



Ordinary Council Meeting Minutes 18 September 2014

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on 16 October 2014 as a true and accurate record of the Ordinary Council Meeting held on 18 September 2014.

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

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


DISCLAIMER

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

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

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

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ORDINARY COUNCIL MEETING MINUTES

Our Vision

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

Our Purpose

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

Our Strategic Objectives

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

1. **DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

The Shire President declared the meeting open at 4.00pm.

The Shire President advised that since the last meeting a past Councillor Mr Barry Corish, 1992 – 2003, recently passed away after a long illness.

All in attendance were requested to stand and observe a minutes silence as a mark of respect.

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

| | |
|----------------------------|--|
| Councillor C (Turk) Shales | Shire President |
| Councillor M Hood | Deputy Shire President |
| Councillor R Winzer | |
| Councillor G Thompson | |
| Councillor S McHutchison | |
| Councillor R (Bob) Todd | |
| 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 |
| Mrs C Webster | Environmental Health Officer |
| Mr R Mhasho | Executive Manager Town Planning |
| Mr K Woodward | Executive Manager Engineering Services |
| Mr A Forte | Strategic Projects Officer |
| Mr S Kox | Airport Manager |

GALLERY

Visitors: 7

APOLOGIES

Mr R Manning Executive Manager Health & Building

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTIONS TIME

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

Council Consideration Towards Public

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

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

Mr Don Wass did not have a question however wished to make a statement to Council.

“My name is Don Wass, I have only been in Exmouth for a period of 5 months, but my family are based here, I wanted to let Council know how proud I am to have achieved this Certificate (shows certificate) for attending the Living Smart Program 2014.

I wish to commend the Shire for facilitating this initiative. It was a fantastic program, one that the Shire should be proud of. I, as well as others who attended learnt a lot and I’m sure that the initiatives of this program will flow on to the community. I would like to be involved in any other way I can with future programs or committees of a similar nature.”

5. DECLARATIONS OF INTEREST

Nil

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 Suzanne McHutchison requested a leave of absence for the 20 November 2014 Ordinary Council Meeting.

COUNCIL DECISION – 01-0914 - ITEM 6

Moved Councillor Todd, Seconded Councillor Hood.

That Council accept Councillor Suzanne McHutchison’s request for a leave of absence for the 20 November 2014 Ordinary Council Meeting.

CARRIED 6/0

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 21 August 2014 be confirmed as a true and correct record of proceedings.

COUNCIL DECISION – 02-0914 - ITEM 7

Moved Councillor Hood, Seconded Councillor Todd.

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 21 August 2014 be confirmed as a true and correct record of proceedings.

CARRIED 6/0

8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

The Shire President advised Council of Councillor Thompson's resignation as Councillor for the Shire of Exmouth and that this would be his last Council Meeting. He thanked Councillor Thompson for his contribution over the last two years as a Councillor. He and his family will be relocating to Perth with work commitments and that they will be sadly missed. Not only Graeme's role as a Councillor but Karen had also been a dynamic influence in her role within the Gascoyne Development Commission, in assisting the Shire with various strategic projects and overall aspirations. He wished them both all the best for their future in Perth.

The Shire President advised Council, on a lighter note that Exmouth's Volunteer St John Ambulance had won Sub-Centre of the Year and Best Display at the recent State Conference held at the Perth Convention Centre. He congratulated the organisation on this outstanding achievement for a volunteer organisation that delivers an exceptional and vital service to our community.

He advised that Exmouth Visitor Centre (EVC) had won GWN 7 Top Tourism Awards Best Town with Population Under 5000 and the Environmental Category Award for Best Eco-Tourism Experiences. He congratulated the staff and members of the Exmouth Visitor Centre (EVC) on their achievement and their overall performance and success over the past year.

The Shire President advised Council that Exmouth had been awarded Tidy Towns Regional Winner for the Pilbara, at an Awards Night held in Port Hedland on 12 September 2014. Exmouth had also won individual Category Awards for Heritage & Culture and Young Legends which was a fantastic achievement; he was extremely proud of these awards and thanked all groups involved including Shire officers who attended the Awards Evening.

9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

10. REPORT OF COUNCILLORS

Councillor Thompson reiterated to Council that this would be his last meeting as Councillor for the Shire of Exmouth. His wife Karen Thompson had obtained a new position with the Pilbara Development Commission of which she will be based in Perth. He advised Council that he felt that he had achieved what he had set out to achieve as a Councillor, and thanked the Shire for its support over the last two years.

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

- Met with Jasper Spiers from Exmouth Civil regarding the Pindan Pit
- 9 August 2014 - Was a facilitator for the Living Smart Program 2014 - Hosted a Gardening for Productivity Session at her Organic Garden at home
- 22 August 2014 - Dust of Uragzan – a performance brought to Exmouth in partnership with the Shire, Exmouth Yacht Club and Exmouth Cultural Arts Centre Inc, there were 93 attendees which was fantastic and the event was thoroughly enjoyed by all

- 29 August 2014 - Stardust, Ballet School, Gymnastics performances at the Yacht Club
- 2 September 2014 - Community Session as a Facilitator for the Living Smart Program 2014
- 5 September 2014 – Ogham (pronounced Owem) Soup, a performance by a 3 piece Celtic Band with over 200 attendees, this was a partnership between Apache, Music a Viva, Exmouth Yacht Club and Exmouth Cultural Arts Centre Inc.
- 16 September 2014 - Met with the Pindan Pit Action Group regarding the Pindan Pit.

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

- Men's Shed meeting – there are approximately 20 people who wish to become members and towards the end of the month they will be advertising the inaugural Annual General Meeting.
- Met with Exmouth Kart Club regarding the future of the Go-Kart Race Track
- Attended meetings with Exmouth Civil and the Pindan Pit Action Group regarding the Pindan Pit.

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

- 22 August 2014 - DFES meeting with Mr Wayne Gregson - Commissioner of Emergency Services
- 22 August 2014 – Exmouth LMEC Meeting
- 28 August 2014 - Gascoyne Zone Teleconference – There was unfortunately no quorum however the meeting proceeded, few items were discussed however no minutes were taken.
- 3 September 2014 – WALGA State Council Meeting of which the main topic of discussion was the amalgamations in the Metropolitan Area
- 4 September 2014 – Attended a Course on Local Emergency Management Procedures, he congratulated David George on his procedures and policies that he has put in place for the Shire outlining that they are excellent
- Attended meetings with Exmouth Civil and the Pindan Pit Action Group regarding the Pindan Pit.

10.1 Shire Presidents Report

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



SUMMARY

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

BACKGROUND

Following is a list of meetings etc attended since the last Council Meeting:

- 22 August 2014 – Attended GDC Workshop in Carnarvon which discussed Identifying Opportunities, Attracting Investment and Facilitating Trade in the Gascoyne
- 26 August 2014 – Phone Call with Cameron Moir from Go Inshore Marine regarding Oil & Gas Issues
- 28 August 2014 – Met with Mr Carl Brandenburg Shire President and Mr Ian D’Arcy Chief Executive Officer of Shire of Carnarvon in Carnarvon to discuss issues with Coral Bay and RPT situation in the Gascoyne
- 2 September 2014 – Met with Matera Construction in Perth regarding the Ningaloo Centre
- 3 September 2014 – Met with representatives from Qantas regarding future RPT opportunities
- 4 September 2014 – Had phone calls with representatives from Department of Defence advising that the Defence Exercised plans would not be going ahead due to escalating situation in the middle east
- 8 September 2014 – Sent a letter to St John Ambulance congratulating them on winning Sub-Centre of the Year and also Best Display at the State Conference recently held in Perth at the Perth Convention Centre

Upcoming meetings:

- 15 September 2014 – Meeting with GDC and Stakeholders regarding RPT in the Gascoyne.

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 September 2014.

COUNCIL DECISION – 03-0914 – 10.1

Moved Councillor Thompson, Seconded Councillor Hood.


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

CARRIED 6/0

11. REPORTS OF OFFICER

11.1 Chief Executive Officer

11.1.1 Chief Executive Officers Report

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

SUMMARY

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

BACKGROUND

Ningaloo Centre

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

Design Development has taken an additional 4 weeks to finalise as revision of design has been found necessary to reduce building cost. Matera Construction price estimate review of the Design Development drawings indicated it exceeded their GMP contract sum. Hence, refinement of design to reduce the extent of non-functional areas (ie: other than the RFT briefed areas) such as circulation, plant room space and landings is being undertaken by Site Architecture.

The DD report will be received 15 September 2014 and a Shire project committee review of the same is scheduled for 18 September 2014.

At the Contractor's project meeting of 2 September 2014, attended by CEO and Shire President, Matera was requested to obtain trade pricing and provide confirmation of contractual commitment to the GMP by 24 October 2014. Their request to undertake a forward works package for earthwork and services was rejected pending building price first being confirmed.

Site Architecture estimate the design is 75% complete and if priority is afforded to early building works to enable pricing then a 90% stage can be reached by end of September 2014. External works, landscaping and acoustic treatment and fit out would follow.

Department of Regional Development (DRD)

The Ningaloo Centre Stage 2 Business Case is yet to reach Treasury for its final review before it is submitted to the Minister and then cabinet.

Department of Finance have entered the review process with heavy scrutiny attached to Durack Institute of Technology's affordability of lease. Durack have responded to inquiry and remain committed to the move. DoF review of the Ningaloo Centre project is apparently the first R4R project to be scrutinised by the Department but will become more involved in the future reviewing similar projects that have commercial characteristics.

DRD project manager has again been pressed to ensure early actioning of the BC by Treasury (last agency) to ensure Ministerial and cabinet approval is obtained by 30 October 2014, the Commonwealth's deadline for funding approval.

Endorsement by the Minister and Cabinet of the \$19.82 million project is essential to move to the construction phase. It is a hold point under contract.

Community Development Grant (CDG) Funding

Next CDG reporting milestone is 30 October 2014, where evidence of building approval is to have been obtained, all funding contributions confirmed and construction commenced.

Lotterywest

Receipt of the Draft Building Grant Agreement is still pending. Once executed by the Shire of Exmouth a formal public announcement of the Lotterywest grant support for the Ningaloo Centre project will be made, as per the notification letter from Lotterywest.

Ningaloo Alliance

A meeting of Ningaloo Alliance members has been scheduled for 28 October 2014 at UWA Ocean Institute. This will be attended by a Freeman Ryan Design representative to outline the concept for the marine exhibition space and obtain guidance from researchers on the best way to deliver research activity/findings into the public arena.

Tidy Towns Pilbara Awards Evening

The Tidy Towns Pilbara Awards Evening was held on Friday 12 September 2014 from 5 – 8pm at Wanangkura Stadium, South Hedland. The Works Coordinator Joanne Gordon, Parks and Gardens Leading Hand Rikki Melvin, Community Activities Officer Jaci Cutler and Executive Secretary Brooke Shales represented the Council.

It is extremely pleasing to note that Council won the following three awards in only its second attempt.

- Heritage & Culture Award
- Young Legends Award
- Overall Pilbara regional Winner



Attached is a copy of the judges report for 2014 for Councillor information (Refer *Attachment 1*)

Ministerial Visits

October will be an extremely busy month for the Council with several Ministerial visits including:

1. Minister for Transport – Hon. Dean Nalder MLA on Wednesday 1 October 2014 commencing 11.30am.
2. Minister for Regional Development – Hon. Terry Redman MLA on Saturday 11 October 2014, officiating over the opening of the CBD Revitalisation project.
3. Minister for Local Government – Hon Tony Simpson MLA on Friday 17 October 2014 commencing at 10am.

Pindan Pit – Department Representatives

As Council has an issue with the operations of the Pindan Pit the following representatives attended the Council briefing on Tuesday 16 September 2014 to provide advice on the options to the Council moving forward.

- Mr Henty Farrar - Manager - Mid West and Gascoyne– Department of Lands
- Mr Anthony Anderson – Liaison Officer - Tenure & Native Title, Mineral Title – Department of Mines & Energy

Community Information Forum

The next Community Information Forum is proposed to be held on Tuesday 21 October 2014 at the Shire Hall commencing at 6.00pm. The program proposes the following presentations:

- Exmouth Health Centre Upgrade Project
- Ningaloo Centre Project update
- Aviation Routes Deregulation Review
- Tidy Towns Presentation
- Other Business

Developing Northern Australia Final Report

The Inquiry into the Development of Northern Australia – Final Report has been released by the Federal Government which can be downloaded from the following site <http://www.aph.gov.au/jscna/report>.

It is extremely pleasing that of the 42 recommendations from the Joint Select Committee, 3 recommendations are relevant to Exmouth and have been referenced from Council's submission and subsequent in person delegation in Karratha.

Recommendation 19

5.61 **The Committee recommends that the Australian Government consider relocating additional defence assets to Northern Australia in accordance with the recommendations of the Defence White Paper.**

5.62 The evidence received by the Committee indicates that there is considerable scope to significantly increase the Defence presence in Northern Australia. Naval assets in particular could be better located in Northern Australia closer to the locations where they might be required to promote national security or provide humanitarian aid. For example, the Committee notes the location of, and existing and potential capabilities of, Exmouth as a base for air and sea operations. The Committee believes that a long-term northern focus for the defence force is both appropriate to national defence and beneficial for northern development.

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:**

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. The upgrade of regional airports to facilitate international links would allow increased export of horticultural and aquaculture products direct to Asia, while facilitating an increase in tourism from Asia. 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.

Recommendation 35

5.115 The Committee recommends that the Australian Government facilitate the development of the aquaculture industry in Northern Australia by improving the regulatory framework.

5.116 In the evidence presented to the Committee, it was argued that there was a serious problem in the regulation of prawn aquaculture. Despite massive investment in science by governments to prove the economic viability and environmental sustainability of prawn aquaculture, and commensurate investment by the industry to comply with strict environmental guidelines, the industry is stalled in the approvals process on the cusp of a major expansion. The result is that it is easier to import prawns from overseas countries that have benefited from access to Australian research than it is to grow the prawns here.

Staffing Matters

On Friday 29 August 2014 the Shire hosted a thank you afternoon for the Engineering and Administration Staff in appreciation for their dedication and hard work throughout the year.

Other Meetings & Functions attended by the CEO

1. EMTP, EMHB and myself participated in a teleconference with Mr Alistair Trollove from Horizon Power on Wednesday 27 August 2014 regarding the old Power Station site.

2. Shire President and myself met with Mr Carl Brandenburg Shire President and Mr Ian D’Arcy Chief Executive Officer of Shire of Carnarvon on Thursday 28 August 2014 regarding several regional local government issues.
3. Met with Ms Marilyn Rulyancich from Regional Development Australia on Friday 29 August 2014 regarding update of regional projects.
4. Shire President, EMAS and myself met with Steve Barrett, Qantas, in Perth on Wednesday 3 October to discuss aviation services to Learmonth.

Meetings Scheduled for Next Month

1. Shire President, EMAS and myself to attend Review of Regulated Air Routes in WA Regional Workshop on Wednesday 17 September 2014.
2. Shire President, Councillors, EMAS and myself to meet with DoT representatives on Thursday 18 September 2014 to discuss the Review of Regulated Air Routes for Learmonth.
3. EMES and myself to meet with Ernie Reynolds, Regional Manager MRWA, in Exmouth on Monday 22 September 2014 to discuss issues relating to Minister for Transport’s proposed visit.
4. EMCE, EMAS and myself to meet with CEO PCYC in Exmouth on Tuesday 23 September 2014 to discuss the local PCYC operation.
5. EMES and myself to meet with Regional Managers from MRWA in Exmouth on Friday 10 October 2014 to discuss local transport issues.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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VOTING REQUIREMENTS

Simple Majority

OFFICER’S RECOMMENDATION – 11.1.1

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

COUNCIL DECISION – 04-0914 – 11.1.1

Moved Councillor Hood, Seconded Councillor McHutchison.


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

CARRIED 6/0

11. REPORTS OF OFFICER

11.1 Chief Executive Officer

11.1.2 Office Shutdown Christmas New Year Period

Location: Exmouth
Applicant: Chief Executive Officer
File Reference: GV.AU.0
Disclosure of Interest: Nil
Date: 10 September 2014
Author: Chief Executive Officer, Bill Price
Signature of Author: 

SUMMARY

Council consideration in closing the administration offices and library during the Christmas period is required.

BACKGROUND

In previous years Council has resolved to close the Shire Office over the Christmas New Year period. Shire staff usually take annual/accumulated leave for the days on which the office is closed. Generally, the town is very quiet at that time of the year and previously it does not seem to have been inconvenient to the general public to have the office closed. It is proposed that a Senior Officer of the Shire will be in town during this period should an emergency arise.

This year the days in question are Monday 29, Tuesday 30 and Wednesday 31 December 2014 and Friday 2 January 2015.

Hence, the office will be closed from COB Wednesday 24 December 2014 and reopen again on Monday 5 January 2015, allowing staff to have a reasonable break over the festive period.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.1.2

That Council agrees to close the administration offices and library on Monday 29, Tuesday 30 and Wednesday 31 December 2014 and Friday 2 January 2015 inclusive, to coincide with the existing Christmas and New Year public holidays.

