



Ordinary Council Meeting Minutes 20 November 2014

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on 18 December 2014 as a true and accurate record of the Ordinary Council Meeting held on 20 November 2014.

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


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

DISCLAIMER

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

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ORDINARY COUNCIL MEETING MINUTES

Our Vision

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

Our Purpose

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

Our Strategic Objectives

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

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 4.00pm.

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

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

GALLERY

Visitors: 8

APOLOGIES

Mr B Price	Chief Executive Officer
Mrs J Kox	Executive Manager Aviation Services

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTIONS TIME

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

Council Consideration Towards Public

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

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

One question was submitted by Ann Preest.

Q1. Why are there no “local” stakeholders in the make up of the Steering Committee for the Ningaloo Centre such as: NWCEAC, Defence Department, CCI and community representatives?

A1. 3 Councillors are on the Ningaloo Centre Management Committee, whom are representatives for the community, GDC are also on the committee whom represent the business community of Exmouth, the Department of Defence have been informed about the development of the project since its inception, there is an opportunity for them to assist with the forces history within the exhibition space and to facilitate defence force training with the relocation and expansion of Durack Institute of Technology . Furthermore, we have recently been advised by the WA Museum that they will donate the original Mandu Mandu Necklace for the Opening of the centre and for a period of up to four years, this is a significant contribution to the Aboriginal History of Exmouth. The Shire President advised that he would be more than happy to meet with Anne to discuss in further detail the planning process and development of the Ningaloo Centre.

One question was submitted by Kaye Smid.

Q1. Why is the shopping centre mall (after all that time and money spent) being opened to traffic again?

A.1 Keith Woodward advised that the wording in his report may have been slightly misleading, he advised that the road would only be opened during special occasions such as for buses during cruise ship visits and for events held in the town centre for service access etc.

5. DECLARATIONS OF INTEREST

Item/Description	Name	Detail of Interest	Extent of Interest
11.6.7	Turk Shales	Indirect Financial	Son in Law tendering

6. APPLICATIONS FOR LEAVE OF ABSENCE

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

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

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 23 October 2014 be confirmed as a true and correct record of proceedings.

COUNCIL DECISION – 01-1114 - ITEM 7

Moved Councillor Winzer, Seconded Councillor Todd.

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 23 October 2014 be confirmed as a true and correct record of proceedings.

CARRIED 5/0

8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

The Shire President informed Council that the Chief Executive Officer Bill Price, on his way to Perth attended a retirement function for Mr Bert Beevers Managing Director of Durack Institute of Technology in Geraldton. He is also scheduled to attend the Tidy Towns State Awards Ceremony held on Friday 21 November 2014 along with Brooke Shales, Jaci Cutler and Joanne Gordon. He will be absent throughout next week as he will be attending the Australian Airports Association Annual Conference along with Executive Manager Aviation Services Jenny Kox.

He welcomed Roge Kempe as Acting Chief Executive Officer and Clif O'Toole as Acting Executive Manager Aviation Services.

He also advised Council and the Gallery of the recent Cabinet approval \$1.5m for the Reid Street Flood Mitigation Works Stage 2.

9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

10. REPORT OF COUNCILLORS

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

- 21/10/14 – Community Information Session
- 29/10/14 – Exmouth Visitor Centre AGM
- 4/11/14 – Tourism WA
- 7/11/14 – Barge Loadout Facility meeting
- 11/11/14 – Remembrance Day Ceremony
- 14/11/14 – Developing Northern Australia meeting

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

- 4/11/14 – Tourism WA
- 5/11/14 – Cruise Ship arrival – met with Maryland Austin from the US and assisted with finding her home in Exmouth. Thanked Roge for his research and organising the day.
- 11/11/14 – Remembrance Day Ceremony
- 13/11/14 – ECAC
- 17/11/14 – Ningaloo Centre Management Committee Meeting

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

- 4/11/14 – Tourism WA
- 10/11/14 – Men's Shed meeting
- 12/11/14 – Onsite recycling/Men's Shed Meeting old Power House
- 17/11/14 – Ningaloo Centre meeting
- 26/11/14 – Oil and Gas Joint Industry meeting

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

- 24/10/14 – LEMC meeting with David George
- 29/10/14 – DAPS meeting
- 4/11/14 – Tourism WA

10.1 Shire Presidents Report

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



SUMMARY

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

BACKGROUND

- 21 October 2014 – Attended the Community Information Session at the Shire Hall
- 24 October 2014 – Met with Steve Jenkins from Department of Transport regarding the Marina Expansion Project
- 27 – 30 October 2014 – Attended Ningaloo Alliance Meeting in Perth and other Ningaloo Centre meetings with Matera Construction and Site Architecture
- 31 October 2014 – Attended interviews with potential candidates for the Gascoyne Development Commission Project Officer position based in Exmouth
- 4 November 2014 – Met with Tourism WA representatives Vicki Robertson - Development Manager & Alene Sullivan - Director Development to discuss future tourism opportunities in Exmouth
- 7 November 2014 – Met with representatives of Adelaide Brighton Ltd to discuss the Barge Loadout Facility
- 11 November 2014 – Attended the Remembrance Day ceremony

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

COUNCILLOR'S RECOMMENDATION – 10.1

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

COUNCIL DECISION – 02-1114 – 10.1

Moved Councillor Todd, Seconded Councillor Hood.


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

CARRIED 5/0

11. REPORTS OF OFFICER

11.1 Chief Executive Officer

11.1.1 Chief Executive Officers Report

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

SUMMARY

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

BACKGROUND

Ningaloo Centre

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

Base architectural design drawings and sub-consultant reports have been received.

Site Architecture is progressing architectural room layouts and detailed design with aim for end of November completion to enable final user group meetings.

Matera Construction pricing schedule No 5 for the GMP building construction and associated PS items was considered by the Project Management Committee (PMC) on 17 November 2014. This forms a separate agenda report item.

A forward works construction application has been formally submitted by Matera who wish to be on site in December. Additional documentation pertaining to the forward works activities, namely schedule of activities, activity element cost, site management and layout plans are pending. When approval is granted Matera will have possession of the site to undertake site fencing, office establishment, civil works and connect site services.

Department of Regional Development (DRD)

DRD have advised the Ningaloo Centre Stage 2 Business Case, in support of \$19.82 million of R4R funding, is now to be submitted to the Minister for his consideration and that it will be the Minister's decision to then present to Cabinet for approval.

This follows Shire correspondence dispatched that again reaffirmed Council's previous commitments that it can and will meet all future financial and operational obligations in relation to the Ningaloo Centre Project without recourse to the State Government.

Notification should be forthcoming by early December, being the last scheduled meeting date for Cabinet before Christmas.

Community Development Grant (CDG) Funding

A variation request has been completed and lodged with the Contracts Manager for the Commonwealth's CDG. It has rolled back by 3 months the effective date to demonstrate evidence of building approval, funding secured and construction commenced.

The Department of Regional Development provided correspondence to the Commonwealth that advised due diligence of the business case was still in progress. An update of the contract pricing, design activity and forward works application has recently been provided.

Effectively the end date for the CDG contract funding scheduled has moved back 3 months to 30 June 2016 to meet the scheduled 18 month construction program.

Lotterywest

The Building Grant Agreement contract for the \$3.5 million Lotterywest community facilities grant has been executed.

Ningaloo Alliance

A very successful meeting of Ningaloo Alliance members took place at UWA on 28 October 2014.

Member representation included University of WA Oceans Institute, Australian Institute of Marine Science, CSIRO, Murdoch University, Durack Institute of Technology, Department of Parks and Wildlife and the Shire of Exmouth.

Presentations provided by Matera, Site Architecture, Freeman Ryan Design, Durack and the Shire were well received.

WA Museum

A meeting was convened with WA Museum, Director Creative and Regional Development, James Dexter on 29 October 2014. FRD was also represented.

The Ningaloo Centre Project is highly commended and full support is on offer for travel exhibitions and loan items for the gallery spaces, together with support on curatorial and presentation attributes. A most appreciative agency and consultation will be ongoing.

Developing Northern Australia Forum

Shire President, Deputy Shire President and myself attended the Developing Northern Australia Forum on Friday 14 November 2014, held at the Perth Convention and Exhibition Centre.

The Chair of the Committee producing the Federal Government's White Paper on Developing Northern Australia and a panel of northern Australian champions held important discussion on how we can capture the unique potential of the north. With extensive mineral and energy reserves, iconic wilderness, vast pastoral lands and proximity to South East Asia, Northern Australia could account for nearly 42 per cent of the Australian economy by 2040.

Yet, the region's isolation, infrastructure deficiencies, high costs, lack of skilled labour, inhospitable climate, sensitive environments and vulnerable Indigenous communities create a multitude of challenges that will not be easy to overcome. The *Green Paper on Developing Northern Australia*, that will help to shape the White Paper, identified six possible policy directions:

- Delivering economic infrastructure;
- Improving land use and access;
- Improving water access and management;
- Promoting trade and investment, and strengthening the business environment;
- Fostering education, research and innovation; and
- Enhancing governance.

A panel of experts will discuss these topics and provide suggestions on the best way forward to transform the vision of a thriving north into a reality.

Event Program

- | | |
|---------|--|
| 11.30am | Registrations and refreshments |
| 11.45am | Delegates seated |
| 11.50am | Welcome – Liz Ritchie, State Director, CEDA WA |
| 11.55am | Lunch is served |
| 12.25pm | Introduction by Chair |
| 12.30pm | Keynote presentation by |
| | • Hon. Warren Entsch MP, Chair, Joint Select Committee on Northern Australia |
| 12.50pm | Panel discussion with: |

- (*facilitator*) Nicole Lockwood, Director, KPMG; Board Member, Infrastructure Australia,
- Hon. Warren Entsch MP, Chair, Joint Select Committee on Northern Australia, Brett Blanchett, General Manager, Liveringa Station Beef,
- Hon. Brendon Grylls MLA, Member for Pilbara
- Stedman Ellis, Chief Operating Officer – Western Region APPEA
- William (Chub) Witham, Manager North West and Kimberley Chamber of Minerals and Energy of Western Australia

1.35pm Q&A Discussion
1.50pm Vote of Thanks
1.55pm Closing comments – Liz Ritchie, State Director, CEDA WA
2.00pm Event close

Retirement Function – Bert Beevers

I will be representing Council at a function for the outgoing Managing Director of Durack TAFE, Bert Beevers, in Geraldton on Thursday 20 November 2014, recognising and celebrating Bert's achievements and contributions serving the institution over many years.

Exmouth Boat Harbour Steering Committee

As Council's representative, I attended the committee meeting of the Exmouth Boat Harbour Steering Committee (EBHSC) held in Exmouth on Friday 24 October 2014. This is the first meeting of the committee since the Ministers announcement of the \$20m R4R funding for the stage 1 Redevelopment of the Service Wharf.

Attached is a copy of the minutes of the meeting for Councillor information (refer *Attachment I*).

Tidy Towns State Awards

The Keep Australia Beautiful – Tidy Towns State Awards are being held at the Royal Perth Yacht Club on Friday 21 November 2014. As Exmouth won several awards including the Tidiest Town for the Pilbara Region it is important that we be represented. Jo Gordon, Brooke Shales, Jaci Cutler and myself will be representing the Council at the awards.

Christmas Function

The Annual Christmas Party will be held at the Recreation Centre on Friday 19 December 2014. Stardust Dance will be providing a bouncy castle, face painting and games for the children while the adults will be enjoying tapas and music. The event will be a picnic type event with games for the adults and children to be carried out during the evening with prizes to be won.

Council Chambers Photos

The Council Chambers has had a facelift with a compilation of 9 large pictorials of significant local landmark features. These are the work of local professional Photographer Sascha Unger, AABZ Imaging. The additions have really smartened up the presentation of the Chambers and will be part of the relocation to the new Council Chambers proposed for the existing library building.

Staffing Matters

Since the last meeting, contract extensions have been secured with the EMHB and SPO.

As advised at the last meeting I will be attending the 2014 AAA National Conference with the EMAS being held in Gold Coast between 23-27 November 2014. (This is in lieu of the LGMA conference being held at the same time). Following this conference I intend to take further LSL from 1 December until 12 December 2014. Roge Kempe, EMCE, will be fulfilling the role of Acting CEO during this time.

Other Meetings & Functions attended by the CEO

1. Shire President, EMAS and myself participated in a teleconference with members of the GDC on Friday 24 October 2014, to discuss the GDC's formal response to the Review of Air-Routes for the Gascoyne.
2. Shire President and various staff attended the Remembrance Day Celebrations held at the Exmouth Cenotaph on 11 November 2014.

3. Shire President and myself met with Melissa Price, Federal Member for Durack, in Exmouth on Wednesday 12 November to discuss local issues.

Meetings Scheduled for Next Month

- Cr Winzer & EMES will be attending the Gascoyne RRG and Zone meeting to be held in Shark Bay on Thursday 27 November 2014.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.1.1

That Council receive the Chief Executive Officers Report for the month of November 2014.

COUNCIL DECISION – 03-1114 – 11.1.1

Moved Councillor Hood, Seconded Councillor McHutchison.


That Council receive the Chief Executive Officers Report for the month of November 2014.

CARRIED 5/0

11. REPORTS OF OFFICER

11.1 Chief Executive Officer

11.1.2 Ordinary Council Meeting Dates 2015

Location: Exmouth
Applicant:
File Reference: GV.CM.0
Disclosure of Interest: Nil
Date: 10 November 2014
Author: Chief Executive Officer, Mr B Price
Signature of Author: 

SUMMARY

Council endorsement of the proposed Ordinary Council meeting dates and starting times for 2015 is required.

BACKGROUND

Below are the proposed meeting dates for the year 2015, being the third Thursday of the month (except those that fall within School Holidays) and commencing at 4.00pm unless listed otherwise.

January – No Council Meeting

19 February 2015
19 March 2015
23 April 2015 (4th Thursday)
21 May 2015
18 June 2015
23 July 2015 (4th Thursday)
20 August 2015
17 September 2015
22 October 2015 (4th Thursday)
19 November 2015
17 December 2015

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

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government (Administration) Regulations 1996.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.1.2

That Council endorse the following dates for Ordinary Council meetings for the 2015 year commencing at 4.00pm.

*January 2015 – No Council Meeting
19 February 2015
19 March 2015
23 April 2015
21 May 2015
18 June 2015
23 July 2015
20 August 2015
17 September 2015
22 October 2015
19 November 2015
17 December 2015*

COUNCIL DECISION – 04-1114 – 11.1.2

Moved Councillor Winzer, Seconded Councillor Todd.

That Council endorse the following dates for Ordinary Council meetings for the 2015 year commencing at 4.00pm.


*January 2015 – No Council Meeting
19 February 2015
19 March 2015
23 April 2015
21 May 2015
18 June 2015
23 July 2015
20 August 2015
17 September 2015
22 October 2015
19 November 2015
17 December 2015*

CARRIED 5/0

11. REPORTS OF OFFICER

11.1 Chief Executive Officer

11.1.3 Regional Grants Scheme

Location:	Exmouth
Applicant:	Gascoyne Development Commission
File Reference:	GS.PR.11
Disclosure of Interest:	Nil
Date:	11 November 2014
Author:	Chief Executive Officer, Bill Price
Signature of Author:	

SUMMARY

This report recommends that the Council apply for funding from the Regional Grants Scheme for the re-development of the Old Power Station Site to serve as a Community Purposes Precinct.

BACKGROUND

The primary objective of the Royalties for Regions Regional Grants Scheme is to improve economic and community infrastructure and services in the Gascoyne region through funding projects that will assist in attracting investment and increasing jobs or help to improve the quality of life in the region.

Funding is available to assist the development of infrastructure, services and community projects, and to assist in the broad development of the community, including the establishment of services and programs. Funding is intended to support the development of resilient communities and contribute to regional areas being vibrant and interesting places in which to live.

The Regional Grants Scheme is administered by the Gascoyne Development Commission as part of the Royalties for Regions Program. Royalties for Regions is a State Government program designed to promote long-term development in Western Australia's regions. It aims to help local communities grow and prosper through the promotion of local decision-making and is specifically designed to help regions attract the resources needed to support development. The Regional Grants Scheme's broad objectives are to:

1. Increase capacity for local strategic planning and decision-making;
2. Retain and build the benefits of regional communities;
3. Promote relevant and accessible local services;
4. Assist communities to plan for a sustainable economic and social future;
5. Enable communities to expand social and economic opportunities; and
6. Assist regional communities to prosper through increased employment opportunities, business and industry development opportunities, and improved local services.

Consideration will be given to all proposals that will contribute to achieving the objectives of the Regional Grants Scheme and Royalties for Regions. In addition, the Gascoyne Development Commission will give consideration to the proposal's alignment with existing regional development strategic planning.

Grants of between \$20,000 to \$300,000 are invited from community organisations, closing 11 December 2014. A total of \$1m has been allocated to the Gascoyne Development Commission for the Community Chest Fund for the financial year 2014/15.

COMMENT

Council is aware of its proposal to convert the Old Power Station site into a future Community Purposes Precinct providing accommodation for services such as Emergency Response providers, Men's Shed and a Recycling Drop-off/Packaging Centre.

Council currently does not have any financial resources to undertake any of the conversion work required at the site which requires significant preliminary works such as concrete repair, industrial clean-up, painting,

fencing, internal fit-out, electrical, fire hydrants, roller doors just so that the facility can be utilised in the interim.

It is proposed that funding be sought from the Regional Grants Scheme for the preliminary re-development works required to make the site usable by the proposed tenants. It is proposed that the site be continually developed as and when funding and resource opportunities arise.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.5: Maintain & Improve Shire Infrastructure

Civic Leadership

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

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

Social

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

- Outcome 3.1: Retain a safe community environment
- Outcome 3.2: Excellent lifestyle, recreational and cultural facilities.
- Outcome 3.3: An inclusive, responsible and cohesive community.
- Outcome 3.5 - Maintain and increase the participation levels in local community organisations and clubs
- Outcome 3.6: Expanded education and training facilities and opportunities

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.1.3

That Council apply for \$300,000 funding from the Regional Grants Scheme for the re-development of the Old Power Station Site to serve as a Community Purposes Precinct.

COUNCIL DECISION – 05-1114 – 11.1.3

Moved Councillor Hood, Seconded Councillor McHutchison.


That Council apply for \$300,000 funding from the Regional Grants Scheme for the re-development of the Old Power Station Site to serve as a Community Purposes Precinct.

CARRIED 5/0

11. REPORTS OF OFFICER

11.1 Chief Executive Officer

11.1.4 Gascoyne Community Chest Fund

Location:	Exmouth
Applicant:	Gascoyne Development Commission
File Reference:	GS.PR.11
Disclosure of Interest:	Nil
Date:	11 November 2014
Author:	Chief Executive Officer, Bill Price
Signature of Author:	

SUMMARY

This report recommends that the Council endorse the application for funding from the Gascoyne Community Chest Fund for a Digital Community Information Board.

BACKGROUND

The primary objective of the Royalties for Regions Community Chest Fund is to improve economic and community infrastructure and services in the Gascoyne region through funding projects that will assist in attracting investment and increasing jobs or help to improve the quality of life in the region.

Funding is available to assist the development of infrastructure, services and community projects, and to assist in the broad development of the community, including the establishment of services and programs. Funding is intended to support the development of resilient communities and contribute to regional areas being vibrant and interesting places in which to live.

The Community Chest Fund is administered by the Gascoyne Development Commission as part of the Royalties for Regions Program. Royalties for Regions is a State Government program designed to promote long-term development in Western Australia's regions. It aims to help local communities grow and prosper through the promotion of local decision-making and is specifically designed to help regions attract the resources needed to support development. The Community Chest Fund broad objectives are to:

1. Increase capacity for local strategic planning and decision-making.
2. Retain and build the benefits of regional communities.
3. Promote relevant and accessible local services.
4. Assist communities to plan for a sustainable economic and social future.
5. Enable communities to expand social and economic opportunities.
6. Assist regional communities to prosper through increased employment opportunities, business and industry development opportunities, and improved local services.

Consideration will be given to all proposals that will contribute to achieving the objectives of Royalties for Regions Community Chest Fund. In addition, the Gascoyne Development Commission will give consideration to the proposal's alignment with existing regional development strategic planning.

Grants of up to \$ 20,000 are invited from community organisations, closing on 17 November 2014 & 23 January 2015. A total of \$ 370,000 has been allocated to Gascoyne Development Commission for the Community Chest Fund for the financial year 2014/15.

COMMENT

Since the implementation of the CBD Revitalisation project Council has received community feedback that there is a need for a Community Information Board and/or Banner Display area that can inform the community of events and relevant information.

It is suggested that a Digital Information Board be installed that is fitting with the towns redevelopment. It will be mounted in the town centre to add an attractive and informative feature. The sign will be themed to

match the Shire's new branding and the LED display used to promote upcoming Shire and community meetings, events and activities. This new display will be a great attribute for the town enabling promotion of local clubs and organisations within the local community and the wider visiting community.

