



Ordinary Council Meeting
Minutes
25 June 2015

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on 30 July 2015 as a true and accurate record of the Ordinary Council Meeting held on 25 June 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.

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ORDINARY COUNCIL MEETING MINUTES

Our Vision

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

Our Purpose

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

Our Strategic Objectives

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

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 4:02pm. He extended a welcome to Ms Odile May, the new Project Officer for the Gascoyne Development Commission, based in Exmouth.

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: 2

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's 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).

Three (3) questions were submitted by Teresa Miller - *In reference to Report 11.6.2 – Adoption of Draft Local Planning Strategy and Draft Local Planning Scheme No.4 for Advertising.*

Q1. In your background paragraph you state that the consultants Taylor Burrell Barnett held consultation meetings with the community and key stakeholders. We live and own 16 Learmonth Street in your commercial zone, and were not consulted as a stakeholder and I would like to know why?

A1. In 2013 Taylor Burrell Barnett hosted a range of key stakeholder meetings including a Community Workshop on 18 June 2013, of which notices were sent to every rate payer advising of the opportunity to be involved in a discussion forum on the topic of the new Town Planning Scheme. The notice outlined the importance of the topic and how it will effect property owners throughout Exmouth. Once adopted at today's meeting the Strategy and TPS will be advertised for further public consultation and comment period lasting three months, which will again allow another opportunity for the owners of 16 Learmonth Street to provide feedback.

Q2. Noting your total lack of communication with the recent upgrade of the shopping and carpark precinct which has affected our lives and our health and our privacy, will the promises you made to us be rectified in the near future?

All our trees along our fence line abutting the carpark died after your earthworks moved in. Plants that were planted by your workers have died, even after a second planting, we currently have no privacy whatsoever from the carpark. My husband is a shift worker and the noise is considerable during the daylight hours when he is trying to sleep. A buffer zone was indicated on the original plan for viewing by the public and this was not instated, instead there is 20cm of rock. My husband has rang on numerous occasions to Jo, to discuss the promised lattice work to be installed that may give us some form of privacy and something to grow plants on to buffer the noise. Currently anyone in a 4WD, truck, campervan is staring into our entertainment area, our washing line is on view for all to see. What is the shire doing to rectify this matter?

A2. The fact that Council staff have had to replant trees twice may suggest that the garden is not being adequately maintained. As the trees were the initial solution to improve the privacy and noise abatement, I can confirm that the lattice work, being the second option, is now being initiated.

Q3. We also had to move out on the weekend of 12 April 2014 due to the overpowering smell of tar and the pre-spray, again we were not notified by the Shire of this occurring. It was my husband's birthday and we had guests coming over. I negotiated a room at the Novotel and you were to reimburse us the fee. Well we are still waiting, do you intend to pay this?

A3. Council officers offered for you and your family to stay in one of our Transit Houses for the weekend. Understanding that it was your husband's birthday and you were going to stay at the Novotel, Council offered to pay half of one night's stay. On receipt of an invoice Council will follow through with the payment of what was offered.

5. DECLARATIONS OF INTEREST

Item/Description	Name	Detail of Interest	Extent of Interest
11.1.2 – Senior Citizens Lease	Ross Winzer	Impartiality Interest	Wife is on the Committee of the Senior Citizens
11.1.3 – Toy Library Lease	Roge Kempe	Impartiality Interest	Wife is on Committee of Toy Library

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 28 May 2015 be confirmed as a true and correct record of proceedings.

COUNCIL DECISION – 01-0615 - ITEM 7

Moved Councillor Winzer, Seconded Councillor Hood.

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 28 May 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 that Exmouth is again a State Finalist in the Tidy Towns Competition. He commended Roge Kempe, Jaci Cutler, Joanne Gordon and Brooke Shales for their work on the submission and also the coordination of the judges' visit.

The Shire President was extremely pleased to announce that the Ningaloo Centre is finally over its last hurdle and that it will be built! The State funding has finally been approved which will be outlined further in the Chief Executive Officer's General Report.

The Shire President also advised that the State and Federal governments have joined forces to contribute approximately \$50M towards new communications towers throughout Australia. 3 of the towers, being priority projects, will be installed at Bullara Station, Learmonth and Cape Range which is fantastic news for Exmouth residents and visitors.

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:

- 16/6/15 – Meet the GDC Board at the Game Fishing Club
- 16/6/15 - Woodside Presentation Dinner at the Novotel Ningaloo Resort
- 24/6/15 – Exmouth Visitor Centre Marketing Committee Meeting – the Visitor Centre is running very well, all issues have been resolved and it is looking very positive. The financials are balancing and they recently completed a stock take ready for the end of the financial year.

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

- 16/6/15 – Meet the GDC Board at the Game Fishing Club
- 16/6/15 - Woodside Presentation Dinner at the Novotel Ningaloo Resort
- 16/6/15 - Met with Rob Manning EMHB and Councillor McHutchison to test the area with an EMF Metre around the communications tower on Maidstone Crescent.

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

- 2/6/15 - Living Smart Program
- 9/6/15 - Facilitated Living Smart Gardening for Food Production
- 11/6/15 - Training at WALGA - Debating
- 12/6/15 - Training at WALGA - Community Leadership
- 16/6/15 - Met with Rob Manning EMHB and Councillor Todd to test the area with an EMF Metre around the communications tower on Maidstone Crescent
- 16/6/15 - Meet the GDC Board at the Game Fishing Club
- 16/6/15 - Living Smart Program
- 16/6/15 - ECAC Meeting
- 23/6/15 - Living Smart Program
- 24/6/15 - FREE Concert “Akoustic Odyssey” at Federation Park - Thank you to the Office ladies for getting the Permit through in time as it was very short notice.

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

- 3/6/15 – WALGA Perth Budget Adoption Meeting
- 16/6/15 - GDC Board Meeting in Exmouth
- 16/6/15 - Meet the GDC Board at Exmouth Game Fishing Club
- 16/6/15 - Woodside Presentation Dinner at the Novotel Ningaloo Resort
- 17/6/15 – GDC Board Meeting in Exmouth
- 19/6/15 – Gascoyne Country Zone Meeting in Carnarvon – Wild Dog Problem is now being recognised in other Zones, there is a fence being built similar to the Rabbit Proof Fence but uncertain as to its level of success.
- 19/6/15 - Gascoyne Regional Road Group Meeting in Carnarvon

Proposed Meetings for June

- 29/6/15 - Volunteers Thank You Evening at the Bowling Club
- 30/6/15 - WALGA President farewell function in Perth

The Shire President commended Ross Winzer on chairing the Local Emergency Management Committee Meetings throughout the events of Cyclone Quang. He did an extremely good job working out the issues and ensuring solutions were found.

10.1 Shire Presidents Report

Location: Exmouth
 Applicant: Cr C (Turk) Shales
 File Reference: GV.CM.0
 Disclosure of Interest: Nil
 Date: 18 June 2015

SUMMARY

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

BACKGROUND

- 28/5/15 – Phone conversation with Scott Wilkinson, Mine Manager for Rio Tinto advising that they will be providing a letter of support for the Ningaloo Centre.
- 2/6/15 – Presentation to ECCI Members on the Ningaloo Centre.
- 5/6/15 – Phone call from David Parker from formerly Apache advising of their new organisation Quadrant Energy.
- 16/6/15 – GDC Board Meeting in Exmouth and “Meet the Board” Function at Exmouth Game Fishing Club.
- 16/6/15 – Took GDC Board members along with Jane Bevan, Senior Policy Advisor for the Minister for Regional Development Hon Terry Redman MLA, for a tour of the town.
- 16/6/15 – Woodside Presentation Dinner at Novotel Ningaloo Resort.

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 June 2015.

COUNCIL DECISION – 02-0615 – 10.1

Moved Councillor McHutchison, Seconded Councillor Hood.

That Council receive the Shire Presidents Report for the month of June 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:	19 June 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.

Ningaloo Centre Project

'Design and Construction of the Ningaloo Centre' Activity

Design has recommenced under direction of Site Architecture Studio and their same sub-consultant team on the Ningaloo Centre project.

Project costing has been completed at the 95% design completion stage, which revealed the building can be completed to budget. A pre-tender estimate associated with the Bill of Quantities will be prepared prior to request for tenders.

Some of the final design elements include the Freeman Ryan Design exhibition requirements, building finishes, colours, aquaria design detail, external works finishes associated with landscape and lighting.

Weekly design review meetings are occurring, leading to commencement of tender preparation at beginning of July with the assistance of WALGA contract specialists.

Tenders will be invited 3 August 2015.

Department of Regional Development (DRD)

The Financial Assistance Agreement (FAA) for Stage 2 funding for the Construction and Fit Out of the Ningaloo Centre has been presented to the Shire for execution. It is the objective to have both parties complete the execution and have the State funding transferred prior 30 June 2015.

Negotiations are continuing with the Department of Training and Workforce Development on the lease of the education space within the Ningaloo Centre. Once established the operating model for the Ningaloo Centre can be finessed and the Business Case updated and presented to DRD.

General

Discussion is continuing with Chevron regarding a proposal to sponsor the Ningaloo Alliance. The next meeting of the Ningaloo Alliance is on 22 July 2015.

Curator/researchers for the new WA Museum project have engaged on the content to be exhibited in the Ningaloo Centre as they develop their concepts. It is their intent to capture WA regional content but in a complimentary way as it pertains to the Exmouth region.

The Shire President, Deputy President and myself accepted an invitation from the Exmouth CCI to an executive meeting held at the Novotel on Tuesday 2 June 2015 to provide a presentation on the Ningaloo Centre project. The Shire President has since requested correspondence from the ECCI stating their position on the project.

Three Islands Marine Whaleshark Snorkel Tour Donation

Thanks to the generous gift from Three Islands Whale Shark Dive, 18 staff members enjoyed a Whaleshark Snorkel tour on Saturday 13 June 2015.

The tour was kindly donated by Three Islands Director, Michael Husband in appreciation for the Shire's quick and efficient response following the devastation of Cyclone Olwyn. The Chief Executive Officer redirected all staff outdoors to commence cleaning up the town. Shire airport and administration staff joined the depot crew to clear roads, reserves, parks and sporting facilities of debris.

The tour was thoroughly enjoyed by all staff who attended. The whale sharks put on a real show being described as ants, there were so many of them. Staff would like to extend their appreciation to the crew on board the Three Islands vessel that day, who were fantastic! A card signed by all staff has been forwarded to Mick for this kind gesture.

Tidy Towns

The Shire with assistance from local community groups and other government departments completed this years' submission and submitted it for judging on 1 June 2015. We are ecstatic to announce that Exmouth is once again a State Finalist.

Exmouth is now in the running for the state award for the following categories:

- Water Conservation
- Heritage and Culture
- Waste Management and Litter Prevention
- Natural Environment Conservation

The submission included over 40 projects across 8 categories being General Appearance, Community Action & Partnerships, Energy Innovation, Young Legends, Waste Management & Litter Prevention, Water Conservation, Natural Environment Conservation and Heritage & Culture (refer ***Attachment 1***).

