



Ordinary Council Meeting Minutes 1 October 2015

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on 29 October 2015 as a true and accurate record of the Ordinary Council Meeting held on 1 October 2015.

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

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

DISCLAIMER

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Signed at Exmouth



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

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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 4:03pm.

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

Councillor C (Turk) Shales	Shire President
Councillor M Hood	Deputy Shire President (Entered Chambers at 4:18pm)
Councillor R Winzer	
Councillor R (Bob) Todd	
Councillor S McHutchison	
Mr B Price	Chief Executive Officer
Mrs S O'Toole	Executive Manager Corporate Services
Mrs J Kox	Executive Manager Aviation Services
Mr R Kempe	Executive Manager Community Engagement
Mr R Manning	Executive Manager Health & Building
Mr M Johnston	Acting Executive Manager Town Planning
Mr K Woodward	Executive Manager Engineering Services

GALLERY

Visitors: 6

APOLOGIES

Mr R Mhasho Executive Manager Town Planning

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).

Nil

5. DECLARATIONS OF INTEREST

Item/Description	Name	Detail of Interest	Extent of Interest
13.12 EASC Request for Fee Waiver and Exclusive Use of the Pool.	Rob Manning.	Impartiality.	Wife is on the Executive Committee as Treasurer and Children in Club.

6. APPLICATIONS FOR LEAVE OF ABSENCE

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

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

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 27 August 2015 be confirmed as a true and correct record of proceedings.

COUNCIL DECISION – 01-0915 - ITEM 7

Moved Councillor McHutchison, Seconded Councillor Winzer.

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 27 August 2015 be confirmed as a true and correct record of proceedings.

CARRIED 4/0

8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

The Shire President wished all Councillor candidates well in the upcoming election. He also extended a farewell to Councillor Winzer as he has resigned after 6 years on the Council. Councillor Winzer gave 110% to the community particularly his contribution to the Exmouth Volunteer Marine Rescue, being instrumental in securing funding towards their new building. He was also a State Council Member for 2 years and a member of the Regional Road Group and Gascoyne Country Zone Committees. He will be sorely missed.

The Shire President recognised the contribution and sincerely thanked Brooke Shales for her assistance towards Councillors throughout her tenure as Executive Secretary.

He also welcomed Marilyn and Brian Rulyancich. Marilyn is the Mid-West Gascoyne Representative of Regional Development Australia and Business Advisor for the Business Local program.

The Shire President also praised the Exmouth Relay for Life Committee. It was a magnificent effort by all involved with an outstanding achievement of over \$81,000 raised by our small town of Exmouth.

The Shire President advised that the Minister for Regional Development, Hon Terry Redman had made his final decision on the Royalties for Regions funding towards the Ningaloo Centre project and was expecting to make an announcement in the not too distant future.

9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

10. REPORT OF COUNCILLORS

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

- 2/9/15 Councillor Candidate Info Night
- 4-6/9/15 Cut the tape for Relay for Life opening and attendance
- 8, 15, 22/9/15 Story time at School Library with Year 1 students
- 14/9/15 Exmouth Community Support Group Meeting
- 16/9/15 Meeting with Tabitha McMullan from Artsource discussing input into the Public Art Strategy
- 17/9/15 Attended meet and greet with members of the Defence Force at the Game Fishing Club.
- 19/9/15 Hebel Sculpturing Workshop
- 20/9/15 Wellness Day - facilitating Meditation Workshop and helping out at the Living Smart and Community Garden information stall
- 24/9/15 Attended meet and greet with Members of the Defence Force in Chambers, then visited the Military display at the oval.
- 25/9/15 Presented trophies on behalf of the Chamber of Commerce for the Gascoyne Hero's Morning Tea

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

- 2/9/15 Councillor Candidate Info Night
- 4/9/15 Opened Relay for Life.
- 5/9/15 Walked for Relay for Life, 45 laps.
- 10/9/15 Met with Keith at old power house for key and induction.
- 12, 13/9/15 Cleaned up old power house sight.
- 19/9/15 Participated in town clean up.
- 24/9/15 Attended meet and greet with Members of the Defence Force in Chambers, then visited the Military display at the oval.

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

- 2, 3, 4/9/15 WALGA State Council in Narrogin.
- 17/9/15 Attended meet and greet with members of the Defence Force at the Game Fishing Club.
- 24/9/15 Attended meet and greet with members of the Defence Force in Chambers, then visited the Military display at the oval.

10.1 Shire Presidents Report

Location: Exmouth
 Applicant: Cr C (Turk) Shales
 File Reference: GV.CM.0
 Disclosure of Interest: Nil
 Date: 24 September 2015

SUMMARY

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

BACKGROUND

1 – 4/9/15 Darwin Cruise Down Under Conference, networking, great success overall, put Exmouth on the map.
 5/9/15 Relay For Life, over \$80,000 raised, extremely proud of all concerned, a small town with a huge heart.
 7/9/15 General meet and greet with the Returning Officer, Graham Little.
 8/9/15 Meet with Jenny Melvin in regards to their lease at the bottom of the gulf.
 9/9/15 Meet with Nina Lyn and Daren Hutchins from Department of Transport regarding Tantabiddi Boat Ramp and Mortiss Street.
 10 – 12/9/15 Perth for Tidy Towns State Awards Ceremony, we were finalists in four categories, great effort by all.
 14/9/15 Gascoyne Tourism Board Meeting.
 15/9/15 Meet with Shane Wakley and Michael Birtles from Department of Defence.
 17 – 24/9/15 Australian Defence Force exercise-Northern Shield. The Defence Force are to be congratulated for their magnificent community engagement, their proficiency and due diligence during Operation Northern Shield. Special thanks must go to Colonel Brett Challoner, Director of Operations and Shane Wakley, Operations Officer. We are very proud Australians, having you to protect us.

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 2015.

COUNCIL DECISION – 02-0915 – 10.1

Moved Councillor Todd, Seconded Councillor Winzer.

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

CARRIED 4/0

Councillor Hood entered the Chambers at 4:18pm.

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:	15 September 2015
Author:	Chief Executive Officer, Mr B Price

SUMMARY

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

BACKGROUND

Cruise Down Under Conference

The 2015 Cruise Down Under Conference titled “Uniting Australia’s Cruise Future” was held from the 2- 4 September at the Hilton Darwin, Northern Territory.

A record number of speakers were announced for the conference including;

Claudius Docekal, Director, Deployment, Destinations & Charter Sales, Azamara Club Cruises;

Dwain Wall, COO WorldCruise.cn;

Rich Pruitt, Vice President, Safety and Environmental Stewardship, Royal Caribbean Cruises Ltd.;

Darius Mehta, Director Land Programs, Silversea; and

Michael Hackman, Executive Vice President, Marine Operations & New Ship Building, Star Cruises.

Carnival Australia joined a number of local experts in both plenary and workshop sessions over 2 ½ days.

The program explored a range of topics including:-

- State of the Industry, Emerging Markets (including China) and Passenger Mix;
- The Destination, Itineraries and Land Programs;
- Ports and the Environmental Footprint of Cruises; and
- Logistics, Supplies and Provisions.

More information on the presentations is available by visiting the Cruise Down Under website <http://www.cruisedownunder.com/conferences>.

The Shire of Exmouth delegates took the opportunity to network with all of the key stakeholders impressing them on the value of Exmouth and Ningaloo Coast as a desirable destination for the industry. Promotional folders and video experience were distributed and demonstrated to the conference attendees. (refer *Attachment 1*).

2015 Tidy Towns State Awards

The Keep Australia Beautiful Council (KABC) 2015 Tidy Towns State Awards event was held in Perth on Friday 11 September 2015. Council were represented by the Shire President and couple staff members for the event. Unfortunately Exmouth did not win any awards.

Community Information Forum

It is proposed that the next Community Information Forum will be held on Wednesday 21 October 2015 at the Shire Hall commencing at 6.00pm. The program will include presentations on the following:

- Introduction of new Councillors;
- BoM presentation on the forthcoming weather prediction for the Cyclone Season;

- Update on the 2015/16 Council Budget including major projects;
- Update on the Ningaloo Centre project; and
- Other Business.

Exmouth Boat Harbour Upgrade

Council would be aware that the State Government have allocated \$20m Royalties for Regions (R4R) funds for the stage 1 upgrade of the Exmouth Marina Harbour. The following is an update of the progress of the project to date for Councillor information.

Project Progress

The detailed design work for this project is now nearing completion. The main components of the design are the new wharf extension and associated hardstand, new trawler pens, an upgraded cyclone mooring system, upgrade of the southern breakwater, access roads including the new loop road to the future fuel farm, realignment of the jinker ramp, associated services, toilet and storage shed.

It is anticipated the works associated with the project will be undertaken in three separate works packages as follows:

- Early Works – Dredging
Now scheduled to commence in February and be completed by March 2016 in conjunction with the maintenance dredging in Exmouth;
- Early Works – Fuel Farm Relocation and Utility Services Reconfiguration
Call tenders September 2015, award of contract end of 2015, and works completion by mid-2016; and
- Main Works - Marine Structures & Civil Works
Call Expressions of Interest September 2015 followed by short listing and detailed tender submissions then awarding of contract early 2016. Commencement of works on site is expected in mid-2016.

Early Works – Dredging

Maintenance dredging at the Exmouth Boat Harbour is now scheduled to commence in February 2016, and will remove siltation outside the Harbour entrance. The work was originally scheduled to take place in September and October, however a dredge break-down has postponed these works until February 2016. This delay is not critical and will not affect overall timing of the project.

The maintenance dredge will also clear siltation within the berth pockets for the proposed trawler pens and the service wharf extension.

Spoil material from the dredging works will be placed on Town Beach to the north of the boat harbour, near the Exmouth Yacht Club. Testing has confirmed the material is suitable for beach nourishment. Material placed on Town Beach is expected to be naturally discoloured when first deposited. However it will bleach in the sun and blend in with the existing beach after a few weeks, as has been the case in previous campaigns.

Interesting Project Facts

- The Exmouth Boat Harbour Upgrade works involve supply and installation of approximately 98 steel piles, a total of 140 tonnes of steel.
- High density polyethylene sleeves will be installed over the new wharf piles to prevent corrosion, helping to achieve the wharf's 50 year design life.
- 1,800 cubic metres of concrete will be used to construct the deck of the wharf extension.
- A new fire-fighting system consisting of fire water storage tanks and pump system will provide the necessary water pressure and flow for fire hydrants across the southern harbour precinct.
- All new street lighting will comprise LED light fittings to provide an energy efficient, cost effective and durable lighting solution.

Local Government Elections

The Returning Officer for the upcoming Local Government Election, Mr Graham Little visited Exmouth from Wednesday 2 September to Friday 11 September 2015 to facilitate the Candidate Nomination Process on behalf of the Western Australian Electoral Commission.

A Councillor Nomination Information Forum was held on Wednesday 2 September 2015 at 6.00pm at the Council Chambers. Mr Little provided a presentation on what it means to be a Councillor and the roles, responsibilities and expectations of a Councillor. He also provided an overview of the nomination and election process.

At the close of nominations six (6) candidates submitted an application for the four (4) vacancies, hence the need for an election. Nominations have been received in order of the drawn ballot paper positions from the following:

James Roscic
Michael Hood
Shane Coote
Michael Husband
Robyn Cook
Sue McHutchison

Key dates for the election include:

13 October 2015	Close of Absent Voting or Postal Vote Applications
17 October 2015	Election Day
As soon as practicable	Election Results declared and publicised

Following the declaration of the results the successful candidates will be officially sworn in at a special meeting of Council proposed for 5.00pm Wednesday 21 October 2015.