It is also proposed that two more applications be compiled for the January round being for the Pier/Lighthouse Cam project and a Sculpture/Way finding signage Plan. These will be presented to the Council for consideration.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

Social

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

- Outcome 3.3: An inclusive, responsible and cohesive community.
- Outcome 3.4: A community that is well informed and educated about our natural, cultural and built environment.
- Outcome 3.5: Maintain and increase the participation levels in local community organisations and clubs
- Outcome 3.7: Residents and visitors have access to appropriate services and facilities to enhance their health and wellbeing

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.1. 4

That Council apply for \$20,000 funding from the Gascoyne Community Chest Fund for a Digital Community Information Board.

COUNCIL DECISION – 06-1114 – 11.1.4

Moved Councillor Hood, Seconded Councillor Todd.


That Council apply for \$20,000 funding from the Gascoyne Community Chest Fund for a Digital Community Information Board.

CARRIED 5/0

11. REPORTS OF OFFICER

11.1 Chief Executive Officer

11.1.5 Ningaloo Centre

Location:	Exmouth
Applicant:	Ningaloo Centre Project Management Committee
File Reference:	ED.PJ.1
Disclosure of Interest:	Nil
Date:	17 November 2014
Author:	Chief Executive Officer, Bill Price
Signature of Author:	

SUMMARY

This report recommends that the Council endorse the Ningaloo Centre Project Management Committee minuted recommendations of 17 November 2014 pertaining to;

- The GMP price and PS schedule for Phase 2 Construction.
- The PS increased allocation for Freeman Ryan Design to design and construct the exhibition fit out.
- The PS allocation for renewable energy provision.
- The authority delegated to the CEO to approve Phase 2 construction works.

BACKGROUND

The Ningaloo Centre has two overarching committees to assist the Council in the overall management of the project, being:-

(a) Project Steering Committee

The Shire President will chair a Project Steering Committee which has the objective of information sharing between members regarding the Project's status (progress, financial, activity) and obtaining member feedback that may be shared with Council.

The Project Steering Committee will comprise representation from;

- Exmouth Shire President and Councillors
- Gascoyne Development Commission
- Durack TAFE
- Ningaloo Alliance
- The Department Regional Development
- Regional Development Australia (Gascoyne Mid-West RDA)
- Exmouth Shire Chief Executive Officer
- Shire Project Manager

(b) Project Management Committee

The Shire President will chair the Project Management Committee which has the responsibility to successfully deliver the Project. This is a Council operational and decision making committee that operates independently to the Steering Committee.

The Project Management Committee will comprise representation from;

- Exmouth Shire President and Councillors
- Exmouth Shire Chief Executive Officer
- Shire Project Manager
- Executive Manager Community Engagement
- Executive Manager Corporate Services
- With co-opted attendance, as required by Contractor, Ningaloo Alliance and DURACK

Other agencies such as the State Library of Western Australia, Art Gallery of Western Australia and Museum of Western Australia are included as key stakeholders to be consulted during the design phase for the purpose of providing expert direction on specific components of the project.

The phase 1 contract with Builder Matera Construction involves a 4 stage component of

1. Stage 1 – Design Brief Finalisation
2. Stage 2 – Schematic Design
3. Stage 3 – Design Development
4. Stage 4 – Final Construction Documentation

Stage 4 ‘Final Construction Documentation’ is in progress and preliminary architectural drawings and layout plans supplied. Trade pricing has been undertaken by Matera Construction and the contracted GMP has been tested and PS allocations reviewed.

The Shire’s PMC met on 17 November 2014 to consider the matters of Project funding, contract price and associated Provisional Sum (PS) allocations and the Guaranteed Maximum Price (GMP) and the approvals required to commence Phase 2 Construction works.

Matera Construction has confirmed the GMP as adequate, subject to Principal acceptance of variation items listed and costed by Pricing Schedule No 6 that accompanies the PMC minutes.

The variation to the GMP price has been the subject of negotiations and review. The PMC have considered the basis for the Contractor variation request to the GMP and the project officers report and recommended the adjusted GMP be accepted.

The PMC accepts the PS pricing and further recommend the addition of a PS item for solar renewable energy and the upward adjustment of PS item for FRD scope of work to meet the intent of the June 2014 concept presentation. The values are recorded in the PMC minutes. These cost adjustments are sustainable and within budget.

Further, it is a recommendation of the PMC that Council delegate authority to the CEO to provide approval to Matera Construction to commence Phase 2 works. Phase 2 is will comprise Forward Civil Works and Building Construction Works, the former to commence from 5 January 2015.

Attached are the minutes of the meeting (refer *Attachment 2*) including the Matera Pricing Schedule No 6 (refer Confidential *Attachment 3*) for Councillor consideration.

COMMENT

Nil

CONSULTATION

Ningaloo Centre Project Management Committee and key stakeholders involved in the project.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.3: Diverse Tourism opportunities
- Outcome 1.5: Maintain & Improve Shire Infrastructure

Environment

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

- Outcome 2.2: Our pristine natural environment and biodiversity will be understood, maintained and protected
- Outcome 2.3: To have a town and community that takes pride in its world heritage
- Outcome 2.5: To make Exmouth an attractive town that is a comfortable and welcoming place to live and visit, and reflects the lifestyle values and unique natural environment

Social

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

- Outcome 3.2: Excellent lifestyle, recreational and cultural facilities.
- Outcome 3.4: A community that is well informed and educated about our natural, cultural and built environment.
- Outcome 3.6: Expanded education and training facilities and opportunities
- Outcome 3.7: Residents and visitors have access to appropriate services and facilities to enhance their health and wellbeing

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.1.5

That Council endorse the Ningaloo Centre Project Management Committees minuted report of 17 November 2014 and its recommendations, namely;

1. *The new GMP price of \$24,160,556 and Provisional Sums, as per Price Schedule No 6 for Phase 2 Construction be accepted.*
2. *The new PS allocation of up to \$2 million for Freeman Ryan Design initial exhibition fit out based on 460m2 be accepted.*
3. *The addition of a PS allocation of \$100,000 for 30KW of renewable energy provision be accepted.*
4. *Delegate authority to the CEO to approve, when appropriate, Contractor approval to commence Phase 2 building construction works.*

COUNCIL DECISION – 07-1114 – 11.1.5

Moved Councillor Todd, Seconded Councillor Winzer.

That Council endorse the Ningaloo Centre Project Management Committees minuted report of 17 November 2014 and its recommendations, namely;

1. *The new GMP price of \$24,160,556 and Provisional Sums, as per Price Schedule No 6 for Phase 2 Construction be accepted.*
2. *The new PS allocation of up to \$2 million for Freeman Ryan Design initial exhibition fit out based on 460m2 be accepted.*
3. *The addition of a PS allocation of \$100,000 for 30KW of renewable energy provision be accepted.*
4. *Delegate authority to the CEO to approve, when appropriate, Contractor approval to commence Phase 2 building construction works.*

CARRIED 5/0

11. REPORTS OF OFFICERS**11.2 Executive Manager Corporate Services****11.2.1 General Report**

Location: Exmouth
 Applicant: S O'Toole
 File Reference: CM.RE.0
 Disclosure of Interest: Nil
 Date: 6 November 2014
 Author: Executive Manager Corporate Services

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND**Staff Movements**

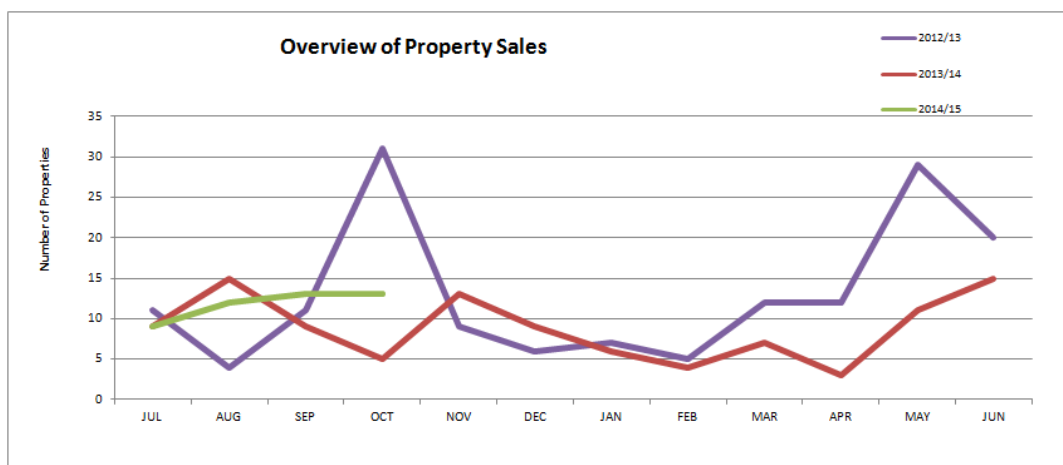
Kevin Perraudin commenced his position as Accountant on 13 October 2014. Kevin will be overseeing the Senior Finance Officer and Finance Officer, working closely with the Executive Manager Corporate Services.

Rating**Property Sales**

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

2014/15 Summary of Property Sales			
Number Sold	Land Usage	Total Sales	Average Sale
25	Vacant Land	\$6,732,500	\$269,300
19	Residential	\$10,118,000	\$532,526
2	Industrial	\$880,000	\$440,000
1	Mixed Use	\$330,000	\$0
0	Composite Devel	\$0	\$0
0	Special Use	\$0	\$0
0	Tourism	\$0	\$0
47		\$18,060,500	

Property Sales	2014/15	2013/14	2012/13
JUL	9	9	11
AUG	12	15	4
SEP	13	9	11
OCT	13	5	31
NOV		13	9
DEC		9	6
JAN		6	7
FEB		4	5
MAR		7	12
APR		3	12
MAY		11	29
JUN		15	20
	47	106	157

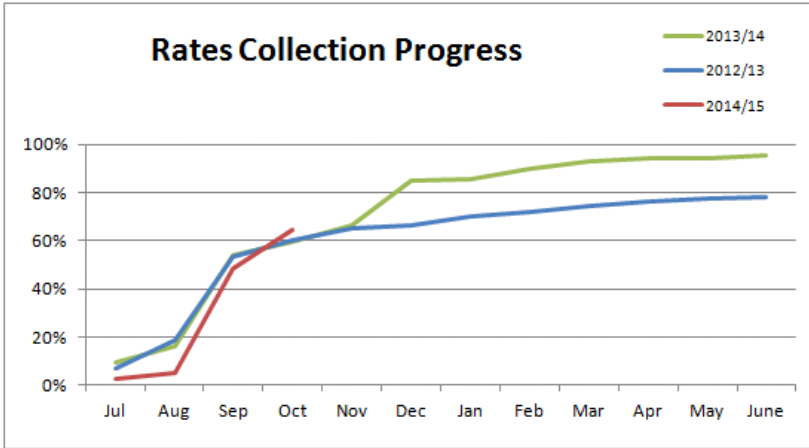


Rates Collection

Summary of Rates and Charges Collection	
Rates Collection Analysis	
	\$
Rates & Charges Levied 2014/15	3,883,485
Arrears 1 July 2014	275,052
Less Collections	(2,656,586)
Total Rates & Charges Outstanding	1,501,970
Less Pensioner Deferred Rates	(24,024)
Total Rates Collectable	1,477,947
% Collected to Date	64.5%
Notices Sent	26/08/2014
Due Date	30/09/2014
Reminder Notice Sent	21/10/2014
Final Notice Sent	
Notice of Intention to Summons Sent	
Summons Issued	

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

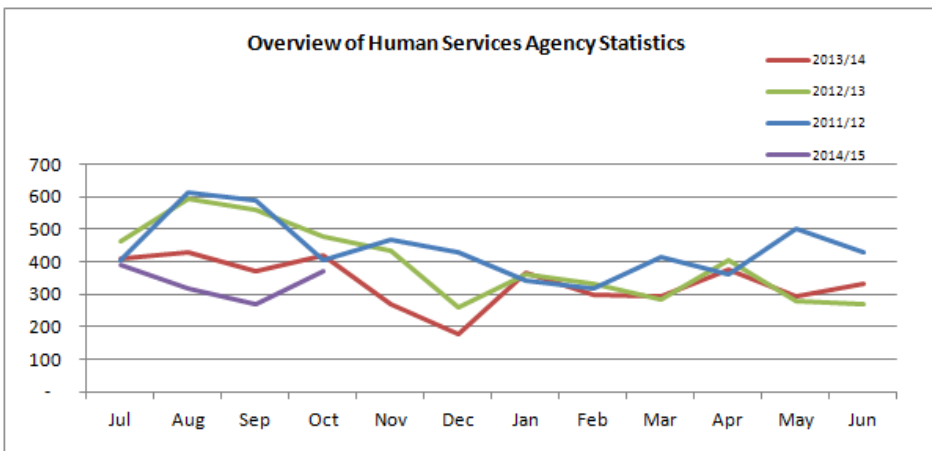
Graphical Overview of Rates Collection



Human Services Agency (formerly Centrelink)

Summary of Agent Statistics for 2014/15

	Lodgement of Forms/Assist with Completion	Referrals to Call Centre & CSC	Assist with use of Equipment & Computer	Respond to General Enquiries	TOTAL	Hours of Operation/week			
						12.5	12.5	15	15
						2014/15	2013/14	2012/13	2011/12
Jul	82	51	62	195	390	390	411	464	403
Aug	68	50	54	145	317	317	427	592	615
Sep	85	44	48	95	272	272	373	560	590
Oct	87	55	86	141	369	369	422	478	406
Nov	-	-	-	-	-	-	268	436	469
Dec	-	-	-	-	-	-	178	262	427
Jan	-	-	-	-	-	-	367	364	340
Feb	-	-	-	-	-	-	299	332	320
Mar	-	-	-	-	-	-	296	285	416
Apr	-	-	-	-	-	-	377	403	364
May	-	-	-	-	-	-	296	278	500
Jun	-	-	-	-	-	-	331	272	428
TOTAL	322	200	250	576	1,348	1,348	4,045	4,726	5,278



CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.2.1

That Council receive the Executive Manager Corporate Services Report for the month of November 2014.


COUNCIL DECISION – 08-1114 – 11.2.1

Moved Councillor Todd, Seconded Councillor McHutchison.

That Council receive the Executive Manager Corporate Services Report for the month of November 2014.

CARRIED 5/0

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

Location:	Exmouth
Applicant:	S O'Toole
File Reference:	FM.FI.0
Disclosure of Interest:	Nil
Date:	6 November 2014
Author:	Executive Manager Corporate Services, Sue O'Toole
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Financial report for the period ended 31 October 2014 has been prepared and a copy of the Report is attached as *Attachment 1* and a complete list of accounts for payment is attached as *Attachment 2*.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Civic Leadership**

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.2.2

That Council:

1. *Accept the monthly financial reports for period ended October 2014; and*
2. *The accounts as listed in the monthly financial report be received for;*
Municipal Fund ~ October 2014 \$2,007,304.80 incorporating 12880 to 12914 and direct debits
Trust Fund – October 2014 \$3,756.06 incorporating 400797 to 400798 cheques and direct debits
Outstanding Creditors as at October 2014 ~ \$119,814.67

COUNCIL DECISION – 09-1114 – 11.2.2


Moved Councillor Hood, Seconded Councillor McHutchison.

That Council:

- 1. Accept the monthly financial reports for period ended October 2014; and*
- 2. The accounts as listed in the monthly financial report be received for;
Municipal Fund ~ October 2014 \$2,007,304.80 incorporating 12880 to 12914 and direct debits
Trust Fund – October 2014 \$3,756.06 incorporating 400797 to 400798 cheques and direct debits
Outstanding Creditors as at October 2014 ~ \$119,814.67*

CARRIED 5/0

11. REPORTS OF OFFICERS**11.2 Executive Manager Corporate Services****11.2.3 2013/14 Annual and Financial Report and Electors Meeting Date**

Location:	Exmouth
Applicant:	S O'Toole
File Reference:	FM.FI.1
Disclosure of Interest:	Nil
Date:	6 November 2014
Author:	Executive Manager Corporate Services, Sue O'Toole
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council accept the Annual and Financial Report for the year ending 30 June 2014 and set a date for the Annual Electors Meeting.

BACKGROUND

Council is to prepare an Annual Report for each financial year and the Chief Executive Officer is to give local public notice of the availability of the Annual Report as soon as practicable after the report has been accepted by Council.

COMMENT

The Council is to accept the annual report by 31 December after the financial year or if the Auditor's report is not available by this date, no later than 2 months after the Auditor's report becomes available. The Audit Report and Management Report were received on 13 November 2014. A copy of the 2013/14 Annual and Financial Report is attached. (Refer *Attachment 3*).

Both reports were provided to the Audit Committee at their meeting held 20 November 2014 and the committee reviewed and accepted the reports and recommended them to Council.

An Annual Electors Meeting must be held within 56 days of accepting the annual report, therefore the proposed date is 18 December 2014 (no later than 8 January 2015).

CONSULTATION

Local Public Notice of the availability of the annual financial report, the date set for the Annual General Meeting of electors will be provided in the Northern Guardian newspaper, Shire and Library noticeboards.

STATUTORY ENVIRONMENT

Sections 5.26, 5.27, 5.53, 5.54 of the Local Government Act 1995.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Civic Leadership**

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

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

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION – 11.2.3

That Council:

- *accept the Annual Financial Report including the Independent Audit Report for the financial year ended 30 June 2014;*
- *accept the Annual Report for the financial year ended 30 June 2014;*
- *authorise the Annual Electors Meeting be held in the Exmouth Shire Council Chambers on 18 December 2014 commencing at 5:30pm.*

COUNCIL DECISION – 10-1114 – 11.2.3


Moved Councillor Todd, Seconded Councillor Hood.

That Council:

- *accept the Annual Financial Report including the Independent Audit Report for the financial year ended 30 June 2014;*
- *accept the Annual Report for the financial year ended 30 June 2014;*
- *authorise the Annual Electors Meeting be held in the Exmouth Shire Council Chambers on 18 December 2014 commencing at 5:30pm.*

CARRIED by ABSOLUTE MAJORITY 5/0

11. REPORTS OF OFFICERS**11.2 Executive Manager Corporate Services****11.2.4 Risk Management - Business Continuity Plan**

Location:	Exmouth
Applicant:	S O'Toole
File Reference:	CM.PL.0
Disclosure of Interest:	Nil
Date:	6 November 2014
Author:	Executive Manager Corporate Services, Sue O'Toole
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends Council endorse the Business Continuity Plan.

BACKGROUND

Section 17 of the Local Government (Audit) Regulations states the CEO is to review the appropriateness and effectiveness of our systems in relation to risk management.

Council engaged the services of LGIS to work with Officers to implement a Business Continuity Plan to adopt procedures to maintain Council's essential services through periods of disruption. The Business Continuity Plan identifies aspects of Council services which may be exposed to risk from natural or manmade disasters.

COMMENT

The objective of the Business Continuity Plan is to provide a readily accessible, useable and thorough document which enables Council to follow, tried and systematic approach for the management of any disaster. (Refer *Attachment 4*).

This included assigning risks that meet any of the following criteria:

- Risks with a level of risk of high or extreme;
- Risk with inadequate existing control rating;
- Risk with consequence rating of catastrophic;
- Risks with likelihood rating of almost certain.

This plan will be monitored by the Executive Management Team and will be subject to a review at least once every 2 calendar years with the results reported to the audit committee.

CONSULTATION

LGIS

STATUTORY ENVIRONMENT

S.17 Local Government (Audit) Regulations

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.2.4

That Council endorse the Shire of Exmouth Business Continuity Plan.

COUNCIL DECISION – 11-1114 – 11.2.4

Moved Councillor McHutchison, Seconded Councillor Winzer.

That Council endorse the Shire of Exmouth Business Continuity Plan.

CARRIED 5/0

11. REPORTS OF OFFICERS

11.3 Executive Manager Aviation Services

11.3.1 General Report

Location: Exmouth
 Applicant: J Kox
 File Reference: TT.SP.0
 Disclosure of Interest: Nil
 Date: 11 November 2014
 Author: Executive Manager Aviation Services, Jenny Kox

Signature of Author:



Senior Officer:

Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Defence

A meeting was held 29 October 2014 to meet the Commanding Officers of 25 Squadron, whom provide operational oversight of RAAF Learmonth. Included in the discussions were the Navex 2B project delay, Learmonth Airport Master Plan, operational approvals processes, emergency response to off-shore environmental incident requirements and development approval processes.

Regulatory

An Airport Security Meeting was held on 12 November 2014 in line with normal 6-monthly meeting schedule.