Projects included the Great Northern Clean Up, Canal Clean Up, Post Cyclone Olwyn Clean Up, the Recycling/Bring Centre, CARnival Celebration, Ningaloo Whaleshark Festival, Living Smart Program, Men's Shed Initiation, School Library Bags, Mrs Mac's Op Shop, Waste Water Recycling Programs, proposed relocation of the Waste Water Treatment Plant, Turtle Monitoring Program, Feral animal eradication programs, weed eradication programs, the newly initiated Bee Keepers Club, Youth Action Exmouth, School Holiday Programs, Concerts in the Park, Learmonth Airport Window Prints and many more.

The Judges are Coming

The Tidy Towns Judges, Linley Brown and Michele Rosair will be visiting Exmouth on Saturday 20 June 2015. This is our opportunity to showcase and promote Exmouth as a tidy and sustainable community. The Shire President, myself and staff will be presenting to the judges in the Council Chambers and then taking them on a tour of the town.

Community Involvement

Due to the increased rainfall seen during this years' wet season, buffel grass is growing wild and unfortunately the Council does not have the resources to maintain all of the town's verges. Council are focusing on the main roads, parks, gardens and reserves and have asked for the community's assistance to buy-in by tidying up their front verges to help beautify the town ready for the judge's visit.

Investigation - Department of Local Government

As advised at the February 2015 Ordinary Council Meeting, the Department of Local Government (DLG) have been undertaking an assessment into Council operations based on complaints made by certain 'constituents' of Exmouth.

Council have since lodged a Freedom of Information (FOI) application with the DLG requesting details of the allegations and the names of the complainants so that Council can determine if any defamatory allegations have occurred to Councillors or staff, which has been shared with the Council.

Council have received correspondence from DLG on 27 May 2015 advising that after conducting the comprehensive assessment under their jurisdiction, the DLG confirms that:-

- After examination of the matters identified, the DLG considered that they were dealt with in accordance with relevant legislative provisions.
- Concerns in relation to Learmonth & Exmouth Aerodrome Operations, which had been previously investigated by DLG, it was determined that there was no basis on which to change the previous conclusion, which ultimately stated that Council had no case to answer to the allegations.
- That the investigation identified 3 minor non-compliance issues in relation to the recording of Council minutes, which has been noted.

This correspondence closes out the investigation by DLG into the allegations made against Council operations by the 'constituents' which as expected have ultimately been unfounded.

Other Meetings & Functions attended by the CEO

- Met with Renee Rohde Health and Wellbeing Programme Manager LGIS WA on Tuesday 9 June 2015 regarding Health & Wellbeing programme.
- EMHB & myself participated in a teleconference with Beyers Van Rooyen & Craig Deetlefs from Horizon Power on Wednesday 10 June 2015 regarding the acquisition of the old power station site on corner of Pelias and Huston Street.
- EMAS, Executive Secretary and myself participated in a teleconference with Mobil Australia Pty Ltd on Thursday 11 June 2015 regarding future leasing arrangements at Learmonth Airport.
- EMAS and myself met with Directors from Exmouth Bus Charters on Tuesday 16 June 2015 regarding the Learmonth Airport Bus Shuttle Service.
- Councillors and staff attended the 'Meet the Board function' and 'Woodside Dinner Presentation' organised by the GDC and held at the EGFC on Tuesday 16 June 2015.
- Cr Winzer and myself attended the Gascoyne Country Zone Meeting held in Carnarvon on Friday 19 June 2015.
- Cr Winzer, EMES and myself attended the Gascoyne RRG meeting held in Carnarvon on Friday 19 June 2015.

Meetings Scheduled for Next Month

- I will be attending long term employee, Kenny Cameron's retirement send off on Friday 26 June 2015.
- Councillors and myself will be attending the Volunteers Thank You Evening on Monday 29 June 2015
- I will be meeting 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.
- SPO, EMCE & myself to attend Ningaloo Alliance meeting being held in Perth on Wednesday 22 July 2015.

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 June 2015.

COUNCIL DECISION – 03-0615 – 11.1.1

Moved Councillor Hood, Seconded Councillor Todd.

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

CARRIED 5/0

Cr Winzer declared an impartiality interest in the following report and made the following statement:

‘With regard to Senior Citizens and Pensioners Club Lease, the matter in item 11.1.2, I disclose that my wife is a committee member of The Senior Citizens and Pensioners Club Inc. As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.’

11. REPORTS OF OFFICER

11.1 Chief Executive Officer

11.1.2 Senior Citizens and Pensioners Club Lease – Part of Premises on Lot 320 Maidstone Crescent, Exmouth

Location:	Exmouth
Applicant:	Senior Citizens and Pensioners Club Inc.
File Reference:	A7541, CS.SP.26
Disclosure of Interest:	Ross Winzer
Date:	15 June 2015
Author:	Chief Executive Officer, Mr B Price

SUMMARY

The following report recommends Council lease a portion (as depicted in *Attachment 2*) of the premises located on Lot 320 Maidstone Crescent, Exmouth to the Exmouth Senior Citizens and Pensioners Club Inc (SCPC Inc).

BACKGROUND

As part of the Shire’s strategic direction for the future proofing of Central Business District (CBD), the Shire is rearranging accommodation options for community groups for the purposes of rationalising old buildings and the freeing up of developable land for future business growth.

With reference to the existing building located on the corner of Learmonth Street and Maidstone Crescent (opposite Westpac Bank) the RSL Club has already relocated to the Truscott Memorial Club and the Shire has been negotiating with SCPC Inc to relocate to the old campus site. This will free up land on the corner of Learmonth Street and Maidstone Crescent.

As Durack have now relocated to a premises on Pelias Street the property on Lot 320 Maidstone Crescent is now available.

COMMENT

The committee of the SCPC Inc. have endorsed the move and are excited with the new premises.

This report recommends that Council initiate a peppercorn lease for part of the premises on Lot 320 Maidstone Crescent, Exmouth (refer *Attachment 2*) with SCPC Inc for a term of 5 +5 years. The SCPC Inc. will be responsible for all outgoings.

CONSULTATION

SCPC Inc.

STATUTORY ENVIRONMENT

The leasing of property is provided within Section 3.58 Disposal of Property of the Local Government Act 1995. This section permits the disposal or lease of property to third parties for appropriate consideration as deemed by Council whilst assessed against commercial market values and requires public advertising of the intent to dispose of property.

POLICY IMPLICATIONS

Policy 2.4 - Leases

FINANCIAL IMPLICATIONS

As this is a Peppercorn lease there are no financial implications. The SCPC Inc. will be responsible for all outgoings.

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

Absolute Majority

OFFICER'S RECOMMENDATION – 11.1.2

That Council:

1. *Agree in principle to enter into a peppercorn lease with Exmouth Senior Citizens and Pensioners Club Inc. for part of premises on Lot 320 Maidstone Crescent as depicted in Attachment 2 for a term of 5 + 5 years;*
2. *Endorse publicly advertising the above proposed lease to Exmouth Senior Citizens and Pensioners Club Inc.; and*
3. *Delegate Authority to the Chief Executive Officer to execute a lease document upon closure of the advertising period subject to no adverse submissions being received and leasing conditions being to the satisfaction of the Chief Executive Officer.*

COUNCIL DECISION – 04-0615 – 11.1.2

Moved Councillor Todd, Seconded Councillor Hood.

That Council:

1. *Agree in principle to enter into a peppercorn lease with Exmouth Senior Citizens and Pensioners Club Inc. for part of premises on Lot 320 Maidstone Crescent as depicted in Attachment 2 for a term of 5 + 5 years;*
2. *Endorse publicly advertising the above proposed lease to Exmouth Senior Citizens and Pensioners Club Inc.; and*
3. *Delegate Authority to the Chief Executive Officer to execute a lease document upon closure of the advertising period subject to no adverse submissions being received and leasing conditions being to the satisfaction of the Chief Executive Officer.*

CARRIED by ABSOLUTE MAJORITY 5/0

The Executive Manager of Community Engagement, Roge Kempe declared an impartiality interest in the following report and made the following statement:

‘With regard to Exmouth Toy Library Lease, the matter in item 11.1.3, I disclose that my wife is the main representative for Exmouth Toy Library. As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.’

11. REPORTS OF OFFICER

11.1 Chief Executive Officer

11.1.3 Exmouth Toy Library Lease – Part of Premises on Lot 320 Maidstone Crescent, Exmouth

Location:	Exmouth
Applicant:	Exmouth Toy Library
File Reference:	A7541
Disclosure of Interest:	Roge Kempe
Date:	15 June 2015
Author:	Chief Executive Officer, Mr B Price

SUMMARY

The following report recommends that Council to lease a portion of the premises on Lot 320 Maidstone Crescent, Exmouth to the Exmouth Toy Library.

BACKGROUND

As part of the Shire’s strategic direction for the future proofing of Central Business District (CBD), the Shire is rearranging accommodation options for community groups for the purposes of rationalising old buildings and the freeing up of developable land for future business growth.

With reference to the existing Toy Library/Child Health building (adjacent Federation Park) the Child Health Centre has already relocated to a new location within the Hospital and the Shire has been negotiating with Exmouth Toy Library to relocate to the old campus site on a temporary basis until their new premises within the Ningaloo Centre is available. Council then have the ability to negotiate with Mrs Mac’s with regards possible relocation as an interim solution.

As Durack have now relocated to a premises on Pelias Street the property on Lot 320 Maidstone Crescent is now available.

This report recommends that Council initiate a peppercorn lease for part of the premises on Lot 320 Maidstone Crescent, Exmouth (refer *Attachment 3*) with Exmouth Toy Library, on a temporary basis until their new premises within the Ningaloo Centre is available. The Shire will be responsible for all outgoings.

COMMENT

The committee of the Exmouth Toy Library have endorsed the move and wait in anticipation for their new premises within the Ningaloo Centre.

CONSULTATION

Exmouth Toy Library

STATUTORY ENVIRONMENT

The leasing of property is provided within Section 3.58 Disposal of Property of the Local Government Act 1995. This section permits the disposal or lease of property to third parties for appropriate consideration as deemed by Council whilst assessed against commercial market values and requires public advertising of the intent to dispose of property.

POLICY IMPLICATIONS

Policy 2.4 - Leases

FINANCIAL IMPLICATIONS

As this is a Peppercorn lease there are no financial implications. The Shire of Exmouth will cover all outgoings however this will be minimal given the size of their lease area.

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

Absolute Majority

OFFICER'S RECOMMENDATION – 11.1.3
--

That Council:

1. *Agree in principle to enter into a peppercorn lease with Exmouth Toy Library for part of premises on Lot 320 Maidstone Crescent as depicted in Attachment 3 on a temporary basis until their new premises within the Ningaloo Centre is available;*
2. *Endorse publicly advertising the above proposed lease to Exmouth Toy Library; and*
3. *Delegate Authority to the Chief Executive Officer to execute a lease document upon closure of the advertising period subject to no adverse submissions being received and leasing conditions being to the satisfaction of the Chief Executive Officer.*

COUNCIL DECISION – 05-0615 – 11.1.3
--

Moved Councillor Hood, Seconded Councillor McHutchison.

