

SHIRE OF EXMOUTH



ORDINARY COUNCIL MEETING

MINUTES

17 May 2012

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on 21st June 2012 as a true and accurate record of the Ordinary Council Meeting held on 17 May, 2012.

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

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


DISCLAIMER

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

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

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

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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 3.04pm.

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

Councillor C (Turk) Shales	Shire President
Councillor S Fitzgerald	Deputy Shire President
Councillor R Winzer	
Councillor G Thompson	
Councillor J Warren	
Mr B Price	Chief Executive Officer
Mrs Sue O'Toole	Executive Manager Corporate 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
Mr A Forte	Executive Manager Aviation Services

GALLERY

Visitors 13

APOLOGIES

Councillor M Hood

LEAVE

Nil

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTIONS TIME (3.06pm – 3.32pm)

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

Council Consideration Towards Public

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

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

The following Questions were submitted by Gina Nowak

Q.1 According to the 2011 Exmouth Structure Plan (pg 54) “a total population of 5500 people could be housed within Exmouth townsite boundary without having to consider the urban development capability of the environmentally constrained land”. However, there are constrained (potentially environmentally sensitive or fragile) lands included in the current Nimitz Street ODP that is slated for adoption today. Can the Council confirm its stance on the development of constrained lands? If Council supports this, please provide justification for the higher expense attached to this and outline how the Council will ensure that the development of constrained lands will not negatively impact the environment?

Response – The CEO advised Gina that there is no identified ‘environmentally constrained land’ within the townsite boundary limits, including the proposed Nimitz Street development. Landcorp have considered both the Environmental and Heritage issues in relation to the Nimitz Street development and have included the appropriate design requirements to address these issues.

Q.2 In a discussion with Andrew, I was advised that the Exmouth Shire does not have a Housing Planning document to guide decisions with regard to land release and future developments for the town. What measures is the Shire/Council taking to conduct the required research and develop such a document so that the growth of Exmouth is happening at the correct rate rather than as a ‘best guess’?

Response – The CEO advised that the Exmouth Structure Plan guides decisions relating to future land developments within the Exmouth townsite.

Q.3 Holiday Rentals are on today’s agenda with regards to the number of adults allowed in a holiday rental, I’ve heard that holiday rentals account for as much as 52% of all residential rentals in Exmouth, can the Council please confirm/clarify this figure? If Holiday Rentals do account for a high percentage, what is the Shire/Council going to do to ensure that the shortage of long-term rentals is met with these new land releases? It seems that there should be a moratorium on Holiday Rentals until long-term rental shortage is dealt with.

Response – The CEO was unable to confirm the percentages stated but advised that a total of 71 Holiday Home applications have been registered by the Council. In relation to the Nimitz Street development Council Officers are recommending to include a condition that restricts Holiday Accommodation uses within the new development.

The following questions were submitted by Shelly Alexanderson.

Q.1 Where is the data that the Shire is basing its population forecast on? Where is this growth coming from and who is pushing this growth?

Response – The EMTP advised that the anticipated population forecast was based on a standard population projection formula traditionally used in Town Planning circles that uses a ratio of 2.5 persons per dwelling. The land identified within the Exmouth townsite boundary for future development using this method would project a population forecast of approximately 7000. The

CEO also advised that the Council was continually promoting initiatives that would increase the local population, including the Defence Hub proposal and the Resource sector FOFI program.

Q.2 In the water report it is suggested that water monitoring should be undertaken for two years prior to any development to ensure that the new development does not impact on the water quality. Is this going to be done before the Nimitz Street Development?

Response – The EMTP advised that water monitoring was currently being undertaken by Landcorp as part of their Water Management Strategy for their development.

Q.3 Where is the water going to come from to support this population growth?

Response – The CEO advised that the Water Corporation have indicated that there is sufficient local water supplies for future development of the Exmouth Townsite from the southern borefields, which has been formally endorsed within the Exmouth Structure Plan.

Q.4 After reading all of the reports and seeing all the work that has been done for this ODP, why is it that the community was asked last for feedback – were we an after thought? Shouldn't the community have input first?

Response – The EMTP advised that the Exmouth community were initially consulted during the Exmouth Structure Plan process which has identified the Nimitz Street area as a potential residential development site.

Landcorp are responsible for the initiation of the ODP process for any development and the Town Planning Scheme No 3 sets out the process to be followed for the preparation, consultation and adoption of the plan.

The following question was submitted by Ben Pearce.

Q.1 Is Council aware that the ODP will encroach on the restricted areas around the water supply?

Response – The EMTP advised that this was not the case as the land identified for development within the ODP falls outside of the restricted water supply land.

The following question was submitted by Scott Palmer and Phil Davies.

Q.1 As an effected Property owner I would like to express my concerns about the building development outside the original building envelope on Lot 304 Wilderness Estate and ask for all information relating to this development including original approvals and conditions, the SAT Hearing and the outcome and the current building envelope location with the drawings for the planned development?

Response – The CEO advised that as this matter is now subject to a Ministerial, the Council will be providing a formal response direct to the Minister and is not at liberty to provide any further information at this stage. The affected parties will be responded formally from the Ministers office. In relation to additional information and documentation regarding the approval process, you are invited to make application under the Freedom of Information (FOI) Act.

Due to the majority of the gallery attending the meeting for the report *10.6.2 Final Adoption - Nimitz Street Outline Development Plan*, the Shire President requested that the report be brought forward as the next item for discussion.

10. REPORTS OF OFFICERS

10.6 Executive Manager Town Planning

10.6.2 Final Adoption – Nimitz Street Outline Development Plan

Location: Pt UCL, Lot 5001, 847 Pt 500, 609& Closed Road,
Nimitz Street and Reid Street, Exmouth
Applicant: RPS
File Reference: LP.SU.0.6
Disclosure of Interest: Nil
Date: 17/04/2012
Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer:

Chief Executive Officer, Bill Price

SUMMARY

This report recommends that the Council of the Shire of Exmouth adopt the Outline Development Plan subject to subject to modifications.

BACKGROUND

This report provides a summary of submissions for Councils consideration for any further modifications to the Nimitz Street Outline Development Plan. Council considered the ODP during the March Ordinary Council meeting and resolved:

“That the Council of the Shire of Exmouth adopt an Outline Development Plan (ODP) for Nimitz Street, Exmouth in accordance with Clause 5.2.3 of the Shire of Exmouth Town Planning Scheme No. 3 for advertising, and further:-

the following modifications and issues being addressed prior to the final adoption of the ODP;

- 1. That Council cede part of Lot 500 ‘drainage reserve’ and part of Reserve 31212 earmarked for development to LandCorp to enable this subdivision to proceed;*
- 2. That Council will be required to initiate a scheme amendment 29 to change the zoning on the portion of Reserve 31212 immediately west of Reid Street zoned Recreation and Open Space to Residential; and*
- 3. The applicant to re-calculate the Open space provided in the plan which excludes a portion of Reserve 31212 and Lot 500 which are already Council land and identifies open space that is passive and is open space and drainage.”*

The Plan covers approximately 35ha of land zoned Residential Development comprising Unallocated Crown Land and Reserves 31212 and 50806. Surrounding land is predominantly low density residential, with light and service industry to the east and industrial south. The Plan will guide any future subdivision and development within the subject site.

COMMENT

The Outline Development Plan can be assessed under clause 5.2.3 of the local planning scheme. Clause 5.2.3 outlines the approval process and specifically subclause (e), (g) and (h) below; highlighting the process should Council resolve to adopt the Plan.

(e) *The Council is to consider any submissions received and resolve to:*

(i) *approve the Outline Development Plan with or without modifications; or*

- (ii) refuse to adopt the proposed Outline Development Plan...*
- (g) Within 21 days of making its determination under sub-clause 5.2.3 (e), or deemed refusal under sub-clause 5.2.3 (f) the Council is to forward the Outline Development Plan, a summary of all submissions and its recommendation to the Commission.*
- (h) The Commission is to consider the Outline Development Plan and information supplied by the Council and resolve to:
 - (i) approve the Outline Development Plan with or without modifications; or*
 - (ii) refuse to adopt the proposed Outline Development Plan.'**

Public authorities and owners of land likely to be affected by the Outline Development Plan received written notice inviting each owner and nominated public authority to make a submission. In addition the Plan was advertised broadly within the Northern Guardian, public notice boards and the Shire website inviting the community to comment on the Plan.

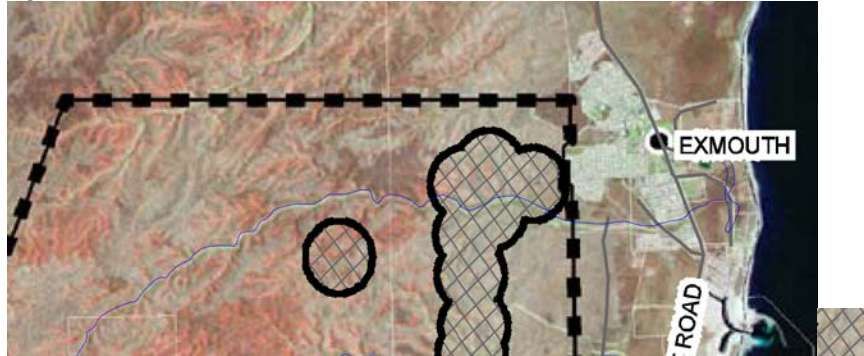
Consultation was undertaken for a period of 21days and submissions were accepted in writing on or before 4.00pm Thursday 19 April 2012. Submissions were received, tabled below is a summary: -

No	Submission From	Remarks	Recommendations	
			Shire of Exmouth	W A P C
1	Lot 730 Nimitz Street Property owner	If a land development as large as the one proposed went ahead it would decrease the value of the property I currently own.	Noted	
2	#15 Cameron Street Property owner	When purchasing the property we were told that no development would be adjacent as this land is a drainage reserve. Concern that two storey developments would be built upon the land, blocking views of the ocean.	The land has been legally zoned 'Residential Development' since 1999; and was identified in the <i>Exmouth-Learmonth (North West Cape) Structure Plan 1998</i> . R-Codes will address development requirements including building height.	
3	Lot 1073 #6 Gooley Street Property owner	Retention and enhancement of the existing native flora as a reserve area, completely surrounding the new [subdivision] development; along Cameron Street, Nimitz Street, Reid Street and other possible areas within the development. Flora in the Exmouth region has a unique beauty and style and should be appreciated as an asset for the town, residents and tourists and should never unnecessarily or excessively be developed.	Noted Council's Townscape enhancement Plan 2001 encourages the use of native planning. Any design guidelines will need to accord with the recommendations of the Plan.	
4	21.38 Stokes-Hughes Property owner	Land west of Lot 847 zoned R20, should be left [drainage reserve] as water from Kennedy Street and Nimitz Street is pooled in this area. Thought should be put into making the southern road an access road to Learmonth Street, using the road construction to form bund wall to the new estate. Intersection Lefroy Street/Nimitz Street crown of road was only ½ inch above surrounding area when surveyed in 1974.	The land is proposed R20 with storm water contained within the extended Kennedy Street 19.4m road reserve. Noted. LandCorp, Shire of Exmouth and the Department of Water will be involved in any future subdivision application. The intersection does not have a nexus with the subdivision. However the point is noted.	
5	#25 Marley Street Property owner	No objection provided the open space areas remain open space and built up areas does not cause flooding to existing low lying area of Maley Street.	Part of the public open space identified in the Structure Plan and in the draft ODP is requested be residential whilst highly constrained sites, are recommended to be public open space. Detailed storm water management and drainage design will be approved by the Shire of Exmouth and Department of Water as part of any future subdivision application.	
6	Lot 110 #5 Campbell Way Property owner	Agree with open space areas behind Campbell Way and Reid Street. It appears the flow of the natural creek bed through the subdivision continued? Is it wide enough? Why are roads pencilled in the open space behind Campbell Way, no need for this in open space?	The Outline Development Plan indicatively shows how any future development behind Campbell Way may connect to the existing infrastructure building upon opportunities identified in the Exmouth Structure Plan. Any future development of this area will require a scheme amendment, outline development plan and an adjustment to the gazetted townsite	

		Additional dwellings will need a better health service.	boundary. Noted.	
7	Lot 111 Nimitz Street Property owner	Excess traffic and noise; views obstructed; interrupted privacy; property purchased because of bushland; noise and dust construction; and loss of wildlife habitat and vegetation.	Transport assessment demonstrates existing roads operate approx. 2-17% of capacity. The layout provides a high permeability with the existing road hierarchy. Privacy is addressed by the Western Australian Design Codes of Western Australia. Noise and dust will be conditioned in any further subdivision application and Council will require a dust control plan. Environmental mitigation measures will include habitat tree retention, staged clearing, retention of priority flora and drainage lines integrated with important habitat and POS areas.	
8	Department of Health	Development to density of R17.5, R20 and R30 are required to connect to reticulated sewerage by draft Country Sewerage Policy. Reticulated sewerage and water are available for the proposed developments. Preliminary site investigation will need to confirm that contaminated groundwater flow is not under subject land. There is need to determine that industries in the nearby Industrial zone will not impact on the residential area.	Noted	
9	Lot 138 Madaffari Drive Property Owner	I feel that it is important that the initial part of the development is progressed as a family friendly ecologically sustainable environment and with that in mid it is imperative to retain as many established trees as possible. It is not sufficient to say that trees that are removed will be replaced – look around town to see where bare landscapes are becoming weed infested neglected eyesores. There does not seem to be the workforce or the money available to maintain landscaped areas ie Exmouth Marina area therefore developers must be required to lodge security with council who will be left with the expense of maintaining garden and park areas. The new development should also have a time limit for building ie two years from settlement to ensure the blocks are not held by ‘speculators’ who would not necessarily have the best interest of the town in mind. I do not think the initial blocks should be aimed at the ‘tourist/short stay accommodation’ sector which if over saturated will not be sustainable in the shorter time. Investigate use of fill from surplus dirt stocked at Exmouth Marina on Murat Road near the Go Kart Track. This is an eyesore on approach to town to say nothing of the dust created on windy days. How can you expect people to invest, build expensive new homes while nothing is done to minimise the dust. It must be a requirement that future developments take dust mitigation into account and successfully deal with the problem in the long term, not just while the machinery is operating. No piles of dirt should be allowed to remain at the conclusion of any one stage of the development.		
10	Lot 1098 Campbell Way Property Owner	I am the original purchaser of Lot 1098 Campbell Way. I attended the Department of Land Administration Auction in 1988 for the then new subdivision of which my property is part of. In this era there was not the availability of electronic perusal of reports and documents relating, however ‘translated information’ was conveyed to proposed purchasers that the extent of the southern boundary of the subdivision was constrained adjacent to Campbell Way and Hall Street due to the existing natural water course, described in the latest ‘Surface Hydrology’ section 2.3. During the many years of residency, I have had the opportunity to witness the storm water volumes that this water course conveys, and I view them as considerable!		

		<p>From all the documentation for the 'Nimitz Street Outline Development Plan' I am unable to determine if design for this water course to continue as a 'open drainage swale' or be conveyed via roadways?</p> <p>From the RPS Environmental Assessment Report – viewing figures 2 & 4, I determine that the ODP boundary will traverse this waterway. The area I refer to is best described on figure 4 – Topography, where the original Campbell Way 'corners' & the 19 metre AHD contour can be seen to run some distance opposite Campbell Way. Is this area to be considered to be filled to elevate gravity flow right back from existing Learmonth- Nimitz Streets corner as best can be seen in figure 2 with are south of Campbell Way being hatched in the figure, with stormwater conveyed on to roadways or to LIA Creek? (legend indecipherable when viewing online).</p> <p>Is this are also the area described in section 3.5 of the 'Urban Water Management ', where 'Tabec' have estimated critical flood depth during a 100 year HRI rainfall event to be above maximum acceptable standards, but being considered by the Shire?</p> <p>I would also like to bring to your attention in the Traffic Transport report that photo 2 is nominating the view as 'west' when is should be 'east'.</p>	
11	Lot 138 Madaffari Drive Property Owner	<p>A. I like the plan but consider more effort should have been made in the planning process to preserve several of the large, and those grouped, Eucalyptus camaldensis and/or Corymbia hamersleyana trees and I realise this could be difficult due to the necessity to fill the site however the large tree opposite the corner of Stewart and Cameron could perhaps be saved. All of these trees over 6 metres in height should have been plotted and 'worked' into the subdivision plan. Broad scale clearing for subdivisions belongs in the dark ages.</p> <p>B. The 13% of POS seems to be mainly drainage reserve. Please, more small parks set in amongst the subdivision for 'street/locality' community gatherings and as play areas for kids – with shade.</p> <p>C. In ODP Part 2 clause 3.3.2 the consultant notes <i>"R17.5 and R20 areas will predominately include single residential lots generally characterised by wider than normal frontages to enable cooling breezes to access the living areas of the dwellings"</i>.</p> <p>I find this clause to be at odds with the plan as some of the R17.5 and R20 areas will have blocks running with main axis east/west and others north/south. Without Building and Town Planning Covenants to 'force' house planners to orientate 'living areas' for the predominate cooling breezes and to orientate the main house axis east west , to minimise solar gain on walls, it is a worthless statement. The subdivision planning should pay more respect to sun and breeze orientation, rising power and water costs as well as, heaven forbid, Global Warming.</p> <p>D. I also note that R17.5 'blocks' will be in the order of 700 metres square and the R20 blocks around 600 metres square. In Exmouth I would consider these better at 600 and 500 metres square respectively bearing in mind our climate, service costs and the need to 'compact' the town so as to not allow it to become a 'ribbon development' like Perth has.</p> <p>E. Council should again consider the subdivision of <i>existing</i> town lots over 900 square metres perhaps commencing with 'corner lots' then progressing on to wider (30 metres) frontage lots then 'battle-axe' development. And no, I do not own a corner lot. This will help "compact" the town and make better use of existing services. This a far better and less costly process than a new subdivision.</p> <p>F. I consider that the Stage 1 development should require lot owners to build within 2 years of purchase.</p> <p>G. In sand filling the land, could not the first layer be that 'sand by-pass' beach sand carted annually from south side of Marina to Town and Yacht Club area. Instead cart it into the subdivision it being overlaid with a good depth of compacted 'pindan'?</p>	Noted. The issues raised will be taken into account.