The following Councillor training sessions have been funded by the R4R Country Local Government Fund to be held within the Gascoyne area for new and interested Councillors.

<u>Carnarvon</u>	
Serving On Council	15 February 2016
Meeting Procedures and Debating	16 February 2016
<u>Exmouth</u>	
Land Use Planning	10 March 2016
Strategy and Managing Risk	11 March 2016

Future of the Gascoyne Seminar

A Future of the Gascoyne, State of the Regions Seminar has been organised in Carnarvon on Thursday 5 November 2015 to be held at the Carnarvon Civic Centre between 11am to 5pm. Following the seminar a sundowner hosted by the GDC will be held. The forum will highlight emerging opportunities, showcase and promote competitive advantages, contribute to enhancing the capacity of government, business and industry in the Gascoyne region and expose participating delegates to leadership, new knowledge, networking and capacity building opportunities.

The *Gascoyne Regional Investment Blueprint* will also be officially launched.

The program of events and guest speakers for the seminar include

Vision for the Gascoyne
Hon. Terry Redman MLA
Minister for Regional Development; Lands; Minister Assisting for State Development
Leader of the WA National Party

Tony Beard
Chairman, Gascoyne Development Commission

Development in the Gascoyne

Hon. Mia Davies MLA
Minister for Water; Sport and Recreation; Forestry

Marnie Finlayson
General Manager, Operations, Dampier Salt

Craig Julian
General Manager, Non Interconnected Systems, Horizon Power

Future Industries in the Gascoyne

Simon Moore
President, Carnarvon Chamber of Commerce and Industry

Digby Stretch
Vice President and Livestock Chairman, Pastoralists and Graziers Association of Western Australia

Capitalising on opportunities

Jack Archer
Chief Executive Officer, Regional Australia Institute

Registrations cost \$175 and numbers of interested delegates will need to be submitted.

Staff

Holly Faxon has been appointed as Brooke Shales replacement as Executive Assistant commencing 21 September 2015.

I would like to take this opportunity to extend my appreciation in recognition of the magnificent effort and contribution that Brooke has made to the organisation during her employment and wish her all the very best in her future endeavours.

Other Meetings & Functions attended by the CEO

- Met with Amanda and Chad Rintoul on Monday 7 September 2015.
- Attended Executive Secretary Interviews on Tuesday 8 September 2015
- Met with Nina Lyn and Daren Hutchins from Department of Transport
- Meeting with Sharon Lister from Mrs Macs on Wednesday 30 September 2015

Meetings Scheduled for Next Month

- Cruise WA Committee Meeting to be held on Tuesday 13 October 2015

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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- Outcome: 4.3: To be strong advocates representing the region's interests

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.1.1

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

COUNCIL DECISION – 03-0915 – 11.1.1

Moved Councillor Winzer, Seconded Councillor Todd.

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

CARRIED 5/0

11. REPORTS OF OFFICERS

11.1 Chief Executive Officer

11.1.2 Office Shutdown Christmas New Year Period

Location:	Exmouth
Applicant:	Chief Executive Officer
File Reference:	GV.CM.0
Disclosure of Interest:	Nil
Date:	15 September 2015
Author:	Chief Executive Officer, Bill Price

SUMMARY

Council consideration in closing the administration offices 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 Tuesday 29 to Thursday 31 December (3 days inclusive)

Hence, the office will be closed from COB Thursday 24 December 2015 and reopen again on Monday 4 January 2016, allowing some staff to have a decent break over the festive period.

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.

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- Outcome: 4.3: To be strong advocates representing the region's interests

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.1.2
--

That Council agrees to close the administration office on Tuesday 29 to Thursday 31 December inclusive, to coincide with the existing Christmas public holidays.

COUNCIL DECISION – 04-0915 – 11.1.2

Moved Councillor Hood, Seconded Councillor McHutchison.

That Council agrees to close the administration office on Tuesday 29 to Thursday 31 December inclusive, to coincide with the existing Christmas public holidays.

CARRIED 5/0

11. REPORTS OF OFFICER

11.1 Chief Executive Officer

11.1.3 Reviewed Policy – Community Notice Boards

Location:	Exmouth
Applicant:	R. Kempe
File Reference:	CM.PO.1
Disclosure of Interest:	Nil
Date:	22 September 2015
Author:	Chief Executive Officer, Bill Price

SUMMARY

This report proposes inclusion regulations regarding the use of the Shire's Electronic Notice Board at Ross Street Mall and recommends adoption of reviewed Policy 2.5 – *Community Notice Boards*.

BACKGROUND

Council recently installed a new Electronic Notice Board at Ross Street Mall. It is the intent for this notice board to be used for Council and community notices only.

The current Council Policy 2.5 'Community Notice Board' relates to the wall mounted and paper based notice board at Ross Street Mall. The Policy aims to provide a fair and equitable rationale for the use of space on the Shire's Community Notice Board and to provide detailed guidelines as to the nature of notices acceptable on the Shire's Community Notice Board.

COMMENT

Officers have reviewed the policy with an aim to include guidance on the use of the electronic notice board in terms of nature of the information and the number and length of notices on this board.

In addition, some policy changes are proposed to the use of the wall mounted notice board in order to create more clarity for its use.

Council is advised that an Advertising Application Form will be developed for the electronic sign to ensure appropriate information and correct processes are being followed.

It is recommended that the reviewed Policy be adopted to include guidelines for the new electronic notice board.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Policy 2.5 has been reviewed and is attached to this report (refer *Attachment 2*).

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION – 11.1.3

That Council adopts the reviewed Shire of Exmouth Policy 2.5 'Community Notice Boards' as outlined in Attachment 2.

COUNCIL DECISION – 05-0915 – 11.1.3

Moved Councillor Todd, Seconded Councillor Hood.

That Council adopts the reviewed Shire of Exmouth Policy 2.5 'Community Notice Boards' as outlined in Attachment 2.

CARRIED by ABSOLUTE MAJORITY 5/0

11. REPORTS OF OFFICERS

11.1 Chief Executive Officer

11.1.4 RFT 04/2015 Ningaloo Centre Construction Tender

Location:	Exmouth
Applicant:	Nil
File Reference:	CM.TE.04.2015
Disclosure of Interest:	Nil
Date:	24 September 2015
Author:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council

1. Award Tender 04/2015 Ningaloo Centre Construction and Fit Out, Exmouth to Firm Construction for the conforming tender sum of \$ 25,051,841.49 (inclusive of GST) as detailed in the Confidential Evaluation Report (Refer *Confidential Attachment 3*)
2. Delegate authority to the Chief Executive Officer to enter into negotiations with Firm Construction to explore their non-conforming Tender and any other efficiencies this Tender may present, and
3. Authorise the Shire President and Chief Executive Officer to execute the Contract.

BACKGROUND

At the April 2013 Ordinary Council Meeting Council resolved;

‘That the Council of the Shire of Exmouth award tender 04/2013 Design and Construct the Ningaloo Centre, Exmouth to Matera Construction and Site Architecture for the sum indicated in the Confidential Evaluation Report (Refer Attachment 4) and authorise the Chief Executive Officer to execute the Contract on release of State funds.’

Due to Matera Construction going into voluntary administration in February 2015, at the Special Council Meeting held on 20 April 2015, Council resolved:

That the Council of the Shire of Exmouth endorse;

- *Issuing a Notice of Termination of Contract 04/2013 Design and Construct the Ningaloo Centre to Matera Construction, as per Attachment 1.*
- *correspondence to Mr Matera that elaborates on the basis for Council’s decision, as per Attachment 2*
- *progression of the Ningaloo Centre project by directly engaging the architect and consultant team to finalise the design and documentation package and engaging WALGA consultant services to call and manage a tender process to secure a contractor for Phase 2 building construction.*

Council engaged WALGA Procurement Services in August, to carry out the Tender Process for Tender 04/2015 Ningaloo Centre Construction and Fit Out, Exmouth. The tender was advertised state wide in the Western Australian newspaper on Saturday 8 August 2015. Site Architecture completed the tender documents of which WALGA distributed to a large number of interested parties.

Ten (10) submissions were received by the closing date, Thursday 10 September 2015, being the following;

- Cockam Construction Limited
- Cooper and Oxley Builders Pty Ltd
- Crothers Construction
- Decmil
- Emco
- Firm Construction

- Pindan Contracting Pty Ltd
- Sime Building Co Pty Ltd
- Sitzler
- Thomas Building Pty Ltd

WALGA, Site Architecture and Council representatives, consisting of the Chief Executive Officer and the Strategic Project Officer, performed an assessment on the tender submissions and the findings are provided for Council information, in the attached Confidential Tender Evaluation Report (Refer ***Confidential Attachment 3***).

COMMENT

The tender will hold 'Preferred Tenderer' status until such time as the contract is executed.

Tender validity period is a minimum of 120 days from Council's resolution for determining the Tender, unless extended on mutual agreement between the Principal and the Tenderer in writing.

On Wednesday 1 October 2015, Council received the formal notice from the Minister for Regional Development, Hon. Terry Redman MLA, approving the \$19.820m Royalties for Regions grant funding towards the Ningaloo Centre Stage 2 Construction project.

CONSULTATION

WALGA Procurement Services

Site Architecture

Donald Cant Watts Corke (Quantitative Surveyor Consultancy)

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Policy 2.10 – Purchasing

Policy 2.17 – Regional Price Preference

FINANCIAL IMPLICATIONS

Council has \$32.2M allocated to the Ningaloo Centre Project for the 2015/2016 and 2016/2017 financial years.

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

Absolute Majority

OFFICER'S RECOMMENDATION – 11.1.4

That Council:

- 1. Award Tender 04/2015 Ningaloo Centre Construction and Fit Out, Exmouth to Firm Construction for the conforming tender sum of \$ 25,051,841.49 (inclusive of GST) as detailed in the Confidential Evaluation Report (Refer Confidential Attachment 3)*
- 2. Delegate authority to the Chief Executive Officer to enter into negotiations with Firm Construction to explore their non-conforming Tender and any other efficiencies this Tender may present, and*
- 3. Authorise the Shire President and Chief Executive Officer to execute the Contract.*

COUNCIL DECISION – 06-0915 – 11.1.4

Moved Councillor Todd, Seconded Councillor Winzer.

That Council:

- 1. Award Tender 04/2015 Ningaloo Centre Construction and Fit Out, Exmouth to Firm Construction for the conforming tender sum of \$ 25,051,841.49 (inclusive of GST) as detailed in the Confidential Evaluation Report (Refer Confidential Attachment 3);*
- 2. Delegate authority to the Chief Executive Officer to enter into negotiations with Firm Construction to explore their non-conforming Tender and any other efficiencies this Tender may present; and*
- 3. Authorise the Shire President and Chief Executive Officer to execute the Contract.*

CARRIED by ABSOLUTE MAJORITY 5/0

11. REPORTS OF OFFICERS

11.2 Executive Manager Corporate Services

11.2.1 General Report

Location: Exmouth
 Applicant: S O'Toole
 File Reference: CM.RE.0
 Disclosure of Interest: Nil
 Date: 16 September 2015
 Author: Executive Manager Corporate Services
 Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

The following report contains a brief summary of activities and issues that were raised during August 2015.

