



Ordinary Council Meeting Minutes 30 July 2015

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on 27 August 2015 as a true and accurate record of the Ordinary Council Meeting held on 30 July 2015.

.....
Cr (Turk) Shales
Shire President


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

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

INDEX OF MINUTES

1.	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS.....	5
2.	RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE.....	5
3.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	5
4.	PUBLIC QUESTIONS TIME	5
5.	DECLARATIONS OF INTEREST	6
6.	APPLICATIONS FOR LEAVE OF ABSENCE	6
7.	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	6
8.	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION.....	6
9.	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS	6
10.	REPORT OF COUNCILLORS.....	6
10.1	SHIRE PRESIDENTS REPORT.....	8
11.	REPORTS OF OFFICER	10
11.1	CHIEF EXECUTIVE OFFICER	10
11.1.1	CHIEF EXECUTIVE OFFICERS REPORT	10
11.1.2	NINGALOO CENTRE – TENANCY ARRANGEMENTS RESEARCH CENTRE.....	13
11.1.3	RFT 04/2015 – NINGALOO CENTRE	15
11.1.4	REVIEWED POLICY – COMMUNITY ENGAGEMENT SERVICES.....	18
11.2	EXECUTIVE MANAGER CORPORATE SERVICES	21
11.2.1	GENERAL REPORT	21
11.2.2	MONTHLY FINANCIAL STATEMENTS AND REPORT	25
11.2.3	ADOPTION OF THE 2015/16 BUDGET	27
11.3	EXECUTIVE MANAGER AVIATION SERVICES.....	32
11.3.1	GENERAL REPORT	32
11.3.2	LEASING OF SECURITY SCREENING EQUIPMENT – LEARMONTH AIRPORT	35
11.4	EXECUTIVE MANAGER COMMUNITY ENGAGEMENT.....	38
11.4.1	GENERAL REPORT	38
11.4.2	DISABILITY ACCESS AND INCLUSION PLAN – OUTCOME 7 ADOPTION	42
11.4.3	REVIEW OF FEES & CHARGES – VARIOUS SPORTING CLUBS.....	46
11.5	EXECUTIVE MANAGER HEALTH & BUILDING	51
11.5.1	GENERAL REPORT	51
11.5.2	TEMPORARY NATURE BASED PARK – BULLARA STATION STAY.....	57
11.6	EXECUTIVE MANAGER TOWN PLANNING	59
11.6.1	GENERAL REPORT	59
11.6.2	PROPOSED JETTY – LOT 324 (9) GNULLI COURT, EXMOUTH.....	62
11.6.3	PROPOSED DWELLING AND SWIMMING POOL – LOT 380 (32) CORELLA COURT, EXMOUTH.....	66
11.6.4	PROPOSED GUTTER – LOT 1 (4) ROSS STREET, EXMOUTH	73
11.6.5	PROPOSED DWELLING AND OUTBUILDING – LOT 324 MINILYA-EXMOUTH ROAD, NORTH WEST CAPE (CAPE WILDERNESS ESTATE).....	77
11.7	EXECUTIVE MANAGER ENGINEERING SERVICES	81
11.7.1	GENERAL REPORT	81

12.	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	85
13.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	85
14.	MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS	85
15.	CLOSURE OF MEETING	85

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 4:00pm.

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

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

GALLERY

Visitors: 1

APOLOGIES

Nil

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTIONS TIME

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

Council Consideration Towards Public

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

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

Nil

5. DECLARATIONS OF INTEREST

Item/Description	Name	Detail of Interest	Extent of Interest

6. APPLICATIONS FOR LEAVE OF ABSENCE

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

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

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 25 June 2015 be confirmed as a true and correct record of proceedings.

COUNCIL DECISION – 01-0715 - ITEM 7

Moved Councillor Winzer, Seconded Councillor Hood.

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 25 June 2015 be confirmed as a true and correct record of proceedings.

CARRIED 5/0

8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

The Shire President advised Council of the recent passing of Todd Hutton, a well-respected member of the community. Our condolences go out to the family at this sad time.

The Shire President also wished Councillor Hood happy birthday.

9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

10. REPORT OF COUNCILLORS

Councillor Hood advised of the following activities and meetings attended since the last Council Meeting:

- 29/6/15 Emergency Services Volunteers Night

- 9/7/15 Attended a meeting with Hon Albert Jacob MLA, Minister for Environment; Heritage
- 16/7/15 Attended the North West Aviation Forum held in Port Hedland.

Councillor Todd advised of the following activities and meetings attended since the last Council Meeting:

- 29/6/15 Emergency Services Volunteers Night
- 20/7/15 Visited Learmonth Airport to trial the hanging of the model Boston Bomber
- 29/7/15 Oil and Gas Community Reference Group Meeting at Novotel Ningaloo Resort

Councillor McHutchison advised of the following activities and meetings attended since the last Council Meeting:

- 29/6/15 Emergency Services Volunteers Night
- 9/7/15 Attended a meeting with Hon Albert Jacob MLA, Minister for Environment; Heritage
- 14/7/15 Exmouth Cultural Arts Centre Meeting
- 16/7/15 Welfare Meeting run by DCP
- 17/7/15 Teleconference with Deacon University regarding the impact of the Arts in Regional Areas
- 19/7/15 Community Garden Meeting
- 19/7/15 - 26/7/15 Collected Entries for ArtQuest, Curated the Exhibition, Opening Night, Gallery sitting, Closing and Clean up
- 29/7/15 Oil and Gas Community Reference Group Meeting at Novotel Ningaloo Resort

Councillor Winzer advised of the following activities and meetings attended since the last Council Meeting:

- 29/6/15 Emergency Services Volunteers Night
- 1/7/15 WALGA State Council Meeting

10.1 Shire Presidents Report

Location: Exmouth
 Applicant: Cr C (Turk) Shales
 File Reference: GV.CM.0
 Disclosure of Interest: Nil
 Date: 22 July 2015

SUMMARY

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

BACKGROUND

- 19/6/15 Interview with Branwen Smith from the Northern Guardian Newspaper regarding the release of the Developing Northern Australia White Paper.
- 23/6/15 Met with Crystal Koh regarding a possible Private Dental Practice in Exmouth.
- 25/6/15 Interview with Ebony from ABC Northwest Radio regarding the Ningaloo Centre.
- 1/7/15 Gascoyne Tourism Board Meeting
- 6/7/15 Sent a letter to Hon Joe Francis MLA, Minister for Emergency Services regarding Cyclone Quang and the possible installation of a weather tower within the Exmouth townsite.
- 9/7/15 Attended a meeting with Hon Albert Jacob MLA, Minister for Environment; Heritage.
- 15/7/15 Attended a meeting with Site Architecture in Perth.
- 15/7/15 Participated in a teleconference with Jane Bevan – Senior Policy Advisor to Hon Terry Redman MLA, Minister for Regional Development.
- 15/7/15 Met with Vince Catania regarding the Gascoyne Development Commission.
- 15/7/15 Attended an event hosted by Hon Tony Simpson MLA, Minister for Local Government.
- 17/7/15 Participated in a teleconference with ABC Radio regarding Deregulation of Airlines.
- 22/7/15 Numerous phone calls regarding poor phone reception in the light industrial area over the past 3 weeks. From further investigation with Telstra and the Minister’s office it appears that people are using illegal booster devices to improve coverage which draws from repeater towers and makes general reception worse for everyone else, this has now become a national issue with severe penalties in place for those caught using these devices.

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 – 10.1

That Council receive the Shire Presidents Report for the month of July 2015.

COUNCIL DECISION – 02-0715 – 10.1

Moved Councillor Winzer, Seconded Councillor Hood.

That Council receive the Shire Presidents Report for the month of July 2015.

CARRIED 5/0

11. REPORTS OF OFFICER

11.1 Chief Executive Officer

11.1.1 Chief Executive Officers Report

Location:	Exmouth
Applicant:	Chief Executive Officer
File Reference:	GV.CM.0
Disclosure of Interest:	Nil
Date:	20 July 2015
Author:	Chief Executive Officer, Mr B Price

SUMMARY

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

BACKGROUND

Ningaloo Centre Update

Design and Construction of the Ningaloo Centre

Design and specifications prepared by the architect, mechanical, electrical, hydraulic, structural and civil consultants is effectively complete and packaging for tender of the Ningaloo Centre building project is now occurring. There will be minor clarifications and even the issue of addendum through the tender process but the high level of detail provided will limit the likelihood of significant variation through the contract.

Final design of the landscape and the aquarium will be introduced in the construction phase and provisional allowances for this and the execution of the works form part of the contract.

Equally some fit out elements, such as Freeman Ryan Design installations, will occur immediately following practical completion together with install of loose furniture items.

The more significant changes to the design that have occurred since direct engagement of the team include materials and colour finishes, adoption of airlock entrance doors to main access points, inclusion of sprung flooring to the Community Centre performance area, finishes within the Travel Gallery space detailed to WA Museum recommended standards and finalisation of the Visitor Centre spatial arrangements.

User groups have been provided architectural layouts and room data sheets for their respective spaces and EMCE has coordinated consultation and feedback leading to acceptance.

The Quantity Surveyor is progressing the Bill of Quantities, which is part of the tender, and a pre-tender estimate. Both are to be received prior to Request for Tender advertising.

Meetings have focussed on providing input to the outstanding elements of the design, specifications and the tender documentation.

Request for Tender (RFT)

Drafting of the RFT document has received input from the Shire, Site Architecture and WALGA. Considerable combined effort has been afforded to ensure all necessary information is provided and tenderers are very clear as to the sort of information under the qualitative criteria that is required from them.

The RFT statewide advertising is scheduled for Saturday 8 August 2015 with follow up advertisements and publication locally in the Northern Guardian and with a Shire website alert.

Department of Regional Development (DRD)

The Financial Assistance Agreement for Stage 2 funding for the Construction and Fit Out of the Ningaloo Centre has a special condition release and a report to the DRD is under preparation for delivery by 31 July 2015.

General

At a meeting with the social investment team leader at Chevron early this month advice was given that the company is not in a position to follow through on their long held verbal indication and desire to partner/sponsor a proposal, which several were put, to assist with the Ningaloo Centre project. A great disappointment. It was put that timing is not right now.

A very successful meeting with the Ningaloo Alliance was convened in UWA Ocean Institutes seminar room on 22 July 2015 attended by CEO and EMCE. Suffice to say there is overwhelming support for the Ningaloo Centre education and research facilities being provided. The organisations have committed to convening in Exmouth to progress the collective planning. Meetings twice a year have been agreed upon with next scheduled early December 2015.

Minister for Environment Visit – Thursday 9 July 2015

Hon Albert Jacob MLA, Minister for Environment and Heritage visited Exmouth on Thursday 9 July 2015. Councillors and Managers attended an afternoon tea meeting with the Minister, Director General and supporting staff. The Council presented to the Minister some of the local projects and issues that are relative to his portfolio, including:

- Ningaloo Centre Project
- Tantabiddi Boat Ramp Issues
- Ningaloo Coast Pastoral Exclusions Process

2015 Local Government Elections

The following is the date schedules for the forthcoming Local Government Elections. As resolved previously Council have elected for the West Australian Electoral Commission (WAEC) to conduct the elections on Council's behalf. Mr Graham Little will be the Returning Officer for the event. Graham will be in Exmouth on 3 September 2015 and will conduct a Councillor Candidate information and induction session in the evening.

28 August 2015	Close of Electoral Role at 5.00pm
2 September 2015	Councillor Candidate information session Council office at 6pm (to be confirmed)
3 September 2015	Councillor Nominations Open
10 September 2015	Councillor Nominations Close at 4.00pm
13 October 2015	Close of Absent Voting or Postal Vote Applications
17 October 2015	Election Day
As soon as practicable	Election Results declared and publicised

An electoral timetable is attached for Councillor information (refer *Attachment 1*).

Councillors Hood, McHutchison and Thompson positions will become vacant at this election.

Department of Transport – Management of Exmouth Coastal Assets

Councillors would be aware of Council's recent correspondence to the Minister for Transport, Hon Dean Nalder MLA, requesting the department's consideration to assume responsibility for the Tantabiddi & Bundegi Boat ramps as part of their Coastal Asset portfolio offset by the Exmouth Boat Harbour.

Attached is a copy of the response received from the Minister for Councillor information (refer *Attachment 2*).

Other Meetings & Functions attended by the CEO

- Attended Kenny Cameron's, long term employee retirement send off on Friday 26 June 2015.
- Met with Ian Fraser, Deputy School Principal Exmouth District High School on Monday 29 June 2015 in relation to Hard Court community usage arrangements.
- Councillors and myself attended the Volunteers Thank You Evening held at the Exmouth Bowling Club on Monday 29 June 2015
- SPO and myself participated in a teleconference with Shaun Collins, Director of UWA Oceans Institute, on Tuesday 30 June 2015 in relation to potential tenancy at the Ningaloo Centre.

- Shire President and myself met with Jason Taylor and Russell Cocks from RAAF on Thursday 2 July 2015
- Met with Phil Richards and Zubin Ardeshir from Western Australian Electoral Commission in Exmouth on Thursday 9 July 2015 to formalise arrangements for this year's Council elections.
- Met with Lloyd Goodlad, President of Exmouth Senior Citizens and Pensioners Club Inc. on Monday 20 July 2015 to finalise tenancy arrangements at the new premise.
- Met with Vince Valastro and Greg Miller, from Poondino Consultancy, in Perth on Thursday 23 July 2015, to discuss the progress of the investigation in the Deep Water Port for Exmouth Gulf.

Meetings Scheduled for Next Month

- Shire President, Cr Todd, EMCE and myself to attend the Exmouth Joint Industry CRG meeting scheduled to be held at the Novotel on Wednesday 29 July 2015.
- Councillors and myself will be attending Local Government Week in Perth from Wednesday 5 August – Friday 8 August 2015.
- EMTP and myself to meet with Mr David Timmins, Hale School, in Exmouth on Friday 21 July 2015 to discuss lease arrangements and development proposals at the old Rifle Range site.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.1.1

That Council receive the Chief Executive Officers Report for the month of July 2015.

COUNCIL DECISION – 03-0715 – 11.1.1

Moved Councillor Todd, Seconded Councillor Hood.

That Council receive the Chief Executive Officers Report for the month of July 2015.

CARRIED 5/0

11. REPORTS OF OFFICER

11.1 Chief Executive Officer

11.1.2 Ningaloo Centre – Tenancy Arrangements Research Centre

Location:	Exmouth
Applicant:	University of WA (Oceans Institute)
File Reference:	ED.PJ.1
Disclosure of Interest:	Nil
Date:	20 July 2015
Author:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council agree to the terms & conditions of the proposed tenancy agreement of the dedicated research space of the Ningaloo Centre between the University of WA (Oceans Institute) and the Shire of Exmouth as set out in the Heads of Agreement, authorising the Shire President & CEO to sign.

BACKGROUND

With the Department of Training & Workplace Development (DTWD) restricting Durack Campus from leasing the Research wing of the Ningaloo Centre, Council have been in negotiations with the University of WA (Oceans Institute), offering an opportunity for that organisation to be the anchor tenant/coordinator for the dedicated research space.

I am pleased to advise that UWAOI have agreed to enter into an agreement to lease as per the conditions set out in the Heads of Agreement.

Attached is an illustration showing the designated floorplan required by UWAOI for Councillor information (refer *Attachment 3*).

COMMENT

In March 2015 Council received correspondence from the Director General of the DRD advising that the \$19.82M funding for the Ningaloo Centre had been approved by Cabinet based on additional conditions.

One of the conditions was for the Shire to secure an anchor tenant prior to any state funding being released. Negotiations with both the DTWD (Durack Campus) and now the UWAOI (research centre) as the anchor tenants has resulted in a satisfactory outcome to the condition imposed by the state government.

CONSULTATION

Department of Regional Development
University of WA (Oceans Institute)

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The securing of the \$19.820m funds from the Royalties for Regions Gascoyne Revitalisation Program for the Ningaloo Centre over the 2015/16 and 2016/17 financial years.

The securing of University of WA (Oceans Institute) as a long term anchor tenant in the research wing, which will assist in the future operational financial sustainability of the Ningaloo Centre.

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
- 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 2.2: Our pristine natural environment and biodiversity will be understood, maintained and protected
- Outcome 2.3: To have a town and community that takes pride in its world heritage
- 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.
- Outcome 3.4: A community that is well informed and educated about our natural, cultural and built environment.
- Outcome 3.6: Expanded education and training facilities and opportunities
- Outcome 3.7: Residents and visitors have access to appropriate services and facilities to enhance their health and wellbeing

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.1.2

That Council agree to the terms & conditions of the proposed tenancy agreement of the dedicated research space of the Ningaloo Centre between the University of WA (Oceans Institute) and the Shire of Exmouth as set out in the Heads of Agreement, authorising the Shire President & CEO to sign.

COUNCIL DECISION – 04-0715 – 11.1.2

Moved Councillor Todd, Seconded Councillor McHutchison.

That Council agree to the terms & conditions of the proposed tenancy agreement of the dedicated research space of the Ningaloo Centre between the University of WA (Oceans Institute) and the Shire of Exmouth as set out in the Heads of Agreement, authorising the Shire President & CEO to sign.

CARRIED 5/0

Councillor Winzer congratulated Council Officers on the successful negotiations that took place to receive this very positive outcome for the Ningaloo Centre.

11. REPORTS OF OFFICER

11.1 Chief Executive Officer

11.1.3 RFT 04/2015 – Ningaloo Centre

Location:	Exmouth
Applicant:	Shire of Exmouth
File Reference:	CM.TE.042015
Disclosure of Interest:	Nil
Date:	23 July 2015
Author:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends Council endorse a public Request for Tender (RFT 04/2015) for ‘Construction and Fit Out of the Ningaloo Centre’.

BACKGROUND

At the Special Council Meeting of 20 April 2015 Council endorsed;

“progression of the Ningaloo Centre project by directly engaging the architect and consultant team to finalise the design and documentation package and engaging WALGA consultant services to call and manage a tender process to secure a contractor for Phase 2 building construction.”

Consultation with Site Architecture Studio commenced immediately following Council’s resolution and their in principal agreement to the offer of direct engagement was obtained. Site Architecture sought and obtained similar support from all of the sub-consultants.

