, poor markings and signage and the lack of clearly defined parking areas.

The plan also includes proposed changes to the car park to improve traffic flow and way-finding as well as being mindful in limiting access to the front of the terminal to meet regulatory front of house security requirements.

It is noted that the plans contained within the Car Park Master Plan are indicative only and not to scale and may be amended if engineering and/or statutory requirements prompt a change.

An extensive advertising campaign will be undertaken to advise the public of the upcoming changes to the car park layout. Works will be undertaken over time with a view that the changes are fully implemented by 1 October 2014.

Council's endorsement of the Master Plan is sought as the plan provides strategic development of Learmonth Airport Car Park in line with the Learmonth Airport Master Plan and other documents that form Council's integrated planning framework.

CONSULTATION

Rental vehicle operators

Regular bus charter operators

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The proposed changes within the Car Park Master Plan are budgeted for completion in the 2014/15 financial year, with the exception of the identified long term improvements. Civil works have been kept to a minimum to ensure an acceptable return on investment is achieved. There will be an increase in income received by Council due to the additional number of rental bays.

STRATEGIC IMPLICATIONS**Economic**

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.3.2

That the Council of the Shire of Exmouth endorse the Learmonth Airport Car Park Master Plan and the actions recommended within the report.

COUNCIL DECISION – 10-0714 – 10.3.2

Moved Councillor Thompson, Seconded Councillor Todd.

That the Council of the Shire of Exmouth endorse the Learmonth Airport Car Park Master Plan and the actions recommended within the report.

CARRIED 4/0

10. REPORTS OF OFFICERS

10.4 Executive Manager Community Engagement

10.4.1 General Report

Location:	Exmouth
Applicant:	R Kempe
File Reference:	GV.ME.0
Disclosure of Interest:	Nil
Date:	7 July 2014
Author:	Executive Manager Community Engagement, Rogé Kempe
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Tourism

Ningaloo-Shark Bay National Landscape (NL)

The Experience Development Strategy (EDS) for the Ningaloo-Shark Bay National Landscape was finalised in June of this year and presented to the NL Committee. After formal adoption at a future Committee meeting, the document can be made available to Council. The EMCE has project managed this regional project and is finalising acquittals for the grant funds that have supported this project.

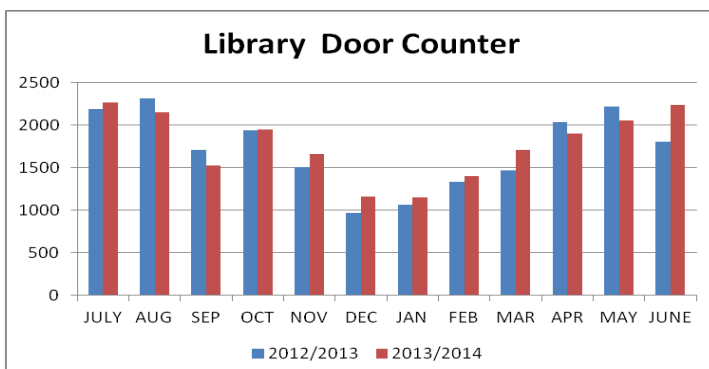
Australia's Coral Coast

In June the EMCE attended a Board meeting of Australia's Coral Coast which was held at *The West Australian* newspaper offices. This was a great opportunity to meet the travel writers of the newspaper and these networks can be useful for future media releases by the Shire of Exmouth.

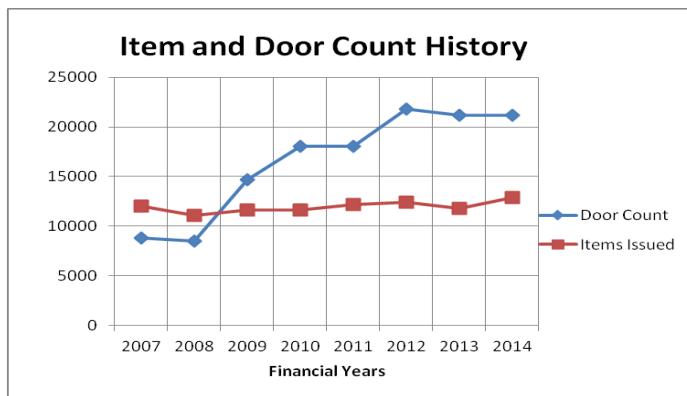
Gascoyne Tourism Strategy

The Gascoyne Region Tourism Strategy is at a final draft stage with comments provided by Key Stakeholders from the region. The final Strategy will be presented to Council at a later date.

Library Services



Just over 21,160 people made use of the library services in the past financial year, compared to about 21,180 in 2012/2013. Whilst April and May patron numbers were down on last year, June saw 2240 people visit compared to 1800 for the same period last year; an increase of 440 people this month.



Nearly 12,900 books were loaned to patrons this year compared to about 11,800 for the same period last year; an increase of approximately 1100 items.

Community Development

Youth Matters

Youth Action Exmouth (YAE) has developed an event management handbook which is now with local graphic designer to prepare it ready for print. It is anticipated that the handbook will be completed and printed by August. The YAE group have designed their own logo and an electronic version of the logo will be produced.

The YAE group have planned and designed an activity that will form part of the school holiday program: 'The Amazing Race' for young people in town.

BHP Billiton's funding of this programme is coming to an end but officers have approached BHP Billiton to consider continuation of their support for the next three years.

Men's Shed

The number of interested men continues to grow and it is hoped that the men will be ready to progress to setting up a working group and start developing some projects. Representatives from Carnarvon's Men's Shed group will attend the meeting to discuss their experiences and offer support to the local group.

Thank an Emergency Volunteer Night

The Exmouth emergency services volunteers came together for a few drinks and nibbles on 12 June 2014. Nearly 60 people attended with volunteers from all services. A slide show from an Emergency Response Exercise held at the Airport was shown which was well received with everyone enjoying the night. Shire President Turk Shales thanked all volunteers for giving their time to the Exmouth community.

Health & Wellness Expo

This year's Expo was a visual treat with 28 health and wellness service providers giving information to the community. There were 3 guest speakers:

- Paul D Vorak- Effects of Alcohol,
- Brooke Shales- Melanoma: My Story
- Regional Men's health –Importance of health for men

All talks were inspiring and Paul and Brooke also went to Exmouth District High School to give their message to the high school student from years 7 – 12, being over 150 students.

A survey was filled out by all stall holders and community members who attended the expo and 100% thought it was a worthwhile event to hold every 2 years. We will look at holding it on a Saturday next time to maximise attendance.



NAIDOC week 2014

On 4 July 2014 NAIDOC week commenced with a flag raising ceremony at the cynotaph in front of the Shire offices where Shire President Turk Shales addressed the people gathered. The NWCEAC organised the NAIDOC Aboriginal Art Awards exhibition at the Harold E. Holt Naval Communications Base which was open from Saturday 5 July to Wednesday 16 July 2014.

Black Swan Theatre – Shakespeare Shenanigans

The Shire of Exmouth contributed financially to bring this show to town while ECAE took on the event and coordinated and promoted it.

It was a great show and the actors also gave 4 local students a chance to perform on stage. Afterwards an animated Question & Answer session between audience and actors was held.

Only 37 people attended and officers will evaluate the interest and value of bringing shows and performances to Exmouth. They will look at ways to attract better attendance, either through different programming, combinations of workshops and performance or different advertising opportunities.

**Media and Community Information**

- Shire Newsletter for the month of June
- Contributed information towards a Tourism Award (EVC)

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Economic**

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

- Outcome 1.3 – Diverse Tourism opportunities.

Social

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

- Outcome 3.3 –An inclusive, responsible and cohesive community.
- Outcome 3.5 –Maintain and increase participation levels in local community organisations and clubs.

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.4.1
--

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

COUNCIL DECISION – 11-0714 – 10.4.1
--

Moved Councillor McHutchison, Seconded Councillor Todd.

