



Ordinary Council Meeting Minutes 29 October 2015

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on 26 November 2015 as a true and accurate record of the Ordinary Council Meeting held on 29 October 2015.

.....
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.

INDEX OF AGENDA

1.	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS.....	5
2.	RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE.....	5
3.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	5
4.	PUBLIC QUESTION TIME	5
5.	DECLARATIONS OF INTEREST	5
6.	APPLICATIONS FOR LEAVE OF ABSENCE.....	5
7.	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....	6
8.	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION.....	6
9.	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS	6
10.	REPORT OF COUNCILLORS.....	6
10.1	SHIRE PRESIDENTS REPORT	7
11.	REPORTS OF OFFICER	8
11.1	CHIEF EXECUTIVE OFFICER.....	8
11.1.1	CHIEF EXECUTIVE OFFICERS REPORT	8
11.1.2	MULTI-PURPOSE DEEP WATER WHARF PROSPECTUS	12
11.1.3	REVIEWED POLICY – USE OF COUNCIL’S LOGO AND CREST	15
11.1.4	REVIEWED POLICY - COUNCIL PURCHASING POLICY 2.10	17
11.2	EXECUTIVE MANAGER CORPORATE SERVICES	19
11.2.1	GENERAL REPORT.....	19
11.2.2	MONTHLY FINANCIAL STATEMENTS AND REPORT.....	23
11.3	EXECUTIVE MANAGER AVIATION SERVICES.....	24
11.3.1	GENERAL REPORT.....	24
11.3.2	BIRDS EYE VIEW PTY LTD – EXMOUTH AERODROME	26
11.4	EXECUTIVE MANAGER COMMUNITY ENGAGEMENT	30
11.4.1	GENERAL REPORT.....	30
11.5	EXECUTIVE MANAGER HEALTH & BUILDING.....	34
11.5.1	GENERAL REPORT.....	34
11.5.2	BUILDING COMMISSION’S DISCUSSION PAPER: INSTANT START	38
11.6	EXECUTIVE MANAGER TOWN PLANNING.....	40
11.6.1	GENERAL REPORT.....	40
11.6.2	ADOPTION OF DRAFT LOCAL PLANNING STRATEGY (REVISION 6) AND DRAFT LOCAL PLANNING SCHEME NO. 4 (REVISION 9) FOR ADVERTISING.....	43
11.7	EXECUTIVE MANAGER ENGINEERING SERVICES	47
11.7.1	GENERAL REPORT.....	47
12.	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	52
13.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	52
14.	MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS	52
15.	CLOSURE OF MEETING	52

ORDINARY COUNCIL MEETING AGENDA

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 4:05pm.

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

Councillor C (Turk) Shales	Shire President
Councillor M Hood	Deputy Shire President (Entered Chambers at 5:08pm)
Councillor R (Bob) Todd	
Councillor S McHutchison	
Councillor S Coote	
Councillor J Roscic	
Mr B Price	Chief Executive Officer
Mrs S O'Toole	Executive Manager Corporate Services
Mrs J Kox	Executive Manager Aviation Services
Mr R Kempe	Executive Manager Community Engagement
Mr R Manning	Executive Manager Health & Building
Mr R Mhasho	Executive Manager Town Planning
Mr K Woodward	Executive Manager Engineering Services

GALLERY

Visitors: 3

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

3. **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

4. **PUBLIC QUESTION 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).

Two questions were submitted by David Cunningham.

Q1. Would like to know what is being done about the wild dogs and fox's taking over the town while everyone is sleeping and would like to know the availability of traps for the wild dogs and fox's.

A1. The CEO responded by advising that Council has only been aware of the issue for a couple of days and that the Ranger has been in contact with DPaW and they are investigating ways in which to address this issue.

Q2. Which Government Departments are to be contacted on the weekend and after hours in regards to these situations?

A2. The CEO responded by advising that domestic dog issues are the responsibility of the Shire. However if the issue are wild dingo's then it is a responsibility of DPaW. DPaW and the Shire are currently discussing how to address this issue and any outcomes will be communicated to the community.

5. **DECLARATIONS OF INTEREST**

Item/Description	Name	Detail of Interest	Extent of Interest

6. **APPLICATIONS FOR LEAVE OF ABSENCE**

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

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

Councillor McHutchison requested a leave of absence for the November and December 2015 Ordinary Council meetings.

Councillor Coote requested a leave of absence for the November 2015 Ordinary Council meeting.

COUNCIL DECISION – 01-1015 - ITEM 6

Moved Councillor Todd, Seconded Councillor Roscic.

That a leave of absence be granted to Councillor McHutchison for the November & December 2015 and Councillor Coote for the November 2015 Ordinary Council meetings.

CARRIED 5/0

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 1 October 2015 and the Special Council Meeting held on 21 October 2015 be confirmed as a true and correct record of proceedings.

COUNCIL DECISION – 02-1015 - ITEM 7

Moved Councillor McHutchison, Seconded Councillor Todd.

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 1 October 2015 and the Special Council Meeting held on the 21 October be confirmed as a true and correct record of proceedings.

CARRIED 5/0

8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

The Shire President advised that the Northern Guardian will now be with the Midwest Times and all Exmouth information will now be in the Pilbara News. He believes this will be a huge bonus for advertising and can only better local businesses.

The Shire President spoke about the RIO Tinto Annual Emergency Response Skills Challenge and how much of a success it was.

The Shire President thanked Councillor Todd for assisting and standing in for him at the Opening of the Denham Recreational Jetty and the Launch of Dirk Hartog Voyage of Discovery in Shark Bay.

He also welcomed the two new Councillors Shane Coote and James Roscic and believes they will bring a wealth of youth and passion to the Council. The Shire President also congratulated Councillor McHutchison and Councillor Hood for being re-elected.

The Shire President welcomed Holly Faxon into her new role as Executive Secretary.

9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

10. REPORT OF COUNCILLORS

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

- 2/10/15 Brooke Shales Farewell
- 5/10/15 Exmouth Community Support Group Meeting
- 13/10/15 Storytime at the school library with Ms Kermond's Year 1s
- 13/10/15 Exmouth Cultural Arts Centre Inc Committee Meeting
- 17/10/15 Council Election Count
- 20/10/15 Storytime at the school library with Ms Kermond's Year 1's
- 21/10/15 Local Emergency Management Committee Meeting
- 21/10/15 Special Council Meeting for swearing in new Councillor's
- 21/10/15 Community Information Forum

- 21/10/15 Envisioning Humanitarian Education in 2030. This was a worldwide webinar for Red Cross participants to plan strategies to provide education which develops children's skills, knowledge and attitude to help and care for themselves and others. The Pillow Program is part of this and is being introduced into Australia now. It's a program which teaches a child to grab a pillow case in an emergency and pack it with survival items.
- 27/10/15. Meeting with David George re LEMC Chair

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

- 21/10/15 Attended special council meeting;
- 21/10/15 Community Information Forum;
- 28/10/15 Meeting with Gavin Penfold regarding his lease

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

- 6/10/15 Met at old power house to discuss Menshed with CEO and EMES;
- 17/10/15 Attended election count;
- 21/10/15 Attended special council meeting;
- 21/10/15 Community Information Forum;
- 21/10/15 Welcomed Rio Tinto games to Exmouth at the Novotel with CEO and EMCE;
- 22/10/15 Showcased Exmouth to Rio Tinto management with CEO;
- 23, 24/10/15 Attended Shark Bay for jetty opening with CEO.

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

- October 2015 Met with Cape Conservation in regards to when and where they have their meetings;
- 21/10/15 Attended special council meeting;
- 21/10/15 Community Information Forum
- 28/10/15 Meeting with Gavin Penfold regarding his lease

10.1 Shire Presidents Report

Location:	Exmouth
Applicant:	Cr C (Turk) Shales
File Reference:	GV.CM.0
Disclosure of Interest:	Nil
Date:	20 October 2015

SUMMARY

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

BACKGROUND

5/10/15	To Carnarvon with CEO and Cr Winzer for GDC CEO Steve Webster's send off.
6/10/15	ABC Interview in regards to the Deep Water Port, and Race Track Concept plans
9/10/15	Meeting with Melva Elvie from the West Australian in relation to the 'Pilbara News' newspaper coming into Exmouth.
10/10/15	Meeting with Bill and Dinny Ruby in relation to the entry signs into town.
13 – 15/10/15	Meeting in Perth with FIRM Construction and Site Architecture's regarding the Ningaloo Centre.
16/10/15	Teleconference with the Gascoyne Tourism Board (Sub Committee).
17/10/15	Election night for new Councillors at Shire Chambers.
21/10/15	Attendance at Community Public Information Session.

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 October 2015.

COUNCIL DECISION – 03-1015 – 10.1
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Moved Councillor McHutchison, Seconded Councillor Roscic.

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

CARRIED 5/0

11. REPORTS OF OFFICER

11.1 Chief Executive Officer

11.1.1 Chief Executive Officers Report

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

SUMMARY

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

BACKGROUND

Ningaloo Centre Update

Design and Construction of the Ningaloo Centre

The tender process for the Phase 2 'Construction & Fit-out' component of the project was completed and carried by Absolute Majority by the Council at the meeting held 1 October 2015.

The formal Contract Documentation inclusive of the following

Part 1

Notice of Acceptance
Annexures to AS2124 – 1992
Contract Price
Formal Instrument of Agreement

Part 2

Specifications
Drawings

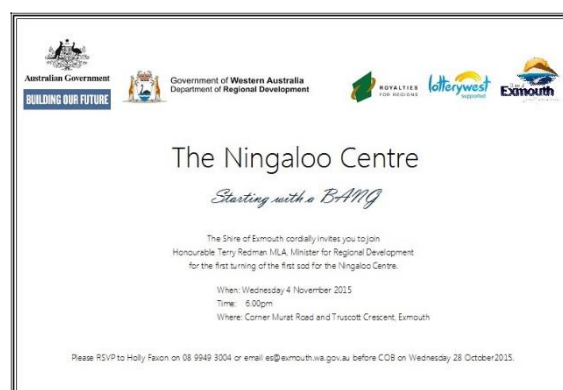


Were duly signed and executed by the Directors of FIRM Construction, Shire President and CEO at the WALGA Offices on Wednesday 14 October 2015 in the presence of Paul Edwards, Site Architecture and Craig Grant, WALGA Procurement Officer.

FIRM Construction will effectively take possession of the site from 5 November 2015 and have a 65 week construction period in which to complete the project.

The Shire President and CEO attended a meeting with Paul Edwards of Site Architecture, on the same day to discuss a range of issues moving forward.

A 'Turning of the Sod' official opening ceremony has been planned for 4 November 2015 onsite between 6 – 7pm. The event will be attended by the Hon Terry Redman, Minister for Regional Development, Vince Catania, Member for North West Central, Shaun Collins Director UWA Ocean Institute, Bill Swetman Managing Director of Durack, and other invited guests. An open invite is extended to the community of Exmouth.