		<p>H. Street names – I would like more historic names used for the streets/roads as has been done in the past rather than names as used in parts of the Marina development.</p> <p>That is, how about a few names honouring the ‘local area’ aboriginal groups i.e. “Jingudera”; “Thalangji” and “Baiyunga” streets; “Mrs Mac” street after the 94 year old Bernice McLeod; “Reddy” Road after the man who is buried out near Lighthouse Caravan park; “Baccich” and “Jurich” streets after the survivor of the Stefano wreck; “Zeewolf” Street after the Dutch Vessel apparently the first recorded sighting of NWCape from this vessel in 1618; “Rapid” after the American vessel wrecked near Point Cloates long long ago; “Fairy Queen”, this ship lost in 1875 cyclone near the Navy Pier; “Dunnells” he the long-time USN commander in charge of Navy Construction office at NWCape 1965 on. And there are many others. Wapet; Uranie; Nicholas etc etc all historic names in a NWCape context. Thank you.</p>	
12	Exmouth Resident	<p>I would like to submit comments regarding the Nimitz Street land subdivision proposal.</p> <p>I use the area for cycling and dog walking on a daily or twice daily basis and do not want to see this environmentally sensitive area damaged and destroyed through unnecessary development.</p> <p>I do not wish to see this area developed due to its proximity to the water catchment area and additionally do not feel development for residential blocks can be progressed without further studies into water sourcing have been completed.</p> <p>There are already plenty of vacant blocks throughout Exmouth and in my opinion the need by locals is not sufficient enough to require the development of this icon "bush track" area.</p>	The subdivision is consistent with the growth anticipated in the Exmouth Structure Plan.
13	Lot 663 Stewart Street Property Owner	<p>First of all I can see that the public open spaces are all flood ways. How about a park or oval we are talking 1/3 of the existing town being added. How about an upgrade to our aging flat out can't see a doctor for 2 weeks etc Hospital to cope with more population. How about details of what the residential zones actually are!!! When asking for comment we need more detail!!!!</p>	Noted. Issues of open space will have to be considered before giving the final approval. The other issues raised will be addressed by Council
14	Lot 253 Davidson Street Property Owner	<p>Exmouth is a lovely small town, awesome beaches and wildlife, it is not right we spoil this for future generations, please think of our children and grandchildren, wouldn't it be lovely if there was still those 'small crime free, friendly, community based' towns?? Please let us give the future somewhere they can love, same as I love this place.</p>	The subdivision is consistent with the growth anticipated in the Exmouth Structure Plan.
15	Lot 253 Davidson Street Exmouth Resident	<p>I came to Exmouth 5 years ago and fell in love with the laidback lifestyle, safe and friendly environment, beautiful coastline and natural habitat that surrounds Exmouth. Tell me where else can you have the same privilege's that we have here.</p> <p>Population increase will change this and then we will not have the laidback lifestyle that we do now, it will also put a lot of stress on the environment, increased Shire rates to support the move of power and sewerage and water and increase in crime, a lot of people moved here for the lifestyle, why do we need to change any of this. You move somewhere that suits your lifestyle. Don't move somewhere you love and start changing it to suit your lifestyle.</p> <p>There is still a lot of blocks of land around town that haven't been built on yet.</p> <p>I know this would be a long shot – but why not develop where there is already roads, power and water - the old Harold E holt area. This may need to be taken up with higher government but there is all the resources out there swimming pool, bar & grill and drive in movies. Why not try and re-establish how Exmouth once was and use what is already there.</p> <p>There is a shortage of long term rentals in town and the prices are ridiculous, but seem to be plenty of holiday accommodation for astronomical rental rates, but are only used for 6 months of the year – WHAT A WASTE.</p> <p>If this is approved I would like to see a ballot box system in place for the locals to purchase these blocks of land and not investment opportunities by locals who already have a house or big companies like Bristow who would only use these for FIFO (who don't fit in).</p>	The subdivision is consistent with the growth anticipated in the Exmouth Structure Plan.

		<p>When the construction starts how is the dust going to be controlled? As it will make the residents around the surrounding area extremely upset. Myself included. I hope this 100 year flood comes – it’s only a matter of time.</p>	
<p>16</p>	<p>83 Nimitz Street Property Owners</p>	<p>Whilst we recognise that there is a need for some limited residential development in Exmouth in an effort to ease rental pressures, none of this development should be at the expense of or high risk to Exmouth’s fragile environment. The main purpose of this submission is to raise our grave concerns for the shire’s current and future plans of developing sections of constrained land bordering Exmouth’s water reserve area. With a large amount of land already identified as suitable for development (and not environmentally questionable/sensitive) throughout the Shire of Exmouth, we believe these areas should be the priority for development. The less we risk damage to the environment, the better off all residents, flora and fauna will be.</p> <ol style="list-style-type: none"> 1. Constrained Land and Water Supply – If land is classified as constrained and deemed to be of a “poor to fair quality” – and to be environmentally sensitive and fragile, AND more costly to develop due to the additional investigation required to assess suitability, progress scheme amendments, get ministerial approval, etc., these should be THE LAST areas to ever be developed in the Exmouth townsite. Of particular sensitivity are those along the eastern boundary of the Exmouth Water Reserve, as expressed in the following excerpt from the <i>Exmouth Water Reserve Water Source Protection Plan 2000, Water and Rivers Commission Report WRP 26</i>: <p>“East of the Water Reserve As groundwater generally flows in an easterly direction from the Cape Range to Exmouth Gulf, groundwater contamination occurring east of the Water Reserve does not threaten the wellfield. It is still important to protect groundwater in this area because:</p> <ul style="list-style-type: none"> • stygofauna may be sensitive to contamination; • groundwater is utilised for private abstraction; • groundwater discharges to the Exmouth Gulf; and • the karst features make the aquifer vulnerable to contamination and clean-up of contaminated groundwater, technically difficult and costly.” <p>With information such as the above, it is also important to note that the 500metre protection zones included around the wellheads in the P1 Exmouth Water Reserve come virtually to the edge of the “indicative” additional Nimitz Street development on the current ODP (to the West of Campbell Way and South of Nimitz St).</p> <p>The following image is taken directly from “<i>Exmouth Water Reserve Drinking Water Source Protection Review Report WRP 122, June 2011</i>”:</p>  <p>= wellhead protection zone</p> <p>With multiple other locations in the Exmouth Townsite identified as already suitable for development (as stated in</p>	<p>All the concerns raised were taken into before approving the Exmouth Structure Plan</p>

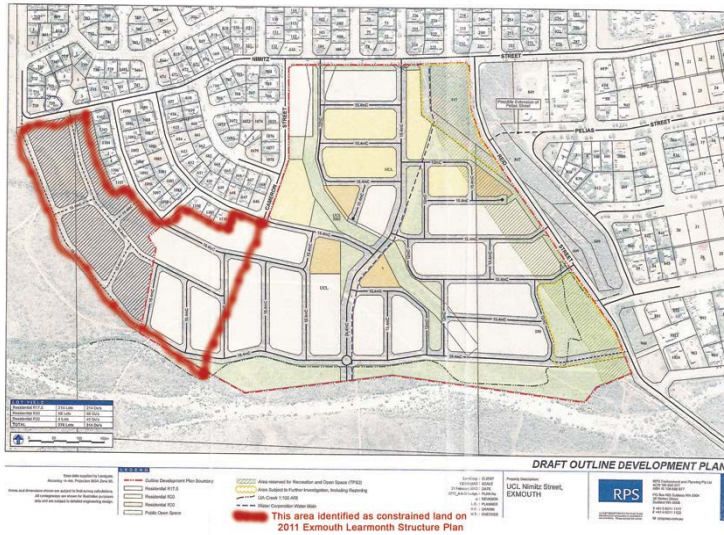
the 2011 Exmouth Townsite Structure Plan), and the recognition that there is enough unconstrained land already identified as suitable and available to **EXCEED** the projected Exmouth population growth requirements to 2028 and beyond, there is no sound justification for developing constrained land at the risk of harming the fragile environment and water supply of Exmouth.

From the 2011 Exmouth Townsite Structure Plan - pg 54:

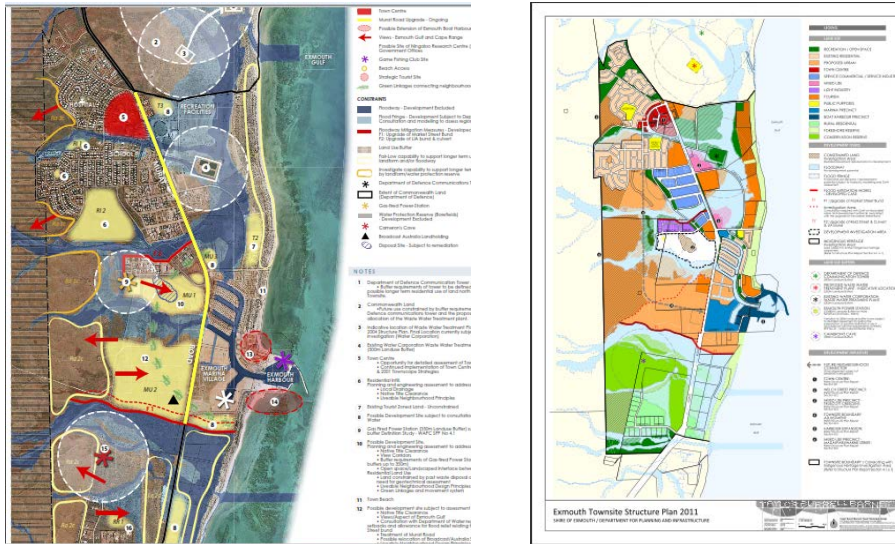
“7.2 POPULATION CAPACITY

The Structure Plan identifies land for additional urban development, including the Marina development area which can accommodate a population of approximately 3500 people. **In addition to Exmouth’s existing townsite population capacity of approximately 2000 people, a total population of 5500 people could be housed within the Exmouth Townsite boundary, without needing to consider the urban development capability of the environmentally constrained land.** If the constrained land were cleared for development, at reduced densities to reflect the environmental constraints, another 1600 people could be accommodated in Exmouth.

The table below outlines the population capacity of the various land uses identified in the Structure Plan, and defines the assumptions used when calculating development densities and total potential lot yield: Given a total potential population of 7076, and a potential population of approximately 5500 if the environmentally constrained land were to remain undeveloped, the population capacity of the Exmouth Structure Plan well exceeds the estimated maximum permanent population of 2500 for the whole Shire of Exmouth by 2028 (WAPC, 2005). **Accordingly, the Structure Plan is considered to identify sufficient land for urban development to accommodate the town’s population growth well into the future.”**



Further, a section of constrained land has been included in the Southwestern portion of the Nimitz St ODP (See above diagram). This is in direct contravention to the land use indications included in the 2011 Exmouth Townsite Structure Plan completed in August of 2011 (2 examples below) and requires clarification and explanation before approval of the Nimitz St. ODP in its current form is approved. **We propose that the constrained land currently included should be excised from the Nimitz St ODP.**



From the 2011 Exmouth Townsite Structure Plan - pg 65:

“8.4 TOWNSITE BOUNDARY ADJUSTMENT

Development Initiative Plan 4 (see Figure 12) reflects a long term development scenario that considers a number of urban nodes that require detailed investigation to confirm development potential. An indicative alignment of a future neighbourhood connector road is reflected not as a by-pass route, but as an essential link between Murat Road and Kennedy Street providing connectivity between future local neighbourhood areas. It also provides an important secondary link for emergency services during a flood event.

As part of examining the development potential of these areas, Development Initiative 4 proposes the notion of townsite boundary adjustment based on landform, rather than as an arbitrary cadastral boundary. The neighbourhood connector is notated in conjunction with possible longer term endorsement of this townsite boundary adjustment. **The Department of Water advise that it is necessary to maintain a high level of protection of the P1 Water Protection Area, located immediately to the west of the townsite boundary, in view of the fragile unconfined aquifer in terms of freshwater availability and groundwater dependent ecosystems, as outlined in SPP 2.7 Public Drinking Water Source Policy and the land use compatibility table (LUCT) for Priority 1 source protection areas.** The Structure Plan respects this level of protection, whilst maintaining the area as a longer term investigation site when alternative water supply options, such as desalination, become feasible.”

From the 2011 Exmouth Townsite Structure Plan – pg 28:

“5.2 WATER SUPPLY

Water availability is recognised as one of the most important considerations in determining the extent of appropriate land use activity within the region. Exmouth’s water supply comes from the Cape Range Group superficial aquifer. Recharge is by direct infiltration of rainfall events, and indirectly through the beds of ephemeral streams that also come about through rainfall events. All developments outside the main townsite have their own bore water supplies, and the quality of the town water supply varies. Fresh water supply across the study area is very limited and subterranean fauna, particularly stygofauna, have the potential to be affected by changes in groundwater levels. The resource, therefore, requires careful control and management.”

	<p>From the 2011 Exmouth Townsite Structure Plan – pg 30: “It is essential to protect the underground water resource from pollution risk as Exmouth’s water resources are limited and also support unique subterranean fauna. The Exmouth Water Reserve was declared under the Country Areas Water Supply Act 1947 and has since been amended in accordance with the recommendations outlined in the <i>Exmouth Water Reserve Water Source Protection Plan</i> (WRC 2000). The Exmouth Water Reserve abuts the western boundary of the Exmouth Townsite and extends southwards (see Figure 4). This Water Protection Reserve is managed as a Priority 1 Protection Area whereby strict limitations on land use apply. The Structure Plan recognises the boundaries of the Water Protection Reserve and the need for it to be reflected as a Special Control Area in the Shire of Exmouth local planning scheme currently under review.</p> <p>Water use efficiency measures could significantly enhance the long-term viability of Exmouth’s groundwater resource. The application of water sensitive urban design principles can achieve more efficient and effective use of water and better outcomes for the environment. <i>The over allocation in the Exmouth North and Exmouth Town sub-areas however is so great that even with significant application of water efficiency measures, it is unlikely that additional water licenses would be issued.</i> With reference to the Western Australian Planning Commission SPP 2.9 Water Resources, the development of a District Water Management Strategy as part of the preparation of the Shire’s Local Planning Strategy should be investigated as a means of further promoting total water cycle management.”</p> <p>Finally, in light of the above cited facts and information regarding constrained land and the Exmouth water supply, we disagree with the long-term development plan to adjust the townsite boundary and include the “indicative” future development area included on this ODP to the West of Campbell Way unless all other unconstrained land within the Exmouth townsite slated for residential development has been utilised. We also believe that further land release and development needs to be held off until completion of the “District Water Management Strategy”. Water Supply and environmental constraints should be the number one factor guiding development within the Shire of Exmouth – NOT the desires and demands of developers and big industry.</p> <p>2. Recreation and Public Open Space – Large portions of bush tracks that are used regularly by residents will be lost with this current development proposal and the future “indicative development” to the West of Campbell Way included on this ODP:</p> <ul style="list-style-type: none"> a) where is the alternate location for recreation and open space (water corp land technically isn’t supposed to be entered)?, b) There needs to be quantitative and qualitative research into the use of the existing recreation and open space areas. Noting that there are an observably large number of residents accessing the tracks to the South of Nimitz St from Reid St to Learmonth St for bike riding, dog walking, running, walking, etc., on a daily basis. c) Potential for contamination of Exmouth water supply by pushing recreational activities onto the Exmouth Water Reserve land via drastic reduction in current public open space bush areas/bush tracks, particularly in the area identified as Constrained land (from Campbell Way east and west and south from Nimitz/Learmonth St) due to its close proximity to the 500m wellhead protection zone <ul style="list-style-type: none"> i. From the Exmouth Water Review drinking water source protection plan 2011, Water Resource Protection Report no. 122 (pg vii): “Source description : The water reserve is managed as a P1 area, and includes 500 m wellhead protection zones for 	
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each production bore. The source is unconfined and karstic in nature, as a result, the source is highly sensitive to contamination.”

ii. Table 1 Land use and potential water quality risks (source: Exmouth Water Review drinking water source protection plan 2011, Water Resource Protection Report no. 122):

Land use/activity	Hazard	Management Priority	Compatibility of land use/activity	Best management practice guid
Recreation– private (within non-designated recreation areas on Crown land)	Hydrocarbons from off-road vehicle use Pathogens from human activity	Medium Medium	Camping and off-road vehicles are an incompatible land use in P1 areas Unauthorised vehicles are not permitted on Crown land within PDWSAs except on public roads.	Statewide Policy No 13: Policy and guidelines for recreation within put drinking water source areas on crd land

d) Further, on the development diagram from the 2011 Exmouth Townsite Structure Plan, the area to the West of Campbell Way is still identified as Recreation and Open Space:



3. **Environmental Assessment Study** – With the knowledge that a significant portion of the area included in the Nimitz St ODP was burned off in the days starting from October 17th, 2011 it was alarming to read in the Environmental Assessment Study that the targeted field study for fauna and some priority flora species occurred on December 6th and 7th – just 7 weeks after the controlled burns took place. Research has shown that an area burned by fire will take 1 to 3 years to experience significant recovery of flora and fauna.

Therefore, to complete part of the environmental assessment so soon after a controlled burn would not give valid baseline data about the area. The use of desktop audits to search databases and determine what threatened or endangered species may be in the area is a good starting point, but if those species have potentially just been burned up and/or relocated due to controlled fires in the area, the field study would seem to be invalid.

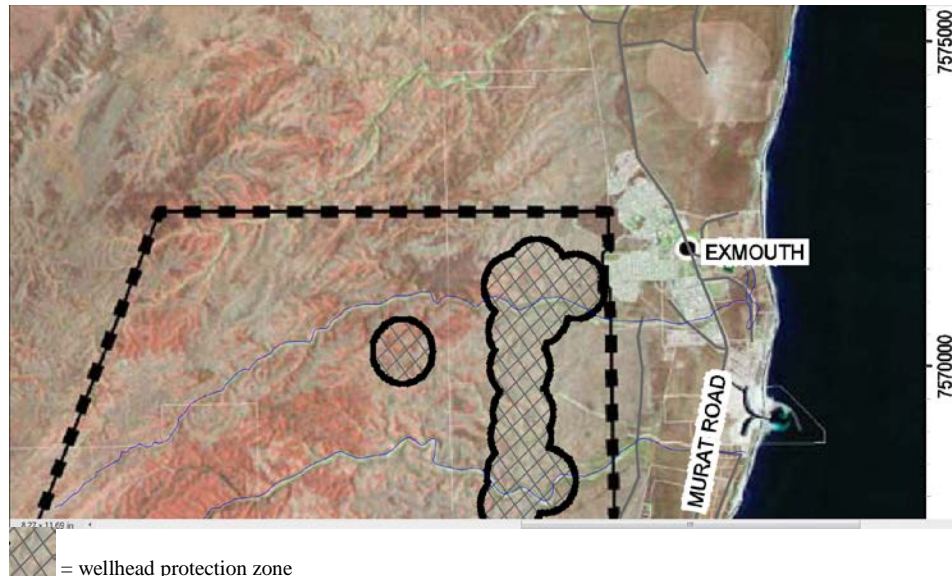
4. **Population increase** – The effects of development to Exmouth include the following:
 - a. Many people in Exmouth have chosen to live here for lifestyle reasons and the small population is a large part of this. If the population is pushed to 5,000+ (as reported in the Sunday Times in March), this will potentially cause an unwanted change to the small town laidback lifestyle currently enjoyed in Exmouth.
 - b. Stresses on infrastructure, increased Shire rates to cover expense of expanding/relocating these facilities (power, sewerage, water)
 - c. Stresses on the environment if natural flooding areas are developed and cause the need for additional flood mitigation schemes
 - d. Stresses on the environment if developments are pushed forward on constrained land of questionable stability/suitability – particularly when other land already deemed environmentally suitable is available for development (portions of Nimitz St ODP in the lower southwest quadrant are over sections of land classed as “Constrained” in the *2011 Exmouth Townsite Structure Plan*).
 - e. Potential change of demographics in town, potential increase in crime rate
5. **Long-term rental shortage** – If shortage of long-term rentals in Exmouth is a main reason/motivator for the need for this development, then:
 - f. Holiday rentals – Should not be allowed/approved in the area included in the proposed Nimitz St Development plan. Such a strategy would increase the investment potential of long-term rental accommodation.
 - g. For all future developments/holiday rental applications, the Exmouth Shire should consider adopting a cap with regard to holiday rentals as an overall percentage of rentals/residences in Exmouth. This is a method used in some Shires on the East coast in tourist coastal towns to avoid shortage of long-term rentals. This may alleviate some of the difficulties the Exmouth Shire has experienced in the past with regard to holiday rentals (referencing the *March 20th 2008 Exmouth Shire minutes, agenda item 10.5.6*)
6. **Release of land in the Nimitz St ODP** – We believe blocks should be released in a lottery type system as with Skipjack Circle, with local residents, (currently residing in Exmouth) getting first preference and first preference to **non-investment** buyers (e.g. the buyer will build a home and reside in that home). It is socially inequitable for locals owning primary residences in Exmouth to be able to buy investment properties at the expense of others wishing to purchase and build primary residences.