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

CARRIED 4/0

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: 7 July 2014
 Author: Executive Manager Health & Building, R M Manning

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

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

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

Below is a summary of building licence and building certificate applications and approvals up to 30 June 2014.

Building Applications						
Application No	Date Received	Lot No	Development Location	Description	Decision	Decision Date
13/187	11/12/2013	384	Corella Court	Jetty	Approved	11/06/2014
14/39	07/04/2014	1	Burkett Road	3 x 4 bedroom transportable & 1 x commercial kitchen	Awaiting information from applicant	
14/47	30/04/2014	390	19 Corella Court	Single dwelling	Awaiting information from applicant	
14/51	07/05/2014	42	18 Cooyou Close	Single dwelling	Withdrawn by applicant	
14/66	28/05/2014	40	40/2 Welch Street	Single dwelling	Processing	
14/67	28/05/2014	15	15/2 Welch Street	Single dwelling	Processing	
14/68	28/05/2014	41	41/2 Welch Street	Single dwelling	Processing	
14/70	29/05/2014	351	25 Kestrel Place	Single dwelling	Processing	
14/71	30/05/2014	359	9 Kestrel Place	Single dwelling	Processing	
14/73	05/06/2014	203	48 Cobia Close	Swimming Pool	Approved	11/06/2014
14/74	05/06/2014	20	Reserve 37630 , 7 Kennedy Street	Toilet Block	Approved	11/06/2014
14/75	05/06/2014	312	18 Kennedy Street	Toilet Block	Approved	11/06/2014
14/76	09/06/2014	1355	39 Tambor Drive	Fence	Approved	11/06/2014
14/77	20/06/2014	333	Kestrel Place	Fence	Approved	09/07/2014

Summary of Building Licence/Permit Applications
2007 to Year to date 30 June 2014

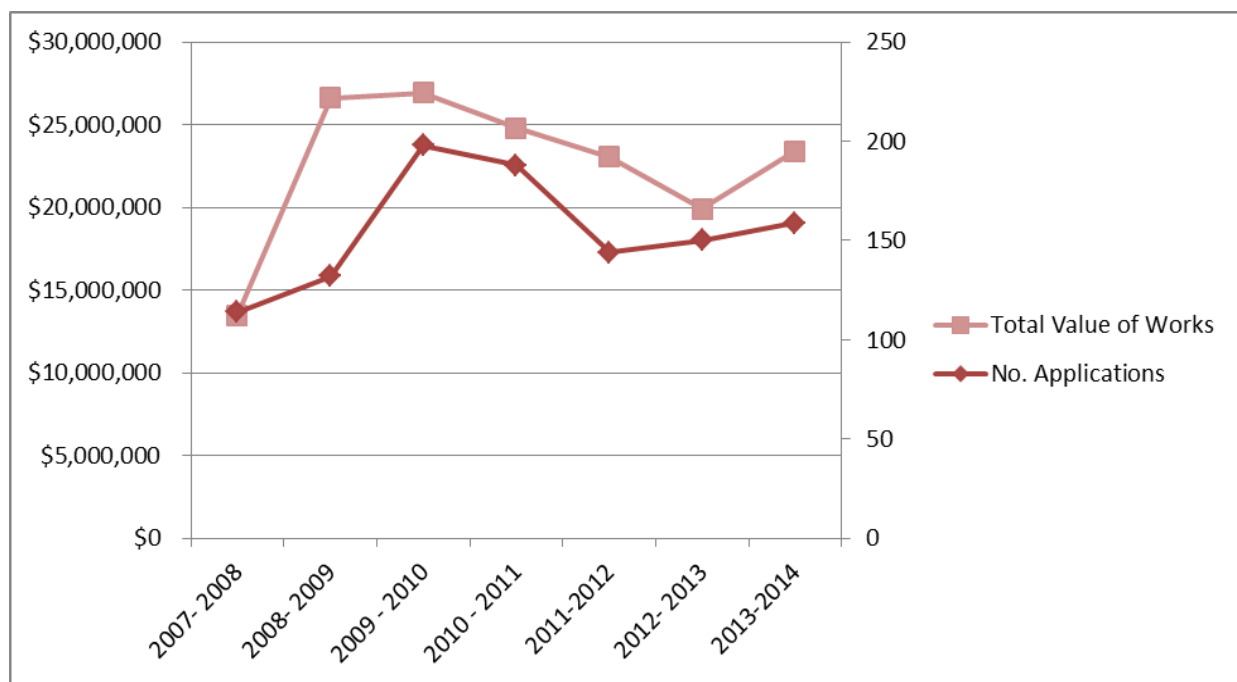
Year	No. Applications	Total Value of Works	No. Applications up 30 June 2014	Value up to 30 June 2014
2007- 2008	114	\$13,465,725	114	\$13,465,725
2008- 2009	132	\$26,600,941	130	\$26,600,941
2009 - 2010	198	\$26,916,869	198	\$26,916,869
2010 - 2011	188	\$24,816,605	188	\$24,816,605
2011-2012	144	\$23,057,154	144	\$23,057,154
2012- 2013	150	\$19,931,790	150	\$19,931,790
2013-2014			159	\$23,404,990

COMMENT

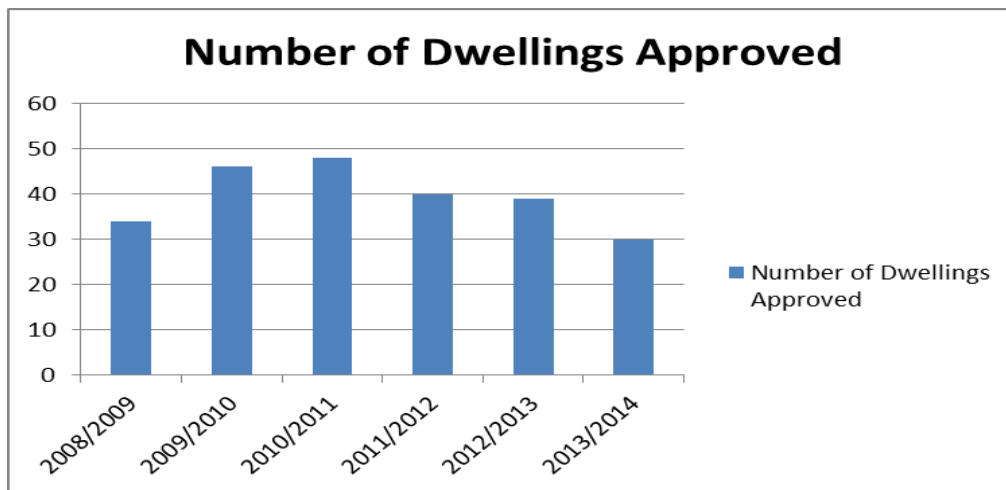
BUILDING

In addition to the usual monthly and year to date building permit approvals information provided above, the charts below show the above information (I.E. comparison of total permits approved and value of the same for each year for the past 7 years) and the number of dwellings approved for each financial year over the past six years.

Summary of Building Licence/Permit Applications



The above data shows that in the 2013/14 year the building industry in Exmouth has been reasonably steady compared to past years.



In relation to the number of dwellings approved, although the past year was down slightly on previous years, the Shire of Exmouth is still averaging close to 40 dwellings per year from 2008/2009 to current.

ENVIRONMENTAL HEALTH

The Council's new Environmental Health Officer, Carla Webster commenced with the Shire of Exmouth on 2 July 2014. Carla and her family have relocated to Exmouth from Donnybrook in the South West. Carla has worked previously at the Shire of Capel and is looking forward to meeting local business operators and working with the Exmouth community.

Sharon Mumby has also recently commenced working for the Council's Environmental Health Services in a part-time capacity that will over the coming months be a full time position once Sharon has completed the necessary training and obtained the competencies required to be an approved Pool Manager. Sharon's role will primarily be Pool Duty Manager as a back-up to the Pool Manager (Josh Koontz). Sharon will also complete water sampling duties, provide back-up to the tip site staff and when the Council's recycling centre is up and running, Sharon will also spend part of her working week at the centre.