COUNCIL DECISION – 05-0914 – 11.1.2

Moved Councillor McHutchison, Seconded Councillor Thompson.


That Council agrees to close the administration offices and library on Monday 29, Tuesday 30 and Wednesday 31 December 2014 and Friday 2 January 2015 inclusive, to coincide with the existing Christmas and New Year public holidays.

CARRIED 6/0

11. REPORTS OF OFFICER

11.1 Chief Executive Officer

11.1.3 New Council Policy– Corporate Services

| | |
|-------------------------|---|
| Location: | Exmouth |
| Applicant: | Chief Executive Officer |
| File Reference: | CM.PO.1 |
| Disclosure of Interest: | Nil |
| Date: | 10 September 2014 |
| Author: | Chief Executive Officer, Bill Price |
| Signature of Author: |  |

SUMMARY

This report recommends that Council adopt Council Policy 2.17 - Regional Price Preference.

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.

The Council Policy Manual is divided into the following departmental headings

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

This agenda item specifically relates to a new policy to be included in the Corporate Services Section of the Council Policy Manual.

At the July 2014 Ordinary Council Meeting Council resolved as follows:

“That the Council of the Shire of Exmouth authorise the Chief Executive Officer to carry out statewide advertising of Policy 2.17 - Regional Price Preference to allow public comment for a period of 4 weeks in accordance with Local Government Regulations.”

The Shire advertised the policy in the West Australian on Saturday 26 July 2014 allowing a period of 4 weeks for public comment. No Comments were received regarding the new policy.

COMMENT

Policy 2.17 – Regional Price Preference is provided for Council consideration at *Attachment 2*.

CONSULTATION

State-wide Public Notice

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Corporate Services Policies

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 – 11.1.3

That Council adopt new Council Policy 2.17 - Regional Price Preference (refer Attachment 2).

COUNCIL DECISION – 06-0914 – 11.1.3

Moved Councillor Todd, Seconded Councillor Winzer.

That Council adopt new Council Policy 2.17 - Regional Price Preference (refer Attachment 2).

CARRIED by ABSOLUTE MAJORITY 6/0

11. REPORTS OF OFFICERS

11.1 Chief Executive Officer

11.1.4 Council Policies - Risk Management & Asset Management

| | |
|-------------------------|-------------------------------------|
| Location: | Exmouth |
| Applicant: | S O'Toole |
| File Reference: | RM.RP.0 & CM.PO.1 |
| Disclosure of Interest: | Nil |
| Date: | 5 September 2014 |
| Author: | Chief Executive Officer |
| Signature of Author: | |
| Senior Officer: | Chief Executive Officer, Bill Price |

SUMMARY

This report recommends Council consider adopting Policy 2.18 Risk Management and Policy 2.19 Asset Management 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

Risk Management Policy

The Shire in conjunction with Local Government Insurance Services (LGIS) has been developing a Risk Management Policy which sets out a proposed approach and relevant responsibilities of risk within the Shire.

The draft Risk Management Policy sets contexts around the role of risk management in the conducting of Council business and decision making processes. The Policy also highlights relevant responsibilities and expectations of the Council in the implementation of the Policy and subsequent reporting of risks and their treatments.

The Council's Executive team will manage and monitor the implementation of the Risk Management Policy. Administration will progress the work required to ensure that risk management processes are appropriately embedded into operational activities to enable appropriate risk reporting to the Audit Committee.

Asset Management Policy

A draft Asset Management Policy has been prepared, outlining Council's asset management objectives, targets and plans. It establishes a platform for service delivery and provides the framework that enables the Asset Management Strategy and Plans to be produced.

This policy has been developed based on Council priorities and community needs.

A copy of each of the draft policies are provided at **Attachment 3 & 4**.

CONSULTATION

LGIS

STATUTORY ENVIRONMENT

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

Section 17 Local Government (Audit) Regulation 1996

POLICY IMPLICATIONS

Adoption of new Council Policies:

- 2.18 Risk Management
- 2.19 Asset Management

FINANCIAL IMPLICATIONS

Any additional costs in relation to the implementation of risk treatment options identified using the risk management processes will be met by the respective business units through the delegated approval/budget process.

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 adopt:

- *Policy 2.18 Risk Management (refer Attachment 3);*
- *Policy 2.19 Asset Management (refer Attachment 4).*

| |
|--|
| COUNCIL DECISION – 07-0914 – 11.1.4 |
|--|

Moved Councillor Winzer, Seconded Councillor Todd.

That Council adopt:

- *Policy 2.18 Risk Management (refer Attachment 3);*
- *Policy 2.19 Asset Management (refer Attachment 4).*

CARRIED by ABSOLUTE MAJORITY 6/0

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: 5 September 2014
 Author: Executive Manager Corporate Services

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Audit

An Audit was conducted by Anderson, Munro & Wylie on 2 & 3 September 2014 to review the accounting and internal control procedures in operation as well as testing transactions in the following areas:

- Tender Register
- Delegations Register
- Register of Financial Interest
- Local Government Compliance Audit Return
- Valuer Generals Rate Rolls
- Payroll
- Payments and Creditors
- Bank Reconciliations
- Grant information

Administration are yet to receive the Management Letter from the Auditors advising of their findings of the audit.

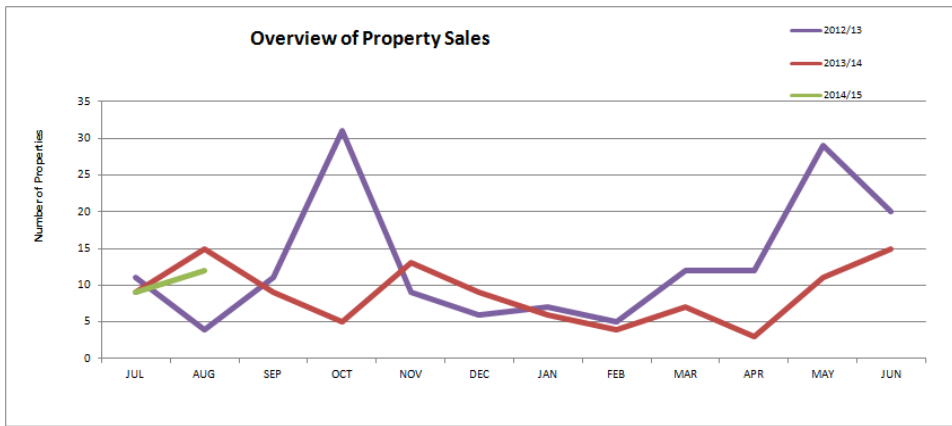
Rating

Property Sales

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

| 2014/15 Summary of Property Sales | | | |
|-----------------------------------|-----------------|--------------------|--------------|
| Number Sold | Land Usage | Total Sales | Average Sale |
| 8 | Vacant Land | \$2,475,000 | \$309,375 |
| 12 | Residential | \$6,118,000 | \$509,833 |
| 1 | Industrial | \$740,000 | \$740,000 |
| 0 | Mixed Use | \$0 | \$0 |
| 0 | Composite Devel | \$0 | \$0 |
| 0 | Special Use | \$0 | \$0 |
| 0 | Tourism | \$0 | \$0 |
| 21 | | \$9,333,000 | |

| Property Sales | 2014/15 | 2013/14 | 2012/13 |
|----------------|---------|---------|---------|
| JUL | 9 | 9 | 11 |
| AUG | 12 | 15 | 4 |
| SEP | | 9 | 11 |
| OCT | | 5 | 31 |
| NOV | | 13 | 9 |
| DEC | | 9 | 6 |
| JAN | | 6 | 7 |
| FEB | | 4 | 5 |
| MAR | | 7 | 12 |
| APR | | 3 | 12 |
| MAY | | 11 | 29 |
| JUN | | 15 | 20 |
| | 21 | 106 | 157 |

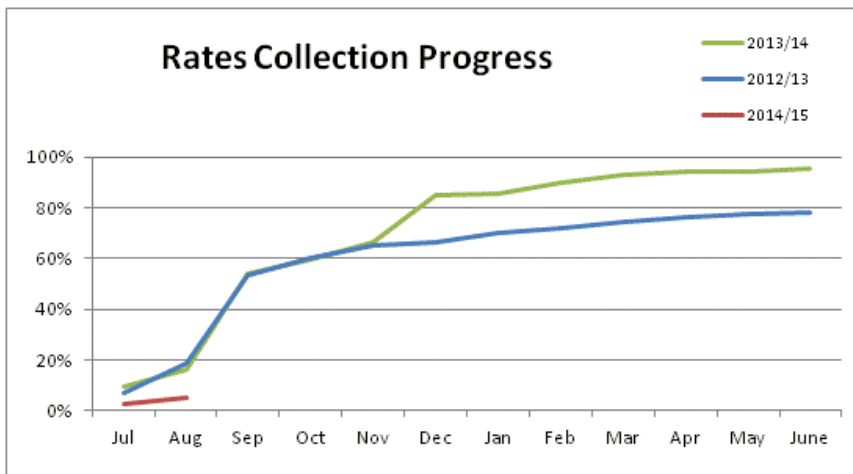


Rates Collection

| Summary of Rates and Charges Collection | | |
|--|--|------------------|
| Rates Collection Analysis | | |
| | | \$ |
| Rates & Charges Levied 2014/15 | | 3,835,654 |
| Arrears 1 July 2014 | | 275,052 |
| Less Collections | | (196,592) |
| Total Rates & Charges Outstanding | | 3,914,114 |
| Less Pensioner Deferred Rates | | (24,024) |
| Total Rates Collectable | | 3,890,090 |
| % Collected to Date | | 5.4% |
| Notices Sent | | 26/08/2014 |
| Due Date | | 30/09/2014 |
| Reminder Notice Sent | | |
| Final Notice Sent | | |
| Notice of Intention to Summons Sent | | |
| Summons Issued | | |

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

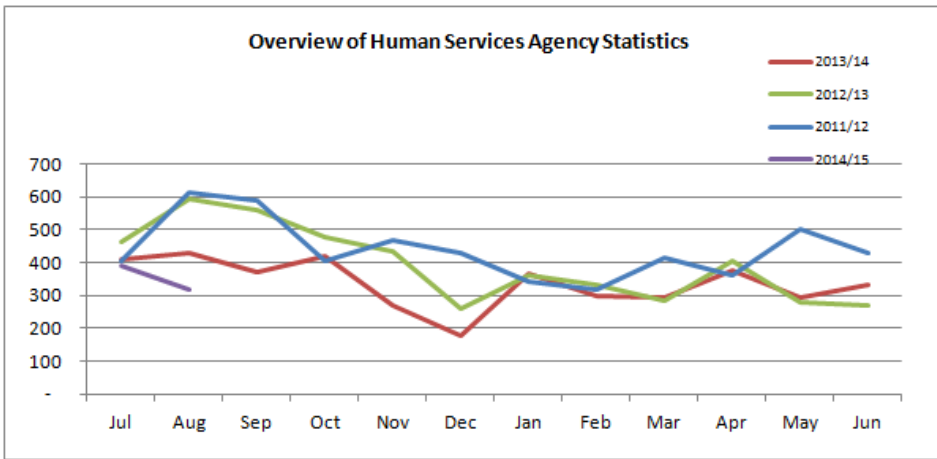
Graphical Overview of Rates Collection



Human Services Agency (formerly Centrelink)

Summary of Agent Statistics for 2014/15

| | Lodgement of Forms/Assist with Completion | Referrals to Call Centre & CSC | Assist with use of Equipment & Computer | Respond to General Enquiries | TOTAL | Hours of Operation/week | | |
|--------------|---|--------------------------------|---|------------------------------|------------|-------------------------|--------------|--------------|
| | | | | | | 12.5 | 12.5 | 15 |
| | | | | | | 2014/15 | 2013/14 | 2012/13 |
| Jul | 82 | 51 | 62 | 195 | 390 | 390 | 411 | 464 |
| Aug | 68 | 50 | 54 | 145 | 317 | 317 | 427 | 592 |
| Sep | | | | | - | | 373 | 560 |
| Oct | | | | | - | | 422 | 478 |
| Nov | | | | | - | | 268 | 436 |
| Dec | | | | | - | | 178 | 262 |
| Jan | | | | | - | | 367 | 364 |
| Feb | | | | | - | | 299 | 332 |
| Mar | | | | | - | | 296 | 285 |
| Apr | | | | | - | | 377 | 403 |
| May | | | | | - | | 296 | 278 |
| Jun | | | | | - | | 331 | 272 |
| TOTAL | 150 | 101 | 116 | 340 | 707 | 707 | 4,045 | 4,726 |



CONSULTATION

Auditors - Anderson, Munro & Wylie

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 September 2014.


COUNCIL DECISION – 08-0914 – 11.2.1

Moved Councillor Winzer, Seconded Councillor Thompson.

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

CARRIED 6/0

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: | 5 September 2014 |
| Author: | Executive Manager Corporate Services, Sue O'Toole |
| Signature of Author: |  |
| Senior Officer: | Chief Executive Officer, Bill Price |

SUMMARY

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

BACKGROUND

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

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Civic Leadership**

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.2.2

That Council:

1. *Accept the monthly financial reports for period ended August 2014; and*
2. *The accounts as listed in the monthly financial report be received for;*
Municipal Fund ~ August 2014 \$1,093,317.74 incorporating 12821 to 12846 and direct debits
Trust Fund – August 2014 \$0.00 incorporating nil cheques and direct debits
Outstanding Creditors as at August 2014 ~ \$921,218.79

COUNCIL DECISION – 09-0914 – 11.2.2

Moved Councillor Todd, Seconded Councillor Hood.

That Council:

- 1. Accept the monthly financial reports for period ended August 2014; and***
- 2. The accounts as listed in the monthly financial report be received for;***
Municipal Fund ~ August 2014 \$1,093,317.74 incorporating 12821 to 12846 and direct debits
Trust Fund – August 2014 \$0.00 incorporating nil cheques and direct debits
Outstanding Creditors as at August 2014 ~ \$921,218.79

CARRIED 6/0

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: 9 September 2014
 Author: Executive Manager Aviation Services, Jenny Kox

Signature of Author:



Senior Officer:

Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Defence

Comments have been received from Airservices Australia on the Learmonth Airport Master Plan and have been incorporated into the amendments requested by Defence. A revised Learmonth Airport Master Plan has been forwarded to Defence for approval.

Monthly Learmonth Advisory Committee Meetings continue to raise no significant issues.

Regulatory

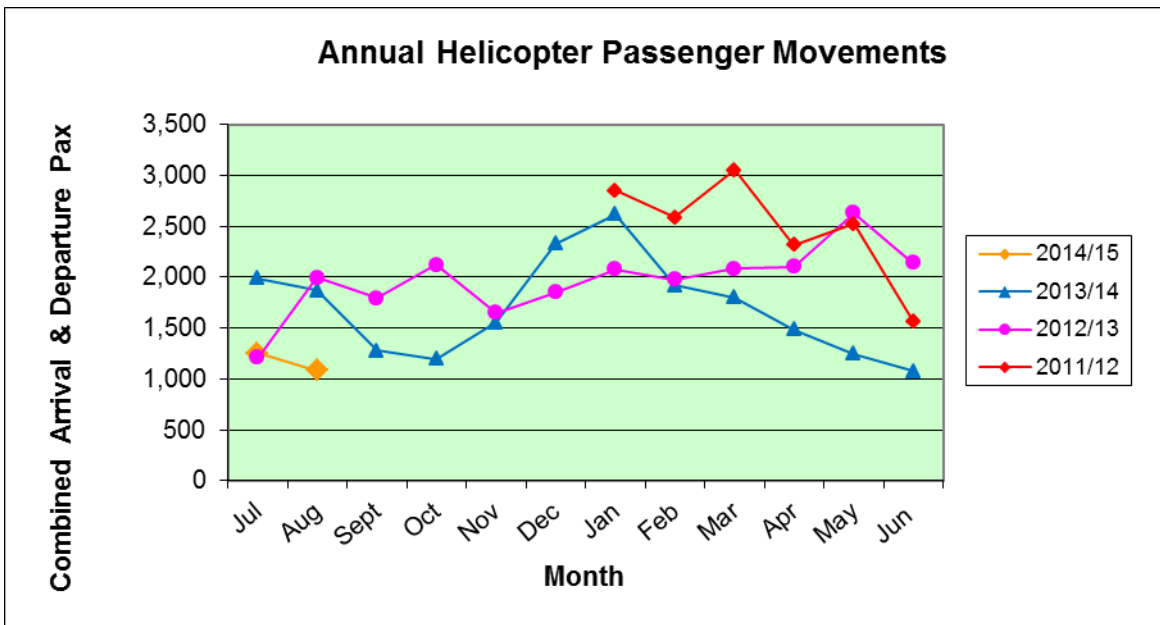
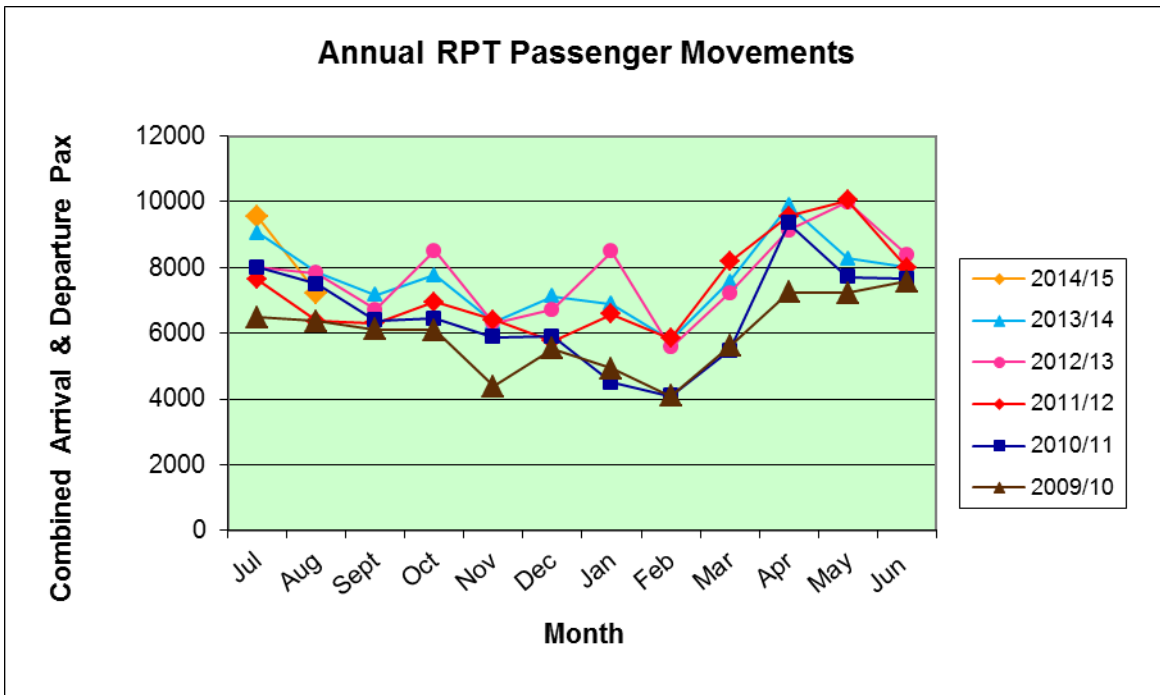
Representatives from the Department of Transport will hold a number of meetings in Exmouth on 17 & 18 September 2014 in relation to the review of regulated air routes in WA.