BACKGROUND

Rating

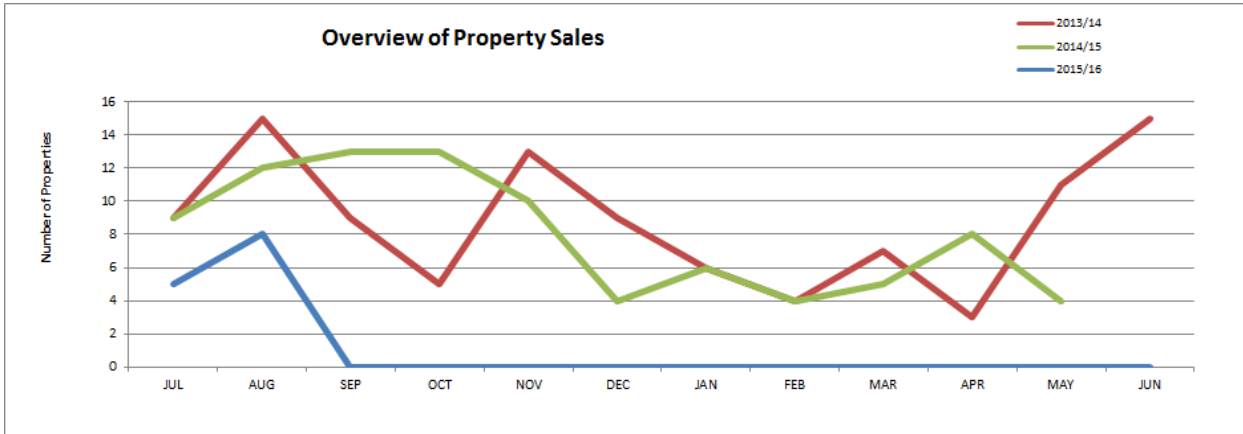
Property Sales

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

2015/16 Summary of Property Sales			
Number Sold	Land Usage	Total Sales	Average Sale
6	Vacant Land	\$890,500	\$148,417
7	Residential	\$3,675,000	\$525,000
0	Industrial	\$0	\$0
0	Mixed Use	\$0	\$0
0	Composite Devel	\$0	\$0
0	Special Use	\$0	\$0
0	Tourism	\$0	\$0
13		\$4,565,500	

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

Property Sales Cont.

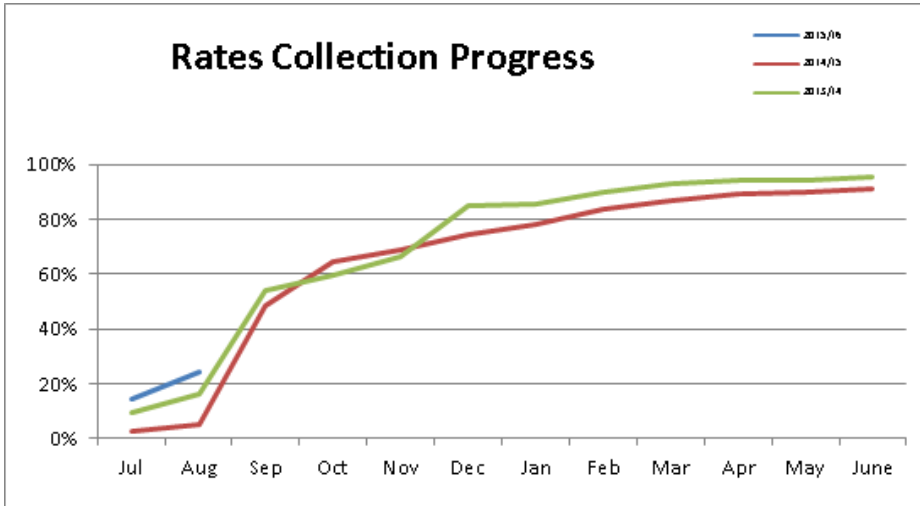


Rates Collection

Summary of Rates and Charges Collection	
Rates Collection Analysis	
	\$
Rates & Charges Levied 2015/16	3,961,357
Arrears 1 July 2015	395,588
Less Collections	(1,013,748)
Total Rates & Charges Outstanding	3,343,196
Less Pensioner Deferred Rates	(30,189)
Total Rates Collectable	3,313,008
% Collected to Date	24.0%
Notices Sent	4/08/2015
Due Date	8/09/2015
Reminder Notice Sent	
Final Notice Sent	
Notice of Intention to Summons Sent	
Summons Issued	

Comparative percentage of rates collected monthly			
	2015/16	2014/15	2013/14
Rates Due Date	8/09/2015	30/09/2014	11/09/2013
Jul	14.60%	3%	10%
Aug	24%	5%	16%
Sep		48%	54%
Oct		65%	59%
Nov		69%	66%
Dec		75%	85%
Jan		78%	86%
Feb		84%	90%
Mar		87%	93%
Apr		89%	94%
May		90%	94%
June		91%	96%

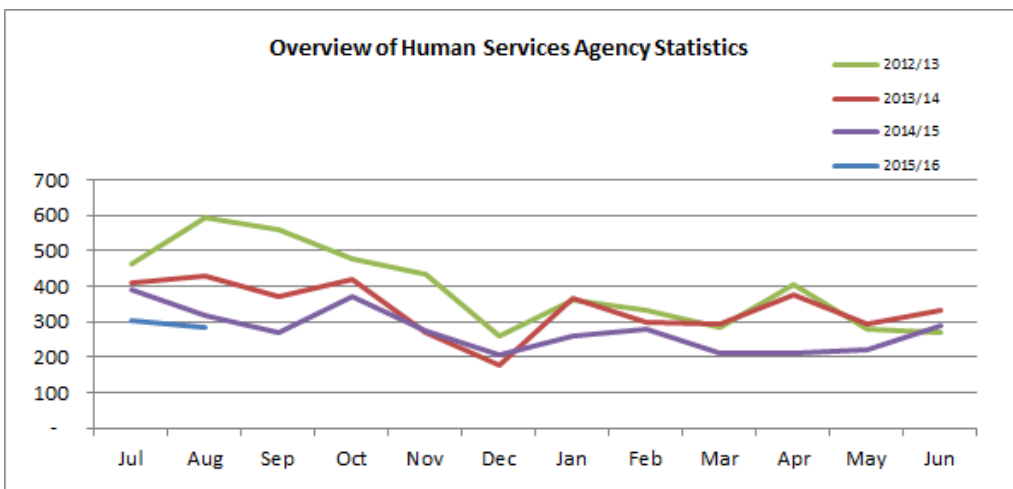
Rates Collection Cont.



Human Services Agency (formerly Centrelink)

Summary of Agent Statistics for 2015/16

	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
						2015/16	2014/15	2013/14
Jul	59	44	59	141	303	303	390	411
Aug	51	41	58	135	285	285	317	427
Sep	-	-	-	-	-	-	272	373
Oct	-	-	-	-	-	-	369	422
Nov	-	-	-	-	-	-	273	268
Dec	-	-	-	-	-	-	208	178
Jan	-	-	-	-	-	-	261	367
Feb	-	-	-	-	-	-	278	299
Mar	-	-	-	-	-	-	210	296
Apr	-	-	-	-	-	-	212	377
May	-	-	-	-	-	-	219	296
Jun	-	-	-	-	-	-	-	331
TOTAL	110	85	117	276	588	588	3,009	4,045



CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.2.1

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

COUNCIL DECISION – 07-0915 – 11.2.1

Moved Councillor McHutchison, Seconded Councillor Hood.

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

CARRIED 5/0

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

Location:	Exmouth
Applicant:	S O'Toole
File Reference:	FM.FI.0
Disclosure of Interest:	Nil
Date:	16 September 2015
Author:	Executive Manager Corporate Services, Sue O'Toole
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Financial report for the period ended 31 August 2015 has been prepared and a copy of the Report is attached as *Attachment 1* and a complete list of accounts for payment is attached as *Attachment 2*.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Civic Leadership**

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.2.2

That Council:

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

Municipal Fund – August 2015 \$1,761,080.91 incorporating of cheques 13156-13169 and direct debits

Trust Fund – August 2015 \$17,954.95 incorporating of cheques 400823-400827 and direct debits

Outstanding Creditors as at August 2015 - \$6,550.99

COUNCIL DECISION – 08-0915 – 11.2.2

Moved Councillor McHutchison, Seconded Councillor Hood.

That Council:

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

Municipal Fund – August 2015 \$1,761,080.91 incorporating of cheques 13156-13169 and direct debits

Trust Fund – August 2015 \$17,954.95 incorporating of cheques 400823-400827 and direct debits

Outstanding Creditors as at August 2015 - \$6,550.99

CARRIED 5/0

11. REPORTS OF OFFICERS**11.3 Executive Manager Aviation Services**

11.3.1 General Report

Location:	Exmouth
Applicant:	J Kox
File Reference:	TT.SP.0
Disclosure of Interest:	Nil
Date:	21 September 2015
Author:	Executive Manager Aviation Services, Jenny Kox
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND**Defence**

Exercise Northern Shield has seen increased operations out of Learmonth with activation of air traffic control for the exercise period.

Airlines/Air Operators/Industry

August passenger numbers for both the airport and heliport were greater than those seen in 2014 however the usual trend of decreased numbers when compared to July continued.

Learmonth Airport

Acceptance of the Learmonth Airport Master Plan by the Department of Defence has been formally received.

An air route connectivity survey will be released on 1 October to gauge the community's intentions for using air service connections between regional airports in the North and Mid-West of WA. The Survey campaign will run for a period of 6 weeks and will be advertised locally and via the Exmouth Visitor Centre. Member for the Pilbara Region, Hon Brendon Grylls MLA will launch the campaign at Karratha Airport on 1 October 2015.

Exmouth Aerodrome

Engineering Services have been constructing additional apron and taxiway area within the General Aviation Precinct which, once complete, will provide trafficable areas to Lots 2 and 10.

Leasing

Advertising of proposed leases for the fuel compound and the café at Learmonth Airport closes on 28 September 2015.

Freight handling offices at Learmonth Airport are also currently under negotiation.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER’S RECOMMENDATION – 11.3.1

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

COUNCIL DECISION – 09-0915 – 11.3.1

Moved Councillor Todd, Seconded Councillor Winzer.

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

CARRIED 5/0

11. REPORTS OF OFFICERS

11.4 Executive Manager Community Engagement

11.4.1 General Report

Location:	Exmouth
Applicant:	R Kempe
File Reference:	GV.CM.0
Disclosure of Interest:	Nil
Date:	22 September 2015
Author:	Executive Manager Community Engagement, Rogé Kempe
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Tourism

Multi-Purpose Deep Water Wharf

Officers assisted in the development of a prospectus regarding a Multi-Purpose Deep Water Wharf facility in the Exmouth Gulf. A first proposal with fundamentals was put together arguing that such a facility will enable substantial growth in tourism (cruise shipping), and further supports growth in off shore industries, defence and agricultural/aquaculture activities in Exmouth and the Gascoyne Region.

Australia’s Coral Coast (ACC)

The EMCE attended a special meeting of the board to discuss the ACC’s constitution and proposed changes, which includes a reduction in the number of board members and the removal of the ward system for allocating board positions. The AGM will be held in Exmouth on 21 October 2015.

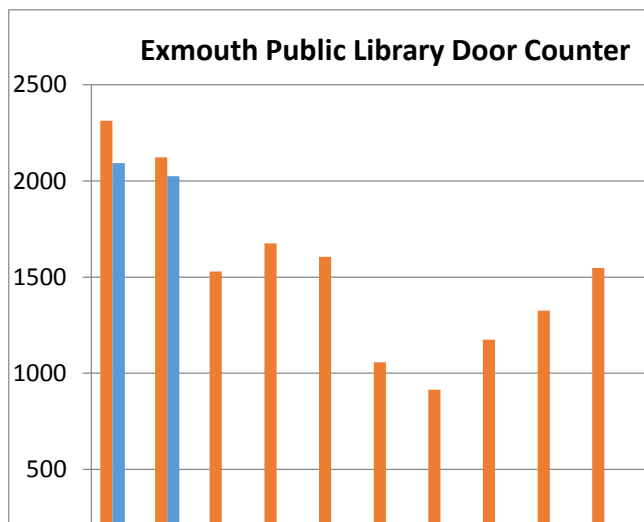
Exmouth Visitor Centre (EVC)

The Visitor Centre entered into the Top Tourism Awards 2015 and won a category award for ‘Community Relations’. Denmark and Kalbarri won the Top Tourism Town awards.