		<p>7. Existing homeowners on outer boundary of Nimitz St ODP – If homeowners or property owners with views of the gulf and/or whose properties back onto bushland will lose their views/bushland as a result of this – or future developments – should be guaranteed first priority/choice for purchasing/selecting a block of land in the new development if they so choose (in an effort to re-create the lifestyle/environment that attracted them to purchase their existing homes – often at exorbitant rates).</p> <p>8. Devaluation of properties that lose gulf views/bushland and properties/land throughout Exmouth with influx of new homes/land – we have heard from the Shire that the release of these blocks will be controlled and limited to take place over a number of years, and this potentially will limit the devaluation in cases other than loss of bush/gulf views.</p> <p>9. Why release more land? There are still multiple blocks of land available for purchase/development at the marina and blocks in the Exmouth townsite (39 lots for sale on the REIWA website, as accessed on 16/04/2012, including 6 not in the marina development. These marina blocks currently start from \$269,000). A preferable planning strategy would be to allow market pressures to continue correcting the over-priced nature of Marina blocks, rather than release new areas of land for development. In recent months, the market has been correcting the high prices with many owners dropping the asking price on both homes and blocks (this is clear when searching properties on REIWA with multiple listings noting “massive price reduction” as a selling point).</p>	
17	Lot 1107 Campbell Way Property Owners	<p>As homeowners and residents of 11 Campbell Way (Lot 1107), Exmouth, we have strong concerns regarding certain aspects of the proposed Nimitz Street Outline Development Plan, and as such we are strongly opposed to council adopting the plan without modification.</p> <p>1. Personal concerns/issues</p> <ul style="list-style-type: none"> • Our property on Campbell Way was purchased less than 12 months ago. The main attraction for us to live on Campbell Way is that the house is on the edge of town, surrounded by bushland to the South and West. • Prior to purchase we researched the Shire of Exmouth website to find out the zoning of the adjacent land and potential future development. The <i>Draft Exmouth Townsite Structure Plan 2009</i> showed the area listed as both ‘Recreation and Open Space’ and zoned Ra3C – Constrained by landform / water protection reserve. • We also contacted the Council Planning Department to “<i>check on zoning of adjacent lands and any proposed developments which could affect our purchase in the future</i>”. The response we received from Council stated that the area: “<i>West of site Campbell is the townsite boundary and a protected reserve for the bore field and is classed as an environmentally sensitive area - unlikely to be developed.</i>” • While we appreciate that the current proposal open for comment does not include the land immediately adjacent to our property, we are concerned that this area has been slated for “Stage 2” of this development. On the map provided by Council with notice of the Nimitz Street Outline Development Plan, there is a shaded (black hatched) area directly west and south of Campbell 	T

		<p>Way. There is however no corresponding symbol on the map legend to indicate what is proposed for this area of land. When questioned, the Council Planning Department responded: <i>“Please be advised that the land will be development as residential in future.”</i></p> <ul style="list-style-type: none"> • This response directly contradicts the information we received from Council prior to purchasing our property less than 12 months ago. The border of the shaded area on the map clearly encroaches onto the land outside of the townsite boundary and into the “protected reserve for the bore field” and “environmentally sensitive area”. • If we had been informed when we first contacted Council that the land adjacent to our house was slated for future development, we would not have purchased the property. <p>2. Constrained Land and Water Supply</p> <ul style="list-style-type: none"> • We strongly oppose the development of constrained land and the proposed extension of the townsite boundary into the water reserve. • <i>Section 5.4 of the Exmouth Townsite Structure Plan 2011</i> highlights the area west of Campbell Way and south of Cameron and Hall Streets as being <i>Constrained Land</i>. The Structure Plan identifies that these land holdings “require detailed site specific investigation prior to development due to other environmental factors such as landform, karst formations, coastal setbacks, and impact on underground water resources.” The section details the constraint on this land as being “Low to Fair Capability to support Urban Use. Foundation soundness, ease of excavation and sub-surface water pollution are identified as being limiting factors of the Range Land System (Ra2c and Ra3c).” • If land is classified as constrained and deemed to be of a “poor to fair quality” – and to be environmentally sensitive and fragile, AND more costly to develop due to the additional investigation required to assess suitability, progress scheme amendments, get ministerial approval, etc., these should be THE LAST areas to be developed in the Exmouth townsite. Of particular sensitivity are those along the eastern boundary of the Exmouth Water Reserve, as expressed in the following excerpt from the <i>Exmouth Water Reserve Water Source Protection Plan 2000, Water and Rivers Commission Report WRP 26</i>: <p><u>“East of the Water Reserve</u> As groundwater generally flows in an easterly direction from the Cape Range to Exmouth Gulf, groundwater contamination occurring east of the Water Reserve does not threaten the wellfield. It is still important to protect groundwater in this area because:</p> <ul style="list-style-type: none"> • stygofauna may be sensitive to contamination; • groundwater is utilised for private abstraction; • groundwater discharges to the Exmouth Gulf; and • the karst features make the aquifer vulnerable to contamination and clean-up of contaminated groundwater, technically difficult and costly.” <ul style="list-style-type: none"> • With information such as the above, it is of significant concern that the 500 metre protection zones included around the wellheads in the P1 Exmouth Water Reserve come virtually to the edge of the 	
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“indicative” additional Nimitz Street development on the current ODP (to the West of Campbell Way and South of Nimitz St).

- The following image is taken directly from “*Exmouth Water Reserve Drinking Water Source Protection Review Report WRP 122, June 2011*”:



= wellhead protection zone

- With multiple other locations in the Exmouth Townsite identified as already suitable for development (in the *2011 Exmouth Townsite Structure Plan*), and the recognition that there is enough unconstrained land already identified as suitable and available to **EXCEED** the projected Exmouth population growth requirements to 2028 and beyond, there is no sound justification for developing constrained land at the risk of harming the fragile environment and water supply of Exmouth.
- From the *2011 Exmouth Townsite Structure Plan* - pg 54:

“7.2 POPULATION CAPACITY

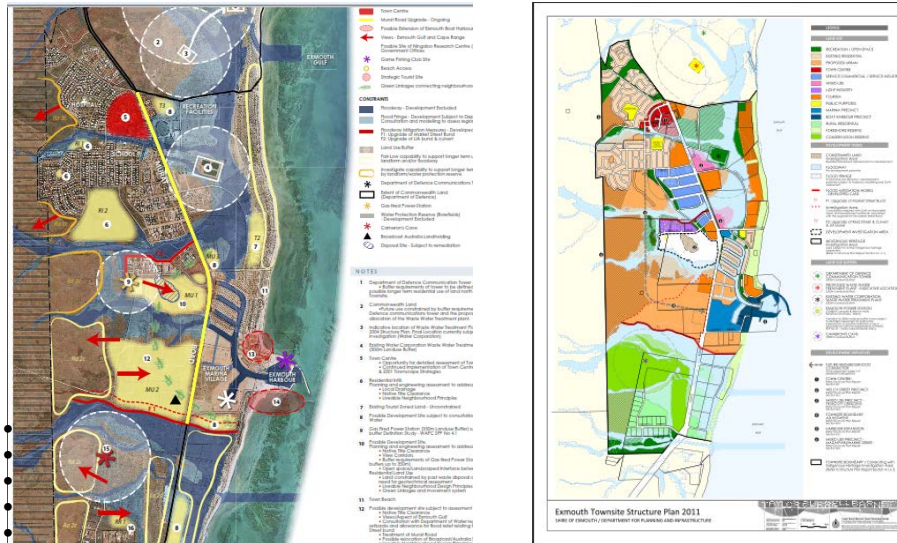
The Structure Plan identifies land for additional urban development, including the Marina development area which can accommodate a population of approximately 3500 people. *In addition to Exmouth’s existing townsite population capacity of approximately 2000 people, a total population of 5500 people could be housed within the Exmouth Townsite boundary, without needing to consider the urban development capability of the environmentally constrained land.* If the constrained land were cleared for development, at reduced densities to reflect the environmental constraints, another 1600 people could be accommodated in Exmouth.

The table below outlines the population capacity of the various land uses identified in the Structure Plan, and defines the assumptions used when calculating development densities and total potential lot yield: Given a total

potential population of 7076, and a potential population of approximately 5500 if the environmentally constrained land were to remain undeveloped, the population capacity of the Exmouth Structure Plan well exceeds the estimated maximum permanent population of 2500 for the whole Shire of Exmouth by 2028 (WAPC, 2005). *Accordingly, the Structure Plan is considered to identify sufficient land for urban development to accommodate the town's population growth well into the future.*"



- The diagram above shows the section of constrained land that has been included in the South-western portion of the Nimitz St ODP. This is in direct contravention to the land use indications included in the 2011 Exmouth Townsite Structure Plan completed in August of 2011 (2 examples below) and requires clarification and explanation before the Nimitz St. ODP in its current form is approved. **We propose that the constrained land currently included should be excised from the Nimitz St ODP.**



• From the 2011 From the Exmouth Townsite Structure Plan - pg 65:

“8.4 TOWNSITE BOUNDARY ADJUSTMENT

Development Initiative Plan 4 (see Figure 12) reflects a long term development scenario that considers a number of urban nodes that require detailed investigation to confirm development potential. An indicative alignment of a future neighbourhood connector road is reflected not as a by-pass route, but as an essential link between Murat Road and Kennedy Street providing connectivity between future local neighbourhood areas. It also provides an important secondary link for emergency services during a flood event.

As part of examining the development potential of these areas, Development Initiative 4 proposes the notion of townsite boundary adjustment based on landform, rather than as an arbitrary cadastral boundary. The neighbourhood connector is notated in conjunction with possible longer term endorsement of this townsite boundary adjustment. **The Department of Water advise that it is necessary to maintain a high level of protection of the P1 Water Protection Area, located immediately to the west of the townsite boundary, in view of the fragile unconfined aquifer in terms of freshwater availability and groundwater dependent ecosystems, as outlined in SPP 2.7 Public Drinking Water Source Policy and the land use compatibility table (LUCT) for Priority 1 source protection areas.** The Structure Plan respects this level of protection, whilst maintaining the area as a long term investigation site when alternative water supply options, such as desalination, become feasible.”

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“5.2 WATER SUPPLY

Water availability is recognised as one of the most important considerations in determining the extent of appropriate land use activity within the region. Exmouth’s water supply comes from the Cape Range Group superficial aquifer. Recharge is by direct infiltration of rainfall events, and indirectly through the beds of ephemeral streams that also come about through rainfall events. All developments outside the main townsite have their own bore water supplies, and the quality of the town water supply varies. Fresh water supply across the study area is very limited and subterranean fauna, particularly stygofauna, have the potential to be affected by changes in groundwater

		<p>levels. The resource, therefore, requires careful control and management.”</p> <ul style="list-style-type: none"> From the <i>2011 Exmouth Townsite Structure Plan – pg 30</i>: <p>“It is essential to protect the underground water resource from pollution risk as Exmouth’s water resources are limited and also support unique subterranean fauna. The Exmouth Water Reserve was declared under the Country Areas Water Supply Act 1947 and has since been amended in accordance with the recommendations outlined in the <i>Exmouth Water Reserve Water Source Protection Plan (WRC 2000)</i>. The Exmouth Water Reserve abuts the western boundary of the Exmouth Townsite and extends southwards (see Figure 4). This Water Protection Reserve is managed as a Priority 1 Protection Area whereby strict limitations on land use apply. The Structure Plan recognises the boundaries of the Water Protection Reserve and the need for it to be reflected as a Special Control Area in the Shire of Exmouth local planning scheme currently under review.</p> <p>Water use efficiency measures could significantly enhance the long-term viability of Exmouth’s groundwater resource. The application of water sensitive urban design principles can achieve more efficient and effective use of water and better outcomes for the environment. <i>The over allocation in the Exmouth North and Exmouth Town sub-areas however is so great that even with significant application of water efficiency measures, it is unlikely that additional water licenses would be issued.</i> With reference to the Western Australian Planning Commission SPP 2.9 Water Resources, the development of a District Water Management Strategy as part of the preparation of the Shire’s Local Planning Strategy should be investigated as a means of further promoting total water cycle management.”</p> <ul style="list-style-type: none"> In light of the above cited facts and information regarding constrained land and the Exmouth water supply, we disagree with the long-term development plan to adjust the townsite boundary and strongly oppose the development of constrained land for residential development. Further land release and development needs to be held off until completion of the “District Water Management Strategy”. Water Supply and environmental constraints should be the number one factor guiding development within the Shire of Exmouth. <p>3. Environment Assessment Report Validity</p> <ul style="list-style-type: none"> It is of great concern that significant flora and fauna survey components of the Environmental Assessment Report, conducted by RPS (December 2011), for the proposed development area were conducted only a matter of weeks after the Shire conducted controlled burning (October 2011) in the same area. As it can take between one and three years for flora and fauna to completely recover after a bushfire or controlled burn, it would be impossible for the EAR to give a true baseline representation of the area surveyed and as such should be deemed invalid. <p>4. Recreation and Public Open Space</p> <ul style="list-style-type: none"> Large portions of bush tracks that are used regularly by residents will be lost with this development and the future “indicative development” to the West of Campbell Way included on this ODP. We are concerned that no real alternate location for recreation and open space has been provided for in this development proposal. <p>a) There needs to be quantitative and qualitative research into the use of the existing recreation</p>	
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and open space areas. Noting that there are observably large numbers of residents accessing the tracks opposite for bike riding, dog walking, running, walking, etc., on a daily basis.

- b) Much of the area designated for “recreation and open space” on the map provided along the eastern / Reid Street side is outlined in the ODP to be rezoned ‘Residential Development’.
- c) There is a large potential for contamination of Exmouth water supply by pushing recreational activities onto the Exmouth Water Reserve land via drastic reduction in current public open space bush areas/bush tracks, particularly in the area identified as Constrained land (from Campbell Way east and west, and south from Nimitz/Learmonth St) due to its close proximity to the 500m wellhead protection zone.

- i. From the *Exmouth Water Review drinking water source protection plan 2011, Water Resource Protection Report no. 122 (pg vii)*:

“Source description: The water reserve is managed as a P1 area, and includes 500m wellhead protection zones for each production bore. The source is unconfined and karstic in nature, as a result, the source is highly sensitive to contamination.”

- ii. Table 1 Land use and potential water quality risks (*source: Exmouth Water Review drinking water source protection plan 2011, Water Resource Protection Report no. 122*):

Land use/activity	Hazard	Management Priority	Compatibility of land use/activity	Best management practice guid
Recreation– private (within non-designated recreation areas on Crown land)	Hydrocarbons from off-road vehicle use Pathogens from human activity	Medium Medium	Camping and off-road vehicles are an incompatible land use in P1 areas Unauthorised vehicles are not permitted on Crown land within PDWSAs except on public roads.	Statewide Policy No 13: <i>Policy and guidelines for recreation within public drinking water source areas on crown land</i>

- d) Further, on the development diagram from the 2011 Exmouth Townsite Structure Plan, the area to the West of Campbell Way is still identified as Recreation and Open Space:



5. Population increase

- We do not agree that the population of Exmouth should be increased to 5,000+ (as reported in the Sunday Times in March). The effects of development to Exmouth include the following:
 - a. Many people in Exmouth have chosen to live here for lifestyle reasons and the small population is a large part of this. If the population is pushed to 5,000+, this will potentially cause an unwanted change to the small-town laidback lifestyle currently enjoyed in Exmouth.
 - b. A large population influx would increase stresses on infrastructure, leading to increased Shire rates to cover the expense of expanding/relocating these facilities (power, sewerage, water).
 - c. There would be added stresses on the environment if natural flooding areas are developed and cause the need for additional flood mitigation schemes.
 - d. There would also be additional stresses on the environment if developments are pushed forward on constrained land of questionable stability/suitability – particularly when other land already deemed environmentally suitable is available for development (portions of Nimitz St ODP in the lower southwest quadrant are over sections of land classed as “Constrained” in the *2011 Exmouth Townsite Structure Plan*).
 - e. Encouraging Fly In, Fly Out workers would result in change of demographics in town, and a potential increase in crime rate, as has been experienced in Karratha.
- The effects listed above should be considered not just with this proposal, but also with any future developments in the town.