That Council:

1. *Agree in principle to enter into a peppercorn lease with Exmouth Toy Library for part of premises on Lot 320 Maidstone Crescent as depicted in Attachment 3 on a temporary basis until their new premises within the Ningaloo Centre is available;*
2. *Endorse publicly advertising the above proposed lease to Exmouth Toy Library; and*
3. *Delegate Authority to the Chief Executive Officer to execute a lease document upon closure of the advertising period subject to no adverse submissions being received and leasing conditions being to the satisfaction of the Chief Executive Officer.*

CARRIED by ABSOLUTE MAJORITY 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:	15 June 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 May 2015.

BACKGROUND

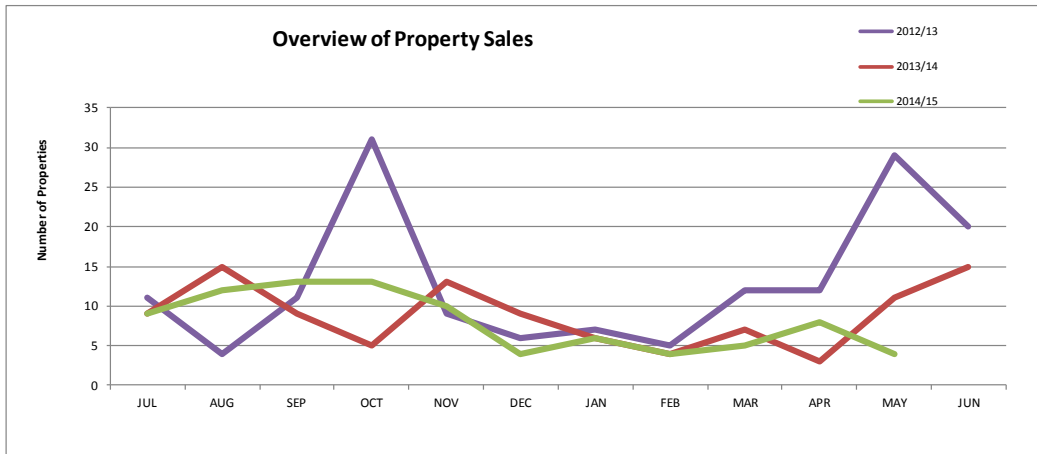
Rating

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
42	Vacant Land	\$11,931,500	\$284,083
40	Residential	\$20,393,000	\$509,825
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
88		\$34,909,500	

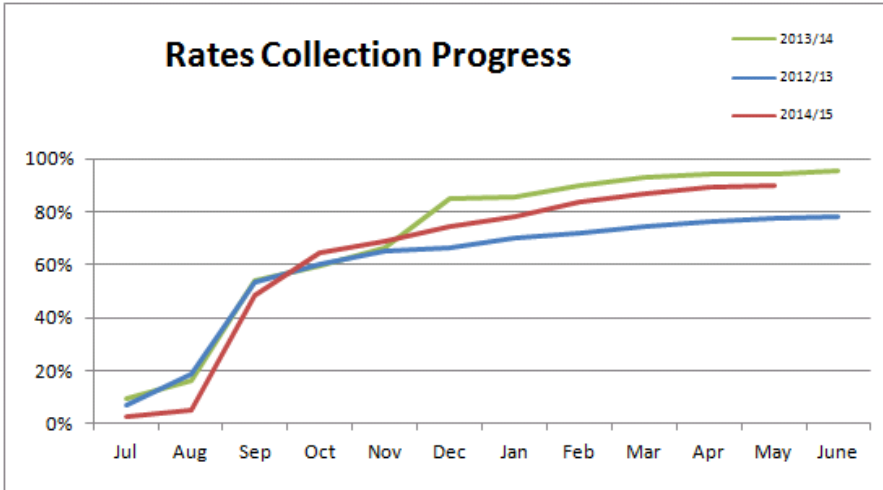
Property Sales	2014/15	2013/14	2012/13
JUL	9	9	11
AUG	12	15	4
SEP	13	9	11
OCT	13	5	31
NOV	10	13	9
DEC	4	9	6
JAN	6	6	7
FEB	4	4	5
MAR	5	7	12
APR	8	3	12
MAY	4	11	29
JUN		15	20
	88	106	157

Rating (cont.)**Rates Collection**

Rates Collection Analysis		
		\$
Rates & Charges Levied 2014/15		3,812,494
Arrears 1 July 2014		275,052
Less Collections		(3,655,037)
Total Rates & Charges Outstanding		432,510
Less Pensioner Deferred Rates		(24,024)
Total Rates Collectable		408,486
% Collected to Date		90.0%
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		96%	78%

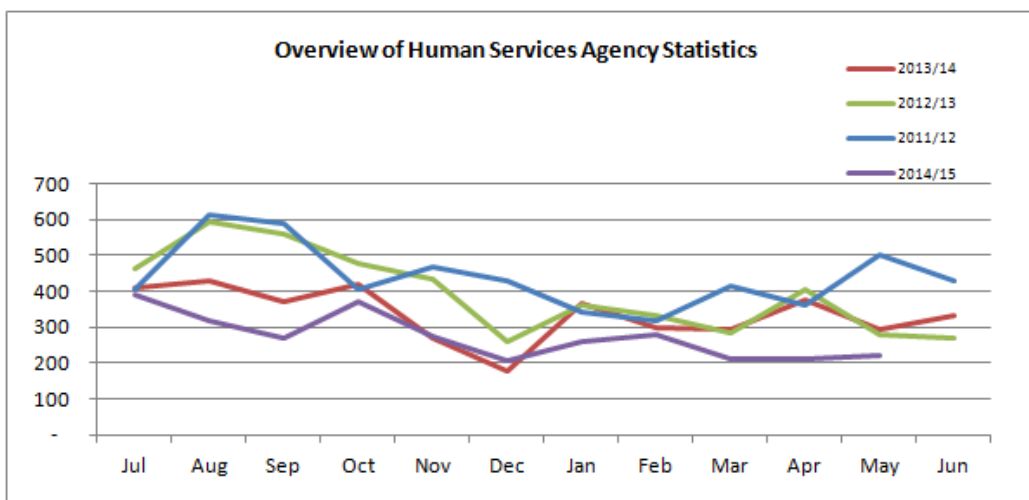
Graphical Overview of Rates Collection



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					-		331	272
TOTAL	710	417	565	1,317	3,009	3,009	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 June 2015.

COUNCIL DECISION – 06-0615 – 11.2.1

Moved Councillor Hood, Seconded Councillor McHutchison.

That Council receive the Executive Manager Corporate Services Report for the month of June 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:	15 May 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 31 May 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 31 May 2015;*
2. *The accounts as listed in the monthly financial report be received for;*

*Municipal Fund – May 2015 \$1,582,518.36 incorporating 13089 to 13121 and direct debits
Trust Fund – May 2015 \$8,444.61 incorporating of cheque 400818 and direct debits*

Outstanding Creditors as at May 2015 - \$130,839.09

COUNCIL DECISION – 07-0615 – 11.2.2

Moved Councillor McHutchison, Seconded Councillor Todd.

That Council:

- 1. Accept the monthly financial reports for period ended 31 May 2015;***
- 2. The accounts as listed in the monthly financial report be received for;***

Municipal Fund – May 2015 \$1,582,518.36 incorporating 13089 to 13121 and direct debits

Trust Fund – May 2015 \$8,444.61 incorporating of cheque 400818 and direct debits

Outstanding Creditors as at May 2015 - \$130,839.09

CARRIED 5/0

The Shire President congratulated the Executive Manager Corporate Services for her excellent work on the financial management of the Council operations.

11. REPORTS OF OFFICERS**11.2 Executive Manager Corporate Services****11.2.3 Rates Debtor Write Off**

Location:	Exmouth
Applicant:	S O'Toole
File Reference:	FM.DB.1
Disclosure of Interest:	Nil
Date:	15 June 2015
Author:	Executive Manager Corporate Services, Sue O'Toole
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends Council write off outstanding rates and penalty interest totalling \$8,166.08 as at 31 May 2015 and any subsequent interest levied charges for the following mining tenements:

A1975 GEP08/00032 \$913.15
A1976 GEP08/00036 \$4,218.51
A1977 GEP47/00033 \$1,477.93
A1978 GEP47/00035 \$1,556.49

BACKGROUND

Mining Tenements; GEP08/00032, GEP08/0036, GEP47/00033 and GEP47/00035 were issued from the Department of Mining and Petroleum (DMP) to New World Energy.

Rates and charges were levied for 2013/14 financial year and those charges remained outstanding during the year. Subsequent notification was received from Landgate the tenements were surrendered effective 3 June 2014 and the company had external Administrators appointed and gone into liquidation.

COMMENT

Unfortunately Council are unable to recover the outstanding debt with New World Energy Limited as they are in liquidation. Usually outstanding rates and charges would remain as a debt on the land, however in this instance, the mining tenements have been surrendered back to Department Mining and Petroleum and the land has become non rateable, leaving little opportunity to recover this debt.

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

	A1975 GEP08/00032	A1976 GEP08/00036	A1977 GEP47/00033	A1978 GEP47/00035
Rates	761.53	3461.69	1175.38	1240.96
Interest	145.41	681.91	227.64	240.62
ESL Penalty	6.21	10.91	10.91	10.91
ESL		64.00	64.00	64.00
	913.15	4,218.51	1,477.93	1,556.49

CONSULTATION

Landgate

STATUTORY ENVIRONMENT

Section 6.53 & 6.55 of the Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The financial implication resulting from the recommendation is a loss of revenue of \$1,355.26 and any interest accrued from 1 June to 25 June 2015. The balance of the debt totalling \$6,810.82 was recognised as a Doubtful Debt in 2013/14.

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION – 10.2.3

That Council write off outstanding rates and penalty interest of \$8,166.08 as of 31 May 2015 and any subsequent interest levied charges for Mining Tenements; GEP08/00032 \$913.15, GEP08/00036 \$4,218.51, GEP47/00033 \$1477.93, and GEP47/00035 \$1,556.49 as payments are not expected to be received as the mining tenements have been surrendered and are non-rateable.

COUNCIL DECISION – 08-0615 – 11.2.3

Moved Councillor Todd, Seconded Councillor Winzer.

That Council write off outstanding rates and penalty interest of \$8,166.08 as of 31 May 2015 and any subsequent interest levied charges for Mining Tenements; GEP08/00032 \$913.15, GEP08/00036 \$4,218.51, GEP47/00033 \$1477.93, and GEP47/00035 \$1,556.49 as payments are not expected to be received as the mining tenements have been surrendered and are non-rateable.

CARRIED by ABSOLUTE MAJORITY 5/0

11. REPORTS OF OFFICERS**11.2 Executive Manager Corporate Services****11.2.4 Amended Differential Rating 2015/16 - Minimum Payment Mining Category**

Location:	Exmouth
Applicant:	S O'Toole
File Reference:	FM.BU.15.16
Disclosure of Interest:	Nil
Date:	17 June 2015
Author:	Executive Manager Corporate Services, Sue O'Toole
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

That Council endorse the amended differential rates as proposed for 2015/16 Mining Category including the amended Statement of Rating Objects and Reasons.