Department of Regional Development (DRD)

In accordance with Schedule 4 of the Financial Assistance Agreement (FAA) for Stage 2 funding for the Construction and Fit Out of the Ningaloo Centre the following deliverables, timeframes and payment details are as follows

1 st Payment	Execution of Agreement & Special Conditions met	\$ 2,000,000
2 nd Payment	Revised Project Costings & Contract Award	\$ 3,000,000
3 rd Payment	Site Works Commence	\$ 3,000,000
4 th Payment	Construction Works Commence	\$ 3,000,000
5 th Payment	Construction Works are at Main Roof Cover commencement	\$ 3,000,000
6 th Payment	Construction Works are at Finishes & Fit-out commencement	\$ 3,000,000
7 th Payment	Landscaping, Carpark and External Works completed	\$ 1,000,000
8 th Payment	Project has Obtained Practical Completion	\$ 1,620,000
9 th Payment	Project completed and Acquittal process commences	\$ 200,000
	TOTAL	\$19,820,000

Community Development Grant (CDG) Funding

In accordance with Annexure A of the Financial Assistance Agreement (FAA) with the Department of Infrastructure and Regional Development Community Development Grant (CDG) the following deliverables and payment details are as follows

1 st Payment	Project is 15% complete	\$ 1,050,000
2 nd Payment	Project is 30% complete	\$ 1,050,000
3 rd Payment	Project is 50% complete	\$ 1,400,000
4 th Payment	Project is 75% complete	\$ 1,750,000
5 th Payment	Project is 85% complete	\$ 1,450,000
6 th Payment	Project is completed	\$ 300,000

Cruise WA Committee

I participated (via teleconference) in the Cruise WA Committee meeting held on Tuesday 13 October 2015. Matters of interest from the meeting included

- WA Port Destination Vignettes (Video Promotion) have been established for 5 port destinations including Exmouth and are about to be released and marketed to Cruise companies. This initiative was coordinated by Tourism WA with contributions from the local communities involved.
- Significant backlash to NZ cruising with the recent Government's decision to charge a \$24/head landing tax.
- Welcoming Training for volunteers has been scheduled to be held in Exmouth on 20 April 2016 prior to the first cruise ship visit next season.

The next meeting of the Cruise WA committee will be held in Perth on 10 December 2015.

Community Information Forum

A Community Information Forum was held on Wednesday 21 October 2015 at the Shire Hall commencing at 6.00pm. A total of 41 attendees were present at the meeting. The program included presentations on the following:

- Introduction of new Councillors;
- BoM presentation on the forthcoming weather prediction for the Cyclone Season;
- Update on the 2015/16 Council Budget including major projects;
- Update on the Ningaloo Centre project;
- Regional Air Route Connectivity Survey; and
- Tantabiddi Boat Ramp Update.

nbn Roll-out Program

nbn today announced its three year rollout schedule. This included an additional 800,000 homes and businesses across Western Australia.

The three year construction plan provides an indicative schedule **that includes in-plan sites due to commence construction before quarter end September 2018** and covers more than 970,000 Western Australian homes and businesses in total.

Attached is a copy of the Media Release and a list of the WA communities on the program for Councillor Information (Refer *Attachment 1*)

Gascoyne RRG and Zone Meetings

The next Gascoyne RRG and Zone meeting is being held in Exmouth on Friday 20 November 2015. Apart from the usual meetings items the following Ministers and Local members will be in attendance

- Hon Tony Simpson MLA, Minister for Local Government, Community Services, Seniors & Volunteering, Youth.
- Hon Dean Nalder MLA, Minister for Transport
- Hon Ken Baston, MLC, Minister for Agriculture & Food, Fisheries.
- Melissa Price, Federal Member for the Durack.
- Vince Catania, Member for North West Central.

Staff

Annual Performance Reviews are nearing completion for all staff as required under *S5.38 of the Local Government Act 1995*.

Other Meetings & Functions attended by the CEO

- EMCE & myself met with Bruce Turner, Junior Basketball Association, on Friday 16 October 2015 to discuss hire/user arrangements at the Hard Court facility at the school.
- Met with Carolyn Williams, Pilbara Islands Reserves Officer DPAW Exmouth, on Monday 19 October 2015 to discuss future management plans for the Exmouth Gulf Islands including the Murion Islands.
- Cr Todd, EMCE and myself attended the RIO Tinto Emergency Response Games Launch dinner held at the Novotel on Thursday 22 October 2015.
- Cr Todd and myself attended the official Opening Ceremony of the Denham Recreational Jetty and Launch of the Dirk Hartog Voyage of Discovery Shark Bay 1616 events held in Denham on Sunday 25 October 2015.

Meetings Scheduled for Next Month

- Various Councillors, Executive Staff and myself will be attending the 'Future of the Gascoyne' and 'Gascoyne Economic Forum' seminars being held in Carnarvon on Thursday 5 and Friday 6 November 2015.
- Cr Hood, EMCE and myself to attend the inaugural meeting of the Exmouth Cruise Shipping Coordination Committee scheduled to be held in Exmouth on Wednesday 11 November 2015.
- Shire President, EMHB, EMTP and myself to meet with Steve Greeve, Regional Manager Water Corporation, and Darryl Abbott, Regional Manager Department of Water, in Exmouth on Wednesday 11 November 2015 to discuss the future of water supplies for Exmouth.
- Cr Roscic, Cr Coote, EMCE and myself to attend the next Joint CRG Meeting to be held at the Novotel on Wednesday 18 November 2015.
- Cr Todd, Cr Hood EMES and myself to attend the next Gascoyne RRG and Zone meeting to be hosted by Exmouth on Friday 20 November 2015.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.1.1
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That Council receive the Chief Executive Officers Report for the month of October 2015.

COUNCIL DECISION – 04-1015 – 11.1.1
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Moved Councilor Coote, Seconded Councilor Todd.

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

CARRIED 5/0

11. REPORTS OF OFFICER

11.1 Chief Executive Officer

11.1.2 Multi-Purpose Deep Water Wharf Prospectus

Location:	Exmouth
Applicant:	Shire of Exmouth
File Reference:	ED.PJ.11
Disclosure of Interest:	Nil
Date:	21 October 2015
Author:	Chief Executive Officer, Mr B Price

SUMMARY

This report recommends that the Council endorse the following documentation in relation to the proposed Multi-purpose Deep Water Wharf Exmouth Gulf.

1. Phase 1 Final Report – Concept and Planning Document
2. Multi- Purpose Deep Water Wharf in Exmouth Gulf Prospectus Document

BACKGROUND

Council at its April Ordinary meeting adopted the following resolution

Moved Councillor Todd, Seconded Councillor Winzer.

That Council endorse the following

- ***That Council enter into the Financial Assistance Agreement (FAA) with the Gascoyne Development Commission (GDC) for the sum of \$ 71,750 plus GST to assist the Council in investigating the opportunity of establishing a Multi-purpose Deep Water Wharf within the Exmouth Gulf;***
- ***That Council engage the services of Mr Greg Miller, Poondino Project Services, to undertake the investigation on the existing Barge Load-out Facility (BLF) proposed for Mowbowra Creek Strategic Industrial precinct.***

CARRIED 5/0

The funds requested from the GDC assisted the Council in engaging an appropriate coastal engineer consultancy to expand the investigation work already undertaken for the BLF and to provide a conceptual design and business case for a multi-purpose deep water wharf. The scope of works will include

- Undertake a feasibility study to determine the basic requirements for the facilities required for a multipurpose berth facility;
- Produce Preliminary Engineering, Drawings, Specifications, Bill of Quantities for the proposed off shore facilities;
- Formulation of an implementation strategy to determine the most cost effective method of construction;
- To undertake a review of existing documents to ascertain the best navigational routes, vessel characteristics, cargo handling procedures, terminal design and operational procedures including a comprehensive vessel safety risk analysis.
- Review of the existing site geophysical and bathymetric data, met ocean data collection and analysis, and conceptual design of the marine structures.
- Identify all of the environmental permit and other approvals required for the facility.
- Provide a business case/prospectus for the proposed multi-purpose facility that can be utilised for funding opportunities and advocacy.

The following two reports have been provided to the Council for formal endorsement. The first document contains commercial in confidence material with one of the proponent partners and is labelled Confidential, not for public consumption. The second document is a prospectus for marketing purposes.

1. Phase 1 Final Report – Concept and Planning Document (Confidential Document)
2. Multi- Purpose Deep Water Wharf in Exmouth Gulf Prospectus Document (Refer **Attachment 2**)

As part of the requirements of the FAA Council will provide a copy of the reports to the Gascoyne Development Commission (GDC).

COMMENT

The Shire of Exmouth have had a strategic aim for a deep water wharf located in the Gulf to develop the local and regional economy and to tap into significant opportunities such as the tourism benefits derived from Cruise shipping. Hence, Council recently provided a submission to the Federal Governments ‘Developing Northern Australia Inquiry’. The final report of the government inquiry acknowledged this potential below:-

‘Recommendation 26

5.83 The Committee recommends that the Australia Government in conjunction with the Northern Australia Strategic Partnership, design and implement a 20 year strategy for the staged development of capital infrastructure in Northern Australia, including:

- *increasing the capacity of ports and airports to facilitate an increase in volumes of traffic and trade; and*

5.86 There are significant opportunities to upgrade existing port and airport facilities with a view to increasing access to international markets for Australian commodities and international tourism. Port developments, with associated transport infrastructure, have the potential to increase the export of resources and agricultural commodities, while the development of additional deep-water capacity at several ports will facilitate the entry of large cruise ships, providing a significant new avenue for international tourism.’

With this acknowledgement Council feel that there is a real opportunity to seek funding from the Australian Governments *National Stronger Regions Fund* which has a focus on promoting Economic Development in Australia’s Regions.

The desired outcomes of the programme are

- improved level of economic activity in regions;
- increased productivity in the regions;
- increased employment and a more skilled workforce in regions;
- increased a capacity and improved capability of regions to deliver major projects, and to secure and manage investment funding;
- improved partnerships between local, state and territory governments, the private sector and community groups; and
- more stable and viable communities, where people choose to live.

A multi-purpose facility servicing the Exmouth Gulf would address all of these strategies.

CONSULTATION

Gascoyne Development Commission

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

Civic Leadership

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

- Outcome: 4.1: 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 – 11.1.2

That Council endorse the following documentation in relation to the proposed Multi-purpose Deep Water Wharf Exmouth Gulf.

1. *Phase 1 Final Report – Concept and Planning Document*
2. *Multi- Purpose Deep Water Wharf in Exmouth Gulf Prospectus Document*

COUNCIL DECISION – 05-1015 – 11.1.2

Moved Councillor Todd, Seconded Councillor Coote.

That Council agrees to endorse the following documentation in relation to the proposed Multi-purpose Deep Water Wharf Exmouth Gulf.