The Exmouth Visitor Centre will have its AGM in October 2015.

Library Services

About 2025 people made use of the library facilities for the month of August and 2929 items were circulated through the library front desk, compared to 2577 for the same period in 2014. Members borrowed 55 e-books this month; the highest amount borrowed since its introduction in September 2014.



Story time became “Teddy Bears Picnic Day” with 25 children, favourite bears and parents enjoying stories, songs, craft and a picnic of fruit and cheese to complete the morning. Officers are taking advantage of the beautiful weather and have story time under the shade of the gum trees behind the library with the most recent session attended by 29 children.

Community Development

Relay For life

Relay For Life is the largest fundraising event for cancer in the world. Celebrated by more than 4 million people in over 20 countries, this inspirational overnight event empowers and unites local communities to fight cancer.

Exmouth Relay has been held 5 times, in 1999, 2003, 2005, 2007 and 2015; each time the amount raised has increased. The 2015 event exceeded the target set and was beyond everyone’s expectations: a phenomenal amount of **\$81,998.25** was raised by our small community. The Shire of Exmouth and many other organisations and businesses in town provided strong support for the event.



About 190 people participated in the 24 hour walk and 97 people volunteered their time to help put the event on. Janine Wright raised \$2,599 to shave her head and Stuart Dixon raised \$2,317 to cut of his dreadlocks.

All teams did an amazing job with their fundraising activities:

Circus-For-A-Cure	Members: 17	Amount Raised: \$11,002.68
Bumble Bees	Members: 16	Amount Raised: \$10,286.25
Fishing for a Cure	Members: 13	Amount Raised: \$ 7,324.15
Ningaloo Turtles	Members: 16	Amount Raised: \$ 6,182.65
Colour in Cancer	Members: 14	Amount Raised: \$ 4,713.95
The Gilligans	Members: 15	Amount Raised: \$ 4,467.75
Lego Heads	Members: 19	Amount Raised: \$ 4,443.20
The Vollies	Members: 15	Amount Raised: \$ 3,390.00
The Knockouts	Members: 17	Amount Raised: \$ 2,985.95
Once Upon a Cure	Members: 16	Amount Raised: \$ 2,195.15
Wiggles	Members: 12	Amount Raised: \$ 1,904.50
Exmouth Mailbags	Members: 17	Amount Raised: \$ 1,902.70

Save a Mate

The Shire of Exmouth partnered with Local Drug Action Group (LDAG) and Exmouth PCYC to run a *Save-a-Mate* (SAM)) workshop for the community and youth of Exmouth.

This program provides young people with the skills and knowledge to prevent, recognise and respond to emergencies that may result from Alcohol and Other Drug (AOD) use.

The following topics were covered:

- Drugs and their classifications
- Risk factors for overdose
- How to reduce harm associated with alcohol and other drug use
- What an overdose looks like
- What to do if there is an overdose

The community workshop was held on Wednesday 16 September 2015 at the Shire hall with 8 people attending. The youth workshop was at the PCYC drop-in centre and 16 kids learnt lifesaving skills and coping strategies. They received a participation certificate.

Youth Action Exmouth (YAE)

Officers are working with the YAE team to host a "WipeOut" pool party at the Paltridge Memorial Swimming Pool. The event is being held on 8 October 2015 from 6 till 8.30pm and will incorporate a water based obstacle course, basketball competition, free barbecue and other youth activities.



Trails Masterplan

The Community Engagement team is progressing the Trails Masterplan project. They have met with representatives of DPaW to gauge their interest in the project and received positive feedback. DPaW and the Department of Sport and Recreation have both agreed to present at a workshop on trails development early next year. In addition, DPaW is working with the Cape Bike Riders club to investigate opportunities for bike trails at the Cape Range NP.

Gascoyne In May

An AGM was held for the Gascoyne In May (GIM) committee and the EMCE will represent the Shire of Exmouth on the committee for another term. Darren Cossill has resigned and the representative for the Whaleshark Festival is now Teressa Miller. GIM is an overarching organisation which provides support and programming for the festivals that are held in the Gascoyne during the weekends in May. New to the touring circuit this year is Coral Bay.

Public Art Strategy

Artsource has been engaged by the Shire of Exmouth, through funds secured via the Royalties for Regions Gascoyne Community Chest Fund, to undertake the development of a Public Art Strategy.

Project Objectives include:

- Develop and address Council strategies and policies.
- Complement Exmouth's established nature based tourism industry by a modest expansion into the Cultural tourism market.
- Ensure the importance of educational content and quality interpretation in creating the cultural experience is transformed into public art.
- Enhance the built and natural environments and contribute to place making.
- Engage with community members and visitors to Exmouth.
- Create opportunities for artists.

Consultation was undertaken from 15 - 19 September 2015 via one-on-one meetings, focus group meetings and a walk-in workshop. Information will be collated and recommendations for art themes will be made.

The main functions of the consultation is to ensure there is an awareness of the Public Art Strategy in the Exmouth community and gain input from various stakeholders and the general community on key components of the Strategy. The community is invited to continue to provide input and ideas into this process.

Future activities include a formal call for public comment, allowing the general public to provide feedback or request for changes to the draft Strategy. Industry specialists will receive a personalised or targeted invitation to comment. Finally, an Implementation Workshop will be held which will enable key stakeholders to gain better understanding of the final Strategy and processes to make Public Art happen.

Club Development

The CDO participated in a quarterly meeting with all Gascoyne Club Development Officers and key Department of Sport and Recreation (DSR) staff on 16 September 2015. The meeting was a great opportunity to share information and resources on the health and sustainability of local clubs and discuss strategies to support their development.

In accordance with the Shire funding agreement with DSR, the CDO has completed a club development Operational Plan outlining how key performance areas will be measured as part of the grant acquittal. The plan is now completed and has been submitted with DSR for consideration.

Letters have been sent to all Exmouth sporting clubs advising them of the Shire's changes to the application of Fees and Charges for the use of Shire owned sporting facilities.

The CDO is working closely with Exmouth Basketball to assist them to become an incorporated club.

New Meeting Room

A new meeting room will become available in the old Durack building behind the Shire offices. The meeting room can be used for Shire meetings and training, but can also be hired by external organisations, like clubs or visiting service providers.

WA Museum

The WA Museum is developing a new museum for WA and staff visited Exmouth to get input from Exmouth residents and hear about their stories that could be included in the new Museum.

Officers attended an evening meeting, but unfortunately nobody else turned up; only 8 people showed an interest for the morning session.

Shire officers continue to assist the Museum with this project and are looking into other opportunities to get the community engaged.

Exmouth District High School (EDHS)

Officers conducted interviews with students from EDHS as part of their Workplace Learning unit in which they learn about recruitment processes and how to prepare and present themselves throughout these. The EMCE was very impressed with how the students performed.

EXMOUTH RESIDENTS

SHARE YOUR STORIES

NEW MUSEUM FOR WA

Join staff from the Western Australian Museum as we share the development of the New Museum for WA. Come and have your say about the important stories from the Exmouth region that could be included in the New Museum.

New Museum Public Meetings

Exmouth Bowling Club
Tuesday, 15 September 2015
10am – 12pm, including morning tea
Payne Street, Exmouth

Novotel Ningaloo Resort
Tuesday, 15 September 2015
6:00pm – 8:00pm, including light refreshments
Madafari Drive, Exmouth

museum.wa.gov.au/new-museum

NEW MUSEUM FOR WA

Media and Community Information

- Two Newsletters have been distributed this month. The first newsletter detailed the opening of the pool, user information and safety induction sessions and programmed events. The second newsletters contained information on fire breaks, including landholder obligations and compliance and how to reduce the risk of bushfire.
- Content for the Shire Facebook page has been compiled and staff training/information sessions will be held before the page is officially launched.

Grants Updates

- Officers applied for a grant with Woodside for \$4,500 towards a Shire project for the Ningaloo Whaleshark Festival which will be themed around 'Wind'. This will include community workshops for the making of kites and wind chimes, the purchase of a 12 meter long Whaleshark kite and provision of information about weather events with input from GWN weather, Sea Rescue and BOM.
- Officers assisted Gascoyne in May with 2 letters of support for their grant applications which will bring arts and entertainment to the region, including the Whaleshark Festival.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.3 – Diverse Tourism opportunities.

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER’S RECOMMENDATION – 11.4.1

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

COUNCIL DECISION – 10-0915 – 11.4.1

Moved Councillor Hood, Seconded Councillor McHutchison.

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

CARRIED 5/0

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

Location:	Exmouth
Applicant:	R M Manning
File Reference:	GV.CM.0
Disclosure of Interest:	Nil
Date:	21 September 2015
Author:	Executive Manager Health & Building, R M Manning
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

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

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

Applic No	Date Received	Lot	Property Address	Description	Decision	Decision Date
15/85	22/06/2015	768	19 Ingleton Street	Outbuilding extension	Approved	05/08/15
15/89	26/06/2015	1381	45 Preston Street	Lean-To	Awaiting information from applicant	
15/90	26/06/2015	159	26 Dugong Close	Dwelling	Awaiting information from applicant	
15/98	04/08/2015	347	4 Lockwood Street	Patio	Approved	06/08/2015
15/99	05/08/2015	266	23 Christie Street	Carport	Approved	10/08/2015
15/102	11/08/2015	1097	16 Campbell Way	Demolition Of Garage	Approved	12/08/2015
15/103	12/08/2015	3	5 Ningaloo Street	Carport	Approved	27/08/2015
15/104	14/08/2015	100	9 Jones Place	Fence	Approved	03/09/2015
15/105	20/08/2015	124	43 Skipjack Circle	Outbuilding	Approved	26/08/2015
15/106	26/08/2015	1086	11 Hall Street	Fence	Approved	27/08/2015
15/107	26/08/2015	330	3 Falls Street	Deck and Patio	Approved	01/09/2015

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

Year	No. Applications	Total Value of Works	No. Applications up to 31 August 2015	Value up to 31 August 2015
2009 - 2010	198	\$26,916,869.00	29	\$3,447,175.00
2010 - 2011	188	\$24,816,605.00	27	\$5,852,355.00
2011-2012	144	\$23,057,154.00	25	\$6,831,241.00
2012- 2013	150	\$19,931,790.00	30	\$4,694,192.00
2013-2014	159	\$23,404,990.00	23	\$3,250,031.00
2014-2015	155	\$21,321,521.00	21	\$3,304,832.00
2015-2016			15	\$530,500.00

COMMENT**BUILDING**

The year to date annual building statistics are looking a little bleak so far this year. This is due to two main reasons. One may think that the most obvious is the slowing of WA's economy. However, the fact is that local builders have been very busy over recent months carrying out repair/replacement works from insurance claims following the two storm/cyclone events earlier this year. Repair/replacement works for such buildings/structures, if done as like for like and still compliant with current structural engineering

standards don't require a Building Permit. Therefore most of the work keeping the builders busy have been exempt from the requirement to obtain a Building Permit, therefore not being captured by the monthly statistics.

Most of the cyclone repair works have now been completed and during September 2015 the Shire's Building Department has seen an increase in the amount of Applications submitted. Hopefully next month's year to date statistics will demonstrate the above.