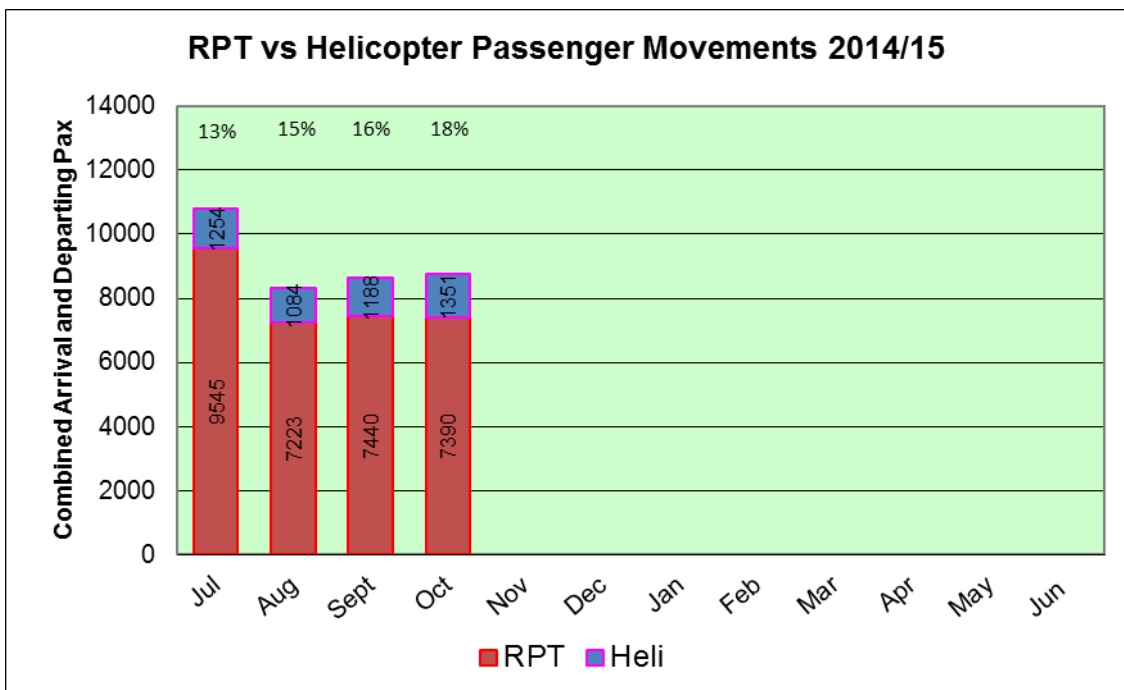
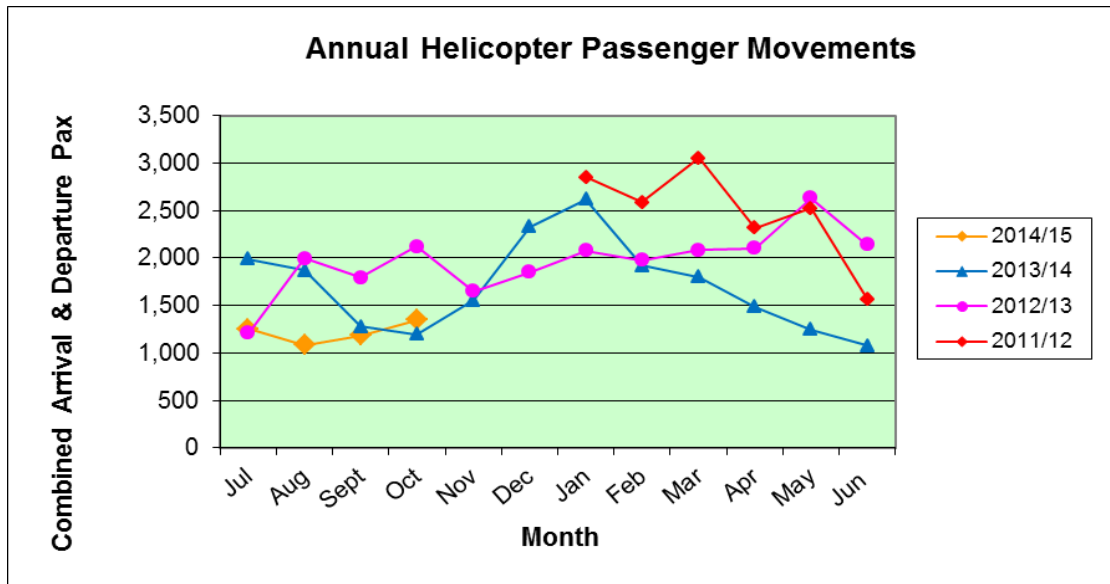
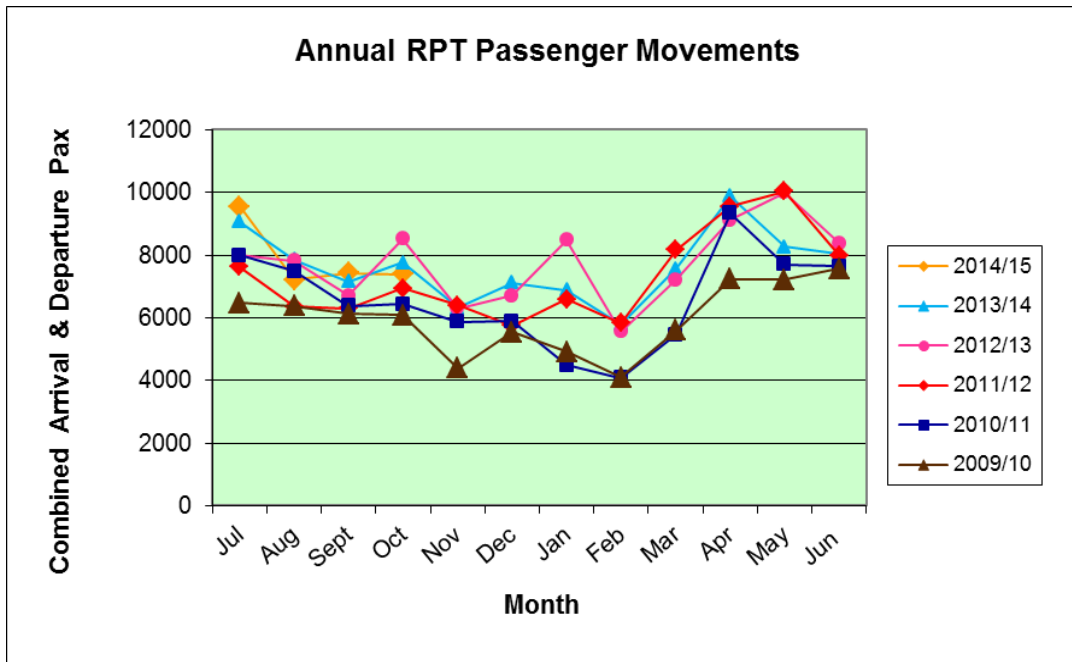
Airlines/Air Operators/Industry

Qantas held its annual Ningaloo Stakeholders Meeting on 28 October 2014 with representatives from Department of Transport, local tour and accommodation providers, Australia's Coral Coast, Exmouth Chamber of Commerce & Industry, Small Business Centre, Exmouth Visitors Centre and Shire of Exmouth present. The Department of Transport talked about the review of regulated air routes and Qantas provided an overview of their Learmonth Service, how fares are structured, available seats and sale activity (202 days on sale this year).

Afternoon Q400 flights now arrive at 1530 and depart at 1555 each weekday except Thursday to allow for direct through travel from Brisbane. Through fares can now apply for Sydney, Melbourne, Brisbane and Adelaide (that is, travel from these ports to Learmonth can occur within the one day).

October RPT passenger numbers were down on the previous two years, most likely a reflection of school holiday being over September and October. Helicopter passenger numbers are slightly up with activity in November expected to increase due to continued seismic work and commencement of a drilling campaign.

See the graphical presentation of statistics below



Airport

An emergency services visit was undertaken on 6 November 2014 to coincide with 2 Flight Training Squadron visit to RAAF Learmonth. These 6-monthly visits provide site familiarisation of RAAF Learmonth and Learmonth Airport to emergency service employees and volunteers. This visit also included the opportunity to familiarise with defence operational aircraft and procedures.

A desk-top emergency exercise was held on 26 October 2014 in conjunction with the Local Emergency Management Committee meeting. The desk-top exercise provided responding agencies to walk through an aircraft accident scenario and introduced a number of alternative considerations for the team to think through, such as response if during a rain event.

Heliport

The 13th Learmonth Heliport Consultative Meeting was held on 27 October 2014. Qantas now attend these meetings to assist in awareness of offshore activities and how they may affect forward bookings and seat availability, especially in peak times.

It is anticipated that Atwood Eagle will be operating out of Exmouth from around the first week of December 2014 for all of the cyclone season. BHPB is also planning on drilling from April 2015. Woodside's Nor-Australis may also be returning to Exmouth for a short time.

Staffing

Tracy Neilson resigned from her position as Aviation Officer/ARO with her last day being 12 November 2014. Interviews were held on 5 and 7 November to replace four Aviation Officer positions, 3 appointments have been made. Brooklyn Foster commenced on Monday 17 November 2014, Sheonie Quayle commences on 24 November 2014 and Roger Wren commences on 4 December 2014.

A number of staff have undertaken additional qualifications in the last month including working at heights and elevated work platform training.

Stephen Kox and Clif O'Toole have been approved as Authorised Officers to enforce by way of warnings and infringements the new car park layout and traffic conditions.

Leasing

A draft lease has been provided to Ningaloo Aviation for their consideration for lease of Lot 2 at Exmouth Aerodrome. The required advertising period for the disposal of property closed on Friday 14 November 2014 with one submission received.

Projects

Requests for quotation (RFQ) were advertised on 31 October 2014 for the following works within the airport terminal:

- Painting of the departures and screening areas (closes 28 November 2014);
- Replacement of toilets and urinals (closes 28 November 2014); and
- Construction of kitchenette (closes 12 December 2014).

Exmouth Aerodrome

A geotechnical assessment of the runway strip was undertaken on 18 November 2014 to provide information of the sub-base of the runway and to assist in future design of runway improvements.

Other Items

Nil

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.3.1

That Council receive the Executive Manager Aviation Services Report for the month of November 2014.


COUNCIL DECISION – 12-1114 – 11.3.1

Moved Councillor Todd, Seconded Councillor McHutchison.

That Council receive the Executive Manager Aviation Services Report for the month of November 2014.

CARRIED 5/0

11. REPORTS OF OFFICERS**11.4 Executive Manager Community Engagement****11.4.1 General Report**

Location:	Exmouth
Applicant:	R Kempe
File Reference:	GV.CM.0
Disclosure of Interest:	Nil
Date:	10 November 2014
Author:	Executive Manager Community Engagement, Rogé Kempe
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND**Tourism****Exmouth Visitor Centre - AGM**

The Exmouth Visitor Centre's AGM was held on 29 October 2014 at the Golf Club and there was a good turnout of members on the night. The following members make up the Committee for the next 12 months:

Current Committee members:	Matthew Winter (chair), Gina Nowak, Craig Adams, Chelsea Godson Peta Walker, Jackie Brooks, Kristy Bryan-Smith (non-voting).
New Committee members:	Karen Lay, Colleen Quirk
Shire representatives:	Cr. Mick Hood, Rogé Kempe

Cruise Ship Arrival – The Volendam

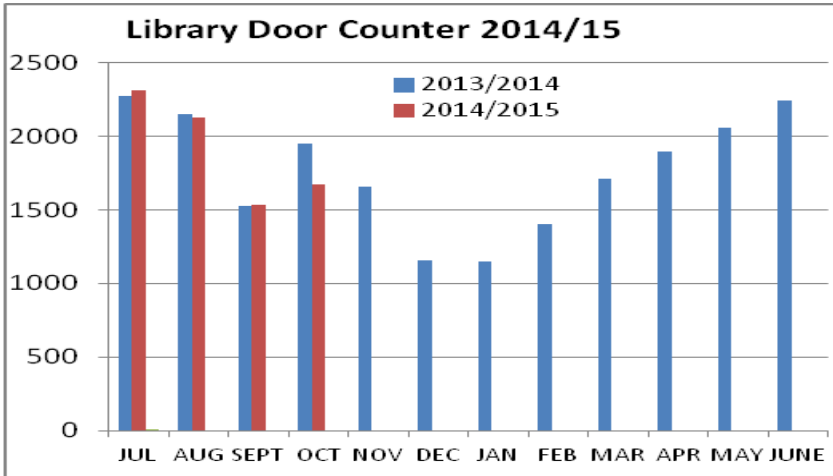
The cruise ship Volendam arrived in Exmouth on Wednesday 5 November 2014 with many people disembarking to either enjoy one of the tours on offer or to pay a visit to the town centre. The Exmouth Visitor Centre had a very prominent presence at the Harbour to provide information and sell some souvenirs to passengers.

It was obvious that cruise ship passengers would benefit from shade structures and seating at the arrival point in the Harbour, especially on a very hot day. The EMCE will bring this up with the Department of Transport who owns and manages the area and see if they have any plans in this regard.

Exmouth Visitor Centre KPI's

The EVC has provided a report on their KPI's as stipulated in the Funding Agreement between the Shire and the EVC. The report is presented to Council in item 10.4.2

Library Services



About 1675 people made use of library facilities in the month of October 2014, with 1901 items being issued and returned. The library was joined by 17 new members, 5 adult, 4 juniors and 8 travellers. Throughout the year new items are selected and received into the library which adds to the library’s collection.

As the tourist season slows this time of year, staff will start to sort and remove overstocked items and package and return these items to State Library of WA. Over 300 items have been processed this month and this will continue over the summer months until the collection has been ‘recycled’.

Community Development

Regional Art Australia Summit (RAAS)

The Community Activities Officer (CAO) attended the Regional Art Australia Summit ‘ARTS & EDGES’ from 16 to 19 October in Kalgoorlie.

With more than 500 delegates from all over the world, it was an amazing event to attend and the CAO would like to thank council for this opportunity to learn and bring ideas back to Exmouth.



Although the weather did its best to end the summit with hail, thunder and rain, it could not dampen the event.

There were 5 keynote speakers all telling their own stories about their projects, ranging from Australian Opera, puppeteers from Indonesia, political art and how to curate the First Nation exhibition at the Melbourne Museum, to providing insight into the MONA FOMA concerts held in Tasmania.

By attending this summit, the CAO has brought back many ideas for programs and some marketing ideas to engage and motivate the community to be part of future Exmouth arts projects. The networking opportunities should definitely pay off in the future.

Halloween Party

Officers assisted the Youth Action Exmouth (YAE) group to put on a Halloween dinner-dance (*a Night after Death*) for their peers.

YAE organised a ticketed event, designed the tickets and marketed the event. A menu was created, the music selected and they all assisted in dressing up the Recreation Centre. All available tickets (40) for the night were sold.

Officers received feedback from parents that their teens came home



raving about the food and that they had a great night. A special thank you to Exmouth District High School for supporting the YAE program and allowing tickets to be sold from the school.

Remembrance Day

This year Remembrance Day started relatively cool for a change and crowd numbers were good with approximately 100 people attending. All Australian Defence Forces and a group of US Air Force personnel from the Solar Observatory attended. Wreaths were placed at the cenotaph with an invitation for all to visit the Exmouth RSL after the service.

Australia Day Citizenship Awards

The CDO has informed the Exmouth community that the Premier's Australia Day Active Citizenship Awards are now open for nominations. The Awards include categories for an individual, young person under 25 years old and community group or event that enhances community life in Exmouth.

To promote nominations for these awards various modalities were used, including posting flyers on Exmouth notice boards, uploading notices on Exmouth Info, and hand delivering nomination forms to local business throughout the Town Centre. Nominations close the last week of November and officers are currently coordinating a meeting with committee members who will be deciding the winners in each category. Winners will be announced on Australia Day, 26 January 2015.

Club Development Conference in Perth

The CDO attended a Club Development Officer networking conference in Perth on 12 and 13 November. Topics of the conference included: 'skills for leading teams', 'changing attitudes to alcohol through sports', 'top club online tool' and 'interactive networking' workshop. The CDO will disseminate information back to Exmouth Clubs upon return.

Shows on the Go

The Shire of Exmouth has confirmed with Country Arts WA that there is an interest in bringing the band *B2M (Bathurst to Melville)* to perform in Exmouth in early 2015. *B2M* offer a family friendly performance that includes a blend of pop, R&B and Tiwi influenced music. A date and venue for this performance will be advised and staff will explore the options of working with community groups and clubs.

Shire of Exmouth Social Media Feasibility

Officers are currently undertaking a feasibility study into the possibility of the Shire of Exmouth implementing and managing a Facebook social media page to communicate with community members.

Facebook is an instant way of communications and well used among many community members. However, the Shire of Exmouth has currently no real presence beyond a page for young people and some officers using their private accounts to respond at times to Shire related questions (which would not be advisable to do).

Initial research includes telephone interviews with counterparts from neighbouring Shires who have already implemented Facebook sites. An analysis of other local government Facebook sites and a brief literature review are also being conducted.

Early findings indicate that, although there are risks involved, the experiences of other local governments running Facebook pages has been positive and worthwhile as long as comprehensive policies and procedures are put in place prior to commencement.

Men's Shed Exmouth (MSE)

The Exmouth Men's Shed group met on 10 November and some progress has been made as follows:

- The name 'Men's Shed Exmouth' has been formally lodged and accepted by the group;
- All paperwork to become incorporated was submitted with the Department of Commerce;
- An AGM is to be held soon, possibly December, when the Department has approved incorporation;
- The AGM will put in place a Committee which



replaces the interim office holders;

- A visit of the old Power Station site was held on 12 November with Cr Bob Todd, officers and many Men's Shed members attending. Overall they believe the site offers great opportunity and they can't wait to get started;
- Preliminary talks were held about the opportunity to link the MSE activities with the proposed recycling activities on the Power Station site;
- A Facebook site has been set up for the MSE and a draft logo will be available shortly;
- Various ideas have been floated around, but there is no clear direction yet to what the MSE is going to do in terms of activities. There is a range of opportunities and interests which will be taken in to account, as well as the needs within the community for assistance from the MSE.

In search of a House – An American Story

Maryland Austin from the USA contacted the Shire with a fantastic story and a request for assistance.

Maryland and her husband Lieutenant Donald R Austin lived in Exmouth from 1966 through 1968. Donald was the public works officer for the naval communications station at the time. He worked at the Cape while Maryland stayed behind in Perth until their daughter was born in May 1966. Shortly after, she packed up their VW bug and made a 3-day drive north to Exmouth.

Much of the town was still under construction and she was interviewed at the time for Women's Weekly magazine as they were the first US family to take residence in Exmouth.

Maryland arrived on the Volendam Cruise Ship with the aim to try and find the house she lived in during her time and Exmouth and asked for assistance from the community with this.



Unfortunately, Maryland didn't have much information about the house; streets didn't have names at the time and were unsealed. Many of the landmark buildings like the school, police station and the hospital were under construction or just opened. Also, because she just had a baby, she didn't go out much.

Upon arrival in Exmouth this month, staff and councillors welcomed Maryland and her now husband Paul back to Exmouth and invited her to the Shire offices for refreshment. An interview was held with Maryland to get a better understanding of life in Exmouth in the 60's. This was filmed in the hope that the material will be useful for the future Ningaloo Centre exhibitions.

Many Exmouth community members, and even people from overseas, gave tips and suggestions about where Maryland's house could have been. Bennett Street and Fyfe Street were the most mentioned streets, because officers were allocated houses in that area.

After looking at a range of former US homes in the area, one particular home was identified in Fyfe Street as the most likely, without being 100% certain. However, Maryland was very pleased with the find and stated that this house could have been the one and she was happy that the search had ended.

Maryland thanks everyone for the warm welcome and assistance in the search and when she is back home she will have a look at any photos or videos she may have of her time in Exmouth that she could share.

Grants Updates

- Offers have applied for a grant from Woodside for a proposed project called "*Message in a Bottle*"; an environmental arts installation which is proposed to be on display at the Whaleshark Festival 2015.

Media and Community Information

- Media Release – \$3.5m for Ningaloo Centre from Lotterywest.
- Shire Newsletter – 3 major projects update.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.3 – Diverse Tourism opportunities.

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.4.1

That Council receive the Executive Manager Community Engagement Report for the month of November 2014.

COUNCIL DECISION – 13-1114 – 11.4.1

Moved Councillor Hood, Seconded Councillor McHutchison.


That Council receive the Executive Manager Community Engagement Report for the month of November 2014.

CARRIED 5/0

11. REPORTS OF OFFICERS

11.4 Executive Manager Community Engagement

11.4.2 Exmouth Visitor Centre Reporting on KPIs

Location:	Exmouth
Applicant:	R Kempe
File Reference:	CS.SP.29
Disclosure of Interest:	Nil
Date:	10 November 2014
Author:	Executive Manager Community Engagement, Rogé Kempe
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

The Council of the Shire of Exmouth supports the Exmouth Visitor Centre operations with a cash contribution and in return requires from the Exmouth Visitor Centre Marketing Committee (EVCMC) bi-annual review reports regarding their achievements against Key Performance Indicators (KPIs).

Officers recommend that Council accepts the November 2014 KPI Review Report from the EVCMC as presented with this Council Report.

BACKGROUND

The Shire of Exmouth has entered into a formal Funding Agreement with the EVCMC outlining the support provided by the Shire of Exmouth and the conditions for this support.