WA Community Attitudes towards Shale Gas

The Department of Mines and Petroleum (DMP) commissioned the survey, Community Attitudes Towards Shale Gas, to assess community views and understanding about the emerging shale and tight gas industry in WA.

Information sheets which summarise the survey results, for the overall State response and the regional communities most likely to be affected by this emerging industry, are now available on the DMP website (Refer *Attachment 1*).

It is proposed that representatives from APPEA be invited to the next community information session to be held in October to present a briefing on unconventional gas (shale gas, hydraulic fracturing, environmental safeguards etc) for community information.

Living Smart Course 2014

Advertising and promotional material for the first Living Smart Course is currently being publicised and circulated (Refer *Attachment 2*).

Willing participants can enrol for the course now. The course facilitators would like at least 10, preferably 15 participants enrolled for the course.

Waste Management and Recycling

At the 19 June 2014 Ordinary Council Meeting new opening times of the Qualing Scarp Waste Disposal Site were adopted that provided a much wider spread of hours from Monday to Saturday and closing the tip on Sundays. The new times are due to commence on 28 July 2014 and have been communicated in writing to every tip account holder as well as communicated to the general public via the Shire newsletter, Shire website and public notice boards.

To date Council staff have not received any comment from the public on the new tip times.

Sentinel Chickens & Mosquito Borne Diseases

The University of Western Australia's Sentinel Chicken Bleeding Program is continuing with bi-monthly bleeding of chicken flocks. There were no new positives blood tests to report of for Murray Valley Encephalitis, Kunjin Virus or other flaviviruses from the rounds of testing up to 30 June 2014.

Paltridge Memorial Swimming Pool

A comparison of the 2013/14 pool season patronage with previous years is provided in the table below.

	<u>2013/2014</u>	<u>2012/2013</u>	<u>2011/2012</u>	<u>2010/2011</u>
Pool Users	26329	29519	28054	27159

The pools have now been re-filled following the completion of the repainting of the bowls and lane line marking. Two consecutive satisfactory results were received from microbiological analysis of water samples taken earlier this month. Owing to the above, the local SCUBA Diving businesses/schools have been advised that they may again access the deep end of the pool for SCUBA Dive lessons (subject to the businesses/instructors having the necessary permit).

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 July 2014.

COUNCIL DECISION – 12-0714 – 10.5.1
--

Moved Councillor Todd, Seconded Councillor Thompson.

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

CARRIED 4/0

10. REPORTS OF OFFICERS**10.5 Executive Manager Health & Building****10.5.2 Appointment of Environmental Health Officer as Authorised Person**

Location: Exmouth
 Applicant: R M Manning
 File Reference: PE.RE.359
 Disclosure of Interest: Nil
 Date: 7 July 2014
 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 appoint Council's Environmental Health Officer, Mrs Carla Webster as an authorised person pursuant to the Health Act 1911, Food Act 2008 and the Caravan Parks and Camping Grounds Act 1995.

BACKGROUND

Mrs Webster commenced with the Shire of Exmouth as Environmental Health Officer (EHO) on 2 July 2014.

Formal 'authorisation' of an EHO under certain statutes is necessary in order for a local government EHO to efficiently carry out the functions and responsibilities of the position. In addition to the above, the Health Act 1911 prescribes that an appointment of an EHO by local government must be approved by the Executive Director, Public Health (EDPH).

COMMENT

The specific appointments as authorised person sought by this report are as follows:-

- **Health Act 1911** : Council Officers have already sought approval of the EDPH for the appointment of Mrs Webster as EHO for the Shire of Exmouth. Such approval will provide the authorisation required under the Health Act (and its subsidiary legislation) for Mrs Webster to perform functions related to lodging houses, public buildings, on-site waste water treatment systems etc;
- **Caravan Parks and Camping Grounds Act 1995** : For powers of entry and inspection purposes; and
- **Food Act 2008** : Under Section 122 (1) for authorisation for the purposes of administering the Act.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Health Act 1911 and all subsidiary legislation thereto;
 Caravan Parks and Camping Grounds Act 1995 and Regulations 1997;
 Food Act 2008

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 2.2: 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 3.4: A community that is well informed and educated about our natural, cultural and built environment.

Civic Leadership

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

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

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION – 10.5.2
--

That the Council of the Shire of Exmouth:-

1. *Endorse Council Officers seeking the approval of the Executive Director, Public Health for the appointment of Mrs Carla Webster as Environmental Health Officer for the Shire of Exmouth; and*
2. *Appoint Shire of Exmouth Environmental Health Officer, Mrs Carla Webster as an authorised person pursuant to the Caravan Parks and Camping Grounds Act 1995 (s. 17) and the Food Act 2008 (s.122).*

COUNCIL DECISION – 13-0714 – 10.5.2
--

Moved Councillor McHutchison, Seconded Councillor Thompson.

That the Council of the Shire of Exmouth:-

1. *Endorse Council Officers seeking the approval of the Executive Director, Public Health for the appointment of Mrs Carla Webster as Environmental Health Officer for the Shire of Exmouth; and*
2. *Appoint Shire of Exmouth Environmental Health Officer, Mrs Carla Webster as an authorised person pursuant to the Caravan Parks and Camping Grounds Act 1995 (s. 17) and the Food Act 2008 (s.122).*

CARRIED by ABSOLUTE MAJORITY 4/0

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: 8 July 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Planning Applications and Approvals

Below is a summary of planning applications and approvals up to 8 July 2014.

Applic. No	Lodgement Date	Lot	Property Address	Description	Decision	Date Determined
PA122/13	23/09/2013	304	Minilya Exmouth Road	Single Dwelling, Garage, Pool, Pavilion & Ancillary Accommodation	Approved	23/06/2014
PA08/14	20/01/2014	1	4A Pellew Street	Open Carport	On Hold	
PA20/14	13/02/2014	162	Tuckey Street	Single Dwelling	Approved	23/06/2014
PA97/14	20/05/2014	102	441 Murat Road	Additional Use - Nursery	Approved	17/06/2014
PA102/14	28/05/2014	407	28 Madaffari Drive	Swimming Pool	Approved	17/06/2014
PA105/14	03/06/2014	188	8 Snapper Loop	Home Occupation	Approved	18/06/2014
PA106/14	04/06/2014	11	Madaffari Drive	Two Storey Dwelling	Processing	
PA100/14	03/06/2014	407	28 Madaffari Drive	New Holiday Accommodation	July OCM	
PA111/14	09/06/2014	161	5 Maidstone Crescent	Additions to existing building	Approved	17/06/2014
PA113/14	09/06/2014	37	10 Searaven Crescent	Outbuilding	Processing	
PA111/14	09/06/2014	161	5 Maidstone Crescent	Caretakers Dwelling	Approved	17/06/2014
PA113/14	09/06/2014	37	10 Searaven Crescent	Oversized Outbuilding	Approved	25/06/2014
PA114/14	11/06/2014	64	Lot 64 Inggarda Lane	New Holiday Accommodation	Approved	09/07/14
PA116/14	11/06/2014	131	42 Young Street	Industrial Storage Shed	Approved	17/06/2014
PA117/14	12/06/2014	61	22 Searaven Crescent	Carport	July OCM	
PA119/14	17/06/2014	50	Minilya Exmouth Road	Expanded Stockpile Area And Services Compound	Processing	
PA120/14	19/06/2014	1112	1 Nimitz Street	Hard Annex	Approved	02/07/2014
PA121/14	19/06/2014	4	30 Dugong Close	Home Occupation (Beauty)	Approved	23/06/2014
PA122/14	26/06/2014	802	17 King Place	Outbuilding	Processing	
PA124/14	27/06/2014	829	1 Pelias Street	Sign	Processing	
PA125/14	02/07/2014	1378	19 Preston Street	Outdoor Living Area	Processing	
PA128/14	08/07/2014	1431	Willersdorf Road	Ningaloo Centre	Processing	
PA129/14	08/07/2014	26	50 Mortiss Street	Single Dwelling	Processing	

Summary of Total Planning applications and Local Government Property Permits

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

Permits issued for an Activity on Local Government Property	
Month	No. Applications
January	2
February	2
March	8
April	15
May	7
June	3

COMMENT

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

During the May Ordinary Council meeting, Council resolved to adopt a major departure to Exmouth Marina Outline Development Plan. The modified Outline Development Plan was forwarded to WAPC for final approval.