Compliance Matters

Correspondence was sent in the past month to the owners/occupiers of three separate premises in the Mixed Use zone that each had unauthorised transportable buildings located on their land. They have been given a timeline to advise Council Officers of their intentions in relation to the respective buildings and advised that should they intend for the buildings to remain, they will obtain the relevant approvals. They were also requested to advise what their contingency plans are with cyclone season is fast approaching and advised that a notice of proposed building order may be served to have the building removed should they not provide a satisfactory response.

ENVIRONMENTAL HEALTH

Environmental health duties continue as normal with food premise inspections and licencing, event inspections and water sampling.

Second Living Smart Course Report

A second Living Smart (LS) Course was delivered in May-June 2015. 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. It is a requirement of presenting a LS Course that the facilitator submit a Post Course Report to 'Be Living Smart Inc'. A copy of the report prepared in relation to this latest course is provided at ***Attachment 1***.

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. The establishment of a Community Garden in Exmouth was the clear stand-out from the responses. Some such responses included a desire to see more vegie gardens on street verges. The next most popular was improved recycling options for the town followed by ideas relating to 'share-a-ride'/carpooling systems and a community bicycle concept.

Food Premises Invoicing

Letters of advice have been sent to all food businesses to advise them of the changes to invoicing for the 2015/2016 financial year with the removal of the annual renewal fee.

Food businesses are charged an annual inspection fee and the inspection frequency is set based on their level of risk. Risk levels are determined by the type of food they serve or produce, the amount of staff involved, food safety training and whether or not they have food safety plans in place. All food businesses will be issued an updated food registration certificate as some food businesses have lost theirs due to ceiling damage in Cyclone Olwyn and those that do have them have the old logo for the Shire of Exmouth. This process will also provide them an opportunity to review their systems should they wish to try and lower their risk rating score to reduce annual fees.

More Declared Pests and Environmental Weeds Identified

At the August 2015 Ordinary Council Meeting the Council was informed of the re-emergence of Mexican Poppy in isolated pockets south of the Exmouth town site.

Since then two additional Dept of Agriculture and Food (WA) Declared Pests and Environmental Weeds have been brought to the attention of Council Officers. Those being Rubber Vine and Ruby Dock respectively.



Ruby Dock (pictured above left) has been found on various lot within the Industrial Estate south of town and it is wide-spread throughout the Qualing Scarp Landfill Site. Council staff are spraying the weed at the landfill site and correspondence has been issued to lot owners in the industrial estate where the weed was observed requesting that they eradicate the pest.

Ruby Dock is an Environmental Weed that has reached plague proportions in the Karijini and Mount Augustus National Parks. Department of Parks and Wildlife, Exmouth are making concerted efforts to keep the spread of Ruby Dock under control on vacant crown land around the North West Cape to try and prevent it from entering the Cape Range National Park. Council Officers are planning to work with Parks and Wildlife to map areas where Ruby Dock has been identified and apply appropriate eradication efforts on infestations on land controlled and managed by the respective agencies.

An isolated incidence of Rubber Vine was reported in a storm water drain adjacent to the footpath on the south eastern section of Tambor Drive (pictured above right). Rubber Vine is a Declared Plant in the C3 Management control category under the Biosecurity and Agriculture Management Act 2007. The C3 Management category under the above Act requires the land owner to apply some form of control that will alleviate the harmful impact of the plant, reduce the numbers or distribution of the plant or prevent or contain the spread of the plant. Parks and Wildlife have also been advised of the location of the Rubber Vine.

The Department of Agriculture and Food (WA) has been advised of the actions taken.

Waste Management and Recycling

Asbestos Information Sheet

The Shire of Exmouth Information Sheets for Asbestos Removal and Asbestos Disposal have been updated with the aim of better informing the community and contractors of the expectations in regards to disposing of asbestos at the Qualing Scarp Landfill Site (refer *Attachment 2*). Emphasis has been given on the requirements of how the asbestos has to be prepared in order for it to be accepted into the landfill site and of the necessity to make a booking 24 hours prior to disposing of asbestos.

Sentinel Chickens & Mosquito Borne Diseases

The University of Western Australia's Sentinel Chicken Bleeding Program is continuing with bi-monthly bleeding of chicken flocks. There were no new positives blood tests to report of for Murray Valley Encephalitis, Kunjin Virus or other flaviviruses for Exmouth from the rounds of testing up to 17 August 2015. The sentinel chicken flocks have had a rotation and the new flock are being given time to settle.

Paltridge Memorial Swimming Pool

The entry statistics reported at the monthly Council meetings are reported for the calendar month prior to the meeting. There are no statistics to report this month as the pool was closed in August.

Pool Open Day

This season the pool opened on Monday 7 September 2015 with a change to the normal Saturday Pool Open Day usually held. This was due to the open day falling on the same weekend as Relay for Life and Father's Day. The day started at 11am with lap swimming and free play. Then when the school finished the

action started with the Aqua Run and the PCYC bouncy castle. The whole day was free entry and was enjoyed by 164 people.

Revisit of Pool Redevelopment Plans

Francis Robinson of North Coast Design previously prepared the concept plans for the redevelopment of the Paltridge Memorial Swimming Pool. Mr Robinson is visiting town in the school holidays and has offered his services should the Council wish to revisit the previously adopted redevelopment plan. During the initial engagement of Mr Robinson in 2012 he consulted with Council staff, Paltridge Memorial pool stakeholders and the community and prepared a number of options for Council to consider and prepared cost estimates for each option.

The option adopted by Council included a new children's pool, new four lane heated 25m pool with disability access, superficial improvements to the existing 50m pool and new water filtration plant, plant room, toilet facilities and admin/kiosk areas (refer to **Attachment 3**). The estimated cost of the above redevelopment (in 2012) was almost \$6,000,000.

Whilst the adopted plan was considered desirable at the time, on closer consideration since it is probably not achievable given the upfront redevelopment cost and not sustainable given ongoing costs to run the two additional water bodies and the additional plant required to run the three pools.

In consideration of the above and Mr Robinson's planned visit to Exmouth, Council Officers have asked him to revisit the pool redevelopment plans and undertake further community consultation during his visit to ascertain the priority aspirations of the pool user groups and review the design to a more manageable and sustainable budget.

Mr Robinson will be available for meetings with Council staff, pool stakeholder groups and the general community early in the week commencing 5 October 2015. Invitations and public notices regarding the consultation process will be issued week commencing 28 September 2015.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Environment

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

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

Social

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

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

Civic Leadership

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

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.5.1

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

COUNCIL DECISION – 11-0915 – 11.5.1

Moved Councillor Todd, Seconded Councillor McHutchison.

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

CARRIED 5/0

11. REPORTS OF OFFICERS

11.5 Executive Manager Health & Building

11.5.2 Annual Renewal of Caravan Parks and Camping Ground Licences

Location:	Exmouth
Applicant:	R M Manning
File Reference:	LE.RE.5
Disclosure of Interest:	Nil
Date:	23 September 2015
Author:	Executive Manager Health & Building, R M Manning
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends that the Council of the Shire of Exmouth 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 as well as the issuing of a Temporary Nature Based Park License for Bullara Station (April-October 2016).

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.

Bullara Station's Temporary Nature Based Park License has also been included with this annual report. However, the above is a Temporary License and is only valid from April to October.

COMMENT

In the last 12 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.

The Temporary Nature Based Park License for Bullara Station has been included in this annual caravan park license renewal report. As the temporary license is not valid for a full year, the applicant was required to lodge the application and obtain the temporary license prior to the Nature Base Park operations commencing. In the past the application was often lodged late and the license was often not issued until part way through the tourist season. Therefore, to ensure that Bullara don't inadvertently commence operations of the camping facilities without holding a current license it is recommended that this temporary license is considered at the same time as the annual renewal of the other licensed caravan parks in the district.

The current license for Yardie Homestead Caravan Park included conditions relating to the submission of a cyclone management plan for the temporary transportable toilets and the drafting on an updated detailed site plan consistent with the requirements of Regulation 43 of the Caravan Parks & Camping Ground Regulations 1997. The above matters are being satisfactorily addressed and will be finalised in the next week or so.

Exmouth Cape Holiday Park has had a change of ownership from Aspen Parks to RAC Tourism Pty Ltd, this was effective as of 15 September 2015.

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, 30 June 2016– 28 August 2016.

Copies of the licenses for renewal to 30 September 2016 prepared for each of the caravan parks and camping grounds are provided at **Attachment 4**.

Management at Ningaloo Caravan and Holiday Resort have been out of town recently as such the application for renewal and fees have not been submitted at the time of writing this report. However, staff at the Caravan Park have advised that the application and fees should be lodged by Tuesday morning 29 September 2015. Owing to the above, this report has been prepared on the basis that the required information and fees are lodged prior to the Council meeting and the draft license renewal for Ningaloo Caravan and Holiday Resort is included in the above attachment. Should the above application and fees not be submitted by 29 September 2015, Council Officer's may need to submit some last minute changes to the report before the Council considers the recommendation at the 1 October 2015 Ordinary Council Meeting.

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 2016 and the Temporary Nature Based Park License as presented in Attachment 5, 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;
4. Yardie Homestead Caravan Park; and
5. Bullara Temporary Nature Based Park (valid April to October 2016)

COUNCIL DECISION – 12-0915 – 11.5.2

Moved Councillor Hood, Seconded Councillor Todd.

That Council approve the issuing of the Caravan Parks and Camping Grounds licences valid until 30 September 2016 and the Temporary Nature Based Park License as presented in Attachment 5, 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;*
- 4. Yardie Homestead Caravan Park; and*
- 5. Bullara Temporary Nature Based Park (valid April to October 2016)*

CARRIED 5/0

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.1 General Report

Location:	Exmouth
Applicant:	Nil
File Reference:	LP.PL.0
Disclosure of Interest:	Nil
Date:	24/09/15
Author:	Executive Manager Town Planning, Rhassel Mhasho
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Planning Applications and Approvals

Below is a summary of planning applications and approvals up to 31 August 2015.

Applic No.	Date	Lot	Property	Description	Decision	Date
PA107/15	06/08/15	194	13 Grenadier Street	Outbuilding	Approved	31/08/15
PA109/15	12/08/15	152	23 Hunt Street	Outbuilding	Approved	27/08/15
PA115/15	17/08/15	1097	16 Campbell Way	Outbuilding	Approved	09/09/15
PA116/15	19/08/15	801	19 King Place	Outbuilding	Approved	09/09/15
PA117/15	19/08/15	R49037	Madaffari Drive	Mobile Vendor - Art Gallery	September OCM	
PA120/15	24/08/15	1288	5 Saury Place	Holiday Accommodation	September OCM	

Summary of Total Planning Application/Codes Variations	
Year	No. Applications
2011-2012	163
2012-2013	175
2013-2014	149
2014-2015	118
2015-2016	13

Permits issued for an Activity on Local Government Property	
Month	No. Applications
April	8
May	5
June	7
July	6
August	10

COMMENT

Town Planning Scheme No. 4 and Local Planning Strategy

Council is notified the Environmental Protection Authority (EPA) has determined that the proposed Local Planning Scheme No 4 should not be formally assessed under Section 48 of the Environmental Protection Act 1986 (refer *Attachment 1*).

Planning and Development Local Planning Scheme Regulation 2014

The Department of Planning and Western Australian Planning Commission (WAPC) advised that the Planning and Development Local Planning Scheme Regulations 2015 was gazetted on the 25 August 2015 and will take effect on the 19 October 2015. Schedule 2 of the Local Planning Scheme Regulations 2015 deemed provisions will take effect in all Local Planning schemes automatically without needing to amend the Scheme

The regulations have been prepared by the Parliamentary Counsel's Office. These draft regulations propose to replace the *Town Planning Regulations 1967* and associated Model Scheme Text. The provisions will have a significant impact on how our local planning schemes are prepared and amended (refer *Attachment 2*).