BACKGROUND

At our Ordinary Council Meeting held 30 April 2015, Council resolved to:

That Council:

- 1. Adopt the following differential rating categories for the 2015/16 Budget;*

Rate Category	Rate In Dollar \$	Minimum Payment
GRV Commercial-Industrial	0.0694	\$710
GRV Commercial-Industrial Vacant Land	0.1008	\$710
GRV Marina	0.0954	\$1,459
GRV Marina Vacant Land	0.1082	\$1,459
GRV Residential	0.0666	\$710
GRV Residential Development	0.0585	\$710
GRV Residential Development Vacant Land	0.0580	\$406
GRV Special Rural	0.0541	\$811
GRV Special Rural Vacant Land	0.0650	\$811
UV Rural	0.0739	\$760
UV Mining	0.1478	\$325
GRV Specified Area Rate	0.0130	\$66

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

Since this Council meeting, information has been received from Landgate advising of a reduction in Unimproved Values (UV's) for Mining Tenements.

In 2006, an escalating rent scale came into effect for mineral exploration licences issued from Department of Mining and Petroleum (DMP). Rents were increasing in the fourth, sixth and eighth year of their term for a four-fold overall increase, with some leases by more than 3 times in year 8. The full effect of the increased rentals was felt by those tenement holders entering the eighth year of their lease.

The department advised that it was an unintended consequence that the full force of the escalating rents and fees should be reflected in the Unimproved Values (UV's) provided by Landgate.

To address this sharp increase in annual rents, recent amendments to the *Valuation of Land Act 1978* have altered how the valuation on exploration licences and petroleum permits are now calculated.

COMMENT

Differential rates for the mining category were presented to Council in April 2015, and included in the Statement of Rating Objects and Reasons, which stated to "fund additional costs for the higher road infrastructure maintenance required due to frequent heavy vehicle usage over extensive lengths of shires roads throughout the year".

As seen below is an extract of the rate modelling used for the setting of differential rates for the draft 2015/16 Budget:

Rate Modelling - April 2015

Mining Category	2014/15 Rating	2015/16 Proposed Rates
Rate in \$	0.1405	0.1478
Minimum Payment	\$320.00	\$325.00
Total Rates Collected	\$54,025	\$55,658
Total Properties	35	33
# of Properties on Minimum Payment	17	16
# of Properties on General Rates	18	17

Landgate have now provided an extract of the proposed mining tenement valuations to use as a guide for our 2015/16 rate modelling. Whilst using the same rate in the dollar and minimum payment, as can be seen below, revenue will now reduce by (\$7,181) and the number of properties on minimum payments will exceed 50% allowed of the total number of properties:

Same Rate Modelling – Updated Mining Valuations

Mining Category	2014/15 Rating	2015/16 Proposed Rates
Rate in \$	0.1405	0.1478
Minimum Payment	\$320.00	\$325.00
Total Rates Collected	\$54,025	\$46,844
Total Properties	35	31
# of Properties on Minimum Payment	17	19
# of Properties on General Rates	18	12

A number of scenarios were investigated in an attempt to recoup this reduction in revenue as well as the issue of more than 50% of properties falling into minimum payments.

The first obstacle was the inability to make an application to the Minister to impose more than 50% of properties to have a minimum payment applied. Unfortunately this option is only allowed on vacant land, as defined under Section 6.35 of the *Local Government Act 1995*.

Officers also reviewed the rate in the dollar which cannot be more than twice the lowest differential rate, i.e. Rural rate in dollar is 7.39c and Mining is exactly 50% more at 14.78c. Council is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed.

There are two options to consider:

Option one:

Increase the rate in the dollar for properties in mining category, however the following principles as provided from the Department of Local Government, Rating Policy needs to be observed (*refer Attachment 3*):

- Objectivity;
- Fairness and equity;
- Consistency;
- Transparency; and
- Administrative efficiency.

Ministerial approval would also have to be sought to impose a differential general rate which is more than twice the lowest differential general rate. Information to be provided with the request for approval includes:

- Description of the characteristics of the land that have been used to determine the basis for the differential rates;
- Details of the differential rates being proposed, number of properties affected in each category, total rateable value of each category, average assessment, number of assessments above the average and below the average for each category;
- When the last revaluation of land in this category occurred and how that has been taken into account; and
- The reasons for seeking to impose a differential rate which is more than twice the lowest differential rate.

Council would also need to commence the differential rating process from the start i.e. new rate modelling, council endorsement, followed by a 21 day advertising period.

Option two:

Council could reduce the minimum payment from the advertised amount of \$325 to \$270. This brings the total number of properties on minimum payments down to 48% and eliminates the need to commence the differential rating process again or seek ministerial approval as detailed below:

Proposed 2015/16 Rates Modelling

Mining Category	2014/15 Rating	2015/16 Proposed Rates
Rate in \$	0.1405	0.1478
Minimum Payment	\$320.00	\$270
Total Rates Collected	\$54,025	\$45,886
Total Properties	35	31
# of Properties on Minimum Payment	17	15
# of Properties on General Rates	18	16

It is the Officer's recommendation, the advertised minimum payment for properties classified in the Mining category reduce to \$270 and the rate in the dollar remains at 14.78c for the 2015/16 rating year. In addition, to amend the Statement of Rating Objects and Reasons Mining category to reflect the reduction in minimum payment.

CONSULTATION

Landgate

Department of Local Government & Communities

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Rating income will be included in the 2015/16 Budget

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION – 11.2.4

That Council:

1. *Adopt the following amended differential rating categories for the 2015/16 Budget which includes a change to the UV Mining Category Minimum Payment as advertised as \$325 to \$270;*

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

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

COUNCIL DECISION – 09-0615 – 11.2.4

Moved Councillor Hood, Seconded Councillor Winzer.

That Council:

1. *Adopt the following amended differential rating categories for the 2015/16 Budget which includes a change to the UV Mining Category Minimum Payment as advertised as \$325 to \$270;*

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

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

CARRIED by ABSOLUTE MAJORITY 5/0

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:	11 June 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 May 2015 Council Meeting agenda report.

BACKGROUND**Regulatory**

The bi-annual Learmonth Airport Security Committee meeting will be held on 24 June 2015 with the Office of Transport Security in attendance.

Airlines/Air Operators/Industry

Learmonth Airport has seen a busier May than for the equivalent period in 2014 in both the airport and the heliport. Passenger numbers for the financial year have been down across the year with April and May 2015 returning to equal or better numbers than the previous year. Currently, passenger numbers are down 8% (or 6,633 passengers) on 2013/14, however similar decreases in passenger numbers is being experienced at other airports in the region. The drilling program currently underway has seen an increase in activity through the heliport.

Leasing

A teleconference was held with Exxon-Mobil Oil regarding their lease of the aviation fuel site at Learmonth Airport. Lease terms are currently being finalised with a view to report to Council for endorsement at the July 2015 Ordinary Council Meeting.

Exmouth Aerodrome

Australian Maritime Safety Authority (AMSA) along with Industry and the State Government conducted their annual oil spill response exercise in Exmouth on 9 & 10 June 2015. As part of the exercise, fixed wing aerial dispersant aircraft operations were conducted using Exmouth Aerodrome as an operational base for their two 802 Air Tractors.

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 June 2015.

COUNCIL DECISION – 10-0615 – 11.3.1
--

Moved Councillor Winzer, Seconded Councillor Todd.

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

CARRIED 5/0

11. REPORTS OF OFFICERS

11.3 Executive Manager Aviation Services

11.3.2 2015-17 Regional Airports Development Scheme Funding Agreement

Location:	Exmouth
Applicant:	Executive Manager Aviation Services
File Reference:	GS.PR.12
Disclosure of Interest:	Nil
Date:	2 June 2015
Author:	Executive Manager Aviation Services, Jenny Kox
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends Council endorse the signing and duly seal of the Funding Agreement (FA) between the Minister for Transport for and on behalf of the Crown in right of the State of Western Australia and the Shire of Exmouth under the Regional Airports Development Scheme (RADS) 2015-17. The FA value is \$94,000 and is for the installation of an animal exclusion fence at Exmouth Aerodrome.

BACKGROUND

The lack of animal exclusion fencing has been identified as a high risk to operations at Exmouth Aerodrome and is a limiting factor in the Royal Flying Doctor's Service operating out of Exmouth Aerodrome rather than Learmonth Airport.

During 2012-13, there was increased incidence of animals, in particular sheep, being on the runway affecting aircraft operations. Leaseholders concurred with the Officers view that the risk of an animal strike was increasing and supported Council in preparing a submission for funding under the 2013-2015 RADS program for animal exclusion fencing. Unfortunately that application was unsuccessful.

Department of Transport (DoT) recommended that Council re-apply for funding of this project under the 2015-17 RADS program with a revised specification of works.

COMMENT

This project comprises of the construction of a 5200mm high animal exclusion fence around the whole of runway and lease areas at Exmouth aerodrome and includes a solar auto-entry gate and two crash gates for emergency purposes.

The total project estimate was \$188,000 ex GST and a grant application was submitted to Department of Transport RADS of \$94,000 to contribute towards this development. Council has received notification we were successful and have been allocated \$94,000 towards this project. RADS is a dollar for dollar scheme, therefore Council's contribution towards the project is also \$94,000.

The FA received is in line with the grant request with a one-off payment of grant funding at the completion of project rather than a 40% payment at commencement of project and the balance at completion as requesting in the grant application (refer *Attachment 1*). DoT have advised that milestone payments are only applicable when a measurable amount of project can be demonstrated.

The project must commence prior to 30 September 2016 and be completed no later than 15 May 2017. Payment of the RADS grant will be made by DoT in the 2016-17 financial year.

CONSULTATION

Exmouth Aerodrome leaseholders & stakeholders

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Council's contribution to this project will be budgeted for in the 2016-17 financial year from the Aviation Reserve.

DoT will pay their \$94,000 contribution at the completion of the project unless Council seeks to have measurable milestones included in the funding agreement prompting earlier payment of grant funding.

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

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 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 signing and duly seal of the Funding Agreement (FA) between the Minister for Transport for and on behalf of the Crown in right of the State of Western Australia and the Shire of Exmouth under the Regional Airports Development Scheme (RADS) 2015-17 (refer Attachment 1).

COUNCIL DECISION – 11-0615 – 11.3.2

Moved Councillor Winzer, Seconded Councillor McHutchison.

That Council endorse the signing and duly seal of the Funding Agreement (FA) between the Minister for Transport for and on behalf of the Crown in right of the State of Western Australia and the Shire of Exmouth under the Regional Airports Development Scheme (RADS) 2015-17 (refer Attachment 1).

CARRIED 5/0

11. REPORTS OF OFFICERS

11.3 Executive Manager Aviation Services

11.3.3 Extension of Contract – Learmonth Airport Shuttle Bus Service

Location:	Exmouth
Applicant:	Executive Manager Aviation Services
File Reference:	TT.SP.1
Disclosure of Interest:	Nil
Date:	16 June 2015
Author:	Executive Manager Aviation Services, Jenny Kox
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council extend the Learmonth Airport Shuttle Bus Service contract with Exmouth Bus Charter for one (1) year effective 1 July 2015 to 30 June 2016 and authorise the Chief Executive Officer to execute the Deed of Agreement for Further Term of Contract (refer *Confidential Attachment 2*).