The EVCMC is required to develop Key Performance Indicators to guide their deliverables and to provide specific reporting requirements to Council.

Reporting requirements on Key Performance Areas/Indicators are embedded in the Funding Agreement between the two parties as follows:

Evaluation and reporting

- *EVCMC shall conduct evaluations of its performance in relation to the **Key Performance Indicators** and its implementation of the Strategic Plan on a biannual basis in March and September of each year during the Term.*
- *EVCMC shall provide a report to the Shire detailing the results and outcome of each bi-annual evaluation by 1 April and 1 October of each year during the Term, unless otherwise agreed by the Shire.*
- *EVCMC shall additionally provide to the Shire:*
 - *a copy of its audited annual statement of accounts for each preceding financial year by no later than 1 November in each year of the Term;*
 - *advice of any changes in its office holders or its rules of association; and*
 - *any information on EVCMC's membership or other information in relation to the management or activities of EVCMC requested by the Shire to determine EVCMC's compliance with the Key Performance Indicators.*

As the KPI's were recently reviewed, Council requested in the October 2014 meeting to receive the bi-annual report in November, being this month.

This Council item and attachment provides the November 2014 Report to Council on the achievements of the EVCMC in Key Performance Areas identified in the Centre's Strategic Plan 2013-2017.

COMMENT

A full Report outlining the achievements against Key Performance Indicators was submitted with the Shire by the EVCMC (refer *Attachment 1*).

Regarding the KPI reporting, officers bring to Council's attention the following:

- Various surveys have been conducted for the first time and they provide a good benchmark for the performance of the EVC as seen by: staff, EVC members and visitors to the region, including cruise ships.
- A report is included about the emergency overflow caravan park which the EVC helps manage in partnership with the Shire of Exmouth.
- A great presence and customer service was provided by the EVC at the arrival of the Volendam cruise ship.
- Various activities and projects) are to be undertaken during the quieter months, with reporting on progress to Council to be expected in April 2015.

Overall, officers commend the EVCMC and staff of the Visitor Centre on the progress made.

Future Reporting Requirements

The agreement between the Shire and EVCMC requires to latter to provide to the Shire a copy of its audited annual Statement of Accounts for each preceding financial year by no later than 1 November each year.

Unfortunately, the EVCMC is not able to provide this report as the Auditor has not finalised their report at this stage. A final copy of the Audited Annual Statement will be presented to Council as soon as it becomes available.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.3 – Diverse Tourism opportunities.

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.4.2
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That Council:

1. *accepts the November 2014 bi-annual Review Report from the Exmouth Visitor Centre Marketing Committee; and*
2. *request the Exmouth Visitor Centre Marketing Committee to provide the Audited Annual Statement of Accounts as soon as it becomes available.*

COUNCIL DECISION – 14-1114 – 11.4.2
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Moved Councillor Winzer, Seconded Councillor Hood.

That Council:

- 1. accepts the November 2014 bi-annual Review Report from the Exmouth Visitor Centre Marketing Committee; and***
- 2. request the Exmouth Visitor Centre Marketing Committee to provide the Audited Annual Statement of Accounts as soon as it becomes available.***

CARRIED 5/0

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

Location: Exmouth
 Applicant: R M Manning
 File Reference: GV.CM.0
 Disclosure of Interest: Nil
 Date: 10 November 2014
 Author: Executive Manager Health & Building, R M Manning

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

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

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

Below is a summary of building licence and building certificate applications and approvals up to 31 October 2014.

Building Applications						
Application No	Date Received	Lot No	Development Location	Description	Decision	Decision Date
14/66	28/05/14	40	40/2 Welch Street	Single dwelling	Approved	20/09/14
14/67	28/05/14	15	15/2 Welch Street	Single dwelling	Approved	20/09/14
14/68	28/05/14	41	41/12 Welch Street	Single dwelling	Approved	20/09/14
14/70	29/05/14	351	25 Kestrel Place	Single dwelling	Awaiting information from applicant	
14/103	02/09/14	117	9 Tautog Street	Outbuilding	Awaiting information from applicant	
14/108	16/09/14	1499	20 Nimitz Street	Veranda	Approved	05/11/14
14/109	16/09/14	119	26 Ingram Street	Building Approval Certificate	Awaiting information from applicant	
14/116	18/09/14	362	3 Kestrel Place	Swimming Pool	Awaiting information from applicant	
14/124	08/10/14	30	Unit 22 Dugong Close	Single Dwelling	Awaiting information from applicant	
14/125	09/10/14	1	Unit 1 13A Davidson Street	Fence	Approved	10/10/14
14/126	09/10/14	125	12 Falls Street	Swimming Pool & retaining wall	Approved	23/10/14
14/127	09/10/14	R27288	Cape Range National Park – Osprey Bay	2 x toilet blocks	Approved	24/10/14
14/128	10/10/14	644	21 Stokes Hughes Street	Carport	Approved	27/10/14
14/130	22/10/14	269	29 Christie Street	Single dwelling & Swimming Pool	Approved	27/10/14
14/131	23/10/14	31	9 Pellew Street	Fence	Approved	27/10/14
14/132	24/10/14	1378	19 Preston Street	Pool pump house	Approved	28/10/14
14/133	24/10/14	1499	20 Nimitz Street	Sea Container	Approved	28/10/14
14/134	24/10/14	166	Lyndon Location	Extensions	Awaiting information from applicant	
14/135	24/10/14	1131	23 Koolinda Way	Carport	Awaiting information from applicant	

14/136	27/10/14	21	5 Kennedy Street	Alterations	Approved	29/10/14
14/137	28/10/14	29	4 Crevelle Way	Outbuilding	Approved	06/11/14
14/138	29/10/14	204	24 Kennedy Street	Outbuilding and Fence	Approved	30/10/14
14/139	29/10/14	29	4 Crevelle Way	Fence	Approved	30/10/14

Summary of Building Licence/Permit Applications
2007 to Year to date 31 October 2014

Year	No. Applications	Total Value of Works	No. Applications up 31 October	Value up to 31 October
2007- 2008	114	\$13,465,725.00	42	\$5,574,323.00
2008- 2009	132	\$26,600,941.00	47	\$11,344,479.00
2009 - 2010	198	\$26,916,869.00	50	\$4,880,594.00
2010 - 2011	188	\$24,816,605.00	51	\$9,439,053.00
2011 -2012	144	\$23,057,154.00	55	\$11,372,825.00
2012 - 2013	150	\$19,931,790.00	58	\$10,135,072.00
2013 -2014	159	\$23,404,990.00	62	\$8,361,827.00
2014 - 2015			56	\$5,716,333.00

COMMENT

BUILDING

There are no new matters of building compliance to report on in this period.

AIBS (WA) Conference 2014 – Oct 16-17: Wind, Fire & Flood

The Executive Manager Health & Building and the Building Surveyor both attended this year's AIBS Chapter Conference - Wind, Fire & Flood which examined the effectiveness and impact of good design and regulation on the performance of building in our changing climatic conditions. The conference was attended by approximately 200 delegates from around the state, made up of private and local government building surveyors.

There were 17 Guest speakers discussing various topics from Grasping Wind design, Bushfire Zone Mapping, Structural Steel Performance, Building to Resist Wind, Stormwater Management, and WA Weather Patterns. One of the hot topics was the designation of Bushfire prone areas. From 1 May 2015 the State Government will take on this role by designation of Bushfire prone areas across the state. What this means is that any Class 1, 2, or 3 building (i.e. dwelling or accommodation building) or associated Class 10a (shed) located within a designated bushfire prone area will require a Bush Fire Attack Level (BAL) assessment prior to issuing of a building permit to ensure that the proper bushfire protection construction practices are adhered to in accordance with Building Code and AS 3959: Construction in Bushfire Prone Areas.



The conference had a positive feel with the topics interesting and relevant to our location in the North West and gave the opportunity to meet new people, network and talk with colleagues.

The last session of the conference involved practical demonstrations by a company providing fire compliance certification and testing of fire safety systems. Pictured adjacent is the Shire's Executive Manager Health & Building getting a taste of the force behind a fire hose operating at full pressure from a fire truck.

ENVIRONMENTAL HEALTH

The general environmental health functions are continuing with regular health premise inspections and water sampling.

Wastewater Treatment

Letters have been sent to properties with Applications to Construct/Install a Septic Tank that haven't had a Permit to Use issued. A requirement of the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* is the need to have a Permit to Use issued prior to using the system. A Permit to Use is not issued until the system has been inspected to confirm that it has been installed in accordance with the applicable regulations and conditions of approval. An 'as constructed' plan is required to be provided at or immediately after, the final inspection. This enables Shire to maintain a record of the location of the septic system so that the information is available for future owners and Council environmental health officers.

These applications range from 2010 and haven't had a Permit to Use issued for various reasons. Council officers have requested updates on the status of the applications, whether they need to be cancelled or they need to organise an inspection. The aim is to have them finalised, have Shire records up to date and issue Permits to Use where appropriate.

Waste Management and Recycling**Scrap Metal**

Sims Metal have been contracted to remove the light scrap metal from the tip and are expected on-site this month. The heavier items and cars are scheduled to be crushed sometime in March-April 2015. This year has seen a significant fall in the scrap metal price reducing the viability of removing the steel from the tip. Whilst Council officers still expect a positive return on the sale of the scrap metal, the final amount paid is likely to be significantly less than previous years.

Sentinel Chickens & Mosquito Borne Diseases

The University of Western Australia's Sentinel Chicken Bleeding Program is continuing although due to the changeover in flock no blood tests have been taken from the chickens in Exmouth while they are given time to settle in. Overall there were no new positives blood tests to report of for Murray Valley Encephalitis, Kunjin Virus or other flaviviruses from the rounds of testing up to 21 October.

Paltridge Memorial Swimming Pool

Swimming pool entrance numbers for October are down on previous years.

	<u>2014</u>	<u>2013</u>	<u>2012</u>
Pool Users	3025	3183	3374

Dive In Movies

Christian Harris won the Dive In Movies competition that was drawn on 17 October by Kelly White. There were 17 entries suggesting a total of 44 movies. The selected movies were the most popular according to the movies listed on the competition entries received. The movies and there screening dates are as follows:

- 8 November - Despicable Me 2
- 20 December - How to Train a Dragon
- 31 January - Tangled
- 14 February - Frozen
- 28 March - The Lego Movie, and
- 11 April - Rio 2.

Learn to Swim

The Exmouth Learn to Swim Program registrations closed on the 27 October and lessons will run through to November. In this round we have about 70 children enrolled with ages ranging between 6 months to 11 years old all learning the valuable skills of swimming and water safety.

Aqua Run Fun Days

The Aqua Run Fun Days ran through the September/October School holidays on Monday and Wednesday afternoons. These days were well attended with around 40 to 50 children each session all having a great time.

Staffing

Staff would like to welcome three new lifeguards at the pool, Kelsie Foster, Matilda Levy and Ethan Hutton. Kirra DeJong and Samantha Evans who have been at the pool for three years have reduced their hours due to other work commitments. Thank you to Kirra and Samantha for their dedication over the last three years.

Kelsie Foster and Ethan Hutton started working with a Bronze medallion qualification and completed their training as Lifeguards in Carnarvon on the weekend of the 1 & 2 November 2014. Matilda has already completed her Lifeguard training prior to her employment.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Environment

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

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

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.5.1
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That Council receives the Executive Manager Health & Building Report for the month of November 2014.

COUNCIL DECISION – 15-1114 – 11.5.1

Moved Councillor Hood, Seconded Councillor Todd.

That Council receives the Executive Manager Health & Building Report for the month of November 2014.

CARRIED 5/0

11. REPORTS OF OFFICERS**11.6 Executive Manager Town Planning****11.6.1 General Report**

Location: Exmouth
 Applicant: Nil
 File Reference: LP.PL.0
 Disclosure of Interest: Nil
 Date: 10 November 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer:

Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND**Planning Applications and Approvals**

Below is a summary of planning applications and approvals up to 10 November 2014.

Applic No.	Lodgement	Lot	Property Address	Description	Decision	Date Determined
PA08/14	20/01/2014	1	4A Pellew Street	Open Carport	On Hold	
PA141/14	06/08/2014	462	16 Osprey Way	Garage	On Hold	
PA152/14	01/09/2014	901	Madaffari Drive	18 x Dwellings	Approved	29/10/14
PA159/14	12/09/2014	363	1 Kestrel Place	Holiday Accommodation	November OCM	
PA165/14	22/09/2014	12	Madaffari Drive	Single Dwelling	Approved	27/10/14
PA167/14	22/09/2014	102	23 Ingram Street	Additional Use of service station (fuel only)	Approved	21/10/14
PA170/14	01/10/2014	1	Minilya Exmouth Road	Industrial Development	November OCM	
PA172/14	03/10/2014	278	22 Christie Street	Shed & Alfresco Area	Approved	30/10/14
PA174/14	07/10/2014	39	26 Cooyou Close	4 x Grouped Dwelling	Approved	08/10/14
PA176/14	09/10/2014	115	13 Tautog Street	Outbuilding & Deck extension	Approved	10/11/14
PA177/14	13/10/2014	966	17 Patterson Way	3 x transportable buildings	Approved	28/10/14
PA178/14	21/10/2014	1281	10 Seawolf Place	Outbuilding	Approved	10/11/14
PA180/14	23/10/2014	36	Unit 36 2 Welch Street	Villa	Approved	27/10/14
PA181/14	23/10/2014	35	Unit 35 2 Welch Street	Villa	Approved	27/10/14
PA182/14	23/10/2014	22	Unit 22 2 Welch Street	Villa	Approved	27/10/14
PA183/14	23/10/2014	19	Unit 19 2 Welch Street	Villa	Approved	27/10/14
PA184/14	23/10/2014	18	Unit 18 2 Welch Street	Villa	Approved	27/10/14
PA185/14	24/10/2014	344	30 Kestrel Place	Holiday Accommodation	Processing	
PA186/14	24/10/2014	631	6 Fletcher Street	Outbuilding	Neighbour consultation closes 13/11/14	
PA187/14	24/10/2014	166	Lyndon Location	Change of Use	Processing	

PA188/14	27/10/2014	407	Madaffari Drive	Jetty	Approved	06/11/2014
PA189/14	27/10/2014	462	16 Osprey Way	Holiday Accommodation	Neighbour consultation closes 18/11/14	
PA193/14	31/10/2014	9	108 Madaffari Drive	Single Dwelling	Approved	10/11/14
PA194/14	03/11/2014	164	11 Maidstone Crescent	Swimming Pool	Processing	

Summary of Total Planning applications and Local Government Property Permits

Summary of Total Planning Application/Codes Variations	
Year	No. Applications
2009-2010	131
2010-2011	149
2011-2012	163
2012-2013	175
2013-2014	149
2014/2015 (to date)	49

Permits issued for an Activity on Local Government Property	
Month	No. Applications
May	7
June	3
July	1
August	5
September	4
October	4

Ranger Services

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

	Dogs	Camping	Parking	Litter	Fire	Off road	Other
Warning/caution	1	0	2	0	72	0	1
Infringement	0	7	2	0	0	0	1
Court	0	0	0	0	0	0	0
October Total	1	7	2	0	72	0	2
2014 - 2015 Totals	8	109	26	11	72	2	5

Firebreak inspections were conducted around the region during October. On initial observations, a large number of properties are not complying with Council's Firebreak Notice. Those properties that have not installed the appropriate firebreaks will be issued a final warning with a 21 day period of compliance. 72 final warning notices were issued to property owners in October, with more notices to follow in November.

Animal Welfare

Results from the recent dog baiting incidents have returned with it being confirmed that 'Strychnine' was the substance used. Sadly though, it has been advised that the level of Strychnine is said to have been able to kill an adult person. There have not been any reported cases of dog baiting in the last month.

Local Laws Review

In accordance with Council Decision – 26-1014 – 11.6.8 and Council Decision – 27-1014 – 11.6.9 during the October Ordinary Council Meeting 2014, the Parking Local Law and the Cat Control Amendment Local Law were advertised for public comment in the West Australian on Saturday 1 November 2014 and the Northern Guardian on Wednesday 5 November 2014. Copies have also been made available at the Shire of Exmouth Administration Office and website.

Local Law Review 2014												
Local Law	Approve by Council to Initiate	Advertising		Sent to Minister	Advertising Closes	Schedule of Submission	Final Adoption Council	Minister Approved/ Refused	Gazettal	Gazettal to Minister	Local Public Notice	Submit to JSC
		West Australian	Northern Guardian									
Dog	21/08/14	30/08/2014	3/09/2014	2/09/2014	20/10/2014	11/11/2014						
Cemetery	21/08/14	30/08/2014	3/09/2014	2/09/2014	20/10/2014	11/11/2014						
Meeting Procedures	18/09/14	27/09/2014	1/10/2014	24/10/2014	17/11/2014							
Fencing	18/09/14	27/09/2014	1/10/2014	24/10/2014	17/11/2014							
Cat	23/10/14	1/11/2014	5/11/2014	6/11/2014	22/12/2014							
Parking	23/10/14	1/11/2014	5/11/2014	6/11/2014	22/12/2014							
Public Places												
Marina Waterways												

Local Emergency Management Committee

In accordance with State Emergency Management Policy 2.5, the Exmouth Local Emergency Management Committee meeting was held on 24 October 2014. The minutes of the meeting have been attached for Council's reference (refer *Attachment 1*).

During the meeting, the Bureau of Meteorology (BOM) outlook for the tropical cyclone season was presented. A summary of the outlook which is noted on the BOM website and is as follows:

- A 38% chance of an above average number (62% chance of a below average number) of tropical cyclones in waters off the northwest coast (average number is five).
- Likelihood of around two coastal impacts.
- Significant risk of at least one severe tropical cyclone coastal impact during the season.

The Exmouth Local Emergency Management Committee Cyclone Information booklets were distributed at the end of October for the community to use in preparing for cyclone season.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Shire of Exmouth Town Planning Scheme No 3
Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Environment

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

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

Social

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

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.6.1

That Council receives the Executive Manager Town Planning Report for the month of November 2014.

COUNCIL DECISION – 16-1114 – 11.6.1

Moved Councillor Todd, Seconded Councillor McHutchison.

That Council receives the Executive Manager Town Planning Report for the month of November 2014.

CARRIED 5/0

Cr Hood declared an Impartiality Interest. The following declaration was made by Cr Hood;

'With regard to Industrial Development – Lot 1 Minilya-Exmouth Road, Exmouth, the matter in item 11.6.2, I disclose that I am an employee of a Company that services the Oil and Gas Industry. As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.'

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.2 Industrial Development – Lot 1 Minilya-Exmouth Road, Exmouth

Location:	Lot 1 Minilya-Exmouth Road, Exmouth
Applicant:	Rowe Group
File Reference:	A507 (PA170/14)
Disclosure of Interest:	Nil
Date:	12 November 2014
Author:	Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer:

Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council grant conditional planning approval for an industrial development including storage, office, laydown and security gate house upon a portion of Lot 1 Minilya-Exmouth Road, Exmouth.

BACKGROUND

The lot comprises numerous buildings associated with the former seafood processing and fishing fleet support facility. A number of existing buildings will be used for storage and office purposes. Following Scheme Amendment 27 all previous planning approvals relating to the lot were made null and void. The lot is approximately 12.569ha in area and zoned Industrial in the Scheme, with additional Strategic Industrial Area provisions. The aerial image below identifies Lot 1 Minilya-Exmouth Road where the proponent seeks planning approval for an industrial development including storage, office, laydown and security gate house uses (refer *Attachment 2*).



Lot 1 Minilya-Exmouth Road, Exmouth

COMMENT

The application has been assessed against the Shire of Exmouth Town Planning Scheme No. 3, Exmouth South Structure Plan and various Council Policies.

The proposed land uses (lay-down, storage, security gate house) are not defined in the Shire’s Town Planning Scheme, therefore Council determination is required.

The proposed office use is defined in the Scheme as ‘IP’, meaning that the use is not permitted unless incidental to the predominate use.

Industrial zone objectives:-

- a) to provide for the needs of light and general industry to support the community;
- b) to provide appropriate buffers between industry and adjacent land uses, so as to avoid land use conflicts; and
- c) to avoid non-industry related uses establishing in the industrial area.

The proposed land uses to service the offshore oil and gas operations with storage and laydown areas generally meets the objectives of the zone as it supports the community via employment opportunities, economic diversification and is located an appropriate distance from the townsite to reduce land use conflicts.

Scheme Provisions	Officer Comment
<i>The lot shall provide for on-site effluent disposal, landscaping, and manoeuvring area for all vehicles to enter and leave the lot in a forward gear.</i>	Use of existing buildings where onsite effluent disposal is already provided. The Department of Health advised in the advertising process of Scheme Amendment 27 that Department of Health approval is required for all on-site wastewater treatment and disposal systems.

The Exmouth South Structure Plan supports the lot being developed for 2nd tier or minor facilities to support the larger common user facilities. The proposed development is in accordance with the recommendations of the Exmouth South Structure Plan, providing for storage and other uses to support the oil and gas industry.