Release of State Planning Policy 5.2: Telecommunications Infrastructure

The Western Australian Planning Commission (WAPC) released the State Planning Policy 5.2 Telecommunications Infrastructure (SPP 5.2). The Policy was gazetted on the 8 September 2015 and became effective from that date (refer *Attachment 3*).

Ranger Services

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

	Dogs	Camping	Parking	Litter	Fire	Off road	Other
Warning/caution	1	0	2	0	0	2	5
Infringement	0	11	3	0	0	0	1
Court	0	0	0	0	0	0	0
August Total	1	11	5	0	0	2	6
2015-2016 Totals	6	45	10	2	0	9	14

Local Law Review

Local Law Review											
Local Law	Approve by Council to Initiate	Advertising		Sent to Minister	Advertising Closes	Schedule of Submission	Final Adoption Council	Gazettal	Gazettal to Minister	Local Public Notice	Submit to JSC
		West Australian	Northern Guardian								
Dog	21/08/14	30/08/14	3/09/14	2/09/14	20/10/14	11/11/14	18/12/14	23/01/15	23/01/15	28/01/15	03/02/15
Cemetery	21/08/14	30/08/14	3/09/14	2/09/14	20/10/14	11/11/14	20/11/14	12/12/14	17/12/14	22/12/14	05/01/15
Meeting Procedure	18/09/14	27/09/14	1/10/14	24/10/14	17/11/14	11/12/14	19/02/15	01/04/15	07/04/15	08/04/15	14/04/15
Fencing	28/05/15	06/06/15	09/06/15	12/06/15	24/07/15	27/07/15	27/08/15	11/09/15	15/09/15	16/09/15	01/10/15
Cat	23/10/14	1/11/14	5/11/14	6/11/14	22/12/14		26/03/15				
Parking	23/10/14	1/11/14	5/11/14	6/11/24	22/12/14	11/12/14	19/02/15	01/04/15	07/04/15	08/04/15	14/04/15
Public Places											
Marina Waterways											
Repeal	28/05/15	06/06/15	09/06/15	12/06/15	24/07/15	27/07/15	27/08/15	11/09/15	15/09/15	16/09/15	01/10/15

Emergency Management-***Bushfire Outlook – 2015/16 Fire Season***

The seasonal bushfire outlook for southern Australia was issued at the beginning of September for the 2015/16 bushfire season. Whilst this outlook is directed towards the southern sectors of Australia, it also provides an insight into the outlook which can be expected for Exmouth. This outlook is used by fire authorities to make strategic decisions on resource planning and prescribed fire management for the upcoming fire season.

Of particular importance are the future tendencies of sea surface temperatures in the Indian Ocean associated with the El-Nino-Southern Oscillation. In Western Australia, for the Western Gascoyne and Central West, there is normal fire potential due to average rainfall and grass growth. In the Murchison, Goldfields and Desert areas, there is an above normal fire potential as a consequence of high fuel loads from above average rainfall.

Although the El Nino continues to strengthen, the correlation between El Nino and rainfall and temperature patterns is weaker for Western Australia than it is for the eastern states. In an average El Nino, daytime temperatures across the southern half of the state are higher and the wet season onset typically occurs later in the season.

However, every event is different and El Nino is not the only influence on rainfall and temperature; other factors, such as warmer-than-average sea surface temperatures to the north of Australia and in the Indian Ocean, will also affect the climate, and hence, bushfire potential across Western Australia.

With this outlook comes a reminder to all residents in Exmouth to not be complacent with preparing their properties and family for bushfire. Whilst a major bushfire has not occurred in Exmouth for a number of years, the community should not be complacent and should be prepared. Officers will proceed with

firebreak inspections and enforcement come the beginning of October in order to ensure the community is prepared for bushfires.

In preparation for an above average fire season in Exmouth, the Department of Fire and Emergency Services have loaned a high season firefighting appliance to the Exmouth Volunteer Bush Fire Brigade to ensure that enough resources are on hand and available for the forthcoming season. The brigade has completed its fire season preparations and are arranging for all vehicles and equipment to be repaired before the fire season commences.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Environment

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

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

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.6.1
--

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

COUNCIL DECISION – 13-0915 – 11.6.1

Moved Councillor Todd, Seconded Councillor Winzer.

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

CARRIED 5/0

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.2 Land Swap - Portion of Reserve 29066 Lot 1456 on DP 32358, Exmouth

Location	Reserve 29066 Lot 1456 on DP 32358, Exmouth
Applicant:	Nil
File Reference:	R29066
Disclosure of Interest:	Nil
Date:	12 June 2015
Author:	Executive Manager Town Planning, Rhassel Mhasho
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council endorse the Exmouth Racecourse plan and subsequently endorse the land swap of a portion of Reserve 29066 Lot 1456 on DP 32358 along Murat Road being approximately 14,514m² with a portion of Lot 1 on DP41331, currently held as freehold land by RAC Tourism Assets Pty Ltd (RAC) being approximately 14,514m² (refer *Attachment 4*).

BACKGROUND

Reserve 29066 has been identified as a suitable location for a new Exmouth Racecourse. The Council appointed a consultant to undertake a feasibility study for the project and to come up with different options for the alignment of the racecourse. The Racecourse Committee has since selected the alignment shown in *Attachment 5*.

This option was preferred because it will enable Truscott Crescent not to be closed. However, part of the race track is on land which is currently owned by RAC. It is therefore recommended that Council endorse the racecourse plan and seek a land swap of a portion of Reserve 29066 along Murat Road being approximately 14,514m² currently under Council management with a portion of lot currently held as freehold land by RAC being approximately 14,514m² (refer *Attachment 4*).

COMMENTS

Reserve 29066 is reserved for the purpose of 'Recreation and Drainage' with the Shire of Exmouth having the power to lease for long terms. Currently the portion of the reserve in question is vacant and approximately 14,514m² of the reserve is needed for the land swap.

The Lot is currently being used as a caravan park. The eastern portion of Lot 1403 is subject to a 500m no development wastewater treatment plant buffer zone. Discussions have been held between the Shire and Water Corporation regarding the relocation of the waste water treatment plant. Development of the affected portion will not occur until the waste water treatment plant is relocated.

Should Council and RAC agree on the land swap, Council is required to advise Department of Lands of the land swap and advise that Council is willing to relinquish vesting over this portion of land and that the department initiate the process required surveying, excising, rezoning and disposing of portion to be included in the RAC caravan park.

CONSULTATION

Informal discussions on the matter were held by the CEO and Executive Manager Town Planning in Perth during a meeting with RAC staff and Department of Lands officials.

STATUTORY ENVIRONMENT

Local Government Act 1995
 Land Administration Act
 Planning and Development Act 2005
 Town Planning Scheme No. 3

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONSEconomic

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

- Outcome 1.2 - Planned and balanced economic growth.

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 REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION – 11.6.2

That Council:

1. *Endorse the Exmouth Racecourse plan (refer Attachment 5).*
2. *Subsequently endorse the land swap of a portion of Reserve 29066 along Murat Road being approximately 14,514m² currently under Council management with a portion of lot currently held as freehold land by RAC being approximately 14,514m² (refer Attachment 4).*
3. *After receiving approval from RAC, advise Department of Lands of the land swap and advise that Council is willing to relinquish vesting over this portion of land and that the Department initiate the process required surveying, excising, rezoning and disposing of the portion to be included in the caravan park.*

COUNCIL DECISION – 14-0915 – 11.6.2

Moved Councillor Winzer, Seconded Councillor Todd.

That Council:

1. *Endorse the Exmouth Racecourse plan (refer Attachment 5).*
2. *Subsequently endorse the land swap of a portion of Reserve 29066 along Murat Road being approximately 14,514m² currently under Council management with a portion of lot currently held as freehold land by RAC being approximately 14,514m² (refer Attachment 4).*
3. *After receiving approval from RAC, advise Department of Lands of the land swap and advise that Council is willing to relinquish vesting over this portion of land and that the Department initiate the process required surveying, excising, rezoning and disposing of the portion to be included in the caravan park.*

CARRIED 5/0

11. REPORTS OF OFFICERS

11.6.3 Executive Manager Town Planning

11.6.3 Mobile Art Gallery & Tourist Products – Lot 360 Madaffari Drive, Exmouth (R49037 – Exmouth Boat Harbour)

Location:	Lot 360 Madaffari Drive, Exmouth (R49037 – Exmouth Boat Harbour)
Applicant:	Susan Marie T’Hart
File Reference:	R49037 PA117/15
Disclosure of Interest:	Nil
Date:	10 September 2015
Author:	Executive Manager Town Planning, Rhassel Mhasho
Senior Officer:	Chief Executive Officer, Bill Price

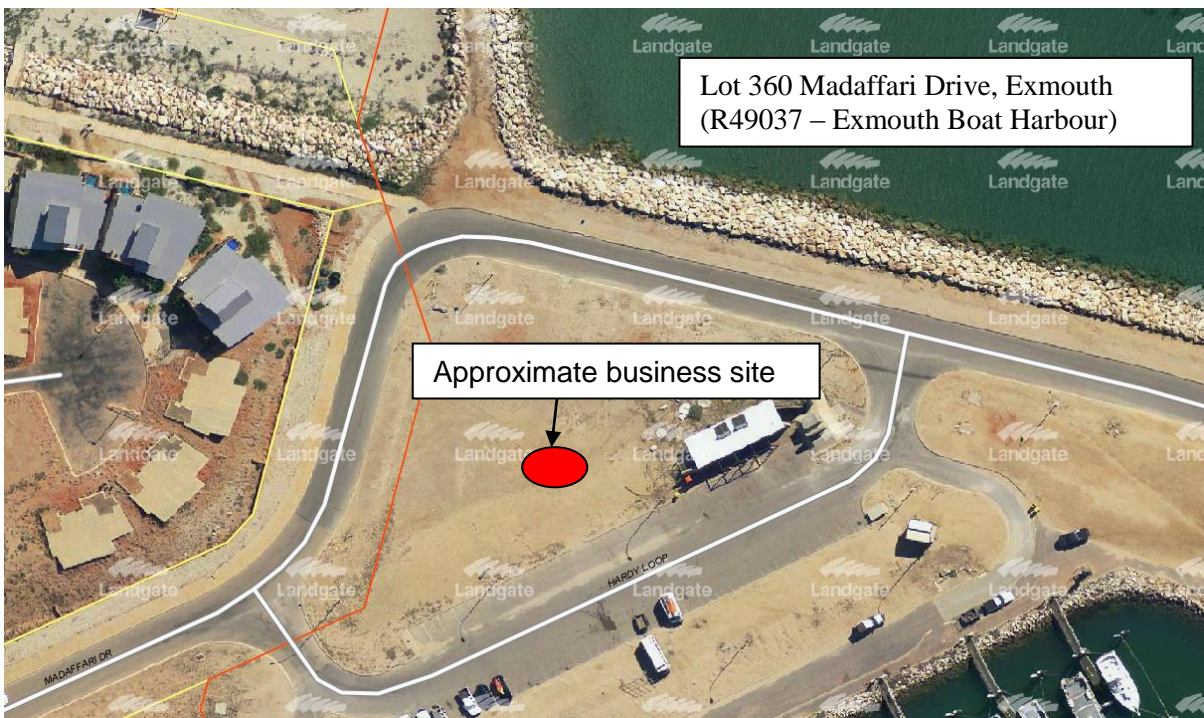
SUMMARY

This report recommends that Council grant conditional planning approval for a proposed Mobile Art Gallery & Tourist Products (Use Not Listed).