Phase 1 Final Report – Concept and Planning Document

CARRIED 4/1**COUNCIL DECISION – 06-1015 – 11.1.2**

Moved Councillor Roscic, Seconded Councillor Coote.

That Council agrees to endorse the following documentation in relation to the proposed Multi-purpose Deep Water Wharf Exmouth Gulf.

Multi- Purpose Deep Water Wharf in Exmouth Gulf Prospectus Document

CARRIED 5/0

11. REPORTS OF OFFICER

11.1 Chief Executive Officer

11.1.3 Reviewed Policy – Use of Council’s Logo and Crest

Location:	Exmouth
Applicant:	R. Kempe
File Reference:	CM.PO.1
Disclosure of Interest:	Nil
Date:	19 October 2015
Author:	Chief Executive Officer, Bill Price

SUMMARY

This report proposes a review of Shire of Exmouth Policy 1.2 ‘Logo’, to include the new Council Logo and provide directions for consistent and appropriate use of the Council’s Logo and Crest.

BACKGROUND

The current Policy 1.2 ‘Logo’ relates to the identification of the official logo and protocols for its use.

Council recently adopted a new Council Logo and a review of Policy 1.2 is required to incorporate direction on use of the new Logo and the old Crest (Coat of Arms).

COMMENT

Officers have reviewed the Policy with an aim to include guidance on:

1. Use of the new logo
2. Permission and conditions for other organisations to use the logo
3. Processes for use of logo by the organisation and third parties.
4. The use of the old Crest (Coat of Arms) for formal and ceremonial purposes. It is recommended that the reviewed Policy 1.2 be adopted.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

A reviewed Policy 1.2 has been made and is attached to this report (refer *Attachment 3*).

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Social

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

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

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 – 11.1.3
--

That Council adopts the reviewed Shire of Exmouth Policy 1.2 'Use of Council's Logo and Crest' as outlined in Attachment 3

COUNCIL DECISION – 07-1015 – 11.1.3
--

Moved Councillor McHutchison, Seconded Councillor Todd.

That Council adopts the reviewed Shire of Exmouth Policy 1.2 'Use of Council's Logo and Crest' as outlined in Attachment 3

CARRIED by ABSOLUTE MAJORITY 5/0

11. REPORTS OF OFFICERS

11.1 Chief Executive Officer

11.1.4 Reviewed Policy - Council Purchasing Policy 2.10

Location:	Exmouth
Applicant:	S O'Toole
File Reference:	CM.PO.1
Disclosure of Interest:	Nil
Date:	13 October 2015
Author:	Executive Manager Corporate Services, Sue O'Toole
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends the adoption of the amended Purchasing Policy 2.10 under the Corporate Services sphere of the Council Policy Manual.

BACKGROUND

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

The objectives of the Council's Policy Manual are:

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

COMMENT

In accordance with Clause 11 of the *Local Government (Functions and General) Regulations 1996*, the tender threshold has increased from \$100,000 to \$150,000 effective from 18 September 2015. Council's Purchasing Policy 2.10 has now been amended to reflect this increase.

A copy of the changes to original policy is provided (refer ***Attachment 4***).

CONSULTATION

This policy has been considered by the Chief Executive Officer before being presented to Council.

STATUTORY ENVIRONMENT

Sections 3.57 & 2.7 Local Government Act 1995.

POLICY IMPLICATIONS

Policy 2.10

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

- Outcome: 4.1: To be a collaborative community with the capacity to manage to current and future direction of Exmouth

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

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION – 11.1.4
--

That Council adopts the reviewed Shire of Exmouth Policy 2.10 'Council Purchasing Policy' as outlined in Attachment 4.

COUNCIL DECISION – 08-1015 – 11.1.4
--

Moved Councillor Todd, Seconded Councillor McHutchison.

That Council: adopts the reviewed Shire of Exmouth Policy 2.10 'Council Purchasing Policy' as outlined in Attachment 4.

CARRIED by ABSOLUTE MAJORITY 5/0

11. REPORTS OF OFFICERS

11.2 Executive Manager Corporate Services

11.2.1 General Report

Location:	Exmouth
Applicant:	S O'Toole
File Reference:	CM.RE.0
Disclosure of Interest:	Nil
Date:	13 October 2015
Author:	Executive Manager Corporate Services
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

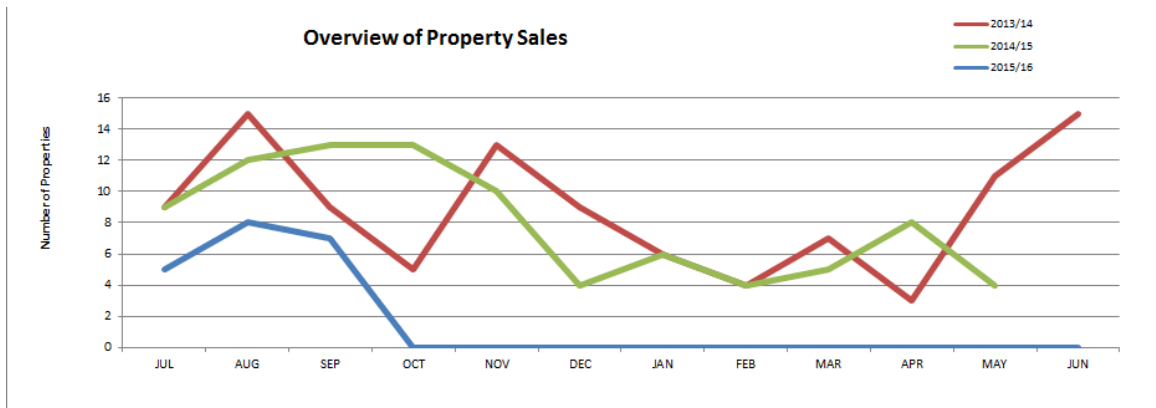
Rating

Property Sales

Below is a summary of properties sold during 2015/16:

2015/16 Summary of Property Sales			
Number Sold	Land Usage	Total Sales	Average Sale
10	Vacant Land	\$1,552,500	\$155,250
8	Residential	\$4,035,000	\$504,375
0	Industrial	\$0	\$0
0	Mixed Use	\$0	\$0
1	Composite Devel	\$1,050,000	\$1,050,000
0	Special Use	\$0	\$0
1	Tourism	\$33,570,000	\$33,570,000
20		\$40,207,500	

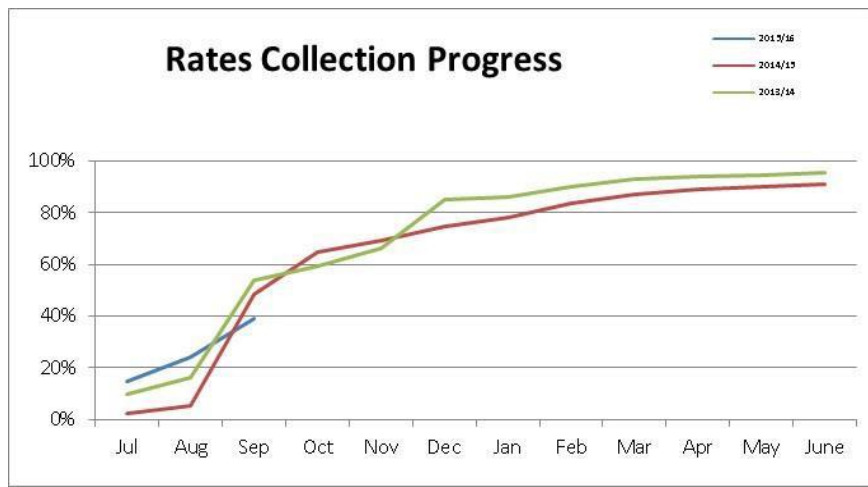
Property Sales	2015/16	2014/15	2013/14
JUL	5	9	9
AUG	8	12	15
SEP	7	13	9
OCT		13	5
NOV		10	13
DEC		4	9
JAN		6	6
FEB		4	4
MAR		5	7
APR		8	3
MAY		4	11
JUN		2	15
	20	90	106

Property Sales Cont.**Rates Collection**

Summary of Rates and Charges Collection			
Rates Collection Analysis			
			\$
Rates & Charges Levied 2015/16			4,038,213
Arrears 1 July 2015			395,588
Less Collections			(2,663,559)
Total Rates & Charges Outstanding			1,770,243
Less Pensioner Deferred Rates			(30,189)
Total Rates Collectable			1,740,054
% Collected to Date			60.8%
Notices Sent			4/08/2015
Due Date			8/09/2015
Reminder Notice Sent			21/10/2015
Final Notice Sent			
Notice of Intention to Summons Sent			
Summons Issued			

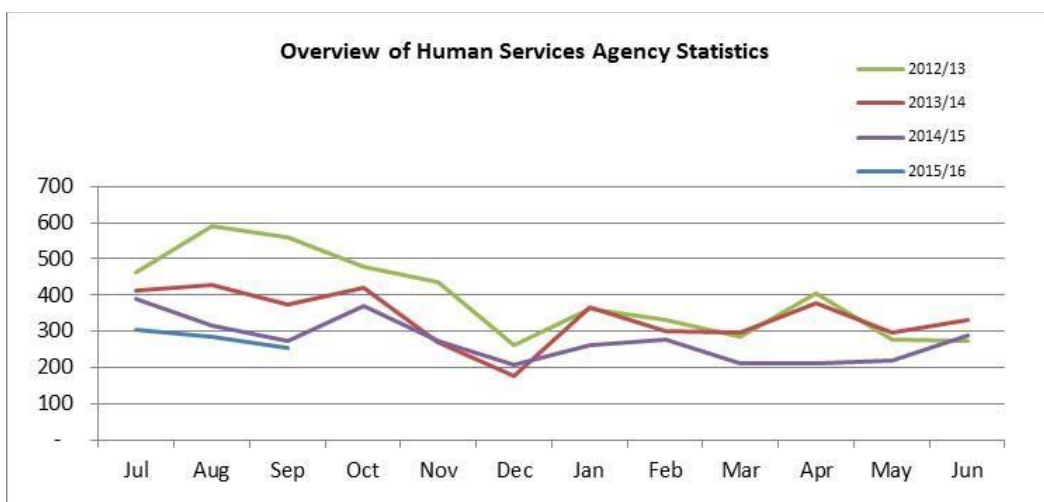
Comparative percentage of rates collected monthly

	2015/16	2014/15	2013/14
Rates Due Date	8/09/2015	30/09/2014	11/09/2013
Jul	15%	3%	10%
Aug	24%	5%	16%
Sep	39%	48%	54%
Oct		65%	59%
Nov		69%	66%
Dec		75%	85%
Jan		78%	86%
Feb		84%	90%
Mar		87%	93%
Apr		89%	94%
May		90%	94%
June		91%	96%

Rates Collection Cont.**Human Services Agency (formerly Centrelink)**

Summary of Agent Statistics for 2015/16

						Hours of Operation/week		
						12.5	12.5	15
	Lodgement of Forms/Assist with Completion	Referrals to Call Centre & CSC	Assist with use of Equipment & Computer	Respond to General Enquiries	TOTAL	2015/16	2014/15	2013/14
Jul	59	44	59	141	303	303	390	411
Aug	51	41	58	135	285	285	317	427
Sep	50	39	51	115	255	255	272	373
Oct					-		369	422
Nov					-		273	268
Dec					-		208	178
Jan					-		261	367
Feb					-		278	299
Mar					-		210	296
Apr					-		212	377
May					-		219	296
Jun					-			331
TOTAL	160	124	168	391	843	843	3,009	4,045



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 October 2015.