The Shire’s timeline expectations were set and consultant fees to complete design and documentation requested.

By late May 2015 negotiations over fees and cash flow claim schedules were mutually agreed upon. Design work was then recommenced in earnest.

The design team reached 99% conclusion of documentation at the end of June 2015 with the finesse during the July period leading to invitation to tender.

The Request for Tender (RFT) 04/2015 is programmed to be first advertised Saturday 8 August 2015.

RFT 04/2015 documentation has been prepared collaboratively with;

- WALGA contracts, who have coordinated input requirements for the RFT preparation. Their role is to manage the tender process, be part of the evaluation team, seek external financial review of preferred tenderer and provide recommendation reports.
- Site Architecture, who together with the sub-consultants, have packaged the drawings, specifications, bill of quantities and tender preliminaries. They will be part of the evaluation team and will liaise with the Quantity Surveyor who is to undertake a pricing review of each tender submission.
- The Shire, who together with WALGA and Site, has established appropriate qualitative criteria, weightings, financial capacity, statutory policies/laws of the three tiers of Government. All panel members will individually provide a Qualitative assessment and then collectively determine rankings. The Shire’s representatives include both CEO and SPO as their panel members.

TENDER PROCUREMENT TIMEFRAMES	
Activity	Indicative Timeframe
Development and Sign off on RFT Procurement Plan	22 July 2015
Final Sign off on RFT document	5 August 2015
Advertise RFT	8 August 2015
Tenders Close	8 September 2015
Evaluation Panel Meeting	15 September 2015
Due Diligence (referees, clarifications, financial analysis report)	16 September 2015
Presentations of Shortlisted Tenderers to Panel	If required 17/18 September 2015
Delivery of Recommendation Report	22 September 2015
Council Meeting with recommendation to Award Contract	24 September 2015
Contract Preparation	25 September 2015
Contract Commencement	30 September 2015
Notifications to Unsuccessful Tenderers	1 October 2015

COMMENT

It will be for a fixed price tender with a detailed Trade Pricing Schedule.

CONSULTATION

The proposed timing for advertising RFT 04/2015, as per this agenda item, has been conveyed to the Project's three primary funding partners, the Department of Regional Development, Lotterywest and the Department of Regional Development Australia for their information.

STATUTORY ENVIRONMENT

The Contract 04/2015 will be bound by General Conditions for Contract AS2124-1992. Local Government (Functions & General) Regulations 1996 – Part 4 Tenders for providing goods and services.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Council's funding is secured through its Commonwealth, State and Lotterywest financial assistance agreements and is incorporated in the draft 2015/16 Budget.

The Quantity Surveyor's estimate provided at 95% design completion positioned the project within budget.

A pre-tender estimate (for the 100% design completion and available 30 July 2015) confirms the budget is adequate to enable tenders to be invited. It has been prepared by the Quantity Surveyor after finalisation of the Bill of Quantities.

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 1.5: Maintain & Improve Shire Infrastructure

Environment

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

- Outcome 2.1: To maintain and improve access and connectivity to our natural assets
- Outcome 2.2: Our pristine natural environment and biodiversity will be understood, maintained and protected
- Outcome 2.3: To have a town and community that takes pride in its world heritage
- 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.
- Outcome 3.4: A community that is well informed and educated about our natural, cultural and built environment.
- Outcome 3.6: Expanded education and training facilities and opportunities
- Outcome 3.7: Residents and visitors have access to appropriate services and facilities to enhance their health and wellbeing

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION – 11.1.3

That Council endorse a public Request for Tender (RFT 04/2015) for 'Construction and Fit Out of the Ningaloo Centre' in accordance with the proposed tender procurement timeline.

COUNCIL DECISION – 05-0715 – 11.1.3

Moved Councillor Todd, Seconded Councillor Winzer.

That Council endorse a public Request for Tender (RFT 04/2015) for 'Construction and Fit Out of the Ningaloo Centre' in accordance with the proposed tender procurement timeline.

CARRIED by ABSOLUTE MAJORITY 5/0

11. REPORTS OF OFFICER

11.1 Chief Executive Officer

11.1.4 Reviewed Policy – Community Engagement Services

Location:	Exmouth
Applicant:	R. Kempe
File Reference:	CM.PO.1
Disclosure of Interest:	Nil
Date:	20 July 2015
Author:	Chief Executive Officer, Bill Price

SUMMARY

This report proposes the use of social media by the Shire of Exmouth to communicate with the Exmouth community and other key stakeholders and recommends adoption of reviewed Policy 4.4 – *Use of Social Media (Facebook) for Publicity*.

BACKGROUND

Social media has enjoyed increasing acceptance within mainstream society as demonstrated by the high number of individuals, groups, businesses and government agencies utilising social media technology.

For local governments social media presents both risks and opportunities, however an increasing number of local governments are including social media channels in their community engagement/communication strategies.

Currently the Shire has a presence on Facebook through its own page, called '*Shire of Exmouth- Youth Action Exmouth*'. This has been in place for 2 years now and is managed by the Community Engagement team, specifically for communication with Young People.

There are 133 people who 'like' the page and many more checking it on a regular basis. It is mainly used to inform young people (and their carers) about activities relevant to them.

Officer observation is that the YAE page on Facebook has been very successful and is a useful tool for the Shire to communicate with young people in town.

Based on this experience officers have investigated the opportunity to extend the use of Facebook by the Shire to also include the wider community by creating a new Shire of Exmouth page. The purpose of the page will be to inform the community of Exmouth by delivering relevant information in a timely and cost effective manner.

COMMENT

Officers have investigated the use of Facebook by other Local Governments and interviewed some of their officers about their experiences with the use of social media channels.

This showed that Facebook can be used for:

- Informing the community about newsworthy Council information and events;
- Reminders, like cyclone preparation or annual dog registrations;
- Information relating to available jobs at the Shire;
- Community Engagement – informing or consulting with the community about particular projects;



- Emergency Information such as cyclone alerts and road closures / bush fires.

Other LGs indicated that overall, the use of social media has resulted in an effective communication tool which encourages two way engagement between the LG and the community. It provides an avenue for issues and complaints to be resolved, and facts to be clarified. The increase in customer service and issue resolution creates a higher level of positivity. The local governments are also using social media effectively to broaden the reach of their communication strategies and build positive awareness regarding events, projects and outcomes.

There are real and perceived risks with using Facebook as a communication tool, but also clear benefits which are outlined in the attachment to this report (refer *Attachment 4*).

Governance:

Following feedback from other local governments it is suggested that the administration of the Facebook site be limited to a limited number of staff members. These individuals would hold regular planning meetings to discuss and plan the frequency, content and management of the page and can post on behalf of other officers.

Record keeping and archiving:

The site would need to adhere with the Shire's record keeping policies and procedures as well as relevant legislation. The Records officer would be engaged to investigate the need for a record keeping process and protocol. Some local governments have indicated that they do periodic screen shots of their Facebook page which is then archived into a social media record.

Policy Development:

There needs to be an accompanying Policy to set out direction for the use of Facebook by the Shire. The attached review of the existing Policy 4.4 incorporates the use of Facebook for the wider community, where it was previously specific for youth only (refer *Attachment 5*).

Authorised Officers:

To be authorised to comment or be an authorised spokesperson on Facebook, employees must have the explicit approval of the CEO or Executive Manager of Community Engagement.

The following officers are envisioned to administer the Shire of Exmouth Facebook page: Executive Manager Community Engagement, Works Coordinator, and the Compliance & Emergency Services Coordinator.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

A reviewed Policy 4.4 has been made and is attached to this report (refer *Attachment 5*).

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Social

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

- Outcome 3.3 –An inclusive, responsible and cohesive community.
- 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 – 11.1.4

That Council:

- 1. endorses the creation of a Shire of Exmouth Facebook page;*
- 2. adopts the Shire of Exmouth Policy 4.4 ‘Use of Social Media (Facebook) for Publicity’ as outlined in Attachment 5; and*
- 3. monitors the use and success of Facebook use for 6 months after implementation, with a report to be provided to Council by officers about the experience of the use of Facebook for that period.*

COUNCIL DECISION – 06-0715 – 11.1.4

Moved Councillor McHutchison, Seconded Councillor Hood.

That Council:

- 1. endorses the creation of a Shire of Exmouth Facebook page;*
- 2. adopts the Shire of Exmouth Policy 4.4 ‘Use of Social Media (Facebook) for Publicity’ as outlined in Attachment 5; and*
- 3. monitors the use and success of Facebook use for 6 months after implementation, with a report to be provided to Council by officers about the experience of the use of Facebook for that period.*

CARRIED 5/0

11. REPORTS OF OFFICERS

11.2 Executive Manager Corporate Services

11.2.1 General Report

Location: Exmouth
 Applicant: S O'Toole
 File Reference: CM.RE.0
 Disclosure of Interest: Nil
 Date: 01 July 2015
 Author: Executive Manager Corporate Services
 Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

The following report contains a brief summary of activities and issues that were raised during June 2015.

BACKGROUND

Rating

Property Sales

Below is a summary of properties sold during 2014/15:

2014/15 Summary of Property Sales			
Number Sold	Land Usage	Total Sales	Average Sale
43	Vacant Land	\$12,171,500	\$283,058
41	Residential	\$20,772,000	\$506,634
5	Industrial	\$2,255,000	\$451,000
1	Mixed Use	\$330,000	\$0
0	Composite Devel	\$0	\$0
0	Special Use	\$0	\$0
0	Tourism	\$0	\$0
90		\$35,528,500	

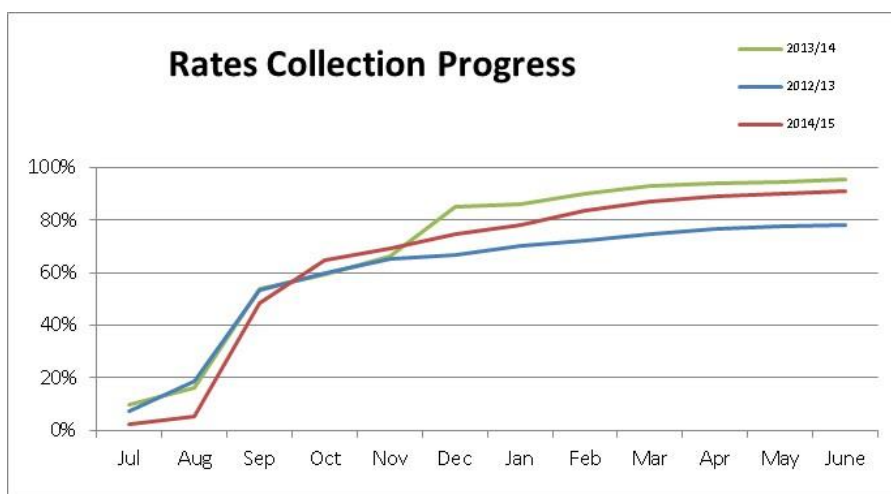
Property Sales	2014/15	2013/14	2012/13
JUL	9	9	11
AUG	12	15	4
SEP	13	9	11
OCT	13	5	31
NOV	10	13	9
DEC	4	9	6
JAN	6	6	7
FEB	4	4	5
MAR	5	7	12
APR	8	3	12
MAY	4	11	29
JUN	2	15	20
	90	106	157

Rates Collection

Summary of Rates and Charges Collection		
Rates Collection Analysis		
		\$
Rates & Charges Levied 2014/15		3,803,341
Arrears 1 July 2014		275,052
Less Collections		(3,685,016)
Total Rates & Charges Outstanding		393,377
Less Pensioner Deferred Rates		(24,024)
Total Rates Collectable		369,354
% Collected to Date		90.9%
Notices Sent		26/08/2014
Due Date		30/09/2014
Reminder Notice Sent		21/10/2014
Final Notice Sent		1/12/2014
Notice of Intention to Summons Sent		22/01/2015
Summons Issued		27/02/2015

Comparative percentage of rates collected monthly

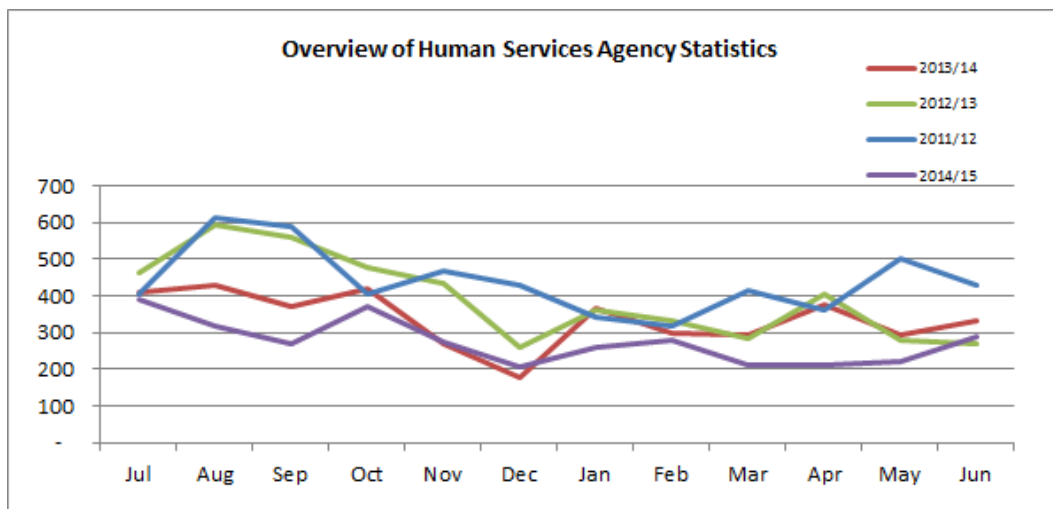
	2014/15	2013/14	2012/13
Rates Due Date	30/09/2014	11/09/2013	10/09/2012
Jul	3%	10%	7%
Aug	5%	16%	19%
Sep	48%	54%	54%
Oct	65%	59%	60%
Nov	69%	66%	65%
Dec	75%	85%	67%
Jan	78%	86%	70%
Feb	84%	90%	72%
Mar	87%	93%	75%
Apr	89%	94%	77%
May	90%	94%	78%
June	91%	96%	78%

Graphical Overview of Rates Collection

Human Services Agency (formerly Centrelink)

Summary of Agent Statistics for 2014/15

	Lodgement of Forms/Assist with Completion	Referrals to Call Centre & CSC	Assist with use of Equipment & Computer	Respond to General Enquiries	TOTAL	Hours of Operation/week		
						12.5	12.5	15
						2014/15	2013/14	2012/13
Jul	82	51	62	195	390	390	411	464
Aug	68	50	54	145	317	317	427	592
Sep	85	44	48	95	272	272	373	560
Oct	87	55	86	141	369	369	422	478
Nov	69	31	57	116	273	273	268	436
Dec	46	30	45	87	208	208	178	262
Jan	59	33	40	129	261	261	367	364
Feb	56	42	43	137	278	278	299	332
Mar	49	22	43	96	210	210	296	285
Apr	41	34	46	91	212	212	377	403
May	68	25	41	85	219	219	296	278
Jun	80	42	43	125	290	290	331	272
TOTAL	790	459	608	1,442	3,299	3,299	4,045	4,726



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 – 11.2.1

That Council receive the Executive Manager Corporate Services Report for the month of July 2015

COUNCIL DECISION – 07-0715 – 11.2.1

Moved Councillor Winzer, Seconded Councillor McHutchison.

That Council receive the Executive Manager Corporate Services Report for the month of July 2015

CARRIED 5/0

11. REPORTS OF OFFICERS**11.2 Executive Manager Corporate Services****11.2.2 Monthly Financial Statements and Report**

Location:	Exmouth
Applicant:	S O'Toole
File Reference:	FM.FI.0
Disclosure of Interest:	Nil
Date:	1 July 2015
Author:	Executive Manager Corporate Services, Sue O'Toole
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Financial report for the period ended 30 June 2015 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 – 11.2.2

That Council:

1. *Accept the monthly financial reports for period ended 30 June 2015;*
2. *The accounts as listed in the monthly financial report be received for;*

Municipal Fund – June 2015 \$1,267,813.48 incorporating 13122 to 13132 and direct debits

Trust Fund – June 2015 \$25,429.19 incorporating of cheque 400820 to 400821 and direct debits

Outstanding Creditors as at June 2015 - \$862,427.46

COUNCIL DECISION – 08-0715 – 11.2.2

Moved Councillor McHutchison, Seconded Councillor Todd.

That Council:

- 1. Accept the monthly financial reports for period ended 30 June 2015;*
- 2. The accounts as listed in the monthly financial report be received for;*

Municipal Fund – June 2015 \$1,267,813.48 incorporating 13122 to 13132 and direct debits

Trust Fund – June 2015 \$25,429.19 incorporating of cheque 400820 to 400821 and direct debits

Outstanding Creditors as at June 2015 - \$862,427.46

CARRIED 5/0

11. REPORTS OF OFFICERS

11.2 Executive Manager Corporate Services

11.2.3 Adoption of the 2015/16 Budget

Applicant:	B Price
File Reference:	FM.BU.15.16
Disclosure of Interest:	Nil
Date:	1 July 2015
Author:	Executive Manager Corporate Services
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council adopt the 2015/16 Budget.

BACKGROUND

Council is required to prepare and adopt in the manner and form prescribed its annual budget by no later than the 31 August each year in accordance with Section 6.2 of the Local Government Act 1995.

COMMENT

The Draft Budget for 2015/16 has been prepared in accordance with the Local Government Act and is attached for consideration and final adoption (Refer ***Attachment 3***).

The main features of the draft budget include:

- A 1.3% rate increase in line with the CPI (March 2015 Quarter), this increase applies to all differential general rate categories.
- Non operating grant funding for the year is estimated at \$19.9m.
- Loan borrowings of \$1m to fund construction of the Ningaloo Centre.
- Capital works programme featuring \$22m of planned works, with the main projects being:
 - \$18m Part construction of the Ningaloo Centre
 - \$150k Waste Water Treatment Ponds
 - \$220k Recycle Site Shed/Office/Compound
 - \$33k Recycle Site Road Access/parking
 - \$146k Recycle Site - Baler Machine and Glass Crusher
 - \$1.5m Flood Mitigation Works
 - \$1.2m Upgrades to Murat Rd, Yardie Creek Rd & Maidstone Cres
 - \$150k Aerodrome Runway upgrade

STATUTORY ENVIRONMENT

Section 6.2 & 6.35 (5) Local Government Act 1995
Local Government Financial Management Regulations 22-33

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The Budget outlines the financial plans for the Shire during 2015/16 and contains estimated revenue and expenditure which is monitored throughout the year with an estimated Closing Surplus of \$2,880.