BACKGROUND

The Applicant is seeking to operate a mobile art gallery selling art and associated tourist products. The products proposed for sale will include Aboriginal art, artefacts and jewellery, marine and fishing themed art objects, Exmouth, Gascoyne and Australian products and souvenirs. The Van will be located adjacent the public toilets located at Hardy Loop coming off Madaffari Drive (see diagram below). The total proposed area is 21m² which includes the internal area of the van and an awning which extends from the edge of the van; 2 trestle tables and postcard racks are proposed underneath the awning. The business entails a single employee.

The land is owned by the State Government with a Management Order to the Department of Transport (DoT). The DoT has issued the applicant with a lease to occupy the subject land for a one (1) year period. Consideration of further annual renewals is subject to compliance with the conditions of the lease and DoT not requiring the land for their own development purposes.



COMMENT

The subject land is owned by State Government with a management order to the DoT. Generally works undertaken on such land by a State Authority would be defined as a 'Public Work' which is exempt from the requirements of a Local Planning Scheme. However, as the proposed development, which includes the use of land, is being conducted by a private operator the requirements of *Town Planning Scheme No. 3* still apply.

The Scheme does not exempt the proposal from requiring planning approval, hence this report to Council. Should Council support the proposal it is recommended that the approval is subject to the Applicant having permission from the owner and/or manager of the land, such as the lease that has been provided by the DoT.

Shire of Exmouth Town Planning Scheme No. 3

Given that the proposal is to sell goods out of a mobile vehicle it does not reasonably fall within any defined land use and is not listed in the Zoning Table within *Town Planning Scheme No. 3*. Pursuant to Clause 3.2.4 of the Scheme, for such land uses Council may:

- “(a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted; or*
- (b) determine that the proposed use may be consistent with the objectives of the zone and thereafter follow the “SA” advertising procedures of clause 9.3 in considering an application for planning approval; or*
- (c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.”*

The subject land is zoned 'Marina' by the Scheme. The objectives of the zone are follows:

“5.5 MARINA ZONE***5.5.1 Objectives***

- (a) to provide for residential, tourist, commercial, and marine industrial development with waterfront access adjacent to the Exmouth small-boat harbour.*
- (b) to integrate with other land uses, particularly tourist and town centre related, to benefit the whole community.*
- (c) to complement and not compete with the town centre for civic, cultural, and commercial uses.*
- (d) to provide for marine research educational facilities to an appropriate scale and character.*
- (e) to provide for visitors and pedestrian movements.*
- (f) to create an attractive and viable project.*
- (g) promote and safeguard health, safety, convenience, environmental quality and the general welfare and amenity of the locality.*
- (h) to encourage a high standard of development within the zone.*
- (i) to promote a high standard of maintenance of artificial waterways and other waterways through cooperation with the Waterways Manager and the Department for Planning and Infrastructure.”*

The proposal is considered to be consistent with the objectives of the zone. It can be classified as commercial and tourist development. The business is small in scale and will not negatively compete with the town centre or undermine pedestrian movement. The vehicle is considered not to undermine the amenity of the area. As it is a mobile vehicle it will not result in a permanent structure, therefore the development potential of the land is not undermined. Therefore, it is recommended that Council determine the application in accordance with Clause 3.2.4(a) above.

Conditions below have been included in the Officers Recommendation in the interest of amenity and a condition ensuring compliance with Council's signage requirements.

Draft Exmouth Boat Harbour Guidelines

The areas of the Marina zone experiencing regular development have been structure planned to provide guidance on that development. Draft detailed design guidelines have been prepared to define the desired character of the Exmouth Boat Harbour in terms of land use, built form and streetscape and interface with

the Harbour edges. It is important to note that this document does not have effect as it has not been formally adopted by Council. However, it lays out the intended development within the Harbour Area of the Marina. The proposed land use is defined as a 'Retail' which is outlined as permissible on the subject land. Therefore, the proposal is consistent the intended development of the immediate area.

Instead of being implemented as a separate document the provisions of the detailed design guidelines have been included in draft *Town Planning Scheme No. 4* which is currently in the process of adoption.

CONSULTATION

As outlined under Clause 3.2.4(b) of *Town Planning Scheme No. 3* above Council may determine that the proposal is consistent with the objectives of the zone and consider the application subject to it being referred for public consultation in accordance with Section 9.3 of the Scheme. However, the nature and location of the proposal is considered not to pose any issues regarding amenity or land use conflict with surrounding uses. Therefore, it is recommended that the application is determined in accordance with Clause 3.2.4(a) without formal advertising.

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Town Planning Scheme No. 3

POLICY IMPLICATIONS

Policy No. 6.8 - Signs

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

Environment

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

- Outcome 2.1: To maintain and improve access and connectivity to our natural assets

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.6.3
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That Council grants planning approval for a proposed Mobile Art Gallery & Tourist Products (Use Not Listed) at Lot 360 Madaffari Drive, Exmouth (R49037 – Exmouth Boat Harbour) subject to the following conditions:

1. *The development shall be carried out in accordance with and the approved plans (PA117/15) to the satisfaction of Council Officers;*

2. *The business shall not operate at the premises without the prior consent of the landowner and any State Authority that has received a management order for the subject land;*
3. *The subject land shall be maintained in a clean and sightly manner, including the removal of any rubbish, to the satisfaction of Council Officers;*
4. *The approved use is to be operated so that there is no interference with the amenity of the area or detrimental effect on any person by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, wastewater, waste products, grit, oil or otherwise at all times;*
5. *Any signs associated with the business shall be in accordance with Council's Policy No. 6.8 – Signs; and*
6. *The approval granted is valid up to two (2) years of the date of this approval. Should the use approved not substantially commence within this time, the approval will lapse.*

Advice Notes

- i. *Any additional development not being in accordance with the original application or conditions of approval, as outlined above will require further approval by the Shire of Exmouth. Any commencement of development not subject of a current approval is an offence under the Shire of Exmouth Town Planning Scheme No.3;*
- ii. *In regard to Condition 5 most signs require prior planning approval and some signs are prohibited. Therefore, it is recommended that you contact the Shire's Town Planning Department to clarify the requirements regarding any signs prior to their installation;*
- 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).*
- iv. *This approval is not an authority to ignore any constraint to development on the land, which may exist through any contract or on the Certificate of Title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the Shire to investigate any such constraints prior to commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been brought to the Shire's attention.*

COUNCIL DECISION – 15-0915 – 11.6.3
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Moved Councillor Todd, Seconded Councillor McHutchison.

That Council grants planning approval for a proposed Mobile Art Gallery & Tourist Products (Use Not Listed) at Lot 360 Madaffari Drive, Exmouth (R49037 – Exmouth Boat Harbour) subject to the following conditions:

1. ***The development shall be carried out in accordance with and the approved plans (PA117/15) to the satisfaction of Council Officers;***
2. ***The business shall not operate at the premises without the prior consent of the landowner and any State Authority that has received a management order for the subject land;***
3. ***The subject land shall be maintained in a clean and sightly manner, including the removal of any rubbish, to the satisfaction of Council Officers;***
4. ***The approved use is to be operated so that there is no interference with the amenity of the area or detrimental effect on any person by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, wastewater, waste products, grit, oil or otherwise at all times;***
5. ***Any signs associated with the business shall be in accordance with Council's Policy No. 6.8 – Signs; and***

6. *The approval granted is valid up to two (2) years of the date of this approval. Should the use approved not substantially commence within this time, the approval will lapse.*

Advice Notes

- i. *Any additional development not being in accordance with the original application or conditions of approval, as outlined above will require further approval by the Shire of Exmouth. Any commencement of development not subject of a current approval is an offence under the Shire of Exmouth Town Planning Scheme No.3;*
- ii. *In regard to Condition 5 most signs require prior planning approval and some signs are prohibited. Therefore, it is recommended that you contact the Shire's Town Planning Department to clarify the requirements regarding any signs prior to their installation;*
- 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).*
- iv. *This approval is not an authority to ignore any constraint to development on the land, which may exist through any contract or on the Certificate of Title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the Shire to investigate any such constraints prior to commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been brought to the Shire's attention.*

CARRIED 5/0

11. REPORTS OF OFFICERS

11.6 Executive Manager Town Planning

11.6.4 Holiday Accommodation – Lot 1288 (5) Saury Place, Exmouth

Location:	Lot 1288 (5) Saury Place, Exmouth
Applicant:	Michael Grasso
File Reference:	A995; PA120/15
Disclosure of Interest:	Nil
Date:	15 September 2015
Author:	Executive Manager Town Planning, Rhassel Mhasho
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council grant conditional planning approval for Holiday Accommodation at Lot 1288 (5) Saury Place, Exmouth.

BACKGROUND

The Applicant is seeking approval for a Holiday Accommodation within an existing Dwelling at the premises for short term accommodation. The proposal is as follows:

- Maximum number of overnight occupants: eight (8) persons.
- A maximum of three (3) vehicles and two (2) trailers (includes boats on trailers).
- No changes to buildings or the site are proposed.
- Local caretaker to be the owner who is also the applicant. In his absence Ningaloo Reef Holidays are outlined as the caretaker.
- A Management Statement, Tenant Code of Conduct and Fire Evacuation Plan have been provided.



COMMENT

The property is zoned Residential R17.5. Holiday Accommodation is an 'SA' land use within the zone which means that the use is not permitted unless the Council has granted planning approval after giving notice in accordance with Clause 9.3 in accordance with *Town Planning Scheme No. 3* (Scheme).

Council has adopted *Policy No. 6.12 – Holiday Accommodation* to provide guidance on the development of Holiday Accommodations within the Shire of Exmouth. The objectives of the Policy are as follows:

- *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 proposal is in accordance with the policy and conditions have been included in the Officers Recommendation to achieve future compliance. The following matters are the major areas of consideration:

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 1288 (5) Saury Place, Exmouth

Bedroom 1 (Master): Total floor space: 16.04m², Approximate Air Space: 43.31m³
Allowable occupants: 3 adults **OR** 2 adults and 1 child **OR** 1 adult and 2 children **OR** 4 children

Bedroom 2: Total floor space: 11.57m², Approximate Air Space: 31.24m³
Allowable occupants: 2 adults **OR** 1 adult and 1 child **OR** 3 children

Bedroom 3: Total floor space: 11.57m², Approximate Air Space: 31.24m³
Allowable occupants: 2 adults **OR** 1 adult and 1 child **OR** 3 children

Bedroom 4: Total floor space: 10m², Approximate Air Space: 27m³
Allowable occupants: 1 adult **OR** 1 adult and 1 child **OR** 2 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 with a 2.7m ceiling height.

Occupancy Levels

Pursuant to the calculations above, the maximum number of overnight occupants allowed within the dwelling at the same time shall be ten (10) persons. This includes no more than five (5) 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. The Applicants proposal of a maximum of eight (8) occupants complies.

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 1288 (5) Saury Place, Exmouth.

Management Plan and Code of Conduct

Holiday Accommodation Policy 6.12 requires that the Applicant submit a copy of the management plan, code of conduct and emergency response plan. The information has been provided in accordance with the Policy (refer *Attachment 6*). A condition shall be applied to ensure the occupancy numbers are written clearly to reflect the relevant Scheme provisions and approval by Council.

A map detailing other Holiday Accommodation in the surrounding area is provided for Councillor Information (refer *Attachment 7*).

CONSULTATION

Land uses classified as 'SA' are required to be referred in accordance with Clause 9.3 of the Scheme. Clause 9.3 requires notice of the application to be given in one or a combination of the following:

- A letter referred to surrounding affected landowners.
- A sign placed at the property giving notice.
- A notice in a newspaper circulating the district.