BACKGROUND

In 2012, Council called for tenders for the provision of the Learmonth Airport Shuttle Bus Service (Tender 05/2012). Exmouth Bus Charters were the successful tenderer and awarded a three (3) year contract commencing 1 July 2012 and completing on 30 June 2015. The contract does not allow for any further term and any amendment to fees charged to passengers required Council's endorsement.

Council pays a rate per trip to the contractor for provision of service. The contractor has advised informally that the provision of service is becoming non-viable since the cessation of Virgin Australia flying to Learmonth. Over the term of the contract, RPT services have reduced from 20 per week to the current 12 per week. The delayed departure of the morning flight requires two trips to and from the airport, each with a 'dead' leg, to service that flight. The current number of shuttle trips is 17 per week. There is currently no ceiling on the contribution amount paid by Council to the contractor.

COMMENT

The current contract term ceases on 30 June 2015. When considering calling for a new tender for provision of service, the question of long-term sustainability of the service was asked, especially when the contribution made by Council to the service has been significantly higher than that of the previous contract term. This prompted the question of who utilises the service and is there a better way to structure the contract to ensure financial viability for the contractor without an ever-increasing Council contribution, ideally moving towards self-sustainability of the service.

At this time, it is unknown what percentage of shuttle bus users are local residents; those visiting holiday homes; those staying at accommodation providers or those staying with friends or relatives. By better understanding the passengers using the shuttle bus, a more tailored tender can be prepared.

Officers have met with the contractor on a number of occasions who have stated that the service is not viable in its current form. The reduction of flights (and therefore number of bus trips), delays to aircraft and cessation of Virgin Australia have all impacted on the service. However, to call tenders to enter into another 3 year contract without knowing the composition of the customer base is not in Council's best interest.

It is noted that the service has improved during the current contract term and that the contractor has been amenable to service improvements throughout the term. Further, it is not the intent that Council take on provision of this service. Council does, however, need to ensure that the service meets the customers' needs and is financially sustainable to Council over the length of any further contract.

Therefore to determine who uses the service and the extent of customer satisfaction with the service, it is the Officer's recommendation that Council consider a one year extension of contract and include within

that extension the requirement for the contractor to provide demographics on the users of the service. This information may be sought from the passengers at check-in and by way of customer survey and will be used to develop a profile of who uses the airport shuttle bus service. Also included in the one year extension is an increase in the rate that can be charged per passenger (up \$10.00 per fare class with a slightly higher rate for Lighthouse Caravan Park and Sea Breeze Resort adult fares) and an increase on the trip rate (up by CPI%). Some other minor administrative amendments have also been included in the Deed of Agreement for Further Term.

CONSULTATION

Exmouth Bus Charter

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: 1.3: Diverse tourism opportunities
- Outcome: 1.5: Maintain and 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

Civic Leadership

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

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

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION – 11.3.3

That Council extend the Learmonth Airport Shuttle Bus Service contract with Exmouth Bus Charter for one (1) year effective 1 July 2015 to 30 June 2016 and authorise the Chief Executive Officer to execute the Deed of Agreement for Further Term of Contract (refer Confidential Attachment 2).

COUNCIL DECISION – 12-0615 – 11.3.3

Moved Councillor Winzer, Seconded Councillor Hood.

That Council extend the Learmonth Airport Shuttle Bus Service contract with Exmouth Bus Charter for one (1) year effective 1 July 2015 to 30 June 2016 and authorise the Chief Executive Officer to execute the Deed of Agreement for Further Term of Contract (refer Confidential Attachment 2).

CARRIED by ABSOLUTE MAJORITY 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 June 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

The 'Gascoyne Promotions' project is managed by GDC and is in response to the potential effects on tourism by Cyclone Olwyn in March of this year. GDC, Gascoyne Shires and CCI's have all contributed to this project in order to promote the region for this tourism season.

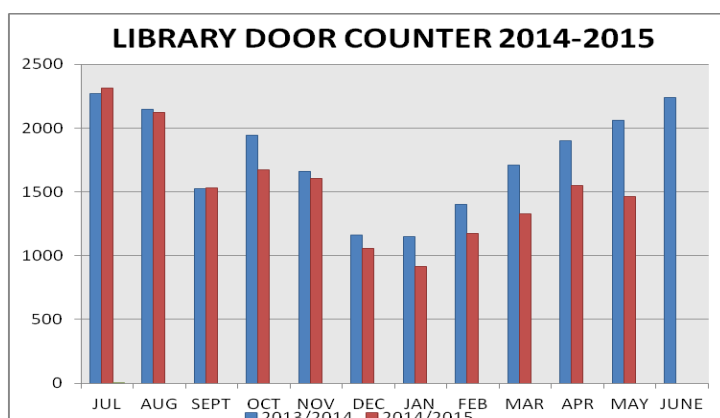
A list of possible activities was developed over the past weeks and this includes a YouTube clip, TV advertisement, training for businesses and a calendar of events.

Perth Royal Show 2015

The Gascoyne Development Commission is coordinating the Perth Royal Show display, with each Gascoyne Council contributing funds towards the display.

An activity book for children with a three page spread for each town, including colouring activities and information will be produced and given away at the next Show. They are also looking at doing a touch pool and electronic surveys for people visiting the display.

Library Services



About 1460 people made use of the library facilities for the month of May with 930 items being issued and 760 returned items. More than 20 new members joined the library, 9 adults, 7 juniors and 5 travellers. Ebooks are gaining popularity with 63 issued for the month compared to 54 for the month of May.

Since 1 July 2014, 2211 items have been purchased, processed and made available to the public; this is an increase of 1013 items compared to the same period in 2013/2014.

Community Development

Youth Matters

Social Researcher, Jude Sorenson returned to Exmouth and facilitated an update on the Shire's Youth Needs Analysis from 2012.

Students from EDHS had the opportunity to participate in this methodology using an electronic voting system in answering survey questions on a range of topics. Jude also facilitated a forum with key stakeholders who work with young people in Exmouth and who might have insight into their experiences.

The first results have shown some changes in what is important to young people and a full report of the survey and recommendations will be presented to Council at a future meeting.

Whaleshark Festival

The CAO was part of the organising committee for this year's Whaleshark Festival and they put on a great festival, with all events well attended. The Shire's contribution this year was called *Message in a Bottle*, which was an awareness campaign of the amount of plastic used in households. In the lead up the Exmouth community collected 3 skip bins full of plastic bottles.

The bottles were used by two artists in building a 5 metre high whale tail using over 1000 plastic bottles and taking 10 days to build. The tail was then erected in 3 spots over the weekend for the public to see and to read the message to encourage people to reduce their use of plastics.

The Shire also ran a plastic bottle sculpture competition which attracted 48 entries. The 4 judges had a very hard time selecting the winners as all pieces were of a very high standard.

Three winners received a Go-Pro donated by Department of Parks and Wildlife (DPAW) and a beach pack for the youngest winner. The Shire would like to thank our partners in this project, Woodside and DPAW, in making this a successful awareness campaign.



Relay for Life

Exmouth is gearing up for Relay for Life with all the teams commencing fundraising activities. To date over \$16,000 has been raised; putting Exmouth in a very good position to reach our Town target of \$30,000 by the end of the event.

Staffing matters

Beck Hammill has left the Shire of Exmouth and the recruitment process to find a new Community Development Officer is being finalised.

The EMCE would like to thank Jaci Cutler for her hard and dedicated work as Acting EMCE during his absence. She has done a fantastic job for an extensive period of time.

In turn, Jaci would like to thank the Council and the Executive Management team for their support during her period as Acting EMCE; she feels that it was a great learning experience.

Media and Community Information

- Shire Newsletter – Tidy Towns

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 June 2015.

COUNCIL DECISION – 13-0615 – 11.4.1

Moved Councillor , Seconded Councillor.

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

CARRIED 5/0

The Shire President extended the Council's appreciation to Jaci Cutler in her role as Acting Executive Manager Community Engagement. She did a great job in the position.

11. REPORTS OF OFFICERS

11.4 Executive Manager Community Engagement

11.4.2 Outcome 7 Disability Access and Inclusion Plan Shire of Exmouth

Location:	Exmouth
Applicant:	R Kempe
File Reference:	
Disclosure of Interest:	Nil
Date:	18 June 2015
Author:	Executive Manager Community Engagement, Rogé Kempe
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This Report outlines the proposed strategies and processes to be undertaken in relation to implementing mandated 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).

Council is requested to release the proposed outcome and strategies for public comment as required by 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.

As demonstrated by the current comprehensive Shire of Exmouth Disability Access and Inclusion Plan (DAIP), the Shire of Exmouth is committed to upholding and promoting access and inclusion for people with Disability.

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. Since its implementation, and subsequent review, the document has achieved many meaningful outcomes including, but not limited to, ensuring that community events are inclusive and that infrastructure aligns with access regulations.

In 2014 the DSC advised all local governments that they were now 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”.*

With over eighty staff employed full-time, part-time or casually, the Shire of Exmouth is a major employer in the community. It is therefore important that the Shire ensures to have in place the appropriate methods for recruiting, retaining and supporting employees with disability.

COMMENT

The below chart outlines the proposed strategies and tasks the Shire could adopt to implement Outcome 7.

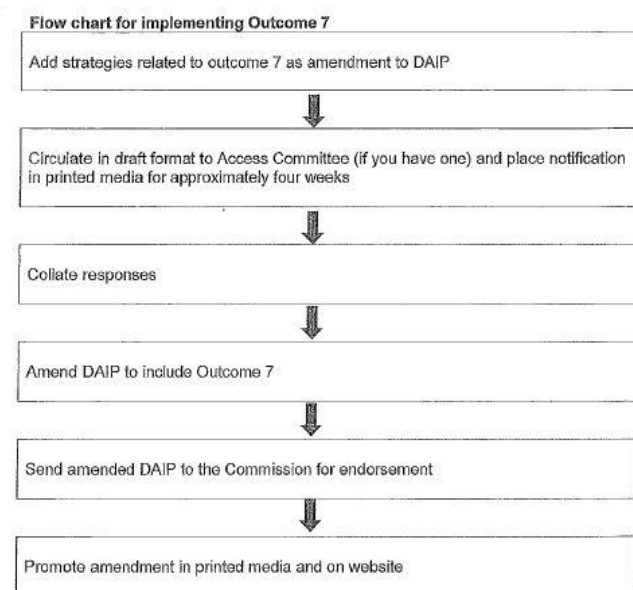
They include recommendations from the DSC, the previous Administration Manager of the Shire of Exmouth and the local Disability Employment Service Provider. The strategies fall under two broad categories:

1. Strategies that would support recruitment and retention of individuals with disability
2. Strategies that relate to the organisational culture and that message to existing staff that the Shire value access and inclusion

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

Proposed methods of Consultation on new Outcome 7

The following flowchart was provided by the DSC to assist with the consultation and implementation process for Outcome 7.



As per direction from the DSC, the Community Development Officer proposes to undertake community consultation to seek feedback on the above strategies and tasks relating to implementing Outcome 7 into the DAIP.