Lefroy Affordable Housing in Exmouth

Council in conjunction with the Department of Housing (DoH) are still progressing the Exmouth Key Worker Housing Project. The Department of Housing are currently finalising the business case and which will be submitted to cabinet for approval sometime in August / September.

Nimitz Street Outline Development Plan

Council is notified RPS has completed the minor modifications as requested by WAPC in December 2013. The Outline Development Plan has been submitted to WAPC for final endorsement.

Disposal of Reserves

Council resolved to approve the disposal of portions of Reserve 47803 (Lot 1477) Madaffari Drive, Exmouth for sale and amalgamation with adjoining lots. The request was been forwarded to Department of Lands.

Ranger Services

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

	Dogs	Camping	Parking	Litter	Fire	Off road	Other
Warning/caution	2	0	2	1	0	0	5
Infringement	1	39	5	0	0	0	0
Court	0	0	0	0	0	0	0
June Total	3	39	7	1	0	0	3
2013-2014 Totals	60	251	66	4	161	0	32

Fines Enforcement Registry

Council has registered to use the Fines Enforcement Registry with the Western Australian Attorney General's Department to proceed in enforcing any penalties which have not been paid. In the coming months, Officers will commence using the registry to enforce unpaid penalties.

Emergency Overflow Camp Ground

A camp host has been secured for the Shire's Emergency Overflow Camp Ground during the coming July School holidays. Phil Shackleton, who assisted with the role in previous years, has offered his assistance again.

Emergency Services

The Executive Manager Town Planning and the Compliance and Emergency Services Coordinator attended the Mid-West Emergency Management Conference held in Geraldton on the 30 June 2014. The topic for the conference was Collaboration, Contingencies and Community. Guest speakers included some of Australia's

foremost knowledge expert's in emergency management and disaster recovery, including Mr Mick Keelty who was responsible for a number of high profile bush fire inquiries within the last 5 years, including the Perth Hills and Margaret River Bush Fires.

Presentations with themes of Interagency Support, Shared Responsibilities, Emergency Recovery, Emergency Planning, Emergency Business Continuity and Risk Awareness and Mitigation were covered by an exceptional line-up of high calibre Emergency Management, Emergency Recovery, Business Continuity and Community Development professionals.

Digital Mapping Solutions (DMS) was displaying information pertaining to *IntraMaps* which is a powerful enterprise web based spatial data viewing, querying and analysis application that has been designed to integrate enterprise data into a single easy to use spatial portal. IntraMaps is used by over 100 organisations across Australia and New Zealand, including approximately 50 Western Australian Local Governments, such as the Shire of Broome, Shire of Carnarvon and the Shire of Ashburton. Officers will further research *Intramaps* over the coming months to see how it can improve productivity.

One of the key benefits offered is the seamless integration with existing corporate applications, including Property Systems such as IT Vision - SynergySoft, which are currently used extensively throughout Local Government. IntraMaps solutions quickly become an integral part of the day to day operation of the entire organisation, unlike traditional GIS solutions that typically sit to one side and are often used by limited staff. Digital Mapping Solutions aim is to ensure that each implementation results in greater efficiency and improved productivity throughout the organisation.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Shire of Exmouth Town Planning Scheme No 3

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Environment

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

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

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.6.1
--

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

COUNCIL DECISION – 14-0714 – 10.6.1
--

Moved Councillor McHutchison, Seconded Councillor Todd.

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

CARRIED 4/0

10. REPORTS OF OFFICERS**10.6 Executive Manager Town Planning****10.6.2 Outcome of Statutory Review of Local Laws Under s3.16 of Local Government Act 1995**

Location: Exmouth
 Applicant: N/A
 File Reference: LE.LO.0
 Disclosure of Interest: Nil
 Date: 3 July 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that the Council of the Shire of Exmouth receive the outcome of the statutory review of local laws required under s3.16 of the Local Government Act 1995.

BACKGROUND

Section 3.16 of the Local Government Act 1995 requires Local Governments to review their local laws every eight years using a process prescribed in the legislation.

The Shire has the following local laws in place:

Title	Gazette Date
Cat Control	4/11/1997
Health Local Laws 1998	23/10/1998
Parking	23/10/1998
Fencing	23/10/1998
Dogs Local Law	10/07/2000
Cemetery Exmouth Public	10/07/2000
Property Local Government	10/07/2000
Standing Orders Local Law 1999	10/07/2000
Activities on thoroughfare and Trading in Thoroughfares and Public Places	10/07/2000

At its meeting held on 21 November 2013, Council resolved to initiate the required review.

As required by s3.16(2), a notice was published on 4 December 2013 in the Northern Guardian and 30 November 2013 in the Western Australian calling for public submissions, closing on 31 January 2014. No submissions were received.

COMMENT

While there were no comments received from the public about the local laws, a number of the local laws are outdated and require amending or updating.

CONSULTATION

As noted above, the review was subject to public advertising.

STATUTORY ENVIRONMENT

Section 3.16 of the Local Government Act 1995

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

Absolute Majority

OFFICER'S RECOMMENDATION – 10.6.2

That the Council of the Shire of Exmouth receives the outcome of the statutory review of local laws required under s3.16 of the Local Government Act 1995 and proceeds with the review of the local laws as required.

COUNCIL DECISION – 15-0714 – 10.6.2

Moved Councillor Todd, Seconded Councillor Thompson.

That the Council of the Shire of Exmouth receives the outcome of the statutory review of local laws required under s3.16 of the Local Government Act 1995 and proceeds with the review of the local laws as required.

CARRIED by ABSOLUTE MAJORITY 4/0

10. REPORTS OF OFFICERS

10.6 Executive Manager Town Planning

10.6.3 New Holiday Accommodation – Lot 407 (28) Madaffari Drive, Exmouth

Location: Lot 407 (28) Madaffari Drive, Exmouth
 Applicant: Ray White Exmouth
 File Reference: A1536 (PA100/14)
 Disclosure of Interest: Nil
 Date: 5 June 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that the Council of the Shire of Exmouth grant planning approval for Holiday Accommodation upon Lot 407 (28) Madaffari Drive, Exmouth. (Refer *Attachment 1*):

BACKGROUND

The subject lot received planning approval under delegation for a dwelling in July 2013, which has substantially commenced. Planning approval was recently granted for a swimming pool.



PROPOSAL

Council's approval is sought for the change of use from a dwelling to holiday accommodation.

Proposal summary:

- Maximum number of occupants: 8
- Maximum number of vehicles: Three (3) and two (2)
- No changes to buildings or the site are proposed
- Property to be managed by Ray White Exmouth Holidays

- Provided House Rules for Guests and Visitors for occupants which includes use of the mooring envelope and jetty and swimming pool
- Provided a Fire Escape plan for occupants.

COMMENT

The proposed land use has been assessed against the Shire of Exmouth Town Planning Scheme No. 3, Local Planning Policy 6.16: Exmouth Marina Precinct A detailed design guidelines and Local Planning Policy 6.12: Holiday Accommodation.

ISSUES

Number of Vehicles

The applicant is proposing three (3) vehicles and two (2) trailers. This varies the provisions of LPP6.12. The Policy states that car parking shall be calculated on the basis of four persons per vehicle. The property has a double garage with space to accommodate two (2) more vehicles. Officer recommends a maximum of two (2) vehicles and one (1) trailer to reduce traffic issues.

Considering the above officer recommends that the Council of the Shire of Exmouth grant conditional planning approval for Holiday Accommodation upon Lot 407 (28) Madaffari Drive, Exmouth.