Setbacks

The Ningaloo Coast Regional Strategy Carnarvon to Exmouth identifies Minilya-Exmouth Road as an essential part of the service infrastructure needed to support the tourism industry. A visual amenity corridor should cover an area approximately 100m on each side of the road. The 2013 Exmouth South Structure Plan implemented the landscaped protection corridor, refer plan 9 (Badjirrajirra Precinct). *“Establishing a visual protection corridor along the Minilya Exmouth road from Learmonth to Exmouth will help maintain the landscape and sense of remoteness.”* The proposed laydown area is setback 100m from the front boundary (Minilya-Exmouth Road). A crossover, 2 way truck access road, and 2 way visitor/staff access road is proposed within the 100m corridor. Additional landscaping is proposed on both sides of the access road.

Landscaping

The applicant has not provided an in-depth detail regarding landscaping within the 100m setback area. This area is predominantly vacant cleared land. Considering the provisions of Policy 6.10 and the requirements of the Scheme the officer recommends the first 2.5m front setback area be landscaped with the rate of 1 tree to every 4 metres of frontage. The remainder 100m front setback area is recommended to be landscaped with natural vegetation.

In accordance with Policy 6.10 shade trees shall be provided in parking areas at a rate of 1 tree to every 7 bays. Therefore a minimum of 9 shade trees shall be provided evenly throughout all parking areas.

Parking

The development proposes car parking for staff and visitors in separate parking areas. With respect to staff parking availability, the designated staff parking area can accommodate up to 36 vehicles. With respect to visitor parking availability, the designated visitor parking area can accommodate up to 28 vehicles. The proposed development will not require more than 36 staff and 28 visitor bays noting it is unlikely the development will have more than 20 staff on site at any one time though this number may increase during peak operation periods. At no stage will there be an undersupply of parking for staff or visitors on site. Three (3) disabled car parking bays will also be provided on the subject site.

Given the scale of the subject site and the specifics of the proposed development, provision of car parking at the subject site should be at a rate of one (1) bay per employee and one (1) bay per visitor. Given the above, the proposed development will not require more than 36 staff and 28 visitor bays noting it is unlikely the development will have more than 20 staff on site at any one time though this number may increase during peak operation periods.

Parking areas have been designed to enable all vehicles to enter and exit the property in a forward gear. In accordance with the Shire's parking Policy all parking and access areas shall be appropriately sealed, line-marked (or marked to the satisfaction of Council Officers where crushed gravel/limestone is used) and drained to the satisfaction of Council. The parking spaces shall measure not less than the dimensions as shown in Schedule 4 of the Scheme, 2.7 x 5.4m normal and 3.2 x 5.4m disabled.

Crossover and Traffic

A Traffic Impact Statement ('TIS') has been prepared by Donald Veal Consultants ('DVC'). The TIS outlines the expected peak traffic volumes that will be generated from the proposed development. The expected generated traffic volume has been considered together with the current traffic volume, and it has been concluded that the current road network will adequately accommodate the expected traffic volumes. The subject site will be accessed via the existing access road which intersects with Minilya-Exmouth Road.

The intersection provides good sites along Minilya-Exmouth Road in both directions. DVC's report concludes that the proposed development will have no significant impacts, even under peak traffic conditions, on the capacity or safety of the surrounding road network, including the network between Exmouth Harbour and the subject site.

MRWA approval is required for upgrading of site access and crossover within Minilya-Exmouth Road reserve.

Stormwater Disposal and Flooding

A concept Storm Water Management Plan ('SWMP') has been prepared by URS which identifies the proposed drainage for the subject site. The concept SWMP has been prepared to cater for a 5 year ARI event. Proposed drainage and swales are shown on the concept SWMP. A number of manholes are also proposed to provide access into the drainage system if maintenance is required. The concept SWMP will sufficiently cater for the expected rainfall and weather events on the subject site. Detailed engineering plans of the laydown areas, car parks and retention ponds shall be provided prior to construction.

Existing Buildings and Proposed Structures

A number of buildings are currently situated on the subject site and proposed to be used for office and storage purposes. These buildings will be refitted changing the previous use of freezer to storage and office use. A building permit is required for works and the change of use. Disabled access can be addressed through the building permit application process.

A security gate house is proposed at the entrance for monitoring vehicles entering and exiting the subject site. The proposed security gate house is not an existing structure. The applicant has confirmed that the gate house will not be used as a caretaker's dwelling.

Operating Hours

The proposed development will require 24 hours a day operation, and is expected to have up to 20 staff working on the subject site. The majority of the staff will be present on the subject site during "standard" working hours. As the operating hours of loading facilities in the Exmouth Harbour are limited to 6.00 am - 9.00 pm, trucks would leave the subject site bound for Exmouth Harbour between approximately 5.30 am - 8.00 pm and would arrive from Exmouth Harbour between approximately 7.00 am - 9.30 pm. Trucks departing for or arriving from other locations will do so at all hours.

Lighting

The applicant has not provided details regarding lighting. In accordance with Statutory and Strategic Planning provisions 'Lighting will be down lighting to reduce sky glare and light spill during possible night time operation' and 'Appropriate lighting shall be provided to all pedestrian paths, parking areas and building entries'.

Fencing

The applicant is proposing 2.4m high chain wire mesh fencing. Officers consider this appropriate given the industrial nature of the proposed land use. Additional condition included regarding visual permeability of the fencing, so as not to distract from the visual amenity from Minilya-Exmouth Road.

Fire and Emergency Management

The proponent has not provided details regarding fire and emergency management. Considering the area of development, potential hazards and being in a cyclone region it is appropriate for an emergency management plan to be prepared, submitted, reviewed and approved by Shire Officers.

Sea Containers

The applicant has not provided details regarding sea containers. The proposed use is likely to have temporary sea containers used for ancillary storage purposes, additional relevant conditions included.

Considering the above Officer recommends that Council grant conditional planning approval for an industrial development including storage, office, laydown and security gate house upon Lot 1 Minilya-Exmouth Road, Exmouth.

CONSULTATION

The application was referred to relevant authorities for a period of 21 days from Wednesday 1 October 2014 to Wednesday 22 October 2014. A summary is tabled below:

Property	Received	Officer Comment
Department of Water	The Department of Water does not have any information regarding major flooding at this location; however, this	Noted, no major issues

	<p>land could be potentially affected by major flooding from (1) watercourses to the south and north of the land, and (2) major tidal/storm surge flooding in Exmouth Gulf.</p> <p>The proponent’s plan indicates that the general natural surface of the land where development is proposed is ~7.0 m AHD and it is recommended that the proponent provides an overall contour plan of the lot to confirm this assumption. Assuming this information is correct, then the proposed development is not expected to be affected by major flooding from either of the adjacent watercourses or from Exmouth Gulf. Consequently, we have no objections to this proposal (re-development/upgrading of the existing industrial development, with a truck staging/assembly area, lay down area, quarantine area and storage/freezer areas) with respect to major flooding.</p> <p>Please note that the Department of Water has previously given advice (5/9/2012) to consultants regarding Scheme Amendment No. 27 to the Shire’s Town Planning Scheme No. 3 (Lots 1,101,112, and 220) and this included the need for hydraulic modelling to assess the flood risk of the general area. However, Lot 1 is generally not constrained by major flooding issues and therefore the above advice is provided.</p> <p>Aside from flood risk management, it is recommended the following matters be considered:</p> <ul style="list-style-type: none"> • Confirm with applicant that all stormwater is to be retained on-site, with sufficient flood storage areas for 100yr ARI events. • First 15mm of rainfall depth to be directed into rain gardens (bio-filters) to filter out hydrocarbons from truck loading areas and staff car park. Size of garden to be 2% of impervious area with appropriate plants. See attached factsheet, and information on the DoW website here. • Swales to be constructed adjacent to entry and exit 	<p>Additional conditions included <i>The applicant shall submit a stormwater management plan to the satisfaction of Council Officers, Department of Water and Department of Health which shall include detailed engineering plans of laydown areas, car parks and retention ponds to accommodate a minimum 1 in 100 year event</i></p> <p>Additional conditions included <i>Any development located on or adjacent to the coast should not discharge waste and/or stormwater in a manner that may degrade the coastal environment (including the coastal foreshore reserve, coastal water and</i></p>
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	<p>roads for infiltration at source.</p> <ul style="list-style-type: none"> • Potable water supply – please confirm nature of intended supply i.e. pumped elsewhere and trucked in? rainwater tanks? etc • Wastewater management – <u>DoW Water quality protection note 70 Wastewater treatment and disposal – domestic systems</u>, applies for sites with up to 10 people, and specifies systems approved by DoH, and setbacks from water resources. 	<p><i>marine ecosystems). Water sensitive urban design best management principles should also be utilised within the development adjacent to the coastline to ensure the discharge of waste and stormwater into the foreshore reserve is avoided</i></p> <p>Noted</p> <p>Noted, comments sought from DoH and additional condition included <i>Onsite effluent and wastewater disposal shall be located within the lot and shall be provided to the specification and satisfaction of the Shire of Exmouth and Department of Health.</i></p>
Department of Health	<p>Thank you for your correspondence dated 1 October 2014 requesting comment from the Department of Health (DOH) on the above proposal. The DOH provides the following comment:</p> <p><i>Food Act Requirements</i> All food storage related aspects (food storage/freezer) to comply with the provisions of the Food Act 2008 and related code, regulations and guidelines.</p>	The proposal does not include food storage/freezer as confirmed by the applicant.
Main Roads	Nil	Nil
Shire – Environmental Health Officer	Yes, Storm water construction to comply with Department of Health Chironomid Midge and Mosquito Risk Assessment Guide for Constructed Water Bodies.	Comments sought from the Department of Health during consultation period to confirm this requirement.

STATUTORY ENVIRONMENT

Exmouth Town Planning Scheme No.3
 Planning and Development Act 2005
 Exmouth South Structure Plan
 Ningaloo Coast Regional Strategy Carnarvon to Exmouth

POLICY IMPLICATIONS

Policy 6.2: Colour Palette for Developments
 Policy 6.8: Signs
 Policy 6.9: Use of Sea Containers
 Policy 6.10: Landscaping
 Policy 6.11: Parking
 Policy 6.19: District Water Management Strategy

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONSEconomic

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

- Outcome 1.2 - Planned and balanced economic growth.

Environment

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.6.2

That Council grant planning approval for an industrial development including storage, offices, laydown, and security gate house upon a portion Lot 1 Minilya-Exmouth Road, Exmouth subject to the following conditions;

- 1. The development being carried out in accordance with the approved plans C-100 as amended (PA170/14) and the Shire of Exmouth Town Planning Scheme Number 3 to the satisfaction of Council Officers;*
- 2. The development having external colours consistent with Council's Policy (6.2) Colour Palette for Developments;*
- 3. The security gate house shall not be used for habitable purposes;*
- 4. The proponent shall apply to Main Roads Western Australia regarding the crossover entrance off Minilya-Exmouth Road into Lot 1 and undertake its own cost for design and construction works;*
- 5. Onsite effluent and wastewater disposal shall be located within the lot and shall be provided to the specification and satisfaction of the Shire of Exmouth and Department of Health;*
- 6. An emergency response plan shall be prepared in accordance with AS 3745 Planning for Emergencies in Facilities to the satisfaction and approval of Council Officers. The emergency response plan shall be clearly displayed within the immediate locality;*
- 7. Fencing on any lot boundary and within the 100m front setback area shall be open mesh style to the satisfaction of Council Officers;*
- 8. External, rubbish bins and all service fittings and fixtures shall not be visible from Minilya Exmouth Road and Exmouth Gulf;*

Stormwater

- 9. Storm water being managed on site and/or discharged into the Shire's road drainage system, in accordance with Council Policy, the Building Code of Australia and to satisfaction of Council Officers;*
- 10. The applicant shall submit a stormwater management plan to the satisfaction of Council Officers, Department of Water and Department of Health which shall include detailed engineering plans of laydown areas, car parks and retention ponds;*
- 11. Any development located on or adjacent to the coast should not discharge waste and/or stormwater in a manner that may degrade the coastal environment (including the coastal foreshore reserve, coastal*

water and marine ecosystems). Water sensitive urban design best management principles should also be utilised within the development adjacent to the coastline to ensure the discharge of waste and stormwater into the foreshore reserve is avoided;

Sea Containers

- 12. Sea Containers shall not be stacked vertically;*
- 13. Sea containers shall be adequately screened from Minilya-Exmouth Road to the satisfaction of Council Officers;*
- 14. Where sea container(s) have fallen into disrepair or become unsightly, Council requires they be removed from the property or suitably upgraded;*
- 15. Sea Containers shall not be used as any form of accommodation;*

Landscaping

- 16. A minimum 100m landscaping buffer shall be maintained from the western lot boundary. All natural vegetation shall be retained within the buffer;*
- 17. A landscaping plan shall be submitted for the approval of Council and landscaping being established in accordance with that approved plan prior to approved land uses occurring. The landscaping plan shall depict:*
 - A minimum of nine (9) trees distributed evenly in parking areas;*
 - A minimum of forty-five (45) street trees along the frontage of the lot;*
 - Water sensitive design features;*
 - Landscaping addressing Minilya-Exmouth Road.*
- 18. The first 2.5m of the lot from the Minilya-Exmouth Road boundary shall be landscaped, excluding the crossover. Trees shall be provided in the landscaping area at a rate of 1 tree per 4 metres of frontage;*
- 19. No fertilisers, other than slow release granular fertilisers specially formulated to reduce nutrient runoff and nutrient infiltration into the water table, being used;*

Road Base

- 20. Open storage areas shall be sealed with crushed road base, asphalt or bitumen;*
- 21. Vehicle access ways within 100m of the front setback shall be sealed with asphalt or bitumen;*

Emissions

- 22. All emissions with the associated use are to be retained on site;*
- 23. The applicant is required to submit a detailed lighting plan for the approval of Council Officers and lighting being established in accordance with that approved plan prior to occupation of the new building/s and approved use of the lot. The lighting plan will include down lighting to reduce sky glare and light spill. Lighting shall be provided to all pedestrian paths, parking areas and building entries;*
- 24. Any external lighting shall be installed and maintained so as to avoid distracting passing motorists or causing nuisance to vehicles on Minilya-Exmouth Road;*

Parking

- 25. The applicant shall provide a maximum of sixty-four (64) parking bays. All parking bays shall have a minimum dimension of 2.7 x 5.4m;*
- 26. The applicant shall provide a minimum of three (3) disabled parking bays. All disabled parking bays shall have a minimum dimension of 3.2 x 5.4m;*
- 27. All vehicle parking, manoeuvring and circulation areas being suitably constructed and marked in accordance with Council Policy and the requirements of AS2890.1 – Off Street parking;*

28. All car parking and vehicle manoeuvring for the development is to be wholly contained within the lot;
29. All parking and access areas shall be appropriately sealed, line-marked and drained to the satisfaction of Council Officers;

Additional Conditions

30. Any additional development not being in accordance with the original application or conditions of approval, as outlined above will require further approval by the Shire of Exmouth. Any commencement of development not subject of a current approval is an offence under the Shire of Exmouth Town Planning Scheme No.3;
31. Any substantial variation from the approved plans contained herein requires a separate Council approval. Should your plans for a building licence differ from these plans, a building licence may not be issued until such time as fresh planning approval is granted; and
32. The approval granted being valid for a period of two (2) years from the date of this approval. Should the use approved not substantially commence within this time, the approval will lapse.

Advice

- i). Prior to any development, the applicant is required to obtain a building licence approval from the Shire of Exmouth.
- ii). All fencing shall be of adequate structural design to meet cyclone requirements and may require a building permit approval from the Shire of Exmouth.
- iii). The applicant is advised that landscaping is to comprise of species of plants as defined within Councils Landscaping Policy.
- iv). Signage may require additional planning approval from the Shire.
- v). This approval is not an authority to ignore any constraint to development on the land, which may exist through contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the Shire to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Shire's attention.
- vi). Due to proximity of the development to the Exmouth Gulf and the possible exposure to high salt laden winds, it is recommended that all structural steel members and external steel cladding be of a type suitable for high saline environments in accordance with the BCA Volume 2.
- vii). The approval granted is not to be construed as approval granted under the Building Act 2011, Building Regulations 2012 or any other relevant statutory approval.
- viii). An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005 (as amended). Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).

COUNCIL DECISION – 17-1114 – 11.6.2
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Moved Councillor Todd, Seconded Councillor Winzer.

That Council grant planning approval for an industrial development including storage, offices, laydown, and security gate house upon a portion Lot 1 Minilya-Exmouth Road, Exmouth subject to the following conditions;

1. **The development being carried out in accordance with the approved plans C-100 as amended (PA170/14) and the Shire of Exmouth Town Planning Scheme Number 3 to the satisfaction of Council Officers;**

2. *The development having external colours consistent with Council's Policy (6.2) Colour Palette for Developments;*
3. *The security gate house shall not be used for habitable purposes;*
4. *The proponent shall apply to Main Roads Western Australia regarding the crossover entrance off Minilya-Exmouth Road into Lot 1 and undertake its own cost for design and construction works;*
5. *Onsite effluent and wastewater disposal shall be located within the lot and shall be provided to the specification and satisfaction of the Shire of Exmouth and Department of Health;*
6. *An emergency response plan shall be prepared in accordance with AS 3745 Planning for Emergencies in Facilities to the satisfaction and approval of Council Officers. The emergency response plan shall be clearly displayed within the immediate locality;*
7. *Fencing on any lot boundary and within the 100m front setback area shall be open mesh style to the satisfaction of Council Officers;*
8. *External, rubbish bins and all service fittings and fixtures shall not be visible from Minilya Exmouth Road and Exmouth Gulf;*

Stormwater

9. *Storm water being managed on site and/or discharged into the Shire's road drainage system, in accordance with Council Policy, the Building Code of Australia and to satisfaction of Council Officers;*
10. *The applicant shall submit a stormwater management plan to the satisfaction of Council Officers, Department of Water and Department of Health which shall include detailed engineering plans of laydown areas, car parks and retention ponds;*
11. *Any development located on or adjacent to the coast should not discharge waste and/or stormwater in a manner that may degrade the coastal environment (including the coastal foreshore reserve, coastal water and marine ecosystems). Water sensitive urban design best management principles should also be utilised within the development adjacent to the coastline to ensure the discharge of waste and stormwater into the foreshore reserve is avoided;*

Sea Containers

12. *Sea Containers shall not be stacked vertically;*
13. *Sea containers shall be adequately screened from Minilya-Exmouth Road to the satisfaction of Council Officers;*
14. *Where sea container(s) have fallen into disrepair or become unsightly, Council requires they be removed from the property or suitably upgraded;*
15. *Sea Containers shall not be used as any form of accommodation;*

Landscaping

16. *A minimum 100m landscaping buffer shall be maintained from the western lot boundary. All natural vegetation shall be retained within the buffer;*
17. *A landscaping plan shall be submitted for the approval of Council and landscaping being established in accordance with that approved plan prior to approved land uses occurring. The landscaping plan shall depict:*
 - *A minimum of nine (9) trees distributed evenly in parking areas;*
 - *A minimum of forty-five (45) street trees along the frontage of the lot;*
 - *Water sensitive design features;*
 - *Landscaping addressing Minilya-Exmouth Road.*

18. *The first 2.5m of the lot from the Minilya-Exmouth Road boundary shall be landscaped, excluding the crossover. Trees shall be provided in the landscaping area at a rate of 1 tree per 4 metres of frontage;*
19. *No fertilisers, other than slow release granular fertilisers specially formulated to reduce nutrient runoff and nutrient infiltration into the water table, being used;*

Road Base

20. *Open storage areas shall be sealed with crushed road base, asphalt or bitumen;*
21. *Vehicle access ways within 100m of the front setback shall be sealed with asphalt or bitumen;*

Emissions

22. *All emissions with the associated use are to be retained on site;*
23. *The applicant is required to submit a detailed lighting plan for the approval of Council Officers and lighting being established in accordance with that approved plan prior to occupation of the new building/s and approved use of the lot. The lighting plan will include down lighting to reduce sky glare and light spill. Lighting shall be provided to all pedestrian paths, parking areas and building entries;*
24. *Any external lighting shall be installed and maintained so as to avoid distracting passing motorists or causing nuisance to vehicles on Minilya-Exmouth Road;*

Parking

25. *The applicant shall provide a maximum of sixty-four (64) parking bays. All parking bays shall have a minimum dimension of 2.7 x 5.4m;*
26. *The applicant shall provide a minimum of three (3) disabled parking bays. All disabled parking bays shall have a minimum dimension of 3.2 x 5.4m;*
27. *All vehicle parking, manoeuvring and circulation areas being suitably constructed and marked in accordance with Council Policy and the requirements of AS2890.1 – Off Street parking;*
28. *All car parking and vehicle manoeuvring for the development is to be wholly contained within the lot;*
29. *All parking and access areas shall be appropriately sealed, line-marked and drained to the satisfaction of Council Officers;*