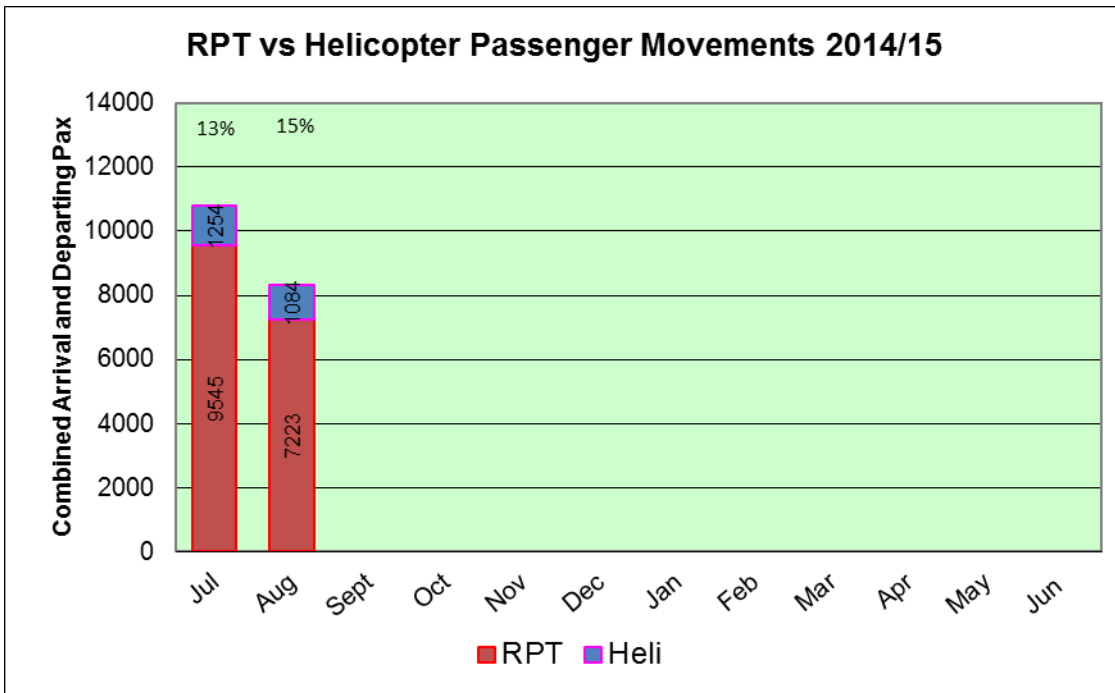
An application has been submitted to the 2015-17 Regional Airports Development Scheme for fencing at Exmouth Aerodrome.

Airlines/Air Operators/Industry

August RPT passenger numbers were the lowest for the past two years, being 631 less passengers than for the same period last year. Helicopter passenger numbers down on last month and only 3 more passengers than the lowest month (June 2014) and representing 15% of the RPT passenger numbers.

See the graphical presentation of statistics below.





Airport

A smart antenna has been installed in the main terminal resulting in a stronger mobile signal within the building.



Learmonth Airport has registered for ‘Airport Safety Week’, a joint Australian and New Zealand airports initiative in conjunction with CASA to promote safety around airports. Airport Safety Week will consider personal safety as well as providing a safe environment for all airport users. There will be a number of activities included in the program, such as a FOD (foreign object debris) walk, PPE day and toolbox talks to enhance safety cultures through innovative thinking when it comes to airport specific safety hazards.

Heliport

A maintenance shutdown to Stybarrow (BHPB) early September saw full helicopter passenger loads resulting in a slightly higher month’s activities for that facility to last month. Still awaiting upcoming drilling campaigns.

Staffing

Nil

Leasing

Nil

Projects

Work continues on the car park upgrade with signage ordered and civil works planned for the coming weeks.

Exmouth Aerodrome

Survey of new lots and the GA apron area have been undertaken as there is interest from a couple of parties to lease lots within the GA area. Survey data is also required to enable repair of the runway and apron areas damage in the April flood event.

Runway maintenance works, road grading and development of the new road network have been undertaken during the month. Full repair to flood damage including re-establishment of runway sub-base, level and repositioning of solar lights and markers is still to occur.

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 receives the Executive Manager Aviation Services Report for the month of September 2014.

COUNCIL DECISION – 10-0914 – 11.3.1

Moved Councillor Winzer, Seconded Councillor McHutchison.


That Council receives the Executive Manager Aviation Services Report for the month of September 2014.

CARRIED 6/0

11. REPORTS OF OFFICERS

11.4 Executive Manager Community Engagement

11.4.1 General Report

Location: Exmouth
 Applicant: R Kempe
 File Reference: GV.CM.0
 Disclosure of Interest: Nil
 Date: 9 September 2014
 Author: Executive Manager Community Engagement, Rogé Kempe
 Signature of Author: 
 Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Tourism

Exmouth Visitor Centre

The Exmouth Visitor Centre has had another busy year in 2013/14. However, the total number of people coming through the door has dropped nearly every year since the 2008/09 financial year.

EVC Annual Door Stats

| | 2008/09 | 2009/10 | 2010/11 | 2011/12 | 2012/13 | 2013/14 |
|-----------------------------|---------------|---------------|---------------|---------------|---------------|---------------|
| JUL | 19568 | 20608 | 19833 | 16175 | 17548 | 14573 |
| AUG | 16818 | 16858 | 15165 | 15147 | 14960 | 11873 |
| SEP | 14317 | 14212 | 12309 | 10901 | 11537 | 10077 |
| OCT | 12167 | 11652 | 10890 | 9474 | 10371 | 9065 |
| NOV | 7077 | 6577 | 6255 | 5863 | 5291 | 4707 |
| DEC | 7623 | 5469 | 5272 | 5029 | 5122 | 4646 |
| JAN | 5596 | 4525 | 5355 | 4874 | 4546 | 3848 |
| FEB | 3915 | 3200 | 3388 | 3073 | 3448 | 3009 |
| MAR | 6883 | 5481 | 6425 | 5124 | 5488 | 4677 |
| APR | 15196 | 11422 | 13062 | 11565 | 10322 | 12302 |
| MAY | 14495 | 12286 | 13243 | 12130 | 12575 | 10480 |
| JUN | 16054 | 15437 | 13565 | 12624 | 12866 | 10841 |
| | 139709 | 127727 | 124762 | 111979 | 114074 | 100098 |
| Daily Annual Average | 383 | 350 | 342 | 307 | 313 | 274 |

EVC Survey

The EVC is developing a survey which will be used to collate feedback on how the EVC is performing in key operational areas from a member perspective. This information will be used to track the EVC's overall performance, member satisfaction and the EVC management team's performance. Some of the information collated may be used to keep Council informed about the EVC through the KPI reporting.

Tourism Award

Ningaloo was been selected as a finalist in the GWN7 Top Tourism Awards - in the category of Top Tourism Town, under 5,000 residents. The judges made a brief visit to the Ningaloo region on 11 August which included a scenic flight, a drive through town, a visit to the Exmouth Visitor Centre and a meet-and-greet with local tourism operators and government agencies.

Video for Ningaloo- Shark Bay National Landscape

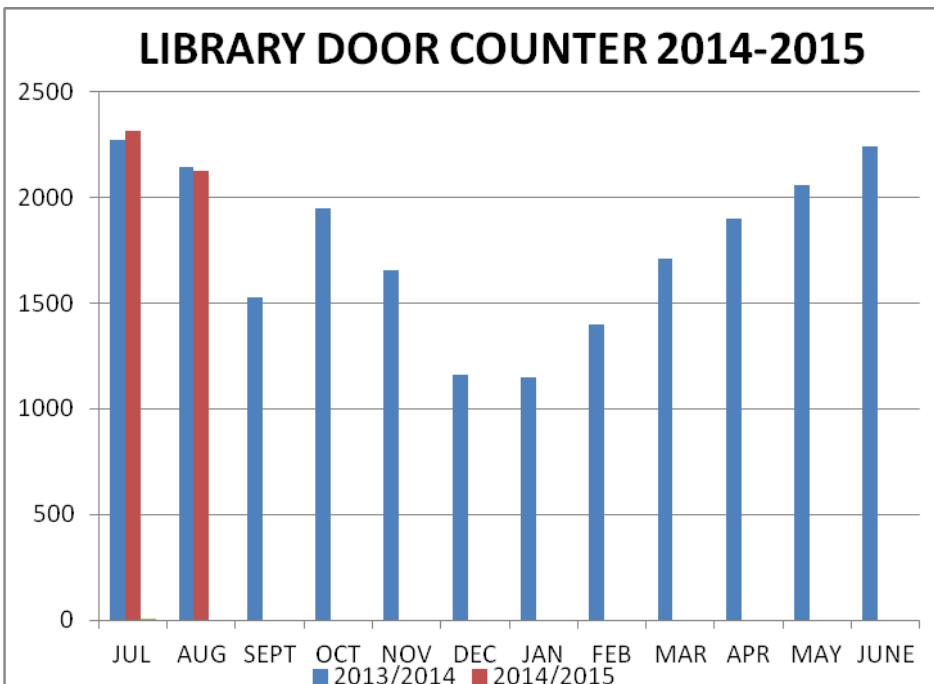
Last year Tourism Australia produced 16 wildlife videos using the Wildiaries footage (<http://national-landscapes.wildiaries.com/>). They tell the story of some of the wildlife within the National Landscapes, including the Ningaloo-Shark Bay area.

Currently some shorter wildlife videos are being made which can be used across Tourism Australia’s social media channels. They should also be a resource for people within the Landscapes to use in their own channels, so the Shire and the Visitor Centre will have access to them.

Experience Development Strategy – National Landscapes

In August the Experience Development Strategy was adopted by the Ningaloo-Shark Bay National Landscape Committee. Currently the Strategy is with Tourism WA and DPAW for their approval before it can be released.

Library and Community Resource Centre (CRC)



Just over 2120 people made use of the library facilities for the month of August and 2577 items were issued and returned.

Children’s Book Week

This year the theme for Children’s Book Week was ‘*Connect to reading*’. The Carnarvon Public Library was again successful in obtaining a grant from the Children’s Book Council of Australia to bring a popular author/storyteller to Carnarvon and Exmouth.

Clare Stace from Sensational Storytelling visited Exmouth District High School for three workshops and storytelling sessions. This was a great opportunity for teachers to promote the value of reading, writing and the love of stories through story telling.

Better Beginnings

Better Beginnings is developed and managed by The State Library of Western Australia and delivered through public libraries. The program is funded via an alliance between the Government of Western Australia, including Royalties for Regions, Western Australian local governments and Rio Tinto.

Through this program every 4 and 5 year old in Western Australia receives a free reading pack. At the recent open evening of the Exmouth District High School, each kindy and pre-primary student was presented with a resource bag containing books and information on the library services to take home and share. The aim of the program is to support the development of literacy in children from birth providing them with greater potential to grow, learn and develop, perform well at school and succeed in later life.

Community Development and Events

Vietnam Veterans Day

Vietnam Veterans Day was once again a small service with 35 people attending. RSL Exmouth Branch organised the service and invited the public to visit the RSL after the service.

Exmouth District High School (EDHS) - 50 Year Celebration

The Community Activities Officer has been invited by the EDHS to be on their committee in an advisory role for their upcoming celebrations of EDHS 50 years. Dates and programme for the celebrations are to be determined once a committee is formed.

Australasian Safari

Australasian Safari is an annual off road endurance motorsport event that traverse's over 3,200kms of unforgiving terrain over 7 days and they will arrive in Exmouth on 24 and 25 September 2014. With over 500 competitors and support crew this will be a big production, and the Exmouth Ovals will be transformed into a huge bivouac, the community will be able to go down to the Oval and check out the rally vehicles as they come in.

Defence Force Display

Australia Defence Forces had planned to be in Exmouth for a public display of military equipment and demonstrations at Talanjee Oval this month. Unfortunately the event was postponed until further notice.

CARNival – Stage 2 Revitalisation Project

The Official Opening of Stage 2 of the *CBD & Foreshore Revitalisation Project* will be on Saturday 11 October 2014 and takes place at 10:00am at the Kennedy Street Mall with the cutting of a ribbon by a dignitary.

The supporting festivities, called CARNival, will commence directly after that and include a variety of activities throughout the revitalised town centre, including remote-control car races, face painting, music, colouring competitions and much more. Most shop owners in the CBD have organised activities for the day. Finally, a special two piece planter box will be installed into the garden beds next to Ray White Real Estate. It will be a great family friendly event which supports local business.

Dust of Urugzan

In August the Yacht Club hosted the *Dust of Urugzan* performance in partnership with the Shire. The Show was a mix of stories and songs from Fred's experiences as a Diplomat in Afghanistan. Parts of the show were incredibly moving and thought provoking with plenty of humour added in.

With 93 people it was one of the highest attendances from the Tour across the state; only Cue had more audience members. However the producers and performers indicated that Exmouth was their favourite place to visit. The performers also ran 3 workshops at the school, which benefitted approximately 80 students. We would like to acknowledge the school's assistance in facilitating the workshops during a particularly busy week.



Media and Community Information

- 2 x Shire Newsletters –Budget Overview and WANDRRA updates.
- Media release – Great Northern Clean up
- Media release – Open Day Public Pool

Staffing

The Community Development Officer, Lauren Rampling, is now on maternity leave and will be back on 1 July 2015. The recruitment process is continuing and applications close on 22 September 2014.

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 receives the Executive Manager Community Engagement Report for the month of September 2014.

COUNCIL DECISION – 11-0914 – 11.4.1

Moved Councillor Todd, Seconded Councillor McHutchison.

That Council receives the Executive Manager Community Engagement Report for the month of September 2014.