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 RECOMMENDATIONS – 11.2.3

That Council in accordance with Section 6.2(1) of the Local Government Act 1995, having considered any submissions received on the intended Differential Rates, Specified Area Rate, adopt the Budget for the financial year ending June 30, 2016 as resolved below :-

Differential General Rates:

Impose a differential general rate on rateable land within the Municipality of Exmouth in accordance with Section 6.33 of the Local Government Act 1995 and adopt the following schedule of differential rates:

<i>Rate Category</i>	<i>Rate In Dollar \$</i>	<i>Minimum Payment</i>
<i>GRV Commercial-Industrial</i>	<i>0.0694</i>	<i>\$710</i>
<i>GRV Commercial-Industrial Vacant Land</i>	<i>0.1008</i>	<i>\$710</i>
<i>GRV Marina</i>	<i>0.0954</i>	<i>\$1,459</i>
<i>GRV Marina Vacant Land</i>	<i>0.1082</i>	<i>\$1,459</i>
<i>GRV Residential</i>	<i>0.0666</i>	<i>\$710</i>
<i>GRV Residential Development</i>	<i>0.0585</i>	<i>\$710</i>
<i>GRV Residential Development Vacant Land</i>	<i>0.0580</i>	<i>\$406</i>
<i>GRV Special Rural</i>	<i>0.0541</i>	<i>\$811</i>
<i>GRV Special Rural Vacant Land</i>	<i>0.0650</i>	<i>\$811</i>
<i>UV Rural</i>	<i>0.0739</i>	<i>\$760</i>
<i>UV Mining</i>	<i>0.1478</i>	<i>\$270</i>
<i>GRV Specified Area Rate</i>	<i>0.0130</i>	<i>\$66</i>

Rubbish Removal Charges:

Set the following rubbish removal charges:

- a. Residential \$350.00 for the weekly removal of each 240 litre mobile garbage bin; one collection per week.*
- b. Residential \$245.00 for the weekly removal of each 120 litre mobile garbage bin; one collection per week.*
- c. Commercial \$300.00 for the weekly removal of each 240 litre mobile garbage bin; one collection per week*

Due Date for Payment of Rates and Charges:

Set the due date for the single payment of a rate or service charge for the 2015/16 financial year to be 8 September 2015

Due Date for Payment of Rate Instalments

Set the due date for the payment of rate instalments for the 2015/16 financial year as follows:-

<i>First Instalment</i>	<i>8 September 2015</i>
<i>Second Instalment</i>	<i>9 November 2015</i>
<i>Third Instalment</i>	<i>11 January 2016</i>
<i>Fourth Instalment</i>	<i>11 March 2016</i>

Options for Payment of Rates and Charges:

Option 1: Prompt Payment Due no later than 4:00pm on 8 September 2015

Option 3: Four equal instalments

- i) First instalment due no later than 4:00pm on 8 September 2015
- ii) Second instalment due no later than 4:00pm on 9 November 2015
- iii) Third instalment due no later than 4:00pm on 11 January 2016
- iv) Fourth instalment due no later than 4:00pm on 11 March 2016

Option 2: Two equal instalments

- i) First instalment due no later than 4:00pm on 8 September 2015
- ii) Second instalment due no later than 4:00pm on 9 November 2015

Administration Charge on Instalments:

Set an administration charge of \$13.00 per rate instalment notice for the 2015/16 financial year where the instalment plan is selected.

Interest on Rate Instalments

Set as an additional charge by way of interest where the instalment plan is selected an interest rate of 5.5% for the 2015/16 financial year.

Late Payment Interest Charge:

Set an interest rate of 11% for the 2015/16 financial year as penalty interest for the late payment of rates and charges.

Interest on Money Owing to Council – General Debtors:

Set an interest rate of 11% for the 2015/16 financial year and in accordance with Section 6.13(6) of the Local Government Act 1995, the period of time after which an account incurs interest is 60 days.

Reserve Fund:

Create Reserve Funds and allocate funds to and from the Reserve Funds for the financial year ending 30 June 2016 as specified in the 2015/16 Budget document.

Trust Fund Budget:

Adopt the Trust Fund Budget for the financial year ending 30 June 2016 as included in the 2015/16 Budget.

Imposition of Fees and Charges:

Adopt the Schedule of Fees and Charges for the financial year ending 30 June 2016 as included in the 2015/16 Budget.

Material Variance:

The 2015/16 Financial Statements presented to Council during the Financial Year for review and comparison to Budget will indicate Variance Value plus (+) or minus (-) of 10% or \$10,000, whichever is the greater.

Call Tenders:

Authorise the CEO to call Tenders for Goods and Services where there is provision in the 2015/16 Budget, with Council to determine the outcome of all Tenders.

COUNCIL DECISION – 09-0715 – 11.2.3

Moved Councillor McHutchison, Seconded Councillor Hood.

That Council in accordance with Section 6.2(1) of the Local Government Act 1995, having considered any submissions received on the intended Differential Rates, Specified Area Rate, adopt the Budget for the financial year ending June 30, 2016 as resolved below :-

Differential General Rates:

Impose a differential general rate on rateable land within the Municipality of Exmouth in accordance with Section 6.33 of the Local Government Act 1995 and adopt the following schedule of differential rates:

<i>Rate Category</i>	<i>Rate In Dollar \$</i>	<i>Minimum Payment</i>
<i>GRV Commercial-Industrial</i>	<i>0.0694</i>	<i>\$710</i>
<i>GRV Commercial-Industrial Vacant Land</i>	<i>0.1008</i>	<i>\$710</i>
<i>GRV Marina</i>	<i>0.0954</i>	<i>\$1,459</i>
<i>GRV Marina Vacant Land</i>	<i>0.1082</i>	<i>\$1,459</i>
<i>GRV Residential</i>	<i>0.0666</i>	<i>\$710</i>
<i>GRV Residential Development</i>	<i>0.0585</i>	<i>\$710</i>
<i>GRV Residential Development Vacant Land</i>	<i>0.0580</i>	<i>\$406</i>
<i>GRV Special Rural</i>	<i>0.0541</i>	<i>\$811</i>
<i>GRV Special Rural Vacant Land</i>	<i>0.0650</i>	<i>\$811</i>
<i>UV Rural</i>	<i>0.0739</i>	<i>\$760</i>
<i>UV Mining</i>	<i>0.1478</i>	<i>\$270</i>
<i>GRV Specified Area Rate</i>	<i>0.0130</i>	<i>\$66</i>

Rubbish Removal Charges:

Set the following rubbish removal charges:

- d. Residential \$350.00 for the weekly removal of each 240 litre mobile garbage bin; one collection per week.*
- e. Residential \$245.00 for the weekly removal of each 120 litre mobile garbage bin; one collection per week.*
- f. Commercial \$300.00 for the weekly removal of each 240 litre mobile garbage bin; one collection per week*

Due Date for Payment of Rates and Charges:

Set the due date for the single payment of a rate or service charge for the 2015/16 financial year to be 8 September 2015

Due Date for Payment of Rate Instalments

Set the due date for the payment of rate instalments for the 2015/16 financial year as follows:-

<i>First Instalment</i>	<i>8 September 2015</i>
<i>Second Instalment</i>	<i>9 November 2015</i>
<i>Third Instalment</i>	<i>11 January 2016</i>
<i>Fourth Instalment</i>	<i>11 March 2016</i>

Options for Payment of Rates and Charges:

Option 1: Prompt Payment Due no later than 4:00pm on 8 September 2015

Option 3: Four equal instalments

- v) First instalment due no later than 4:00pm on 8 September 2015*
- vi) Second instalment due no later than 4:00pm on 9 November 2015*
- vii) Third instalment due no later than 4:00pm on 11 January 2016*
- viii) Fourth instalment due no later than 4:00pm on 11 March 2016*

Option 2: Two equal instalments

- iii) First instalment due no later than 4:00pm on 8 September 2015*
- iv) Second instalment due no later than 4:00pm on 9 November 2015*

Administration Charge on Instalments:

Set an administration charge of \$13.00 per rate instalment notice for the 2015/16 financial year where the instalment plan is selected.

Interest on Rate Instalments

Set as an additional charge by way of interest where the instalment plan is selected an interest rate of 5.5% for the 2015/16 financial year.

Late Payment Interest Charge:

Set an interest rate of 11% for the 2015/16 financial year as penalty interest for the late payment of rates and charges.

Interest on Money Owning to Council – General Debtors:

Set an interest rate of 11% for the 2015/16 financial year and in accordance with Section 6.13(6) of the Local Government Act 1995, the period of time after which an account incurs interest is 60 days.

Reserve Fund:

Create Reserve Funds and allocate funds to and from the Reserve Funds for the financial year ending 30 June 2016 as specified in the 2015/16 Budget document.

Trust Fund Budget:

Adopt the Trust Fund Budget for the financial year ending 30 June 2016 as included in the 2015/16 Budget.

Imposition of Fees and Charges:

Adopt the Schedule of Fees and Charges for the financial year ending 30 June 2016 as included in the 2015/16 Budget.

Material Variance:

The 2015/16 Financial Statements presented to Council during the Financial Year for review and comparison to Budget will indicate Variance Value plus (+) or minus (-) of 10% or \$10,000, whichever is the greater.

Call Tenders:

Authorise the CEO to call Tenders for Goods and Services where there is provision in the 2015/16 Budget, with Council to determine the outcome of all Tenders.

CARRIED by ABSOLUTE MAJORITY 5/0

The Shire President extended his appreciation and congratulations to the Executive Manager Corporate Services for her efforts in formulating the budget and also to all manager team for their contribution.

11. REPORTS OF OFFICERS

11.3 Executive Manager Aviation Services

11.3.1 General Report

Location:	Exmouth
Applicant:	J Kox
File Reference:	TT.SP.0
Disclosure of Interest:	Nil
Date:	21 July 2015
Author:	Executive Manager Aviation Services, Jenny Kox
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 2015 Council Meeting agenda report.

BACKGROUND

Regulatory

The final report on the Review of Regulated Regular Public Transport Air Routes in Western Australia was released by the Department of Transport (DoT) on 16 July 2015. The Perth-Learmonth Air Route will be fully deregulated from February 2016 as previously recommended by the State Government. It is pleasing to note that whilst there is only one RPT provider on the route, DoT will continue with a level of minimal regulation to ensure that the airline does not behave in a manner that is not in the best interests of the community in terms of affordability and reliability of air services.

Airservices Australia's upgrade to the VOR is almost complete with the flight test of the new navigational aid being undertaken in the coming days.

Airlines/Air Operators/Industry

Helicopter flights were affected by Defence-activated air space over the oil & gas facilities on 2 July 2015. The air space restriction was in effect from 2 July 2015 11am to 4am on 3 July 2015, although a movement corridor was established around 1:30pm so that production on the facilities could continue with the required air medi-vac support being available.

Learmonth Airport has seen the busiest June for RPT passengers on record with 8,634 passengers and a busier June than for the equivalent period in 2014 in the heliport. July continues to be busy with many full flights across the school holiday period.

Passenger numbers for the 2014/15 financial year were 85,714 which was down 7% (or 6,027 passengers) on 2013/14 figures.

Learmonth Airport

The *Message in a Bottle* whale tail has found a new home, welcoming passengers to Learmonth Airport arrivals. Some of the other inventive repurposed plastic bottle creations are keeping the whale tail company whilst raising awareness on how much plastic we use in our daily lives.



Repair work following TC Olywn & Quang continues. The ceiling over security screening has been repaired with new LED lighting fixtures. Signs have been re-erected throughout the car park and replacement doors have been fitted and finished off at the Heliport. Further repair works are still underway.

Exmouth Aerodrome

Significant clearing works along taxiways and the runway have occurred in the past month.

Preliminary work continues on the Exmouth Aerodrome Master Plan prior to seeking stakeholder input.

Other

On 16 July 2015, Cr Hood and EMAS attended a North Western Australia Airport Forum hosted by Town of Port Hedland. The forum, attended by Councillors, CEO's and airport operations staff, covered air route development in the North and investigated different airport operating models such as long term lease of operations.

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 – 11.3.1

That Council receive the Executive Manager Aviation Services Report for the month of July 2015.

COUNCIL DECISION – 10-0715 – 11.3.1

Moved Councillor McHutchison, Seconded Councillor Hood.

That Council receive the Executive Manager Aviation Services Report for the month of July 2015.

CARRIED 5/0

11. REPORTS OF OFFICERS

11.3 Executive Manager Aviation Services

11.3.2 Leasing of Security Screening Equipment – Learmonth Airport

Location:	Exmouth
Applicant:	Executive Manager Aviation Services
File Reference:	TT.SP.0.1
Disclosure of Interest:	Nil
Date:	14 July 2015
Author:	Executive Manager Aviation Services, Jenny Kox
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends Council endorse the recommendations made in the Business Case ‘Replacement of Security Screening Equipment Learmonth Airport’, being:

1. To enter into an agreement with Alleasing to lease security screening equipment as per Option SLER-6 for a term of six (6) years; and
2. Authorise the Chief Executive Officer to negotiate the terms of the lease to include alterations to the baggage handling system provided that the value of the alterations does not exceed \$100,000.

BACKGROUND

Security screening equipment and the operation of such is regulated under the *Aviation Transport Security Act 2004*, *Aviation Transport Security Regulations 2005* and Aviation Screening Notices released by the Office of Transport Security.

Council currently owns all security screening equipment at Learmonth Airport.

The checked baggage screening multi-view x-ray machine (CBS x-ray) and the primary explosive trace detection (ETD) units are nearing the end of their useful lifecycle and now costing significant money to keep operational.

Further, security screening equipment at Learmonth Airport is currently provided by three suppliers with maintenance agreements held with two of the three parties. Ideally, the number of providers should be reduced to one or at most two to ensure an improved service commitment and a reduced overall price for maintenance agreements.

In line with Council’s IT strategy, it has been identified that outright purchase of equipment may not be in Council’s best interest and replacement via renting/leasing of equipment may be a more feasible option.

A Business Case has been prepared to compare the benefits of outright purchase and leasing of equipment (refer *Confidential Attachment 1*) as well as a comparison of two reputable suppliers.

COMMENT

The Business Case recommends that Council consider leasing replacement security screening equipment for a term of six (6) years.

Use of a WALGA-preferred panel leasing agent precludes the requirement of having to call tenders for equipment provision as the agreement is between Council and the leasing agent. This then reduces the changeover timeline significantly as a 3+ month tender process is eliminated.

Alleasing is the company through which Council has leased its IT equipment through a leasing arrangement. A competitive lease agreement has been provided for a number of leasing options as detailed in the Business Case.

It is recommended that Council support Option SLER-6 as stated in the Business Case. In this option, the passenger x-ray will still be owned by Council with its own maintenance agreement. All other screening equipment will be replaced with new and associated consumable and maintenance agreements are included in the lease arrangement.

It is further recommended that Council endorse the CEO to negotiate the terms of the agreement to include the cost of alterations to the baggage handling system to service the new equipment.

CONSULTATION

Alleasing Pty Ltd
Rapiscan Systems Australia Pty Ltd
Smiths Detection Pty Ltd
Broome International Airport
Geraldton Airport

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The cost of leasing the equipment is included in the draft 2015/16 Budget.

STRATEGIC IMPLICATIONS

Economic

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

- Outcome: 1.5: Maintain and improve shire infrastructure

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.3.2

That Council endorse the recommendations made in the Business Case 'Replacement of Security Screening Equipment Learmonth Airport' (refer Confidential Attachment 1) being;

1. *To enter into an agreement with Alleasing to lease security screening equipment as per Option SLER-6 for a term of six (6) years; and*
2. *Authorise the Chief Executive Officer to negotiate the terms of the lease to include alterations to the baggage handling system provided that the value of the alterations does not exceed \$100,000.*

COUNCIL DECISION – 11-0715 – 11.3.2

Moved Councillor Winzer, Seconded Councillor Hood.

That Council endorse the recommendations made in the Business Case 'Replacement of Security Screening Equipment Learmonth Airport' (refer Confidential Attachment 1) being;

1. *To enter into an agreement with Alleasing to lease security screening equipment as per Option SLER-6 for a term of six (6) years; and*

2. *Authorise the Chief Executive Officer to negotiate the terms of the lease to include alterations to the baggage handling system provided that the value of the alterations does not exceed \$100,000.*

CARRIED 5/0

11. REPORTS OF OFFICERS

11.4 Executive Manager Community Engagement

11.4.1 General Report

Location:	Exmouth
Applicant:	R Kempe
File Reference:	GV.CM.0
Disclosure of Interest:	Nil
Date:	16 July 2015
Author:	Executive Manager Community Engagement, Rogé Kempe
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Tourism

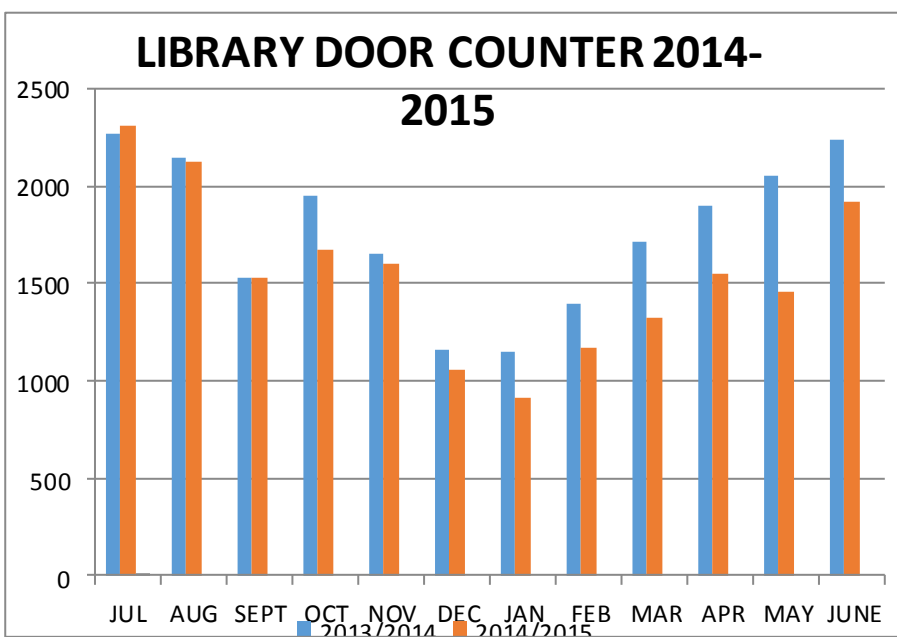
Exmouth Visitor Centre (EVC)

Officers attended a Strategic Planning meeting with representatives of the EVC committee. Various ideas for raising revenue were discussed and will be explored further before a draft Strategic Plan will be finalised.