Additional Conditions

30. *Any additional development not being in accordance with the original application or conditions of approval, as outlined above will require further approval by the Shire of Exmouth. Any commencement of development not subject of a current approval is an offence under the Shire of Exmouth Town Planning Scheme No.3;*
31. *Any substantial variation from the approved plans contained herein requires a separate Council approval. Should your plans for a building licence differ from these plans, a building licence may not be issued until such time as fresh planning approval is granted; and*
32. *The approval granted being valid for a period of two (2) years from the date of this approval. Should the use approved not substantially commence within this time, the approval will lapse.*

Advice

- i). *Prior to any development, the applicant is required to obtain a building licence approval from the Shire of Exmouth.*
- ii). *All fencing shall be of adequate structural design to meet cyclone requirements and may require a building permit approval from the Shire of Exmouth.*
- iii). *The applicant is advised that landscaping is to comprise of species of plants as defined within Councils Landscaping Policy.*

- iv). *Signage may require additional planning approval from the Shire.*
- v). *This approval is not an authority to ignore any constraint to development on the land, which may exist through contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the Shire to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Shire's attention.*
- vi). *Due to proximity of the development to the Exmouth Gulf and the possible exposure to high salt laden winds, it is recommended that all structural steel members and external steel cladding be of a type suitable for high saline environments in accordance with the BCA Volume 2.*
- vii). *The approval granted is not to be construed as approval granted under the Building Act 2011, Building Regulations 2012 or any other relevant statutory approval.*
- viii). *An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005 (as amended). Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).*

CARRIED 5/0

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.3 Holiday Accommodation – Lot 363 (1) Kestrel Place, Exmouth

Location: Lot 363 (1) Kestrel Place, Exmouth
 Applicant: Julian Annetta Reitsema
 File Reference: A1496 (PA159/14)
 Disclosure of Interest: Nil
 Date: 12 November 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer:

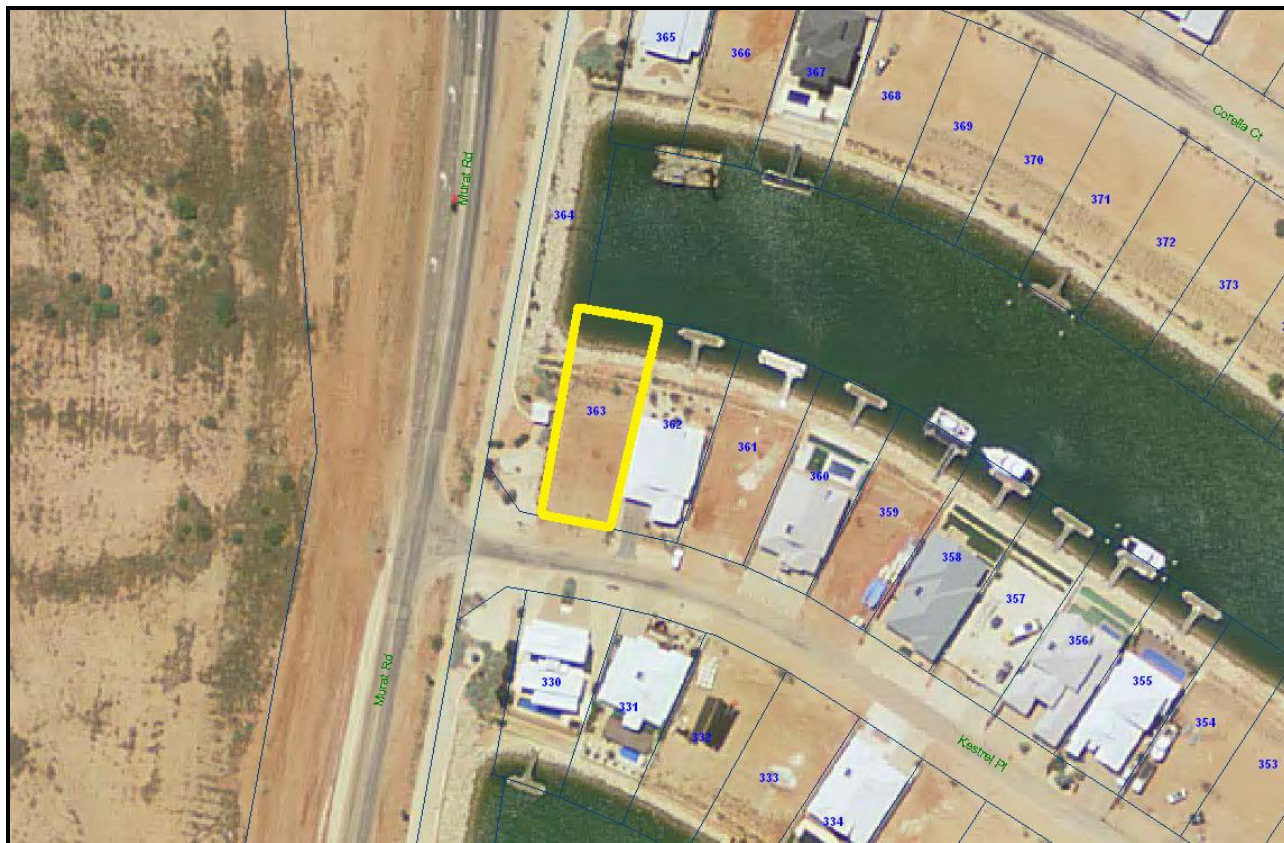
Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council grant conditional planning approval for Holiday Accommodation upon Lot 363 (1) Kestrel Place, Exmouth.

BACKGROUND

The subject lot has a substantially constructed dwelling and jetty, is approximately 911m² in area and zoned Marina in the Scheme. The area has an Outline Development Plan which identifies the lot within Precinct A. Detailed Design Guidelines have been prepared and adopted by Council as Policy 6.16: Design Guidelines for Exmouth Marina Village Precinct A. The aerial image below identifies Lot 363 (1) Kestrel Place where the proponent seeks planning approval for Holiday Accommodation use (refer **Attachment 3**).



Lot 363 (1) Kestrel Place, Exmouth

COMMENT

The proposal has been assessed against the Town Planning Scheme No. 3 (Scheme), Policy 6.12: Holiday Accommodation and Policy 6.16: Design Guidelines for Exmouth Marina Village Precinct A. Table 1 of the Scheme defines Holiday Accommodation as an 'SA' use in the residential zone meaning the use is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 9.3. The relevant Outline Development Plan states land uses to be in accordance with the residential zone of the scheme.

Policy 6.12 objectives sought to:

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

This application generally accords with the Policy, however, there are a number of areas where the application needs to be modified, as discussed below: -

Number of Occupants

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

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

Officers have calculated the permissible number of occupants per bedroom:

Schedule 1: Allowable Occupants: Lot 363 (1) Kestrel Place, Exmouth

Bedroom 1: Total floor space: 14.38m², Approximate Air Space: 38.83m³
Allowable occupants: 2 adults **OR** 1 adult and 3 children **OR** 4 children

Bedroom 2: Total floor space: 12.6m², Approximate Air Space: 34.02m³
Allowable occupants: 2 adults **OR** 1 adult and 2 children **OR** 4 children

Bedroom 3: Total floor space: 10.8m², Approximate Air Space: 29.16m³
Allowable occupants: 2 adults **OR** 1 adult and 1 child **OR** 3 children

Bedroom 4: Total floor space: 9.88m², Approximate Air Space: 26.68m³
Allowable occupants: 1 adult **OR** 1 adult and 1 child **OR** 3 children

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

**The air space is calculated on the assumption of an average of 2.7m ceiling height.

Occupancy Levels

Following the assessment by officers to calculate the number of guests permissible, the maximum number of overnight occupants allowed within the dwelling at the same time shall be nine (9) persons. This includes no more than seven (7) occupants over the age of 10 at any one time. Furthermore, the maximum occupancy for each room shall be in accordance with the Shire of Exmouth Health Local Laws and Council Policy. Potential occupants shall be advised of this prior to booking.

Number of Vehicles

The application states the number of vehicles to be accommodated on site is three (3) vehicles and two (2) trailers which is the maximum permissible number allowed under the Holiday Accommodation Policy. Policy states that car parking shall be calculated on the basis of four persons per vehicle. The property has a double garage with space to accommodate two (2) more vehicles. Officer recommends a maximum of two (2) vehicles and two (2) trailers to reduce traffic issues.

Management Plan and Code of Conduct

Holiday Accommodation Policy 6.12 requires that the applicant submit a copy of the management plan and tenant code of conduct. They have submitted a Tenancy Code of Conduct for guests and visitors which contain house rules and emergency numbers.

The subject lot is surrounded by approved Holiday Accommodation including Lots 330 and 362 Kestrel Place and Lot 365 Corella Court (refer **Attachment 4**). Having regard to the above Officers recommend that Council grant conditional planning approval for holiday accommodation upon Lot 363 (1) Kestrel Place.

CONSULTATION

In accordance with the requirements of the Scheme adjoining impacted neighbours were invited to comment on the proposal from Thursday 9 October 2014 to Thursday 30 October 2014 for a period of 21 days. A summary is tabled below:

Property	Response	Officers comments
Lot 330 (2) Kestrel Place	Nil	Nil
Lot 362 (3) Kestrel Place	Nil	Nil
Lot 365 (2) Corella Court	Nil	Nil

STATUTORY ENVIRONMENT

Planning and Development Act
Town Planning Scheme No. 3

POLICY IMPLICATIONS

Policy 6.12: Holiday Accommodation
Policy 6.16: Design Guidelines for Exmouth Marina Village Precinct A

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Economic**

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

- Outcome 1.2 - Planned and balanced economic growth.

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.6.3
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That Council grant conditional planning approval for Holiday Accommodation upon Lot 363 (1) Kestrel Place, Exmouth subject to the following conditions:

1. *The approved use shall accord with the Shire of Exmouth Town Planning Scheme Number 3, approved plans (PA159/14) and Policy Number 6.12: Holiday Accommodation;*
2. *The maximum number of overnight occupants allowed within the dwelling at the same time shall be nine (9) persons. This includes no more than seven (7) occupants over the age of 10 at any one time. Furthermore, the maximum occupancy for each room shall be in accordance with the Shire of Exmouth Health Local Laws and Council Policy;*
3. *The maximum number of vehicles and trailers (including boats on trailers) that can be accommodated on the property shall be two (2) and two (2) respectively, in accordance with Council Policy. The property does not include the Council road verge or adjoining/nearby vacant land. Potential occupants shall be advised of this prior to booking;*
4. *The property shall provide at least two (2) 240 litre rubbish bins prior to the use commencing;*
5. *The occupants Code of Conduct shall be clearly displayed in the premises in accordance with Council Policy;*
6. *An emergency response plan (i.e. fire escape route maps etc) is required to be clearly displayed in a conspicuous location within the dwelling, plus:*
 - a. *a fire extinguisher, in a clearly visible location (and marked on the emergency response plan), is to be maintained in proper working order;*
 - b. *outside barbeques are to be gas or electric; and*
 - c. *no fires are to be lit outside.*
7. *The property is to be managed by a local caretaker/manager living and readily contactable within 10 minutes of the property;*
8. *If in the opinion of Council the approved use causes a nuisance or annoyance to owner/occupiers of the land in the vicinity, or to persons or traffic using roads in the vicinity of the approved use, Council may vary or rescind its approval in accordance with Council Policy;*
9. *The property not being used for the use hereby granted until an inspection has been carried out by a Council Officer and that Officer is satisfied that the conditions of this approval hereby granted have been complied with;*
10. *Should this residential premises be used for Holiday Accommodation purposes and provide a swimming pool/spa pool for the use of guests or should the owners intend to install a swimming pool/spa pool in the future, the owners are hereby advised of the following:*
 - *The Health (Aquatic Facilities) Regulations 2007 require that a Certificate of Compliance and a Permit to Operate from the Executive Director, Public Health (EDPH) for the 'aquatic facility' be obtained i.e. the Department of Health (WA) is the approving authority, not the Shire of Exmouth;*
 - *Whether an aquatic facility is approved by the EDPH or not, regulation 21 prescribes that an environmental health officer, or a person under the direction of an environmental health officer, collects 2 water samples (one for bacteria, one for amoeba) from each water body of each aquatic facility in the district at least once per month. The owner/property manager must therefore make suitable arrangements for the Shire's Water Sampling Officer to access the property to obtain the water samples.*
11. *This approval is valid until 30 September 2015. Following planning approval an annual permit will be issued after paying the prescribed fee. Upon this period lapsing, Council will notify owners about the*

date of expiry and that a new permit is required should the property continue to be used for holiday accommodation;

Advice

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

Below is a Schedule of permitted number of occupants per room which identifies alternative combinations of guests – not to exceed a total of 9 guests. This Schedule shall be appropriately displayed in the house.

Schedule 1: Allowable Occupants: Lot 363 (1) Kestrel Place, Exmouth

Bedroom 1: Total floor space: 14.38m², Approximate Air Space: 38.83m³
Allowable occupants: 2 adults **OR** 1 adult and 3 children **OR** 4 children

Bedroom 2: Total floor space: 12.6m², Approximate Air Space: 34.02m³
Allowable occupants: 2 adults **OR** 1 adult and 2 children **OR** 4 children

Bedroom 3: Total floor space: 10.8m², Approximate Air Space: 29.16m³
Allowable occupants: 2 adults **OR** 1 adult and 1 child **OR** 3 children

Bedroom 4: Total floor space: 9.88m², Approximate Air Space: 26.68m³
Allowable occupants: 1 adult **OR** 1 adult and 1 child **OR** 3 children

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

**The air space is calculated on the assumption of an average of 2.7m ceiling height.

- ii). Should the Holiday Accommodation be viewed as a 'Lodging House' at any time under the Health Act 1911, a permit pursuant to the Shire of Exmouth Health Local Laws will be required. For further information, please contact the Shire of Exmouth's Health Services on 9949 1399.
- iii). An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005 (as amended). Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).

COUNCIL DECISION – 18-1114 – 11.6.3

Moved Councillor Hood, Seconded Councillor Todd.

That Council grant conditional planning approval for Holiday Accommodation upon Lot 363 (1) Kestrel Place, Exmouth subject to the following conditions:

1. **The approved use shall accord with the Shire of Exmouth Town Planning Scheme Number 3, approved plans (PA159/14) and Policy Number 6.12: Holiday Accommodation;**
2. **The maximum number of overnight occupants allowed within the dwelling at the same time shall be nine (9) persons. This includes no more than seven (7) occupants over the age of 10 at any one time. Furthermore, the maximum occupancy for each room shall be in accordance with the Shire of Exmouth Health Local Laws and Council Policy;**
3. **The maximum number of vehicles and trailers (including boats on trailers) that can be accommodated on the property shall be two (2) and two (2) respectively, in accordance with Council Policy. The**

property does not include the Council road verge or adjoining/nearby vacant land. Potential occupants shall be advised of this prior to booking;

4. *The property shall provide at least two (2) 240 litre rubbish bins prior to the use commencing;*
5. *The occupants Code of Conduct shall be clearly displayed in the premises in accordance with Council Policy;*
6. *An emergency response plan (i.e. fire escape route maps etc) is required to be clearly displayed in a conspicuous location within the dwelling, plus:*
 - d. *a fire extinguisher, in a clearly visible location (and marked on the emergency response plan), is to be maintained in proper working order;*
 - e. *outside barbeques are to be gas or electric; and*
 - f. *no fires are to be lit outside.*
7. *The property is to be managed by a local caretaker/manager living and readily contactable within 10 minutes of the property;*
8. *If in the opinion of Council the approved use causes a nuisance or annoyance to owner/occupiers of the land in the vicinity, or to persons or traffic using roads in the vicinity of the approved use, Council may vary or rescind its approval in accordance with Council Policy;*
9. *The property not being used for the use hereby granted until an inspection has been carried out by a Council Officer and that Officer is satisfied that the conditions of this approval hereby granted have been complied with;*
10. *Should this residential premises be used for Holiday Accommodation purposes and provide a swimming pool/spa pool for the use of guests or should the owners intend to install a swimming pool/spa pool in the future, the owners are hereby advised of the following:*
 - *The Health (Aquatic Facilities) Regulations 2007 require that a Certificate of Compliance and a Permit to Operate from the Executive Director, Public Health (EDPH) for the 'aquatic facility' be obtained i.e. the Department of Health (WA) is the approving authority, not the Shire of Exmouth;*
 - *Whether an aquatic facility is approved by the EDPH or not, regulation 21 prescribes that an environmental health officer, or a person under the direction of an environmental health officer, collects 2 water samples (one for bacteria, one for amoeba) from each water body of each aquatic facility in the district at least once per month. The owner/property manager must therefore make suitable arrangements for the Shire's Water Sampling Officer to access the property to obtain the water samples.*
11. *This approval is valid until 30 September 2015. Following planning approval an annual permit will be issued after paying the prescribed fee. Upon this period lapsing, Council will notify owners about the date of expiry and that a new permit is required should the property continue to be used for holiday accommodation;*

Advice

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

Below is a Schedule of permitted number of occupants per room which identifies alternative combinations of guests – not to exceed a total of 9 guests. This Schedule shall be appropriately displayed in the house.

Schedule 1: Allowable Occupants: Lot 363 (1) Kestrel Place, Exmouth

Bedroom 1: Total floor space: 14.38m², Approximate Air Space: 38.83m³
 Allowable occupants: 2 adults **OR** 1 adult and 3 children **OR** 4 children

Bedroom 2: Total floor space: 12.6m², Approximate Air Space: 34.02m³
 Allowable occupants: 2 adults **OR** 1 adult and 2 children **OR** 4 children

Bedroom 3: Total floor space: 10.8m², Approximate Air Space: 29.16m³
 Allowable occupants: 2 adults **OR** 1 adult and 1 child **OR** 3 children

Bedroom 4: Total floor space: 9.88m², Approximate Air Space: 26.68m³
 Allowable occupants: 1 adult **OR** 1 adult and 1 child **OR** 3 children

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

**The air space is calculated on the assumption of an average of 2.7m ceiling height.

- ii). ***Should the Holiday Accommodation be viewed as a 'Lodging House' at any time under the Health Act 1911, a permit pursuant to the Shire of Exmouth Health Local Laws will be required. For further Information, please contact the Shire of Exmouth's Health Services on 9949 1399.***
- iii). ***An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with the rules and regulations made pursuant to the Planning and Development Act 2005 (as amended). Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).***

CARRIED 5/0

Councillor Winzer made the following statement with regards the above report:

"I would like to make note that this area has more holiday accommodation than residential."

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.4 Amalgamation - Lot 300 and Lot 150 Dugong Close, Exmouth

Location: Lot 300 & 150 Dugong Close, Exmouth
 Applicant: WAPC
 File Reference: A2046 and A1827
 Disclosure of Interest: Nil
 Date: 10 November 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council refuse the amalgamation Application No: 150782 for Lot 300 and 150 Dugong Close, Exmouth (refer *Attachment 5*).

BACKGROUND

Council is in receipt of an amalgamation application from the Western Australian Planning Commission regarding the proposed amalgamation of Lot 300 & 150 Dugong Close, Exmouth. The Commission requests Council to provide comments.

The application proposes the creation of a single residential lot in Sub-Precinct 2 of the Exmouth Marina Village Precinct B. In June 2013 Council provided comments to the Western Australian Planning Commission (WAPC) supporting the proposed amalgamation of Lot 148 and 149 Dugong Close now Lot 300 which is the adjacent lot to Lot 150 and owned by the same owner. Lot 300 has an area of 570m² and the adjacent Lot 150 has an area of 285m². The proposed amalgamation will result in one lot with an area of 855m².

Lot 300 has an existing dwelling (PA85/10) and a garage and decking (PA128/13) whilst Lot 150 is vacant. The amalgamation is proposed for the following reasons:

- To add a master bedroom to the existing house;
- To develop an outdoor garden area at the canal end with an outdoor BBQ and kitchen overlooking the canal; and
- To install a lap pool on the side boundary.



COMMENT

The WAPC requires Local Government, should it support the amalgamation, to provide any recommendations or conditions pertinent to the application.

The proposed amalgamation is not considered as reasonably consistent with the intent of the design guidelines. The Exmouth Marina Village Precinct B is zoned Marina with an Outline Development Plan (ODP) classifying the area as R40 Residential based on averaging principles over the entire Precinct. The ODP includes design guidelines which are key instruments in guiding development within the Precinct. According to the Residential Design Codes (R Codes) the average lot size for areas coded R40 is 220m².

The reasons provided for the amalgamation are not consistent with the intent of the design guidelines. This is because the form and style of buildings shall be in keeping with the maritime theme, all uses should reflect the scale and amenity of the Precinct and the scale of developments permitted within sub-precinct 2 is single residential developments with a maximum of 2 storeys. Setback requirements have been devised to encourage development to be conducive to a lively street and canal environment.

The previous amalgamation of Lots 148 and 149 Dugong Street was approved because the form and style of proposed development was in keeping with the maritime theme, which is consistent with the marina focus of the development. All uses should reflect the scale and amenity of the Precinct.