CONSULTATION

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 beginning on **Thursday 29 May 2014** and closing **Thursday 19 June 2014**. No comments were received from neighbours. A summary is tabled below:

Address	Received	Officer Comment
Lot 387 (25) Corella Court, Exmouth	No	Nil
Lot 388 (23) Corella Court, Exmouth	No	Nil
Lot 408 (30) Madaffari Drive	No	Nil
Lot 406 (26) Madaffari Drive	No	Nil
Lot 406 (26) Madaffari Drive – The Resident	No	Nil

STATUTORY ENVIRONMENT

Town Planning Scheme No.3

Planning and Development Act 2005

POLICY IMPLICATIONS

Local Planning Policy 6.12: Holiday Accommodation

Local Planning Policy 6.16: Exmouth Marina Precinct A Detailed 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 4.1: To be a collaborative community with the capacity to manage the current and future direction of Exmouth.
- Outcome 4.2: A local government that is respected, professional, trustworthy and accountable.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.6.3

That the Council of the Shire of Exmouth grant planning approval for holiday accommodation upon Lot 407 (28) Madaffari Drive, Exmouth subject to the following conditions:-

- 1. The approved use shall accord with the Shire of Exmouth Town Planning Scheme No.3, approved plans (PA100/14) and Local Planning Policy No. 6.12: Holiday Accommodation;*
- 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 six (6) 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 House Rules for Guests and Visitors shall be clearly displayed in the premises in accordance with Council Holiday Accommodation 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. This approval is valid until 30 September 2015. Following planning approval an annual permit will be issued after paying the prescribed fee. Upon this period lapsing, Council will notify owners about the date of expiry and that a new permit is required should the property continue to be used for holiday accommodation.*
- 11. Should this residential premises be used for Holiday Accommodation purposes and provide a swimming pool/spa pool for the use of guests or should the owners intend to install a swimming pool/spa pool in the future, the owners are hereby advised of the following:-

 - *The Health (Aquatic Facilities) Regulations 2007 require that a Certificate of Compliance and a Permit to Operate from the Executive Director, Public Health (EDPH) for the 'aquatic facility' be obtained i.e. the Department of Health (WA) is the approving authority, not the Shire of Exmouth;*
 - *Whether an aquatic facility is approved by the EDPH or not, regulation 21 prescribes that an Environmental Health Officer, or a person under the direction of an Environmental Health Officer, collects 2 water samples (one for bacteria, one for amoeba) from each water body of each aquatic facility in the district at least once per month. The owner/property manager must therefore make**

suitable arrangements for the Shire's Water Sampling Officer to access the property to obtain the water samples.

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 six (6) persons over the age of 10 at any one time. This Schedule shall be appropriately displayed in the house.

Schedule 1: Allowable Occupants: Lot 407 (28) Madaffari Drive, Exmouth

Bedroom 1: Total floor space: 14.98m², Approximate Air Space: 40.45m³
Allowable occupants: 2 adults **OR** 1 adult and 3 children **OR** 5 children

Bedroom 2: Total floor space: 11.23m², Approximate Air Space: 30.34m³
Allowable occupants: 2 adults **OR** 1 adult and 2 children **OR** 3 children

Bedroom 3: Total floor space: 9.72m², Approximate Air Space: 26.24m³
Allowable occupants: 1 adults **OR** 1 adult and 1 children **OR** 3 children

Bedroom 4: Total floor space: 8.46m², Approximate Air Space: 22.85m³
Allowable occupants: 1 adults **OR** 1 adult and 1 children **OR** 2 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 (as amended). Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).*

COUNCIL DECISION – 16-0714 – 10.6.3

Moved Councillor Thompson, Seconded Councillor Todd.

That the Council of the Shire of Exmouth grant planning approval for holiday accommodation upon Lot 407 (28) Madaffari Drive, Exmouth subject to the following conditions:-

- 1. The approved use shall accord with the Shire of Exmouth Town Planning Scheme No.3, approved plans (PA100/14) and Local Planning Policy No. 6.12: Holiday Accommodation;***
- 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 six (6) 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 House Rules for Guests and Visitors shall be clearly displayed in the premises in accordance with Council Holiday Accommodation 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. *This approval is valid until 30 September 2015. Following planning approval an annual permit will be issued after paying the prescribed fee. Upon this period lapsing, Council will notify owners about the date of expiry and that a new permit is required should the property continue to be used for holiday accommodation.*
11. *Should this residential premises be used for Holiday Accommodation purposes and provide a swimming pool/spa pool for the use of guests or should the owners intend to install a swimming pool/spa pool in the future, the owners are hereby advised of the following:-*
 - *The Health (Aquatic Facilities) Regulations 2007 require that a Certificate of Compliance and a Permit to Operate from the Executive Director, Public Health (EDPH) for the 'aquatic facility' be obtained i.e. the Department of Health (WA) is the approving authority, not the Shire of Exmouth;*
 - *Whether an aquatic facility is approved by the EDPH or not, regulation 21 prescribes that an Environmental Health Officer, or a person under the direction of an Environmental Health Officer, collects 2 water samples (one for bacteria, one for amoeba) from each water body of each aquatic facility in the district at least once per month. The owner/property manager must therefore make suitable arrangements for the Shire's Water Sampling Officer to access the property to obtain the water samples.*

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 six (6) persons over the age of 10 at any one time. This Schedule shall be appropriately displayed in the house.

Schedule 1: Allowable Occupants: Lot 407 (28) Madaffari Drive, Exmouth

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Bedroom 2: Total floor space: 11.23m², Approximate Air Space: 30.34m³
Allowable occupants: 2 adults **OR** 1 adult and 2 children **OR** 3 children

Bedroom 3: Total floor space: 9.72m², Approximate Air Space: 26.24m³
Allowable occupants: 1 adults **OR** 1 adult and 1 children **OR** 3 children

Bedroom 4: Total floor space: 8.46m², Approximate Air Space: 22.85m³
Allowable occupants: 1 adults **OR** 1 adult and 1 children **OR** 2 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 (as amended). Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).*

CARRIED 4/0

10. REPORTS OF OFFICERS

10.6 Executive Manager Town Planning

10.6.4 Major Land Transaction, Business Plan – Lot 300 Heron Way, Exmouth

Location:	Lot 300 Heron Way, Exmouth
Applicant:	Shire of Exmouth
File Reference:	LP.SU.0.8
Disclosure of Interest:	Nil
Date:	17 June 2014
Author:	Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council of the Shire of Exmouth adopt the Business Plan for the Special Rural subdivision of Lot 300 Heron Way, Exmouth into 11 lots, and advertise the business plan state wide for a period of not less than 42 days, notifying all adjacent owners and relevant public authorities (refer *Attachment 2*).