COUNCIL DECISION – 09-1015 – 11.2.1
--

Moved Councillor Todd, Seconded Councillor McHutchison.

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

CARRIED 5/0

11. REPORTS OF OFFICERS

11.2 Executive Manager Corporate Services

11.2.2 Monthly Financial Statements and Report

Location:	Exmouth
Applicant:	S O'Toole
File Reference:	FM.FI.0
Disclosure of Interest:	Nil
Date:	13 October 2015
Author:	Executive Manager Corporate Services, Sue O'Toole
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Financial report for the period ended 30 September 2015 has been prepared and a copy of the Report is attached (refer *Attachment 1*) and a complete list of accounts for payment is attached (refer *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.

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.2.2
--

That Council:

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

Municipal Fund – September 2015 \$1,114,867.10 incorporating of cheques 13170-13184 and direct debits

Trust Fund – September 2015 \$1,000.00 incorporating of direct debits

Outstanding Creditors as at September 2015 - \$69,578.77

COUNCIL DECISION – 10-1015 – 11.2.2
--

Moved Councillor Todd, Seconded Councillor McHutchison.

That Council:

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

Municipal Fund – September 2015 \$1,114,867.10 incorporating of cheques 13170-13184 and direct debits

Trust Fund – September 2015 \$1,000.00 incorporating of direct debits Outstanding Creditors as at September 2015 - \$69,578.77

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:	19 October 2015
Author:	Executive Manager Aviation Services, Jenny Kox
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Regulatory

Qantas will be holding their annual stakeholders/community consultation group (CCG) meeting in conjunction with the Department of Transport on 4 November 2015 at Novotel Ningaloo.

Airlines/Air Operators/Industry

Qantas will be operating F100 aircraft (Network Aviation) in lieu of B717 (QantasLink) aircraft effective 1 November 2015.

September and October 2015 to date has seen a number of unserviceability issues associated with primarily the early morning aircraft resulting in a number of extended delays and aircraft diversions. An international flight also diverted to Learmonth for a fuel stop due to weather in Perth.

There were 244 less RPT passengers for September 2015 than for the same month in 2014, but 30 more than September 2013. Helicopter passengers were up on last year. Overall, combined RPT and helicopters passengers are about the same as previous years.

Learmonth Airport

The Airport Shuttle Bus service will not be operating on Christmas Day due to historically nil or low passenger numbers on the day. This will be advised to the community and accommodation providers by Exmouth Bus Charters, operators of the airport shuttle bus service.

Engineering services have completed firebreak clean-up of the civil lease area in preparation for the upcoming fire season.

The bi-annual live emergency exercise will be undertaken on Saturday 28 November 2015 and is currently being organised with emergency responding agencies. A call for volunteers for the exercise will be sent to the community in the coming weeks.

The first round of airport departure surveys will be completed on Friday 23 October 2015 with over 250 responses received. Over 73% of passengers are extremely satisfied with the services and facilities currently offered with a couple of areas for improvement identified. Results of the first survey period will be conveyed to airport agencies, Exmouth Visitors Centre and Qantas Airways. The survey will be rolled out again over the Christmas-February 2016, Easter and July school holiday periods.

Exmouth Aerodrome

The first stage of works to construct additional apron and taxiway areas within the General Aviation Precinct is now complete with fencing and further tie-in works to be undertaken in due course. General road works within the Aerodrome site have also been undertaken.

Leasing

Following advertising of the proposed lease for the café at Learmonth Airport, one submission for consideration to lease the premises was received with one other verbally advised after the close of submission date. Officers are currently working with both parties to determine their business proposals with a decision to be brought to Council at a later date.

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 October 2015.

COUNCIL DECISION – 11-1015 – 11.3.1
--

Moved Councillor Roscic, Seconded Councillor Coote.

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

CARRIED 5/0

11. REPORTS OF OFFICERS

COUNCIL DECISION – 12-1015 – 11.3.2

Moved Councillor Coote, Seconded Councillor Roscic.

That Council lay the following matter (Agenda Report 11.3.2) on the table to enable the EMAS to hold further negotiations with Birds Eye View Pty Ltd and that if no satisfactory resolution is achieved the item is to be re-presented to the next Ordinary Council meeting.

CARRIED 5/0

11.3 Executive Manager Aviation Services

11.3.2 Birds Eye View Pty Ltd – Exmouth Aerodrome

Location:	Exmouth
Applicant:	Birds Eye View Pty Ltd
File Reference:	TT.SP.0
Disclosure of Interest:	Nil
Date:	19 October 2015
Author:	Executive Manager Aviation Services, Jenny Kox
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

The following report recommends that Council:

1. Refuse the alternative lease proposal provided by Birds Eye View Pty Ltd for the current lease area at Exmouth Aerodrome;
2. Retain the existing lease of land with Birds Eye View at Exmouth Aerodrome being a portion of land located within Lot 73/Reserve 32867; and
3. Endorse that the Further Term, being 10 years from 31 October 2018 at the Lessors discretion, not be granted due to the current lease area not aligning with the Exmouth Aerodrome Lease Allocation Plan as adopted at the 21 March 2013 Ordinary Council Meeting (Council Decision 09- 0313-10.3.2).

BACKGROUND

At the 18 September 2008 Ordinary Council Meeting (OCM), Council resolved:

That the Council of the Shire of Exmouth provide in-principle agreement to the establishment of a lease between the Shire of Exmouth and Bird's Eye View for the portion of land as shown on Attachment 2 to the south of the existing lease area held by Ningaloo High (inclusive of shared user rights to taxiways, runways and other common areas) subject to:-

1. *Any building approved on a leased area for Bird's Eye View is to be either onsold to any future leaseholder or removed entirely and the site returned to its original condition;*
2. *That all lease agreements include requirements relating to the shared use of certain areas of the site, and exclusive use of other areas of the site, stating the required security and access arrangements, flying circuits and usage/ landing/ rates fees;*
3. *All lessees are to provide Council with current CASA / Hang Gliding Federation of Australia/ and / or other relevant agency membership certificates, insurance certificates and letters demonstrating adequate insurance coverage to undertake their flying activities, and any required flying / instructing qualifications;*
4. *All utility and operations costs are shared on a pro-rata basis unless separate meters are installed;*

5. *All costs relating to the establishment or amending of lease agreements are to be borne by the lessee;*
6. *Support the offering of lease terms in-principle to Bird's Eye View at the Exmouth Light Aircraft Strip based on a 10 year lease with a 10 year option (at Council's discretion) where infrastructure associated with the lessees business is constructed at the LAA new lease (or amended lease) is to be negotiated and arranged with Ningaloo High to accompany the request as contained within this report; and*
7. *Allow Mr Gavin Penfold to operate as a joint user within the Ningaloo High facility as requested until Bird's Eye View can commence operating from the separate lease area if approval is granted.*

AND

That Council commence formal investigations for the future use and expansion of the LAS (inc. contributions, and possible runway and operational areas expansion) incorporating future need and capacity of users within the context of the Exmouth Structure Plan.

This enabled Council to negotiate to lease land to Birds Eye View Pty Ltd (hereby known as BEV) for a portion being 2,871m² at Exmouth Light Aircraft Strip (renamed Exmouth Aerodrome in September 2012).

At the 16 October 2008 Ordinary Council Meeting, Council authorised the Shire of Exmouth to lease BEV that portion of reserve land for a term of ten (10) years with the option of a further ten (10) year term (at the Lessors discretion) at a rent of \$1,500 p.a. plus GST (Decision 1266-10.5.2). The lease was executed with a commencement date of 31 October 2008.

Work commenced in 2010 to establish planned operational areas and lease allocations at the then Exmouth Light Aircraft Strip. This work was further supported when Council resolved at the 18 October 2012 OCM that a Master Plan for Exmouth Aerodrome be prepared (Decision 12-1012 -10.3.3).

In preparing the plans, a survey of each lease area was undertaken using the lease plans and known features to determine current lease areas (refer **Attachment 1**). Consultation with leaseholders was also undertaken to take into consideration, where possible, their future development needs.

Further, at the 21 March 2013 OCM, Council resolved by Decision 09-0313 – 10.3.2:

That the Council of the Shire of Exmouth:

1. *Formally adopt the Lease Allocation Plan (EXM-004);*
2. *Endorse the preparation of Design Guidelines specific to Exmouth Aerodrome as part of the Town Planning Scheme review; and*
3. *Delegate authority to the Chief Executive Officer to negotiate variations to leased areas with lessees to reallocate land to the new plan.*

The Exmouth Aerodrome Lease Allocation Plans provide for planned development of land and operational areas and improved access and will form part of the Master Plan.

COMMENT

The Exmouth Aerodrome is Reserved Land on which a Management Order exists for the purpose of aviation related activities managed by the Shire of Exmouth.

With the endorsement of the Lease Allocation Plans, Birds Eye View were provided the following options with respect to their lease:

1. Retain their current lease 'as is' which expires on 30 October 2018 (completion of initial term) but execute a Deed of Variation to include the scaled, detailed lease

area plan will be required.

OR

2. Rescind their current lease and enter into a new lease for Lot 11 on Lease Allocation Plan with a term up to 10 years with a 10 year option as the 'time clock' starts again.

The current lease has a number of inconsistencies with standard commercial leases primarily in the areas of market rent review, subleasing and lack of a detailed lease area plan but notes that any Further Term is at the Lessors (Councils) discretion. The standard lease for all Lots at Exmouth Aerodrome now includes the provisions for market rent review, sublease rent provisions and detailed lease plans.

A rental rate proposal for executing a lease for Lot 11 was provided to BEV on 16 May 2013. The proposal saw retention of the current rental rate until the completion of the initial term of the current lease (ie. 30 October 2018), with only CPI being applied annually. The proposed rental rate then increased over the first ten years of the lease in two incremental steps (with no annual CPI increase) so that at the commencement of the Further Term, a rental rate of 1/3rd the valuation was achieved. The Further Term rental rate would then have CPI applied annually and allows for market rent review every 3 years. The indicative rates to be applied are summarised in the attached (refer **Confidential Attachment 2**). The same methodology was applied to all existing leaseholders at Exmouth Aerodrome.