Library Services

In the month of June 2015, 1920 people made use of the library facilities; slightly down on 2240 for June 2014. This downturn could be associated with cyclone closures during the year. Also, the Visitors Centre is now offering free WiFi; backpackers and the Integrity Bus commuters now use the free WiFi at the Visitor Centre, rather than visiting the Library.

A total of 18,647 people have used the library this financial year and 12,452 items have been loaned; 1,409 of these items were borrowed by tourists.



Our ‘Free little library’ (book exchange) remains popular with visitors being able to swap book for book. This collection also enhances the amount of books available to our members.

The local outside of school hours childcare centre 'Hayley's Holiday Fun Care' paid a visit again this month. The group enjoyed choosing books, craft, and reading stories under the shade of the tree outside the library.



Community Development

Thank a Volunteer

Each year the Shire thank the various emergency services volunteers who give many hours of service to keep our town and people safe.

The Exmouth Bowling club donated the use of their venue and the Shire put on refreshments and some nibbles for all the volunteers. A passionate speech was delivered by the Shire President Cr Turk Shales to thank everyone for giving up their valuable time away from family and friends to help service our Town.

Whale Tail at Airport

The 'Message in a Bottle' program was financially supported by Woodside which enabled the Shire to engage 2 artists to facilitate workshops on making art out of recycled plastic bottles, they also produced a 5 metre high whale tail which was presented at this year's Whaleshark Festival. It was a huge success and has been decided to put the artwork at the arrivals lounge at the Learmonth Airport with a few of the other sculptures so that our community's message to our visitors continues:

We hope you have a Whale of a Time here in the Ningaloo region, but please help us look after this precious environment during your visit.

NAIDOC Flag Raising Ceremony

Officers assisted with the NAIDOC Flag Raising Ceremony 2015 and attended the Arts exhibition at the Bar & Grill Function room at the Harold E. Holt Naval Base.

July School Holiday Program

The school holidays has once again seen a number of activities presented by the Shire in partnership with other groups and organisations in town.

Sand sculptures proved very popular this year with about 30 children and adults building a marine creature. Jamie Campbell from DPAW was present to provide interesting information and stories about the creatures created. Although the weather was bad, 3 families ventured out to try their hands at beach craft and created turtles, mermaids and photo frames.

The biggest crowd this year attended the Dog Show with over 50 people watching the 20 dog strong field battling it out over obstacle courses, best costume and vying for the title of Best Dog overall. This award was taken out by a tourist and her dog Lulu.

The 'Mad Hatters Tea Party' was fully booked, with the kids making their own hat and decorating a cup cake.

Officers would like to thank our partners PCYC, DPaW, and ECAC for their support.

Public Art Strategy

Officers were successful in applying for a grant to develop a Public Art Strategy for Exmouth. A recent RFQ has delivered a successful consultant, Artsource, who will assist the Shire in the development of a

Public Art Strategy and associated policies and processes. Community consultation will be an important part of the process.

It is anticipated that the consultants will commence early August 2015 with the project to be finalised by December of this year.

Ningaloo Underground – Caving Conference

Officers presented an overview of the Northwest Cape History at the *Ningaloo Underground* conference which was held in Exmouth in June 2015. The conference attracted about 70 people from around Australia and most of them attended the conference and enjoyed everything the Ningaloo and Cape Range areas had to offer.

Disability Access & Inclusion

Officers submitted a report on the achievements regarding implementing the Shire's Disability Access & Inclusion Plan for the 2014/15 financial year. In addition, the new Strategic Outcome 7 was advertised and the results are presented this month in a separate Council report.

Ningaloo Centre – User Group Consultation

Officers held meetings with the major future user groups of the Ningaloo Centre, including Visitor Centre, Toy Library, ECAC, Library and community services. The final designs were discussed and a last opportunity offered for groups to seek clarification on the proposals. The architects will provide responses in coming weeks and user groups will then be asked to formally acknowledge their approval for the plans.

Craft Fair 2015

The Shire supported the annual Craft Fair organised by the Exmouth Senior Citizens and Pensioners Club Inc. Officers assisted with judging the submitted pieces across various categories and handed out prizes during the event. A multiple prize winning piece was acquired for the Shire's collection and will be on display in the future Ningaloo Centre.

Grants Updates

- The Shire receives \$20,000 a year from the Department of Sport and Recreation toward staffing costs to deliver a Club Development Programme in Exmouth. An acquittal for the 2014/15 financial year was recently submitted.
- An acquittal for the Woodside grant for the 'Message in a Bottle' project was prepared and submitted.

Media and Community Information

- Shire Newsletter July 2015: Disability Access & Inclusion topics.

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 – 11.4.1

That Council receive the Executive Manager Community Engagement Report for the month of July 2015.

COUNCIL DECISION – 12-0715 – 11.4.1

Moved Councillor Todd, Seconded Councillor McHutchison.

That Council receive the Executive Manager Community Engagement Report for the month of July 2015.

CARRIED 5/0

11. REPORTS OF OFFICERS

11.4 Executive Manager Community Engagement

11.4.2 Disability Access and Inclusion Plan – Outcome 7 adoption

Location:	Exmouth
Applicant:	R Kempe
File Reference:	CM.PL.1
Disclosure of Interest:	Nil
Date:	24 July 2015
Author:	Executive Manager Community Engagement, Rogé Kempe
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This Report recommends to Council to adopt Outcome 7- *“People with Disability have the same opportunities as other people to obtain and maintain employment with a public authority”* into the Shire of Exmouth Disability Access and Inclusion Plan (DAIP) and submit the reviewed DAIP with the Disability Services Commission.

BACKGROUND

The *Disability Services Act 1993*, amended in 2004, requires all local government and selected State Government agencies to develop a Disability Access and Inclusion Plan (DAIP).

DAIPs assist public authorities to plan and implement improvements to access and inclusion across seven outcome areas, in regards to services and events, buildings and facilities, information, quality of service, complaints and consultation processes. These plans benefit people with disability, the elderly, young parents and people from culturally and linguistically diverse backgrounds.

The current DAIP outlines six Outcomes and strategies that the Shire has adopted in relation to supporting people with disability to participate in the community and to remediate access and inclusion barriers that are identified.

In 2014 the Disability Services Commission (DSC) advised all local governments that they were required to include a seventh Outcome in their DAIP’s, being:

Outcome 7: *“People with Disability have the same opportunities as other people to obtain and maintain employment with a public authority”.*

The below chart outlines the proposed strategies and tasks the Shire could adopt to implement Outcome 7. At the June 2015 Council meeting, Council resolved that these Strategies and Tasks were to go out for public consultation before being formally adopted by Council.

STRATEGY	TASK
7.1 Use inclusive recruitment practices	<ul style="list-style-type: none"> • Make sure job advertisements are in an accessible format (either 12-14pt Arial or include a notation that advertisements are available in alternative formats/ font sizes upon request) • Include Equal Employment Opportunity Statement in the advertisement • Make sure the interview is held in a accessible location • Update employment application form to include question regarding whether applicant has any additional access requirements for the interview.

7.2 Improve methods of attracting, recruiting and retaining people with disability	<ul style="list-style-type: none"> • Examine current methods of recruitment • Annually assess current percentage of people with disability and discuss ways to improve access
7.3 Work with key Disability Employment Support provider(s) when recruiting and employing individuals with disability	<ul style="list-style-type: none"> • Send local Disability Employment Service all vacancies so that they can discuss them with any service users with Disability • Seek assistance to develop flexible working conditions as needed
7.4 Promote organisational work culture that messages to employee's that the Shire of Exmouth are an Equal Opportunity Employer and value diversity and inclusion	<ul style="list-style-type: none"> • Post resources on notice board relating to the vocational support available for people with disability

COMMENT

Community consultation was undertaken to seek feedback on the above strategies and tasks relating to implementing Outcome 7 into the DAIP.

The reviewed DAIP plan was made available on the Shire Website for viewing and notices were distributed on the Shire noticeboard in town and an advertisement placed in the Northern Guardian. The consultation period was open for 3 weeks.

After the closing of the consultation period, no feedback was received.

Officer recommend to include Outcome 7 into the current Shire of Exmouth DAIP and submit the reviewed Plan with the Disability Services Commission.

CONSULTATION

Outcome 7 and its strategies were released for public comment as required by the Disability Services Commission. The Commission has indicated that, considering the size of the Exmouth community, a 2 week period would be sufficient; however, the period was 3 weeks.

STATUTORY ENVIRONMENT

Disability Services Act 1993

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Social**

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

- Outcome 3.3 –An inclusive, responsible and cohesive community.
- 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 – 11.4.2
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That Council:

1. Authorise the inclusion into the Disability Access and Inclusion Plan of the new Outcome 7, as follows:

Outcome 7: “People with Disability have the same opportunities as other people to obtain and maintain employment with a public authority”.

STRATEGY	TASK
7.1 Use inclusive recruitment practices	<ul style="list-style-type: none"> • Make sure job advertisements are in an accessible format (either 12-14pt Arial or include a notation that advertisements are available in alternative formats/ font sizes upon request) • Include Equal Employment Opportunity Statement in the advertisement • Make sure the interview is held in an accessible location • Update employment application form to include question regarding whether applicant has any additional access requirements for the interview.
7.2 Improve methods of attracting, recruiting and retaining people with disability	<ul style="list-style-type: none"> • Examine current methods of recruitment • Annually assess current percentage of people with disability and discuss ways to improve access
7.3 Work with key Disability Employment Support provider(s) when recruiting and employing individuals with disability	<ul style="list-style-type: none"> • Send local Disability Employment Service all vacancies so that they can discuss them with any service users with Disability • Seek assistance to develop flexible working conditions as needed
7.4 Promote organisational work culture that messages to employee's that the Shire of Exmouth are an Equal Opportunity Employer and value diversity and inclusion	<ul style="list-style-type: none"> • Post resources on notice board relating to the vocational support available for people with disability

2. Submits the reviewed Shire of Exmouth DAIP with the Disability Services Commission and make it available on the Shire of Exmouth website.

COUNCIL DECISION – 13-0715 – 11.4.2
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Moved Councillor Hood, Seconded Councillor Winzer.

That Council:

1. Authorise the inclusion into the Disability Access and Inclusion Plan of the new Outcome 7, as follows:

Outcome 7: “People with Disability have the same opportunities as other people to obtain and maintain employment with a public authority”.

STRATEGY	TASK
7.1 Use inclusive recruitment practices	<ul style="list-style-type: none"> • Make sure job advertisements are in an accessible format (either 12-14pt Arial or include a notation that advertisements are

	<p><i>available in alternative formats/ font sizes upon request)</i></p> <ul style="list-style-type: none"> • <i>Include Equal Employment Opportunity Statement in the advertisement</i> • <i>Make sure the interview is held in an accessible location</i> • <i>Update employment application form to include question regarding whether applicant has any additional access requirements for the interview.</i>
<i>7.2 Improve methods of attracting, recruiting and retaining people with disability</i>	<ul style="list-style-type: none"> • <i>Examine current methods of recruitment</i> • <i>Annually assess current percentage of people with disability and discuss ways to improve access</i>
<i>7.3 Work with key Disability Employment Support provider(s) when recruiting and employing individuals with disability</i>	<ul style="list-style-type: none"> • <i>Send local Disability Employment Service all vacancies so that they can discuss them with any service users with Disability</i> • <i>Seek assistance to develop flexible working conditions as needed</i>
<i>7.4 Promote organisational work culture that messages to employee's that the Shire of Exmouth are an Equal Opportunity Employer and value diversity and inclusion</i>	<ul style="list-style-type: none"> • <i>Post resources on notice board relating to the vocational support available for people with disability</i>

2. *Submits the reviewed Shire of Exmouth DAIP with the Disability Services Commission and make it available on the Shire of Exmouth website.*

CARRIED 5/0

11. REPORTS OF OFFICER

11.1 Executive Manager Community Engagement

11.4.3 Review of Fees & Charges – Various Sporting Clubs

Location:	Exmouth
Applicant:	Shire of Exmouth
File Reference:	FM.FE.0
Disclosure of Interest:	Nil
Date:	23 July 2015
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

The following report contains a review of the Fees & Charges applied to local sports clubs and sport related businesses who use Shire facilities, and sporting clubs who have a lease with the Shire for their own premises.

BACKGROUND

Over time some disparity has developed into how Exmouth sports clubs are charged by the Shire for the use of Shire facilities: some clubs pay the Council set hire fees, others receive a fee waiver.

Officers have investigated these differences and made a comparison with other Local Governments to develop a way to rationalise the way fees are being charged.

During this process, it was also identified that there are significant differences between clubs who have a lease with the Shire for their own premises and that some sport related businesses find the commercial fee level for the Shire Hall too high.

All three types of sporting organisations are addressed in this report and the aim is to ensure that all Exmouth clubs are being treated fairly and that the Council philosophy of encouraging sport participation, particularly amongst our youth, is paramount.

COMMENT

Hire Fees for Shire Facilities

The following Fees & Charges were applied to various clubs in accordance with Council's adopted 2014/15 Budget:

Shire Facility	Club	Fee Application
Oval	Cricket (Senior only)	Only pay for Oval lights as they <u>don't want exclusive use</u> of oval (this seems to be a way of avoiding booking & fee). It may be sensible to remove the exclusivity clause; as there should be a presumption that exclusive use comes with hire.
Oval	Exmouth Eagles Football Club (Senior Only)	Matches: pay for Rec Centre, Lights and Oval Training: a fee waiver has been granted (= Rec Centre, Lights, Oval).
Oval	PCYC – AFL (junior)	Complete fee waiver (=Rec Centre, Lights, Oval)
Oval	PCYC – Cricket (junior)	Oval hire @ \$17.10/hr
Hall	Gymnastics (junior)	Hall \$40.20/day
Recreation Centre	Girl Guides (junior)	Recreation Centre \$13.95/hr
Hard Courts EDHS	Netball (senior and junior)	\$13.95/hr and lighting \$24.30/hr.
Pool	EASC (predominately junior with some adult members)	Members pay a pool entry fee; majority hold pool season passes.

In order to understand how other Local Governments apply fees for use of Shire owned facilities various similar Councils were contacted to try and make some useful comparisons.

Fee comparison with other Local Governments:

Shire Facility	Exmouth Fee levels comparison
Shire Hall	Shire of Exmouth hourly rates compare with other LG's and are at lower end of the scale.
Ovals Lights	Shire of Exmouth hourly rates are at the lower end of the scale. Shire of Exmouth hourly rates are at the lower end of the scale (approx. 50% cheaper).
Recreation Centre	There are lots of different pricing structures across the state; Shire of Exmouth compares with other LG's and is at the lower end of the scale
Hard Courts (EDHS)	There are lots of different pricing structures across the State; Shire of Exmouth compares with other LG's and is at the lower end of the scale
Public Pool	Shire only charges an entry fee to the pool area for club members.

Overall, and after comparing fees with other LG's, it shows that:

- The fees for use of Shire facilities are reasonable and at the lower end of the scale;
- The nature and quality of most Shire facilities are of a good and comparable standard;
- The income from user fees does not nearly offset the Shire's cost of running and maintaining these community facilities.
- In essence, Council already supports, and in a way subsidises, clubs through a low fee structure, which is not cost recovering.

However, local clubs are reporting that it is an ongoing struggle with paying for the use of facilities, registration & insurance and other outgoings for their individual organisations.

As the application of the Fees & Charges at Council venues are not a cost recovery exercise, it is felt that Council should review its policies with a view to treat it as a proactive investment in the health and well-being of the current and future community.

It is recommended that the following approach be considered by Council:

- In order to encourage participation in junior sport, the Council will not charge for any hire or utility fee associated with the ovals, recreation centre, hard courts and shire hall.
- Hire fees for senior sports will remain as per the Fees & Charges hourly and daily rates, as set out in the Annual Budget. This will be applied uniformly to all clubs.
- No changes are proposed for the Exmouth Amateur Swim Club as historically they have enjoyed free exclusive use of portion of the facility during public use time and full use after hours for time trials.

Some outcomes of the above approach will be:

- Senior Cricket will be charged for the hire of the oval;
- PCYC Junior Cricket will no longer have to pay hire fees for the Oval;
- Juniors from Gymnastics/Kindy Gym (Shire Hall) and Girl Guides (Rec Centre) will not have to pay for their use.

It is recommended to consider a phasing in of proposed changes to allow some time and notice to clubs that will then have to start paying for some of the facilities that they use. This will allow clubs the time to plan financially for the changes.

Additional Financial Support to Clubs and members

Through Council Policy 4.3 – Sponsorships, Donations and Waiver of Fees, financial and in-kind support can be provided to special events organised by community organisations and clubs. Although this excludes regular fixtures, special tournaments or sport related events (like fund raisers), can be considered for support by the Shire.

Depending on the nature of the event, the Shire can provide staff time (i.e. Pool events), waiver for fees for use of facilities or a cash contribution. Sponsorship is subject to acknowledgement requirements for the Shire.

Hire fees for sports related businesses (classes)

There are challenges as to how much to charge sports related organisations that are not considered incorporated/not-for-profit clubs. Various people in Exmouth run a small business in providing sport related activities, i.e. classes or lessons that are of a commercial nature, like Ballet, Yoga or Karate classes. It is acknowledged that they provide an important service to the community but also that they are not the same as a club run by its members.