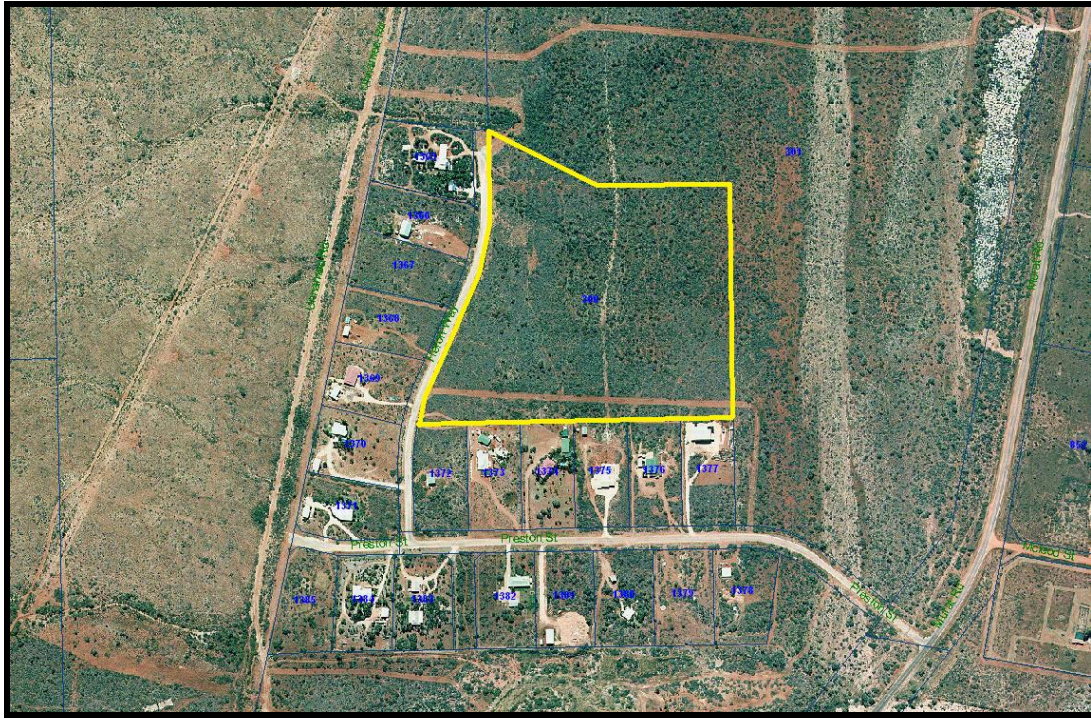
BACKGROUND

In 2010 Council initiated an omnibus scheme amendment to rezone the land to Special Rural. The Scheme amendment was approved by the Minister of Planning in 2011 resulting in 11.5 ha of Reserve 41753 being zoned Special Rural.

In 2013, the Department of Lands initiated a Crown subdivision of Lot 1388 Reserve 41753 to create two Crown lots, being Lot 300 and Lot 301. Lot 301 is subject to flooding and is not suitable for development and has been set aside as a reserve for natural protection whilst Lot 300 has had a developer lease being issued to the Shire of Exmouth for the development of Special Rural Lots.

The Shire received subdivision approval for Lot 300 Heron Way on 20 February 2014 by the West Australian Planning Commission. This approval was given with a number of conditions and is valid for four years until 20 February 2018. Officers are working towards clearing the conditions of subdivision approval.

A Business Plan has been prepared in accordance with the requirements of the Local Government Act and Regulations to enter into a major land transaction for the 11 lot subdivision of Lot 300 Heron Way, Exmouth. Upon completion of the subdivision, all lots created will be sold in freehold tenure in the open market.



Lot 300 Heron Way, Exmouth

PROPOSAL

The Business Plan has been prepared in accordance with sections 3.58 and 3.59 of the *Local Government Act 1995* and the associated *Local Government (Functions and General) Regulations (1996)*. Its purpose is to provide members of the community with the opportunity to consider this proposal and provide input, prior to Council making any decision.

In accordance with the requirements of the Local Government Act and Regulations the business plan includes details of —

- a) its expected effect on the provision of facilities and services by the local government;
- b) its expected effect on other persons providing facilities and services in the district;
- c) its expected financial effect on the local government;
- d) its expected effect on matters referred to in the local government's current plan
- e) the ability of the local government to manage the undertaking or the performance of the transaction;
- f) any other matter prescribed for the purposes of this subsection

In addition to the statutory requirements the business plan includes:

- a) the planning framework
- b) a brief analysis against the principals of Liveable Neighbourhoods; and
- c) major infrastructure and servicing details

COMMENT

The proposal has been assessed against the Local Government Act 1995, Local Government Regulations 1996, Land Administration Act 1997, Planning and Development Act 2005, and the Shire of Exmouth 10 Year Strategic Community Plan.

Exmouth 10 Year Strategic Community Plan

The strategic implications of the proposal both in the context of the Shire's Strategic Community Plan and Corporate Business Plan are discussed at Section 6 of the Business Plan '*Statutory Issues to be Addressed by the Business Case*'. The proposed major land transaction facilitates achieving outcome 3.8 There is a diverse range of residential land options available, outcome 3.8.1 Advocate for State Government and outcome 3.8.2 Council to investigate opportunities to acquire Crown land for development.

Local Government Act 1995

Section 3.59 of the Local Government Act 1995 requires that prior to a local government commencing a major trading undertaking, entering into a major land transaction or entering into a land transaction that is preparatory to entry into a major land transaction, a local government is required to prepare a Business Plan.

The acquisition and subdivision of Lot 300 Heron Way constitutes a *Major Land Transaction* for the purposes of the Act.

Detailed investigations have identified that land acquisition, subdivisional works, and sale for development are likely to give good financial return for the Shire, and that the land transaction entered will be greater than \$2 000 000 and more than 10% of the operating expenditure for the Shire of Exmouth 2013/14 financial year. Therefore the project meets the definition of being a Major Land Transaction for the purposes of the Local Government Act and Regulations.

Section 3.59 of the Local Government Act requires the local government to give state wide public notice of the major land transaction for a period of not less than 42 days. Submissions received during this public consultation process will be considered by Council at a further Council meeting, prior to any decision on the matter being made.

ISSUES

Risk Analysis

A risk analysis has been provided within section 7 'Financial Analysis' of the Business Plan. Identified risks with mitigation actions include:

1. Financial Risk, Cost Overruns and Delays which can be managed through the preparation of a project plan and project management
2. Site Risk has been minimised by undertaking various geotechnical studies completed as part of the subdivision process.
3. Market and demand risk can be identified through the consultation process of the business plan and additional investigation into the current market situation

CONSULTATION

The business case will be advertised for 42 days

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government Regulations 1996

Land Administration Act 1997

Planning and Development Act 2005

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The Financial Implications of the project are detailed at Section 7 of the Business Plan 'Financial Analysis'. Detailed investigations have identified that land acquisition, subdivisional works, and sale for development are likely to give good financial return for the Shire.

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

Absolute Majority

OFFICER'S RECOMMENDATION – 10.6.4
--

That Council of the Shire of Exmouth adopt the Business Plan for a Proposed Major Land Transaction of Lot 300 Heron Way, Exmouth into 11 lots, and advertise the plan state wide for a period of not less than 42 days, notifying all adjacent owners and relevant public authorities.

COUNCIL DECISION – 17-0714 – 10.6.4
--

Moved Councillor Thompson, Seconded Councillor McHutchison.

That Council of the Shire of Exmouth adopt the Business Plan for a Proposed Major Land Transaction of Lot 300 Heron Way, Exmouth into 11 lots, and advertise the plan state wide for a period of not less than 42 days, notifying all adjacent owners and relevant public authorities.

CARRIED by ABSOLUTE MAJORITY 4/0

10. REPORTS OF OFFICERS

10.6 Executive Manager Town Planning

10.6.5 Carport – Lot 61 (22) Searaven Crescent, Exmouth

Location: Lot 61 (22) Searaven Crescent, Exmouth
 Applicant: Bruce Turner
 File Reference: A1955 (PA117/14)
 Disclosure of Interest: Nil
 Date: 1 July 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that the Council of the Shire of Exmouth grant conditional planning approval for a Carport upon Lot 61 (22) Searaven Crescent, Exmouth (refer ***Attachment 3***).

BACKGROUND

Lot 61(22) Searaven Crescent is a vacant lot with an area of 543m². The dwelling, porch and alfresco has been approved as it complies with the requirements of the R-Codes. This is currently under construction.



Lot 61 (22) Searaven Crescent, Exmouth

PROPOSAL

Carport:

- 4.640m x 18.130m = 84.12m²
- Maximum pitched roof height – 4.5m
- Colourbond roof at 22deg pitch

Setbacks:

- Primary street: 6.6m
- Side setback: Nil

COMMENT

The proposal has been assessed under the Shire of Exmouth Town Planning Scheme No. 3 (Scheme) and the Western Australian Residential Design Codes (R-Codes).

The application varies the requirements of the R-Codes with, the encroachment of the porch into the front setback area by 15.62m² without providing compensated open space behind in the next 6m setback line via the proposed carport. The area designated for the proposed carport is required to be open space.

Street Setback – The urban design presumption is for the street setback area to be free from buildings and structures, enabling a clear view to and from the street. An open setback area is to provide for mutual surveillance between the street and building. (R-Codes, 2014)

The approved portico is an entirely open structure and enables clear view between the street and dwelling. Surveillance of the front setback area is maintained.