Considering the above Officer recommends the proposed amalgamation be refused.

CONSULTATION

Additional consultation with owner to determine proposed use and reasons for amalgamation.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Policy 6.20: Design Guidelines for Exmouth Marina Village Precinct 'B'

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.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.6.4
--

That Council advise the Western Australian Planning Commission that it does not support amalgamation Application No: 150782 for amalgamation of Lot 300 & Lot 150 Dugong Close, Exmouth for the following reasons:

- 1. The proposed amalgamation is not considered as reasonably consistent with the intent of the design guidelines;*
- 2. The Exmouth Marina Village Precinct B is zoned Marina with an Outline Development Plan (ODP) classifying the area as R40 Residential based on averaging principles over the entire Precinct B area;*
- 3. All uses should reflect the scale and amenity of the precinct being single residential development; and*
- 4. Development shall be conducive to a lively street and canal environment.*

COUNCIL DECISION – 19-1114 – 11.6.4
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Moved Councillor Winzer, Seconded Councillor Hood.

That Council advise the Western Australian Planning Commission that it does not support amalgamation Application No: 150782 for amalgamation of Lot 300 & Lot 150 Dugong Close, Exmouth for the following reasons:

- 1. The proposed amalgamation is not considered as reasonably consistent with the intent of the design guidelines;*
- 2. The Exmouth Marina Village Precinct B is zoned Marina with an Outline Development Plan (ODP) classifying the area as R40 Residential based on averaging principles over the entire Precinct B area;*
- 3. All uses should reflect the scale and amenity of the precinct being single residential development; and*
- 4. Development shall be conducive to a lively street and canal environment.*

CARRIED 5/0

11. REPORTS OF OFFICERS**11.6 Executive Manager Town Planning**

11.6.5 Final Adoption Dogs Local Law

Location: Exmouth
 Applicant: Nil
 File Reference: LE.LO.4
 Disclosure of Interest: Nil
 Date: 10 November 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:


Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that the Council of the Shire of Exmouth adopt the Shire of Exmouth Dogs Amendment Local Law (refer *Attachment 6*).

BACKGROUND

Local governments are able to make local laws about dogs under s49 of the Dog Act 1976. The Act is prescriptive, in that it limits those matters about which local laws can be made. Most matter relating to the keeping of dogs are dealt with by the Act itself and its associated Regulations, with relatively minor issues to be dealt with by local laws.

The Act and Regulations were amended in October 2013, and had the effect of requiring a consequential change to the Shire's Dogs Local Law in relation to how areas where dogs are prohibited absolutely are established, and where dogs can be exercised off lead:

- Under s31(2B) of the Act local governments can now stipulate places where dogs to be prohibited absolutely from being in, entering or being in by giving local public comment for a period of at least 28 days and considering the results.
- Similarly, pursuant to s31 (3A) of the Act the Shire can designate or amend off leash exercise areas in a similar fashion.

It is not proposed to change these areas at present and community consultation will be undertaken to establish these areas in the coming months.

There are a number of minor amendments and corrections also required, and as modified penalties in the local law have not been amended for some time, the Shire should take the opportunity to do so.

At its meeting held on 18 August 2014, Council Decision – 15-0814 – 11.6.2 resolved to adopt a draft Dogs Amendment Local Law dealing with these matters, and advertise it for public comment. A copy of the proposed local law was also sent to the Minister for Local Government as required by s3.12 of the Local Government Act 1995.

COMMENT

No comments were received from the public. The Department of Local Government and Communities, which deals with local law issues on the Minister's behalf made some minor suggestions in relation to the formatting of the amendment local law, and requested that Clause 2.4 be (which made it an offence to break into a pound) be deleted as this issue is now dealt with in the Dog Act, and similarly the associated modified penalties in Schedule 3 also be deleted.

Other than these minor changes, no other changes are required to the draft local law, which can now be adopted.

The amendments will come into effect on their publication in the Government Gazette, and will be subject to scrutiny and review by the Parliamentary Joint Standing Committee on Delegated Legislation.

CONSULTATION

Section 3.12(3) of the Act requires the local government to give State-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears.

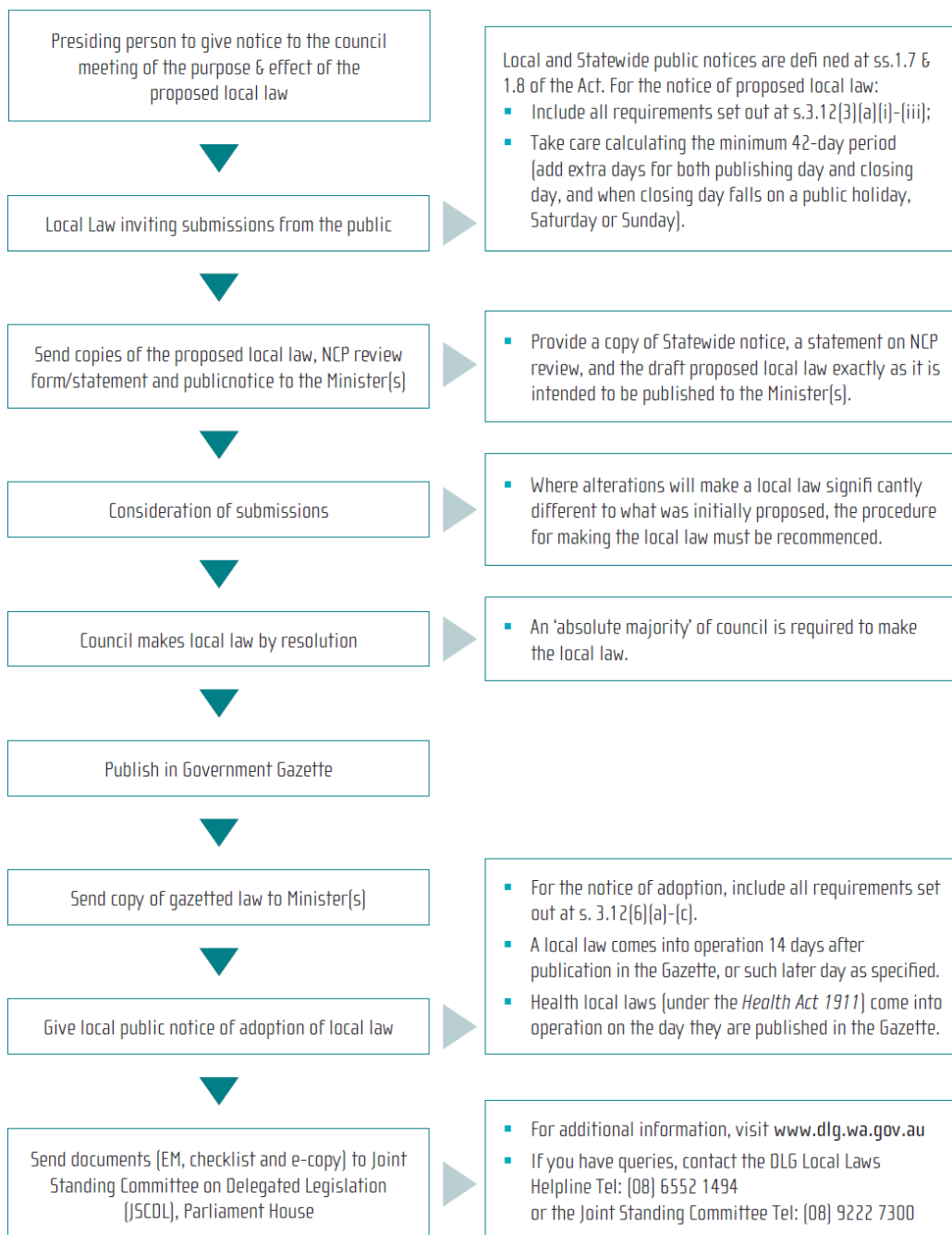
An advertisement calling for submissions was published on 30 August, closing on 20 October 2014. After Gazettal, the Shire must also publish a further notice advising when the amendment local law is to come into effect.

STATUTORY ENVIRONMENT

Section 49 of the Dog Act specifies that local laws to regulate dogs are to be made in accordance with the process set out by sections 3.11 to 3.17 of the Local Government Act 1995.

Section 3.12 of the Local Government Act and Regulation 3 of the Local Government (Functions & General) Regulations 1996 set out the procedural requirements to amend a local law, and which are the same as that required for the making of a local law.

A summary of s3.12 is:



POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION – 11.6.5*That Council:*

1. *In accordance with section 3.12(4) of the Local Government Act 1995, adopt the Shire of Exmouth Dogs Amendment Local Law 2014 as attached;*
2. *In accordance with s3.12(5) of the Local Government Act 1995, the local law be published in the Government Gazette and a copy sent to the Minister for Local Government;*
3. *In accordance with s3.12(6) of the Local Government Act 1995, give local public notice —*
 - a) *Stating the title of the local law;*
 - b) *Summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and*
 - c) *Advising that copies of the local law may be inspected or obtained from the Shire office.*
4. *In accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 12 November 2010, a copy of the local law and a duly completed explanatory memorandum signed by the President and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation within 10 working days of Gazettal.*

COUNCIL DECISION – 20-1114 – 11.6.5

Moved Councillor McHutchison, Seconded Councillor Hood.

That Council:

1. *In accordance with section 3.12(4) of the Local Government Act 1995, adopt the Shire of Exmouth Dogs Amendment Local Law 2014 as attached;*
2. *In accordance with s3.12(5) of the Local Government Act 1995, the local law be published in the Government Gazette and a copy sent to the Minister for Local Government;*
3. *In accordance with s3.12(6) of the Local Government Act 1995, give local public notice —*
 - a) *Stating the title of the local law;*
 - b) *Summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and*
 - c) *Advising that copies of the local law may be inspected or obtained from the Shire office.*
4. *In accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 12 November 2010, a copy of the local law and a duly completed explanatory memorandum signed by the President and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation within 10 working days of Gazettal.*

CARRIED by ABSOLUTE MAJORITY 5/0

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.6 Final Adoption of the Exmouth Public Cemetery

Location: Exmouth
 Applicant: Nil
 File Reference: LE.LO.3
 Disclosure of Interest: Nil
 Date: 10 November 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that the Council of the Shire of Exmouth adopt the Shire of Exmouth Cemeteries Local Law 2014 (refer *Attachment 7*).

BACKGROUND

Local governments are able to make local laws about cemeteries under s54 of the *Cemeteries Act 1986*, which in requires use of Part 3 (basically s3.12) of the Local Government Act 1995.

The Shires Local Law Relating to Exmouth Cemetery was made in 2000. It is based on a model developed by the Governor in 1998, and is in wide use in many local governments.

COMMENT

The provisions of the local law rarely require application, but a review of it has suggested a minor amendment in relation to clause 8.2, which relates to allowing guide dogs into the cemetery. Basically, the Commonwealth *Disability Discrimination Act 1992* provides for persons who may be disabled to be accompanied by an assistance animal, which in most cases is likely to be a dog but does not have to be.

Clauses 8.1 and 8.2 currently provide that:

8.1 Animals

Subject to clause 8.2, a person shall not bring an animal into or permit an animal to enter or remain in the cemetery, other than with the approval of the CEO or an authorised officer.

8.2 Guide Dogs

Clause 8.1 shall not apply to a hearing impaired person or a person who is blind or partially blind and is accompanied by a hearing or guide dog.

A minor amendment is required to delete the existing clause 8.2 and replace it with:

8.2 Assistance Animals

Clause 8.1 does not apply to an animal who is being used as an assistance animal as defined in the *Disability Discrimination Act 1992 (Commonwealth)*.

At its meeting held on 18 August 2014, Council resolved to adopt a draft Exmouth Public Cemetery Amendment Local Law 2014 dealing with these matters, and advertise it for public comment. A copy of the proposed local law was also sent to the Minister for Local Government as required by s3.12 of the Local Government Act 1995.

No comments were received from the public. The Department of Local Government and Communities, which deals with local law issues on the Minister’s behalf made some minor suggestions with respect to formatting of the local law, and which have been included in the version attached for adoption by Council.

The amendments will come into effect on their publication in the Government Gazette, and will be subject to scrutiny and review by the Parliamentary Joint Standing Committee on Delegated Legislation.

CONSULTATION

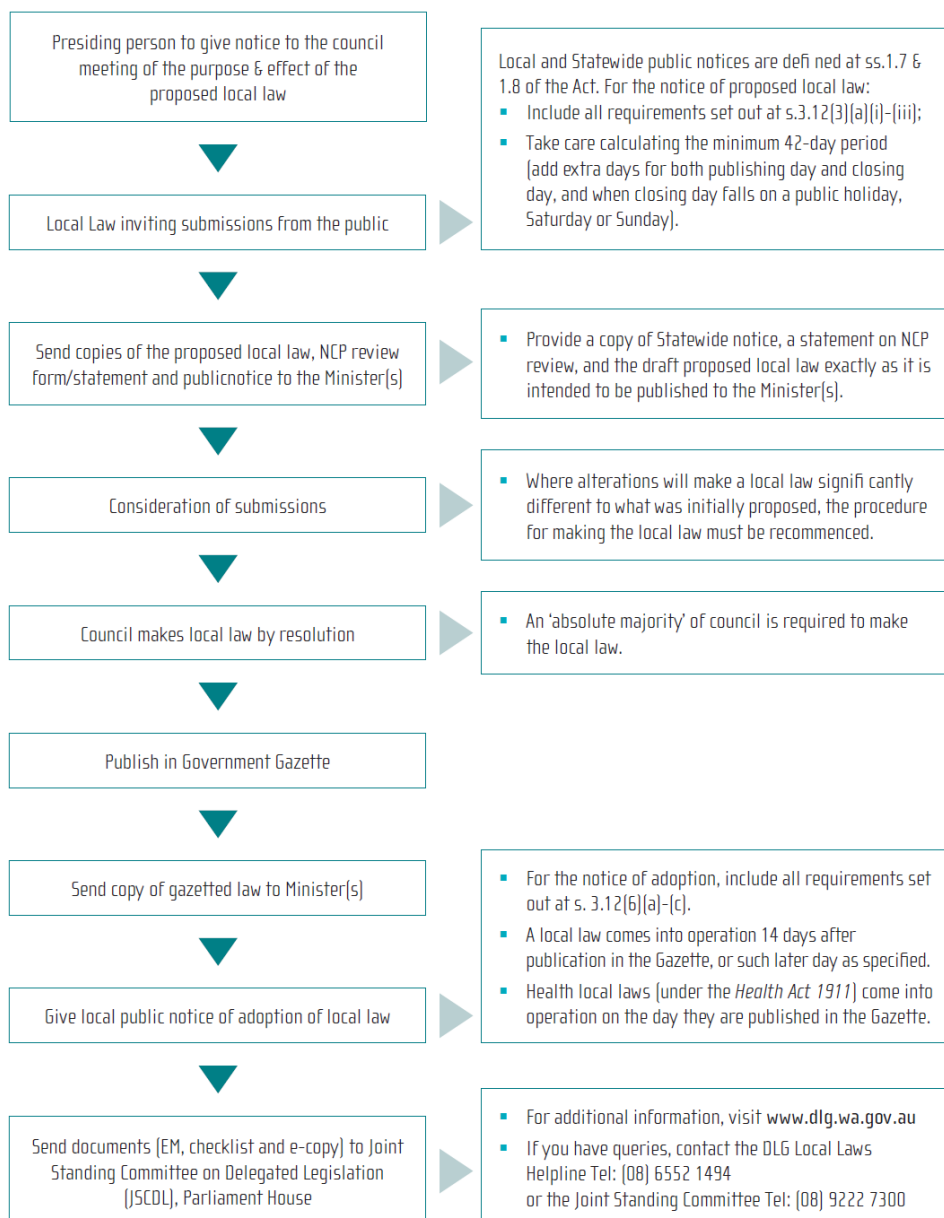
Section 3.12(3) of the Act requires the local government to give State-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears.

STATUTORY ENVIRONMENT

Section 54 of the Cemeteries Act 1986 specifies that local laws to regulate cemeteries are to be made in accordance with the process set out by sections 3.11 to 3.17 of the Local Government Act 1995.

Section 3.12 of the Local Government Act and Regulation 3 of the Local Government (Functions & General) Regulations 1996 set out the procedural requirements to amend a local law, and which are the same as that required for the making of a local law.

A summary of s3.12 is:



POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONSSocial

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION – 11.6.6*That Council:*

1. *In accordance with section 3.12(4) of the Local Government Act 1995, adopt the Exmouth Public Cemetery Amendment Local Law 2014 as attached;*
2. *In accordance with s3.12(5) of the Local Government Act 1995, the local law be published in the Government Gazette and a copy sent to the Minister for Local Government;*
3. *In accordance with s3.12(6) of the Local Government Act 1995, give local public notice —*
 - a. *Stating the title of the local law;*
 - b. *Summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and*
 - c. *Advising that copies of the local law may be inspected or obtained from the Shire office.*
4. *In accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 12 November 2010, a copy of the local law and a duly completed explanatory memorandum signed by the President and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation within 10 working days of Gazettal.*

COUNCIL DECISION – 21-1114 – 11.6.6

Moved Councillor Todd, Seconded Councillor Hood.

That Council:

1. *In accordance with section 3.12(4) of the Local Government Act 1995, adopt the Exmouth Public Cemetery Amendment Local Law 2014 as attached;*
2. *In accordance with s3.12(5) of the Local Government Act 1995, the local law be published in the Government Gazette and a copy sent to the Minister for Local Government;*
3. *In accordance with s3.12(6) of the Local Government Act 1995, give local public notice —*
 - a. *Stating the title of the local law;*
 - b. *Summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and*
 - c. *Advising that copies of the local law may be inspected or obtained from the Shire office.*

4. *In accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 12 November 2010, a copy of the local law and a duly completed explanatory memorandum signed by the President and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation within 10 working days of Gazettal.*

CARRIED by ABSOLUTE MAJORITY 5/0

Councillor Shales declared an indirect financial interest in the following report and left the Chambers at 4.49pm.

Councillor Hood resumed the chair.

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.7 Tender 08/2014 – Civil Engineering Construction for Development of Lot 300 Heron Way Nomination of Preferred Contractor

Location:	Exmouth
Applicant:	Rhassel Mhasho
File Reference:	LP.SU.0. 8
Disclosure of Interest:	Councillor C (Turk) Shales
Date:	13 November
Author:	Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer:

Chief Executive Officer, Bill Price

SUMMARY

The report recommends that Tenders 08/2014 – Civil Engineering Construction for Development of Lot 300 Heron Way is awarded to Exmouth Civil Pty Ltd.

BACKGROUND

At the Ordinary Council Meeting held 17 September 2014, Council resolved:

‘That Council adopt the Business Plan for a Proposed Major Land Transaction of Lot 300 Heron Way, Exmouth for the creation of 11 Special Rural lots.’

As part of the project, Council invited tenders for the development of the subdivision. The tenders were advertised on Saturday 4 October in the West Australian and the Northern Guardian from Wednesday 8 October 2014 and the Shires website. Tenders closed by 1300hrs Friday 31 October 2014. Tenders Bids have been received from the following contractors:

- Exmouth Civil Pty Ltd.
- Griffin Plant Hire Pty Ltd.
- HAS Group WA Pty Ltd.

COMMENT

Tenders were assessed by an independent panel provided by KCTT (Trading as KC Traffic and Transport Pty Ltd. As part of the process of engaging contractors to complete tendered works KCTT:

- Prepared all tender specifications and documentation;
- Issued tenders and addendums and conducted tender briefings;
- Closed and receipted tenders; and
- Assessed tenders.

Attachment 8 is the full assessment report produced by KCTT. This report is commercial in confidence. The KCTT tender assessment report fully details the tender process and assesses the qualitative assessment, weightings and costs assessment including recommendations. These processes effectively addresses the requirements of the Local Government Act 1995 (Functions and General) Regulation (s.3.57).

Council Officers recommended that the tender be awarded to Exmouth Civil as their nominated price is within budget and can meet the project timelines. A work program has been developed which is within the expected project timelines and due to a short mobilisation time, Exmouth Civil can begin work earlier than other contractors. This will prevent disruptions from the forthcoming holiday season, and the seasonal cyclones expected at this time of the year.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government (Functions and General) Regulation (s.3.57).

POLICY IMPLICATIONS

Policy 2.10 - Purchasing

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.5: Maintain & Improve Shire Infrastructure

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION – 11.6.7

That Council award Tender 08/2014 – Civil Engineering Construction for Development of Lot 300 Heron Way to Exmouth Civil Pty Ltd for a price of \$757,346.90 and provisional rate for rock breaking of \$250 p/m³ or \$275 per hour excluding GST.

COUNCIL DECISION – 22-1114 – 11.6.7

Moved Councillor Todd, Seconded Councillor McHutchison.