BEV rejected the offer made by Council due to a hearing being raised by BEV through the State Administrative Tribunal (SAT) on a deemed refusal of a planning application on the existing lease area with a preliminary issue to determine the size of the lease area. The outcome of the SAT hearings on the preliminary issue was that it was not within the Tribunal's jurisdiction to determine on.

A further offer was made to BEV by Officers to enter into a lease for Lot 11 Exmouth Aerodrome on 11 September 2015. There were no changes to the proposed lease terms or rental rates to those provided in 2013. In verbal discussions, consideration of a reduced land area had been raised by BEV and was included in the offer. The rental pricing structure and negotiation on the size of the lease area was offered subject to execution of the new lease by 1 January 2016 (refer **Confidential Attachment 3**). An independent valuer/SAT sitting member was engaged to negotiate the terms on behalf of Council.

By email correspondence dated 24 September 2015, BEV again rejected the offer and proposed an alternative offer being retention of the existing lease with the geographical boundaries to that depicted as Lot 11 and rephrasing of the Further Term option to be at the Lessee's not the Lessor's discretion (refer **Confidential Attachment 3**). The proposal to use an independent party to negotiate terms was also rejected.

Legal advice was sought on the alternative offer and understanding Councils position in regards to the Further Term. Legal recommends that, as an agreement for Lot 11 cannot be reached, that Council remain with the existing lease for the initial term. A copy of the advice is provided in **Confidential Attachment 4**.

CONSULTATION

Birds Eye View Pty Ltd

McLeods Barristers and Solicitors

STATUTORY ENVIRONMENT

Reserve 32867 (the Light Aircraft Strip) is currently vested with the Shire of Exmouth for the purpose of "Aerial Landing Ground". It consists of an area of 494.8598 hectares and is located adjacent to the Exmouth-Minilya Road approximately 13kms south of the Exmouth townsite. Council has been provided the power to lease for this site up to 21 years, subject to the approval of the Minister.

POLICY IMPLICATIONS

Policy 3.7 – Leasing

FINANCIAL IMPLICATIONS

A valuation was undertaken on 8 February 2013 recommended a rate of \$6.00 per m² for the current leased area.

The annual lease fee proposed on the current offer would have been the equivalent to that currently received (\$0.60 per m²) until the end of 2018/19 financial year after which there will be an increase in

rental fee to achieve a rent 1/3rd of the valued rate. This amount is exclusive to all outgoing costs and connections to utilities.

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 – 11.3.2
--

That Council:

1. *Not endorse or grant the alternative lease proposal provided by Birds Eye View Pty Ltd for the current lease area at Exmouth Aerodrome;*
2. *Retain the existing lease of land with Birds Eye View at Exmouth Aerodrome being a portion of land located within Lot 73/Reserve 32867; and*
3. *Endorse that approval for the Further Term , being 10 years from 31 October 2018 at the Lessors discretion, not be granted due to the redevelopment of lease areas at Exmouth Aerodrome as endorsed by Council at the 21 March 2013 Ordinary Council Meeting (Council Decision 09-0313-10.3.2).*

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:	19 October 2015
Author:	Executive Manager Community Engagement, Rogé Kempe
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

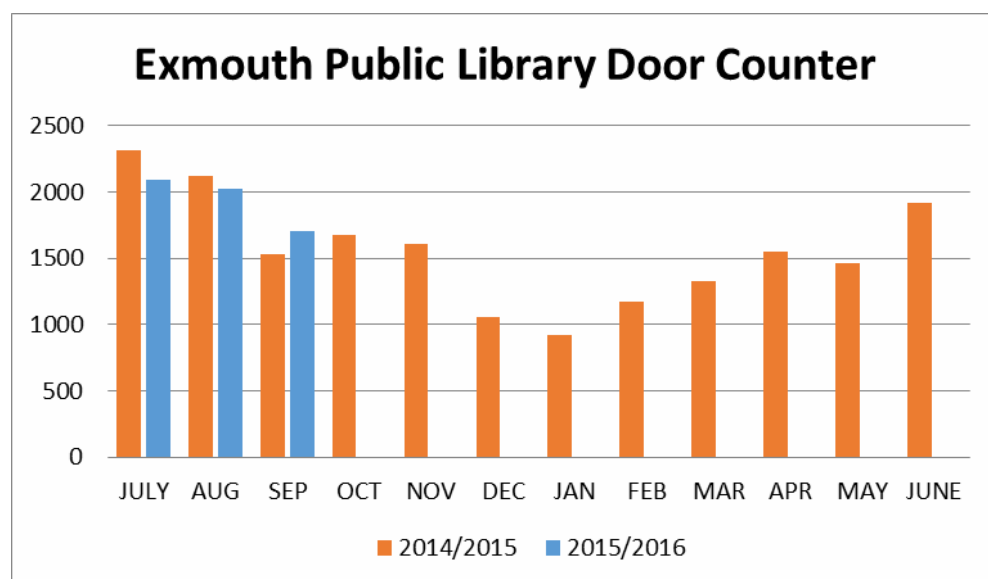
Tourism

Cruise Ships

Officers have developed draft Terms of Reference for a local Cruise Ship Committee with the aim to better coordinate cruise ship arrivals and welcoming activities for their passenger. A first meeting is to be held in the near future.

Officers and Visitor Centre staff have commenced the development of a Cruise Ship information and welcome pack. This will include information about Exmouth, tours and 'things-to-do', but also an overview of facilities available in the harbour and town areas.

Library Services



Just over 1700 people made use of the library facilities for the month of September, which is 72 more than the same period last year. About 2175 items were circulated through the library front desk; an increase of 186 on the same period in 2014. Ebooks borrowing is steadily increasing with 59 being borrowed this month, the highest amount borrowed since the introduction of ebooks in September 2014.

Community Development

School Holiday Program

'Food Craft' was attended by 11 children, including some visitors to town. They could let their imaginations run wild with some very creative pieces made and one dad enjoying himself as much as his son did.



Officers partnered with Exmouth PCYC to deliver 'MasterChef' during the school holidays. This event was a hit with the kids: 16 children attended and 6 chefs from Whalers, 5 Kennedy and the Novotel came to share their knowledge with the children, teaching them cutting skill and tips on how to slice vegetables in different ways for different dishes.

Chefs judged the best dish, tasting each one after which the kids devoured the food and went home eager to cook dinner.

Youth Action Exmouth (YAE)

'Wipe-out' was the brain child of the Youth Action Exmouth Team and they worked hard to deliver a great event which attracted 53 teenagers; one of the largest turnouts at an event of this age group.

The course was physically challenging for even the fittest of kids. There was even a bit of competition between the local kids and the tourist teenagers on holidays. A knock out basketball competition was also well attended with many comments from visitors and local kids that they had a great night. Bridgestone Tyres kindly donated 8 tyre tubes for the course.

Krait Memorial site

The Krait memorial site was severely damaged during the cyclones earlier this year; large parts of the dunes were washed away and interpretive signage needs to be replaced and the original memorial salvaged from the beach.

Discussions with consultants have resulted in a plan to reinstate the Krait Memorial and interpretation elsewhere as the current site remains subject to possible damage from weather events in the future. All elements from the Krait site will therefore be transported and installed at the Potshot Memorial site, thus creating one large area dedicated to the WWII heritage of our region. Some signage will need to be manufactured again, but the costs for this is covered by insurance.

Exmouth Entry Statements

The entry statements south of town are both in need of a coat of new paint. Officers are investigating the opportunity to bring the colours of both structures in line with the current branding colours.

Perth Royal Show

The Gascoyne had a display again this year at the Perth Royal Show. The display was well visited and received 2 awards: Best Arrangement (Northern Region) and Best Display of Aquatic Products (Northern Region).

Staffing

The position of Community Activities Officer (Jaci Cutler) has been reviewed to better align with the activities and projects required for the future Ningaloo Centre. Her position is now called Events Coordinator and the position will be involved in attracting and



delivering events like conferences, cultural performances, meetings, weddings and workshops.

Grants Updates

- *National Youth Week Grants:* Officers applied for \$1,000 grant funding towards marketing of a future youth music festival.
- *Stronger Communities Programme:* Officers applied for an Australian Government \$20,000 grant towards a contribution for a new hard roof shade structure over Falls Street playground.
- *Woodside Partnership Grants:* Officers have prepared a partnership proposal for Woodside regarding a volunteering programme in Exmouth. This programme aims to support and acknowledge volunteers and volunteer organisations. If successful, this may become a 3 year partnership arrangement.

Media and Community Information

- The Shire Facebook page went live on 14 October and will be managed by 4 officers. Most Shire staff members have been briefed about the purpose of the page: providing information about Shire activities, projects and events. Council will receive a first update on the use of Facebook next month and a full Review Report after 6 months.
- Media Statement about the launch of Shire Facebook page.
- Officers have developed a draft communication strategy for the Ningaloo Centre which will cover the next 2 years of the project regarding when information needs to be distributed, about which topics and through what media.

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 October 2015.

COUNCIL DECISION – 13-1015 – 11.4.1
--

Moved Councillor Todd, Seconded Councillor McHutchison.

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

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:	13 October 2015
Author:	Executive Manager Health & Building, R M Manning
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Applications for Permits and Certificates Pursuant to the Building Act 2011

Appli c No	Date Received	Lot	Property Address	Description	Decision	Decision Date
15/89	26/06/15	1381	45 Preston Street	Lean-To	Awaiting information from applicant	
15/90	26/06/15	159	26 Dugong Close	Dwelling	Awaiting information from applicant	
15/108	01/09/15	739	22 Carr Way	Outbuilding	Approved	03/09/15
15/109	08/09/15	145	15 Dugong Close	Storage shed & pool spa	Approved	13/10/15
15/110	09/09/15	204	24 Kennedy Street	Alfresco & swimming pool	Approved	21/09/15
15/111	11/09/15	462	16 Osprey Way	Swimming pool	Approved	14/09/15
15/112	14/09/15	957	5 Griffiths Way	Extension to existing office/storeroom	Approved	28/09/15
15/113	15/09/15	1073	6 Gooley Street	Verandah	Approved	06/10/15
15/114	16/09/15	328	7 Falls Street	Patio	Approved	23/09/15
15/116	17/09/15	1086	11 Hall Street	Extension to bedroom	Approved	05/10/15
15/117	21/09/15	780	10 Tonge Place	Verandah	Approved	07/10/15
15/118	22/09/15	101	L100 Murat Road	Demolition x 2 Houses	Approved	23/09/15
15/119	23/09/15	R50807	Willersdorf Road	Horticultural shade tunnel	Approved	28/09/15
15/120	24/09/15	1	4 Ross Street	Cyclone damage repairs	Approved	05/10/15
15/121	29/09/15	70	8 Bennett Street	Verandah	Approved	07/10/15

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

Year	No. Applications Year to date	Total Value of Works	No. Applications up 30 September 2015	Value up to 30 September 2015
2008 - 2009	132	\$26,600,941.00	28	\$3,592,252.00
2009 - 2010	198	\$26,916,869.00	39	\$3,017,705.00
2010 - 2011	188	\$24,816,605.00	31	\$7,075,825.00
2011 - 2012	144	\$23,057,154.00	38	\$9,413,385.00
2012 - 2013	150	\$19,931,790.00	47	\$6,091,822.00
2013 - 2014	159	\$23,404,990.00	42	\$4,444,204.00
2014 - 2015	155	\$21,321,521.00	41	\$4,781,568.00
2015 - 2016			28	\$1,542,254.00

COMMENT**BUILDING**

The Building Permit statistics have made a significant recovery since the previous months report with the number of applications almost doubling in one month and the value of works year to date almost tripling.