ISSUES

Encroachment into front setback area

As the front porch encroaches 15.62m² into the front setback this area shall be compensated for as open space in an additional 6m setback from the front setback in accordance with the requirements of the Residential Design Codes. The proposed carport varies this requirement

Officer recommends that the Council of the Shire of Exmouth grant conditional approval for the carport which varies the requirements of the R-Codes because:

1. It is an open sided structure and will not adversely affect the visual impact from neighbouring properties;
2. The proposed carport is setback behind the main dwelling having minimal visual impact from the street;
3. There is adequate open space provided within the lot; and
4. The Shire has been advised the owner will install shade sails if the carport is refused.

Stormwater

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

It is considered that the carport is consistent with the orderly and proper planning of the locality and does not have any adverse effects upon the locality. Officer recommends conditional planning approval for the proposed carport.

CONSULTATION

In accordance with the requirements of State Planning Policy 3.1: Residential Design Codes adjoining neighbours are to be consulted where modification to these guidelines are requested. Adjacent properties were invited to comment on the proposed variation from **Tuesday 17 June 2014 to Tuesday 1 July 2014** for a period of 14 days. A summary is tabled below:

Property	Received	Officer Comment
Lot 60 (20) Searaven Way, Exmouth	Nil	Nil
Lot 62 (24) Searaven Way, Exmouth	Nil	Nil

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Town Planning Scheme No. 3
Residential Design Codes WA

POLICY IMPLICATIONS

Local Planning Policy 6.17: Design Guidelines for Lot 11 and 12 Market Street

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.6.5
--

That the Council of the Shire of Exmouth grant planning approval for a Carport upon Lot 61 (22) Searaven Crescent, Exmouth subject to the following conditions:-

- 1. The development being carried out generally in accordance with the Shire of Exmouth Town Planning Scheme No. 3 and the approved plans (PA117/14);*
- 2. The carport being an entirely open structure at the front and sides to the satisfaction of Council Officers;*
- 3. Zincalume shall not be used as a building material;*
- 4. Storm water being managed on site and/or discharged into the Shire's road drainage system, in accordance with Council Policy, the Building Code of Australia and to satisfaction of Council Officers;*
- 5. Concrete footings shall not encroach beyond the limits of the site;*
- 6. Vehicle crossovers between the road carriageway and the property boundary being in accordance with Council Policy and the Residential Design Codes of Western Australia. Formed driveways shall be setback a minimum of 0.5m from the side boundary;*
- 7. Any additional development not being in accordance with the original application or conditions of approval, as outlined above will require further approval by the Shire of Exmouth. Any commencement of development not subject of a current approval is an offence under the Shire of Exmouth Town Planning Scheme No.3;*
- 8. Any substantial variation from the approved plans contained herein requires a separate planning approval. Should your plans for a building licence differ from these plans, a building licence may not be issued until such time as fresh planning approval is granted; and*
- 9. The approval granted is valid up to two (2) years of the date of this approval. Should the use approved not substantially commence within this time, the approval will lapse.*

Advice

- i. No additional permanent structures are permitted to be built on this lot due to open space requirements;*
- ii. Prior to any construction, the applicant being required to obtain a building permit approval from the Shire of Exmouth.*
- iii. The approval granted is not to be construed as approval granted under the Building Act 2011, Building Regulations 2012 or any other relevant statutory approval.*
- iv. In accordance with Shire of Exmouth Local Laws a person shall not park a service vehicle, commercial vehicle or trailer on a street verge for more than 4 hours consecutively or on a street verge for the purpose of repairing, servicing or cleaning that vehicle.*
- v. An applicant aggrieved by a decision of the Council in respect of the exercise of discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005 (as amended). Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).*

COUNCIL DECISION – 18-0714 – 10.6.5
--

Moved Councillor Todd, Seconded Councillor Thompson.

That the Council of the Shire of Exmouth grant planning approval for a Carport upon Lot 61 (22) Searaven Crescent, Exmouth subject to the following conditions:-

- 1. The development being carried out generally in accordance with the Shire of Exmouth Town Planning Scheme No. 3 and the approved plans (PA117/14);*
- 2. The carport being an entirely open structure at the front and sides to the satisfaction of Council Officers;*
- 3. Zincalume shall not be used as a building material;*
- 4. Storm water being managed on site and/or discharged into the Shire's road drainage system, in accordance with Council Policy, the Building Code of Australia and to satisfaction of Council Officers;*
- 5. Concrete footings shall not encroach beyond the limits of the site;*
- 6. Vehicle crossovers between the road carriageway and the property boundary being in accordance with Council Policy and the Residential Design Codes of Western Australia. Formed driveways shall be setback a minimum of 0.5m from the side boundary;*
- 7. Any additional development not being in accordance with the original application or conditions of approval, as outlined above will require further approval by the Shire of Exmouth. Any commencement of development not subject of a current approval is an offence under the Shire of Exmouth Town Planning Scheme No.3;*
- 8. Any substantial variation from the approved plans contained herein requires a separate planning approval. Should your plans for a building licence differ from these plans, a building licence may not be issued until such time as fresh planning approval is granted; and*
- 9. The approval granted is valid up to two (2) years of the date of this approval. Should the use approved not substantially commence within this time, the approval will lapse.*

Advice


- i. No additional permanent structures are permitted to be built on this lot due to open space requirements;*
- ii. Prior to any construction, the applicant being required to obtain a building permit approval from the Shire of Exmouth.*
- iii. The approval granted is not to be construed as approval granted under the Building Act 2011, Building Regulations 2012 or any other relevant statutory approval.*
- iv. In accordance with Shire of Exmouth Local Laws a person shall not park a service vehicle, commercial vehicle or trailer on a street verge for more than 4 hours consecutively or on a street verge for the purpose of repairing, servicing or cleaning that vehicle.*
- v. An applicant aggrieved by a decision of the Council in respect of the exercise of discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005 (as amended). Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).*

CARRIED 4/0

10. REPORTS OF OFFICERS

10.7 A/Executive Manager Engineering Services

10.7.1 General Report

Location:	Exmouth
Applicant:	Joanne Gordon
File Reference:	GV.ME.0
Disclosure of Interest:	Nil
Date:	10 June 2014
Author:	A/Executive Manager Engineering Services
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

Town Centre Update

The landscaping component of this project is now complete. The high amenity areas of entry points to the Town Centre precinct have been designed to include elevations with contrasting local rock. The planting design includes native flowering trees and low lying shrubs to attract native fauna and vibrant colours. The natural occurring rock affectionately known as 'peanut' rock has been treated with a solvent based acrylic coating to achieve a 'wet look' this further enhances the contrasting colours and elevations. The design concept and delivery of the landscaping throughout the precinct has been achieved by the Engineering Services team. A steady flow of compliments is being received via the general public and these have been passed onto the crew.

The toilet blocks located within the Kennedy Street carpark and Lefroy Park are both fully operational with automatic timer locks as successfully demonstrated by the Federation Park toilets. This brings the total number of public toilets within the Town Centre Precinct to 5 with 3 having disabled access.

Challenges

Ongoing challenges that will be faced will be vehicles driving over non-trafficable areas such as footpaths, kerbs and islands. Incorrect parking such as parking long vehicles over 4-5 car bays, parking on verges and footpaths and stopping along roadways have been witnessed on numerous occasions by council staff. Signage will be installed and there may be a requirement to install bollards at one identified problem area in an attempt to alleviate the issues however parking infringements would produce a more robust approach thus changing the public habits. Without these changes the long term maintenance of these areas will have a financial implication to Council.

Conducting 'U' turns over pedestrian crossings along Thew Street is causing a major obstruction to pedestrians crossing from Lefroy Park to the shopping precinct and vice versa. Bollards were installed to stop cyclists from going across without giving way however with vehicles conducting 'U' turns at this point obstruction of line of sight for cyclists and pedestrians is creating a further hazard with potential of catastrophic risks. It may be necessary to install bollards in the centre island component and this will be explored further.