18	Lot 1108 Campbell Street Property	<ul style="list-style-type: none"> • We purchased our property in good faith from the real estate for the main reason of the bush outlook from our back yard. We did not want a back fence, as we love the never-ending parade of wildlife that venture onto our back lawn, and the wonderful view of the ranges, which “was never to be built out due
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noted

	Owner	<p>to the natural water course". Our kids love playing and riding their bikes out there, and we are comfortable knowing that we can see them and know they are safe. It is a better playground than any of the parks in town, and it does not need to be checked first for broken glass, condoms, rubbish, chewing gum and the like as do the other parks (yes, disgusting isn't it). Aside from the noise, dust, and visual disturbance whilst the subdivision is being built, we would need to put up a fence, and that would be our new "view". Our tranquility will be lost!</p> <ul style="list-style-type: none"> • The value that we place on our backyard / view is substantial, so much so that we are of the opinion that we may as well move to where we will have a view, and a natural backyard. The options for that around town are limited to rural blocks, most likely the Wilderness Estate, which is very expensive. If we had known that the back of our property was going to be built on, we would never have bought the house (and paid a fortune for it) and we would have pursued buying elsewhere, which would have been cheaper then, than it is now. • The bush in the ODP is constantly used by people walking and cycling, and by the numbers seen regularly from our back yard, it is a very popular area. Where do those people go to enjoy a similar walking experience? • We are not happy that the shire has chosen to allow barely a month for people to research and provide comment, the bulk of time of which is over the school holidays, making it hard for people with kids, or had plans to go away, to give it the priority it deserves. The Environment report was 222 pages alone! The due date in the holidays is completely unjust as well! • The questions, which were emailed to the shire to clarify some information whilst replied to promptly, did not answer the questions in their entirety. Please refer to the attached email. Eg What dust suppression is going to be used? We still do not know for sure whether behind us is constrained, or urban development! • The Exmouth Townsite Structure Plan 2011 has a map which clearly shows the area behind us as constrained land, yet the maps in the ODP has it as proposed urban. There is conflicting maps and information on the Shires website – how are we to determine which is correct? • Who will insure, or pay out on an insurance claim, if the area floods as a result of the flood mitigation not working? • The wildlife, of which there are heaps, will be displaced by the subdivision. The surveys, which were completed for the ODP, are not valid as they were conducted after a shire initiated burn off. • I think it is fair to say that the process by which the decision to progress the Nimitz Street development ahead of others in town is at the very least flawed, and in some cases, erroneous altogether (refer to RPS report Appendix 3 in the Environment Report p. 11, where it refers to Derby!!, and the fact that a fauna survey was carried out months after a fire!). You will no doubt receive the feedback from Gina Nowak, another concerned resident, and the very well prepared document she has produced, so I will not go into detail as she has. It is suffice to say that we agree with everything she has mentioned. We would like to reiterate the following - <ul style="list-style-type: none"> - Other areas in town that have already been cleared, whether vacant blocks in amongst other houses, or cleared areas such as on King St and cnr Murat and Reid (from the Marina), should be developed first as they are already devoid of natural bush, and the services are already available, and this must make it cheaper than Nimitz. - Losing the natural bush and replacing it with hard surfaces will take away the natural absorption that the dirt and bush afford when it rains, replenishing water supplies as it filters down to the water table, or along the natural water courses as it flows towards the oceans, being further absorbed along the way. Trying to mitigate the flood areas by clearing the bush, 	
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		<p>and replacing it with rocks and culverts is unlikely to stop the flooding. As quoted in the JDA consultant hydrologists report “Existing creeks and drains are retained as far as possible - working with the existing drainage system, rather than against it.”</p> <ul style="list-style-type: none"> - There will be fill required in some areas in the ODP, despite what the consultants have said. There is a two-metre drop at the back of our property. - Where is the water for these extra people going to come from if the DoW does not allow the expansion of the Southern Bore Field, especially as there has been an increase in the number of private bores in town in recent weeks. These bores are unlicensed, unmonitored and according to the report emailed to me by the shire, is in an area where the water is already over allocated, putting even more pressure on our reserves? We need to ensure a reliable water supply before we go ahead with any more development. <p>In conclusion, I believe that there needs to be more accurate and reliable research done on the Nimitz St ODP, from the Fauna study, to the reasons why the shire thinks they need to open up more land, and also to allow a longer period for people to comment on such a major development in their town.</p>	
19	Main Roads	<p>There are no proposals within the document which will adversely impact the state Road Network within the SOE.</p> <p>As you are aware Main Roads complies with the Australian standards (AS1742.2). In regards to the proposed Kennedy Street/Nimitz Road intersection, whilst its acknowledged the intersection is a local road under local government jurisdiction, AS1742.2 stipulates all intersection with 4 or more legs are to be controlled by STOP or GIVE Way control, unless controlled by signals or a roundabout.</p> <p>It is noted that a roundabout was proposed in the original layout of the 4 way intersection but has subsequently been excluded from the plan. MRWA recommends the shire reconsider this decision on the grounds of improved traffic management and safety of road users.</p>	Noted
20	Lot 1110 Hall Street Property Owner	<p>I reside at 25 Hall Street, Exmouth with my husband and our four children. We purchased and have lived in the property since 20 September 2004.</p> <p>We purchased this property, not only because it could house all of us, but for the views of the ocean and the freedom for our children being next to the bush – which is the classic Exmouth Lifestyle.</p> <p>Constrained Land I spoke to Rhassal at the Exmouth Shire in length in regards to the constrained land surrounding my property in 2011. I was advised by him at the time there was no development happening on the constrained land. The subdivision was going to finish at the edge of Cameron/Hall Streets. Gina & Alek Nowak have detailed in their submission what the classification is, so I’m not about to repeat information that the Shire should already know.</p> <p>Wildlife - Living next to the bush has been a education for my myself and children. There is a small eagle that must live nearby as we see it almost daily. Anyone who lives on Cameron, Hall & Campbell Streets that’s on the bush side would have stories of Bungarra’s coming to visit. We had a “pet” Bungarra since we moved into the property. He comes and goes whenever he wants. By having this subdivision as big as proposed you are pushing out so much wildlife that all adults and children have grown to respect and care for over the years.</p> <p>Population - It is well documented that Exmouth has a limited water system that can hold a permanent number of approximately 5000 people.</p>	Noted

		<p>Obviously tourism is a major part of Exmouth and we will continue to need the tourists, therefore we need accommodation. But if we blow our permanent population out to 5000 and we still need tourists to come into Exmouth (and it has been said that in July School Holidays last year we had approximately 9000 tourists (including all campers on west side) – We now have approximately 14,000 people - Where is the water going to come from??</p> <p>With information from the Water Corporation etc, these figures are simply not feasible for the Exmouth Township.</p> <p>Bike/Walk Path - Early morning and afternoon we see families, joggers, people walking dogs, children on their first bike learning to ride going along the bike/walk path. In this new proposed subdivision you are taking that away from the array of Exmouth residents that use it.</p> <p>Didn't the Shire receive a Grant from Lotterywest to put in this path???? Why is the Shire now going to dig it up???</p> <p>Conclusion - I am not against development or change, however I want to see it done properly and with the sustainability for the future.</p> <p>Using constrained land before all other land is utilised is not the way Exmouth Township should grow. As much as we need to look for the future we also must hold onto our values and way of life – after all, that's why most of us are here "Lifestyle".</p>		
21	Department of Indigenous Affairs	The Register of Aboriginal Heritage Sites and confirm that there are currently not registered Aboriginal Heritage Sites within the proposed development area.	Comments noted	
22	Office of Environmental Protection Authority	The ODP will allow for residential development to occur approximately 400m from the Exmouth Power Station which is within the buffer for the Power Station. Generic Buffer Distances are specified in the EPA's Guidance Statement No 3 Separation Distances between Industrial and Sensitive Land Uses. In this case, the buffer is recommended to be between 2000 – 3000 metres due to the potential noise impacts and gaseous emissions. The OEPA recommends that generic separation distances are maintained unless adequate site-specific studies have been carried out that demonstrate that a lesser distance will not cause unacceptable impacts.	Comments noted. However it should be noted that site specific studies are being carried out to demonstrate that a lesser distance will not cause unacceptable impacts.	

Issues:

- Land tenure: Council's March resolution ensure that a scheme amendment process is undertaken by the LandCorp to progress to any future development within local scheme reserves rezoning these areas to recreation and open space.
- Heritage: LandCorp is progressing native title and heritage issues. The Environmental Assessment report outlines an EPA objective to "*ensure that changes to the biophysical environment do not adversely affect historical and cultural associations and comply with relevant heritage legislation.*"
- Public Open Space: Council's March resolution required LandCorp to recalculate POS, providing a schedule of open space identifying the area of all active and passive public open space. No schedule has been submitted. It is recommended that the Open Space in from of Nimitz Street be removed and added as road verge as it cannot service the community needs and is unusable.

Officers calculate an approx. total 2.8ha POS is provided, excluding Council vested reserves. Inclusion of Council reserves represents approx. 5.2ha well above the required 3.5ha. Council should consider the associated issues with on-going costs of maintaining these areas and whether a major park should be provided upon highly constrained land.

- Storm-water: Advice was sought from Department of Water in relation to LIA flood mitigation works and opportunities to integrate any future subdivision in current mitigation works. DoW may review their flood modelling and realign the bund levee to protect the proposed layout.
- Other issues raised during the public consultation period- uses to be allowed, dust management, co-location of infrastructure within the subdivision. These will be dealt with at officer level when the applicant submits an application for subdivision. The final application will be brought to Council for consideration.

Council officers recommend that the Council of the Shire of Exmouth adopt the Outline Development Plan subject to the following modifications:-

1. LandCorp prepare a scheme amendment as the owners of the land for Council to consider for initiation to rezone portion of 31212 and 50806 immediately west of Reid Street from Recreation and Open Space to Residential; this may include a minor amendment to the Exmouth Structure Plan.
2. LandCorp recalculate and provide a schedule identifying the area of all active and passive open space excluding local reserves zoned Recreation and Open Space vested to the Shire of Exmouth as part of any future subdivision; and

CONSULTATION

In accordance with the Shire of Exmouth Town Planning Scheme No3 the ODP, when prepared, is required to be publically advertised for a period of time not less than 28 days.

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Town Planning Scheme No.3

POLICY IMPLICATIONS

Policy 1.25 – Communication and Consultation.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Environment

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

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

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.6.2
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That the Council of the Shire of Exmouth adopt the Outline Development Plan subject to subject to the modifications below and within 21days the Council forward the Outline Development Plan, a summary of all submissions and its recommendation to the Commission:-

1. *LandCorp prepare a scheme amendment for Council to rezone portion of 31212 and 50806 immediately west of Reid Street from Recreation and Open Space to Residential; this may include a minor amendment to the Exmouth Structure Plan;*
2. *LandCorp recalculate and provide a schedule of public open space identifying the area of all active and passive open space excluding local reserves zoned Recreation and Open Space, vested to the Shire of Exmouth as part of any future subdivision. The Public Open Space provision shall be revised to the satisfaction of Council and WAPC*
3. *The Open Space in front of Nimitz Street and Reid Street be removed and added as road verge so as to cater for drainage.*
4. *LandCorp to fully address storm-water and drainage issues in the Outline Development Plan as required by Department of Water and the Shire of Exmouth Engineering Services.*
5. *The consultant corrects typographical errors within the ODP and includes under Clause 5.4 the statement that all development shall be in accordance with the Residential Design Codes of WA, and statutory assessment/approval procedures within the Shire of Exmouth Town Planning Scheme No. 3.*
6. *No Holiday Accommodation shall be permitted within the Nimitz Street ODP.*

Advice.

- i). *There is an opportunity as advised by Department of Water in relation to LIA flood mitigation works to integrate any future subdivision in current mitigation works.*

COUNCIL DECISION – 2-0512 – 10.6.2

Moved Councillor Fitzgerald, Seconded Councillor Winzer.

That the Council of the Shire of Exmouth adopt the Outline Development Plan subject to the modifications below and within 21days the Council forward the Outline Development Plan, a summary of all submissions and its recommendation to the Commission:-

- 1. LandCorp prepare a scheme amendment for Council to rezone portion of 31212 and 50806 immediately west of Reid Street from Recreation and Open Space to Residential; this may include a minor amendment to the Exmouth Structure Plan;*
- 2. LandCorp recalculate and provide a schedule of public open space identifying the area of all active and passive open space excluding local reserves zoned Recreation and Open Space, vested to the Shire of Exmouth as part of any future subdivision. The Public Open Space provision shall be revised to the satisfaction of Council and WAPC*
- 3. The Open Space in front of Nimitz Street and Reid Street be removed and added as road verge so as to cater for drainage.*
- 4. LandCorp to fully address stormwater and drainage issues in the Outline Development Plan as required by Department of Water and the Shire of Exmouth Engineering Services.*
- 5. The consultant corrects typographical errors within the ODP and includes under Clause 5.4 the statement that all development shall be in accordance with the Residential Design Codes of WA, and statutory assessment/approval procedures within the Shire of Exmouth Town Planning Scheme No. 3.*
- 6. No Holiday Accommodation shall be permitted within the Nimitz Street ODP.*

Advice.

- i). There is an opportunity as advised by Department of Water in relation to LIA flood mitigation works to integrate any future subdivision in current mitigation works.*

CARRIED 4/1

5 APPLICATIONS FOR LEAVE OF ABSENCE

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

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

Nil

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 26 April 2012 and the Minutes for the Special Council Meeting held on the 1 May 2012 be confirmed as a true and correct record of proceedings.

COUNCIL DECISION – 03-0512 - ITEM 6
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Moved Councillor Fitzgerald, Seconded Councillor Winzer.

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 26 April 2012 and the Minutes for the Special Council Meeting held on the 1 May 2012 be confirmed as a true and correct record of proceedings.

CARRIED 5/0

7. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

8. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

9. REPORT OF COUNCILLORS

9.1 WALGA State Council Meeting

Cr Winzer advised having attended the recent WALGA State Council Meeting held in Mandurah on the 2nd and 3rd of May. The Fish Waste Management regulatory constraints and the lack of Environmental Health Officers University Educational Programs were both issues awaiting a response from the respective Ministers.

The WALGA State Council took the opportunity to tour the Peel regional Council's. Cr Winzer was astounded at the difference in relationships between some communities and their local mining companies, in the way that impacts are managed and varying investment in local infrastructure.

9.2 SHIRE PRESIDENT

9.2.1 General Report

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

SUMMARY

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

BACKGROUND

Following is a list of meetings and activities of the Shire President for the month of May;

- Attended Exmouth Land Group Meeting 30th April
- Attended the Defence Force Posture Review Meeting 1st May
- Addressed members of the community at the Public Information Session 1st May
- Attended the Gascoyne Collaborative Group Meeting via teleconference on 2nd May
- Held Citizenship Ceremony for Hans and Andri Grobbelaar and Sabrina and Sal from Pinocchio's on 4th May
- Attended the Night Markets on 5th May which was a great success
- Attended the Volunteers Night on 7th May with CEO, Cr Hood and Cr Winzer along with many members of the Volunteer Bush Fire Brigade from the depot and Executive Managers
- Met with Jacques Landutt from Rio Tinto regarding day trip employment for locals
- Had interviews with ABC North West and Sunday Times regarding Scheme Amendment 27.

COMMENT

Nil

CONSULTATION

Inform - in accordance with Council Policy 1.25.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Policy 1.25 – Communication and Consultation.

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

VOTING REQUIREMENTS

Simple Majority

COUNCILLOR'S RECOMMENDATION – 9.2.1

That the Shire of Exmouth receive the Shire Presidents Report for the month of May2012.

COUNCIL DECISION – 04-0512 – 9.2.1

Moved Councillor Winzer, Seconded Councillor Thompson.


That the Shire of Exmouth receive the Shire Presidents Report for the month of May2012.

CARRIED 5/0

10. REPORTS OF OFFICER

10.1 Chief Executive Officer

10.1.1 Chief Executive Officers Report

Location:	Exmouth
Applicant:	Chief Executive Officer
File Reference:	
Disclosure of Interest:	Nil
Date:	8 May 2012
Author:	Chief Executive Officer, Mr B Price
Signature of Author:	

SUMMARY

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

BACKGROUND

Defence Force Posture Review

Council hosted a delegation consisting of various members from the Strategic Logistics Branch, Australian Defence Force on Tuesday 1st May in the Council Chambers, who have been tasked to undertake an investigation/assessment of the civil infrastructure and logistics capacity available in Exmouth to support Defence operations in the North West in a range of contingencies, including but not limited to

‘to understand the current infrastructure as well as gain an appreciation of any future developments that may impact on Defence’s ability to mount or sustain forces from the North West. As well as documenting the current logistic nodes (road, rail, ports etc) and any constraining logistic factors, we are also interested in understanding the supply chains in place and capacity of logistic enabling chains such as fuel, water, food, medical facilities etc (this list is by no means exhaustive). Our report will also look at where, if any, there may be a requirement for infrastructure enhancements or formal access agreements in order to achieve our operational requirement.’

Members of the delegation included Commander RN Lloyd Hewitt, Lt Col David Thomas, Mr Alan Sheckenbach, Mr Andrew Gillespie all from the ADF and Mr Murray Vogt representing KPMG. Other attendees included the GDC and the Department of Transport. Council provided a profile of Strategic projects identified in Exmouth and conducted a tour of facilities throughout the townsite. The working group also conducted inspections of the local Defence facilities.

Since that meeting the Federal Government have released the final report for the ADF Posture Review which can be accessed on the web <http://www.defence.gov.au/oscdf/adf-posture-review/docs/final/Report.pdf> . The report indicates that the greatest potential for Exmouth would be the major upgrading of Learmonth enabling greater.

Community Information Forum

On Tuesday 1 May Council conducted another Community Information Session at the Hall which was attended by about 65 people.

The agenda for the meeting included a presentation on the outcomes of the community survey for the South Structure Plan that was recently conducted and facilitated by Bodhi Alliance. Information was also provided on the advice provided by TME on the desktop review of potential marine supply base sites for the Exmouth Gulf.

A representative from Shell Australia was available for questions in relation to the Palta 1 Well exploration project and an update was provided on the proposed Marina Harbour Expansion Project.

The next Community Information Session is scheduled to be held in October.

Visitation from the US Consul General

The U.S. Consul General, Aleisha Woodward will be visiting Exmouth for the Whale Shark Festival and has scheduled a meeting with the Council in the Council Chambers on Friday 25 May at 2.15pm.

Local Government Week Convention

The 2012 Local Government Convention and Trade Exhibition will be held at the Perth Convention Exhibition Centre from Wednesday 1 August to Friday 3 August 2012.

A Notice of the WALGA Annual General Meeting to be held at the Perth Convention Exhibition Centre, Perth on Wednesday 1 August 2012, together with registration forms and the Convention Program have been provided to all Councillors for information. Can Councillors please provide an indication of their attendance and completed registrations ASAP so that Brooke can coordinate the travelling and accommodation arrangements.

Member Local Governments are entitled to be represented by two (2) voting delegates at the 2011 Annual General Meeting of the WA Local Government Association.

Other Meetings & Functions attended by the CEO

1. The Shire President, EMTP and myself hosted the Exmouth Land Group meeting held in the Council Chambers on Monday 30 April. Updates were provided by Landcorp on the status of the land release projects identified in Exmouth.
2. EMAS and myself attended the Heliport Stakeholders Meeting held in the Council Chambers on Wednesday 2 May to discuss operation matters at the Heliport.
3. Various Councillors and staff attended the annual Volunteers Recognition Night held at the Golf Club on Monday 6 May.
4. EMCE & myself met with representatives of the Exmouth District High School on Wednesday 9 May to discuss the entering into of Memorandum of Understanding for community access to the Hard Courts Facility.
5. Shire President and myself met with representatives from Rio Tinto in Exmouth on Wednesday 9 May to discuss the opportunity to accommodate a workforce locally who would fly to the workplace on a daily basis.

Scheduled meetings for the next month include:

1. Shire President, EMCE and myself to meet with the organising committee of the 'Sounds Outback to the Reef' Music Festival in the Council Chambers on Monday 21 May.
2. Shire President, Cr Hood, EMCE and myself to attend the BHP CRG meeting to be held at the Novotel on Monday 28 May.
3. Shire President and myself to attend the GRSG meeting to be held in Coral Bay on Thursday 14 May.

COMMENT

Nil

CONSULTATION

Inform - in accordance with Council Policy 1.25.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Policy 1.25 – Communication and Consultation.

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.1.1

That the Shire of Exmouth receive the Chief Executive Officers Report for the month of May 2012.

COUNCIL DECISION – 05-0512 – 10.1.1

Moved Councillor Fitzgerald, Seconded Councillor Thompson.

That the Shire of Exmouth receive the Chief Executive Officers Report for the month of May 2012.

CARRIED 5/0

10. REPORTS OF OFFICER

10.1 Chief Executive Officer

10.1.2 Appointment of Council Representative to External Committee

Location:	Exmouth
Applicant:	Bill Price
File Reference:	GV.CO.2
Disclosure of Interest:	Nil
Date:	17 April 2012
Author:	Chief Executive Officer, Bill Price

Signature:



SUMMARY

As per Council resolution 06-412 – 10-1-4 Council resolved the following

‘That the Council of the Shire of Exmouth set aside the above report 10.1.4 to enable it to be presented at the next Ordinary Council Meeting when all Councillors are in attendance.’

This report is represented and recommends that Council review one of the Council Portfolios and nominates a representative to serve on the Exmouth Visitor Centre Marketing Committee.