CARRIED 6/0

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

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

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

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

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

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

| Building Applications | | | | | | |
|-----------------------|---------------|--------|----------------------------|--|-------------------------------------|---------------|
| Application No | Date Received | Lot No | Development Location | Description | Decision | Decision Date |
| 14/31 | 18/03/2014 | 198 | Yardie Creek Road | Rigid Annexe | Approved | 29/08/2014 |
| 14/39 | 07/04/2014 | 1 | Burkett Road | 3 x 4 bedroom transportable & 1 x commercial kitchen | Awaiting information from applicant | |
| 14/47 | 30/04/2014 | 390 | 19 Corella Court | Single dwelling | Approved | 12/09/2014 |
| 14/66 | 28/05/2014 | 40 | 40/2 Welch Street | Single dwelling | Awaiting information from applicant | |
| 14/67 | 28/05/2014 | 15 | 15/2 Welch Street | Single dwelling | Awaiting information from applicant | |
| 14/68 | 28/05/2014 | 41 | 41/2 Welch Street | Single dwelling | Awaiting information from applicant | |
| 14/70 | 29/05/2014 | 351 | 25 Kestrel Place | Single dwelling | Awaiting information from applicant | |
| 14/88 | 29/07/2014 | 121 | 35 Skipjack Circle | Fence | Approved | 26/08/2014 |
| 14/91 | 01/08/2014 | | Cape Range National Park | Sea Container | Approved | 05/08/2014 |
| 14/92 | 04/08/2014 | 1005 | 9 Warren Way | Renovation | Approved | 06/08/2014 |
| 14/93 | 05/08/2014 | | Cape Range National Park | Ningaloo Coast World Heritage Signage | Approved | 11/08/2014 |
| 14/94 | 11/08/2014 | 1112 | (Site 229) 1 Nimitz Street | Carport | Processing | |
| 14/95 | 12/08/2014 | 306 | 20 Gnulli Court | Jetty | Approved | 18/08/2014 |
| 14/96 | 13/08/2014 | 66 | 20 Crevalle Way | Residence | Processing | |
| 14/97 | 15/08/2014 | 164 | 11 Maidstone Crescent | Fencing | Approved | 19/08/2014 |
| 14/98 | 18/08/2014 | 926 | 7 Ningaloo Street | Patio | Processing | |
| 14/99 | 20/08/2014 | 844 | 28 Pellew Street | Fence | Approved | 26/08/2014 |
| 14/100 | 20/08/2014 | 131 | 42 Young Street | Storage Shed | Processing | |
| 14/101 | 20/08/2014 | 723 | 30 Payne Street | Additions | Approved | 28/08/2014 |
| 14/102 | 28/08/2014 | 26 | 50 Mortiss Street | Fence | Approved | 01/09/2014 |

Summary of Building Licence/Permit Applications
2007 to Year to date

| Year | No. Applications | Total Value of Works | No. Applications up 31 August 2014 | Value up to 31 August 2014 |
|-------------|------------------|----------------------|---------------------------------------|-------------------------------|
| 2007- 2008 | 114 | \$13,465,725 | 21 | \$4,455,100 |
| 2008- 2009 | 132 | \$26,600,941 | 19 | \$2,866,871 |
| 2009 - 2010 | 198 | \$26,916,869 | 29 | \$3,447,175 |
| 2010 - 2011 | 188 | \$24,816,605 | 27 | \$5,852,355 |
| 2011-2012 | 144 | \$23,057,154 | 25 | \$6,831,241 |
| 2012- 2013 | 150 | \$19,931,790 | 30 | \$4,694,192 |
| 2013-2014 | 159 | \$23,404,990 | 23 | \$3,250,031 |
| 2014-2015 | | | 21 | \$3,304,832 |

COMMENT

BUILDING

There are no new matters of building compliance to report on in this period. One past compliance matter relating to a ridged annex constructed without approval at a caravan park has been resolved and a Certificate of Building Compliance issued.

Council Officers recently wrote to a number of builders and owner/builders reminding them of the need to provide Council with a Notice of Completion at the completion of the works. A good response followed and staff were able to finalise a number of outstanding building files.

Council Officers will soon be writing to advise holders of Building Permits that have expired that have not provided a Notice of Completion, that the Building Permit must be renewed before any works continues or commences.

ENVIRONMENTAL HEALTH

Living Smart Course Finishes

Last Tuesday (9 September 2014), the first Living Smart (LS) Course for Exmouth was finalised. The course was very well received with participants providing some very valuable feedback for the local LS Facilitators for consideration in relation to future courses.

The course is very goal orientated. After each of the ten LS topics participants set themselves a goal to change something in their life relating to the topic.

At the conclusion of the course, the participants shared some aspirations that they hold for the Exmouth community of facilities/sustainability initiatives that they feel would greatly benefit the broader community if made available. Such aspirations include the following:-

- A community garden;
- A communal composting/bokashi facility; and
- A local bartering/trading/loaning system.

Two 'Word Clouds' have been collated from responses provided by the participants to a Post Course Feedback Form (refer ***Attachment 1***), to the following questions:-

- Cloud 1 - What was your favourite part/s of the program? Which aspects did you particularly like or find useful?; and
- Cloud 2 - Three things I remember learning in this course.

Federation Park Water Spray Ground Interpretive Signage Project

The above project is nearing final implementation with the signage ordered and awaiting delivery. A copy of the final draft of the individual signage panels will be tabled at the meeting. Officers from the Department for Parks & Wildlife and the Shire of Exmouth involved with the project are very pleased with the results. The signage should arrive in the next 4-6 weeks and unfortunately will most likely not be installed in time for the celebration of the completion of the 2nd Stage Town Centre Revitalisation Works.

A QR Scanner is featured on the Welcome Sign, this will allow visitors to scan using their mobile device and be directed to the Shire Website for further information on the story and main features of the Water Spray Ground.

Waste Management and Recycling

Great Northern Clean-up – 20 September 2014

Council Officers have registered a number of sites for the Great Northern Clean-up which will be held on Saturday 20 September 2014. Unlike previous years, community participants have had the option of registering their own sites online; this has been received positively within the community with a few sites being registered by individuals and community groups.

Roadside Litter – ‘What’s coming out your rear end?’

Council officers recently became aware of an anti-litter campaign being implemented in the City of Karratha where by a taskforce has been established between the City, Police and industry. The ‘Cleansweep Taskforce’ has produced unique signage and other public information to remind people to adequately secure their loads on vehicles and trailers to prevent items becoming road side litter (refer *Attachment 2*).

The Karratha Cleansweep Taskforce has kindly granted permission for the Shire of Exmouth to copy and re-brand the images and pamphlets they developed for the above campaign, for use in the Shire of Exmouth, should we wish to do so.

Landfill Staff Empowered to Impose Fees and/or Fines for Inadequately Covered or Secured Loads

Information was recently provided to landfill staff to demonstrate to them that they had the authority to impose the Council adopted ‘charge’ for uncovered loads and/or to issue an infringement under the Litter Act for loads that are not adequately covered or secured.

Management has requested that landfill staff start to issue written warnings using the Waste Docket book for instances where a reminder to take more care is necessary. However, for repeat offenders or situations where it’s obvious that no or totally inadequate care has been taken to prevent waste flying from the vehicle/trailer, the Council charge (\$25.80) or an infringement (\$200) is to be issued.

Landfill staff have also been instructed to be even more stringent on the above following the Great Northern Clean-up Day, 20 September 2014.

Notices to Commercial Tip Users

All users of the Qualing Scarp Landfill site that hold an account with the Shire of Exmouth have been given notice of the new tip fees and charges commencing 1 October 2014. This notice is issued each year in advance of the commencement of the new fees and charges as a courtesy to the commercial operators using the facility so that they may make the necessary adjustments to their in-house invoicing/on-charging systems.

This year the above notice also reminded tip users about the requirement to adequately cover/secure loads and that charges and/or infringements would be imposed to the drivers of any vehicles that failed to do so.

Sentinel Chickens & Mosquito Borne Diseases

The University of Western Australia’s Sentinel Chicken Bleeding Program is continuing with bi-monthly bleeding of chicken flocks. There were no new positives blood tests to report of for Murray Valley Encephalitis, Kunjin Virus or other flaviviruses from the rounds of testing up to 12 August 2014.

Paltridge Memorial Swimming Pool

The pool is now open with temperatures consistently hovering around the 26°C. It’s been a quiet start to the season with the community still coming to terms with the pool being warm enough to use this time of the year.

Aqua Run Fun Days will run again over the coming school holidays on Monday’s and Wednesday’s. Then around the middle of October when school goes back all the usual activities will start such as Swimming Lessons, School Physical Education, Swimming Club and Aqua Fitness.

Staffing

There has been a juggling of staff at the landfill while recruitment is in process for the Landfill Attendant position. Interviews have started for the position and we hope to have someone in the position soon. In the meantime relief has been provided by Engineering Services which is greatly appreciated.

Council is currently advertising to fill three junior Life Guard positions.

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 receives the Executive Manager Health & Building Report for the month of September 2014.

COUNCIL DECISION – 12-0914 – 11.5.1

Moved Councillor Hood, Seconded Councillor McHutchison.

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

CARRIED 6/0

11. REPORTS OF OFFICERS**11.5 Executive Manager Health & Building****11.5.2 Caravan Park and Camping Ground Licences Renewal**

Location: Exmouth
 Applicant: R M Manning
 File Reference: LE.RE.5
 Disclosure of Interest: Nil
 Date: 10 September 2014
 Author: Executive Manager Health & Building, R M Manning

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council renew the annual Caravan Parks and Camping Grounds Licences for Exmouth Cape Holiday Park, Ningaloo Lighthouse Caravan Park, Yardie Homestead Caravan Park and Ningaloo Caravan and Holiday Resort.

BACKGROUND

Caravan Parks and Camping Grounds within Western Australia are required to renew their annual Caravan Parks and Camping Grounds Licence with the relevant local government authority. All Caravan Parks and Camping Grounds licences within the Shire of Exmouth expire on the 30 September each year and as such, renewal notices were recently issued to the four caravan parks in the Shire.

Ningaloo Lighthouse Caravan Park, Yardie Homestead Caravan Park and Exmouth Cape Holiday Park have returned their renewal forms and fees to the Shire in order for the new licences to be generated.

COMMENT

In the last 18 months all of the caravan parks and their respective overflow areas were inspected for compliance with the Caravan Parks and Camping Grounds Regulations 1997 and the current licences and approved site plans. All Caravan Parks and Camping Grounds were found to be generally well compliant.

Yardie Homestead Caravan Park (YHCP) is the only facility seeking approval for a change from their previous licenses. YHCP seek approval for an additional 20 camp sites to cater for a tour company that would like to use the facility. It is proposed that these 20 camp sites would occupy the current overflow area and be serviced by two porta-loos hired by the tour group when the group is on-site. The owner/proprietor of YHCP plans to construct additional sanitary facilities before the next tourist season. For further background, correspondence from YHCP and a reply to the same from Council officers is provided at **Attachment 3**.

In consideration of the above, the officer recommends that the change to the license with the additional 20 camp sites (located on the current overflow sites) be approved subject to the use of such sites being restricted to off-peak tourist season whereby existing shower and laundry facilities would not be at capacity from other regular caravan and camping sites; Further, that the above be only an interim approval for the period October 2014 to March 2015 (inclusive).

Once the additional permanent sanitary facilities, waste water treatment and disposal systems and fire fighting equipment has been installed the owner/proprietor of YHCP will need to make an application to review license as the above restrictions will no longer be applicable.

A site plan of YHCP showing where the new location for the 20 overflow sites is to be established in attached (refer to **Attachment 4**).

Overflow conditions have again been recommended on all of the licences of the commercially operating caravan parks. The overflow period has been recommended for a similar period that was approved for this year being, 29 June 2015– 24 August 2015.

Copies of the licenses for renewal to 30 September 2015 prepared for each of the caravan parks and camping grounds are provided at **Attachment 5**.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Caravan Parks and Camping Grounds Act 1995

Caravan Parks and Camping Grounds Regulations 1997

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Environment

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

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

Social

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

- Outcome 3.2: Excellent lifestyle, recreational and cultural facilities.
- 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 – 11.5.2 |
|--|

That Council approve the issuing of the Caravan Parks and Camping Grounds Licences valid until 30 September 2015 as presented in Attachment 6, for signing by the Chief Executive Officer for the following caravan parks: –

1. *Ningaloo Lighthouse Caravan Park;*
2. *Exmouth Cape Holiday Park;*
3. *Ningaloo Caravan and Holiday Resort; and*
4. *Yardie Homestead Caravan Park.*

COUNCIL DECISION – 13-0914 – 11.5.2

Moved Councillor Todd, Seconded Councillor Winzer.

That Council approve the issuing of the Caravan Parks and Camping Grounds Licences valid until 30 September 2015 as presented in Attachment 6, for signing by the Chief Executive Officer for the following caravan parks: –

- 1. Ningaloo Lighthouse Caravan Park;*
- 2. Exmouth Cape Holiday Park;*
- 3. Ningaloo Caravan and Holiday Resort; and*
- 4. Yardie Homestead Caravan Park.*

CARRIED 6/0

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: 8 September 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Planning Applications and Approvals

Below is a summary of planning applications and approvals up to 8 September 2014.

| Applic No | Lodgement Date | Lot | Property Address | Description | Decision | Date Determined |
|-----------------|-------------------|-------------|----------------------------|------------------------------|------------------------|-------------------|
| PA08/14 | 20/01/2014 | 1 | 4A Pellew Street | Open Carport | On Hold | |
| PA124/14 | 27/06/2014 | 829 | 1 Pelias Street | Sign | Refused | 11/08/2014 |
| PA125/14 | 02/07/2014 | 1378 | 19 Preston Street | Outdoor Living Area | Approved | 17/07/2014 |
| PA128/14 | 08/07/2014 | 1431 | Willersdorf Road | Ningaloo Centre | Approved | 28/08/2014 |
| PA132/14 | 23/07/2014 | 333 | 8 Kestrel Place | Fence | Approved | 14/08/2014 |
| PA136/14 | 28/07/2014 | 491 | 4 Eurayle Street | Home Occupation | Approved | 14/08/2014 |
| PA137/14 | 30/07/2014 | 117 | 9 Tautog Street | Shed | Approved | 21/08/2014 |
| PA138/14 | 30/07/2014 | 121 | 35 Skipjack Circle | Fencing | Approved | 21/08/2014 |
| PA139/14 | 05/08/2014 | 1104 | 5 Campbell Way | Garage Extension | Neighbour consultation | |
| PA140/14 | 06/08/2014 | 462 | 16 Osprey Way | Outbuilding | Processing | |
| PA141/14 | 06/08/2014 | 462 | 16 Osprey Way | Garage | Processing | |
| PA142/14 | 06/08/2014 | 333 | 8 Kestrel Place | Holiday Accommodation | September OCM | |
| PA144/14 | 19/08/2014 | 1499 | 20 Nimitz Street | Sea Container | Processing | |
| PA148/14 | 26/08/2014 | 1 | 28 Carr Way | New Holiday Accommodation | Neighbour consultation | |
| PA149/14 | 27/08/2014 | 1375 | 50 Preston Street | Outbuilding | Approved | 01/09/2014 |
| PA150/14 | 27/08/2014 | 52 | 16 Crevalle Way | Holiday Accommodation | Neighbour consultation | |
| PA152/14 | 01/09/2014 | 902 | Madaffari Drive | 18 x Dwellings | Processing | |
| PA153/14 | 02/09/2014 | 1112 | (Site 212) 1 Nimitz Street | Carport | Processing | |
| PA155/14 | 04/09/2014 | 403 | 20 Madaffari Drive | New Single Dwelling | Processing | |

Summary of Total Planning applications and Local Government Property Permits

| Summary of Total Planning Application/Codes Variations | |
|--|------------------|
| Year | No. Applications |
| 2009-2010 | 131 |
| 2010-2011 | 149 |
| 2011-2012 | 163 |
| 2012-2013 | 175 |
| 2013-2014 | 149 |
| 2014/2015 (to date) | 23 |

| Permits issued for an Activity on Local Government Property | |
|---|------------------|
| Month | No. Applications |
| March | 8 |
| April | 15 |
| May | 7 |
| June | 3 |
| July | 1 |
| August | 5 |

BACKGROUND

Nimitz Street Outline Development Plan and Subdivision Application

Council is notified that WAPC has endorsed the Nimitz Street Outline Development Plan and also approved the Stage 3 subdivision application (Refer *Attachment 1*).

Ranger Services

Below is a summary of the activities performed by Ranger Services during August 2014.

| | Dogs | Camping | Parking | Litter | Fire | Off road | Other |
|---------------------------|----------|-----------|-----------|-----------|----------|----------|----------|
| Warning/caution | 4 | 0 | 8 | 0 | 0 | 2 | 2 |
| Infringement | 2 | 37 | 4 | 0 | 0 | 0 | 0 |
| Court | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| August Total | 6 | 37 | 12 | 0 | 0 | 2 | 2 |
| 2014 - 2015 Totals | 6 | 88 | 21 | 10 | 0 | 2 | 2 |

DOG POISONING ALERT

The past two weeks has seen a number of dogs suffer and in most occurrences die from a severe case of poisoning. So far 9 dogs have ingested the poison, 6 of which are now deceased. Symptoms include fitting/muscle spasms, dog owners are advised to take their dog to the vet immediately upon noticing any signs of these symptoms.

Baits have been found providing strong evidence that this is a deliberate attack, Shire Ranger Officers are working closely with Police and the RSPCA on the investigation. High risk areas include the borders of Ningaloo Caravan Park including Murat Road and also Town Beach. Regular media updates are being provided through local social media sites and also the Shire's Website. This matter is not to be taken lightly, at present all dog owners are advised to keep their dog at home to avoid ingestion of the poison.

Local Laws Review

In accordance with Council Decision – 15-0814 – 11.6.2 and Council Decision – 16-0814 – 11.6.3 during the August Ordinary Council Meeting 2014, the Dogs Amendment Local Law and the Cemeteries Local Law were advertised for public comment in the weekend West on Saturday 30 August 2014 and the Northern Guardian on Wednesday 3 September 2014. Copies have also been made available at the Shire of Exmouth Administration Office.