Foreshore Revitalisation

Town Beach toilets have received a mini face lift over the past month including upgrade of fixtures to stainless steel and minor modifications on sewerage lines. Outside showers on the front of the building will reduce the impact that the old internal showers were having on the septic. This maintenance program was

aimed at providing a short term life extension to the building and services and a long term strategic approach will need to be explored.

The installation of a double gas powered BBQ to enhance the new picnic shelters has been deemed a success with an increase of visitors and users enjoying the vista and surrounds.

New fencing is currently in transit and preparations will be made to install this on its arrival in Exmouth, this project is expected to commence towards end of July. The next phase to this project will be the upgrading and extension of the irrigation system.

Murat Road Lighting Installation

This project has commenced week beginning 7 July 2014 and will be undertaken by a local contractor and it is envisaged that disruption to traffic during the school holiday period will be limited as the first excavation points will be on the edge of bitumen within the road reserve.

Staffing

One resignation has been received from the public amenity cleaning section of Engineering and approval for replacement has been received from the CEO. Given the increase in requirement over the past 12 months it has been deemed necessary to diversify the service delivery and the proposal is to employ 2 part-time staff that work 7 days on and 7 days off. This employment strategy ensures that all public places and conveniences are maintained to a high amenity level thus improving service delivery across the Shire.

Staffing levels have stabilised across Engineering with no further vacancies envisaged. Increasing the skill level and diversifying the workforce has been identified as a key element of the next 12 months.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

As per Shire 2013-2014 Budget

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.5: Maintain & Improve Shire Infrastructure

Environment

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

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

Social

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.7.1
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That the Council of the Shire of Exmouth receives the A/Executive Manager Engineering Services Report for the month of July 2014.

COUNCIL DECISION – 19-0714 – 10.7.1
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Moved Councillor Todd, Seconded Councillor Thompson.

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

CARRIED 4/0

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 – 20-0714 – ITEM 12**

Moved Councillor Shales, Seconded Councillor Todd.

That the Council of the Shire of Exmouth accept the New Business of an Urgent Nature Report 12.1 – Planet Burgers.

CARRIED 4/0

12.1 Relocate Planet Burgers and Issue Annual Permit

Location:	Exmouth
Applicant:	Kendal Gilmore
File Reference:	R28158 & LP.PL.0
Disclosure of Interest:	Nil
Date:	1 July 2014
Author:	Administration Manager, Vanessa Volkoff

Signature of Author:



Senior Officer: Executive Manager Corporate Services, Ms S O'Toole

SUMMARY

This report seeks Council's approval to relocate Planet Burgers from Reserve 28158 (approximately 17m²) for infrequent access for use as a mobile food outlet to Payne Street Road Reserve and to supply an annual Permit to Occupy Local Government Property over the next 5 years.

BACKGROUND

The Planet Burgers fast food caravan has operated from beside the Exmouth Town Hall with approval from the Shire of Exmouth for approximately 20 years. The commercial arrangement with the Shire for the operation of Planet Burgers was traditionally a Stallholders Permit up until June 2010.

The site where Planet Burgers currently operate from is Reserve 28158 and is vested to the Shire of Exmouth for the delegated purpose of 'Shire Hall, Offices and Community Purposes' which was amended in 2010 by Council Officers to include 'community purposes' by order of the Minister of Lands to satisfy the Vesting Order over the Reserve in allowing Planet Burgers to operate from. Original requests for 'mobile food outlet' to be included on the Reserve by Department of Lands were declined for reasons of suitability not conducive to the rest of the purpose of the Reserve, being shire offices and hall.

At 18 September 2008 Ordinary Council Meeting, Council resolved to allow the business owner of Planet Burgers to upgrade the power supply from 2 phase to include an additional 3 phase outlet with the upgrade to the infrastructure remaining the property of the Shire. This was a necessity to operate the business effectively and eliminate power shortages experienced by internal upgrades in the van over the years.

The power supply issue was updated and Planet Burgers were provided a 4 year Access Licence for R28158 which expires on 30 September 2014 of which was recently discovered that the Department of Lands will not be endorsing an extension. The utilities are electricity by estimation (approximately \$1,541 per annum) reimbursed to the Shire in addition to the Lease fee.

COMMENT

Council Officers have met with the owner of Planet Burgers who wish to continue accessing Shire land, proposing:

1. Relocating the site for the nightly operation of Planet Burgers to the Payne Street Road Reserve directly located south of the current site, on the same side of the road and opposite the entrance to the Bowling Club;
2. changing the application for access of the land from a lease to an Annual Permit for Activities on Local Government Thoroughfares; and
3. allowing the access to be exclusive over the next 5 years

For reasons such as:

- The old area is no longer endorsed by the Department for Lands
- The new area will not require authorisation from outside sources such as the Minister for Lands or the requirement of the Local Government Act for disposal of land to provide Public Notice.
- The new surface area is more conducive to the use allowing better resistance to wear & tear with the addition & removal of the van on the site.
- The old site can be restored.
- The van can still be seen by customers from the old site or locations around the old site.

For illustration purposes the following is a map outlining the proposal in moving Planet Burgers south to the new site:



In addition to acquiring an annual permit, Planet Burgers will:

1. continue to be responsible for proper discard of grey water in accordance with the Health Regulations 1974 for Treatment of Sewage and Disposal of Effluent and Liquid Waste.
2. Be required to correct any power issues again from this site at their own cost.
3. Reimburse the Shire a proportion of power based on the power estimated on equipment.
4. ensure others cannot access the power when the site is vacant.

Planet Burgers business is for sale therefore any potential purchaser can take over the Permit by way of a bill of sale and simply lodge their contact details with the Shire against the Permit.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Land Administration Act

Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Revenue from Lease fees will reduce from \$3,566 per annum for Access Licence Fees to \$1,100 per annum on an Annual Permit

STRATEGIC IMPLICATIONS**Civic Leadership**

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 12.2

That the Council of the Shire of Exmouth:

1. *Endorse relocation of the Planet Burgers site, to trade on Road Reserve Payne Street opposite the Bowling Club as illustrated on diagram.*
2. *Delegate Authority to the Chief Executive Officer to issue an Annual Permit for Activity on Local Government Thoroughfare subject to the standard conditions for Local Government Property permit for the next 5 years exclusively, and the inclusion of the following additional conditions that Planet Burgers:*
 - a) *be responsible for proper discard of grey water in accordance with the Health Regulations 1974 for Treatment of Sewage and Disposal of Effluent and Liquid Waste.*
 - b) *Reimburse the Shire an amount for power dependant on the equipment used in the van;*
 - c) *be required to correct any power issues on the site at their own cost.*
 - d) *ensure others cannot access the power when the site is vacant.*
 - e) *Provide advise to the Shire immediately of new owner if sold with the Permit.*

COUNCIL DECISION – 21-0714 – 12.1

Moved Councillor McHutchison, Seconded Councillor Thompson.

That the Council of the Shire of Exmouth:

1. *Endorse relocation of the Planet Burgers site, to trade on Road Reserve Payne Street opposite the Bowling Club as illustrated on diagram.*
2. *Delegate Authority to the Chief Executive Officer to issue an Annual Permit for Activity on Local Government Thoroughfare subject to the standard conditions for Local Government Property permit for the next 5 years exclusively, and the inclusion of the following additional conditions that Planet Burgers:*
 - a) *be responsible for proper discard of grey water in accordance with the Health Regulations 1974 for Treatment of Sewage and Disposal of Effluent and Liquid Waste.*
 - b) *Reimburse the Shire an amount for power dependant on the equipment used in the van;*

- c) be required to correct any power issues on the site at their own cost.*
- d) ensure others cannot access the power when the site is vacant.*
- e) Provide advise to the Shire immediately of new owner if sold with the Permit.*

CARRIED 4/0

13. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS

Nil

14. CLOSURE OF MEETING

The Shire President closed the meeting at 4.46pm.