BACKGROUND

At the Special Council Meeting of 18 October 2011, Council nominated representatives on a range of external committees and other organisations.

One of these was the Commerce/Industry/Tourism Portfolio – (Visitor Centre, business and industry groups, Marina Advisory Group, etc) for which Councillor Warren was nominated.

Cr. Warren recently informed the CEO of the following:

“I feel I must withdraw from my position of representing Council on the Visitor Centre Committee because I do not have the time I believe necessary to help out with this” (email received by the CEO on 20 March 2012).

This resignation from the EVC Marketing Committee has left a vacancy and this report recommends a new Councillor be nominated to take up this committee position.

COMMENT

There are a number of Community groups, representative organisations and working groups that the Exmouth Shire Council has a Council representative on.

Councillors may have a particular field of interest, skill or knowledge which they feel would make them a suitable Council representative. Council is not required in all instances to have a nominated representative attend the listed groups, and Councillor’s need to assess their availability and time schedule to attend the nominated groups.

It is recommended that Cr. Warren remain the portfolio but with the exclusion of Tourism. In addition, this report requests Council to nominate a new representative.

CONSULTATION

Inform - in accordance with Council Policy 1.25.

STATUTORY ENVIRONMENT

All Committees are established under provisions of Sections 5.8 to 5.18 of the local Government Act 1995.

POLICY IMPLICATIONSCouncil Policy 1.13 – *Committee Meetings***FINANCIAL IMPLICATIONS**

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICERS RECOMMENDATIONS – 10.1.2*That the Council of the Shire of Exmouth*

1. *Rename the Commerce/Industry/Tourism Portfolio to Commerce/Industry Portfolio;*
2. *Create a new Councillor portfolio: Tourism Portfolio (including Visitor Centre Marketing Committee)*

And

3. *Appoint the following Councillor(s) / Officer(s) as representatives for the Shire of Exmouth on the following committees and other organizations:*

- *Commerce/Industry Portfolio Councillor –Warren*
- *Tourism Portfolio Councillor - Hood*

COUNCIL DECISION – 06-0512 – 10.1.2

Moved Councillor Fitzgerald, Seconded Councillor Winzer.

That the Council of the Shire of Exmouth

1. *Rename the Commerce/Industry/Tourism Portfolio to Commerce/Industry Portfolio;*
2. *Create a new Councillor portfolio: Tourism Portfolio (including Visitor Centre Marketing Committee)*

And

3. *Appoint the following Councillor(s) / Officer(s) as representatives for the Shire of Exmouth on the following committees and other organizations:*


- *Commerce/Industry Portfolio Councillor –Warren*
- *Tourism Portfolio Councillor - Hood*

CARRIED 5/0

10. REPORTS OF OFFICER

10.1 Chief Executive Officer

10.1.3 Gascoyne Regional Collaborative Group

Location: Exmouth
Applicant: Gascoyne Regional Collaborative Group (GRCG)
File Reference: GR.SL.45
Disclosure of Interest: Nil
Date: 8 May 2012
Author: Chief Executive Officer, Bill Price
Signature of Author: 

SUMMARY

Attached are the minutes of the meeting of the Gascoyne Regional Collaborative Group (RCG) meeting held via teleconference on 2 May, 2012.

BACKGROUND

Council are aware of the State Governments initiated reform process which has involved the Exmouth Council participating in a Regional Collaborative Group (RCG) with the Carnarvon and Shark Bay Shire Councils.

The purpose of the RCG is to adopt a regional approach to strategic and community planning and facilitating the harmonisation of core functions and services across the participating local governments for the benefit of their communities.

Attached is a copy of the meeting minutes which was held via teleconference on Wednesday, 2012. (Refer *Attachment 1*)

Matters raised at the meeting for Council consideration include

- Final endorsement and adoption of the Regional Business Plan.
- Business Case to be presented to the DLG requesting financial assistance for the engagement of a project officer to facilitate the formation of the Alliance Board, creation of the charter and assist in the creation of business cases and legal documentation involved in the proposed regional services.
- UHY Haines Norton to provide Councillor information session at individual Councils on the Integrated Planning process.

COMMENT

Nil

CONSULTATION

Inform - in accordance with Council Policy 1.25.

STATUTORY ENVIRONMENT

Local Government Act (Administration) Regulations

POLICY IMPLICATIONS

Policy 1.25 – Communication and Consultation.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.1.3

That the Shire of Exmouth receive the minutes of the Gascoyne Regional Collaborative Group (GRCG) meeting held via teleconference on Wednesday 2 May 2012.

COUNCIL DECISION – 07-0512 – 10.1.3

Moved Councillor Winzer, Seconded Councillor Thompson.


That the Shire of Exmouth receive the minutes of the Gascoyne Regional Collaborative Group (GRCG) meeting held via teleconference on Wednesday 2 May 2012.

CARRIED 5/0

10. REPORTS OF OFFICER

10.1 Chief Executive Officer

10.1.4 Council Policy Manual Review

Location:	Exmouth
Applicant:	Chief Executive Officer
File Reference:	
Disclosure of Interest:	Nil
Date:	9 May 2012
Author:	Chief Executive Officer, Bill Price
Signature of Author:	

SUMMARY

This report recommends the adoption of the new and reviewed Policies under the Health & Building sphere of the Council Policy Manual.

BACKGROUND

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

The objectives of the Council's Policy Manual are:

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

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

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

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

This agenda item specifically relates to policies reviewed under the Health & Building section.

COMMENT

The sections within the Policy Manual have been revised to reflect the current organisational structure. As such a new section has been included for the Environmental Health and Building Department. The Executive Manager Health & Building provides a summary below of the existing Policies historically listed under the heading of Town Planning & Building and the proposed changes to the same.

Policy No. 5.1 (previously 6.13) Building Permit - Fees:

Updated to maintain consistency with the new Building Act 2011 and Building Regulations 2012.

Policy No. 5.2 (previously 6.35) Refund of Building Permit Fees:

Reference to 'permit' updated to maintain consistency with the new Building Act 2011 and Building Regulations 2012.

Policy No. 5.3 (previously 6.19) Building Control - Verandahs and Awnings over Streets:

Terminology updated to maintain consistency with the new Building Act 2011 and Building Regulations 2012.

Policy 5.4 (previously 6.20) Water Tanks - Building Control:

Terminology updated to maintain consistency with the new Building Act 2011 and Building Regulations 2012 and the reference to an Installation Handbook updated. Also, the reference to a 'series of water tanks operating in combination' removed as this creates ambiguity.

Previous Policy 6.14 Building Licence - Duration:

Is recommended to be deleted as the new regulations provide a clear process to obtain an extension of time of a Building Permit and the EMHB and Building Surveyor have the delegated authority of the Council to determine such applications.

Policy No 5.5 (previously 6.17) Temporary Accommodation - Caravans:

The scope of the policy is widened to include applications to camp on land owned or occupied by relatives or friends. The policy currently only relates to applications to camp on land while building a dwelling. The section of the policy relating to camping while constructing a dwelling has been amended to include the Residential and Marina Zones.

A copy of the changes to original policies is provided at *Attachment 2*.

CONSULTATION

The policies have been considered by the Executive Managers and developed by the Executive Manager Health & Building.

Inform - in accordance with Council Policy 1.25.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Policy 1.25 – Communication and Consultation.

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

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION – 10.1.4

That the Shire of Exmouth formally adopt the reviewed Policies numbered 5.1 to 5.5 contained within the Health & Building section of the Council Policy Manual and delegate authority to the Chief Executive Officer to implement the adopted Council Policies where appropriate.

COUNCIL DECISION – 08-0512 – 10.1.4

Moved Councillor Fitzgerald, Seconded Councillor Thompson.

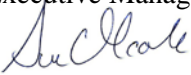
That the Shire of Exmouth formally adopt the reviewed Policies numbered 5.1 to 5.5 contained within the Health & Building section of the Council Policy Manual and delegate authority to the Chief Executive Officer to implement the adopted Council Policies where appropriate.

CARRIED 5/0

10. REPORTS OF OFFICERS

10.2 Executive Manager Corporate Services

10.2.1 General Report

Location: Exmouth
 Applicant: S O'Toole
 File Reference:
 Disclosure of Interest: Nil
 Date: 9 May 2012
 Author: Executive Manager Corporate Services, Sue O'Toole
 Signature of Author: 
 Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Rating

Notification has been received from the Department of Local Government advising amendments to the Financial Management Regulations, 68 & 70, reducing the maximum interest rates that a local government can impose. Interest on overdue rates has been reduced to 7%, which was formerly 11% and interest that can be imposed for payment by instalments has reduced to 2%, formerly 5.5%. These changes were gazetted on 20 April 2012 and will take effect from 1 July 2012.

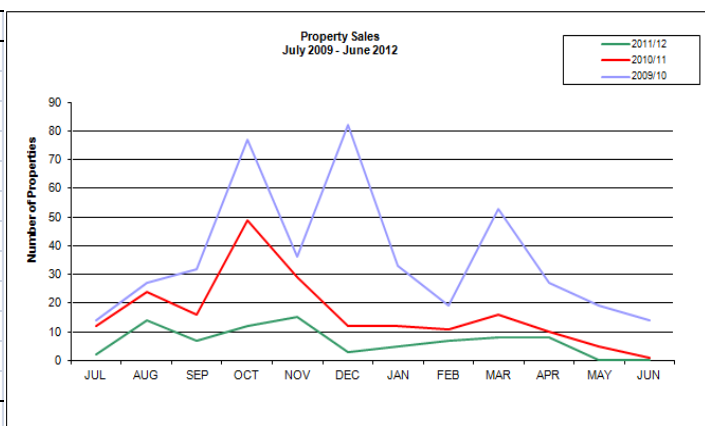
Property Sales

Below is a summary of properties sold during 2011/12:

2011/12 Summary of Property Sales

Number Sold	Land Usage	Total Sales	Average Sale
15	Vacant Land	\$4,562,500	\$304,167
60	Residential	\$28,729,000	\$478,817
4	Industrial	\$2,665,000	\$666,250
0	Composite Devel	\$0	\$0
0	Mixed Use	\$0	\$0
0	Special Use	\$0	\$0
2	Tourism	\$2,000,000	\$1,000,000
81		\$37,956,500	

Property Sales	2011/12	2010/11	2009/10
JUL	2	10	2
AUG	14	10	3
SEP	7	9	16
OCT	12	37	28
NOV	15	14	7
DEC	3	9	70
JAN	5	7	21
FEB	7	4	8
MAR	8	8	37
APR	8	2	17
MAY		5	14
JUN		1	13
	81	116	236



Rating (cont)

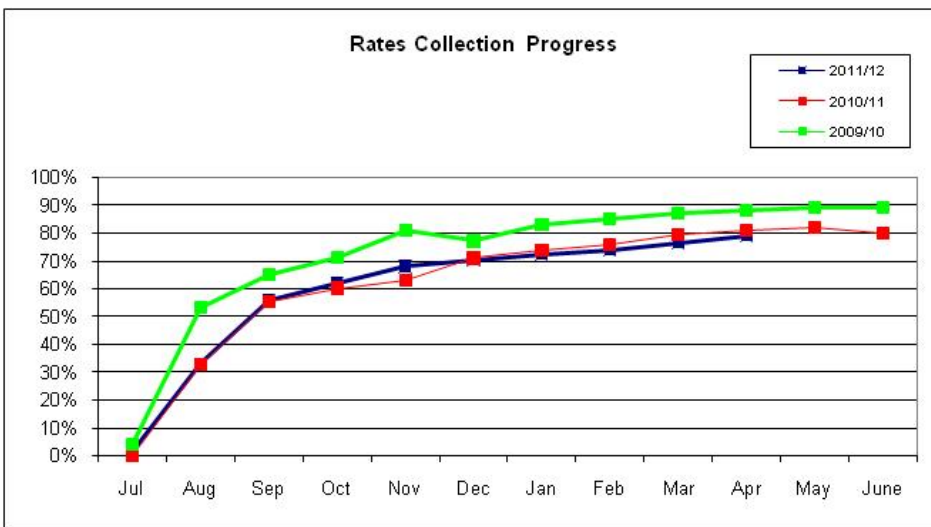
2011/12 Rates Collection Analysis

	\$
Rates & Charges Levied 2011/12	3,490,582
Arrears 1 July 2011	768,603
Less Collections	(3,363,241)
Total Rates & Charges Outstanding	895,944
Less Pensioner Deferred Rates	(10,502)
Total Rates Collectable	885,442
% Collected to Date	79.2%

Comparative percentage of rates collected monthly

	2011/12	2010/11	2009/10
Rates Due Date	2/09/2011	2/09/2010	28/08/2009
Jul	1%	0%	4%
Aug	33%	33%	53%
Sep	56%	55%	65%
Oct	62%	60%	71%
Nov	68%	63%	81%
Dec	70%	71%	77%
Jan	72%	74%	83%
Feb	74%	76%	85%
Mar	77%	80%	87%
Apr	79%	81%	88%
May		82%	89%
June		80%	89%

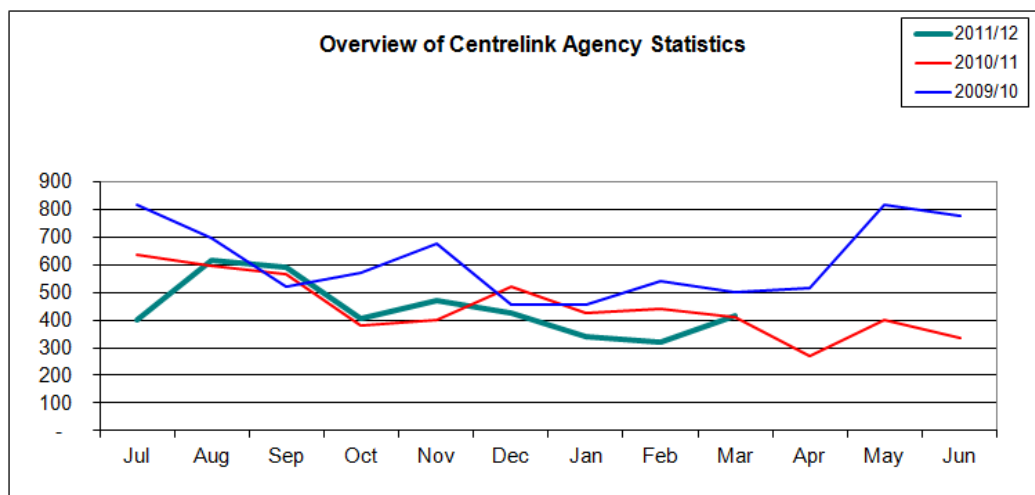
Graphical Overview of Rates and Charges Collection



Centrelink Agency

Below is a summary of activities performed by Centrelink Agency during this financial year and when compared against year to date processes for the same period last year, there has been an overall reduction of 7%. This decrease in usage can be linked to the lodgement of forms being performed via the internet, therefore eliminates the need to personally present centrelink forms.

	Lodgement of Forms/Assist with Completion	Referrals to Call Centre & CSC	Assist with use of Equipment & Computer	Respond to General Enquiries	TOTAL		2011/12	2010/11	2009/10
Jul	119	85	35	164	403	Jul	403	637	819
Aug	202	125	18	270	615	Aug	615	595	695
Sep	183	113	37	257	590	Sep	590	567	522
Oct	133	84	22	167	406	Oct	406	383	570
Nov	170	97	14	188	469	Nov	469	402	677
Dec	139	99	23	166	427	Dec	427	521	454
Jan	121	70	23	126	340	Jan	340	424	454
Feb	110	68	20	122	320	Feb	320	441	543
Mar	150	76	31	159	416	Mar	416	409	501
Apr	115	73	26	150	364	Apr	364	271	517
May						May		400	820
Jun						Jun		334	779
TOTAL	1,442	890	249	1,769	4,350		4,350	5,384	7351

**CONSULTATION**

Inform - in accordance with Council Policy 1.25.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Policy 1.25 – Communication and Consultation.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.2.1

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


COUNCIL DECISION – 09-0512 – 10.2.1

Moved Councillor Fitzgerald, Seconded Councillor Warren.

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

CARRIED 5/0

10. REPORTS OF OFFICERS**10.2 Executive Manager Corporate Services****10.2.2 Monthly Financial Statements and Report**

Location:	Exmouth
Applicant:	S O'Toole
File Reference:	FM.FI.0
Disclosure of Interest:	Nil
Date:	9 May 2012
Author:	Executive Manager Corporate Services, Sue O'Toole
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

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

COMMENT

Nil

CONSULTATION

Inform - in accordance with Council Policy 1.25.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Policy 1.25 – Communication and Consultation.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.2.2

1. *The monthly financial report for period ended 30 April 2012 be accepted; and*
2. *The accounts as listed in the monthly financial report be received:*
 - a. *Municipal Fund ~ April 2012 \$1,641,112.92 incorporating cheque numbers 11700 to 11742 inclusive and direct debits*
 - b. *Trust Fund ~ \$61,300.00 incorporating direct debits.*

Outstanding Creditors totalling ~ \$348,561.69

COUNCIL DECISION – 10-0512 – 10.2.2

Moved Councillor Fitzgerald, Seconded Councillor Thompson.

1. *The monthly financial report for period ended 30 April 2012 be accepted; and*
2. *The accounts as listed in the monthly financial report be received:*
 - a. *Municipal Fund ~ April 2012 \$1,641,112.92 incorporating cheque numbers 11700 to 11742 inclusive and direct debits*
 - b. *Trust Fund ~ \$61,300.00 incorporating direct debits.*


Outstanding Creditors totalling ~ \$348,561.69

CARRIED 5/0

10. REPORTS OF OFFICERS

10.2 Executive Manager Corporate Services

10.2.3 Sundry Debtor Account Write Off – Lester Group Ltd & Balwyn Rockingham Pty Ltd

Location:	Exmouth
Applicant:	S O'Toole
File Reference:	FM.DB.3
Disclosure of Interest:	Nil
Date:	17 April 2012
Author:	Executive Manager Corporate Services, Sue O'Toole
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council authorises to write off the amount of \$216,444.93 incl GST in respect of Sundry Debtor accounts for Lester Group Ltd of \$165,000.00 and Balwyn Rockingham Pty Ltd of \$51,444.92.

BACKGROUND

A number of Ministerial (environmental) Conditions of Approval were set for the development of the Exmouth Boat Harbour (EBH) and the Exmouth Marina Village (EMV). These conditions included the requirement for water and sediment quality monitoring (W&SQM) and in the case of EBH, additional biota monitoring (within mussels) for traces of toxic metals and hydrocarbons was also required.