Emergency Management

In accordance with State Emergency Management Policy 2.5, the Exmouth Local Emergency Management Committee meeting was held on 26 August 2014 with the next meeting to coincide with the Bureau of Meteorology Cyclone Pre-season tour which is usually held in the last week of October. The minutes of the meeting have been attached for Council's reference. (Refer *Attachment 2*).

Firebreak Notices

Firebreak Notices were sent out with Council's Rates Notices at the end of August, giving property owners a months' notice to clear firebreaks before the 1 October 2014. Local notices will be posted on notice boards and websites, with a letter box drop to occur in early September.

Meeting with the Department of Fire and Emergency Services Commissioner:

A meeting was held on Friday 22 August 2014 between the Department of Fire and Emergency Services (DFES) and the Shire of Exmouth regarding a number of key emergency service items relevant to the district. The DFES Commissioner, Mr Wayne Gregson visited Exmouth to discuss the new legislation and what it will mean to local government. The key item of topic regarding the new legislation is the handover of the bush fire brigade from local government to the Department; how this will be handled and what impacts it may have.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Environment

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

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

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.6.1

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

COUNCIL DECISION – 14-0914 – 11.6.1

Moved Councillor McHutchison, Seconded Councillor Todd.

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

CARRIED 6/0

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.2 Final Adoption – Major Land Transaction, Business Plan – Lot 300 Heron Way, Exmouth

Location: Lot 300 Heron Way
Applicant: Shire of Exmouth
File Reference: LP.SU.0.8
Disclosure of Interest: Nil
Date: 8 September 2014
Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council adopt the Business Plan for the Special Rural subdivision of Lot 300 Heron Way, Exmouth into 11 lots, following consultation. (Refer *Attachment 3*).

BACKGROUND

At the Ordinary Council Meeting held 17 July 2014, Council resolved;

“That Council of the Shire of Exmouth adopt the Business Plan for a Proposed Major Land Transaction of Lot 300 Heron Way, Exmouth into 11 lots, and advertise the plan state wide for a period of not less than 42 days, notifying all adjacent owners and relevant public authorities.”

The Business Plan has been prepared in accordance with the requirements of the Local Government Act and Regulations to enter into a major land transaction for the 11 lot subdivision of Lot 300 Heron Way, Exmouth. Upon completion of the subdivision, all lots created will be sold in freehold tenure in the open market.



Lot 300 Heron Way, Exmouth

COMMENT

Section 3.59 of the Local Government Act 1995 requires that prior to a local government commencing a major trading undertaking, entering into a major land transaction or entering into a land transaction that is preparatory to entry into a major land transaction, a Local Government is required to prepare a Business Plan.

A Business case was prepared and adopted for advertising by Council during the July meeting. Detailed investigations have identified that land acquisition, subdivisional works, and sale for development are likely to give positive financial return for the Shire.

Relevant Government departments, stakeholders, businesses, agencies and organisations were notified of the consultation period for the Business Plan and given the opportunity to provide comment before close of business on Monday 8 September 2014. Comments received from individuals, agencies and organisations are included in the table below.

| | Submission from | Submission | Officers Comment |
|-----------------|---|--|---|
| <u>1</u> | Johannes & Beverley Venrooy 66 Preston Street | That consideration is given to existing homes with concerns to adequate dampening of soil during development (dust) adequate run off and drainage away from existing properties on Preston Street. Also allowance for cycle path into town or a bridleway; cycling into town along Murat Road is becoming a dangerous activity. | Noted |
| | Phillip Gumbrelle and Sharon Regterschot 50 Preston Street | <p>During the construction phase of the prospered subdivision we would suggest a temporary construction access be created off Murat Road to reduce heavy traffic and construction vehicles along Preston Street. This will reduce noise and increase resident's safety within the existing residential precinct.</p> <p>It is also suggested consideration be given to the type and style buildings to be constructed within the new sub division given the amenity of the environment in the area.</p> <p>During the construction phase it is requested that consideration be given to constructing a graded and rolled cycleway between Preston Street and town to ensure a safe passage to and from an increased residential area.</p> <p>This cycleway has any number of benefits from a safety point of view to increase health activity for users. It is suggested the cycleway be formed within the Murat Road Reserve.</p> | <p>Contractors will be advised to use (fire breaks) temporary roads to the east of the development during construction.</p> <p>With regard to the type and style of development, the Town Planning Scheme 3 will be used to control the developments.</p> |
| | Myron Borcz Lot 1366 Heron Way | The only gap of trees has the new road directly through this gap into my bedroom window and my young daughter's room and will cause disturbed sleep. The angle of the road needs to be addressed. I also believe there is no need for road lighting on the road corner. | The traffic engineers and the electrical engineers are taking into account this input and will be addressed during the design stage of the subdivision. |
| | Peter and Heather | As local landholders in the Preston | Noted. |

| | | |
|-----------------------------------|---|--|
| <p>Lake 61 Preston Street</p> | <p>Street/Heron Way Special Rural precinct we are opposed to Preston Street being used to access the new allotment proposed at Lot 300 Heron Way.</p> <p>We believe that our safety as pedestrians and as drivers could be compromised unnecessarily, if vehicles associated with the new sub-division use Preston Street as the access road to it.</p> <p><u>The 'T' Intersection of Preston Street and Murat Road</u> Features of the intersection are as follows:</p> <ul style="list-style-type: none"> • The intersection is on a bend in Murat Road • There is a deep floodway on the southern side of the intersection in Murat Road reducing visibility of distant on-coming vehicles. • The steep rise in Preston Street prevents a clear view of any traffic at the intersection. • There are concrete culverts either side of the intersection of Preston Street that are a danger for large turning vehicles sharing the intersection with other vehicles. • There is a steep drop on the eastern side of Murat Road at the intersection, also a danger for large turning vehicles as they may take a wide swing in order to turn at a right angle off Murat into Preston Street. • The entrance into Preston Street through the intersection lacks clear forward visibility of any other traffic or pedestrians due to the setting westerly sun and the immediate steep rise that continues into a bend. • There is another road junction close-by at McLeod Street where vehicles are entering the roadway at slow speeds. <p>The transition of traffic through the intersection will definitely be more hazardous for large heavy vehicles and those with trailers. These types of vehicles are likely to be associated with the sub-division and construction phases on the allotments. They can reach up to 2.5metres wide and 19 metres or more long. It will be extremely difficult for a long heavy vehicle to turn off Murat Road into Preston Street with an on-coming</p> | <p><u>Issue of footpath</u> It should be noted that this a Special rural subdivision and not residential area hence the provision of footpath can only be provided if grant funding is available and subject to the Council footpath plan.</p> <p>Contractors will be advised to use (fire breaks) temporary roads to the east of the development during construction.</p> |
|-----------------------------------|---|--|

| | | |
|--|---|--|
| | <p>vehicle waiting at the GIVE WAY line in Preston Street wishing to turn onto Murat Road. (Refer <i>Attachment 4</i>)</p> <p>Our concerns regarding the dangerous characteristics of this intersection have already been justified by the incidence of a potentially serious traffic accident witnessed by the writer.</p> <p><u>No Pathways for Pedestrians</u> The absence of pathways beside both Preston Street and Heron Way necessitate using the sealed road for recreational walking. Without the choice of a pathway, a large proportion of the residents of Preston Street walk on the road, often with dogs or prams and often towards the Gulf. This would become quite perilous with an influx of larger heavy vehicles associated with the 11 new Lots in Heron Way using the Murat Road/Preston Street intersection.</p> <p><u>Solutions to the Concerns Above</u> We have studied the area of the proposed project on foot and surveyed the area by air (Refer <i>Attachment 5</i>). It appears that the solution lies in taking the new allotment road (included in the plan) to join Murat Road, not to just end in a cul de sac. This would then become the principle access road instead. The benefits are as follows:</p> <ul style="list-style-type: none"> • The ‘New’ Road junction with Murat Road would have clearer approaches in all directions due to the lack of bends and rises in the new intersection. This promotes sound Road Safety to a far greater degree. • Less severe drop-off on the shoulders of Murat Road should a very long vehicle need to use the shoulder when turning. • Any hazards at the Murat Road/Preston Street intersection are not exacerbated by the addition of larger or heavier vehicles involved with the project in Heron Way. • The safety of existing Special Rural residents either as pedestrians or drivers is not jeopardized by large vehicles associated with the development of the 11 new Lots off Heron Way. • Far shorter route for heavy earth carrying vehicles from the north. <p>We invite the proponents and those</p> | <p><u>Issue of footpath</u> It should be noted that this a Special rural subdivision and not residential area hence the provision of footpath can only be provided if grant funding is available and subject to the Council footpath plan.</p> <p><u>Solution to concerns</u> The total number of lots within the whole Preston Street area does not warrant two access roads.</p> |
|--|---|--|

| | | | |
|--|--|---|--|
| | | <p>entrusted with the carriage of the Lot 300 Heron Way project to walk and drive the Preston Street/Murat Road intersection whilst being cognitive of the points outlined in this response. The associated dangers mentioned need to be considered in the context of a choice between Preston Street/Murat Road intersection being the access to the project or a safer junction at Murat directly into the 'New' road of the Heron Way sub-division.</p> <p>The enclosed photographs of the proposed new allotment area highlight a preferred choice of access via an intersection of the 'New' allotment road and Murat Road. There is a likelihood the existing Special Rural landholders would prefer it as well as purchasers and building construction companies.</p> <p>The existence of height covenants on buildings erected on the new Lots in the Shire's Business Plan is not clear to the writer. The elevation of the land on Lot 300 only has a slight drop to the east towards the ocean. A height covenant over the new development would be beneficial to any potential buyers and protect existing residents property investments where and ocean view is an advantage.</p> <p>The writer welcomes the opportunity to further clarify any of the content in this response in a hope that our viewpoint may be accepted as valid and relevant.</p> | |
| | <p>Rod and Brooke Collins 17 Heron Way</p> | <p>We request that maximum vegetation be kept on Lot 300 during and after development to suppress dust as eastern winds will bring dust straight into our house.</p> <p>Can a temporary road be put in East of Lot 1377 to house all vehicle traffic related to the development and then reverted back to a fire break.</p> | <p>Noted. Contractors will be advised to use (fire breaks) temporary roads to the east of the development during construction.</p> |

Considering the above submissions Officers recommend that Council adopt the Business Plan for the Special Rural subdivision of Lot 300 Heron Way.

CONSULTATION

Consultation was undertaken for 42 days with an advertisement being placed in the West Australian on Saturday 26 July 2014 and an in the Northern Guardian on Wednesday 30 July 2014.

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government Regulations 1996

Land Administration Act 1997

Planning and Development Act 2005

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The Financial Implications of the project are detailed in Section 7 of the Business Plan 'Financial Analysis'. Detailed investigations have identified that land acquisition, subdivisional works, and sale for development are likely to give a positive financial return for Council.

STRATEGIC IMPLICATIONS

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.6.2

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

COUNCIL DECISION – 15-0914 – 11.6.2

Moved Councillor Todd, Seconded Councillor Thompson.

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

CARRIED 6/0

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.3 New Holiday Accommodation – Lot 333 (8) Kestrel Place

Location: Lot 333 (8) Kestrel Place
Applicant: Ray White Exmouth
File Reference: A1447 (PA142/14)
Disclosure of Interest: Nil
Date: 4 September 2014
Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer:

Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council grant conditional planning approval for Holiday Accommodation upon Lot 333 (8) Kestrel Place, Exmouth

BACKGROUND

The subject lot has a substantially constructed dwelling, jetty and mooring, swimming pool, an area of 955m², and is zoned Marina in the Scheme. The aerial image below identifies Lot 333 (8) Kestrel Place where the proponent seeks planning approval to use the existing dwelling as holiday accommodation (Refer *Attachment 6*).



Lot 333 (8) Kestrel Place, Exmouth

COMMENT

The proposal has been assessed against the Town Planning Scheme No. 3 (Scheme), Local Planning Policy 6.12: Holiday Accommodation and Local Planning Policy 6.16: Design Guidelines for Exmouth Marina Village Precinct A. Table 1 of the Scheme defines Holiday Accommodation as an 'SA' use meaning the use is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 8.3.

Policy 6.12 objectives sought to:

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

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

Number of Occupants

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

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

Officers have calculated the permissible number of occupants per bedroom of the submitted floor layout as follows (Schedule 1): -

Schedule 1: Allowable Occupants: Lot 333 (8) Kestrel Place, Exmouth

Bedroom 1: Total floor space: 15.57m², Approximate Air Space: 42.05m³
Allowable occupants: 3 adults **OR** 5 children

Bedroom 2: Total floor space: 10.66m², Approximate Air Space: 28.78m³
Allowable occupants: 2 adults **OR** 1 adult and 1 child **OR** 3 children

Bedroom 3: Total floor space: 10.66m², Approximate Air Space: 28.78m³
Allowable occupants: 2 adults **OR** 1 adult and 1 child **OR** 3 children

Bedroom 4: Total floor space: 10.57m², Approximate Air Space: 28.53m³
Allowable occupants: 2 adults **OR** 1 adult and 1 child **OR** 3 children

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

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

Occupancy Levels

Following the assessment by officers to calculate the number of guests permissible, the maximum number of overnight occupants allowed within the dwelling at the same time shall be nine (9) persons. This includes no more than eight (8) occupants over the age of 10 at any one time. Furthermore, the maximum occupancy for each room shall be in accordance with the Shire of Exmouth Health Local Laws and Council Policy. Potential occupants shall be advised of this prior to booking.

Number of Vehicles

The application states the number of vehicles to be accommodated on site is three (3) vehicles and two (2) trailers which is the maximum permissible number allowed under the Holiday Accommodation Policy. Policy states that car parking shall be calculated on the basis of four persons per vehicle. The property has a double garage with space to accommodate three (3) more vehicles. Officer recommends a maximum of three (3) vehicles and two (2) trailers to reduce traffic issues. Considering the above officer recommends that the Council of the Shire of Exmouth grant conditional planning approval for Holiday Accommodation upon Lot 333 (8) Kestrel Place, Exmouth.

Management Plan and Code of Conduct

Holiday Accommodation Policy 6.12 numbers are written clearly to reflect the relevant Scheme provisions and approval by Council.

There are two existing Holiday Homes immediately north of Lot 333 (8) Kestrel Place and another three lots down to the west. Having regard to the above officers recommend that Council grant conditional planning approval for holiday accommodation upon Lot 333 (8) Kestrel Place.

CONSULTATION

In accordance with the requirements of the Scheme adjoining impacted neighbours were invited to comment on the proposal from Thursday 7 August 2014 to Thursday 28 August 2014 for a period of 21 days. A summary is tabled below:

| Property | Response | Officers Comments |
|----------------------------|----------|-------------------|
| Lot 332 (6) Kestrel Place | Nil | Nil |
| Lot 334 (10) Kestrel Place | Nil | Nil |
| Lot 359 (9) Kestrel Place | Nil | Nil |
| Lot 358 (11) Kestrel Place | Nil | Nil |

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Town Planning Scheme Number 3

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Economic**

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

- Outcome 1.2 - Planned and balanced economic growth.