Local governments are to advertise the consultation process in the local newspaper and on the Shire website. After the closing of the consultation period officers will submit the (possibly amended) Outcome 7 and Strategies with the Disability Services Commission.

CONSULTATION

Outcome 7 and its strategies are to be 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 will be sufficient.

STATUTORY ENVIRONMENT

Nil

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

That Council authorise a public consultation period of 2 weeks in order to seek community input into the proposed Outcome 7 of the Shires Disability Access and Inclusion Plan and for officers to make amendments to the draft where required and submit a final plan with the Disability Services Commission.

COUNCIL DECISION – 14-0615 – 11.4.2

Moved Councillor Hood, Seconded Councillor McHutchison.

That Council authorise a public consultation period of 2 weeks in order to seek community input into the proposed Outcome 7 of the Shires Disability Access and Inclusion Plan and for officers to make amendments to the draft where required and submit a final plan with the Disability Services Commission.

CARRIED 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:	15 June 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

Below is a summary of building permit and building certificate applications and approvals up to 31 May 2015.

Applic No.	Date received	Lot No	Property Address	Description	Decision	Decision Date
15/56	13/04/2015	13	Unit 31 2 Murat Rd	Short Term Accommodation	Approved	09/06/2015
15/57	13/04/2015	33	Unit 18 2 Murat Rd	Short Term Accommodation	Approved	09/06/2015
15/59	21/04/2015	1268	3 Sculpin Court	Dwelling	Approved	02/06/2015
15/65	04/05/2015	124	43 Skipjack Circle	Dwelling	Approved	13/05/2015
15/66	06/05/2015	1096	14 Campbell Way	Verandah	Approved	21/05/2015
15/67	08/05/2015	410	34 Madaffari Drive	Residential Dwelling	Approved	28/05/2015
15/68	11/05/2015	1	56 Nimitz Street	Carport Conversion	Approved	12/05/2015
15/69	11/05/2015	1413	R27647 18 Payne Street	Carport Conversion	Approved	12/05/2015
15/70	14/05/2015	15	120 Madaffari Drive	Dwelling	Approved	28/05/2015
15/71	18/05/2015	247	4 Lockwood Street	Outbuilding	Approved	26/05/2015
15/72	20/05/2015	327	9 Falls Street	Fence	Approved	26/05/2015
15/73	21/05/2015	662	9 Stewart Street	Ancillary Accommodation / Storage Shed / Carport	Approved	25/05/2015
15/75	27/05/2015	1361	5 Redfin Court	Dwelling	Approved	11/06/2015

Summary of Building Licence/Permit Applications 2007 to Year to date 31 May 2015

Year	No. Applications	Total Value of Works	No. Applications up 31 May 2015	Value up to 31 May 2015
2007- 2008	114	\$13,465,725	109	\$13,152,251
2008- 2009	132	\$26,600,941	116	\$23,880,397
2009 - 2010	198	\$26,916,869	174	\$25,714,705
2010 - 2011	188	\$24,816,605	163	\$23,641,555
2011-2012	144	\$23,057,154	134	\$21,042,803
2012- 2013	150	\$19,931,790	145	\$19,590,290
2013-2014	159	\$23,404,099	154	\$22,992,592
2014-2015			140	\$17,933,171

COMMENT**BUILDING**

Correspondence has recently been sent to a couple of owners of developments within the (former) Lot 50 Industrial Precinct commonly referred to as Mowbowra Creek, reiterating that any use of industrial buildings for habitation is an offence.

ENVIRONMENTAL HEALTH

Environmental health tasks have continued as per normal. Some of the tasks completed this month have been food premise inspections, food business approvals, mosquito monitoring and treatment, water sampling and food sampling.

Asbestos Issues

Since the two cyclones earlier this year, there have been a few instances of inappropriate handling and/or dumping of asbestos observed by Council Officers, one was of illegal dumping in a dis-used gravel pit opposite the McLeod Street horse blocks. Another instance was where a local contractor presented at the tip office with broken asbestos sheeting in the back of a ute and tried to pass it off as 'fibro', this was resolved by the contractor leaving the site and returning with the material appropriately rapped ready for disposal. More recently an owner of one of the buildings within the Exmouth Villa's complex was removing/handling asbestos sheeting in an unsafe manner and in contravention to statutory requirements.

The later instance is currently with Council's solicitors pending legal action.

Giardia

The cases of giardia appeared to have slowed with only two cases reported in the last three weeks. Hand hygiene promotions have been conducted at the Exmouth Playgroup using glitter to represent germs and also provided an opportunity for any concerned parents to ask questions. Council's Environmental Health Officer also met with the Bernice McLeod Child Care Centre Coordinator to ensure their staff were aware of the current issues so that they could be extra vigilant in sanitising procedures and personal hygiene of the children and carers.

Waste Management and Recycling**Tyres**

Work on the new tyre pit is completed. The tyres already on site will be buried in their location with geotextile cloth placed on top. This will allow the tyres to be recovered in the future if/when a feasible market for recycling tyres becomes available.

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 25 May 2015.

Treatments for mosquitoes are continuing at the Waste Water Treatment Ponds with two applications of Vectobac WG a bacterial based mosquito treatment that targets the gut lining of the mosquito larvae killing them within 12 hours.

Paltridge Memorial Swimming Pool**May 2015**

	<u>2015</u>	<u>2014</u>	<u>2013</u>
Pool Users	245	0	484

The pool closed on the 22 May.

STAFF

Sharon Maxwell, Landfill Site Attendent has resigned and will be moving back to NSW. Sharon was an asset out at the tip and will be missed.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Environment

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

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

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.5.1

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

COUNCIL DECISION – 15-0615 – 11.5.1

Moved Councillor Todd, Seconded Councillor McHutchison.

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

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:	16 June 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 16 June 2015.

Applic No.	Date	Lot	Property	Description	Decision	Date
PA60/15	17/04/2015	410	34 Madaffari Drive	Single Dwelling	Approved	12/06/15
PA62/15	20/04/2015	458	15 Lyon Street	Ancillary Accommodation	Approved	29/04/15
PA67/15	30/04/2015	236	24 Carpenter Street	Outbuilding	Approved	26/05/15
PA68/15	11/05/2015	351	25 Kestrel Place	Jetty And Mooring Piles	Approved	26/05/15
PA69/15	15/05/2015	73	R32867/2 Minilya - Exmouth Road	Transportable Office/Ablution	Approved	29/05/15
PA70/15	18/05/2015	301	Dugong Close	Lap Pool	Approved	28/05/15
PA71/15	18/05/2015	21	5 Kennedy Street	Extension to Liquor Licence	Approved	28/05/15
PA76/15	28/05/2015	102	441 Murat Road	Sea Container	Approved	10/06/15
PA81/15	08/06/2015	311	311 Maidstone Crescent	Teardrop Sign	Approved	11/06/15
PA82/15	15/06/2015	124	43 Skipjack Circle	Outbuilding	Processing	

Summary of Total Planning Application/Codes Variations	
Year	No. Applications
2010-2011	149
2011-2012	163
2012-2013	175
2013-2014	149
2014-2015	113

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

COMMENT

Civil Construction - Special Rural Subdivision of Lot 300 Heron Way, Exmouth

Construction of the above project has been completed. It is expected that titles will be issued by 30 July 2015. Exmouth Cape Real Estate and Exmouth Experience Real Estate are undertaking the marketing on behalf of Council.

Ranger Services

Below is a summary of activities performed by Ranger Services during May 2015.

	Dogs	Camping	Parking	Litter	Fire	Off road	Other
Warning/caution	8	0	7	0	0	0	3
Infringement	0	45	0	0	0	0	0
Court	0	0	0	0	0	0	0
April Total	8	45	7	0	0	0	3
2014-2015 Totals	50	179	43	15	229	2	22

Dog Act 1976 – Compulsory Microchipping for all Dogs

Amendments to the *Dog Act 1976* which were made in November 2013 provided that from 1 November 2015 the owner of a dog that has reached three months of age must ensure that the dog is microchipped, unless a Veterinarian issues a certificate stating that the implantation of a microchip may adversely affect the health and welfare of the dog.

Council Officers will be notifying the community of this new requirement over the coming months to ensure compliance with the state laws by the 1 November 2015.

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	19/02/2015	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	27/04/15						
Cat	23/10/14	1/11/14	5/11/14	6/11/14	22/12/14		26/03/2015				
Parking	23/10/14	1/11/14	5/11/14	6/11/24	22/12/14	11/12/14	19/02/2015	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	27/04/15						

Emergency Management

Local Emergency Management Committee

In accordance with State Emergency Management Policy 2.5, the Exmouth Local Emergency Management Committee meeting was held on 19 May 2015. During the meeting, the Committee discuss a number of items, including a review of the cyclone season, with particular attention being directed towards Tropical Cyclone Quang. The minutes of the meeting have been attached for Council's reference (refer *Attachment I*).

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 receives the Executive Manager Town Planning Report for the month of June 2015.

COUNCIL DECISION – 16-0615 – 11.6.1

Moved Councillor McHutchison, Seconded Councillor Hood.

That Council receives the Executive Manager Town Planning Report for the month of June 2015.

CARRIED 5/0

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.2 Adoption of Draft Local Planning Strategy and Draft Local Planning Scheme No. 4 for Advertising

Location:	Exmouth
Applicant:	Nil
File Reference:	LP.PL.O.2 /LP.PL.4
Disclosure of Interest:	Nil
Date:	14 June 2015
Author:	Executive Manager Town Planning, Rhassel Mhasho
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council adopt the draft Local Planning Strategy and Local Planning Scheme No 4 and an accompanying Maps, and forward the Scheme to the Environmental Protection Authority (EPA) and, subject to the response of the EPA, forward the Strategy and Scheme to the Western Australian Planning Commission (WAPC) seeking consent to advertise.

BACKGROUND

Council passed a resolution at its February 2013 Ordinary Meeting to prepare the Local Planning Strategy and Scheme under section 72 of the Planning and Development Act 2005. This project was made feasible through the funding from Royalties for Regions.

At its Committee meeting held on the 25 June 2013, the WAPC resolved to initiate the Shire of Exmouth Local Planning Scheme No 4 in accordance with the Town Planning Scheme Regulation 1967. The WAPC endorsement enabled the Shire to prepare the two documents in consultations with the community, specific stakeholders, government agencies and utility providers.

Taylor Barrell Barnett (TBB) were appointed as the preferred consultant to undertake the preparation of the Local Planning Scheme and Strategy. As part of the preparation process, TBB held extensive consultation with government and relevant stakeholders within the region. A summary of the results of the consultation and minutes of meetings held with key stakeholders are included in the Issues Paper document prepared (Tabled).

The Issues Paper captures the outstanding issues from the consultation and allows TBB to formulate appropriate responses to guide land use decisions in the Local Planning Scheme and Strategy. The Scheme and Strategy have been progressed in parallel, allowing for simultaneous consideration by Council, formal advertising for public comment and consideration by the WAPC.