A EMV Water and Sediment Quality Monitoring Program was developed by LandCorp and approved by DEC as the program to be adopted by the developer of each stage of the EMV development for the monitoring of the waterways. The Program details monitoring requirements pre, during and post construction and was referenced by the WAPC conditions of subdivision approval for each of the staged developments as a responsibility of the respective developers. In relation to post construction monitoring, the Program requires that monitoring occur biannually for three years following construction of each stage of the EMV waterway; and further that the *requirements for ongoing monitoring in each stage of the Marina Village waterway during subsequent years will be assessed following consideration of the first three year's data, in conjunction with Department of Transport and the DEP (now DEC).*

The Shire of Exmouth became responsible for the implementation of the Program for the Stage 1 waterways (i.e. the main canal up to and including Canal Arm 4 but excluding the DoT canal) in 2005. The Shire of Exmouth continued to monitor the stage 1 waterways beyond 2008 (i.e. more than 3 years post construction) as the water quality of the canals was continuously disrupted due the dewatering discharge from the subsequent construction of the Stage 2 and 3 waterways. As the Shire of Exmouth was continuing to monitor the Stage 1 waterways, an offer extended to the two developers of the subsequent Stages 2 and 3 of the EMV for them to also partner in the joint W&SQM contract. The developer of Stage 2 - Balwyn Rockingham Pty Ltd, initially agreed to partner with the Shire in relation to the above arrangements.

Over the past couple of years the Shire has tried to formalise the above arrangement via a deed of agreement that was prepared with guidance from the WAPC State Planning Policy No. DC1.8 - Canal Estates and Other Artificial Waterway Developments as this policy was referenced in the conditions of development approval for the EMV. Policy 1.8 provides that the Deed of Agreement (the Deed) require that the proponent *be a party to the agreement until at least five years after the date of practical completion.....*

The respective developers for both Stages 2 & 3 were consulted in the preparation of the Deed. The developer of Stage 3 (Exmouth Marina Holdings) elected to have little input and later gave written advice that they decline the offer of the Stage 3 Shire monitoring the waterways on their behalf as they repute that they have any obligation to undertake W&SQM of the designated sampling sites within the Stage 3 waterways. Balwyn Rockingham (BR) however, (the Stage 2 developer) was intimately involved in the preparation of the Deed and number of amendments were made to the Deed following consultations with representatives of Balwyn Rockingham/Lester Group.

Prior to the preparation of the Deed, the Shire issued invoices to Balwyn Rockingham for the first 3 years of W&SQM. The invoice for year one was paid without delay while payment for years 2 & 3 was stalled. By the time the Deed was finalised, five years of monitoring of the Stage 2 waterways had been completed and reports issued by the consultants. Owing to the above, the Shire issued invoices to Balwyn Rockingham for their contribution to the year 4 & 5 monitoring and reporting. However, at this time Balwyn Rockingham had still not signed the Deed.

Running in parallel to the preparation of the Deed were negotiations between the Shire and Balwyn Rockingham (via the Lester Group) to resolve a dispute that the developer raised in recent years relating to a developer contribution of \$300,000 toward flood mitigation works that was offered and subsequently paid by the developer (in the form of a bank guarantee) to reach agreement for the final clearance of the developed lots. In addition to the above, there was also a number of works that were not complete at the time of final lot clearance and these works were subject of a separate bank guarantee to facilitate final clearance of the developed lots.

A meeting was held in Exmouth on Wednesday 6th October 2010 between the Council and the Lester Group in relation to the dispute of the Bank Guarantee imposed by the Council to clear Condition 17, of the WAPC Approval for the project. Condition 17 states

'The subdivision land being provided with an adequate outlet drainage system connected to a comprehensive district drainage system in accordance with the drainage design and Management Plan at the subdividers cost to the satisfaction of the WAPC'.

From the outcomes of that meeting Council (Behind Closed Doors) resolution 1935 – 13.1.1 of the October 2010 meeting resolved the following

Moved Councillor Fitzgerald, seconded Councillor Todd

That the Shire of Exmouth agree to the terms as listed in file reference (FM.BA.0) as settlement to the ongoing dispute between the Lester Group and Council in relation to flood mitigation works and Super Lot A Subdivision.

CARRIED 6/0

The above settlement seemed to have resolved the issue until the Lester Group via correspondence dated 13 February 2012 advised that they were refuting all obligations in relation to the Flood Mitigation contribution and the requirement to enter into the Deed of Agreement for Water & Sediment Monitoring for years 4 & 5.

Council's Finance Department had raised new invoices as per the new negotiated terms endorsed at the October 2010 meeting and this item recommends that as the matter is now with the Courts the dispute of outstanding amounts revert back to the original agreements and that the invoices referred to be written off by the Council.

COMMENT

The dispute relating to the above matters is now in the District Court where Balwyn Rockingham/Lester have formally acknowledged that they have an obligation to pay the Shire for the W&SQM and reporting for years 2 & 3. Owing to the above and to save any expensive drawn out legal contest relating to the obligation towards years 4 & 5, it is recommended that Council formally 'write off' the debtor invoices that were raised totalling \$51,444.92 incl GST for W&SQM of the Stage 2 waterways for Years 4 - 2009/10 and Year 5 - 2010/11. It is also recommended Council consider writing off the invoice raised to Lester Group Ltd for \$165,000.00 incl GST.

CONSULTATION

CEO

Executive Manager Engineering Services

Executive Manager Health & Building

Lester Group Ltd

Balwyn Rockingham Pty Ltd

STATUTORY ENVIRONMENT

Sect 6.12 (1) (c) Local Government Act 1995

Div 4 Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS

Policy 3.33 Debt Recovery

FINANCIAL IMPLICATIONS

At the time of raising the Debtors invoice to Lester Group for \$150,000.00 excl GST, this was transferred to the Unspent Grants and Contributions Reserve Account, therefore the write off of this amount will have no adverse effect in the current financial year.

Reimbursement costs for canal monitoring is currently exceeding the year to date budget by \$18,102, by writing off Balwyn Rockingham Pty Ltd invoice of \$51,444.92 incl GST will adversely affect the final year end position by \$28,666.

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION – 10.2.3

That the Council of the Shire of Exmouth revoke Council (Behind Closed Doors) resolution 1935 – 13.1.1 of the October 2010 meeting being

Moved Councillor Fitzgerald, seconded Councillor Todd

That the Shire of Exmouth agree to the terms as listed in file reference (FM.BA.0) as settlement to the ongoing dispute between the Lester Group and Council in relation to flood mitigation works and Super Lot A Subdivision.

That the Council of the Shire of Exmouth authorises:

- *the amount of \$165,000.00 incl GST in respect of Sundry Debtor, Lester Group Ltd, invoice #88 be written off;*
- *The amount of \$51,444.92 incl GST in respect of Sundry Debtor, Balwyn Rockingham Pty Ltd, invoice #723 be written off for years 4 & 5 of water monitoring costs.*

COUNCIL DECISION – 11-0512 – 10.2.3

Moved Councillor Fitzgerald, Seconded Councillor Warren.

That the Council of the Shire of Exmouth revoke Council (Behind Closed Doors) resolution 1935 – 13.1.1 of the October 2010 meeting being

Moved Councillor Fitzgerald, seconded Councillor Todd

That the Shire of Exmouth agree to the terms as listed in file reference (FM.BA.0) as settlement to the ongoing dispute between the Lester Group and Council in relation to flood mitigation works and Super Lot A Subdivision.

That the Council of the Shire of Exmouth authorises:


- *the amount of \$165,000.00 incl GST in respect of Sundry Debtor, Lester Group Ltd, invoice #88 be written off;*
- *The amount of \$51,444.92 incl GST in respect of Sundry Debtor, Balwyn Rockingham Pty Ltd, invoice #723 be written off for years 4 & 5 of water monitoring costs.*

CARRIED by ABSOLUTE MAJORITY 5/0

10. REPORTS OF OFFICERS

10.3 Executive Manager Aviation Services

10.3.1 General Report

Location:	Exmouth
Applicant:	Andrew Forte
File Reference:	
Disclosure of Interest:	Nil
Date:	10 May 2012
Author:	Executive Manager Aviation Services, Andrew Forte
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Defence

The revised Learmonth Operating Deed has been received and signed. Learmonth's regular aviation users are now familiar with the revised operating and notification requirements.

Darwin RAAF representatives (WGCDR James Younger and SQNLDR Greg Thexton) have made an appointment to meet 21/22 May with airport management to discuss operations and movement approvals generally.

Regulatory

The Office of Transport Security (OTS) have advised they will be conducting an audit of systems, records, security protocols, training and ASIC records etc on 16 May 2012. This is their annual audit of all that makes up security at Learmonth Airport.

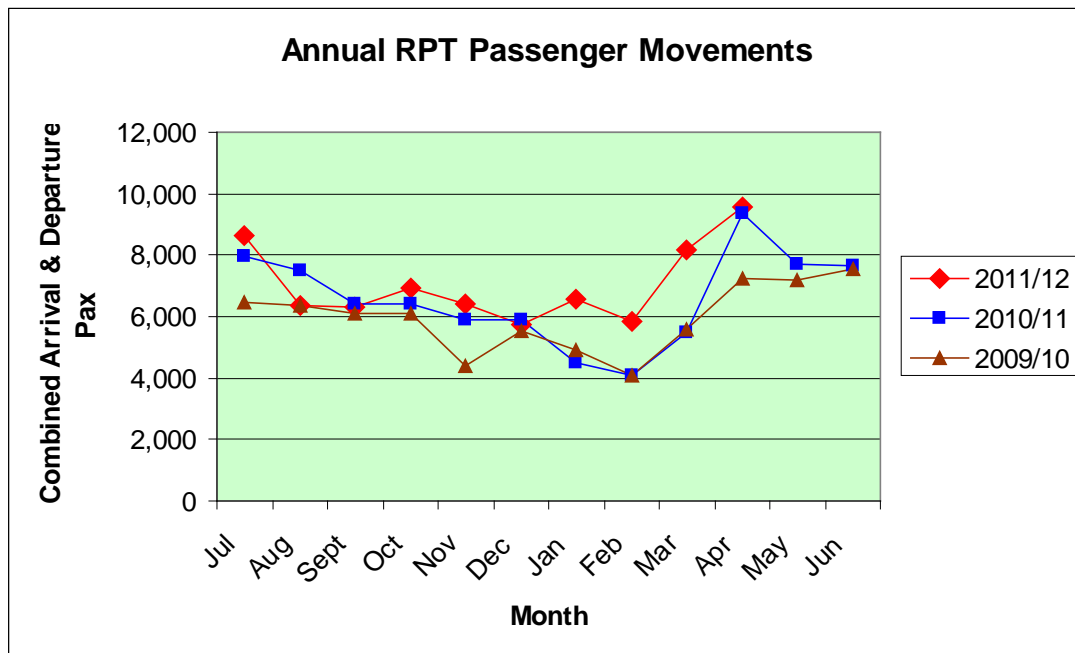
Airlines/Air Operators/Industry

Qantas have requested and Defence have subsequently approved a Saturday RPT service commencing 2 June 2012. It is a Q400 aircraft and will arrive at 1230 hrs and depart at 1430 hrs. It is understood to be supported by tourism/visitor demand not the offshore industry.

Skywest have indicated that from 11 June 2012 their Monday to Friday F100 service Learmonth to Perth flights will depart at 1230 hrs. This service currently departs at 1335 hrs Tu & Th with M, W, F at 1415 hrs

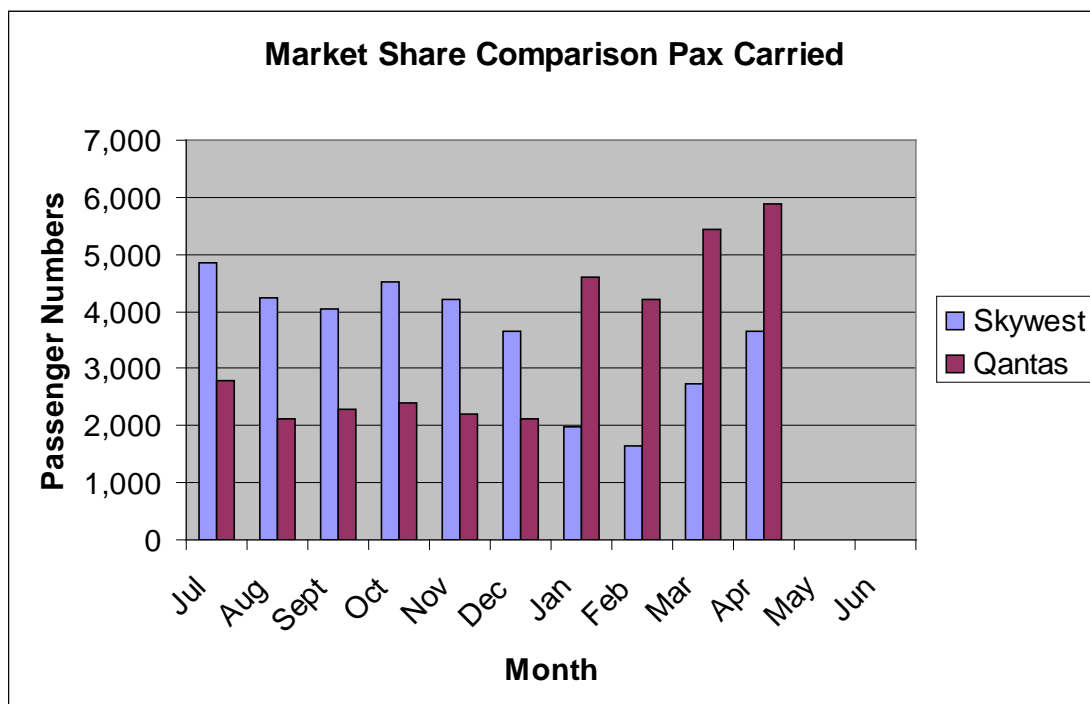
Monthly RPT passenger movements for April 2012 are depicted by the graph below, together with previous past two years for comparison.

The RPT passengers carried by Skywest on the Paraburdoo route are not included. They are insignificant to the graph and the presentation is in the Perth-Learmonth route.



The percentage of RPT passengers that are associated with the offshore is estimated at 20% for the month April. For month of March it was approximately 30%.

The estimate assumes all heliport transfers were actually users of the RPT services. A more complete assessment will be compiled for the 6/12 of this year as the effect of tourism numbers and VFR traffic are more dominant over the current period resulting in a lower calculated percentage of offshore persons carried.



Airport

A revised apron marking layout is under preparation for the utilisation of the extended apron. Three helicopter parking with two being load out are to be created on the southern apron and the RPT parking is to be extended to the North along with GA parking.

A revised configuration of the passenger X-ray and walkthrough magnetometer to secure the café as well as the current departures area has been prepared. A detailed fit out drawings will follow for local builder construct. Objective is for 1 July 2012 to have all persons entering the airport to pass through security after check-in.

A review of airport signage has occurred and several redundant signs removed. Concepts are under preparation for a 'Welcome to Exmouth' sign within the arrivals area of the terminal.

Various terminal building maintenance works have commenced that include repaint of the external designer feature veranda poles, various skirting board and light fitting replacements and wall cleaning.

These enhancements will be in time for the 'Wonder Airport' documentary filming scheduled for 31 May and 1 June 2012.

Japanese Satellite Television, BS-NTV, which is one of the largest network station in Japan and a subsidiary of Nippon Television Network Corporation is to undertake the documentary program. "Wonder Airport" is all about the Airport information of the world, including airline and city information. The theme is "Can an airport be a destination" ie; Enjoy travel even while staying in a airport. Since the program was aired from April 2011, this satellite television program has visited 32 Airports in 15 Countries, including Sydney and Brisbane Australia. Airports ultimately do grow to be cities in their own right and this program theme is obviously a winner with a viewing audience apparently of 1.5 million in Japan.

Qantas has partnered so their airline will be featured as too Exmouth and the Ningaloo as filming with the whale sharks and the town site itself are intended on Saturday 2 June.

Heliport

A second LHCM was convened on 2 May 2012. Overall the industry remains very supportive of the heliport services being provided, particularly considering this was the busiest period ever recorded for offshore movements¹ from Learmonth.

From herein through to August offshore activity will be static with ramping again to occur when drill operations for Apache (two rigs) and Shell (one rig) arrive Aug/Sept for an approximate 3-4 months period.

Training and updating SOP's to meet audit and safety needs continue under the direction of Cliff O'Toole, Heliport Coordinator.

Staffing

Tim Lymon is on annual leave until 18 June 2012.

Leasing

Nil

Projects

Nil

Other Items

Nil

Exmouth Airstrip

Bristow's have invited a proposal to be submitted by the Shire for solar lighting installation at the Exmouth aerodrome. Lighting is required for their training and emergency response contractual requirements to BHPB and others. The collective of representatives at the last LHCM were supportive of a cost share outcome to deliver solar lights.

COMMENT

Nil

CONSULTATION

Inform - in accordance with Council Policy 1.25.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Policy 1.25 – Communication and Consultation.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.4: Maintain and increase defence presence
- Outcome 1.5: Maintain & Improve Shire Infrastructure

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.3.1

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

COUNCIL DECISION – 12-0512 – 10.3.1

Moved Councillor Fitzgerald, Seconded Councillor Winzer.

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

CARRIED 5/0

10. REPORTS OF OFFICERS

10.4 Executive Manager Community Engagement

10.4.1 General Report

Location: Exmouth
 Applicant: R Kempe
 File Reference:
 Disclosure of Interest: Nil
 Date: 9 May 2012
 Author: Executive Manager Community Engagement, Rogé Kempe
 Signature of Author: 
 Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Visitor Centre

Annual Door Statistics

	2010/11	2011/12	Compared to last year
JUL	19833	16175	-3658
AUG	15165	15147	-18
SEP	12309	10901	-1408
OCT	10890	9474	-1416
NOV	6255	6119	-136
DEC	5272	5029	-243
JAN	5355	4874	-481
FEB	3200	3073	-127
MAR	6740	5124	-1616
APR	13062	11565	-1497
MAY	13243		
JUN	13956		
TOTAL	125280	87481	

Door count April 2011

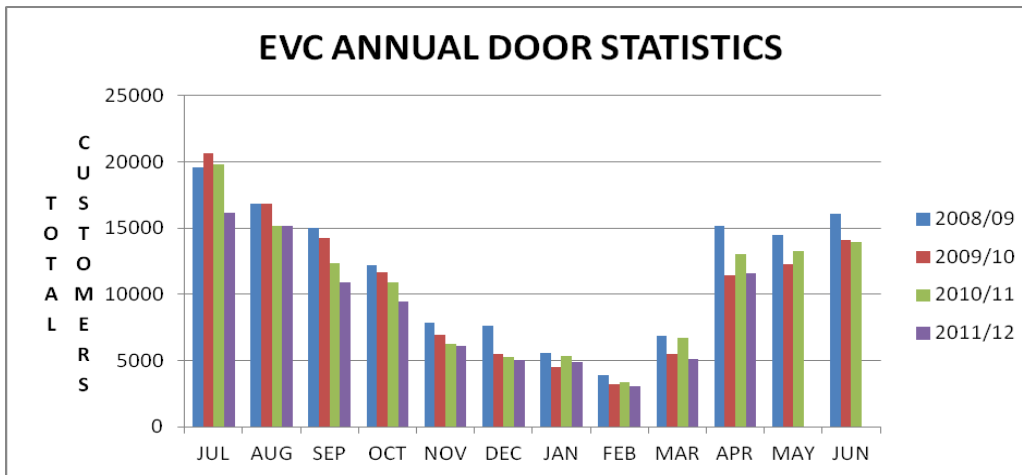
Total visitor numbers 13062

The average visitor number per day in March was 435

Door count April 2012

Total visitor numbers 11565

The average visitor number per day in March was 385.