Environment

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.6.3

That Council grant conditional planning approval for the use of Holiday Accommodation upon Lot 333 (8) Kestrel Place, Exmouth subject to the following conditions:

- 1. The approved use shall accord with the Shire of Exmouth Town Planning Scheme Number 3, approved plans (PA142/14) and Local Planning Policy Number 6.12: Holiday Accommodation;*
- 2. The maximum number of overnight occupants allowed within the dwelling at the same time shall be twelve (12) persons. This includes no more than nine (9) occupants over the age of 10 at any one time. Furthermore, the maximum occupancy for each room shall be in accordance with the Shire of Exmouth Health Local Laws and Council Policy;*
- 3. The maximum number of vehicles and trailers (including boats on trailers) that can be accommodated on the property shall be three (3) and two (2) respectively, in accordance with Council Policy. The property does not include the Council road verge or adjoining/nearby vacant land. Potential occupants shall be advised of this prior to booking;*
- 4. The property shall provide at least three (3) 240 litre rubbish bins prior to the use commencing;*
- 5. The occupants Code of Conduct shall be clearly displayed in the premises in accordance with Council Policy;*
- 6. An emergency response plan (i.e. fire escape route maps etc) is required to be clearly displayed in a conspicuous location within the dwelling, plus:

 - a. a fire extinguisher, in a clearly visible location (and marked on the emergency response plan), is to be maintained in proper working order;*
 - b. outside barbeques are to be gas or electric; and*
 - c. no fires are to be lit outside.**
- 7. The property is to be managed by a local caretaker/manager living and readily contactable within 10 minutes of the property;*
- 8. If in the opinion of Council the approved use causes a nuisance or annoyance to owner/occupiers of the land in the vicinity, or to persons or traffic using roads in the vicinity of the approved use, Council may vary or rescind its approval in accordance with Council Policy;*
- 9. The property not being used for the use hereby granted until an inspection has been carried out by a Council officer and that officer is satisfied that the conditions of this approval hereby granted have been complied with;*
- 10. This approval is valid until 30 September 2015. Following planning approval an annual permit will be issued after paying the prescribed fee. Upon this period lapsing, Council will notify owners about the date of expiry and that a new permit is required should the property continue to be used for holiday accommodation;*
- 11. Should this residential premises be used for Holiday Accommodation purposes and provide a swimming pool/spa pool for the use of guests or should the owners intend to install a swimming pool/spa pool in the future, the owners are hereby advised of the following:

 - The Health (Aquatic Facilities) Regulations 2007 require that a Certificate of Compliance and a Permit to Operate from the Executive Director, Public Health (EDPH) for the 'aquatic facility' be obtained i.e. the Department of Health (WA) is the approving authority, not the Shire of Exmouth;**

- *Whether an aquatic facility is approved by the EDPH or not, regulation 21 prescribes that an environmental health officer, or a person under the direction of an environmental health officer, collects 2 water samples (one for bacteria, one for amoeba) from each water body of each aquatic facility in the district at least once per month. The owner/property manager must therefore make suitable arrangements for the Shire's Water Sampling Officer to access the property to obtain the water samples.*

Advice

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

Below is a Schedule of permitted number of occupants per room which identifies alternative combinations of guests – not to exceed a total of 12 guests. This Schedule shall be appropriately displayed in the house.

| Schedule 1: Allowable Occupants: Lot 333 (8) Kestrel Place, Exmouth |
|---|
| Bedroom 1: Total floor space: 15.57m ² , Approximate Air Space: 42.05m ³ Allowable occupants: 3 adults OR 5 children |
| Bedroom 2: Total floor space: 10.66m ² , Approximate Air Space: 28.78m ³ Allowable occupants: 2 adults OR 1 adult and 1 child OR 3 children |
| Bedroom 3: Total floor space: 10.66m ² , Approximate Air Space: 28.78m ³ Allowable occupants: 2 adults OR 1 adult and 1 child OR 3 children |
| Bedroom 4: Total floor space: 10.57m ² , Approximate Air Space: 28.53m ³ Allowable occupants: 2 adults OR 1 adult and 1 child OR 3 children |
| Note: *All persons over the age of 10 years require a minimum of 14 cubic metres of air space per person. Children aged up to 10 years require a minimum of 8 cubic metres of air space each. As such, the term 'adult' has been used for persons over the age of 10 years. **The air space is calculated on the assumption of an average of 2.7m ceiling height. |

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

COUNCIL DECISION – 16-0914 – 11.6.3

Moved Councillor Todd, Seconded Councillor Hood.

That Council grant conditional planning approval for the use of Holiday Accommodation upon Lot 333 (8) Kestrel Place, Exmouth subject to the following conditions:

- 1. The approved use shall accord with the Shire of Exmouth Town Planning Scheme Number 3, approved plans (PA142/14) and Local Planning Policy Number 6.12: Holiday Accommodation;***
- 2. The maximum number of overnight occupants allowed within the dwelling at the same time shall be twelve (12) persons. This includes no more than nine (9) occupants over the age of 10 at any***

one time. Furthermore, the maximum occupancy for each room shall be in accordance with the Shire of Exmouth Health Local Laws and Council Policy;

3. *The maximum number of vehicles and trailers (including boats on trailers) that can be accommodated on the property shall be three (3) and two (2) respectively, in accordance with Council Policy. The property does not include the Council road verge or adjoining/nearby vacant land. Potential occupants shall be advised of this prior to booking;*
4. *The property shall provide at least three (3) 240 litre rubbish bins prior to the use commencing;*
5. *The occupants Code of Conduct shall be clearly displayed in the premises in accordance with Council Policy;*
6. *An emergency response plan (i.e. fire escape route maps etc) is required to be clearly displayed in a conspicuous location within the dwelling, plus:

 - a. *a fire extinguisher, in a clearly visible location (and marked on the emergency response plan), is to be maintained in proper working order;*
 - b. *outside barbeques are to be gas or electric; and*
 - c. *no fires are to be lit outside.**
7. *The property is to be managed by a local caretaker/manager living and readily contactable within 10 minutes of the property;*
8. *If in the opinion of Council the approved use causes a nuisance or annoyance to owner/occupiers of the land in the vicinity, or to persons or traffic using roads in the vicinity of the approved use, Council may vary or rescind its approval in accordance with Council Policy;*
9. *The property not being used for the use hereby granted until an inspection has been carried out by a Council officer and that officer is satisfied that the conditions of this approval hereby granted have been complied with;*
10. *This approval is valid until 30 September 2015. Following planning approval an annual permit will be issued after paying the prescribed fee. Upon this period lapsing, Council will notify owners about the date of expiry and that a new permit is required should the property continue to be used for holiday accommodation;*
11. *Should this residential premises be used for Holiday Accommodation purposes and provide a swimming pool/spa pool for the use of guests or should the owners intend to install a swimming pool/spa pool in the future, the owners are hereby advised of the following:

 - *The Health (Aquatic Facilities) Regulations 2007 require that a Certificate of Compliance and a Permit to Operate from the Executive Director, Public Health (EDPH) for the 'aquatic facility' be obtained i.e. the Department of Health (WA) is the approving authority, not the Shire of Exmouth;*
 - *Whether an aquatic facility is approved by the EDPH or not, regulation 21 prescribes that an environmental health officer, or a person under the direction of an environmental health officer, collects 2 water samples (one for bacteria, one for amoeba) from each water body of each aquatic facility in the district at least once per month. The owner/property manager must therefore make suitable arrangements for the Shire's Water Sampling Officer to access the property to obtain the water samples.**

Advice

- i. *In regards to Condition (2) above, the number of persons per room shall accord with the following:

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

Below is a Schedule of permitted number of occupants per room which identifies alternative combinations of guests – not to exceed a total of 12 guests. This Schedule shall be appropriately displayed in the house.

Schedule 1: Allowable Occupants: Lot 333 (8) Kestrel Place, Exmouth

Bedroom 1: Total floor space: 15.57m², Approximate Air Space: 42.05m³
Allowable occupants: 3 adults **OR** 5 children

Bedroom 2: Total floor space: 10.66m², Approximate Air Space: 28.78m³
Allowable occupants: 2 adults **OR** 1 adult and 1 child **OR** 3 children

Bedroom 3: Total floor space: 10.66m², Approximate Air Space: 28.78m³
Allowable occupants: 2 adults **OR** 1 adult and 1 child **OR** 3 children

Bedroom 4: Total floor space: 10.57m², Approximate Air Space: 28.53m³
Allowable occupants: 2 adults **OR** 1 adult and 1 child **OR** 3 children

Note:

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

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

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

CARRIED 6/0

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.4 Diversification Permit – Wilderness Camping– Portion of Exmouth Gulf Pastoral Station - (Lot 1586) Minilya-Exmouth Rd, Exmouth

Location: Portion of Exmouth Gulf Pastoral Station and Portion of Lot 1586 Minilya-Exmouth Rd, Exmouth
 Applicant: Department of Lands
 File Reference: A512
 Disclosure of Interest: Nil
 Date: 8 September 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer:

Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council object to the issuing of a diversification permit for 27 wilderness campsites including other tourist activities on a Portion of Exmouth Gulf Pastoral Station (Lot 1586) Minilya-Exmouth Rd, Exmouth.

BACKGROUND

Exmouth Gulf Pastoral Station has an existing homestead and undertakes Pastoral activities and has an existing Crown lease. The Station is zoned Pastoral in Town Planning Scheme 3. The Department of Lands previously submitted a letter to the Shire requesting comment on creating an expression of interest for the management of wilderness camping on portions of the Exmouth Gulf Pastoral Station under Section 91 of the Land Administration Act. At the Ordinary Council Meeting held on the 19 June 2014, Council resolved:

“That the Council of the Shire of Exmouth refuse the expression of interest for a section 91 licence for the management of wilderness camping in portion of the Exmouth Gulf Pastoral Station, Portion Lot 1586 Minilya Exmouth Road, Portion Lyndon Location 233.”

The Department of Lands are now seeking comments from the Shire regarding a proposed Diversification Permit for the creation of wilderness camping on a Portion of Exmouth Gulf Pastoral Station and Portion of Lot 1586 Minilya-Exmouth Rd under Section 121 of the Land Administration Act. The aerial image below identifies the approximate area within Exmouth Gulf Station where the proponent seeks State Government approval for 27 Wilderness Campsites and additional tourist activities. (Refer ***Attachment 7***).



Areas of Proposed Wilderness Camping, Part Lot 1586 Minilya Exmouth Road - Part Lyndon Location 233 – Part Exmouth Gulf Station

COMMENT

The proposal has been assessed against the Shire of Exmouth Town Planning Scheme 3, Exmouth South Structure Plan and various State Planning Policies. Council Officers do not support the proposal for the following reasons:

1. The proposed use is inconsistent with the State Planning Policy and Town Planning Scheme No 3.

WAPC Ningaloo Coast Regional Strategy

The Strategy identifies the site as a day use site only which is designated and managed for day use only. It may include parking facilities, shade shelters, barbeques, toilets and picnic areas but does not cater for, or permit overnight stays. The WAPC strategy does not support wilderness camping at this location.

Town Planning Scheme No 3

The tourist use is defined as an ‘X’ use within the Town Planning Scheme 3, meaning that the use is not permitted. This aligns with various State Planning Policies which do not support the sprawl of tourist uses throughout Exmouth. Council should not support the issuing of a permit which is contrary to the Town Planning Scheme unless Council is prepared to initiate a Scheme Amendment.

Pastoral Station/s in the Shire of Exmouth are operating tourist uses under diversification permits issued by the Department of Lands. Diversification permits generally state that all uses and development is to be in accordance with Local Government requirements. Council’s Town Planning department has never given approval to the tourist activities in Pastoral Stations.

In recognition the need for tourism activities within Pastoral Station Council endorsed the Exmouth South Structure Plan. The Exmouth South Structure plan approved by the WAPC recommends the area as an investigation area for future wilderness camping. The Structure Plan does not quantify the area for wilderness camping rather an investigation area subject to additional studies being addressed by any proposal.

Studies and investigation required include:

Need to Identify Environmental Values

Consultation with the Department of Parks and Wildlife (DPaW) has identified that there is need to identify environmental values for the area. DPaW have listed a number of significant environmental values in the area. DPaW have recommended the following plans and studies are completed prior to any activity occurring:

- A flora and fauna survey, to identify environmental values of the area
- Biodiversity protection and Quarantine management plans
- A foreshore Management Plan, to reduce coastal and environmental impacts
- Proposals shall include mitigation measures to reduce the environmental and coastal impacts

The applicant has advised they are willing to undertake a flora and fauna survey if necessary. The applicant has advised the proposed areas of wilderness camping have already been naturally cleared. An analysis of recent aerial photography has identified some natural vegetation may still exist where wilderness camping is proposed. Further consultation and approval should be sought from DPaW regarding environmental impact prior to undertaking any tourism activity.

Heritage

A heritage survey of the area will need to be completed prior to any land use or development occurring in the identified area. Significant aboriginal sites may exist in the areas of proposed wilderness camping. The Department of Lands have included conditions within the permit to cover this matter. The Exmouth South Structure Plan has identified an aboriginal site and heritage place within the Gales Bay area.

Bush Fire Protection and Emergency Management

The applicant has advised fires will only be permitted during the open fire season and only in approved bins. There will be a total ban on collecting firewood. The applicant has advised there will be a comprehensive radio communication network, stretchers, defibrillator and qualified first aid staff. No details have been provided regarding cyclone management prior to any activity occurring

Statutory Framework

There is no practical statutory framework in place to assess such type of activities (wilderness camping) as the requirements under the Caravan Park and Camping Ground Act and Regulations are very onerous. Also the Town Planning Scheme No 3 prohibits tourism uses in Pastoral Zones.

Council is responsible for enforcing the Caravan and Camping Ground Act and Regulations. In consideration of the remoteness of the proposed camp sites and that the applicant is seeking to offer a pastoral station/wilderness type experience, it is reasonable to classify the proposal as a Nature Based Park (NBP) as classified by the Regulations. In relation to Nature Based Parks, the Regulations give the local authority some flexibility to approve the number and type of certain facilities but are still very onerous in relation to the provision of the number of sanitary facilities, firefighting equipment, distance to potable water, distance to rubbish receptacles as considered appropriate.

Having regard to the above, Officers recommend that Council inform the Pastoral Board that it does not support the proposed diversification permit upon Exmouth Gulf Pastoral Station for the following reasons:

1. The WAPC Ningaloo Coast Regional Strategy identifies the proposed locations for day use only;
2. Planning Approval cannot be granted as the tourist use is defined as an 'X' use within the Town Planning Scheme 3, meaning that the use is not permitted and cannot be licenced under the Caravan Park and Camping Ground Act and Regulations;
3. The current framework of the Caravan & Camping Ground Regulations do not support the wilderness camping subject of this application;
4. The applicant has not defined access to and from the campsites within the pastoral station;
5. The Exmouth South Structure Plan identifies the proposed northern wilderness camping area as an investigation area subject to further studies being undertaken. Additional studies required include:
 - a. Those required by the Department of Parks of Wildlife to address potential environmental issues; and
 - b. A heritage survey to identify any significant Aboriginal or other heritage sites.
6. The Exmouth South Structure Plan identifies the proposed south-eastern wilderness camping area as pastoral land and adjoining coastal areas for proposed addition to the public conservation estate.

CONSULTATION

Consultation was previously undertaken in April/May 2014 during submission of the request from the Department of Lands to create an expression of interest for the management of wilderness camping. Referral was made to the Department of Parks of Wildlife (DPaW) (refer **Attachment 8**).

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Economic**

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

- Outcome 1.2 - Planned and balanced economic growth.

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.6.4

That Council object to the issuing of a diversification permit for 27 wilderness campsites including other tourist activities on portions of the Exmouth Gulf Pastoral Station Exmouth for the following reasons:

1. *The tourism activities are inconsistent with the State Planning Policy and Town Planning Scheme No3. The WAPC Ningaloo Coast Regional Strategy identifies the proposed locations for day use only and the tourist use is defined as an 'X' use within the Town Planning Scheme 3, meaning that the use is not permitted and cannot be licenced under the Caravan Park and Camping Ground Act and Regulations;*
2. *The is no statutory framework in place to reasonably assess such type of activities (wilderness camping) under the Caravan Park and Camping Ground Act and Regulations;*
3. *Town Planning Scheme No 3 prohibits tourism uses in Pastoral Zones;*
4. *There are a lot of issues and investigation which need to be addressed. Additional studies required include:*
 - a. *Those required by the Department of Parks of Wildlife to address potential environmental issues; and*
 - b. *A heritage survey to identify any significant Aboriginal or other heritage sites*
 - c. *defined access to and from the campsites within the pastoral station.*

COUNCIL DECISION – 17-0914 – 11.6.4

Moved Councillor Todd, Seconded Councillor Winzer.

That Council object to the issuing of a diversification permit for 27 wilderness campsites including other tourist activities on portions of the Exmouth Gulf Pastoral Station Exmouth for the following reasons:

1. *The tourism activities are inconsistent with the State Planning Policy and Town Planning Scheme No3. The WAPC Ningaloo Coast Regional Strategy identifies the proposed locations for day use only and the tourist use is defined as an 'X' use within the Town Planning Scheme 3, meaning that the use is not permitted and cannot be licenced under the Caravan Park and Camping Ground Act and Regulations;*
2. *There is no statutory framework in place to reasonably assess such type of activities (wilderness camping) under the Caravan Park and Camping Ground Act and Regulations;*
3. *Town Planning Scheme No 3 prohibits tourism uses in Pastoral Zones;*
4. *There are a lot of issues and investigation which need to be addressed. Additional studies required include:*
 - a. *Those required by the Department of Parks of Wildlife to address potential environmental issues; and*
 - b. *A heritage survey to identify any significant Aboriginal or other heritage sites*
 - c. *defined access to and from the campsites within the pastoral station.*

CARRIED 6/0

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.5 Review of Local Laws – Fencing Local Law

Location: Exmouth
 Applicant: Nil
 File Reference: LE.LO.5
 Disclosure of Interest: Nil
 Date: 8 September 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council adopt the proposed Fencing Local Law 2014 for advertising and public notice (refer *Attachment 9*).

BACKGROUND

The Shire of Exmouth Local Law Relating to Fencing was made in 1998. While many of its provisions are still relevant, a review of all Shire local laws has highlighted a need to update its provisions, to the extent that a new local law is required.

COMMENT

In general, fencing is regulated by the Dividing Fences Act 1961. The Act largely allows land owners to decide issues relating to dividing fences that separate privately owned land between themselves, with reference to a court where there is disagreement. The Act allows local governments to make local laws in relation to prescription of what constitutes a ‘sufficient fence’ and courts will often refer to those local laws to assist in determination of an appropriate course of action to resolve disputes.