Council's Fees & Charges uses the following classification to establish the Fee level to be charged, going up from Level 1 (\$13.95/hr) to Level 4 (\$41.70/hr), in accordance with the following description:

Level 1 - Clubs & Organisations - Operations (i.e. training, sporting events, meetings, registrations, rehearsals)
Level 2 - Clubs / Organisations / Groups - Fundraising (i.e. fire brigade, ambulance, art groups, school)
Level 3 - Balls / Weddings / Parties
Level 4 - Business / Company / Corporations (profit making ventures, travelling shows, performers, exhibitions)

The full commercial rate of Level 4 would need to be applied but on many occasions, this has shown to be cost prohibitive to small businesses resulting in them to stop or seek sub-optimal venues elsewhere. Council could consider these activities as beneficial to the community as they can get involved in a wider range of physical activities.

Recommendation: officers recommend a new fee structure that replaces the current Level 2 with a new *Level 2 – Physical Activity Classes (run by local businesses; i.e. Yoga, Dance, Martial Arts)* as follows:

Level 1 - Clubs & Organisations (i.e. training, sporting events, fundraisers, meetings, registrations, rehearsals)
Level 2 – Physical Activity Classes (run by local businesses; i.e. Yoga, Dance, Martial Arts)
Level 3 - Balls / Weddings / Parties
Level 4 - Business / Company / Corporations (profit making ventures, travelling shows, performers, exhibitions)

This has been included in the draft 2015/16 budget. This will make a distinction between not for profit sporting clubs and commercial sporting businesses. It will also remove the higher charge for organisations/clubs undertaking fund raising activities (formerly Level 2), which should be charged at a same level as all other activities undertaken by them.

It is important to set an appropriate rate to charge as to ensure that the Shire is not taking business away from local clubs that have their own premises that hire them out for income generation. It would seem something like \$20 to \$30 per hour would be appropriate (for example, the Tennis Club charges \$20 per hour without air con and \$25 with).

Shire Lease Arrangements with clubs

There are 9 clubs with a Lease Agreement and 4 club leases have clauses in their Lease with the Shire that may require a review, as follows:

Club	Inconsistency
Tennis Club	Shire of Exmouth sources and subsidises insurance for the tennis club as they find the insurance costs unsustainable due to the high premiums put on the Courts and land. Courts and building maintenance is the responsibility of the club; however Courts and lights are Shire assets, the building is a Tennis Club asset.
Swim Club	The Shire lease arrangement with the Swim Club for their club house lists the Shire's responsibility for content insurance. This is an anomaly.
Yacht Club	The only club with a lease fee of \$350.00 per annum.

Annual Lease Fee

Of all Lease Agreements, 7 have no annual charge. However the Exmouth Yacht Club is charged \$350 per annum for their lease and the (expired) Lease of the Tennis Club states an annual lease fee of \$50.

Recommendations regarding Lease Fees:

- Remove the Lease Fee for the Exmouth Yacht Club and the Tennis Club to bring in line with Shire Policy 2.4.
- The Lease Agreements between the Shire and affected Clubs are to be amended accordingly.

Insurance

1. Swim Club: The lease with the Swim Club is to be reviewed as the Shire should not be responsible for contents insurance for the Club, especially as contents are not owned by the Shire, nor can the Shire influence/control the value of contents within the building.
2. Tennis Club: Shire of Exmouth currently sources and subsidises the insurance for the Tennis Club regarding buildings and structures like club house, courts, lights and fences. The Club insures contents.

Both these requirements are outlined in a now expired Lease Agreement (1998) between club and Shire and the proposed lease renewal in 2008 (refer Council resolution September 2008). At the moment there is no current lease between Shire and the Club.

Insurance for the Tennis Club Premises is about \$3,828 and last year the Shire offered a split of costs Shire 50% and Club 50%.

The Club indicates that the insurance costs are unsustainable for the club due to the high premiums put on the tennis courts and land.

Recommendations regarding insurance for clubs:

- To amend the insurance arrangements through a new Lease Agreement with the Tennis Club (continuation of support with insurance) and Swim Club (discontinue support with content insurance).

CONSULTATION

Club Development Officers across the State have been contacted and asked to share information regarding their Local Government fees & charges structure.

Various local clubs and organisations.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There will be less revenue to Council from the hiring of Council facilities.

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

Absolute Majority

OFFICER'S RECOMMENDATION – 11.4.3

That Council:

1. *Use the principle of supporting community participation in sport to underpin its decision making in terms of the application of Council Fees & Charges;*
2. *Not charge junior sports for any hire or utility fee associated with the ovals, recreation centre, hard courts and shire hall;*
3. *Charge senior sports for the full hire costs of Shire facilities as per the Fees & Charges for scheduled events/matches;*
4. *Charge senior sports for utility costs only (nil facility hire) of Shire facilities as per the Fees & Charges for training purposes;*
5. *Remove the annual lease fee for the Exmouth Yacht Club and the Exmouth Tennis Club to bring in line with Policy 2.4 – Leases and amend the Lease Agreements accordingly;*
6. *Continue to insure the Exmouth Tennis Club building and structures and to enter into a new lease Agreement with the Club; and*
7. *Discontinue the payment of content insurance for the Exmouth Swim Club and amend the Lease Agreement accordingly.*

COUNCIL DECISION – 14-0715 – 11.4.3

Moved Councillor Todd, Seconded Councillor Winzer

That Council:

1. *Use the principle of supporting community participation in sport to underpin its decision making in terms of the application of Council Fees & Charges;*
2. *Not charge junior sports for any hire or utility fee associated with the ovals, recreation centre, hard courts and shire hall;*
3. *Charge senior sports for the full hire costs of Shire facilities as per the Fees & Charges for scheduled events/matches;*
4. *Charge senior sports for utility costs only (nil facility hire) of Shire facilities as per the Fees & Charges for training purposes;*
5. *Remove the annual lease fee for the Exmouth Yacht Club and the Exmouth Tennis Club to bring in line with Policy 2.4 – Leases and amend the Lease Agreements accordingly;*
6. *Continue to insure the Exmouth Tennis Club building and structures and to enter into a new lease Agreement with the Club; and*
7. *Discontinue the payment of content insurance for the Exmouth Swim Club and amend the Lease Agreement accordingly.*

CARRIED by ABSOLUTE MAJORITY 5/0

11. REPORTS OF OFFICERS**11.5 Executive Manager Health & Building****11.5.1 General Report**

Location: Exmouth
 Applicant: R M Manning
 File Reference: GV.CM.0
 Disclosure of Interest: Nil
 Date: 20 July 2015
 Author: Executive Manager Health & Building, R M Manning
 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**

Applic No.	Date received	Lot No	Property Address	Description	Decision	Decision Date
15/76	02/06/2015	386	27 Corella Court	Dwelling, swimming pool, fence	Approved	11/06/2015
15/77	02/06/2015	320	17 Gnulli Court	Dwelling, swimming pool, fence	Approved	11/06/2015
15/78	02/06/2015	111	56 Bluefin Cove	Fence	Approved	09/06/2015
15/79	04/06/2015	399	1 Corella Court	Residential dwelling	Approved	19/06/2015
15/80	10/06/2015	350	32 Maidstone Crescent	communications tower	Approved	30/06/2015
15/81	11/06/2015	3	23 Carr Way	Dwelling	Approved	16/06/2015
15/82	16/06/2015	624	18 Fletcher Street	Fence	Approved	30/06/2015
15/83	18/06/2015	21	5 Kennedy Street	Pergola	Approved	10/07/2015
15/84	22/06/2015	300	23 Dugong Close	Lap pool	Approved	
15/85	22/06/2015	768	19 Ingleton Street	Shed Extension	Awaiting planning approval	
15/86	22/06/2015	996	5 Schmidt Way	Patio	Approved	
15/87	23/06/2015		Ross Street Road Reserve	LED Sign	Approved	25/06/2015
15/88	25/06/2015	161	5 Maidstone Crescent	Accommodation Unit	Approved	03/07/2015
15/89	26/06/2015	1381	45 Preston Street	Lean To	Awaiting information from applicant	
15/90	26/06/2015	159	26 Dugong Close	Dwelling	Awaiting information from applicant	

Summary of Building Licence/Permit Applications
2008 to Year to date 30 June 2015

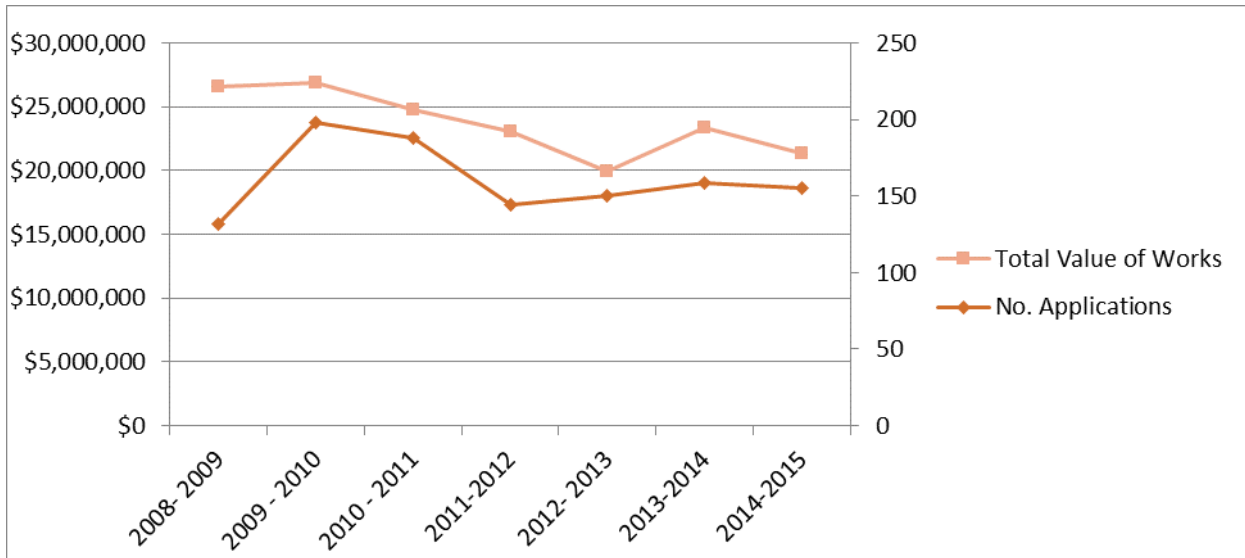
Year	No. Applications	Total Value of Works	No. Applications up to 30 June	Value up to 30 June
2008 - 2009	132	\$26,600,941	132	\$26,600,941
2009 - 2010	198	\$26,916,869	198	\$26,916,869
2010 - 2011	188	\$24,816,605	188	\$24,816,605
2011 - 2012	144	\$23,057,154	144	\$23,057,154
2012 - 2013	150	\$19,931,790	150	\$19,931,790
2013 - 2014	159	\$23,404,990	159	\$23,404,990
2014 - 2015			155	\$21,321,521

COMMENT

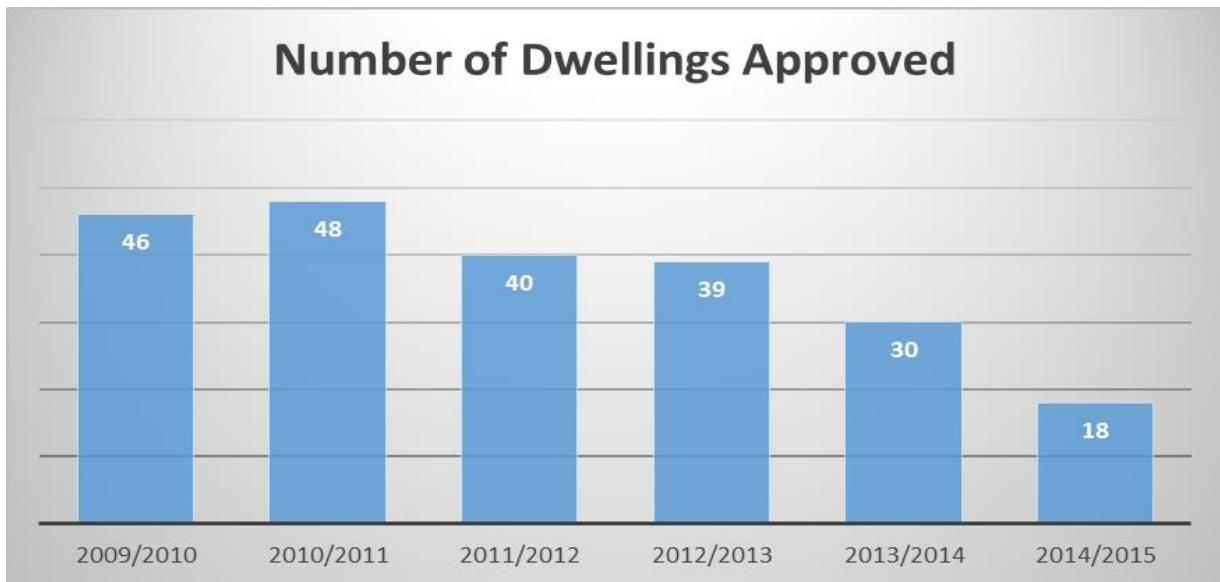
BUILDING

In addition to the usual monthly and year to date building permit approvals information provided above, the charts below show the above information (ie: 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 statistics demonstrate that the building industry in Exmouth has been reasonably stable over the past four years.



The slight decrease in new dwelling construction the past year compared to previous years is to be expected given the downturn of the WA economy over the past 1-2 years. It should be noted that the above dwelling approvals only relate to dwellings approved for construction in Residential areas and not those approved in 'Tourism' zoned areas for short term accommodation.

Dwelling building activity should improve in the coming years with the implementation of the Department of Housing Lefroy Street Affordable Housing Project and the release of 11 Special Rural Lots on the eastern side of Heron Way.

Technical Report on Damage to Buildings in Exmouth by TC Olwyn

The James Cook University Cyclone Testing Station has recently released *Technical Report 61 TC Olwyn Damage to buildings in Exmouth*. The above report was prepared by Professor Geoff Boughton and his

colleague/associate Ms Debbie Falck. Professor Boughton is well known and well respected in the structural engineering industry and regularly visits towns impacted by significant cyclonic and other extreme weather events to assess the performance of buildings and building elements. Geoff visited Exmouth after TC Vance in 1999 and produced a similar report.

Geoff and Debbie arrived in Exmouth on 18 March 2015, four days after TC Olwyn passed Exmouth, to inspect damage to buildings caused by the cyclone. Of particular interest to them was damage caused by ingress of water into buildings by wind driven rain and the performance of garage doors.

The report is now on the Cyclone Testing Station's Technical Reports webpage:-

<https://www.jcu.edu.au/cts/publications/technical-reports>

Click on 'Tech Report TR61'

ENVIRONMENTAL HEALTH

Environmental health duties continue as normal with regular water sampling, food premise inspections and responding to customer requests. Inspections of the caravan parks has also been undertaken with no major non compliances identified which is a credit to all four caravan parks within the Shire.

Information to Pastoral Stations Regarding Nature Based Parks

Council Officers recently provided information to the three pastoral stations (Bullara, Exmouth Gulf Station and Ningaloo Station) and Giralia Homestead regarding the progress of the Shire of Exmouth Town Planning Scheme #4 (TPS#4) and the recent amendments to the Caravan and Camping Ground Regulations 1997 (the Camping Regs.) in relation to the new provisions for Nature Based Parks (NBP). The information outlined the required process for obtaining approval as a NBP and that they should endeavour to have the applications ready for submission by December 2016 when TPS#4 should be significantly progressed to enable applications for Planning Approval to be submitted. As the Council may be aware, the provisions of the current TPS regard such tourism uses as caravan parks (e.g. NBPs) as not permissible. Therefore it is necessary to wait for TPS#4 to take effect before any formal applications for the above use can be considered.

Giralia Homestead has historic approvals to operate tourism accommodation and has been regulated for almost two decades as a Lodging House (with some incidental Recreational Campsites) under the Shire of Exmouth Health Local Laws 1998. The camping offer at Giralia Homestead was originally only about 6-8 basic camp sites, but in recent years has expanded significantly and now includes camper's kitchens and other facilities. As such, it is now more appropriate that the camping operation at Giralia be regulated under the Camping Regs. as a NBP.

In recent years Bullara Station has obtained a Temporary Nature Based Park License each year for the operation of a small scale camp ground that is used for less than 6 months of the year. Given the scale and temporary nature of the Bullara camping, the Shire's Town Planning Officers have regarded the use as incidental to the primary pastoral operations and therefore not requiring formal Town Planning Approval. Licensing as a 'Temporary' Nature Based Park also provided some flexibility in relation to the number and type of facilities/services that were required to be provided as opposed to annual licensing as a Camp Ground. However, the Bullara camping offer has recently expanded and it will be timely to consider the use more formally under the TPS when the new Scheme can accommodate the tourism use. Approval under the TPS will allow the use to be recognised as an annual NBP license rather than 'temporary'. Owing to the above and given the nature and type of camping offered, it should be categorised and licensed as such on an annual basis.

As the Council would be aware, the operators of Ningaloo Station have permitted camping upon the pastoral station and coastal strip for decades, well before the current TPS. The above activities have largely gone unregulated due to the Camping Regs. not being structured to regulate the type of wilderness camping offer being enjoyed at coastal stations such as Ningaloo Station. However, the recent amendments to the Camping Regs. and the pending new TPS will resolve the above issue. Hence, formal correspondence was issued to the operators of Ningaloo Station regarding the progress of the TPS#4 and the recent amendments to the Camping Regs. in relation to the new provisions for NBPs. Whilst the information advised that they should endeavour to have the applications ready for submission by December 2016, should the coastal strip be excised from the pastoral station (as is proposed by the State), there may be an opportunity with the State Government to bring forward the NBP approval requirement under the Camping Regs.

Formal correspondence was also issued to the operators of Exmouth Gulf Station (EGS) explaining the process for obtaining formal approvals under the TPS and the Camping Regs. The letter explained that the information was being sent to them as it is understood that they intend to start promoting camping on the station and collecting fees for the same. Unlike the other pastoral stations, EGS has no previous approvals or history of operating coastal or homestead camping for the general public.