ENVIRONMENTAL HEALTH

Environmental Health duties continued as normal with food premise inspections, water sampling and waste management.

Rural Landfill Working Group

In August this year WALGA and the Municipal Waste Advisory Council (MWAC) called for nominations from local government officers or elected members to sit on a Rural Landfill Working Group. MWAC is a standing committee of the Western Australian Local Government Association with delegated authority on municipal waste issues. MWAC has formed this Working Group to facilitate the development and implementation of rural landfill Environmental Standards.

The key objective of the Working Group is to facilitate the development of the Environmental Standards for rural landfill. In facilitating this development, the Working Group will also consider the range of supporting mechanisms which are needed for the Environmental Standards to be effectively implemented.

The methods of achieving these objectives will be:

- Discussion and consultation with Local Government, through the Working Group structure and other mechanisms;
- Discussion and consultation with experts in the waste management industry;
- Discussion with Department of Environment Regulation; and
- Research and investigation of issues where required.

The EMHB nominated for and has been appointed to the above working group. The first introductory meeting was attended via phone conference on 8 October 2015. A second meeting is planned for 6 November 2015 consisting of a full day workshop. EMHB will be unable to attend due to other commitments but will participate in a phone conference with WALGA on 4 November 2015.

The interest of the EMHB in sitting on the working group is to participate in the development of the rural landfill environmental standards so as to try and ensure that the standards are practical and achievable for small regional Councils. Also to engage in discussions regarding minimum standards for landfill operations on pastoral stations and the like where significant camping and short stay tourism accommodation forms a substantial part of their business.

Waste Management and Recycling**Great Northern Clean Up**

The Shire of Exmouth participated in the Great Northern Clean Up on the 19 September 2015. Attendance was below average but the quantity of waste collected was still considerable with 2 ute loads taken out to the tip. Overall in Western Australia there were 10 sites registered (4 sites were registered in Exmouth), 407 volunteers and 22 tonnes of rubbish collected. Additionally we collected very few aluminium cans which is an encouraging sign for the can recycling program.

Part-Time Landfill Attendant

Francis Williams has commenced employment at the Qualing Scarp Landfill Site this month as a Part-Time Landfill Attendant. This position is primarily to provide relief back up staff for annual or personal leave and RDO's without needing to call on Engineering Services staff, which aren't always available and when they are used it often results in significant penalty rates being applicable. This position will facilitate better planning for landfill staff to complete projects and tasks as they don't have to continually stop work to attend to the gate.

Burning of Green Waste at Tip

As part of the pre-cyclone season preparedness, Council staff are planning to burn the green waste at the tip over the coming weeks. A special permit was recently obtained that enables Council staff to burn the green waste at the tip during the prohibited burning season. The permit is subject to a long list of conditions including the requirement to give Public Notice of the intent to burn. The notices has been advertised

advising that it is intended to burn between 19 October and 11 December 2015. Burning will only proceed subject to favourable wind and weather conditions.

Gascoyne Regional Group Waste & Recycling Infrastructure Project

On 1 October 2015 the Shire of Carnarvon finally released the Request for Quotation (RfQ) for the appointment of a project manager for the above project. The RfQ closed 20 October 2015 and it is anticipated that a consultant will be appointed by early November 2015.

Sentinel Chickens & Mosquito Borne Diseases

The University of Western Australia's Sentinel Chicken Bleeding Program has been temporarily halted as the chickens are given time to settle into their new homes. Sampling will start again in a couple of weeks' time.

Paltridge Memorial Swimming Pool

September	<u>2015</u>	<u>2014</u>	<u>2013</u>
Pool Users	2429	1785	739

The pool entries for September 2015 were the highest in the last 3 years. A combination of planned events and warm weather over the school holiday's no doubt helped boost the patronage.

The Aqua Run Fun Days were very popular through the school holidays with over 240 people attending on one day. A large proportion of which being tourists which helped generate gate takings of over \$800 for the day. Youth for Christ also held Youth Quake at the pool on the 12 September 2015. This evening is an event for school years 7 to 12 consisting of a series of activity stations the children go through offering plenty of excitement and action.

Community Pool Revitalisation Grant

The Department of Sport and Recreation are seeking applications for grants of \$32,000 to go towards upgrades to regional pools. An application will be submitted for upgrades to the plant room, training for staff, bronze medallion courses and equipment for the pool. The proposed plant room upgrades and new equipment have been carefully selected as items that will be compatible for continued use should the Shire be successful in implementing a serious redevelopment of the entire facilities in the coming years.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Environment

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

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

Social

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

- Outcome 3.2: Excellent lifestyle, recreational and cultural facilities.
- Outcome 3.3: An inclusive, responsible and cohesive community.
- Outcome 3.4: A community that is well informed and educated about our natural, cultural and built environment.

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.5.1
--

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

COUNCIL DECISION – 14-1015 – 11.5.1
--

Moved Councillor McHutchison, Seconded Councillor Roscic.

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

CARRIED 5/0

11. REPORTS OF OFFICERS

11.5 Executive Manager Health & Building

11.5.2 Building Commission's Discussion Paper: Instant Start

Location:	Exmouth
Applicant:	R M Manning
File Reference:	DB.LI.3
Disclosure of Interest:	Nil
Date:	22 October 2015
Author:	Executive Manager Health & Building, R M Manning
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council advise the Building Commission that it does not support the proposed Instant Start initiative.

BACKGROUND

The Building Commission have released a discussion paper on a proposal they have termed 'Instant Start'. Instant Start aims to:-

- alleviate any processing delay in local government for single residential housing building approvals;
- reduce the time before construction can commence, by letting builders start as soon as they lodge a certified application for a building permit, accompanied by verification about planning approval, with the relevant local government permit authority; and
- give builders greater certainty about starting dates, so they can lock in subcontractors and order materials.

A copy of the Building Commission's Outline for Consultation is provided at *Attachment 1*.

COMMENT

The Planning and Improvement division of WALGA have prepared a Draft response to the Instant Start proposal (refer *Attachment 2*). The Executive Manager of Health & Building (EMHB) strongly supports the Draft response prepared by WALGA and views the proposal as unnecessary and fraught with potential for developments to proceed without all the necessary checks and balances in place.

A specific point for Exmouth regarding problems with the Instant Start proposal would be in relation to the Exmouth Marina Village canal lots. The majority of owners want to develop over the embankment of the canal which requires a suitably qualified engineer's slope stability assessment. Owners/buildings often don't read Council's Outline Development Plans/Development Guidelines or conditions of Planning Approvals properly for this subdivision properly and applications are regularly submitted without being accompanied with a slope stability assessment.

With Exmouth being so remote owners and/or builders are using architects and engineers from all over the country to draft plans and prepare engineering reports. As such they only know as much info about the subject lot as they are provided by the owner/builder and regularly are not provided with all the info they need. Chasing up the slope stability report can result in delays of weeks. But it's something that they should have had before lodging the application for Building Permit.

An Instant Start development in the above situation could be total disaster.

Any delays with the approval of Building Permits Applications in the Shire of Exmouth are the result of incomplete or inadequate information, not due to processing delays. Owing to the above and the potential for developments to commence without due regard for all the required checks and balances, the EMHB does not support the Instant Start proposal and has informally advised WALGA of the same and given support for the WALGA Draft response.

In addition to the support already given to WALGA for the response, the EMHB recommends that the Council formally adopt a position of no support for Instant Start and advise the Building Commission of the same.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Building Act 2011

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 3.1: Retain a safe community environment
- 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.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.5.2

That Council advise the Building Commission that it does not support the 'Instant Start' proposal to provide a mechanism for single housing construction to commence prior to a builder obtaining a Building Permit for the following reasons:-

- *All too often under the current ordinary application for Building Permit procedures, applications are received with inaccurate or incomplete information, some of which may be integral to the initial stages of construction e.g. geotechnical information/reports etc., location of on-site waste water treatment systems; and*
- *The permit authority is not causing delays in granting Building Permits so there is no necessity to change the system.*

COUNCIL DECISION – 15-1015 – 11.5.2

Moved Councillor Roscic, Seconded Councillor McHutchison.

That Council advise the Building Commission that it does not support the 'Instant Start' proposal to provide a mechanism for single housing construction to commence prior to a builder obtaining a Building Permit for the following reasons:-

- *All too often under the current ordinary application for Building Permit procedures, applications are received with inaccurate or incomplete information, some of which may be integral to the initial stages of construction e.g. geotechnical information/reports etc., location of on-site waste water treatment systems; and*
- *The permit authority is not causing delays in granting Building Permits so there is no necessity to change the system.*

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:	15 October 2015
Author:	Executive Manager Town Planning, Rhassel Mhasho
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Planning Applications and Approvals

Below is a summary of planning applications and approvals up to 30 September 2015.

Applic No.	Date	Lot	Property	Description	Decision	Date
PA127/15	02/09/2015	164	16 Dugong Close	Dwelling	Approved	10/09/2015
PA128/15	02/09/2015	624	18 Fletcher Street	Outbuilding	Approved	06/10/2015
PA129/15	04/09/2015	957	5 Griffiths Way	Storeroom Extension	Approved	09/09/2015
PA131/15	04/09/2015	485	5 Lyon Street	Home Occupation - Pilates Studio	Approved	22/09/2015
PA132/15	11/09/2015	108	Lot 108 Marina Quays	Dwelling	Approved	21/09/2015
PA135/15	16/09/2015	146	10 Hunt Street	Dwelling and Extension to Existing Outbuilding	Processing	
PA136/15	16/09/2015	326	11 Falls Street	Outbuilding Extension	Processing	
PA137/15	17/09/2015	145	15 Dugong Close	Store and Pool Spa	Approved	06/10/2015
PA139/15	21/09/2015	14	Unit 30 2 Murat Road	Short Stay Holiday Accommodation Villa	Approved	06/10/2015
PA141/15	23/09/2015	181	16 Snapper Loop	Outbuilding	Processing	
PA142/15	23/09/2015	63	6 Fyfe Street	Outbuilding	Approved	14/10/2015
PA144/15	24/09/2015	180	21 Cobia Close	Dwelling	Approved	08/10/2015

Summary of Total Planning Application/Codes Variations	
Year	No. Applications
2011-2012	163
2012-2013	175
2013-2014	149
2014-2015	118
2015-2016	25

Permits issued for an Activity on Local Government Property	
Month	No. Applications
May	5
June	7
July	6
August	10
September	4

COMMENT**Annual Permits**

Over the past month invoices and renewal permits have been issued for the following annual permits which expired 30 September 2015.