A draft proposed new Fencing Local Law is based on a model developed by the W.A. Local Government Association, customised to suit Council’s requirements. Further changes have also been made to:

- Require that no fence shall be constructed of sheet metal or other material that attract a wind loading unless approval has been granted by the Council;
- Amending the definition of a ‘sufficient fence’ for residential areas to include ‘*galvanised iron top and bottom rail*’ - “...consist of link or chain mesh with to a minimum height of 1200mm, supported by galvanised iron top and bottom rail and posts of a diameter of 50mm, the posts spaced at 3metre centres set in concrete.....”;
- Similarly, a ‘sufficient fence’ for Industrial areas has been amended to delete a previous requirement for 3 strands of barbed wire being required (although this does not prevent owners from adding them if they see fit);
- Enforcement provisions have been improved generally, including addition of daily penalties and modified penalties if required.

Note also that sections 3.25 and 3.26, and clauses 5(2) and 12 of Division 1 of Schedule 3.1 of the Local Government Act 1995, in essence allows Council to serve a notice on an owner of land to repair, modify or make safe a fence that is unsightly, dilapidated, or dangerous.

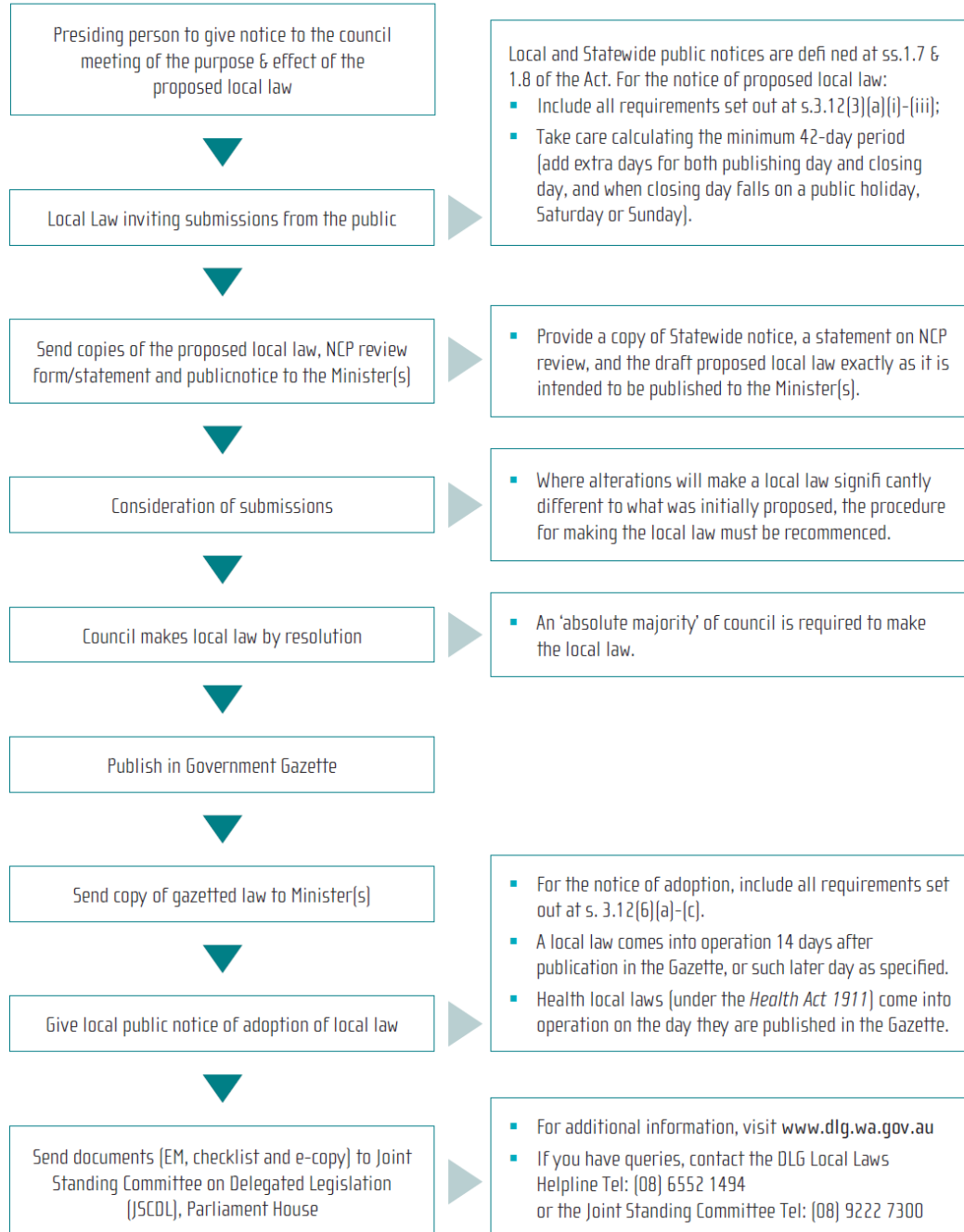
CONSULTATION

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

STATUTORY ENVIRONMENT

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

A summary of s3.12 is:



The Act requires the person presiding at a Council meeting to give notice of the purpose and effect of the proposed local law by ensuring that the purpose and effect is included in the agenda for the meeting and that the minutes of the meeting include the purpose and effect of the proposed local law. Subsequently, the purpose and effect of the proposed local law are as follows:

Purpose

The purpose of this local law is to provide a 'sufficient fence' for the purposes of the Dividing Fences Act 1961 and to state the materials to be used and safety measures to be undertaken in relation to some types of fencing.

Effect

Fencing in the district will need to comply with the definition of a 'sufficient fence' as stipulated in the local law.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONSSocial

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.6.5

That Council:

1. *Adopt the proposed Shire of Exmouth Fencing Local Law for advertising;*
2. *Give state-wide and local public notice stating that it proposes to make a Fencing Local Law 2014, and a summary of its purpose and effect;*
3. *Advertise the proposed Shire of Exmouth Fencing Local Law. This is to include notifying public authorities as the Council nominates, within an area determined by Council as likely to be affected by the Local law, and inviting nominated public authority to make a submission to Council within than 6 weeks after the notice is given;*
4. *The period of advertising is to be not less than six (6) weeks from the date of the publishing of notices and newspaper advertisements, and shall be in the form of:-*
 - a. *Placing an electronic copy of the draft document on (Council's website) the internet;*
 - b. *Making a copy of the draft document available for public viewing and comment at Council's Offices;*
 - c. *Publishing a notice in the 'West Australian' and the 'Northern Guardian' newspaper; and*
 - d. *Placing a notice on Council's notice boards for a period of not less than 6 weeks after the notice is given; and*
5. *Resolves that the results be presented to Council for consideration of any submissions received.*

COUNCIL DECISION – 18-0914 – 11.6.5

Moved Councillor Thompson, Seconded Councillor Hood.

That Council:

1. *Adopt the proposed Shire of Exmouth Fencing Local Law for advertising;*
2. *Give state-wide and local public notice stating that it proposes to make a Fencing Local Law 2014, and a summary of its purpose and effect;*

3. *Advertise the proposed Shire of Exmouth Fencing Local Law. This is to include notifying public authorities as the Council nominates, within an area determined by Council as likely to be affected by the Local law, and inviting nominated public authority to make a submission to Council within than 6 weeks after the notice is given;*
4. *The period of advertising is to be not less than six (6) weeks from the date of the publishing of notices and newspaper advertisements, and shall be in the form of:-*
 - a. *Placing an electronic copy of the draft document on (Council's website) the internet;*
 - b. *Making a copy of the draft document available for public viewing and comment at Council's Offices;*
 - c. *Publishing a notice in the 'West Australian' and the 'Northern Guardian' newspaper; and*
 - d. *Placing a notice on Council's notice boards for a period of not less than 6 weeks after the notice is given; and*
5. *Resolves that the results be presented to Council for consideration of any submissions received.*

CARRIED 6/0

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.6 Review of Local Laws – Standing Orders Local Law

Location: Exmouth
 Applicant: Nil
 File Reference: LE.LO.8
 Disclosure of Interest: Nil
 Date: 8 September 2014
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council adopt the proposed Meeting Procedures Local Law 2014 for advertising and public notice (refer *Attachment 10*).

BACKGROUND

The Standing Orders Local Law provides rules as to how Council of a local government goes about its business and makes decisions. The current Shire of Exmouth Standing Orders Local Law were gazetted in 1999 and adopted by reference to the then Governor's model local law, modified to suit the Shire.

Overall, there have been a number of changes to the Local Government Act (the 'Act') and in particular the Local Government (Administration) Regulations 1996 (the 'Regulations') in relation to how Council meetings are conducted and how decisions are made. The Local Government (Rules of Conduct) Regulations 2006 also have effect.

COMMENT

As noted above, the Shire's current Standing Orders Local Law was made in 1999. There are a number of issues that affect its current form which are set out below:

1. A lot of matters relating to Council and committee meetings are now dealt with by Regulation, or the Act. While these provisions override the local law, it would be preferable if they were to be consistent;
2. A number of changes that should have been made at the time Council adopted the Governor's model appear to have been missed (e.g. the words '[insert *Mayor* or *President*]' appear in a number of areas in the version that was originally adopted in 1999);
3. The order of business currently used in Council meetings does not follow the existing Standing Orders. While Council can resolve to change its order of business as required, providing the requirements of the Act and Regulations are met, it would be preferable to keep the local law and practice consistent so that changes are the exception rather than the rule;
4. Some provisions relating to calling committee meetings if required were deleted from the model when Council's original local law was made. It is unclear why these provisions were deleted by Council when it made the local law in 1999 and may relate to there being of infrequent use, but conversely the provisions about committees in Part 14 of the model local law were retained;
5. Similarly, Part 5 of the model local law which deals with declarations of financial interest or impartiality was deleted when Council made the local law. As a result, there is nowhere in the existing Standing Orders to prompt where elected members and staff are to declare financial interests or impartiality, although reports of officers to Council do have a standard heading about this but which really only applies to employees.

6. It would be wise to at least make reference in the Standing Orders to sections 5.65-5.68 of the Local Government Act 1995 which (amongst other things) provide that the CEO is to inform the meeting of any declarations beforehand (i.e. on the agenda) or they can be declared at the meeting. Having a heading in the Standing Orders at least prompts this to occur.
7. Provisions about the common seal, record keeping and the like are now dealt with under s9.49A of the Act.

A proposed draft Meeting Procedures Local Law 2014 is attached. It is based on a model developed by the WA Local Government Association, modified to suit the Shire.

In terms of the structure and layout of the proposed local law, the following provides a summary:

- Part 1 – Preliminaries – contains definitions and procedural matters.
- Part 2 sets out requirements in relation to committees.

Note that this is simply a provision in the local law; it does not require the Shire to establish committees, but should it chose to do so in future then this Part (the bulk of which comes from the Local Government Act and Regulations) deal with their establishment.

- Part 3 deals with calling and convening meetings.
- Part 4 relates to presiding members and quorums for meetings.
- Part 5 sets out the order of business at a meeting. Clause 5.2 sets out the proposed new order, which generally follows that currently used at Council meetings:
 1. Declaration of opening and announcement of visitors
 2. Record of attendance, apologies and approved leave of absence
 3. Response to previous public questions taken on notice
 4. Public questions time
 5. Declarations of interest
 6. Applications for leave of absence
 7. Confirmation of minutes of previous meetings
 8. Announcements by presiding person without discussion
 9. Petitions, deputations, presentations and submissions
 10. Method of dealing with agenda business
 11. Reports of Elected Members
 - 11.1. Shire Presidents Report
 - 11.2. Elected members
 12. Reports
 - 12.1. Reports of committees
 - 12.2. Reports of Officers
 13. Elected Members motions of which previous notice has been given
 14. New business of an urgent nature introduced by decision of meeting
 15. Meeting closed to the public
 - 15.1. Matters to be considered behind closed doors
 - 15.2. Public reading of resolutions that may be made public
 16. Closure of meeting

Note that these headings are explained in more detail in clause 5.3 – 5.5, Part 6, and Part 7.

The heading titled, ‘Method of Dealing with Agenda Business’, allows the Council to decide to adopt all recommendations from the CEO or committees (if any) en bloc, rather than going through them one by one. This does not require decisions to be made en bloc, but is useful where agendas may be large, and allows the meeting to concentrate on those items which members which to debate or discuss. Note this is dealt with in some detail in clause 5.5 of the proposed local law.

The heading titled, Reports from committees and/or the CEO, provides for reports and recommendations from Committees, if the Shire has any. It is good practice for Reports to Council from Shire employees to come from the CEO, not direct from an employee to Council, hence the heading.

Note that report authors can and should still be identified, but the CEO must be accountable for their performance, and vice versa – the Council should give direction to staff via the CEO.

- Part 6 sets out in some detail the ‘rules’ for public participation in meetings. A substantial portion here is regulated by the Act and Regulations, but clause 6.2 sets out what is to happen when a meeting is not to be open to the public.
 - Clause 6.7 sets out the procedures for those aspects of public question time not dealt with by the Act or Regulations.
 - Clauses 6.8 - 6.13 deal with visitors, deputations, petitions, presentations, participation by non-members in Committee meetings (if any), and public submissions.
 - Clauses 6.14 – 6.16 deal with public inspection of agendas, confidential information, and recording of meetings.
- Part 7 deals with Questions by Members
- Part 8 sets out the rules by which members are to conduct themselves when in meetings.
- Part 9 provides for how order is to be maintained at meetings.
- Part 10 sets out the rules with respect to substantive motions, and Part 11 deals with procedural motions.
- Part 12 simply provides that disclosures of interest are dealt with in the Act, and Part 13 how voting is dealt with.
- Part 14 provides for how minutes are to be kept and sets out the process to be followed if a member is not satisfied with their accuracy.
- Part 15 provides for meetings to be adjourned if required.
- Part 16 sets out the process to revoke, change or implement a Council decision.
- Part 17 allows for provisions of the local law to be suspended from time to time if need be. Typically, this is most used often where Council may wish to suspend standing orders to allow a member to speak more than once on a particular topic.
- Part 18 deals with meetings of electors.
- Part 19 sets out enforcement and penalty provisions. It is considered highly unlikely that these provisions would ever be used, particularly in relation to elected members. They have proven useful in other local governments though in ensuring (for example) that electors meetings where contentious issues may be discussed are able to be conducted in a proper manner without undue disruption.

It is a requirement of the Act that the person presiding at a Council meeting to give notice of the purpose and effect of the proposed local law by ensuring that the purpose and effect is included in the agenda for the meeting and that the minutes of the meeting include the purpose and effect of the proposed local law. Subsequently, the purpose and effect of the proposed local law are as follows:

Purpose

To provide for the orderly conduct of meetings of the Shire of Exmouth.

Effect

All Council, committee and electors meetings, are to be governed by this local law unless otherwise provided in the Local Government Act 1995 or Regulations.

CONSULTATION

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

STATUTORY ENVIRONMENT

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

A summary of s3.12 is:



POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.6.6*That Council:*

1. *Adopt the proposed Shire of Exmouth Meeting Procedures Local Law 2014 for advertising.*
2. *Give State-wide and local public notice stating that it proposes to make a Shire of Exmouth Meeting Procedures Local Law 2014, and a summary of its purpose and effect.*
3. *Advertise the proposed Shire of Exmouth Meeting Procedures Local Law 2014. This is to include notifying public authorities as the Council nominates, within an area determined by the Council as likely to be affected by the Local law, and inviting nominated public authority to make a submission to the Council within than 6 weeks after the notice is given; and*
4. *The period of advertising is to be not less than six (6) weeks from the date of the publishing of notices and newspaper advertisements, and shall be in the form of:-*
 - a. *Placing an electronic copy of the draft document on (Council's website) the internet;*
 - b. *Making a copy of the draft document available for public viewing and comment at Council's Offices;*
 - c. *Publishing a notice in the 'West Australian' and the 'Northern Guardian' newspaper; and*
 - d. *Placing a notice on Council's notice board for a period of not less than t than 6 weeks after the notice is given*
5. *Resolves that the results be presented to Council for consideration of any submissions received.*

COUNCIL DECISION – 19-0914 – 11.6.6

Moved Councillor Hood, Seconded Councillor Winzer.

That Council:

1. *Adopt the proposed Shire of Exmouth Meeting Procedures Local Law 2014 for advertising.*
2. *Give State-wide and local public notice stating that it proposes to make a Shire of Exmouth Meeting Procedures Local Law 2014, and a summary of its purpose and effect.*
3. *Advertise the proposed Shire of Exmouth Meeting Procedures Local Law 2014. This is to include notifying public authorities as the Council nominates, within an area determined by the Council as likely to be affected by the Local law, and inviting nominated public authority to make a submission to the Council within than 6 weeks after the notice is given; and*
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5. *Resolves that the results be presented to Council for consideration of any submissions received.*

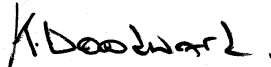
CARRIED 6/0

11. REPORTS OF OFFICERS

11.7 Executive Manager Engineering Services

11.7.1 General Report

Location: Exmouth
 Applicant: Keith Woodward
 File Reference: GV.CM.0
 Disclosure of Interest: Nil
 Date: 10 September 2014
 Author: Executive Manager Engineering Services, Keith Woodward
 Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Kennedy Street Mall Project

The Exmouth Town Centre Stage 2 project is in the final phases of completion. In accordance with the plan, Kennedy Street, opposite the town centre mall, has been closed to general traffic. General traffic has been redirected along the extension of Thew Street and Learmonth Street. The blocked section of Kennedy Street will be developed into a pedestrian prioritised street-scape where vehicle access is restricted, so that pedestrians have the priority. Development works are going to see the theme of the town centre mall pavement extended into Kennedy Street.