COMMENTS

This report provides Council with the formal opportunity to consider the draft Local Planning Scheme No 4 and Local Planning Strategy, ahead of review by the WAPC, and Environmental Protection Authority and subsequent advertising for public comment. A copy of the proposed Local Planning Strategy, the Proposed Local Planning Scheme Text, and the proposed Local Planning Scheme Maps are tabled.

The review of the Strategy and Scheme has drawn upon community consultation, preceding Structure Plans and investigations, and consultation with government agencies to deliver a planning framework that addresses the services demanded within the Shire including infrastructure, community, health, recreational, educational, communications, transport, tourism and commercial.

The draft Planning and Development (Local Planning Schemes) Regulations 2014 require a LPS to set out the strategic planning directions for the local government area, apply state and regional planning policies and provide the rationale for the zones and other provisions of the Scheme. It is also meant to provide an overarching non-statutory planning framework that is to guide sustainable growth and development within a local government area over a 10 year period that expresses the vision of the community.

The Town Planning Scheme is a legal document that confers rights on land by specifying how the land may be used and developed. It also outlines the processes to be followed before development can occur and provides a local authority with the ability to enforce the provisions of the scheme.

The Local Planning Scheme and Local Planning Strategy key outcome includes, but is not limited to:

- Incorporating the new scheme requirements outlined in the Planning and Development (Local Planning Schemes) Regulations 2014 draft 2014 having the deemed provisions;
- Adjusting the Scheme boundary to be in line with the local government boundary;
- Introducing a 'Rural Residential' Zone within LPS 4 by rezoning the existing 'Special Rural' and 'Special Use Area 2: Cape Wilderness Estate' Zones within TPS;
- Including an 'Industry - Service' Zone within LPS 4 to replace the 'Mixed Use' Zone within TPS 3;
- Including an 'Industry - Light' Zone within LPS 4 to replace the 'Light Industrial' Zone within TPS 3;
- Including an 'Industry - General' Zone within LPS 4 to replace the 'Industrial' Zone within TPS 3;
- Introducing a 'Tourism' Zone and 'Caravan Park and Camping' Zone within LPS 4 to replace the 'Tourist' Zone under TPS 3;
- Limiting the proportion of permanent residential permitted within new tourist developments (or substantial refurbishment to existing tourism developments) to no greater than 40% of the site;
- Applying a density coding of R40 to residential use within the 'Tourism' Zone where applicable;
- Excluding permanent residential use within the 'Caravan Park and Camping' Zone, by introducing Residential Land Uses within the Zoning Table as 'X' uses, not permitted within the zone;
- Introducing a 'Commercial' Zone within LPS 4 to replace the 'Town Centre' Zone within TPS 3;
- Introducing a 'Conservation' Reserve within LPS 4;
- Introducing a 'Rural' Zone within LPS 4 including objectives, site and development requirements to replace the 'Pastoral' Zone under TPS 3;
- Reviewing the range of permitted uses within Table 1 – Zoning Table for the Rural Zone under LPS 4 to reflect the predominant pastoral activities, including opportunity for diversification of uses within the zone;
- Including 'Primary Distributor' and 'District Distributor Road' reservations within LPS 4;
- Investigating the longer term relocation of the existing Exmouth Power Station Infrastructure to remove the impediment for development of sensitive land uses within the power station buffer;
- Including Cameron's Cave and 500m buffer within the 'Conservation' Reserve under LPS 4 and support its inclusion within an 'A Class' Reserve under the Land Administration Act 1997;
- Including the land within the Minilya-Exmouth Road 100m setback area within a Special Control Area within LPS 4 to protect view corridors of the Cape Range and Exmouth Gulf;
- Reviewing existing policies in relation to Outbuildings, Verge Parking, Shed/barn style dwelling construction and include as scheme text provisions where applicable;
- Transferring the development requirements outlined in the broad and detailed design guidelines (where applicable) of the Exmouth Marina Village ODP for Precincts A, B and C into the Marina Zone within LPS 4 and refer to precincts as 'Area A', 'Area B' and 'Area C';
- Investigating the longer term relocation of the existing Exmouth Power Station to remove the impediment for the approval of residential use within portion of Area 1;
- Including the land within the Minilya-Exmouth Road 100m setback area within a Special Control Area within LPS 4 to protect view corridors of the Exmouth Gulf and address visual impact of development;
- Allowing holiday accommodation/ holiday homes in Cape Wilderness Estate;
- Retaining Caretaker's Dwelling as a 'D' discretionary use within the 'Industry - Light' Zone;
- Introducing scheme provisions into LPS 4 to ensure a caretaker's dwelling is used only for their intended purpose and do not prejudice the primary industrial purpose of the 'Industry - Light' Zone;
- Rezoning land along the coastal strip of the Ningaloo Pastoral Lease from 'Pastoral' Zone under TPS 3 to 'Foreshore' Reserve under LPS 4 to reflect the 40m setback landward of the high water mark, consistent with the boundaries of the Ningaloo Marine Park;
- Rezoning land along the coastal strip of Exmouth Gulf (Exmouth Gulf, Bullara and Giralia Pastoral Leases) from 'Pastoral' Zone under TPS 3 to 'Conservation' Reserve under LPS 4 to reflect a 40m setback landward of the high water;

- Defining Precincts 1 to 4 (Retail Core, Mixed Use, Civic and Mixed Business and Short Stay Tourism/Residential), include within the 'Commercial' Zone within LPS 4 and set out objectives, site and development requirements for each Precinct within the Scheme;
- Rezoning:
 - i) The Cape Range National Park, Jurabi and Bundegi Coastal Parks and Muiron Islands, Exmouth Water Reserve from 'Recreation and Open Space' Reserve under TPS 3 to 'Conservation' Reserve under LPS 4; and
 - ii) Giralia Pastoral Station and portion of 2015 Pastoral Lease Exclusion Area from 'Pastoral' Zone under TPS 3 to 'Rural' Zone under LPS 4;
- Introducing a 'Restricted Rural' Zone within LPS 4 and set out objectives, site and development requirements within the Scheme; and
- Including the Exmouth Water Reserve within a Special Control Area 1 within LPS 4 to ensure land use and development is compatible with the protection of the reserve and its water resource.

There are 3 options that are available to Council, these are: to adopt the Scheme and Strategy as drafted or adopt the Scheme and Strategy as draft, subject to modifications or defer consideration of the Scheme and Strategy, pending further investigation into any particular matters of concern.

The Council Officer recommends that Council adopt the Scheme and the Strategy to enable review of the documents for advertising purposes. It should be noted that advertising the documents will open the opportunity for comments/ objections from the public and main stakeholders.

Should Council be satisfied with the draft Strategy and Scheme, then Section 81 of the Planning and Development Act 2005 and Section 48 of the Environmental Protection Act 1986 require the Scheme to be forwarded to the EPA for assessment, and the EPA have the authority under these Acts to call in the Scheme for Environmental Review. Given that the Scheme does not propose major rezoning of land, rather more detailed refinement of existing zones. It is anticipated that there would not be any basis for an Environmental Review to be requested. In the event that an Environmental Review was requested by the EPA this matter would be returned to Council for its further consideration.

Should the EPA not require the preparation of an Environmental Review, the Strategy and Scheme can then be forwarded to the WAPC seeking its consent to advertise both documents

In the event that Council and the WAPC are satisfied with the draft Strategy and Scheme then the documents would be advertised as per Section 84 of the Planning and Development Act 2005 and Section 14 of the Town Planning Regulations 1967 for a period of 3 months.

The advertising would include the following actions: a display of the Scheme and Strategy at the Shire offices; a display of the Scheme and Strategy at the WAPC office; a display of the Scheme and Strategy on the Shire website; a notice being published in the Government Gazette; a notice being published in 'The West Australian Newspaper'; a notice being sent to all relevant state government agencies a notice being sent out to all persons on the Shire's rate book

At the conclusion of the advertising period the draft Strategy, Scheme would be returned to Council for its consideration of the received submissions.

CONSULTATION

Extensive consultation with government, relevant stakeholders and the community was carried out in 2013. A summary of the results of the consultation and minutes of meetings held with key stakeholders is included in the issues paper document prepared by TBB (tabled).

STATUTORY ENVIRONMENT

Planning and Development Act
Town Planning Scheme No. 3
Town Planning Scheme Regulation 1967
Draft Planning Regulation 2014

POLICY IMPLICATIONS

The Local Planning Policies (LPPs) have been reviewed as part of the preparation of the Local Planning Strategy and LPS 4. Following the gazettal of LPS 4, the Shire's Local Planning Policy Manual will need

to be updated, given the inclusion of various elements of existing LPPs as Scheme text provisions. This can be undertaken by the Council as an omnibus modification, with the modified Policy Manual able to be adopted en-bloc for advertising and consideration for final adoption by the Council under the new LPS 4.

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

Absolute Majority

OFFICER'S RECOMMENDATION – 11.6.2
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That Council:

1. *Adopt the proposed Local Planning Scheme No 4 as tabled and forward the Scheme text and maps to the Western Australian Planning Commission for consideration, pursuant to Clause 13(1) of the Town Planning Scheme Regulations 1967.*
2. *Adopt the draft Local Planning Strategy as tabled and forward the document to the Western Australian Planning Commission for consideration, pursuant to Section 12b of the Town Planning Regulations 1967.*
3. *Prior to the advertising consent being requested, forward notice of the resolution to adopt the Shire of Exmouth Local Planning Scheme No.4 and a copy of the Scheme to the Environmental Protection Authority to determine whether the Scheme should be formally assessed.*
4. *Subject to review by the Environmental Protection Authority and the Western Australian Planning Commission, advertise the proposed Local Planning Scheme and Strategy for a period of not less than 90 days, by way of the following:*
 - a display of the Scheme and Strategy at the Shire offices and library;*
 - a display of the Scheme and Strategy at the WAPC office;*
 - a display of the Scheme and Strategy on the Shire website;*

- iv. a notice being published in the Government Gazette;
- v. a notice being published in 'The West Australian Newspaper'; and
- vi. a notice being sent to all relevant state government agencies and a notice being sent out to all persons on the Shire's rate book.

COUNCIL DECISION – 17-0615 – 11.6.2
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Moved Councillor Hood, Seconded Councillor Todd.