- Home Occupation 40
- Mobile Traders/ Shop Traders 11
- Holiday Accommodation 71
- Signage 10
- Activity on a Thoroughfare 6

Proposed Boundary Realignment

The Shire of Exmouth received a subdivision application referral from the Western Australian Planning Commission (WAPC) for the purpose of a boundary realignment of Lots 945 (23) Pelias Street and 2 (24) Nimitz Street, Exmouth. The proposal complies with the requirements of *Town Planning Scheme No. 3*. Therefore, the WAPC was advised that the Shire supports the proposal subject to model subdivision conditions.

Ranger Services

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

	Dogs	Camping	Parking	Litter	Fire	Off road	Other
Warning/caution	3	0	2	0	0	0	0
Infringement	0	4	1	0	0	0	0
Court	0	0	0	0	0	0	0
September Total	3	4	3	0	0	0	0
2015-2016 Totals	9	49	13	2	0	9	14

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Shire of Exmouth Town Planning Scheme No 3

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Economic**

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

- Outcome 1.2 - Planned and balanced economic growth.

Environment

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

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

Social

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

- Outcome 3.2: Excellent lifestyle, recreational and cultural facilities.
- Outcome 3.3: An inclusive, responsible and cohesive community.

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.6.1
--

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

COUNCIL DECISION – 16-1015 – 11.6.1
--

Moved Councillor Todd, Seconded Councillor McHutchison.

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

CARRIED 5/0

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.2 Adoption of Draft Local Planning Strategy (Revision 6) and Draft Local Planning Scheme No. 4 (Revision 9) for Advertising

Location:	Exmouth
Applicant:	Nil
File Reference:	LP.PL.O.2 /LP.PL.4
Disclosure of Interest:	Nil
Date:	13 October 2015
Author:	Executive Manager Town Planning, Rhassel Mhasho
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council adopt the revision 6 Local Planning Strategy (strategy) and revision 9 Local Planning Scheme No 4 (scheme) including accompanying maps; and forward the Strategy and Scheme to the Western Australian Planning Commission (WAPC) seeking consent to advertise.

BACKGROUND

Council passed a resolution at its 25 June 2015 to adopt the strategy and scheme for forwarding to the WAPC requesting consent to advertise subject to response from EPA, under the now superseded *Town Planning Regulations 1967*. The *Planning and Development (Local Planning Schemes) Regulations 2015* (the 2015 Regulations) were gazetted on 25 August 2015 and took effect on 19 October 2015, replacing the *Town Planning Regulations 1967*. The 2015 Regulations included significant changes to the previous *Town Planning Regulations 1967*, and have a major impact on the contents of the Scheme and Strategy which are further discussed below.

The Department of Planning have requested that the Shire undertake further review of the Scheme prior to formal consideration by the WAPC and Minister (refer ***Attachment 1***). The Department of Planning have recommended sections of the scheme covered by Schedule 2 of the 2015 Regulations be removed, and the Scheme be amended to reflect the provisions of Schedule 1 of the 2015 Regulations.

COMMENTS

This report provides Council with the formal opportunity to consider the revised strategy and scheme following implementation of the 2015 regulations, ahead of review by the WAPC, and EPA and subsequent advertising for public comment. A copy of the revised Strategy and Scheme are tabled.

Revisions to the strategy and scheme (refer to tabled documents) following implementation of the 2015 regulations from the previously adopted version includes, but is not limited to:

Scheme revisions:

- Removal of all sections outlined in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 deemed provisions;
- Consistency with Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 1 model provisions, including incorporation of model provisions within the text;
- Removal of the Aerodrome from 'Special Purpose Reserve', and inclusion of the Aerodrome within a 'Special Use' zone;
- Inclusion of the harbour water area and boat ramp with associated parking within a 'Special Purpose Reserve';
- 'Port' zone deleted, and inclusion of provisions within a 'Special Use' zone consistent with the 2015 Regulations;
- 'Residential Development' zone, relabelled as 'Urban Development' zone consistent with the 2015 Regulations, excluding any mention of commercial purposes in the objectives for the zone;
- 'Industry – Service' zone, relabelled as 'Service Commercial' zone consistent with the 2015 Regulations;

- ‘Caravan Park and Camping Ground’ zone deleted, and inclusion of provisions within a ‘Special Use’ zone;
- ‘Restricted Rural’ zone deleted, and affected land now zoned ‘Rural’ with restricted use ‘Agriculture – Extensive’;
- Inclusion of provisions from current TPS3, that were not previously included;
- Inclusion of provisions from various policies, that were not previously included;
- Correct referencing to deemed provisions of the 2015 regulations;
- Improved grammar to ensure the intent of various provisions are met;
- Changes in land use classifications from ‘P’ (Permitted) to ‘D’ (Discretionary) to ensure development approval is required, as exemption clauses are included in the deemed provisions of the 2015 Regulations;
- ‘Telecommunications Infrastructure’ not listed as being ‘X’ (not permitted) anywhere consistent with State Planning Policy 5.2 Telecommunications Infrastructure;
- Inclusion of ‘Marina’ zone objective taken from Draft Planning and Development Regulations 2014;
- Land Use definitions changed to be consistent with the model provisions of the 2015 Regulations;
- Deletion of duplicated provisions;
- Inclusion of existing Detailed Area Plan for permanent residential lots in the Exmouth Marina Village Precinct C as a schedule, and correct referencing in the Scheme;
- Marina Area C – Residential provisions changed to be consistent with current Detailed Area Plan;
- Marina Area C – ‘Residential within Tourist Resort’ heading changed to ‘Built Strata Permanent Residential’ to reflect as its referenced in the Schedule;
- Deletion of any reference to ‘Wilderness Camping’ as land use now defined in the Caravan Parks and Camping Grounds Regulations 2015 as ‘Nature Based Park’;
- Modification of signage zoning and permissibility table to reflect changes to the zones;
- Removal of Bushfire Risk Management section as the draft Bushfire Regulations include deemed provisions which will automatically apply once the Bushfire Regulations have been gazetted;
- Removal of implementation of ‘Development Contribution Plans’ section as covered by other section of the scheme from the model provisions of the 2015 Regulations;
- Removal of Environmental Conditions schedule as no conditions given by EPA on assessment of previous version of the scheme;
- Inclusion of ‘jetty’ definition, to cover jetty approvals in the marina;
- Inclusion of ‘mixed development’ land use definition, to cover lower floor commercial and upper floor residential in both the commercial centre zone and marina – Area B;
- Inclusion of ‘outbuilding’ definition and inclusion in the zoning table; and
- Improved consistent formatting.

Strategy revisions:

- Correct referencing to the 2015 regulations;
- ‘Residential Development’ zone, relabelled as ‘Urban Development’ zone consistent with the 2015 Regulations;
- Removal of reference to Precinct E in the Marina, as it is proposed as a ‘Special Use’ zone in the scheme;
- Reference to ‘Environmental Conservation’ reserve consistent with the 2015 Regulations;
- ‘Industry –Service’ zone relabelled ‘Service Commercial’ consistent to the 2015 Regulations;
- Deletion of any reference to ‘Wilderness Camping’ as land use now defined in the Caravan Parks and Camping Grounds Regulations 2015 as ‘Nature Based Park’;
- ‘Caravan Park and Camping’ zone relabelled ‘Special Use’ zone consistent to the 2015 Regulations;
- Restricted Rural entire section deleted, and now discussed under Rural section, which discusses the land as having a restricted use ‘Agriculture – Extensive’;
- Include reference to the Exmouth Aerodrome as a ‘Special Use’ zone;
- Include reference to the Boat Harbour reserve as a ‘Special Purpose’ reserve and ‘Special Use’ zone;
- Inclusion of paragraph on Draft State Planning Policy 3.7 Planning for Bushfire Management and State Planning Policy 5.2 Telecommunications Infrastructure, as they will have implications on the scheme;

- Remove reference of the Strategic Industrial area as part of the existing Ingram Street Special Use Zone being included as a 'Special Use' zone in Scheme 4 as it can be appropriately accommodated in the 'Industry – General' zone;
- Refer to 'Boat Harbour' rather than 'Marina' for the harbour area, consistent with the scheme; and
- Reference to definitions as per the 2015 Regulations.

There are 3 options that are available to Council, these are:

1. To adopt the strategy and scheme as drafted; or
2. Adopt the strategy and scheme as draft, subject to modifications; or
3. Defer consideration of the strategy and scheme, pending further investigation into any particular matters of concern.

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

Should Council be satisfied with the revised strategy and scheme, then Section 81 of the Planning and Development Act 2005 and Section 48 of the Environmental Protection Act 1986 require the Scheme to be forwarded to the EPA for assessment, and the EPA have the authority under these Acts to call in the Scheme for Environmental Review. EPA has already determined that the proposed Local Planning Scheme No 4 should not be formally assessed under Section 48 of the Environmental Protection Act 1986.

In the event that Council and the WAPC are satisfied with the strategy and scheme then the documents would be advertised as per Section 84 of the Planning and Development Act 2005 and Section 13 and 22 of the 2015 Regulations for a period of 90 days.

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

At the conclusion of the advertising period the strategy and scheme would be returned to Council for its consideration of the received submissions.

CONSULTATION

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

STATUTORY ENVIRONMENT

Planning and Development Act 2005
 Planning and Development Regulations 2015
 Town Planning Scheme No. 3

POLICY IMPLICATIONS

The Local Planning Policies (LPPs) have been reviewed as part of the preparation of the Local Planning Strategy and LPS 4. Following the gazettal of LPS 4, the Shire's Local Planning Policy Manual will need to be updated, given the inclusion of various elements of existing LPPs as Scheme text provisions. This can be undertaken by the Council as an omnibus modification, with the modified Policy Manual able to be adopted en-bloc for advertising and consideration for final adoption by the Council under the new Planning and Development Regulations 2015.

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.

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION – 11.6.2

That Council:

1. *Adopt the proposed Local Planning Scheme No 4 (revision 9) as tabled and forward the Scheme text and maps to the Western Australian Planning Commission for consideration, pursuant to Clause 12(1) of the Planning and Development Regulations 2015.*
2. *Adopt the proposed Local Planning Strategy (revision 6) as tabled and forward the document to the Western Australian Planning Commission for consideration, pursuant to clause 21(2) of the Planning and Development Regulations 2015.*
3. *Subject to review by the Western Australian Planning Commission, advertise the proposed Local Planning Scheme and Strategy in accordance with clause 13(1) and clause 22(2) of the Planning and Development Regulations 2015 for a period of not less than 90 days, by way of the following:*
 - a display of the Scheme and Strategy at the Shire offices and library;*
 - a display of the Scheme and Strategy at the WAPC office;*
 - a display of the Scheme and Strategy on the Shire website;*
 - a notice being published in the 'Northern Guardian'; and*
 - a notice being sent to all relevant state government agencies and a notice being sent out to all persons on the Shire's rate book.*

COUNCIL DECISION – 17-1015 – 11.6.2

Moved Councillor Roscic, Seconded Councillor McHutchison.