Book easy statistics

Accommodation	April 12	March 12	April 11
Online Accommodation Bookings	146	99	177
Average Spend per booking	\$358	\$339	\$304
Tours			
Online Tour Bookings	486	206	527
Average Spend per booking	\$378	\$400	\$354

Summary

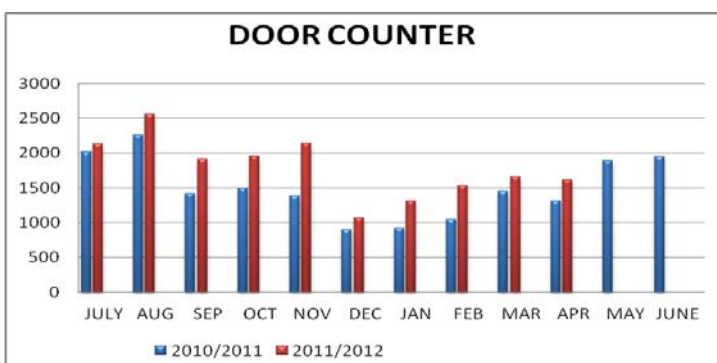
- Average spend per accommodation booking is up by 15% to \$358.
- The number of room nights sold in April 2012 has decreased by 15%.
- April 2012 total of 401 room nights.
- April 2011 total of 480 room nights.
- Tour booking numbers have decreased by slightly this year by 8%.
- The average tour spend is up by approx.5%.

Visitor numbers into the centre and online bookings continue to decrease. However, the yield, and conversion rate for sales is increasing. I feel this has been achieved by an improvement in customer service, a happy team who is working together and an achievable monthly sales target.

Shop Survey

We are currently asking visitors to complete our in house survey; attached. Each month we will be drawing a lucky winner who will go into the draw for an “Exmouth gift pack”. The survey will offer us important feedback about our customers and our customer service.

Library & Community Resource Centre (CRC)



The door count comparison for April 2012 with April 2011 shows an increase of 299 visitors for the month. April 2011 visitor numbers were 1311 compared to April 2012 visitors' numbers of 1610.

Story time has recommenced after the school holidays and continues to be well attended: 19 children and their caregivers attended the first session followed by 21 children plus carers this week.

Mel Lonnie has resigned as the Casual Library/Telecentre officer to move to Queensland; staff progresses to find an officer for this casual position.

The Library will continue to promote the importance of early literacy by visiting the Early Child Health Centre to do a talk each time a new Mothers group meet.

Community Development

School Holiday Program

Once again the Shire partnered with various community groups to put on an attractive school holiday program. PCYC, Exmouth Tennis club, Exmouth Cultural Arts Centre, and additional individuals like April Swift, Janet Norris and Ness Richards all helped in bringing together a fun program for our community. This was well received with each activity having a group of kids participating.

Jarron came up to Exmouth to run a tennis coaching clinic for the young ones and also ran a free clinic for adults to learn basic coaching skills. It is hoped that through this, the tennis club will attract young community members to start junior tennis. Four local adults made use of this opportunity.

Council staff are currently looking into better ways to pre-book the school holiday activities, for example through a booking system on the Shire website.

Anzac Day

Attendance figures for ANZAC day were up again this year with estimates of larger crowds at both the dawn (300+) and commemorative services (150). Shire staff worked closely and very well with the RSL, RAAF, Pilbara regiment, Solar Observatory and Emergency Services. Staff also acknowledges the fantastic work Meike does in making the various wreaths.

The Shire President addressed the people gathered and referred to Exmouth and the Northwest Cape becoming part of WWII some 70 years ago, with the start of Operation Potshot in 1942. He also welcomed into our town and to the ANZAC day services, His Excellency, United States Ambassador to Australia Jeffrey Bleich.



Banner's in the Terrace

The high school students are well on their way to producing another fantastic banner for Perth Terrace. The design is now completed and paint has been ordered to complete the banner in this term.

Banner's in Maidstone Terrace

There was a huge response to the community photo competition with 160 entries being sent in. Shire Staff are now preparing for the judging of the entries with the winners to be announced shortly after.

The photos are all printed on A4 size at no cost due to a kind donation by Exmouth Pharmacy. They will be on display for the wider community during the Whaleshark Festival in the last weekend of May.

WWII & Vlamingh Head Interpretive Project – Update

Council is aware of the WWII & Vlamingh Head interpretive project which will install interpretive heritage signage on Vlamingh Head, Potshot Memorial and Krait Memorial sites. The project will assist in providing a better understanding of the history of the Northwest Cape, the Town of Exmouth and our Natural and Cultural environments. A large part of the interpretive signs is dedicated to the WWII history of our region.



Council recently received the interpretive panels made from stainless steel with rust enhanced steel as backing from the manufacturers and officers are preparing a Request for Quote to engage (local) contractors to install the signage, construct seating and conduct other related works. The project is partially funded by the Shire of Exmouth with substantial assistance through Royalties for Regions grant funding.

COMMENT

Nil

CONSULTATION

Inform - in accordance with Council Policy 1.25.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Policy 1.25 – Communication and Consultation.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

Outcome 1.3 – Diverse Tourism opportunities.

Social

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

Outcome 3.3 –An inclusive, responsible and cohesive community.

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER’S RECOMMENDATION – 10.4.1

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

COUNCIL DECISION – 13-0512 – 10.4.1

Moved Councillor Fitzgerald, Seconded Councillor Warren.

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

CARRIED 5/0

10. REPORTS OF OFFICERS

10.4 Executive Manager Community Engagement

10.4.2 Exmouth Visitor Centre Review Report

Location:	Exmouth
Applicant:	R Kempe
File Reference:	
Disclosure of Interest:	Nil
Date:	9 May 2012
Author:	Executive Manager Community Engagement, Rogé Kempe
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends for Council to receive the consultant's report "*Exmouth Visitor Centre Review Recommendation*" and for officers to work with the Exmouth Visitor Centre Marketing Committee to further investigate the Primary recommendation of the report to develop the EVC towards a Not for Profit Organisation under a Board of Management.

BACKGROUND

The Shire of Exmouth had a Memorandum of Understanding (MOU) with the Exmouth Visitor Centre Marketing Committee (EVCMC) which expired in 2011.

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

It has become apparent a way forward needs to be defined and to investigate this, both Shire of Exmouth and the EVCMC have engaged consultants 'Actual to Ideal' to assist parties with a "Future Directions Plan" which:

- Provides an overview of the current status and direction for the longer-term future of the Exmouth Visitor Centre
- Addresses the topics of staffing, feasible scenarios for service provision by the EVC and the financial viability of the EVC
- Describes a preferred governance model for the future EVC

After extensive stakeholder consultation, the consultants presented a report with their findings at a combined meeting of Shire Council/Staff and committee members of the EVCMC on 24 April 2012. (Report provided under separate cover due to confidential information of a business nature).

COMMENT

The primary recommendation as presented by the consultants is to develop the EVC towards a Not for Profit Organisation under a Board of Management.

The rationale for the Consultant's recommendation is as follows:

"This recommendation has been formulated and presented as our Primary Recommendation on the basis of long-term survival, growth and ongoing internal review & improvement of the Exmouth Visitor Centre".

"Its structure will allow for greater autonomy, initiative, creativity and flexibility. We see it as an attractive model for the corporate sector to engage with by way of support and/or sponsorship,

whilst providing opportunities for the Tourism sector to receive outstanding value from its membership with the Exmouth Visitor Centre”.

“The fully Independent Not for Profit with a Board of Management structure will also allow the Centre to continue to focus largely on providing high quality and consistent visitor services to encourage tourists and visitors to engage with the region and experience more of what it has to offer”.

In addition, and after the meeting, a letter was received from the EVCMC dated 9 May 2012 (**Refer Attachment 1**), with the following quote provided for this report:

The EVCMC have considered the two recommendations and we believe the primary recommendation that the Exmouth Visitor Centre become a member managed organisation deserves further investigation.

We propose to hold an information session in June to inform our members about the report. At this information session our members will be informed that the EVCMC supports the recommendation that the Exmouth Visitor Centre be managed by members independently of the Shire of Exmouth. We will advise our members that should council also agree the primary recommendation is worthy of further investigation we will establish a working group to examine the financial and operational implications of adopting such a concept. We will not establish a working party to analyse the primary recommendation if council is against the proposal.

Additional Officer Comments:

1. Considering the recommendation of the Consultants and the EVCMC proposing to further investigate the primary recommendation that the EVC be managed by members independently of the Shire of Exmouth, officers are of the view that Council should assist the EVCMC in investigating this option. The EVCMC, with assistance of Shire Officers would enter into the next stage of this process which would entail a feasibility study of some sorts, including governance structures, financials, personnel, etc
2. Council is also advised the Consultants provided a “Secondary Recommendation” which is principally provided as a back-up option to the primary recommendation, in which the EVC would be taken over in its entirety by the Exmouth Shire and become a business unit of the Shire’s operations. Consultants stress that this back-up option should only be considered if the Primary recommendation turns out to be unviable.
3. Should the EVCMC accept management of the operations of the EVC, will allow the Council to explore a more strategic marketing approach on a regional level as identified within the Regional Business Plan for the Gascoyne.

CONSULTATION

Inform - in accordance with Council Policy 1.25.

Consultation was undertaken as part of the development of the Report made by the consultants.

STATUTORY ENVIRONMENT

None

POLICY IMPLICATIONS

Policy 1.25 – Communication & Consultation.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

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

Outcome 1.3 – Diverse Tourism opportunities.

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

Outcome 3.3 –An inclusive, responsible and cohesive community.

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

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.4.2

That the Council of the Shire of Exmouth:

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

COUNCIL DECISION – 14-0512 – 10.4.2

Moved Councillor Winzer, Seconded Councillor Warren.

That the Council of the Shire of Exmouth:

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

CARRIED 5/0

10. REPORTS OF OFFICERS

10.4 Executive Manager Community Engagement

10.4.3 MOU between Exmouth District High School and Shire of Exmouth – Hard Courts

Location:	Exmouth
Applicant:	R Kempe
File Reference:	
Disclosure of Interest:	Nil
Date:	9 May 2012
Author:	Executive Manager Community Engagement, Rogé Kempe
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report proposes that Council adopt the Hard Courts User MOU between the Shire of Exmouth and the Exmouth District High School, and authorise the Shire President & CEO to sign and duly seal the document.

BACKGROUND

In 2010, the Shire of Exmouth was successful with an application under the Royalties for Regions-Regional Grants Scheme and received \$876,900 (ex GST) to add to and improve the propose hard courts at the Exmouth District High School (EDHS) through a partnership between the Shire of Exmouth, Department of Education and EDHS.

With the additional funding, a joined facility has been developed that will provide both the school and the Exmouth community access to two covered multipurpose hard courts. This all-weather venue, which includes lighting for evening use, can be used for netball, basketball and various other sports like tennis and volleyball.

All parties involved recognise the mutually beneficial opportunity that combines resources and avoids unnecessary duplication of facilities and costs. It is also anticipated that this first class facility will give a boost to the existing clubs and we may even see new clubs being established.

The Courts are expected to be ready for use from end May 2012 onwards with the EDHS students and the Exmouth Netball Association being the first users.

The Shire of Exmouth and EDHS have been detailing the processes that need to be in place to assist shared use of the Courts by both the school and community groups. A Memorandum of Understanding (*Hard Courts User Agreement*) has been drafted up and is presented to Council as attached to this report (*Refer Attachment 2*).

COMMENT

Shire of Exmouth and the EDHS, through the proposed User Agreement, recognise the shared goals of providing sporting and recreational opportunities and facilities for both Exmouth District High School students and Exmouth Community & Sporting Groups.

This Agreement defines the roles and responsibilities of both parties with respect to providing efficient, fair and equitable processes for the use of the covered Hard Court facilities at the Exmouth District High School grounds. Specifically the Agreement addresses: contributions and costs, booking procedures, authorised times for different users, and potential future works.

Council is presented with the draft User Agreement and requested to adopt the Agreement, subject to final discussion with the EDHS and for the CEO to be authorised to make minor amendments should they be necessary.

Also attached for Council's information is a draft Bookings Form that will be used by Shire Officers specifically for the Hard Courts (*Refer Attachment 3*).

CONSULTATION

Inform - in accordance with Council Policy 1.25.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Policy 1.25 – Communication and Consultation.

FINANCIAL IMPLICATIONS

The annual Shire Contribution is estimated at \$ 12,000 which includes the agreement fee, utilities and general facility related costs. This contribution will be budgeted for annually through the Council's Annual Budgetary process and reviewed every year.

Council will set bonds and users fees for the use of the Courts by groups and clubs; these will be set through the Council's Annual budget process and reviewed every year.

STRATEGIC IMPLICATIONS

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

Outcome 1.3 – Diverse Tourism opportunities.

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

Outcome 3.3 –An inclusive, responsible and cohesive community.

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

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.4.3

That the Council of the Shire of Exmouth adopt the Hard Courts User MOU between the Shire of Exmouth and the Exmouth District High School, and authorise the Shire President & CEO to sign and duly seal the document.

COUNCIL DECISION – 15-0512 – 10.4.3

Moved Councillor Warren, Seconded Councillor Thompson.

That the Council of the Shire of Exmouth adopt the Hard Courts User MOU between the Shire of Exmouth and the Exmouth District High School, and authorise the Shire President & CEO to sign and duly seal the document.

CARRIED 5/0

10. REPORTS OF OFFICERS

10.5 Executive Manager Health & Building

10.5.1 General Report

Location: Exmouth
 Applicant: R M Manning
 File Reference: GV.CM.0
 Disclosure of Interest: Nil
 Date: 9th May 2012
 Author: Executive Manager Health & Building, R M Manning

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Building Permit and Building Approval Certificate Applications and Approvals

Below is a summary of building licence and building certificate applications and approvals up to 9th May 2012.

Building Applications				
Applic. No.	Date received	Property Address	Decision	Decision Date
20120045	27/03/2012	109 (17) Snapper Loop	A	30/03/2012
20120046	27/03/2012	403 (5) Farley Street	A	13/04/2012
20120047	29/03/2012	1377 (30) Preston Street	Awaiting information from applicant	
20120050	05/04/2012	30 (Unit 7) Dugong Close	A	03/05/2012
20120055	23/04/2012	285 (27) Lefroy Street	Awaiting information from applicant	
20120056	23/04/12	60 (9) Lockwood Street	A	10/05/2012
20120057	23/04/2012	Lot 414 (15) Krait Street	A	11/05/2012
20120058	24/04/2012	999 (1) Griffiths Way	A	03/05/2012
20120059	26/04/2012	1007 (5) Warren Way	A	08/05/2012
20120062	30/04/2012	1378 (19) Preston Street	A	11/05/2012
20120063	30/04/2012	774 (31) Ingleton Street	A	03/05/2012
20120064	01/05/2012	1280 (8) Seawolf Close	A	11/05/2012
20120065	03/05/2012	1280 (8) Seawolf Close	P	08/05/2012

Summary of Building Licence Applications
2005 to Year to date 10th May 2012

Year	No. Applications	Total Value of Works	No. Applications up to 10 May	Value up to 10 May
2007	138	\$19,487,319.01	51	\$9,589,651.00
2008	140	\$23,065,372.40	44	\$3,873,931.40
2009	140	\$24,780,872.94	35	\$6,601,719.00
2010	202	\$25,165,355.12	80	\$7,286,481.00
2011	186	\$26,904,715.11	61	\$6,478,421.11
2012			49	\$4,820,088.00

COMMENT

BUILDING

A number of updates to Council Policies relating to functions of Building Services were presented to the Council in the CEO's report for consideration of the Council. Most of the updates were necessary to ensure that the Policies were consistent with the Building Act 2011 and Building Regulations 2012.

ENVIRONMENTAL HEALTH

An appointment to the Environmental Health Officer (EHO) Position has finally been made. The new recruit, Mr Patrick Barber is an ex-South African who has been residing in New Zealand for most of the past 20 years. Patrick has over 30 years experience as an EHO and is due to commence duties with the Shire of Exmouth on 21 June 2012.

As the Executive Manager Health & Building (EMHB) will be on annual leave between 23rd May to 20 June 2012 and with there not being anyone in the EHO position during that time, an appointment for a relief EHO is currently being sought.

Sentinel Chickens & Mosquito Borne Diseases

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

Waste Management & Recycling

Tip Times & Aluminium Can Recycling Fridge Magnets

2000 fridge magnets have been ordered that will provide residents, visitors and business people in Exmouth a handy quick reference to know what the daily tip opening times are and also where the aluminium can collection cages are located around town. A copy of the fridge magnet design is provided at **Attachment 1**.

Aluminium Can Collection

Exmouth's C.A.R.E. Group took over the can collection from Anne McCarrol and Milton Landon earlier this month. The C.A.R.E. Group submitted an Expression of Interest on the closing day that EOI's were sought. Unfortunately the EMHB only became aware of their submission last month and once Anne and Milton were aware that a local not-for-profit group had also made a submission, they were happy to 'pass the baton' to the C.A.R.E. Group advising that they only made their submission in case no other club or group did as they did not want to see this recycling initiative cease.

A copy of C.A.R.E. Group's EOI is provided at **Attachment 2**, from which it is obvious that the funds raised will go to a very worthy cause.

Paltridge Memorial Swimming Pool

	<u>2012</u>	<u>2011</u>	<u>2010</u>
Pool users	2669	2308	2121

The 11/12 Pool Season ended on Friday the 11th of May. The Pool scheduled to reopen with a Pool Open Day Sunday the 16th of September.

The Pool staff completed their annual Lifeguard Requalification the weekend of the 12th & 13th of May. This year we had 3 Junior Lifeguards completing the full course and 4 Staff just completing a Lifeguard requalification. There is also 9 other pool staff from different locations throughout the Pilbara and the Gascoyne who travelled to Exmouth for Lifeguard training. A Grant for this Lifeguard course has also been successfully obtained from the SkyWest Regional Flight Assistance which sponsors flights for course instructors.

The Pool will be Open for the Whaleshark Festival for a Movie Night featuring films made by local kids on the Friday night and then from 12pm to 4pm on the Saturday of the festival.

CONSULTATION

Inform - in accordance with Council Policy 1.25.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Policy 1.25 – Communication and Consultation.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Environment

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

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

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.5.1

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

COUNCIL DECISION – 16-0512 – 10.5.1

Moved Councillor Winzer, Seconded Councillor Fitzgerald.

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

CARRIED 5/0

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

Location: Exmouth
 Applicant: NA
 File Reference: PE.RE.39
 Disclosure of Interest: Nil
 Date: 9 May 2012
 Author: Executive Manager Health & Building, R M Manning

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that the Council for the Shire of Exmouth appoint Council's Environmental Health Officer, Mr Patrick Kenneth Barber as an authorised person pursuant to the Health Act 1911, the Caravan Parks and Camping Grounds Act 1995 and the Local Government Act 1995.

BACKGROUND

Mr Barber recently accepted the offer of position with the Shire of Exmouth as Environmental Health Officer (EHO) and is due to commence duties on the 21st June 2012.

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

COMMENT

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

- **Health Act 1911:** That the Council seek the approval of the EDPH for the appointment of Mr Barber as EHO for the Shire of Exmouth. Such approval will provide the authorisation required under the Health Act (and its subsidiary legislation) for Mr Barber to perform the functions of the EHO;
- **Caravan Parks and Camping Grounds Act 1995 :** For powers of entry and inspection purposes; and
- **Local Government Act 1995:** Under section 9.10 to enable the EHO to act as an authorised person for the purposes of the Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law and the Local Government Property Local Law.