It is apparent that further correspondence may be necessary to EGS to advise that any operation of camping ground on the station prior to obtaining the above approvals is an offence under both the TPS and the Camping Regs. Officers have recently been advised that EGS is already collecting camping fees for camping grounds on sections of the coastal strip.

Waste Management and Recycling

Unauthorised Out of Hours Entry to Tip

The security cameras at the tip have captured someone accessing the tip out of hours on Tuesday 14 July 2015. The images enabled Council Officers to clearly identify the vehicle.

Council Officers are in the process of questioning the vehicle owner in relation to the offence with the view of issuing a \$100 infringement under the modified Penalty provisions of the Shire of Exmouth Local Government Property Local Law – Clause 5.5 ‘Unauthorised entry to fenced or closed local government property’. Note: any person who commits an offence under this local law is liable, upon conviction, to a penalty not exceeding \$5,000.

It is also intended to publicise that the above infringement has been issued (without details of the individual) and advise the public that any further offences may not be treated as lightly.

CLGF 2012-2013 Regional Group Project – Waste and Recycling Infrastructure for the Gascoyne Region.

There has been some difficulty in coordinating a joint meeting of the relevant Officers from the three Gascoyne Shires to progress the appointment of a Project Manager for the above project. It is anticipated that such a meeting will occur by the end of July 2015.

New Recycling Bags



As part of the above joint project, the Shires of Exmouth and Shark Bay have been working together to develop new recycling bags (the Shire of Carnarvon opted not to be involved). The new recycling bags are based on the same concept as the Shire of Exmouth can bags that have been in use for over 10 years. The only difference being the bags have no set recyclable identified on them so when the recycling Bring Centres are up and running in the respective Shires, separate bags may be used for each of the recyclables (e.g. plastics, cans and cardboard).

The contracted supplier of the bags (Colquhouns), have advised that they are so pleased with the concept of the bag that they are going to take the bag design to other small Shires as an example of what could be a more suitable means for householders, clubs and businesses to collect recyclables.

Sentinel Chickens & Mosquito Borne Diseases

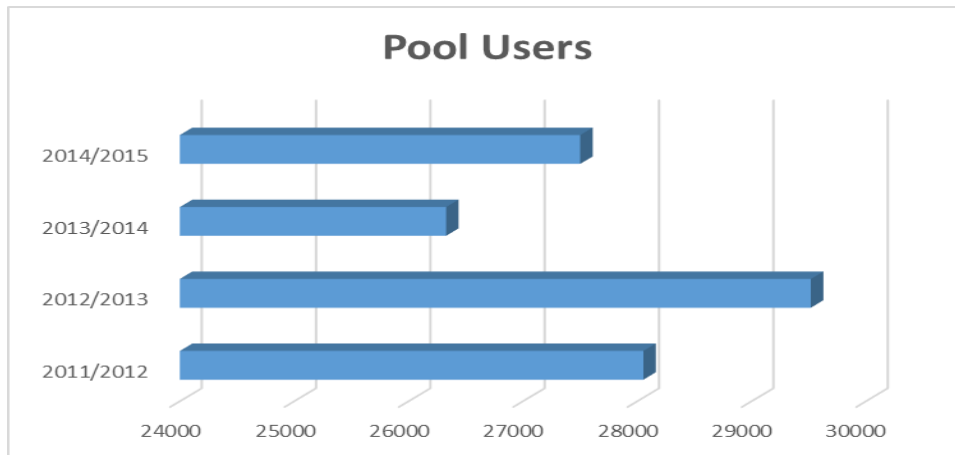
The University of Western Australia’s Sentinel Chicken Bleeding Program is continuing with bi-monthly bleeding of chicken flocks. There were no new positives blood tests to report of for Murray Valley Encephalitis, Kunjin Virus or other flaviviruses for Exmouth from the rounds of testing up to 6 July 2015.

The Department of Health have developed a quarterly mosquito borne disease report for the Midwest for any notified cases of the same. The report for April to June (refer *Attachment 1*) shows there were 4 cases of Ross River Virus (2 in April 2015 and 2 in June 2015) in Exmouth. Council staff were not notified of the above when they were first identified as the Gascoyne Population Health Unit didn’t regard them as representing a significant ‘spike’ in cases for the area. No cases were reported for Barmah Forest, Murray Valley Encephalitis or Kunjin Virus.

Paltridge Memorial Swimming Pool

The Paltridge Memorial Swimming Pool is currently closed for the winter break.

The following graph offers a comparison of annual patronage at the pool over the past four years.



CONSULTATION

Nil

STATUTORY ENVIRONMENT

Caravan Parks and Camping Grounds Act 1995
 Caravan Parks and Camping Grounds Regulations 1997
 Shire of Exmouth Town Planning Scheme #3

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.

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 – 11.5.1

That Council receive the Executive Manager Health & Building Report for the month of July 2015.

COUNCIL DECISION – 15-0715 – 11.5.1

Moved Councillor McHutchison, Seconded Councillor Winzer.

That Council receive the Executive Manager Health & Building Report for the month of July 2015.

CARRIED 5/0

11. REPORTS OF OFFICERS**11.5 Executive Manager Health & Building****11.5.2 Temporary Nature Based Park – Bullara Station Stay**

Location:	Exmouth
Applicant:	Bullara Station Stay, T & E Shallcross
File Reference:	LE.RE.5
Disclosure of Interest:	Nil
Date:	21 July 2015
Author:	Executive Manager Health & Building, R M Manning
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council issue a Temporary Nature Based Park Licence for Bullara Station Stay.

BACKGROUND

The Caravan and Camping Ground Act 1995 and Regulations 1997 make provisions for a caravan park to be issued with a Temporary Licence. With the new Town Planning Scheme under review, a temporary licence for the peak tourist season 1 April to 31 October 2015 is considered suitable in the interim.

COMMENT

Bullara Station Stay have completed all outstanding items including approval for their wilderness bathroom and septic systems. With all relevant approvals in place, a temporary licence for 40 campsites has been requested.

Bullara Station Stay has been inspected for compliance with the Caravan Parks and Camping Grounds Regulations 1997 and no major non compliances were identified.

A draft copy of the temporary license and the proposed conditions is provided at *Attachment 2*.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Caravan Parks and Camping Grounds Act 1995
Caravan Parks and Camping Grounds Regulations 1997

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.

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 – 11.5.2

That Council approve the issuing of a Temporary Nature Based Park Licence, with conditions for Bullara Station Stay as per the draft Licence attached (refer Attachment 2).

COUNCIL DECISION – 16-0715 – 11.5.2

Moved Councillor Hood, Seconded Councillor Todd.

That Council approve the issuing of a Temporary Nature Based Park Licence, with conditions for Bullara Station Stay as per the draft Licence attached (refer Attachment 2).

CARRIED 5/0

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.1 General Report

Location:	Exmouth
Applicant:	Nil
File Reference:	LP.PL.0
Disclosure of Interest:	Nil
Date:	20 July 2015
Author:	Executive Manager Town Planning, Rhassel Mhasho
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 30 June 2015.

Applic No.	Date	Lot	Property	Description	Decision	Date
PA82/15	15/06/2015	124	43 Skipjack Circle	Outbuilding	Approved	22/07/2015
PA84/15	16/06/2015	739	22 Carr Way	Outbuilding	Approved	08/07/2015
PA85/15	16/06/2015	380	32 Corella Court	Single Dwelling	July OCM	
PA86/15	18/06/2015	21	5 Kennedy Street	Patio Addition	Approved	29/06/2015
PA93/15	26/06/2015	768	19 Ingleton Street	Outbuilding	July OCM	
PA94/15	26/06/2015	324	9 Gnulli Court	Jetty	July OCM	

Summary of Total Planning Application/Codes Variations	
Year	No. Applications
2010-2011	149
2011-2012	163
2012-2013	175
2013-2014	149
2014-2015	118

Permits issued for an Activity on Local Government Property	
Month	No. Applications
February	1
March	8
April	8
May	5
June	7

BACKGROUND

Special Rural Subdivision of Lot 300 Heron Way, Exmouth

Officers are currently working on clearance of the conditions of subdivision. It is expected that titles will be issued by 30 September 2015. Exmouth Cape Real Estate and Exmouth Experience Real Estate are undertaking the marketing on behalf of Council.

Town Planning Scheme No. 4 and Local Planning Strategy

Council is notified that Town Planning Scheme No. 4 and Local Planning Strategy have now been referred to WAPC seeking consent to advertise. The consultant are currently working on the Environmental Protection Authority referral.

COMMENT**Ranger Services**

A summary of the activities performed by Ranger Services during June 2015.

	Dogs	Camping	Parking	Litter	Fire	Off road	Other
Warning/caution	2	0	7	0	0	0	3
Infringement	0	7	2	0	0	0	0
Court	0	0	0	0	0	0	0
June Total	2	7	9	0	0	0	3
2014-2015 Totals	52	186	52	15	229	2	25

Please note that due to periods of unexpected leave, Ranger Services were not conducting patrols for the entirety of the month.

Local Law Review

Local Law Review											
Local Law	Approve by Council to Initiate	Advertising		Sent to Minister	Advertising Closes	Schedule of Submission	Final Adoption Council	Gazettal	Gazettal to Minister	Local Public Notice	Submit to JSC
		West Australian	Northern Guardian								
Dog	21/08/14	30/08/14	3/09/14	2/09/14	20/10/14	11/11/14	18/12/14	23/01/15	23/01/15	28/01/15	03/02/15
Cemetery	21/08/14	30/08/14	3/09/14	2/09/14	20/10/14	11/11/14	20/11/14	12/12/14	17/12/14	22/12/14	05/01/15
Meeting Procedure	18/09/14	27/09/14	1/10/14	24/10/14	17/11/14	11/12/14	19/02/15	01/04/15	07/04/15	08/04/15	14/04/15
Fencing	28/05/15	06/06/15	09/06/15	12/06/15	24/07/15						
Cat	23/10/14	1/11/14	5/11/14	6/11/14	22/12/14		26/03/15				
Parking	23/10/14	1/11/14	5/11/14	6/11/24	22/12/14	11/12/14	19/02/15	01/04/15	07/04/15	08/04/15	14/04/15
Public Places											
Marina Waterways											
Repeal	28/05/15	06/06/15	09/06/15	12/06/15	24/07/15						

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 – 11.6.1

That Council receive the Executive Manager Town Planning Report for the month of July 2015.

COUNCIL DECISION – 17-0715 – 11.6.1

Moved Councillor McHutchison, Seconded Councillor Hood.

That Council receive the Executive Manager Town Planning Report for the month of July 2015.

CARRIED 5/0

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.2 Proposed Jetty – Lot 324 (9) Gnulli Court, Exmouth

Location:	Lot 324 (9) Gnulli Court, Exmouth
Applicant:	The Jetty Specialist
File Reference:	PA94/15
Disclosure of Interest:	Nil
Date:	15 July 2015
Author:	Executive Manager Town Planning, Rhassel Mhasho
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council grant approval for a proposed Jetty at Lot 324 (9) Gnulli Court, Exmouth in Precinct A of the Exmouth Marina Estate.

BACKGROUND

The applicant proposes to construct a Jetty at Lot 315 (27) Gnulli Court, Exmouth which is currently vacant.

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

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

The proposed Jetty (refer *Attachment 1*) is as follows:

- The Jetty is comprised of a pontoon secured by two (2) steel piles and a catwalk providing access to the canal path to the pontoon.
- The entire structure protrudes 8.8m into the canal from the Canal Setout Line and is setback 4.708m from the western and 4.503m from the eastern side property boundaries.
- The pontoon is 2.5m wide 10m long extending the entire width at along the rear of the Jetty Envelope
- The catwalk is 1.5m wide and setback approximately 5.7m from the Eastern side property boundary.
- No cyclonic mooring posts are proposed in the Mooring Envelope.
- The top of the steel piles is 5.00 AHD as compared to the height of the path being 1.70 AHD allowing the floating pontoon to rise with the tide.

COMMENT

The proposal has been assessed under Council’s *Town Planning Scheme No. 3*, Local Laws and various Local Planning Policies. These instruments outline the permissibility for this proposal within the Zone. A ‘Jetty’ within the Marina zone is incidental to a Dwelling. As no Dwelling has been developed there is nothing for the Jetty to be incidental to, therefore there is no delegation in place for Shire Officers to determine the application.

Pursuant to *Policy 6.16: Design Guidelines for Exmouth Marina Village Precinct ‘A’*, the major consideration in regard to Jetties and Mooring Piles is ensuring that they are sited inside the Jetty Envelope and Mooring Envelope as determined by the Department of Transport. The Jetty Envelope at the property is 11.4m wide (setback 4m from both side property boundaries) and 8.8m long extending from the Canal

Setout Line meaning the proposed Jetty is located within the Jetty Envelope (refer to background above). No Mooring Piles separate from the Jetty structure are proposed.

Standard conditions have been included in the Officers Recommendation to ensure compliance with the relevant statutory and policy documents.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Town Planning Scheme No. 3

Exmouth Marina Village Canal Boat Mooring Management Plan and Standard Operating Procedures

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.1: 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

Environment

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

- Outcome 2.1: To maintain and improve access and connectivity to our natural assets

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 – 11.6.2
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That Council grants planning approval for a Jetty at Lot 324 (9) Gnulli Court, Exmouth subject to the following conditions:

1. *The development shall be carried out in accordance with Policy 6.16 - Design Guidelines for Exmouth Marina Village Precinct 'A', Town Planning Scheme No. 3 and the approved plans (PA94/15) to the satisfaction of Council Officers;*
2. *The jetty structure, including the pontoon catwalk and steel piles, shall be constructed wholly within the Jetty Envelope as determined by the Department of Transport as follows:*
 - a. *8.8m long from the Canal Setout Line towards the rear property boundary; and*
 - b. *Setback 4m from the side property boundaries.*
3. *Boat mooring shall be wholly within the Mooring Envelope as determined by the Department of Transport as follows:*

- a. 13.8m long from the Canal Setout Line towards the rear of the property; and
 - b. The total width of the property ;
4. The jetty structure shall not put a horizontal surcharge load on the canal wall;
 5. Mooring piles and associated envelope areas shall not be roofed or have structures built on, around, adjacent to, or within the approved jetty area;
 6. The applicant shall obtain a permit for a barge vessel to enter Local Government Property, to carry out construction works in the waterway;
 7. All proposed jetty designs shall be approved by the Department of Transport, with engineering plans and detail being in accordance with the Exmouth Marina Village Canal Boat Mooring Management Plan;
 8. The maximum sized powerboat permitted to be moored at the Jetty is 15m in length. The maximum sized sail boat permitted to be moored at the Jetty is 10m in length; and
 9. The approval granted is valid up to two (2) years from the date of this approval. Should the use approved not substantially commence within this time, the approval will lapse.

Advice

- i) This approval is not to be construed as approval granted under the Building Act 2011, Building Regulations 2012 or any other relevant statutory approval. Prior to any construction an approved Building Permit from the Shire of Exmouth is required.
- ii) Enclosed is a copy of the Exmouth Marina Village Canal Boat Mooring Management Plan and Standard Operating Procedures.
- iii) The mooring of boats shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.
- iv) The applicant is advised that any future approval of a Holiday Accommodation shall require a Tenant Code of Conduct making reference to the Shire of Exmouth Marina Village Boat Mooring Management Plan including relevant provisions.
- v) 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;
- vi) Any substantial variation from the approved plans contained herein requires a separate planning approval. Should your plans for a building permit differ from these plans, a building permit may not be issued until such time as fresh planning approval is granted.
- vii) Council Officers may enter uninvited onto your property, including your vessel or jetty provided the provisions of the Local Government Act are adhered to; and
- viii) An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005 (as amended). Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).

COUNCIL DECISION – 18-0715 – 11.6.2
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Moved Councillor Hood, Seconded Councillor McHutchison.

That Council grants planning approval for a Jetty at Lot 324 (9) Gnulli Court, Exmouth subject to the following conditions:

1. **The development shall be carried out in accordance with Policy 6.16 - Design Guidelines for Exmouth Marina Village Precinct 'A', Town Planning Scheme No. 3 and the approved plans (PA94/15) to the satisfaction of Council Officers;**
2. **The jetty structure, including the pontoon catwalk and steel piles, shall be constructed wholly within the Jetty Envelope as determined by the Department of Transport as follows:**

- a. 8.8m long from the Canal Setout Line towards the rear property boundary; and
 - b. Setback 4m from the side property boundaries.
3. Boat mooring shall be wholly within the Mooring Envelope as determined by the Department of Transport as follows:
 - a. 13.8m long from the Canal Setout Line towards the rear of the property; and
 - b. The total width of the property ;
4. The jetty structure shall not put a horizontal surcharge load on the canal wall;
5. Mooring piles and associated envelope areas shall not be roofed or have structures built on, around, adjacent to, or within the approved jetty area;
6. The applicant shall obtain a permit for a barge vessel to enter Local Government Property, to carry out construction works in the waterway;
7. All proposed jetty designs shall be approved by the Department of Transport, with engineering plans and detail being in accordance with the Exmouth Marina Village Canal Boat Mooring Management Plan;
8. The maximum sized powerboat permitted to be moored at the Jetty is 15m in length. The maximum sized sail boat permitted to be moored at the Jetty is 10m in length; and
9. The approval granted is valid up to two (2) years from the date of this approval. Should the use approved not substantially commence within this time, the approval will lapse.

Advice

- i) This approval is not to be construed as approval granted under the Building Act 2011, Building Regulations 2012 or any other relevant statutory approval. Prior to any construction an approved Building Permit from the Shire of Exmouth is required.
- ii) Enclosed is a copy of the Exmouth Marina Village Canal Boat Mooring Management Plan and Standard Operating Procedures.
- iii) The mooring of boats shall accord with the Exmouth Cyclone Contingency and Vessel Management Plan.
- iv) The applicant is advised that any future approval of a Holiday Accommodation shall require a Tenant Code of Conduct making reference to the Shire of Exmouth Marina Village Boat Mooring Management Plan including relevant provisions.
- v) 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;
- vi) Any substantial variation from the approved plans contained herein requires a separate planning approval. Should your plans for a building permit differ from these plans, a building permit may not be issued until such time as fresh planning approval is granted.
- vii) Council Officers may enter uninvited onto your property, including your vessel or jetty provided the provisions of the Local Government Act are adhered to; and
- viii) An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005 (as amended). Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).