That Council award Tender 08/2014 – Civil Engineering Construction for Development of Lot 300 Heron Way to Exmouth Civil Pty Ltd for a price of \$757,346.90 and provisional rate for rock breaking of \$250 p/m³ or \$275 per hour excluding GST.

CARRIED by ABSOLUTE MAJORITY 5/0

Councillor Hood made the following statement:

“This subdivision was a Shire initiative as a revenue raising opportunity to reinvest back into the town.”

Councillor Shales returned to the room at 4.56pm and resumed the chair.

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.8 Variation to the Exmouth Marina Village Agreement and Relinquishment of Management Orders

Location: Exmouth
 Applicant: Rhassel Mhasho
 File Reference: R50739, R47806, R47804
 Disclosure of Interest: Nil
 Date: 13 November 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

The report recommends that Council support the closure of a portion of Neal Cove and a variation to clause 3.4 (c) Exmouth Marina Village Agreement and the relinquishing of management orders on Reserve 47806 and a portion of Reserve 47804 (refer **Attachment 9**).

BACKGROUND

Council is in receipt of a letter from Department of Transport expressing interest in acquiring Reserve 50739, 47806 and a portion of Reserve 47804 to be vested to Department of Transport (refer **Attachment 10**). The discussion below gives a brief background to the individual reserves.

Reserve 50739

On the 30 September 2003 Council was part of the signatory to the Exmouth Marina Village Agreement. The agreement was signed by the Shire of Exmouth, LandCorp and Department of Transport. The agreement outlined obligations to each party with clause 3.4(c) of the agreement giving LandCorp the powers to request the Minister of Lands to issue management orders in favour of the Shire (refer **Attachment 11**).

Reserve 50739 has never been vested to the Council since the signing of the agreement as Council and Department of Transport were negotiating who should take care and manage the reserve. The care and management of the Reserve is currently in limbo.

Reserve 47806

Reserve 47806 is currently vested to the shire of Exmouth as a class c reserve. **Attachment 12** shows the extent of the reserve. The reserve is currently vested to Council for the purposes of recreation.

Reserve 47804

Reserve 47804 is composed of lot 1483 and lot 435. This reserve is currently vested to Council for the purposes of waterway (refer **Attachment 13**).

Road closure

A portion of land which is required by DoT is currently part of Neal Cove. The road provides access to a freehold lot 1481 Neal Cove (Base Marine) and forms as the main southern access to the boat harbor (refer **Attachment 14**).

COMMENT

The proposed road closure and relinquishment of reserves can be assessed under the Land Administration Act 1997 (LAA) and Regulation 9 of the Land Administration Regulations 1998. These documents set the statutory procedure to be followed.

The issues of management and care of the above reserves need to be carefully considered for the benefit of Council and the Exmouth community as some of the reserve will have an impact on businesses located in the marina village precinct. On a positive note by relinquishing some of the reserve there will be some financial savings to Council as they will not be required to maintain the car park and the boat ramp.

Below is a brief individual discussion of each reserve;

Closure of a portion of Neal Cove

The proposed road closure of a portion of Neal Cove is supported on condition that the extent of the road closure is consistent to the amended attachment so that there is clear access for a freehold lot. The Department of Transport will need to formally apply to Council for the proposed road closure. The application will need to be assessed under the Land Administration Act 1997 (LAA) and Regulation 9 of the Land Administration Regulations 1998. These documents set the statutory procedure to be followed.

Council Officer recommends that a portion of the road be closed and amalgamated into the harbour reserve for further expansion of the boat harbour.

Reserve 47804

Council Officer supports the relinquishment of a portion of Reserve 47804 as shown on the map. The reserve is currently vested to Council for the purposes of waterway. It is envisaged that relinquishing that portion of land will not have significant impact on business and residents of the marina village.

Reserve 47806

Council Officer supports the relinquishment of the Reserve 47806 and the management order vested to Department of Transport.

Reserve 50739

The issue of Reserve 50739 has never been vested to Shire since the signing of the agreement as the Shire and Department of Transport were negotiating who should take care and manage the reserve. The care and management of the reserve is currently in limbo and Council should support the variation of the Exmouth Marina Village agreement to have the reserve vested to Department of Transport.

In conclusion, Council Officers recommended Council support the closure of a portion of Neal Cove and variation to clause 3.4 (c) Exmouth Marina Village Agreement and relinquish the management order on Reserve 47806 and a portion of Reserve 47804.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

Land Administration Act 1997

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.5: Maintain & Improve Shire Infrastructure

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.6.8
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That Council:

1. *Support the proposed road closure of a portion of Neal Cove as shown on Attachment 1 subject to the Department of Transport formally applying to Council for the proposed road closure.*
2. *Support the relinquishment of the Reserve 47806 and support the subject reserve to be vested in the Minister for Transport under the Marine and Harbor Act 1981 and formally recognize the Department of Transport's responsibility to manage and maintain this reserve as part of the overall harbor reserve.*
3. *Support the variation of clause 3.4 (c) Exmouth Marina Village Agreement for lot 501 Reserve 50739 to be vested in the Minister for Transport under the Marine and Harbour Act 1981 and formally recognize the Department of Transport's responsibility to manage and maintain this reserve as part of the overall harbor reserve.*
4. *Support the relinquishment of a portion of Reserve 47804 as shown on attachment 1 and support the subject reserve to be vested in the Minister for Transport under the Marine and Harbor Act 1981 and formally recognize the Department of Transport's responsibility to manage and maintain this reserve as part of the overall harbour reserve.*

COUNCIL DECISION – 23-1114 – 11.6.8
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Moved Councillor Todd, Seconded Councillor Winzer.

That Council:

1. *Support the proposed road closure of a portion of Neal Cove as shown on Attachment 9 subject to the Department of Transport formally applying to Council for the proposed road closure.*
2. *Support the relinquishment of the Reserve 47806 and support the subject reserve to be vested in the Minister for Transport under the Marine and Harbor Act 1981 and formally recognize the Department of Transport's responsibility to manage and maintain this reserve as part of the overall harbor reserve.*
3. *Support the variation of clause 3.4 (c) Exmouth Marina Village Agreement for lot 501 Reserve 50739 to be vested in the Minister for Transport under the Marine and Harbour Act 1981 and formally recognize the Department of Transport's responsibility to manage and maintain this reserve as part of the overall harbor reserve.*
4. *Support the relinquishment of a portion of Reserve 47804 as shown on attachment 1 and support the subject reserve to be vested in the Minister for Transport under the Marine and Harbor Act 1981 and formally recognize the Department of Transport's responsibility to manage and maintain this reserve as part of the overall harbour reserve.*

CARRIED 5/0

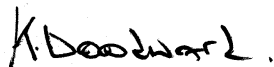
Councillor Winzer made note that the land referred to in the above report (Reserve 46571) is not part of Department of Transport Land

11. REPORTS OF OFFICERS

11.7 Executive Manager Engineering Services

11.7.1 General Report

Location: Exmouth
 Applicant: Keith Woodward
 File Reference: GV.CM.0
 Disclosure of Interest: Nil
 Date: November 2014
 Author: Executive Manager Engineering Services, Keith Woodward
 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

Construction Program 2014/2015

The Engineering Services Project Status Schedule 2014/2015 provides an overview of the project start, progress and completion dates.

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

Table 1	Start Date	Completion Date	% Complete	Budget
Engineering Services 2013-2014	1/07/2014	30/06/2015		\$8,427,063.05
Learmonth (Storm Damage)	1/09/2014	4/09/2014	100%	\$10,809.53
Exmouth Aerodrome	8/09/2014	12/09/2014	100%	\$14,978.56
Fire Breaks	15/09/2014	22/09/2014	100%	\$11,239.04
Town Street (Town Centre Opening)	22/09/2014	21/10/2014	100%	\$16,471.00
Charles Knife Road	21/10/2014	3/12/2014	90%	\$199,560.30
Cyclone Verge Clean-up	3/11/2014	17/11/2014	100%	\$15,643.20
Ningaloo Access Road	31/10/2014	21/11/2014	100%	\$44,331.57
Murat Road	25/11/2014	8/12/2014	0%	\$503,779.10
Yardie Creek Road-Beach Accesses	8/12/2014	25/12/2014	0%	\$275,309.20
Learmonth Jetty	6/01/2015	21/01/2015	0%	\$57,400.00
Urban Storm Water	20/01/2015	5/02/2015	0%	\$0.00
Gravel Rural	5/02/2015	23/02/2015	0%	\$0.00
Town Streets	23/02/2015	11/03/2015	0%	\$0.00
Murat Rd & Pool Carpark Street Trees, Oval Fencing, Maidstone Islands	20/10/2014	13/04/2015	0%	\$212,576.76
Exmouth Aerodrome	21/04/2015	10/06/2015	0%	\$34,964.80
				\$1,397,063.05

Projects	15/09/2014	30/06/2015		
Kennedys Street Mall	15/09/2014	26/09/2014	100%	\$130,000.00
LIA/Reid Street Flood Mitigation	27/01/2015	6/05/2015	0%	\$1,500,000.00
Dredging Tantabiddi	1/12/2014	16/12/2014	0%	\$400,000.00
April 2014 WANDRRA	16/09/2014	30/06/2015	50%	\$5,000,000.00
WANDRRA Bitumen and Stone	1/12/2014	8/12/2014	0%	\$0.00
DaPW Bitumen and Stone	1/12/2014	8/12/2014	0%	\$0.00
				\$7,030,000.00

Information regarding the roads projects Ningaloo Road, Murat Road, Yardie Creek Road to be completed by January 2015.

Ningaloo Access Road (31 December 2013 – 21 November 2014)

The Ningaloo Road provides visitor access to the Ningaloo shore and reef which is encapsulated within the Ningaloo Coast World Heritage Area. The road provides access to the Ningaloo Station homestead which has become a popular destination for tourists.

The Shire of Exmouth is the Gateway to the Ningaloo Reef and with development increasing in the town site and increased usage of the World Heritage coastline in between Exmouth, Coral Bay and Carnarvon it is appropriate that access is maintained. World Heritage recognition will inevitably attract increased tourism and investment from both existing and prospective owners.

The development strategy is to maintain/construct Ningaloo Road to a Type 2 formed road. This standard will improve road safety.

The Ningaloo Road provides access to the Ningaloo Coast World Heritage Area, Ningaloo Beaches, Reef, Cape Range National Park and Coral Bay. Increasing traffic to the Exmouth region is placing high demands on the existing road which is under engineered to meet the existing road transport requirements.

The road construction gravels in proximity to Ningaloo Road are low quality and would be described as calcareous material including shelly sands, coral gravel limestone and sand. The Shire cannot afford or keep up with the level of pavement disintegration that is occurring on Ningaloo Road nor can the Shire afford to purchase and cart processed gravels. Even if the maintenance funds and operations are maintained at the current level, asset value will degrade and then drop in severability. Ultimately it would be expected that much of the Ningaloo Road would effectively revert to a 4x4 access only road if the level of existing funding remains static.

In March 2012 a bush fire started on the southern and northern side of Ningaloo Road. The fire scar is approximately 10 kilometres long interfacing with the road. As a result of the loss of vegetation and the summer wind pattern sand is drifting in a northerly direction over the road. The road conditions sand drift assessed could be described as; very deep sand drifts and complete road coverage varying in depth to 700mm. Sand lumps forming intermittently 3 to 6 metres wide and 5 to 7 metres between formations. The sand drift road reserve volume is estimated at 30,000m³ as at 31 October 2012.

Bush Fire Sand Drift History

18th February 1965 the Civil Commissioner for the Shire reported to the Main Roads that bush fire sand drift from 14" deep to 3 feet deep was on Ningaloo Road for approximately 10 miles. The road was closed and alternate access was used.

- 1st March 1965 Main Roads advised that they were not in a position financially to undertake major road works.
- 3rd March 1965 Main Roads stated concerns about the expenditure with very little affect and that any works should be delayed until general rains.
- 23rd March 1967 Main Roads made available \$12,000 and the Shire \$1,000 for road works.

- 14th February 1991 Ningaloo Station sent correspondence to the Shire regarding sand drift over the road and the problems accessing Ningaloo Station.
- 9th May 1991 the Shire sent a grader to clear the sand drift.
- 3rd June 1994 Ningaloo Station sent correspondence to the Shire regarding sand drift and the associated road works.
- 11th December 1997 Main Roads advised that 10 kilometres of the road was covered with sand drift of up to 1 metre with an estimated volume of 48,000m³ of sand being on the Ningaloo road. The road was closed to all traffic because 4 wheel drive vehicles were getting bogged.
- 12th November 1998 Main Roads advised the Shire that \$180,000 was available for opening up works. Works were undertaken by dozer, scraper and grader.

The road works recently completed focused on improving the southern sand drift bypass road and general grading and compaction. Ningaloo road will remain signed 4x4 access only.

Murat Road (1 July 2014 – 8 December 2014)

Murat Road is the only entrance road into the Exmouth town site. The road was originally designed and constructed in 1966. Murat Road is defined as a Regional Distributor which services a significant tourist destination and the Exmouth community. Murat Road links the town site with the Naval Communication Base 'Harold E Holt'. The road extends north to Yardie Creek Road in close proximity to the coastline providing visitor access to the Ningaloo shore and reef and Cape Range National Park which is encapsulated within the Ningaloo Coast World Heritage Area. The Road Hierarchy Category should change SLK 16.45-21.00 to a regional distributor.

One of the main benefits to be derived from the reconstruction of Murat Road relates to the significant indirect economic benefit opportunity associated with the project. It is envisaged that the Exmouth's new and improved infrastructure associated with air, sea and road transport, land development, building construction, tourism facilities, World Heritage recognition will inevitably attract increased investment from both existing and prospective owners.

Increasing traffic to the Exmouth region is placing high demands on the existing road which was designed in 1966. The road is under engineered and design does not meet current standards. It is expected that traffic volumes will increase on Murat Road as the Shire of Exmouth continues to develop.

The redesign/construct strategy will focus on upgrading the existing Type 4 Road to a Type 5 Road building up the residual gravel pavement to full thickness, increase width, compact and sealed and street lighting landscaping. The benefits of this proposal are asset preservation, pedestrian and traffic safety taking into account increases in development and tourism.

The road works to be completed in November/December 2014 focus on, street lighting, kerbing, paving, road surface repairs and bitumen sealing.

Yardie Creek Road-Beach Accesses (27 November 2014 – 25 December 2014)

Yardie Creek Road provides sealed access to the Ningaloo Coast World Heritage Area, Ningaloo Beach's, Reef and Cape Range National Park. Subject to Environmental conditions and Military training access south over Yardie Creek via YCR to Coral Bay though DEC, Shire, Defence and Station lands is achievable by 4x4.

With Exmouth being claimed as the "Northern Gateway" to the Ningaloo Reef and with development increasing in the town site and increased usage of the World Heritage coastline in between Exmouth, Coral Bay and Carnarvon it is appropriate that access is maintained. World Heritage recognition will inevitably attract increased tourism and investment from both existing and prospective owners.

The redesign/construct strategy will focus on upgrading the existing Type 3 Road to a Type 5 Road building up the residual gravel pavement to full thickness, increase width and compact and sealed. The benefits of this proposal are asset preservation, traffic safety taking into account increases in development and tourism.

The road works to be completed in December 2014 focus on, bitumen sealing, shoulder widening /drainage maintenance and beach accesses.

Government of Western Australia Royalties for Regions Financial Assistance Agreement-Exmouth Flood Mitigation Works Reid Street Industrial Area Stage 2.

The Shire submitted a business case report to the Department of Regional Development for the release of up to \$1.5 million from the Royalties for Regions Gascoyne Revitalisation Funds for Exmouth Flood Mitigation Works to complete Stage 2 of the Reid Street LIA Flood Mitigation Project. The Total Project Cost for Stage 2 works is estimated to be \$1.5 million. It is a high priority project for the Shire of Exmouth as reflected in the Shire's long-term planning, *Shire of Exmouth 10+ year Strategic Community Plan 2011* and the *Exmouth Townsite Structure Plan August 2011*.

The Shire has received the associated Financial Assistance Agreement from the Department of Regional Development and Lands for signing.

We propose the following timeline for this project:

Saturday 10 January 2015	Advertise tenders
Tuesday 3 February 2015	Tenders close
Tuesday 17 February 2015	Tender report for council meeting on Thurs 19 th Feb
Tuesday 10 March 2015	Award tender
Tuesday 31 March 2015	Commence works onsite
Tuesday 16 June 2015	Complete construction

Royalties for Regions Exmouth Town Centre and Foreshore Revitalisation Project

The Exmouth Town Centre and Foreshore Revitalisation project cost \$10,120,000 of which \$6,000,000 was funded from the Royalties for Regions Gascoyne Revitalisation Plan. This project has been recognized as a project with high priority in the *Gascoyne Regional Development Plan 2010 – 2020* and follows on from Stage 1 construction and the Stage 2 construction which has now been completed.

The project outcome has resulted in a vibrant, attractive town that has clear connections and links between points of interest. The Town Centre and Foreshore provide a place for the local community including residents, visitors, tourists to interact and enjoy. Exmouth is a dynamic and diverse town to live, with services and amenities that attract and retain a broad range of people wanting to settle permanently.

This project aimed to provide for the future sustainability and strategic growth of Exmouth. The civil works which have been completed encapsulate the following nine elements:

1. Thew Street – element 1

Objective: Reconstruction of Thew Street to be redefined as a street (rather than a parking area). It will be linked with Maidstone Crescent and provide accessibility to the retail main street and direct access to parking also linking in to parking for longer vehicles including caravans and campers.

Works included: Reconstruction of road and drainage, asphalt seal, kerb, footpath, verge treatment, road markings, signage, parking and the installation of underground power.

2. Redevelopment of Bonefish Car Park and Link to Maidstone Crescent – element 2

Objective: Bonefish Street Car Park's redevelopment will reduce the traffic adjacent to the Exmouth District High School.

Works included: verge treatment, demolition of existing public amenities and construction of new public amenities. Drainage works, markings, signage, lighting and kerbing.

3. Federation Park Redevelopment – element 3

Objective: Redevelopment will include an upgrade incorporating a market space, a town event space including a multi-use stage and improved pedestrian paths. A new waterbased playground will be installed with an amenities building, new street furniture, paving landscaping, lighting and shaded areas for an overall park rejuvenation.

Works included: demolition of existing park structures, clearing of debris and drainage channel, minor earthworks, feature paving, footpaths, paving outside pool, landscaping dry land and irrigated feature landscaping, public amenities building with screening area, water feature/interactive park, street furniture, shade structures, way finding, lighting, transformer, signage.

4. Realignment of Payne St and Redevelopment of Pool Car Park – element 4

Objective: Redevelopment will involve road realignment with a new road and parking bay for the swimming pool and link road to Maidstone Crescent

Works included: Reconstruction of road and drainage, bitumen seal, kerb, verge treatment, road markings, signage and parking. The installation of underground power and street lighting.

5. Redevelopment of Kennedy Street Mall – element 5

Objective: Redevelopment will enhance the street through hard landscaping, formalised tree planting and the creation of new commercial development sites. The street will be redesigned to function initially as a shared street where vehicles can share a slow speed environment with pedestrians.

Works included: New road construction, excavation works, materials and road base. Paving – trafficable and pedestrian, kerbing, street furniture, landscaping, signage, lighting. Demolition and relocation of a transformer to New Town Centre Car Park.

6. New Town Centre Car Park – element 6

Objective: Redevelopment and expansion of the existing car park between Kennedy and Learmonth Streets will be undertaken.

Works included: Construction of excavation and earthworks for a new vehicle parking area including long vehicles, materials, road base, seal, marking, kerbing, pathways, landscaping, lighting and signage. Construction of public amenities and a new transformer.

7. Town Beach Upgrade – element 7

Objective: Enhance of the existing town beach to provide functional, comfortable, shaded and visually enticing parks to allow for greater numbers of visitors and locals to enjoy.

Works included: provision/installation of Limestone sea walls, bitumen sealing of car park, shade shelters, seating, shower, BBQ and landscaping.

8. Undergrounding of Power – element 8

Objective: Undergrounding of power network within the CBD

9. Signage, Audit, Sundries – element 9

Objective: RfR signage, project audit and sundries

The final project closeout report has been submitted to the Government of Western Australia Department of Regional Development.

Element 5 is a work in progress regarding the street furniture which will be purchased and installed as resources become available. Solar powered bollard lighting will be installed at both ends of the Kennedy Street Mall in early December 2014. Once this occurs the limestone blocks will be removed. The decorative marlin bins have been purchased.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

As per Shire 2014/2015 Budget

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.5: Maintain & Improve Shire Infrastructure

Environment

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

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

Social

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.7.1

That Council receives the Executive Manager Engineering Services Report for the month of November 2014.

COUNCIL DECISION – 24-1114 – 11.7.1

Moved Councillor Todd, Seconded Councillor McHutchison.

That Council receives the Executive Manager Engineering Services Report for the month of November 2014.

CARRIED 5/0

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

Nil

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

Nil

14. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS

Nil

15. CLOSURE OF MEETING

The Shire President declared the meeting closed at 5.06pm.