That Council:

1. *Adopt the proposed Local Planning Scheme No 4 (revision 9) as tabled and forward the Scheme text and maps to the Western Australian Planning Commission for consideration, pursuant to Clause 12(1) of the Planning and Development Regulations 2015.*
2. *Adopt the proposed Local Planning Strategy (revision 6) as tabled and forward the document to the Western Australian Planning Commission for consideration, pursuant to clause 21(2) of the Planning and Development Regulations 2015.*
3. *Subject to review by the Western Australian Planning Commission, advertise the proposed Local Planning Scheme and Strategy in accordance with clause 13(1) and clause 22(2) of the Planning and Development Regulations 2015 for a period of not less than 90 days, by way of the*

following:

- i. a display of the Scheme and Strategy at the Shire offices and library;*
- ii. a display of the Scheme and Strategy at the WAPC office;*
- iii. a display of the Scheme and Strategy on the Shire website;*
- iv. a notice being published in the 'Northern Guardian'; and*
- v. a notice being sent to all relevant state government agencies and a notice being sent out to all persons on the Shire's rate book.*

CARRIED by ABSOLUTE MAJORITY 5/0

Cr Hood entered the meeting at 5.08pm.

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:	20 October 2015
Author:	Executive Manager Engineering Services, Keith Woodward
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Staff

Engineering have no vacant positions having recently recruited 2 new Operators. Luke Meldrum and Janelle Hodgson bring with them a diverse range of machinery experience which will enhance the skill set of the team.

New Truck

A Heavy 6x4 medium wheelbase tipper truck has been purchased through the WALGA preferred supplier procurement system. The new truck is due to arrive in Exmouth early December. The 1997 & 2003 Mitsubishi trucks form part of a trade and will be transported to Perth over the coming weeks.

Maidstone Crescent Landscaping

The Shire will be reconstructing and landscaping the road islands on Maidstone Crescent. The first reconstruct will be the island between Federation Park and the Exmouth District High School. The Shire will improve the island zone and establish sight distance clearance areas by the removal of parking bays and obstructions. Landscaping works will include lighting improvements, garden beds, ground covers, date palms and rock work continuing the arid landscape throughout the Town Centre, Federation Park and Maidstone Crescent.

Rock Gathering

Over the past week engineering staff have been busy collecting feature rocks for the continuation of the CBD revitalisation. These rocks will form part of the landscaping design for the centre islands on Maidstone Crescent.

Mulch

The excess mulch from the cyclone green waste has been offered to the public free of charge and has been posted on the Shire Facebook page.

LIA Reid Street Project

The LIA Reid Street Flood Mitigation stage two project has been completed. The project was completed within the approved time frame and budget. The conditions and objectives established in the Business Plan and Financial Assistance Agreement have been achieved.



Tantabiddi Dredging

The dredging and southern revetment repair have been completed. The project was completed within the approved time frame and budget. The conditions and objectives established in the Recreational Boat Facility Scheme Dredging submission and Financial Assistance Agreement have been achieved.

Consultation about facility design, sand management and recreational/commercial use is continuing with the Department of Transport and the Department of Parks and Wildlife.



Works Program Schedule of Works

The Engineering Services Project Status Schedule 2015/2016 provides an overview of the project start, progress and completion dates. Please note that staffing levels, contractor availability, private works and environmental conditions such as cyclone/floods influence the project timeframes.

2015-2016 Engineering Services Project Schedule.

Task Name	Notes	Duration	Start	Finish	Status
Engineering Services Projects					100% Completed
Town Street Maintenance	Potholes, seal edge, line marking, signage, kerbing, verges, drainage	4 wks.	Thu 2/07/15	Mon 3/08/15	100.00%
Learmonth Airport	Rain damaged shoulder and batters. Heavy scour	1 wk.	Tue 4/08/15	Tue 11/08/15	100.00%
Exmouth Aerodrome	Construction aviation apron and fencing	30 days	Wed 12/08/15	Fri 25/09/15	100.00%
Town Street Maintenance	Potholes, seal edge, line marking, signage, kerbing, verges, drainage	8 days	Tue 29/09/15	Fri 9/10/15	100.00%

Task Name	Notes	Duration	Start	Finish	Status
Sewage dump roads and verge sales area	Gravel access roads	2 days	Mon 12/10/15	Tue 13/10/15	100.00%
Rock Collect/Maidstone Landscape	Landscaping	2 days	Wed 14/10/15	Thu 15/10/15	100.00%
Oval fence/Ex Aerodrome fence	Northern extension of antenna cable fence parallel to Murat Road	10 days	Mon 19/10/15	Mon 2/11/15	75.00%
Rock Collect SCR/Maidstone	Landscaping of Maidstone Island.	2 days	Tue 3/11/15	Wed 4/11/15	100.00%
YCR Excavation	Road shoulder and batter reconstruction	3 wks.	Mon 26/10/15	Tue 17/11/15	
Yardie Creek Road	Road shoulder and batter reconstruction.	4 wks.	Thu 5/11/15	Fri 4/12/15	
Murat Road Contract	Asphalt surface application	2.5 wks.	Mon 16/11/15	Thu 3/12/15	
Exmouth Aerodrome Apron	Apron Interface construction	1.5 wks.	Mon 7/12/15	Thu 17/12/15	
Murat Road Shire	Intersection asphalt, kerbing, footpaths, signage, shoulders, drainage	6 wks.	Thu 17/12/15	Wed 10/02/16	
Ningaloo Road	General road maintenance, grading, drainage	3 wks.	Wed 10/02/16	Thu 3/03/16	
Tantabiddi Excavation	Land based excavations from southern rock revetment	3 wks.	Wed 10/02/16	Thu 3/03/16	
Light House	Road and drainage works. General infrastructure maintenance	5 days	Thu 3/03/16	Mon 14/03/16	
Beach Access	Road and drainage works	8 days	Mon 14/03/16	Tue 29/03/16	
Drainage	Town drainage and levee maintenance	3 wks.	Tue 29/03/16	Thu 21/04/16	
Learmonth	Airside maintenance works	1 wk.	Fri 22/04/16	Mon 2/05/16	
Exmouth Aerodrome	Runway and road maintenance	1 wk.	Tue 3/05/16	Mon 9/05/16	
Waste Site	Road works	1 wk.	Tue 10/05/16	Tue 17/05/16	
Town Street Maintenance	Potholes, seal edge, line marking, signage, kerbing, verges, drainage	2 wks.	Wed 18/05/16	Wed 1/06/16	
Cyclone Olwyn WANDRRA Road Works	Road reconstruction		June-15	Sep-15	100.00%
Tantabiddi Dredging	Dredging sand		Sept -15	Sep-15	100.00%
Cyclone Olwyn LGIS Building Works	Building repairs		June-15	Nov-15	95.00%
LIA Reid Street Flood Mitigation	Construction of levees and roads		Aug-15	Oct-15	100.00%
Maidstone Crescent Landscaping	Landscaping		Nov-15	Dec-15	10.00%
Bundegi Beach Toilet Block upgrade	Public toilet renovation and fencing			May-15	
Hard Shade Structure	Park		Oct-15	Dec-15	
CBD Furniture and Equipment	Kennedy St Mall furniture			May-15	
Hunters Beach Building	Replacement of Toilet Block		Jun-15	Sep-15	100.00%
Seniors Citizens	Shade		Oct-15	Nov-15	80.00%
Recreation Precinct Fencing	Oval		Oct-15	Nov-15	65.00%

Roads

Program

Yardie Creek

Road

The Shire's road crew will be commencing road shoulder construction works on Yardie Creek Road in November 2015.

This project is funded through the Main Roads Western Australia, ROADS 2030 Regional Strategies for Significant Local Government Roads program. Roads 2030 documents a strategic view of regionally significant Local Government roads and the development strategies for them.

Local Governments (via Regional Road Groups) have worked collaboratively to review and update Roads 2025 to produce the latest strategy, Roads 2030. This provides an agreed, strategic approach to allocation of limited funding across the extensive road network within the state of Western Australia. Only projects on local roads included in Roads 2030 will be eligible for Road Project Grant funding under the State Roads Funds to Local Government Agreement 2011/12 - 2015/16. The Shire's priority roads are Murat Road, Yardie Creek Road and Ningaloo Access Road. These roads are programed for annual works from 2015 until 2020.

Local Government: Shire of Exmouth Year
2015/2016

Road Description and Location

Road / Route Name:	Yardie Creek Road		
Road Name	Road Number	Length (km)	Is this road currently in the Roads 2025 document
Yardie Creek Road	8060038	76.00	Yes

Road Justification :

Yardie Creek Road provides sealed access into the Ningaloo Coast World Heritage Area, Cape Range National Park, and associated beach access facilities. State Government, tourism, holiday accommodation and business use YCR.

Road Hierarchy Category: Local Distributer 0.00 to 76.00

NAV Network Number: PERMIT NETWORK 4 ROAD TABLE ADDENDUM FROM 26/05/2010

Yardie Creek Road is included in the RAV Network system (conditional).

Comment:

Yardie Creek Road (YCR) provides sealed access to the Ningaloo Coast World Heritage Area, Ningaloo beaches, Ningaloo 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 wd.

Economic Social/Wellbeing:

With Exmouth being claimed as the "Northern Gateway" to the Ningaloo Reef; development increasing in the Townsite; 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.

Road Development Need:

Increased traffic to the Exmouth region is placing high demands on the existing road which is under engineered and design does not meet current standards. It is expected that traffic volumes will increase on Yardie Creek Road as the Shire of Exmouth continues to develop.

Development Strategy:

The redesign 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, compact and sealed.

Outcomes:

The benefits of this proposal are asset preservation, traffic safety taking into account increases in development and tourism.

PROJECT COST	2016/2017 \$	2017/2018 \$	2018/2019 \$	2019/2020 \$	2020/2021 \$
Local Government	\$67,500	\$67,500	\$67,500	\$67,500	\$67,500
Road Projects Pool	\$135,000	\$135,000	\$135,000	\$135,000	\$135,000
Total	\$202,500	\$202,500	\$202,500	\$202,500	\$202,500

(Refer *Attachment 1*). General Roads Information.

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
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That Council receive the Executive Manager Engineering Services Report for the month of October 2015.

COUNCIL DECISION – 18-1015 – 11.7.1
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Moved Councillor Todd, Seconded Councillor Coote.

That Council receive the Executive Manager Engineering Services Report for the month of October 2015.

CARRIED 6/0

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 thanked the gallery for their attendance and declared the meeting closed at 5:20pm.