CARRIED 5/0

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.3 Proposed Dwelling and Swimming Pool – Lot 380 (32) Corella Court, Exmouth

Location:	Lot 380 (32) Corella Court, Exmouth
Applicant:	DLR Building Co. Pty Ltd
File Reference:	PA85/15; A1512
Disclosure of Interest:	Nil
Date:	16 July 2015
Author:	Executive Manager Town Planning, Rhassel Mhasho
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council grant conditional planning approval for a proposed Dwelling and Swimming Pool at the above property (refer *Attachment 2*).

BACKGROUND

Applicant is seeking approval for a Dwelling and Swimming Pool at the property. Currently only a Jetty has been developed. Three (3) dwellings have been approved at the property in the past during 2009, 2011 and the latest in May 2013 all of which approval lapsed prior to the commencement of development.

The Applicant is seeking a number of variations to Council's *Policy 6.16 – Design Guidelines for Exmouth Marina Village Precinct 'A'*, therefore Shire Officers have no delegated authority to determine the application. The variations are as follows:

- Garage setback variation of 5.05m from the prescribed 5.5m setback.
- Rear deck nil setback from the prescribed 1.5m and 3.75m setbacks as determined by the Finished Floor Level (FFL) of the structure.
- Screening devices within the Conditional Development Area (CDA).

All other aspects of the proposal either comply with the Guidelines or can be conditioned to comply. This is reflected through the Officers recommendation which outlines standard conditions of approval to achieve compliance.

COMMENT

Garage Setback

The minimum garage setback proposed is 5.05m from the north eastern corner of the garage which does not comply with the minimum prescribed 5.5m setback. The proposed setback of the opposite corner of the garage is 6.38m resulting in an average setback of 5.715m. The average setback of the garage achieves the 5.5m setback intended by the Guidelines. The shape of the lot being at the end of the cul-de-sac contributes to the request for the variation. Therefore, the reduced minimum setback is considered to be negligible and can be supported.

Screening Devices

The intention of the Guidelines is to allow development within the CDA where reasonable privacy and view lines to the canal from neighbouring properties are maintained. This involves open structures such as verandahs, balconies, decks, porticos, and outdoor living areas attached to the main dwelling which are open on all sides with no walls.

The applicant has proposed screening on the lower alfresco around the barbeque area and two walls extending into the CDA 1.6m along the sides of the first floor balcony which is inconsistent with the intention of 'open structures' being developed in the CDA. Therefore, it is recommended that the screening devices are required to be a minimum of 90% visually permeable to ensure that reasonable view lines are maintained down the canal.

Deck/Alfresco Setbacks

The Guidelines prescribe a minimum side setback of 1.5m within the CDA where the Finished Floor Level (FFL) of the structure is 5.25 AHD or less for open structures such as verandahs, balconies, decks, porticos, and outdoor living areas. Where the FFL is above the 5.25 AHD the prescribed setback is 3.75m. The intention of these setbacks is to provide separation between adjoining landowners and ensure that built up outdoor living areas do not allow significant overlooking into neighbouring properties.

The applicant has proposed nil side setbacks on either side of the decks associated with the two alfrescos which does not comply with the Guidelines. The FFL of the deck on the western side is 5.00 AHD prescribing a 1.5m setback. The FFL on the eastern side is 5.30 AHD prescribing a 3.75m setback. The adjoining property has had a similar variation for the western side setback. The lower FFL does not allow as significant overlooking. Therefore out of consistency it is considered reasonable to support the variation.

After further discussion the applicant has nominated to amend the proposal by including stairs along the eastern side boundary providing access to the pool. Stairs are not considered an 'Outdoor Living Area' subject to the setbacks. Furthermore, they would achieve the separation intended by the guidelines. Therefore, it is recommended that the proposal is approved subject to the requirement for stairs along the eastern property boundary of the deck.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Town Planning Scheme No. 3

State Planning Policy 3.1 Residential Design Codes

POLICY IMPLICATIONS

Policy 6.2 – Colour Palette for Developments

Policy 6.16 – Design Guidelines for Exmouth Marina Village Precinct 'A'

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONSEnvironment

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

- Outcome 2.1: To maintain and improve access and connectivity to our natural assets
- Outcome 2.6: Incorporate Climate Change impacts into current and future planning and policy of Land Developments

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.
- Outcome 3.8: There is diverse range of residential land options available

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 – 11.6.3
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That Council grant Planning Approval for the proposed Dwelling and Swimming Pool at Lot 380 (32) Corella Court, Exmouth, subject to the following conditions:

- 1. The development being carried out in accordance with the approved plans (P85/15) and the Exmouth Marina Village Precinct 'A' Design Guidelines to the satisfaction of Council officers;*
- 2. Balustrades within the Conditional Development Area shall not exceed a maximum height of 1m. Any balustrades between 4m-6m from the canal side of the upper retaining wall shall a minimum of 90% visually permeable to the satisfaction of Council Officers;*
- 3. 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;*
- 4. The development having external colours consistent with Council's Policy (6.2) Colour Palette for Developments;*
- 5. Development within the Conditional Development Area shall be certified by a structural engineer;*
- 6. The Nutrient Retention Area shall not be paved/sealed, but being used for garden purposes or covered with grated/permeable materials that allow for nutrient run off to be contained on-site;*
- 7. No fertilisers, other than slow release granular fertilisers specially formulated to reduce nutrient run-off and nutrient infiltration into the water table, being used. No fertilizers shall be used in the Nutrient Retention Area;*
- 8. Lot owners being responsible for ensuring that no materials deleterious to the water quality shall enter the canals;*
- 9. In accordance with the Exmouth Vessel Management Plan, no toilet water, sewerage, bilge or other pollutant wastes being discharged into the canal waters. Boat wastes being disposed of at boat water disposal units provided by the relevant authorities or otherwise where permitted and specified by the authorities;*
- 10. The owner treating the surface of the swimming pool to reduce glare if, in the opinion of Council, the glare adversely affects the amenity of adjoining or nearby neighbours following completion of the development;*
- 11. The pool pump shall be enclosed in appropriate housing with noise attenuation materials and/or dampeners;*
- 12. Pool fencing shall be in accordance with Building Code Australia and shall be a minimum 90% visually permeable;*
- 13. Landscaping shall be established prior to occupation of the new building;*
- 14. No obstructions are permitted to restrict and/or hinder access along the canal edge footpath or the shared stairway providing access to the path any is subject to Council local laws;*
- 15. The owner of any canal frontage lot being responsible for the ongoing maintenance of the stabilised surfaces and revetment walls and private jetties within their lot. Each owner being responsible for the ongoing maintenance of any pontoon or jetty that gives access to that lot;*
- 16. All canal revetment walls along the canal frontage being kept in a structurally sound condition and not being altered, extended or removed without the prior written approval of the Council and the Department of Transport;*

17. Any graffiti or paint or other un-natural markings shall be removed. The Council may direct the owners of lots adjoining/abutting the canals to maintain the canal interface to the requirements of the Department of Planning and Infrastructure;
18. Fencing and retaining walls where provided by the developer may not be altered in any way;
19. Any future fencing within the front street setback area (including the street front boundary) shall not exceed 0.9 metres in height from natural ground level;
20. Any future canal frontage fencing (excludes retaining walls) shall be open style fencing (minimum of 90% visually permeable) and not exceed 1.2 metres. The minimum canal setback for fencing is on top of the Secondary Retaining Wall;
21. No fencing shall be permitted within two (2) metres of any shared stair access to the canals;
22. Boundary fencing located along the Net Developable Area shall not exceed 1.8m in height from natural ground level;
23. Any fencing above 0.9 metres within the Conditional Development Area shall be open style fencing (minimum 90% visually permeable) and a maximum height of 1.5m from natural ground level;
24. A maximum of two (2) crossovers is permitted with a combined width at the street frontage between the road carriageway and the property boundary that shall not exceed 8.06m;
25. External clothes drying facilities, rubbish bin and all service fittings and fixtures shall not be visible from the public road and canal waterway;
26. No structural loading being placed on canal walls;
27. The first floor balcony walls within the Conditional Development Area and the 1200mm high lower Alfresco screening wall around the barbeque shall be 90% visually permeable to the satisfaction of Council Officers;
28. Stairs shall be developed between the Eastern side of the deck and property boundary with a minimum width of 1.5m to the satisfaction of Council Officers; and
29. The approval granted being valid for a period of two (2) years from the date of this approval. Should the use approved not substantially commence within this time, the approval will lapse.

Advice

- i. Prior to any construction, the applicant being required to obtain a building permit approval from the Shire of Exmouth. The Shire of Exmouth Building Surveyor can be contacted on 9949 3011.
- ii. The approval granted is not to be construed as approval granted under the Building Act 2011, Building Regulations 2012 or any other relevant statutory approval.
- iii. 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.

- iv. *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.*
- v. *Any substantial variation from the approved plans contained herein requires a separate planning approval. Should your plans for a building permit differ from these plans, a building permit may not be issued until such time as fresh planning approval is granted.*
- vi. *An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005 (as amended). Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).*
- vii. *This approval is not an authority to ignore any constraint to development on the land, which may exist through any contract or on the Certificate of Title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the Shire to investigate any such constraints prior to commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been brought to the Shire's attention.*

COUNCIL DECISION – 19-0715 – 11.6.3
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Moved Councillor Todd, Seconded Councillor Hood.

That Council grant Planning Approval for the proposed Dwelling and Swimming Pool at Lot 380 (32) Corella Court, Exmouth, subject to the following conditions:

- 1. The development being carried out in accordance with the approved plans (P85/15) and the Exmouth Marina Village Precinct 'A' Design Guidelines to the satisfaction of Council officers;***
- 2. Balustrades within the Conditional Development Area shall not exceed a maximum height of 1m. Any balustrades between 4m-6m from the canal side of the upper retaining wall shall a minimum of 90% visually permeable to the satisfaction of Council Officers;***
- 3. 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;***
- 4. The development having external colours consistent with Council's Policy (6.2) Colour Palette for Developments;***
- 5. Development within the Conditional Development Area shall be certified by a structural engineer;***
- 6. The Nutrient Retention Area shall not be paved/sealed, but being used for garden purposes or covered with grated/permeable materials that allow for nutrient run off to be contained on-site;***
- 7. No fertilisers, other than slow release granular fertilisers specially formulated to reduce nutrient run-off and nutrient infiltration into the water table, being used. No fertilizers shall be used in the Nutrient Retention Area;***
- 8. Lot owners being responsible for ensuring that no materials deleterious to the water quality shall enter the canals;***
- 9. In accordance with the Exmouth Vessel Management Plan, no toilet water, sewerage, bilge or other pollutant wastes being discharged into the canal waters. Boat wastes being disposed of at boat water disposal units provided by the relevant authorities or otherwise where permitted and specified by the authorities;***

10. *The owner treating the surface of the swimming pool to reduce glare if, in the opinion of Council, the glare adversely affects the amenity of adjoining or nearby neighbours following completion of the development;*
11. *The pool pump shall be enclosed in appropriate housing with noise attenuation materials and/or dampeners;*
12. *Pool fencing shall be in accordance with Building Code Australia and shall be a minimum 90% visually permeable;*
13. *Landscaping shall be established prior to occupation of the new building;*
14. *No obstructions are permitted to restrict and/or hinder access along the canal edge footpath or the shared stairway providing access to the path any is subject to Council local laws;*
15. *The owner of any canal frontage lot being responsible for the ongoing maintenance of the stabilised surfaces and revetment walls and private jetties within their lot. Each owner being responsible for the ongoing maintenance of any pontoon or jetty that gives access to that lot;*
16. *All canal revetment walls along the canal frontage being kept in a structurally sound condition and not being altered, extended or removed without the prior written approval of the Council and the Department of Transport;*
17. *Any graffiti or paint or other un-natural markings shall be removed. The Council may direct the owners of lots adjoining/abutting the canals to maintain the canal interface to the requirements of the Department of Planning and Infrastructure;*
18. *Fencing and retaining walls where provided by the developer may not be altered in any way;*
19. *Any future fencing within the front street setback area (including the street front boundary) shall not exceed 0.9 metres in height from natural ground level;*
20. *Any future canal frontage fencing (excludes retaining walls) shall be open style fencing (minimum of 90% visually permeable) and not exceed 1.2 metres. The minimum canal setback for fencing is on top of the Secondary Retaining Wall;*
21. *No fencing shall be permitted within two (2) metres of any shared stair access to the canals;*
22. *Boundary fencing located along the Net Developable Area shall not exceed 1.8m in height from natural ground level;*
23. *Any fencing above 0.9 metres within the Conditional Development Area shall be open style fencing (minimum 90% visually permeable) and a maximum height of 1.5m from natural ground level;*
24. *A maximum of two (2) crossovers is permitted with a combined width at the street frontage between the road carriageway and the property boundary that shall not exceed 8.06m;*
25. *External clothes drying facilities, rubbish bin and all service fittings and fixtures shall not be visible from the public road and canal waterway;*
26. *No structural loading being placed on canal walls;*
27. *The first floor balcony walls within the Conditional Development Area and the 1200mm high lower Alfresco screening wall around the barbeque shall be 90% visually permeable to the satisfaction of Council Officers;*
28. *Stairs shall be developed between the Eastern side of the deck and property boundary with a minimum width of 1.5m to the satisfaction of Council Officers; and*

29. The approval granted being valid for a period of two (2) years from the date of this approval. Should the use approved not substantially commence within this time, the approval will lapse.

Advice

- i. Prior to any construction, the applicant being required to obtain a building permit approval from the Shire of Exmouth. The Shire of Exmouth Building Surveyor can be contacted on 9949 3011.**
- ii. The approval granted is not to be construed as approval granted under the Building Act 2011, Building Regulations 2012 or any other relevant statutory approval.**
- iii. 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.**
- iv. 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.**
- v. Any substantial variation from the approved plans contained herein requires a separate planning approval. Should your plans for a building permit differ from these plans, a building permit may not be issued until such time as fresh planning approval is granted.**
- vi. An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005 (as amended). Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).**

This approval is not an authority to ignore any constraint to development on the land, which may exist through any contract or on the Certificate of Title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the Shire to investigate any such constraints prior to commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been brought to the Shire’s attention.

CARRIED 5/0

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.4 Proposed Gutter – Lot 1 (4) Ross Street, Exmouth

Location:	Lot 1 (4) Ross Street, Exmouth
Applicant:	D Bull
File Reference:	PA103/15
Disclosure of Interest:	Nil
Date:	22 July 2015
Author:	Executive Manager Town Planning, Rhassel Mhasho
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council grant approval for proposed gutters adjoining the existing building at Lot 1 (4) Ross Street, Exmouth along the rear access ways subject to conditions and refuse to grant approval for proposed gutters adjoining the western side of the existing building, as per *Attachment 3*.

BACKGROUND

During Cyclone Olwyn in March 2015 the roof at Lot 1 (4) Ross Street, Exmouth experienced significant damage due to the sign blowing over onto the roof. This allowed water to enter the building. As a part of re-roofing the building the owner is seeking to relocate the internal gutters to the outside of the building (refer *Attachment 3*). This involves removing the top part of the parapet wall to expose the roof allowing water to run-off the roof into the external gutter. Currently water runs into internal box gutters and then into down pipes which feed to drains external of the building.

The existing building is built up to the property boundary. Therefore, the gutters are proposed over the adjoining Shire land comprising of the rear access ways and the wall along Kennedy Street.

The applicant has proposed a portion of the gutters over the adjoining store at Lot 2 (2) Ross Street, Exmouth. Prior permission is required from the landowner of that property before the applicant is permitted to conduct any development over this land. Such permission has not been provided. Therefore this portion of the gutter can't be determined under this application.

COMMENT

Rear Access Way Gutters

Throughout the Town Centre there are many buildings with external gutters along rear access ways. These gutters, the roofing and any external fixtures are hidden from the public view. A number of these gutters are protruding over the Shire's land and do not undermine the use of that land for its access purposes. Therefore, it is considered reasonable to support the external gutters along the rear access ways.

Western Side Gutters

The subject area adjacent to Lot 1, along the western face of the building, is used for gardens and footpaths providing access to the car park and Thew Street. The face of this building can clearly be seen from these footpaths and the car park. The purpose of the parapet wall is to block the view of the roof and any external fixtures from the public realm. In addition, as the building has been built up to the property boundary the internal gutters result in the development remaining fully within the property boundary.

No other building in the Town Centre has been developed with external gutters that can be seen from the public realm. Therefore, the proposed external gutters are inconsistent with the current amenity of the area. Visible external fixtures are generally considered to have an adverse impact on amenity.