That Council:

1. ***Adopt the proposed Local Planning Scheme No 4 as tabled and forward the Scheme text and maps to the Western Australian Planning Commission for consideration, pursuant to Clause 13(1) of the Town Planning Scheme Regulations 1967.***
2. ***Adopt the draft Local Planning Strategy as tabled and forward the document to the Western Australian Planning Commission for consideration, pursuant to Section 12b of the Town Planning Regulations 1967.***
3. ***Prior to the advertising consent being requested, forward notice of the resolution to adopt the Shire of Exmouth Local Planning Scheme No.4 and a copy of the Scheme to the Environmental Protection Authority to determine whether the Scheme should be formally assessed.***
4. ***Subject to review by the Environmental Protection Authority and the Western Australian Planning Commission, advertise the proposed Local Planning Scheme and Strategy for a period of not less than 90 days, by way of the following:***
 - i. ***a display of the Scheme and Strategy at the Shire offices and library;***
 - ii. ***a display of the Scheme and Strategy at the WAPC office;***
 - iii. ***a display of the Scheme and Strategy on the Shire website;***
 - iv. ***a notice being published in the Government Gazette;***
 - v. ***a notice being published in 'The West Australian Newspaper'; and***
 - vi. ***a notice being sent to all relevant state government agencies and a notice being sent out to all persons on the Shire's rate book.***

Council officers presented additional schedule of modification and justification to be made to the scheme and strategy as follows:

Yardie Creek Caravan Park Site

1. ***Rezoned the Yardie Creek Caravan Park 'front lots' Lot 300 and UCL P43024 from 'Tourism' to the 'Rural' zone consistent with Town Planning Scheme No. 3 (currently the 'Pastoral' zone).***
2. ***Change the permissibility of 'Camping Ground' from 'D' in the 'Rural' zone to 'A';***

Novotel Site

3. ***Rezoned the Novotel site of Lot 902 Madaffari Drive, Exmouth from 'Marina' to 'Tourism' with a 'Restricted Use' (R2) restricting the use of the site for a 'Tourist Resort' use as defined by the Scheme. Relocate accordingly the text regarding 'Area C – Tourist Resort' to R2 of the Restricted Use Schedule.***
4. ***Re-classify Lot 901 Madaffari Drive, Exmouth as a 'Public Open Space' Reserve.***
5. ***Leave the strata residential portion of Lot 902 Madaffari Drive, Exmouth as the 'Marina' still subject to the 'Area C – Residential within Tourist Resort' Section of the Scheme text.***

Exmouth Boat Harbour

6. ***Re-classify the 'Port Reserve' and Precinct E of the 'Marina' zone to a new 'Port' zone. Accordingly relocate the provisions under Precinct E and in the Reserve Schedule regarding the port Reserve under the objectives for the Port zone.***

Strategy

7. ***The draft Local Planning Strategy being the strategic basic behind the content of the Scheme has been amended to reflect the above modifications accordingly.***

CARRIED by ABSOLUTE MAJORITY 4/1

Councillor McHutchison voted against.

The Shire President commended the Executive Manager Town Planning for his outstanding work towards this very important and lengthy project. Other Councils have taken years to create and adopt a new scheme, Congratulations to Rhassel and his team for their work to see this project come to fruition in just 2 years.

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.3 Installation of an Automatic Identification System - Vlamingh Head Lighthouse Precinct

Location:	Exmouth
Applicant:	Australian Maritime Safety Authority
File Reference:	LP.PE.0.2015
Date:	11 June 2010
Disclosure of Interest:	Nil
Author:	Executive Manager Town Planning, Rhassel Mhasho
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council support the extension of the approved Permit for Activity on Local Government Property for an Automatic Identification System upon the 'Store' within the Vlamingh Head Lighthouse Precinct for period of (5) years.

BACKGROUND

In May 2009, Council granted planning approval for the installation of a temporary automatic identification system upon the Store within the Vlamingh Head Lighthouse Precinct .The following was provided by the applicant as an overview of the importance of an AIS station at Vlamingh Head:

"Shipping activity has been increasing significantly off the north-west coast of Australia, both at the major ports and offshore.

In order to manage the risk from increased shipping activity, AMSA, in conjunction with Western Australia's Department of Planning and Infrastructure (DPI), intends to take a more holistic approach to the safety of navigation, protection of the marine environment and emergency response. AMSA envisages the development of a regional maritime safety and environmental protection plan underpinned by a broad-based risk assessment including extensive stakeholder consultation.

The main west coast shipping route diverges off Point Cloates with one route for international shipping heading north, north east to Lombok Strait, and the other route for coastal shipping heading north east for north coast ports. This latter route currently passes about 10 nm off North-West Cape and, incidentally, Ningaloo Reef but may be forced closer inshore by resource developments.

There are six major off-shore LNG developments, either in place or under construction, off North West Cape. New facilities Stybarrow, Eskdale, Enfield, and Vincent are in production, Van Gogh almost complete, and Pyranees under development. The latter is in the centre of the coastal route and hence is of particular concern.

Each of these production facilities, generate their own new shipping traffic patterns.

It is probable that AMSA will have to introduce ship routing measures to direct shipping around these facilities. These measures will require endorsement by the International Maritime Organisation. Any submission to IMO will require detailed ship traffic statistics which we do not currently have.

An AIS station on Vlamingh Head will enable AMSA to acquire detailed traffic data off Ningaloo Reef to assess the change in shipping patterns as a result of development in the area."

Condition 4 of the planning approval reads:

The development shall be removed after 1 year from the date of this approval;

The automatic identification system was due to be removed in May 2010. However, the applicant AMSA sought to keep the AIS base Station in-situ and operational for as long as they could and to that end requested an extension to the removal date condition of PA33/09 to as far into the future as the Shire will allow. On the 11 June 2010 Council resolved to grant an extension for a 5 year term as follows:

1. *That the Council of the Shire of Exmouth grant a 5 year term for the Automatic Identification System upon the 'Store' within the Vlamingh Head Lighthouse Precinct.*
2. *That the Council of the Shire of Exmouth charges an annual fee of \$6,000 plus GST.*

The above approval is again set to expire on the 17 June 2015 and the applicant is again seeking approval for the maximum period that Council is able to grant. The applicant AMSA would like to keep the AIS base Station in-situ and operational for as long as they can and to that end seeks an extension to the removal date condition of PA33/09 to as far into the future as the Shire will allow.

Comments

The proposal has been assessed against Council's *Local Government Property Local Law*. In determining the request the Council must consider the following relevant clauses.

Pursuant to Section 3.13 'Activities needing a permit' of Council's *Local Government Property Local Law*, the following outlines the requirement proposals requirement for a Permit:

"Activities needing a permit

3.13 (1) *A person shall not without a permit –*

- (n) *erect or install any structure above or below ground, which is local government property, for the purpose of supplying any water, power, sewer, communication, television or similar service to a person".*

Pursuant to Section 3.8 'Duration of permit', Council has the ability to state on the permit the duration for which it remains valid. As per the previous recommendation the current Permit was granted for a period of 5 years.

The applicant's request for the extension is considered justified given important improvement in shipping navigation the AIS provides. Therefore, it is considered reasonable to again extend the approval for another 5 year term to remain consistent. To prevent the matter having to return to Council it is recommended that authority be delegated to the Executive Manager Town Planning to issue the approval Permit with the appropriate conditions.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Shire of Exmouth Town Planning Scheme No 3

Local Government Act 1995

Shire of Exmouth Local Government Property Local Law

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.

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 – 11.6.3

That Council issue a Permit for Activity on Local Government Property for an Automatic Identification System upon the 'Store' within the Vlamingh Head Lighthouse Precinct for a maximum period of (5) years from the date of this resolution subject to standard conditions as imposed by the Executive Manager Town Planning and subject to annual fee of \$6,000 plus GST.

COUNCIL DECISION – 18-0615 – 11.6.3

Moved Councillor Todd, Seconded Councillor Hood.

That Council issue a Permit for Activity on Local Government Property for an Automatic Identification System upon the 'Store' within the Vlamingh Head Lighthouse Precinct for a maximum period of (5) years from the date of this resolution subject to standard conditions as imposed by the Executive Manager Town Planning and subject to annual fee of \$6,000 plus GST.

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:	25 June 2015
Author:	Executive Manager Engineering Services, Keith Woodward
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

The intent of this report is to provide a brief general summary of events for 2014-2015. The report is outlined month by month, it should be noted some of the events reported are still in progress and minor changes to outcomes may occur (refer *Attachment 1*).

BACKGROUND

This report does not include comment regarding the typical day to day complexities associated with providing core maintenance and construction services on roads, waste collection, parks, coastal infrastructure, cleaning, building maintenance and plant equipment workshop operations.

Please refer to *Attachment 1* for a full 12 month account of activities conducted by Engineering Services.

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 June 2015.

COUNCIL DECISION – 19-0615 – 11.7.1

Moved Councillor Winzer, Seconded Councillor Todd.

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

CARRIED 5/0

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

Nil

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

COUNCIL DECISION – 20-0615 – ITEM 13

Moved Councillor Hood, Seconded Councillor McHutchison.

That Council accept the New Business of an Urgent Nature Item 13.1 – Ningaloo Centre – Agreements.

CARRIED 5/0

13.1 Ningaloo Centre - Agreements

Location:	Exmouth
Applicant:	Department of Regional Development and Department of Training and Workforce Development.
File Reference:	GS.NC.1
Disclosure of Interest:	Nil
Date:	24 June 2015
Author:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council

1. Endorse the signing and duly sealing of the Financial Assistance Agreement (FAA) between Department of Regional Development (DRD) and the Shire of Exmouth for \$19.82M towards the Ningaloo Centre Stage 2 – Construction and Fit Out.
2. Agree to the terms & conditions of the proposed tenancy agreement between the Department of Training and Workforce Development (DTWD) and the Shire of Exmouth as set out in the Heads of Agreement authorising the CEO to sign the final agreement.

BACKGROUND

After two long years Council is finally in receipt of the formal Financial Assistance Agreement (FAA) from the Department of Regional Development (DRD) for the release of \$19.820m in funds towards the ‘Stage 2 - Construction & Fit-out’ of the Ningaloo Centre.

The Department are eager for the FAA to be signed immediately as it will initiate the transfer of funds to a Treasury Trust Account prior to the 30 June 2015 deadline.

Council is also in receipt of correspondence including a draft Heads of Agreement received from the DTWD agreeing to terms and conditions for a long term tenancy by the Durack Campus at the Ningaloo Centre for Council consideration.

Attached is an illustration showing the designated floorplan required by DTWD for Councillor information. (Refer *Attachment 1*)

Officers recommend to endorse the signing and duly seal of the FAA to initiate the release of the funds.

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 the DTWD to secure Durack Campus as the anchor tenant has been ongoing for several months with finally an outcome that is satisfactory to both parties being reached.

CONSULTATION

Department of Regional Development
Department of Training and Workforce Development

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 Durack Campus as a long term anchor tenant in the educational 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 – 13.1

That the Council

1. *Endorse the signing and duly sealing of the Financial Assistance Agreement (FAA) between Department of Regional Development (DRD) and the Shire of Exmouth for \$19.82M towards the Ningaloo Centre Stage 2 – Construction and Fit Out.*
2. *Agree to the terms & conditions of the proposed tenancy agreement between the Department of Training and Workforce Development (DTWD) and the Shire of Exmouth as set out in the Heads of Agreement, authorising the CEO to sign the final agreement.*

COUNCIL DECISION – 21-0615 – 13.1

Moved Councillor Todd, Seconded Councillor McHutchison.

That the Council

- 1. Endorse the signing and duly sealing of the Financial Assistance Agreement (FAA) between Department of Regional Development (DRD) and the Shire of Exmouth for \$19.82M towards the Ningaloo Centre Stage 2 – Construction and Fit Out.***
- 2. Agree to the terms & conditions of the proposed tenancy agreement between the Department of Training and Workforce Development (DTWD) and the Shire of Exmouth as set out in the Heads of Agreement, authorising the CEO to sign the final agreement.***

CARRIED 5/0

14. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS

Nil

15. CLOSURE OF MEETING

The Shire President closed the meeting at 5:25pm.