CONSULTATION

Inform - in accordance with Council Policy 1.25.

STATUTORY ENVIRONMENT

Health Act 1911 and all subsidiary legislation thereto;
 Caravan Parks and Camping Grounds Act 1995 and Regulations 1997;
 Local Government Act 1995 and the Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law and the Local Government Property Local Law.

POLICY IMPLICATIONS

Policy 1.25 – Communication and Consultation.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION – 10.5.2

That the Council of the Shire of Exmouth:-

1. *Seek the approval of the Executive Director, Public Health for the appointment of Mr Patrick Kenneth Barber as Environmental Health Officer for the Shire of Exmouth; and*
2. *Appoint Shire of Exmouth Environmental Health Officer, Mr Patrick Kenneth Barber and Relief Environmental Health Officer (for the period 21 May 2012 to 20 June 2012), Mr John Randall as authorised persons pursuant to the Caravan Parks and Camping Grounds Act 1995 (s. 17) and the Local Government Act 1995 (s.9.10).*

COUNCIL DECISION – 17-0512 – 10.5.2

Moved Councillor Fitzgerald, Seconded Councillor Winzer.

That the Council of the Shire of Exmouth:-

2. *Seek the approval of the Executive Director, Public Health for the appointment of Mr Patrick Kenneth Barber as Environmental Health Officer for the Shire of Exmouth; and*
3. *Appoint Shire of Exmouth Environmental Health Officer, Mr Patrick Kenneth Barber and Relief Environmental Health Officer (for the period 21 May 2012 to 20 June 2012), Mr John Randall as authorised persons pursuant to the Caravan Parks and Camping Grounds Act 1995 (s. 17) and the Local Government Act 1995 (s.9.10).*

CARRIED by ABSOLUTE MAJORITY 5/0

REPORTS OF OFFICERS

10.5 Executive Manager Health & Building

10.5.3 Application for Approval to Camp other than in a Caravan Park - Lot 52 Crevalle Way

Location: Exmouth
 Applicant: NA
 File Reference: A1938
 Disclosure of Interest: Nil
 Date: 9 May 2012
 Author: Executive Manager Health & Building, R M Manning

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that the Council for the Shire of Exmouth grant approval for the owner of Lot 52 Crevalle Way, Exmouth to occupy a caravan/mobile home for a period of twelve (12) consecutive months subject to the standard conditions of approval detailed in Council Policy 5.5: Temporary Accommodation – Caravans.

BACKGROUND

The applicants, who are also the owners of the subject land, are requesting the approval of the Council to camp within a self-contained mobile home from mid June 2012 to mid June 2013 on Lot 52 Crevalle Way, Exmouth while they continue with the construction of a dwelling on the lot.

COMMENT

A building license (137/11) for a two storey, steel framed dwelling was granted September 2011 and works recently commenced on the dwelling with the preparation of the foundations.

The application meets the requirements of Council Policy 5.5 in that the necessary sanitary facilities will be on site and a Programme of Works has been submitted demonstrating that, all going well, the house will be completed to a standard that it could be lawfully inhabited.

There is currently only one other dwelling completed and occupied within this estate (ie Seaside Estate – Mortis St). The lots adjoining lot 52 are all vacant.

CONSULTATION

Inform - in accordance with Council Policy 1.25.

STATUTORY ENVIRONMENT

Caravan Parks and Camping Grounds Act 1995 and Regulations 1997

POLICY IMPLICATIONS

Policy 1.25 – Communication and Consultation.

Policy 5.5 – Temporary Accommodation - Caravans

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.5.3

This report recommends that the Council for the Shire of Exmouth grant approval to Donald W Stinson and David Roy Stinson to occupy a caravan/mobile home upon Lot 52 Crevalle Way, Exmouth for a period of nine (9) consecutive months from 15 June 2012. The approval is so granted subject to the standard conditions of detailed in Council Policy 5.5: Temporary Accommodation – Caravans, that shall be administered by the Chief Executive Officer and/or the Executive Manager Health & Building as necessary, including but not limited to the authorisation of the Chief Executive Officer or Executive Manager Health & Building to grant a further extension of three (3) months (i.e. a maximum of twelve (12) consecutive months from the initial approval) subject to satisfactory progress being made on the works .

COUNCIL DECISION – 18-0512 – 10.5.3

Moved Councillor Thompson, Seconded Councillor Fitzgerald.

This report recommends that the Council for the Shire of Exmouth grant approval to Donald W Stinson and David Roy Stinson to occupy a caravan/mobile home upon Lot 52 Crevalle Way, Exmouth for a period of nine (9) consecutive months from 15 June 2012. The approval is so granted subject to the standard conditions of detailed in Council Policy 5.5: Temporary Accommodation – Caravans, that shall be administered by the Chief Executive Officer and/or the Executive Manager Health & Building as necessary, including but not limited to the authorisation of the Chief Executive Officer or Executive Manager Health & Building to grant a further extension of three (3) months (i.e. a maximum of twelve (12) consecutive months from the initial approval) subject to satisfactory progress being made on the works .

CARRIED 5/0

10. REPORTS OF OFFICERS

10.5 Executive Manager Health & Building

10.5.4 Application for Approval to Camp other than in a Caravan Park – Lot 50 Crevalle Way

Location: Exmouth
Applicant: NA
File Reference: A1947
Date: 9 May 2012
Author: Executive Manager Health & Building, R M Manning

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that the Council for the Shire of Exmouth grant approval for the owner of Lot 50 Crevalle Way, Exmouth to occupy a caravan for a period of twelve (12) consecutive months subject to the standard conditions of approval detailed in Council Policy 5.5: Temporary Accommodation – Caravans.

BACKGROUND

The applicant, who is also the owner of the subject land, is requesting the approval of the Council for himself and one other person to camp within a self-contained mobile home from 1 June 2012 to 30 May 2013 on Lot 50 Crevalle Way, Exmouth while they continue with the construction of a dwelling on the lot.

COMMENT

A building license (157/11) for a two storey, steel framed dwelling was granted in November 2011 and works recently commenced on the dwelling with the preparation of the foundations and completion of the concrete slab.

The application meets the requirements of Council Policy 5.5 in that the necessary sanitary facilities will be on site and a Programme of Works has been submitted demonstrating that, all going well, the house will be completed to a standard that it could be lawfully inhabited.

There is currently only one other dwelling completed and occupied within this estate (ie Seaside Estate – Mortis St). The lots adjoining lot 50 are all vacant.

CONSULTATION

Inform - in accordance with Council Policy 1.25.

STATUTORY ENVIRONMENT

Caravan Parks and Camping Grounds Act 1995 and Regulations 1997

POLICY IMPLICATIONS

Policy 1.25 – Communication and Consultation.

Policy 5.5 – Temporary Accommodation - Caravans

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.5.4

This report recommends that the Council for the Shire of Exmouth grant approval to Peter Williams and one other person to occupy a caravan upon Lot 50 Crevalle Way, Exmouth for a period of nine (9) consecutive months from 1 June 2012. The approval is so granted subject to the standard conditions of detailed in Council Policy 5.5: Temporary Accommodation – Caravans, that shall be administered by the Chief Executive Officer and/or the Executive Manager Health & Building as necessary, including but not limited to the authorisation of the Chief Executive Officer or Executive Manager Health & Building to grant a further extension of three (3) months (i.e. a maximum of twelve (12) consecutive months from the initial approval) subject to satisfactory progress being made on the works .

COUNCIL DECISION – 19-0512 – 10.5.4

Moved Councillor Fitzgerald, Seconded Councillor Thompson.

This report recommends that the Council for the Shire of Exmouth grant approval to Peter Williams and one other person to occupy a caravan upon Lot 50 Crevalle Way, Exmouth for a period of nine (9) consecutive months from 1 June 2012. The approval is so granted subject to the standard conditions of detailed in Council Policy 5.5: Temporary Accommodation – Caravans, that shall be administered by the Chief Executive Officer and/or the Executive Manager Health & Building as necessary, including but not limited to the authorisation of the Chief Executive Officer or Executive Manager Health & Building to grant a further extension of three (3) months (i.e. a maximum of twelve (12) consecutive months from the initial approval) subject to satisfactory progress being made on the works .

CARRIED 5/0

10. REPORTS OF OFFICERS

10.6 Executive Manager Town Planning

10.6.1 General Report

Location: Exmouth
 Applicant: N/A
 File Reference: LP.PL.0
 Disclosure of Interest: Nil
 Date: 8th May 2012
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

The schedule below indicates the current status of planning applications lodged with the Shire of Exmouth

COMMENT

Below is a summary of planning applications and approval up to 10th May 2012.

Application No	Lodgement Date	Lot	Property Address	Decision	Date Determined
PA16/12	16/02/2012	429	21 Fitzhardinge Street	Neighbour consultation closes 11/05/2012	
PA27/12	04/04/2012	233	30 Carpenter Street	Approved	30/04/2012
PA28/12	10/04/2012	187	6 Snapper Loop	Approved	11/05/2012
PA30/12	10/04/2012	38	Murat Road	Approved	19/04/2012
PA32/12	10/04/2012	38	Murat Road	Processing	17/04/2012
PA33/12	11/04/2012	1112	1 Nimitz Street	Processing	17/04/2012
PA34/12	13/04/2012	162	Dugong Close	Processing	17/04/2012
PA35/12	12/04/2012	1112	1 Nimitz Street	Cancelled	17/04/2012
PA36/12	20/04/2012	1112	(222) 1 Nimitz Street	Approved	24/04/2012
PA37/12	26/04/2012	313	Pebble Beach Road	Processing	26/04/2012
PA39/12	04/05/2012	70	8 Bennett Street	Neighbour consultation closes 22/05/2012	
PA40/12	07/05/2012	15	Lot 15 Dugong Close	Neighbour consultation closes 30/05/2012	
PA41/12	07/05/2012	358	11 Kestrel Place	Processing	08/05/2012
PA42/12	07/05/2012	1	Lot 1 Dugong Close	Processing	07/05/2012
PA43/12	07/05/2012	2	Lot 2 Dugong Close	Processing	08/05/2012

Town Planning Scheme No. 3 - Amendment 19

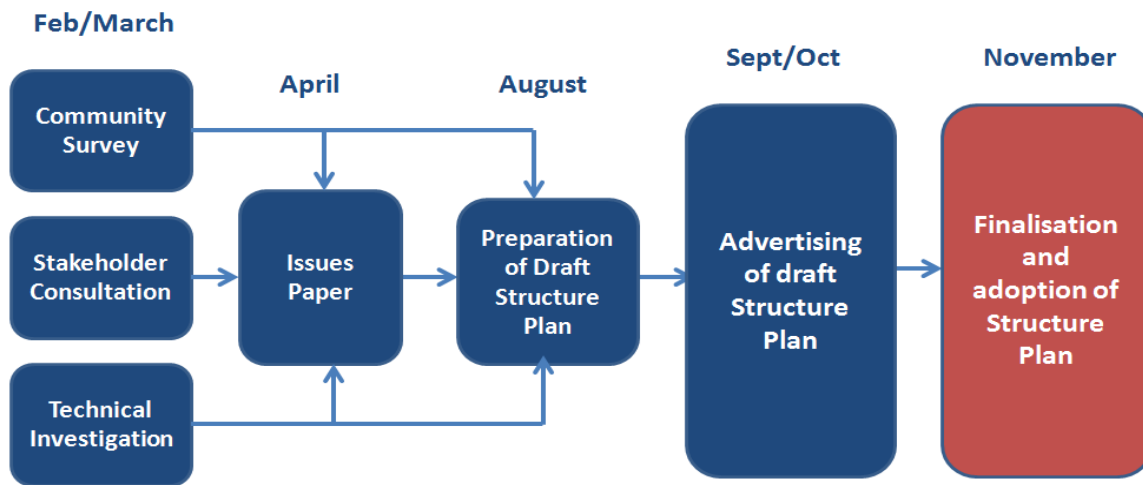
WAPC requested Council to re-advertise the above scheme amendment with a reduced period of 28 days. Public consultation will close on the 7 June 2012.

Town Planning Scheme No. 3 - Amendment 28

The amendment was presented to Council during the February Council meeting for initiation. The Scheme amendment is currently being advertised for public comments. Public consultation will close on the 21st June 2012.

Exmouth South Structure Plan

The Exmouth South Structure Plan preparation is progressing well with the results of stage 1 presented to Council during April Council meeting. The consultants are busy working on the draft Structure plan. The indicative process for the plan is shown below;



INDICATIVE PROCESS FOR EXMOUTH SOUTH STRUCTURE PLAN

Lot 500 Reid Street Exmouth: Application No 145973 for the Freehold Subdivision

WAPC requests Council to provide comments for an application for subdivision for Lot 500 Reid Street. The comment period will close on the 12th June 2012. (refer to *Attachment 1*).

Lot 900 Maddaffari Road Vacant Strata Subdivision, Exmouth

Council is notified that the Western Australian Planning Commission has approved vacant survey strata subdivision on the above lot. The subdivision will yield 18 dwellings. The consultant Oldfield Knott Architects working on the project held a pre- lodgement meeting regarding the planning application for the dwellings. The planning application will be presented to Development Assessment Panel as the value of the development is above \$7million.

District Water Management Strategy

The District Water Management Strategy was presented to Council during the April Council meeting for the purposes of formal advertising for public comments in accordance clause 9.6 of the Shire of Exmouth Town Planning Scheme No. 3. The Strategy is currently being advertised with public comments closing on the 31st May 2012.

Development on Lot 304 Minilya –Exmouth Road -Cape Wilderness Estate

Council is in receipt of 5 written complaints from neighbouring properties of Lot 304 Minilya-Exmouth Road regarding the Council approval of a shed /house outside the building envelope. Issues regarding this property started in 2004 with the shed /house approved after SAT mediation in 2008. *Attachment 2* is a response to neighbouring property owners.

Ranger Services

A summary of the activities performed by the Ranger during April 2012.

	Dogs	Camping	Parking	Litter	Fire	Off road	Other
Warning/caution	6	45	5	1	0	1	14
Infringement	0	7	0	0	0	0	0
Court	0	0	0	0	0	0	0
April Total	6	52	5	1	0	1	14
July-Mar Total	68	184	40	4	41	5	18
2011-2012 Totals	72	236	45	5	41	6	32

Staff Changes

The Planning Officer, Mr Andrew Raines has resigned from his position with effect from the 24th May 2012. Andrew will be returning to New South Wales to further his studies. I would like to thank Andrew for his good work and commitment to Council and wish him the best in his future endeavors. The position vacancy has been advertised closing 28 May 2012.

CONSULTATION

Inform - in accordance with Council Policy 1.25.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Shire of Exmouth Town Planning Scheme No. 3

POLICY IMPLICATIONS

Policy 1.25 – Communication and Consultation.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Environment

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

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

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.6.1
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That the Council of the Shire of Exmouth receive the Executive Manager Town Planning Report for the month of May 2012.

COUNCIL DECISION – 20-0512 – 10.6.1

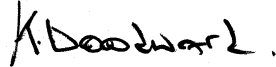
Moved Councillor Winzer, Seconded Councillor Warren.

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

CARRIED 5/0

10. REPORTS OF OFFICERS**10.7 Executive Manager Engineering Services****10.7.1 General Report**

Location: Exmouth
 Applicant: Keith Woodward
 File Reference: Nil
 Disclosure of Interest: Nil
 Date: 17 May 2012
 Author: Executive Manager Engineering Services, Keith Woodward
 Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

The following report provides an overview of the Engineering Services 2011/2012 and 2012/2013 Construction and Capital Programs.

BACKGROUND**1. Engineering Services Project Schedule**

The Engineering Services Project Schedule 2011/2012 provides an overview of the project start and completion dates. It is important to note that staffing levels, contractor availability, private works and environmental conditions such as cyclone/floods influence the project timeframes.

- 2011/2012 Engineering Services Project Status Schedule. *Attachment 1*
- 2012/2013 Engineering Services Draft Projects and Capital Schedule. *Attachment 2*

COMMENT

Nil

CONSULTATION

Inform - in accordance with Council Policy 1.25.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Policy 1.25 – Communication and Consultation.

FINANCIAL IMPLICATIONS

As per Shire 2011/2012 Budget

STRATEGIC IMPLICATIONS

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.7.1
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That the Council of the Shire of Exmouth receive the Executive Manager Engineering Services Report for the month of May 2012.

COUNCIL DECISION – 21-0512 – 10.7.1
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Moved Councillor Fitzgerald, Seconded Councillor Warren.

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

CARRIED 5/0

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

11.1 Holiday Accommodation Policy

Location: Exmouth
 Applicant: Cr R (Ross) Winzer
 File Reference:
 Disclosure of Interest: Nil
 Date: 20 April 2012
 Signature of Author:



SUMMARY

This report recommends that the Council of the Shire of Exmouth request Council officers to modifying the Holiday Accommodation Policy regarding the numbers of persons allowed.

BACKGROUND

In a recent Council decision a home was granted Holiday Home approval that was permitted to allow a combination of up to 10 adults and 2 children, and although it appears to tick the appropriate boxes, it brings to account a number of important issues.

Under the existing scheme does it:

- (a) ensure holiday accommodation does not compromise the amenity of the residential neighbourhood?
- (b) satisfy the residence with community consultation with adjoining owners when possibly adjoining owners are also holiday home owners, 59% of home owners live away from Exmouth.
- (c) provide the tourist specific accommodation eg: caravan parks, holiday units, motels, chalets & camping grounds with the opportunities they have been set up and zoned for.

COMMENT

Tourism is now and in the future an important and integral fibre of Exmouth and with that comes the time to evaluate and establish directions. The purpose of and the need for Holliday homes must be revisited to re-establish their values. There are units set aside for holiday makers in the tourist zone being used for permanent housing. There is a demand for permanent housing, yet many houses are vacant (holiday homes).

The number of adults that are permitted to stay in a home situated in a residential area should not be based on the number of bedrooms in that house, but what is considered to be a reasonable family setting. The maximum number of adults (over 18years) should be set at 6 regardless of the number of bedrooms. This would provide the opportunity for two families to share the accommodation, and be consistent with the intent of the Holiday Accommodation Policy, in as much as it provides for families.

CONSULTATION

Inform - in accordance with Council Policy 1.25.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Policy 1.25 – Communication and Consultation.

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 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

COUNCILLOR'S RECOMMENDATION – 11.1

That the Council of the Shire of Exmouth request Council officers to amend the Holiday accommodation Policy to limit the number of occupancy to be a maximum of six adults at any given time and continue to use the current air space method to calculate the maximum number of occupants in the dwelling.

COUNCIL DECISION – 22-0512 – 11.1

Moved Councillor Winzer, Seconded Councillor Fitzgerald.

That the Council of the Shire of Exmouth request Council officers to amend the Holiday accommodation Policy to limit the number of occupancy to be a maximum of six adults at any given time and continue to use the current air space method to calculate the maximum number of occupants in the dwelling.

MOTION LOST 2/3

Cr Shales, Thompson and Warren voted against.

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

Nil

13. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS

Nil

14. CLOSURE OF MEETING

The Shire President declared the meeting closed at 4.30pm.