In addition, the Shire is currently in the process of creating a freehold lot adjoining the Western side of Lot 1 (4) Ross Street, Exmouth providing the potential for buildings to be developed in the future. The proposed gutter would have to be removed if additional shops are developed as the gutter would protrude into this lot inhibiting the development to the property boundary. Therefore, Should Council be

unsupportive of the proposal along the Western side of the building the following is determination recommended:

That Council:

1. *Grant approval for proposed Gutters adjoining the existing building at Lot 1 (4) Ross Street, Exmouth along the rear access ways as per Attachment 3 subject to the following conditions:*
 - a. *The development is generally in accordance with the approved plans (PA103/15);*
 - b. *The ongoing maintenance and/or repair of the development, including cost, is the responsibility of the owner of Lot 1 (4) Ross Street, Exmouth;*
2. *Refuse to grant approval for proposed Gutters adjoining the Western side of the existing building at Lot 1 (4) Ross Street, Exmouth as per Attachment 3 for the following reasons:*
 - a. *The removal of the parapet wall as seen from the public realm is inconsistent with the amenity of the area;*
 - b. *The development is not within the property boundary and inhibits the potential for future development adjoining the Western side of Lot 1 (4) Ross Street, Exmouth; and*
 - c. *The proposal sets an undesirable precedent for development seen from the public realm.*

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Town planning Scheme No. 3

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.1: 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

Environment

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

- Outcome 2.1: To maintain and improve access and connectivity to our natural assets
 - 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
 - Outcome 2.6: Incorporate Climate Change impacts into current and future planning and policy of Land Developments

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.
- Outcome 3.8: There is diverse range of residential land options available

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 – 11.6.4
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That Council:

1. *Grant approval for proposed gutters adjoining the existing building at Lot 1 (4) Ross Street, Exmouth along the rear access ways as per Attachment 3 subject to the following conditions:*
 - a. *The development is generally in accordance with the approved plans (PA103/15);*
 - b. *The ongoing maintenance and/or repair of the development, including cost, is the responsibility of the owner of Lot 1 (4) Ross Street, Exmouth;*
2. *Refuse to grant approval for proposed gutters adjoining the western side of the existing building at Lot 1 (4) Ross Street, Exmouth as per Attachment 3 for the following reasons:*
 - a. *The removal of the parapet wall as seen from the public realm is inconsistent with the amenity of the area;*
 - b. *The development is not within the property boundary and inhibits the potential for future development adjoining the western side of Lot 1 (4) Ross Street, Exmouth;*
 - c. *The development is inconsistent with the objectives of the adopted Exmouth CBD and Foreshore Revitalisation Plan; and*
 - d. *The proposal sets an undesirable precedent for development seen from the public realm.*

Advice

- i. *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.*
- ii. *The subject approval does not include the portion of the gutter located over Lot 2 (2) Ross Street, Exmouth as prior consent in writing is required before the development can be undertaken on their property.*
- iii. *Should a new lot be created adjoining the Western side of Lot 1 (4) Ross Street, Exmouth the drainage into external downpipes will need to be rectified.*
- iv. *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.*
- v. *Any substantial variation from the approved plans contained herein requires a separate planning approval. Should your plans for a building permit differ from these plans, a building permit may not be issued until such time as fresh planning approval is granted.*
- vi. *An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005 (as amended). Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).*
- vii. *This approval is not an authority to ignore any constraint to development on the land, which may exist through any contract or on the Certificate of Title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the Shire to investigate any such constraints prior to commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been brought to the Shire's attention.*

COUNCIL DECISION – 20-0715 – 11.6.4

Moved Councillor Todd, Seconded Councillor Winzer.

That Council:

1. ***Grant approval for proposed gutters adjoining the existing building at Lot 1 (4) Ross Street, Exmouth along the rear access ways as per Attachment 3 subject to the following conditions:***
 - a. *The development is generally in accordance with the approved plans (PA103/15);*
 - b. *The ongoing maintenance and/or repair of the development, including cost, is the responsibility of the owner of Lot 1 (4) Ross Street, Exmouth;*
2. ***Refuse to grant approval for proposed gutters adjoining the western side of the existing building at Lot 1 (4) Ross Street, Exmouth as per Attachment 3 for the following reasons:***
 - a. *The removal of the parapet wall as seen from the public realm is inconsistent with the amenity of the area;*
 - b. *The development is not within the property boundary and inhibits the potential for future development adjoining the western side of Lot 1 (4) Ross Street, Exmouth;*
 - c. *The development is inconsistent with the objectives of the adopted Exmouth CBD and Foreshore Revitalisation Plan; and*
 - d. *The proposal sets an undesirable precedent for development seen from the public realm.*

Advice

- i. *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.*
- ii. *The subject approval does not include the portion of the gutter located over Lot 2 (2) Ross Street, Exmouth as prior consent in writing is required before the development can be undertaken on their property.*
- iii. *Should a new lot be created adjoining the Western side of Lot 1 (4) Ross Street, Exmouth the drainage into external downpipes will need to be rectified.*
- iv. *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.*
- v. *Any substantial variation from the approved plans contained herein requires a separate planning approval. Should your plans for a building permit differ from these plans, a building permit may not be issued until such time as fresh planning approval is granted.*
- vi. *An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005 (as amended). Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).*
- vii. *This approval is not an authority to ignore any constraint to development on the land, which may exist through any contract or on the Certificate of Title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the Shire to investigate any such constraints prior to commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been brought to the Shire's attention.*

CARRIED 5/0

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.5 Proposed Dwelling and Outbuilding – Lot 324 Minilya-Exmouth Road, North West Cape (Cape Wilderness Estate)

Location:	Lot 324 Minilya-Exmouth Road, North West Cape
Applicant:	P Michatsis
File Reference:	PA89/15
Disclosure of Interest:	Nil
Date:	22 July 2015
Author:	Executive Manager Town Planning, Rhassel Mhasho
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council grant conditional Planning Approval for a proposed dwelling and outbuilding at Lot 324 Minilya-Exmouth Road, North West Cape (Cape Wilderness Estate) (refer *Attachment 4*)

BACKGROUND

The applicant lodged an application for a dwelling, ancillary dwelling and outbuilding at the property which was determined in June 2009. Approval was granted for a dwelling and outbuilding as the proposed ancillary accommodation was not self-contained and therefore considered as an auxiliary part of the dwelling given it is connected by a walkway. The matter was determined by Council as the area of the proposed outbuilding exceed that permitted under *Policy 6.6 Outbuildings*. In November 2009 a condition of approval in regard to the requirement for a hydrological report was amended.

The development was not commenced within the 2 year approval period. Therefore the applicant sought an extension which was granted until the 13 November 2013. The development has still not commenced and the approval has lapsed. Therefore, the applicant has lodged another application for a very similar development at the property.

The differences in the proposal are as follows:

- The dwelling is slightly smaller.
- Skillion roofs are used for the dwelling where curved roofs were previously approved
- The two outbuildings have a wall height of 3.75m increased from 3.6m and an apex height of 4.65m increased from 4.5m, which still complies with the heights prescribed by *Policy 6.6 Outbuildings*. Again skillion roofs are proposed instead of curved roofs.

COMMENT

The slight amendments to the proposal do not change the level of compliance with Council's planning framework. Therefore the application is basically a re-approval of an expired approval. As the proposed outbuildings are the same they exceed Council's *Policy 6.6 Outbuildings*, therefore there is no delegation in place to re-approve the proposal.

To maintain consistency in decision making it is recommended that the application is approved subject to the same conditions as the previous approval. The proposed buildings are located in the same location however the building envelope has not been shown on the plans lodged with the subject planning application. Therefore it is recommended that the building envelope is required to be as per the previous approval.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Town Planning Scheme No. 3

POLICY IMPLICATIONS

Policy 6.2 Colour Palette for Developments

Policy 6.3 Ancillary Accommodation

Policy 6.6 Outbuildings

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

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
- Outcome 2.6: Incorporate Climate Change impacts into current and future planning and policy of Land Developments

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.
- Outcome 3.8: There is diverse range of residential land options available

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 – 11.6.5
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That Council grant conditional Planning Approval under the Town Planning Scheme No. 3 for the creation of a building envelope and the development of a Dwelling and Outbuildings at Lot 324 Minilya –Exmouth Rd, North West Cape (Cape Wilderness Estate) subject to the following conditions:-

1. *The development being carried out generally in accordance with the approved plans (PA89/15) to the satisfaction of Council Officers;*
2. *Any variation from the approved plans and/or conditions contained herein will require a separate planning approval. Should the plans for a building licence differ significantly from these plans, a building licence may not be issued until such time as fresh planning approval is granted;*
3. *The building envelope being in accordance with the approved plans of previous planning approval being PA87/08;*
4. *The applicant shall obtain certification from a structural engineer. The certification will need to confirm that the dwelling and the associated structures will withstand the loadings produced by floodwater and surge;*
5. *No development or clearing occurring outside the approved building envelope other than the construction of a driveway, firebreak and installation of underground services;*
6. *The maximum width of the driveway being 3 metres. The driveway being constructed of local materials which are complimentary in colour to the natural landscape;*

7. *An approved effluent disposal system to the satisfaction of Council Officers and/or the Department of Health shall be installed and contained within the building envelope prior to the occupation of any habitable building erected on the land;*
8. *The outbuilding may not be used for habitable purposes;*
9. *Screening of the shed through vegetation as indicated on the approved plans and planted and maintained within 2 months of occupation of the proposed development;*
10. *The development having external colours consistent with Council's Policy (6.2) Colour Palette for Developments (attached) and no reflective materials and colours shall be used;*
11. *The applicant shall prepare a detailed landscape plan to be submitted upon application for a building permit that demonstrates how the development will be screened from Minilya-Exmouth Road. All proposed plant species shall be native to the region;*
12. *The building envelope must be situated on land above RL3.0 metres natural contour and no floor level of any dwelling to be less than RL 3.5 metres; and*
13. *The approval granted is valid for a period of two (2) years from the date of this approval. Should the use approved not substantially commence within this time, the approval will lapse.*

Advice

- i. *Prior to any construction, the applicant is required to obtain a building permit from the Shire of Exmouth.*
- ii. *Due to the proximity of the development to the Exmouth Gulf and the possible exposure to high salt laden winds, it is recommended that all structural steel members and external steel cladding be of a type suitable for high saline environments in accordance with the BCA.*
- iii. *Future fencing is to be located within the approved building envelope being of open style only. No solid fences are permitted.*
- iv. *Any future property boundary fencing is to be constructed using star pickets (with minimum spacing of 12m) and four strands of wire.*
- v. *The approval granted is not to be construed as approval granted under the Local Government (Miscellaneous Provisions) Act 1960, Building Regulations 1989 or any other relevant statutory approval.*
- vi. *An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005.*

COUNCIL DECISION – 21-0715 – 11.6.5
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Moved Councillor Hood, Seconded Councillor Todd.

That Council grant conditional Planning Approval under the Town Planning Scheme No. 3 for the creation of a building envelope and the development of a Dwelling and Outbuildings at Lot 324 Minilya –Exmouth Rd, North West Cape (Cape Wilderness Estate) subject to the following conditions:-

1. ***The development being carried out generally in accordance with the approved plans (PA89/15) to the satisfaction of Council Officers;***
2. ***Any variation from the approved plans and/or conditions contained herein will require a separate planning approval. Should the plans for a building licence differ significantly from these plans, a building licence may not be issued until such time as fresh planning approval is granted;***

3. *The building envelope being in accordance with the approved plans of previous planning approval being PA87/08;*
4. *The applicant shall obtain certification from a structural engineer. The certification will need to confirm that the dwelling and the associated structures will withstand the loadings produced by floodwater and surge;*
5. *No development or clearing occurring outside the approved building envelope other than the construction of a driveway, firebreak and installation of underground services;*
6. *The maximum width of the driveway being 3 metres. The driveway being constructed of local materials which are complimentary in colour to the natural landscape;*
7. *An approved effluent disposal system to the satisfaction of Council Officers and/or the Department of Health shall be installed and contained within the building envelope prior to the occupation of any habitable building erected on the land;*
8. *The outbuilding may not be used for habitable purposes;*
9. *Screening of the shed through vegetation as indicated on the approved plans and planted and maintained within 2 months of occupation of the proposed development;*
10. *The development having external colours consistent with Council's Policy (6.2) Colour Palette for Developments (attached) and no reflective materials and colours shall be used;*
11. *The applicant shall prepare a detailed landscape plan to be submitted upon application for a building permit that demonstrates how the development will be screened from Minilya-Exmouth Road. All proposed plant species shall be native to the region;*
12. *The building envelope must be situated on land above RL3.0 metres natural contour and no floor level of any dwelling to be less than RL 3.5 metres; and*
13. *The approval granted is valid for a period of two (2) years from the date of this approval. Should the use approved not substantially commence within this time, the approval will lapse.*

Advice

- i. *Prior to any construction, the applicant is required to obtain a building permit from the Shire of Exmouth.*
- ii. *Due to the proximity of the development to the Exmouth Gulf and the possible exposure to high salt laden winds, it is recommended that all structural steel members and external steel cladding be of a type suitable for high saline environments in accordance with the BCA.*
- iii. *Future fencing is to be located within the approved building envelope being of open style only. No solid fences are permitted.*
- iv. *Any future property boundary fencing is to be constructed using star pickets (with minimum spacing of 12m) and four strands of wire.*
- v. *The approval granted is not to be construed as approval granted under the Local Government (Miscellaneous Provisions) Act 1960, Building Regulations 1989 or any other relevant statutory approval.*
- vi. *An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005.*

CARRIED 5/0

11. REPORTS OF OFFICERS

11.7 Executive Manager Engineering Services

11.7.1 General Report

Location:	Exmouth
Applicant:	Keith Woodward
File Reference:	GV.CM.0
Disclosure of Interest:	Nil
Date:	30 July 2015
Author:	Executive Manager Engineering Services, Keith Woodward
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

Sand Excavation Exmouth Marina-Town Beach

The dredge will work in the entrance channel and basin of the harbour, with material to be pumped to a section of Town Beach for nourishment to increase beach amenity in front of the yacht club and town beach. Dredging works are expected to commence in August 2015 and run for 2 – 3 months depending on weather and production progress. The dredging will also support the upcoming phase of the Exmouth Boat Harbour Upgrade being undertaken by DoT, by deepening some areas needed for wharf and trawler pen upgrades.

Bypassing works will be undertaken separately via road trucking from the southern sand trap to Town Beach, as per previous bypassing works. It is estimated that these works will take 2 – 3 weeks and will likely proceed in September 2015 or October 2015, however these finer details are subject to change and are yet to be confirmed by the contractor. The aim is to coincide bypassing works with dredging works so as to constrain community impact / restricted access to Town Beach to as small a time period as possible.

It should be noted that the sediments in dredging and excavation areas have been sampled and tested, which has confirmed the material is clean and suitable for beach nourishment. The material put on Town Beach is expected to be discoloured when first placed, but will bleach and blend in with the existing beach colour after a few weeks, as has been the case in previous years. At this stage we estimate a total of approximately 40,000m³ material will be placed on Town Beach for nourishment which will provide an enhanced beach profile and additional buffer against erosion.

Photo 1 Dredge Plan



Oval Fencing

It is proposed to construct new fencing parallel to Murat Road opposite the Skate Park and Koobooroo oval. The purpose is to improve the recreation precinct safety by separating vehicle intrusion into the ovals and skate Park public open space area. In addition new pedestrian crossing points will be constructed and well-defined.

The Murat Road and Maidstone Crescent intersection has multiple entrances and exits in the general vicinity which can be confusing for children crossing over Murat Road because of their road inexperience and the multiple vehicle movements which can occur at one time.

The antenna cable fence type will be extended from the Skate Park area north to the Osprey units.

- The alignment of this section of fence will be the same as the Osprey unit’s fence alignment
- A vehicle entrance gate will be installed to the north of Koobooroo Oval
- The Koobooroo Oval sign will be incorporated into the fence alignment
- The antenna fence and Koobooroo Oval sign will be painted white

A 3 rail white PVC fence is being considered for a length of approximately 100 metres opposite the Murat Road and Maidstone Crescent intersection. This fence will be setback approximately 5 metres from the asphalt road surface behind the tree line. Other fencing options are also being considered.

- To improve the landscape at the T Junction of Murat Road and Maidstone Crescent intersection
- To reduce vehicle movement opposite the T Junction
- Provide backing structure for temporary banner type signage such as the ‘Art Banner’

New pedestrian crossing locations will be constructed.

- The formalized road crossing will be identifiable by the installation of pedestrian guard/hand rails and signage

Photo 2 Fence Alignment



Photo 3 Example of Antenna Wire Fence



Photo 4 Example of 3 Rail White PVC Fence



Photo 5 Pedestrian Crossing



Water Spray ground

As per schedule prior to school holidays a cleaning regime for the soft fall surface was conducted during the week prior to school holidays. During this procedure there were a number of failings including the float and backwash systems resulting in the contaminated water washing back into the holding tank and overflowing. As a result of this the spray park was closed down to enable a full clean and super chlorination for testing purposes. The spray park was reopened on Wednesday 15 July 2015. On Friday 17 July 2015 a further failing occurred with the chlorination system which has resulted in the park being closed over the weekend. The Water Spray Ground is now operational.

Airport Works

The week commencing 13 July 2015 a crew of Engineering staff were assigned to the task of reinstating the carpark signage and some pothole repairs at the airport. A further task of removing a trip hazard by installing a small gradient ramp airside was also undertaken.

Trees Murat Road

The month of July has seen the planting of 80 trees along Murat Road and also a replacement of the ones that were lost during the recent cyclones. There is minor irrigation works to be completed towards the end of July.

General

Crews have now moved into verge maintenance throughout the residential areas and are working progressively to mow, slash and weed eradicate. These works are scheduled in amongst normal day to day activities.

Tantabiddi Boat Ramp Dredging

The dredging at Tantabiddi is progressing in accordance with expectations. There is approximately 245 hours of dredging remaining. The dredging experienced blockages, mechanical stress and physical damage due to the presence of masses of rock and rubble. In response the dredge bucket wheel (cutter head) was changed and now screens out most of the rock and rubble.

The majority of the sand has been removed from the vicinity of the boat ramp. Both lanes are operational. The southern rock revetment works will commence in the next 3 weeks.

WANDRRA

Shot Hole Canyon Road (SHCR)

Most of the road is now effectively a river bed with erosion, ruts and holes. The previous road construction is practically non-existent. Road work agreed previously by Council was to re-construct SHCR into a 4WD accessible road, filling holes and ruts with light rubble sourced from river bed, using loader and truck. These road works have commenced and the road should be open by the end of the month.

Road Works

Yardie Creek Road works commenced on 7 July 2015. 25% of the road base has been carted to site and stockpiled.

70% of the street signs have been reinstalled.

Building and Property Inspection Report and Repairs Status

Attachment 1: - Building and Property Inspection Report and Repairs Status

Green Waste Stockpile Willersdorf Road

Main Roads has approved the chipping of the green waste.

Landscaping Planter Boxes

The Shire recovered plate steel which may have been used as targets. The plate steel was fabricated into 2 x 2 metres square, 1 metre deep boxes which could have potential landscape value.



COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.5: Maintain & Improve Shire Infrastructure

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.7.1

That Council receives the Executive Manager Engineering Services Report for the month of July 2015.

COUNCIL DECISION – 22-0715 – 11.7.1

Moved Councillor Winzer, Seconded Councillor Todd.

That Council receives the Executive Manager Engineering Services Report for the month of July 2015.

CARRIED 5/0

Councillor Hood wished to express his congratulations to the Engineering Department for their fantastic effort in maintaining and beautifying the town, the town looks great and he has received a lot of positive feedback from members of the community.

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

Nil

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

Nil

14. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS

Nil

15. CLOSURE OF MEETING

The Shire President closed the meeting at 5:11pm.