The reconstruction works are going to commence on the 15 September 2014 and the completion date is the 27 September 2014. The work site from the northern to southern bollards will be site safety fenced. Access to the shops on the western side of Kennedy Street will be maintained and signed.

The civil works will include the demolition of the existing road surface and pavers. Bulk earthworks to new levels, the construction of kerbing, washed concrete and oxide coloured pathways interconnecting the existing mall paths to the Shops on the western side of Kennedy Street.

The completion of the town centre works were a key outcome supported through community engagement and by the Shire of Exmouth. A vital recommendation of the development plan was to construct the Town Centre and Federation Park to complement its central role in the life of Exmouth; promoting its function as a community meeting place whilst supporting the expansion and function of business. These physical improvements continue to focus on the development of our Exmouth town site sustaining a vibrant commercial centre that is robust enough to grow and accommodate the ever changing dynamics demanded of a modern town centre, in an ecologically and resource rich environment.

The Executive Manager Engineering Services visited each of the businesses on the western side of Kennedy Street to discuss the project and associated timelines.

LIA Reid Street Floodway Project

The Exmouth town site and North West Cape are subject to cyclones, causing strong winds and storms which result in inundation of the coastal zone. Flooding of the coastal plain also occurs as a result of the combination of rain, high tides and low lying landform.

Flooding associated with run-off from the Cape Range and storm/cyclone events is also an on-going concern with past occurrences causing damage to property, roads and the boat harbour.

During a flood the breakout of floodwaters from the LIA floodway on Reid St substantially impacts the Exmouth community and ultimately the State Government by inundating private property and cutting off community and commercial road access.

The Shire of Exmouth in conjunction with the Department of Water, completed the “*Exmouth Floodplain Management Study*” December 2007. The study proposed a floodplain development strategy for the Shire and assessed possible flood mitigation works. The study recommended both structural and non-structural flood mitigation measures, based on detailed hydrologic and hydraulic modeling. The flood study report has been endorsed by the Shire and the Department of Water.

The flood mitigation works proposed in the study have been recommended to minimise the impact of flooding on the town, including the LIA, Exmouth Marina Precinct, existing residences and businesses and to assist with maintaining access between properties south of the LIA creek and the town site. The need for flood mitigation has also been identified to establish clear parameters for future development on land affected by the floodway/flood fringe.

The Reid St Stage 2 project will provide full mitigation to the North and South of the LIA floodway such that if a 100 year ARI flood event occurs the road access along Reid St is continuous and the effects of flooding in the surrounding area is significantly reduced. A 100 year ARI flood in most situations is associated with a cyclone however can occur independently of cyclones in Exmouth.

The implementation of these flood mitigation measures will allow for compatible planning and use of the land on and surrounding the floodplains as a resource for future use and protect infrastructure to alleviate the financial and social impacts to the community, business and government in a flood event.

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

This project has been recognized as a Flagship project within the *Gascoyne Regional Development Plan 2010 – 2020*.

The Reid St LIA project broken into two stages comprises a combination of flood mitigation measures:

- (i) Improved levees for flood containment at a cost of \$1.85 million. This work was completed as Stage 1 in 2012; and,
- (ii) Stage 2 works to raise the road profile to interconnect with existing levees, improve culvert structures and realign Reid St to maintain access. This work will be completed in 2014.

Stage 2 works are fully designed and documented ready to go to tender as soon as funding is secured.

Subject to tendered rates, the Scope of Works included in Stage 2 will see Reid St re-constructed up to 2.0m higher than the existing road level with extensive rock protection measures. The length of road works including tie-in to side streets is approximately 600 lineal metres.

Failure to complete Stage 2 works will undermine the benefits which the community and State can gain from this project being:

- Effective flood protection for local landowners;
- Effective flood protection for essential service provider Horizon Power;
- Minimum disruption following significant flood events;
- Minimum reinstatement costs to the State and local economy following significant flood events; and
- Opportunity for Shire to release up to 2 hectares of land for residential use.

All licences and approvals required for the project have been obtained.

- Aboriginal Heritage Assessment and report completed with no Aboriginal sites identified by the survey team.
- The then Department of Regional Development and Lands Reserve 29066 management order in favour of the Shire of Exmouth for the purpose of drainage and recreation.
- The then Department of Environment and Conservation Permit obtained to clear Native Vegetation.

- Department of Water Permit obtained to interfere with the Water Course.

The project Outcomes and Performance Measures are tabled below. The completion of stage 2 has broad influence within the Shire.

| Table 1 | Outcomes | Performance Measures |
|----------------|--|---|
| 1 | Increased land availability | Future land release to the South of the LIA floodway |
| 2 | Improved access to LIA after a flood event | Reduction in number of days access is blocked |
| 3 | Reduced risk of damage to roadway and other infrastructure in LIA | Assessment of damage to property and infrastructure following a storm/flood event. |
| | Outputs | Performance Measures |
| 1 | 600 lineal metres of Reid Street reconstructed up to 2m higher using road construction materials | Effective flood mitigation during a storm/flood event with the provision of serviceable road access during the 100yr ARI event. |
| 2 | Improvement of existing culverts with rock armour | Culverts installed as per design within time and budget |
| 3 | Installation of traffic signs, guide posts and line marking | Traffic signs, guide posts and line marking installed within time and budget |
| 4 | Bitumen seal along the length of reconstructed road | Road sealed within time and budget |
| 5 | Effective Project Delivery | Effective Contract Management to ensure that project works are delivered on time and within budget |

Project Budget

| Item of Expenditure | Budget (\$) | Source of Funds | Has the Funding been Secured? |
|--|--------------------|--|--------------------------------------|
| Reid Street/LIA flood mitigation works | \$ 1,300,000 | Royalties for Regions Gascoyne Revitalisation Plan | No |
| Contingency - includes project signage, audit and retrospective expenditure from 2012/2013 | 200,000 | Royalties for Regions Gascoyne Revitalisation Plan | No |
| Total Budget | 1,500,000 | | |

Project Timeframe and Key Milestones (will be reviewed subject to Stage Government Cabinet approvals)

| Main Activities / Milestone | Milestone Date | End Date | Responsibility |
|---|-----------------------|------------------|-----------------------|
| Engage Contract Superintendent | March/April 2014 | October 2014 | Shire of Exmouth |
| Review specification and tender documents | March/April 2014 | March/April 2014 | Shire of Exmouth |
| Tender works | Aug 2014 | Aug 2014 | Shire of Exmouth |
| Council Meeting Award Tender | Sept 2014 | Oct 2014 | Shire of Exmouth |
| Civil Works Commence | Oct 2014 | Dec 2014 | Shire of Exmouth |

Construction Program 2014/2015

The Engineering Services Project Status Schedule 2014/2015, which will be tabled at the meeting, provides an overview of the project start, progress and completion dates.

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

Shot Hole Canyon Road

At the August 2014 Ordinary Council Meeting Council “*It is suggested that Shothole Canyon Road be reclassified into a designated 4WD only road. In consultation with DPaW, Officers will formulate a road classification standard and advice to be used as a communication tool to allow the public to make an informed decision as to whether they have the skills, knowledge, experience and an appropriate vehicle to navigate the environment*”. The officer believes that this proposal was generally accepted by Council.

To assist in the determination of reconstruction standards a track classification table which is typical throughout Western Australia, Queensland and Victoria is outlined below.





Track Classification

A new classification system for 4WD tracks:

- Four level colour coded system indicating degree of difficulty
- Standard symbols to show easy to very difficult tracks
- General descriptions to guide drivers

Things to consider:

- The tracks have been classified for dry conditions and most medium, difficult and very difficult tracks will be more difficult in wet weather
- Recovery equipment is advisory only and is not mandatory, but recommended in line with Tourism Adventure Activity Standards
- Inexperienced drivers may require further training for more difficult tracks

| | Easy | Medium | Difficult | Very Difficult |
|-------------------------------------|---|---|---|--|
| Description | All wheel Drive and High Range 4WD. Novice Drivers. | Mainly High Range 4WD but Low Range required. Some 4WD experience or training required. | Significant Low Range 4WD with standard 4WD ground clearance. Should have 4WD driver training. | Low Range 4WD with high ground clearance. Experienced drivers. |
| Advisory Sign/Symbol | Green Circle  | Blue Square  | Black Diamond  | Double Black Diamond  |
| Expected terrain & track conditions | Mostly unsealed roads with no obstacles and minor gradients. | Tracks with some steep and/or rocky/slippery/sandy sections. May have shallow water crossings. | Tracks with frequent steep and/or rocky/slippery/sandy track sections. Possible water crossings. | Tracks with frequent very steep and/or rocky/slippery/sandy track sections. May have difficult river crossings. |
| Vehicle Suitability | All-wheel drive and High range 4WD. Can be low clearance with single range and road tyres. | Suitable for medium clearance vehicles with dual range and all terrain or road tyres. | Suitable for medium clearance vehicles with dual range and all terrain or road tyres. | Suitable for high clearance vehicles with dual range 4WD and tyres suitable for the terrain. (Mud terrain tyres) |
| Recovery Equipment | | | | Winch recovery equipment required. |
| Driver training experience | Suitable for novice drivers. | Recommended that drivers have experience or 4WD training. Recommended to be done in groups of vehicles. | Recommended for drivers with reasonable experience or 4WD training. To be done in groups of vehicle. | Drivers with extensive experience and advanced training should only attempt as there are several technical challenges. |

| | | | | |
|---------|--|---|---|--|
| | | | | Recommended to be done in groups of four or more vehicles. |
| Weather | May be more difficult in wet conditions. | Will be more difficult in wet conditions. | Will be more difficult in wet conditions. | Will be more difficult in wet conditions. |

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

As per Shire 2014/2015 Budget

STRATEGIC IMPLICATIONSEconomic

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

- Outcome 1.5: Maintain & Improve Shire Infrastructure

Environment

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

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

Social

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.7.1

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

COUNCIL DECISION – 20-0914 – 11.7.1

Moved Councillor Todd, Seconded Councillor Hood.

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

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


COUNCIL DECISION – 21-0914 – ITEM 13

Moved Councillor Shales, Seconded Councillor Todd.

That Council accept the New Business of an Urgent Nature Items 13.1 – Exmouth Visitor Centre Review of Key Performance Indicators, 13.2 – Ningaloo Centre and 13.3 – Change of Date for October Ordinary Council Meeting.

CARRIED 6/0

13.1 Exmouth Visitor Centre Review of Key Performance Indicators

| | |
|-------------------------|--|
| Location: | Exmouth |
| Applicant: | R Kempe |
| File Reference: | CS.SP.29 |
| Disclosure of Interest: | Nil |
| Date: | 17 September 2014 |
| Author: | Executive Manager Community Engagement, Rogé Kempe |
| Signature of Author: |  |
| Senior Officer: | Chief Executive Officer, Bill Price |

SUMMARY

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

This report recommends that Council accepts the reviewed KPIs developed by the EVCMC so they can be utilised for future reporting requirements.

BACKGROUND

The Shire of Exmouth has entered into a formal Funding Agreement with the EVCMC outlining the support provided by the Shire of Exmouth and the conditions for this support. This includes the use of Key Performance Indicators to guide the deliverables by the EVC and specific reporting requirements for the Marketing Committee to Council.

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

Evaluation and reporting

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

- any information on EVCMC's membership or other information in relation to the management or activities of EVCMC requested by the Shire to determine EVCMC's compliance with the Key Performance Indicators.

At the April 2014 Council meeting officers reported that:

'The Committee is aware that many of the current KPIs have already been achieved or have become obsolete.

The newly formed Committee likes to determine the future planning and direction of the EVC which in turn will assist to update existing KPIs and incorporate new ones. A workshop will be planned to review and update the Strategic Plan and Business Plan and this also opens up the opportunity to include some new KPIs from the Marketing Strategy.

In accordance with the Funding Agreement, any proposed change in KPIs needs to be approved by Council and officers will bring this matter to Council in due course, but before the next bi-annual KPI report of November 2014'. [Officer's note: this should have been October 2014]

This Council item and attachment provides the reviewed KPIs as proposed by the EVCMC for Councils approval.

COMMENT

A full Report outlining the proposed Key Performance Indicators was submitted by the EVCMC (Refer **Attachment 1**), which includes:

Financial Performance

Audited Annual Accounts re Profit and Loss and Balance Sheet
Draft six monthly Financials
Cash flow Forecast

Risk Management

Compliance requirements for Shire Funding Agreement and Lease
Compliance requirements re other stakeholders
Risk Management Plan developed and implemented

Stakeholders Satisfaction

Customer Satisfaction - Facebook, Trip Advisor, Annual Survey
Member satisfaction - Annual Survey
Partner satisfaction – including Shire, DPaW, CCI, TCWA, TWA, ACC,
Staff Satisfaction

Governance

Policies and procedures are in place and reviewed annually.
Strategic Planning – develop and review Strategic Plan, Marketing Plan, and Business plan annually.

Project

Ningaloo Centre: input and preparations to move to Centre
Overflow Caravan Park
Statistics generated, including door statistics
Partnerships re Cruise ships both at a local level and With TWA

The report provides the proposed KPI's for Council's endorsement, with the actual reporting on the KPI's to be tabled at the October 2014 Council meeting.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.3 – Diverse Tourism opportunities.

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 13.1

That Council accepts the proposed KPIs for the operations of the Exmouth Visitor Centre.

COUNCIL MOTION – 22-0914 – 13.1

Discussion was held that some Councillors did not have enough time to read the report prior to voting.

Moved Councillor Winzer, Seconded Councillor McHutchison.

That Council lay the above report on the table until the October Ordinary Council Meeting.


DRAWN VOTE 3/3

Councillors Shales, Hood and Todd voted against.

As per S 5.21(3) of the Local Government Act 1995 the President delivered his casting vote in the positive.

CARRIED 4/3

13.2 Ningaloo Centre

Location: Exmouth
 Applicant: Ningaloo Centre Project Management Committee
 File Reference: ED.PJ.1
 Disclosure of Interest: Nil
 Date: 18 September 2014
 Author: Chief Executive Officer, Bill Price
 Signature of Author: 

SUMMARY

This report recommends that the Council endorse the Ningaloo Centre Project Management Committees recommendation to accept, subject to the following condition, the 'Stage 3 Design Development' report as presented by the Contractor.

1. The Building Construction components of work being priced as one to test the GMP contract price of \$23,424,070. For council to accept any cost over (ie upward adjustment to the GMP) requires the builders costing to be subjected to independent review and consequent negotiation.

BACKGROUND

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

(a) Project Steering Committee

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

The Project Steering Committee will comprise representation from;

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

(b) Project Management Committee

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

The Project Management Committee will comprise representation from;

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

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

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

1. Stage 1 – Design Brief Finalisation

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

Stage 3 ‘Design Development’ has now been completed with the report being considered by the Project Management Committee meeting held on Thursday 18 September 2014. The committee were satisfied with work completed to date and recommended that the Stage 3 be accepted so that the Contractor can proceed with Stage 4 ‘Construction Documentation’.

Attached are the minutes of the meeting including the Stage 3 ‘Design Development’ report for Councillor consideration. (Refer *Attachment 2*).

COMMENT

Nil

CONSULTATION

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

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

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

Environment

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

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

Social

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 13.2

That Council endorse the Ningaloo Centre Project Management Committees recommendation to accept, subject to the following conditions, 'Stage 3 Design Development' report as presented by the Contractor;

- 1. The Building Construction components of work being priced as one to test the GMP contract price of \$23,424,070. For council to accept any cost over (ie upward adjustment to the GMP) requires the builders costing to be subjected to independent review and consequent negotiation.*

COUNCIL DECISION – 23-0914 – 13.2

Moved Councillor Todd, Seconded Councillor McHutchison.

That Council endorse the Ningaloo Centre Project Management Committees recommendation to accept, subject to the following conditions, 'Stage 3 Design Development' report as presented by the Contractor;

- 1. The Building Construction components of work being priced as one to test the GMP contract price of \$23,424,070. For council to accept any cost over (ie upward adjustment to the GMP) requires the builders costing to be subjected to independent review and consequent negotiation.*

CARRIED 5/1
Cr Hood voted against.

13.3 Change of Date for October Ordinary Council Meeting

The Chief Executive Officer recommended to Council that the October Ordinary Council Meeting be changed from 16 October 2014 to the following Thursday 23 October 2014 as the previous date is in the middle of the school holidays, and as the October Ordinary Council Meeting date falls quite early in the month it will allow an extra week for Council Officers to prepare reports.

COUNCIL DECISION – 24-0914 – 13.3

Moved Councillor Todd, Seconded Councillor McHutchison.

That Council accept the Chief Executive Officers recommendation and change the October Ordinary Council Meeting date to Thursday 23 October 2014.

CARRIED 6/0

14. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS

Nil

15. CLOSURE OF MEETING

The Shire President declared the meeting closed at 5:30pm.