A minimum of 21 days from the date of the notice is required to allow those referred the proposal to lodge submissions with the Shire.

Adjoining property owners and occupants were invited to comment on the proposal, with the consultation period closing **Thursday 17 September 2015**. These property owners are shown in the table below:

Property	Response	Officers comments
Lot 1287 (3) Saury Place	No submission received.	Nil
Lot 1283 (1) Tambor drive	Objected. Should remain as a residential area as residential holiday maker's actions would impact on family's peace and quiet of those who have made their lives here.	Noted. Holiday Accommodation is a permissible land use within the zone. The Applicant has provided a Code of Conduct to address noise. Furthermore, the requirement to comply with the Environmental Protection (Noise) Regulations 1997 has been included in the Officers Recommendation.
Lot 1284 (3) Tambor drive	No submission received.	Nil

STATUTORY ENVIRONMENT

Planning and Development Act
Town Planning Scheme No. 3

POLICY IMPLICATIONS

Policy No. 6.12: Holiday Accommodation

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONSSocial

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.6.4

That Council grant conditional planning approval for the use of Holiday Accommodation at Lot 1288 (5) Saury Place, Exmouth subject to the following conditions: -

1. *Development to accord with the Shire of Exmouth Town Planning Scheme No.3, approved plans (PA120/15) and Local Planning Policy No. 6.12: Holiday Accommodation to the satisfaction of Council officers;*
2. *The maximum number of overnight occupants allowed within the dwelling at the same time shall be ten (10) persons. This includes no more than five (5) occupants over the age of 10 at any one time. Otherwise 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 two (2) 240 litre rubbish bins prior to the use commencing;*
5. *Tenant Code of Conduct, Management Statement, and Emergency Response Plan shall be clearly displayed in the premises in accordance with Council Holiday Accommodation 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. *An approved smoke alarm must be installed on or near the ceiling in each guest bedroom; and in every corridor or hallway associated with a bedroom, or if there is no corridor or hallway, in an area between the bedrooms and the remainder of the building. Where the building is more than one storey, approved smoke alarms must be installed on each storey. The smoke alarms must be installed in accordance with Australian Standards and be connected to the consumer mains power;*
9. *Noise generated from the premises shall comply with the Environmental Protection (Noise) Regulations 1997 to the satisfaction of Council Officers. 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;*
10. *Should this residential premises be used for Holiday Accommodation purposes and provide a swimming pool/spa pool for the use of guests or should the owners intend to install a swimming pool/spa pool in the future, the owners are hereby advised of the following:-*
 - *The Health (Aquatic Facilities) Regulations 2007 require that a Certificate of Compliance and a Permit to Operate from the Executive Director, Public Health (EDPH) for the 'aquatic facility' be obtained i.e. the Department of Health (WA) is the approving authority, not the Shire of Exmouth;*
 - *Whether an aquatic facility is approved by the EDPH or not, regulation 21 prescribes that an Environmental Health Officer, or a person under the direction of an Environmental Health Officer, collects 2 water samples (one for bacteria, one for amoeba) from each water body of each aquatic facility in the district at least once per month. The owner/property manager must therefore make suitable arrangements for the Shire's Water Sampling Officer to access the property to obtain the water samples.*
11. *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; and*
12. *This approval is valid until 30 September 2016. Following planning approval an annual permit will be issued after paying the prescribed fee. Upon this period lapsing, Council will notify owners about the date of expiry and that a new permit is required should the property continue to be used for holiday accommodation.*

Advice

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

Below is a Schedule of permitted number of occupants per room which identifies alternative combinations of guests – not to exceed a total of 10 guests. This Schedule shall be appropriately displayed in the house.

Schedule 1: Allowable Occupants: Lot 1288 (5) Saury Place, Exmouth

Bedroom 1 (Master): Total floor space: 16.04m², Approximate Air Space: 43.31m³
 Allowable occupants: 3 adults **OR** 2 adults and 1 child **OR** 1 adult and 2 children **OR** 4 children

Bedroom 2: Total floor space: 11.57m², Approximate Air Space: 31.24m³
 Allowable occupants: 2 adults **OR** 1 adult and 1 child **OR** 3 children

Bedroom 3: Total floor space: 11.57m², Approximate Air Space: 31.24m³
 Allowable occupants: 2 adults **OR** 1 adult and 1 child **OR** 3 children

Bedroom 4: Total floor space: 10m², Approximate Air Space: 27m³
 Allowable occupants: 1 adult **OR** 1 adult and 1 child **OR** 2 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 with a 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) *Any additional development not being in accordance with the original application or conditions of approval, as outlined above will require further approval by the Shire of Exmouth. Any commencement of development not subject of a current approval is an offence under the Shire of Exmouth Town Planning Scheme No.3;*
- iv) *Any substantial variation from the approved plans contained herein requires a separate planning approval. Should your plans for a building permit differ from these plans, a building permit may not be issued until such time as fresh planning approval is granted;*
- v) *Should the applicant be aggrieved by this decision, a right of review may exist pursuant to the State Administrative Tribunal Act 2004. A request for review should be made within 28 days of notice of this decision to the State Administrative Tribunal.*

COUNCIL DECISION – 16-0915 – 11.6.4

Moved Councillor Todd, Seconded Councillor Hood.

That Council grant conditional planning approval for the use of Holiday Accommodation at Lot 1288 (5) Saury Place, Exmouth subject to the following conditions: -

- 1. Development to accord with the Shire of Exmouth Town Planning Scheme No.3, approved plans (PA120/15) and Local Planning Policy No. 6.12: Holiday Accommodation to the satisfaction of Council officers;***
- 2. The maximum number of overnight occupants allowed within the dwelling at the same time shall be ten (10) persons. This includes no more than five (5) occupants over the age of 10 at any one time. Otherwise 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 two (2) 240 litre rubbish bins prior to the use commencing;***
5. ***Tenant Code of Conduct, Management Statement, and Emergency Response Plan shall be clearly displayed in the premises in accordance with Council Holiday Accommodation 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. ***An approved smoke alarm must be installed on or near the ceiling in each guest bedroom; and in every corridor or hallway associated with a bedroom, or if there is no corridor or hallway, in an area between the bedrooms and the remainder of the building. Where the building is more than one storey, approved smoke alarms must be installed on each storey. The smoke alarms must be installed in accordance with Australian Standards and be connected to the consumer mains power;***
9. ***Noise generated from the premises shall comply with the Environmental Protection (Noise) Regulations 1997 to the satisfaction of Council Officers. 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;***
10. ***Should this residential premises be used for Holiday Accommodation purposes and provide a swimming pool/spa pool for the use of guests or should the owners intend to install a swimming pool/spa pool in the future, the owners are hereby advised of the following:-***
 - ***The Health (Aquatic Facilities) Regulations 2007 require that a Certificate of Compliance and a Permit to Operate from the Executive Director, Public Health (EDPH) for the ‘aquatic facility’ be obtained i.e. the Department of Health (WA) is the approving authority, not the Shire of Exmouth;***
 - ***Whether an aquatic facility is approved by the EDPH or not, regulation 21 prescribes that an Environmental Health Officer, or a person under the direction of an Environmental Health Officer, collects 2 water samples (one for bacteria, one for amoeba) from each water body of each aquatic facility in the district at least once per month. The owner/property manager must therefore make suitable arrangements for the Shire’s Water Sampling Officer to access the property to obtain the water samples.***
11. ***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; and***
12. ***This approval is valid until 30 September 2016. Following planning approval an annual permit will be issued after paying the prescribed fee. Upon this period lapsing, Council will notify***

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

Advice

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

Below is a Schedule of permitted number of occupants per room which identifies alternative combinations of guests – not to exceed a total of 10 guests. This Schedule shall be appropriately displayed in the house.

<p>Schedule 1: Allowable Occupants: Lot 1288 (5) Saury Place, Exmouth</p> <p>Bedroom 1 (Master): Total floor space: 16.04m², Approximate Air Space: 43.31m³ Allowable occupants: 3 adults OR 2 adults and 1 child OR 1 adult and 2 children OR 4 children</p> <p>Bedroom 2: Total floor space: 11.57m², Approximate Air Space: 31.24m³ Allowable occupants: 2 adults OR 1 adult and 1 child OR 3 children</p> <p>Bedroom 3: Total floor space: 11.57m², Approximate Air Space: 31.24m³ Allowable occupants: 2 adults OR 1 adult and 1 child OR 3 children</p> <p>Bedroom 4: Total floor space: 10m², Approximate Air Space: 27m³ Allowable occupants: 1 adult OR 1 adult and 1 child OR 2 children</p> <p>*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.</p> <p>**The air space is calculated with a 2.7m ceiling height.</p>
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- 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) *Any additional development not being in accordance with the original application or conditions of approval, as outlined above will require further approval by the Shire of Exmouth. Any commencement of development not subject of a current approval is an offence under the Shire of Exmouth Town Planning Scheme No.3;*
- iv) *Any substantial variation from the approved plans contained herein requires a separate planning approval. Should your plans for a building permit differ from these plans, a building permit may not be issued until such time as fresh planning approval is granted;*
- v) *Should the applicant be aggrieved by this decision, a right of review may exist pursuant to the State Administrative Tribunal Act 2004. A request for review should be made within 28 days of notice of this decision to the State Administrative Tribunal.*

CARRIED 3/2

Councillor Winzer and Councillor McHutchison voted against.

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:	23 September 2015
Author:	Executive Manager Engineering Services, Keith Woodward
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Works Program Schedule of Works

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

2015-2016 Engineering Services Project Schedule.

Engineering Services	Duration	Project Start Wed 1/07/15	Project Finish Thu 30/06/16	Project Description	Status % Complete
Town Street Maintenance	4 wks.	Wed 1/07/15	Thu 30/07/15	Potholes, seal edge, line marking, signage, kerbing, verges, drainage	100
Murat Road Fence Fabrication	2.5 wks.	Mon 3/08/15	Thu 20/08/15	Design under review	20
Learmonth Airport	1 wk.	Thu 20/08/15	Fri 28/08/15	Rain damaged shoulder and batters. Heavy scour	100
Exmouth Aerodrome	21.5 days	Fri 28/08/15	Thu 1/10/15	Construction aviation apron and fencing	65
Yardie Creek Road	25.5 days	Wed 7/10/15	Mon 16/11/15	Road shoulder and batter reconstruction.	
Fire Brakes	5 days	Thu 19/11/15	Thu 26/11/15	Town site and rural locations	
Christie Street	1.5 days	Thu 19/11/15	Mon 23/11/15	Cul-de-sac minor road works, fencing and signage	
Tantabiddi Excavation	11.5 days	Mon 23/11/15	Thu 10/12/15	Land based excavations from southern rock revetment	
Town Street Maintenance	15 days	Tue 1/12/15	Wed 23/12/15	Potholes, seal edge, line marking, signage, kerbing, verges, drainage	
Murat Road	30 days	Thu 24/12/15	Wed 17/02/16	Intersection asphalt, kerbing, footpaths, signage, shoulders, drainage	
Ningaloo Road	14.25 days	Wed 17/02/16	Fri 11/03/16	General road maintenance, grading, drainage	
Town Street Maintenance	9.5 days	Fri 11/03/16	Wed 30/03/16	Potholes, seal edge, line marking, signage, kerbing, verges, drainage	
Tantabiddi Excavation	4.75 days	Wed 30/03/16	Wed 6/04/16	Land based excavations from southern rock revetment	
Light House	4.75 days	Thu 7/04/16	Wed 13/04/16	General infrastructure maintenance	
Beach Access Road	4.75 days	Wed 13/04/16	Thu 21/04/16	Gravel sheeting and compaction	
Town Drainage	9.5 days	Thu 21/04/16	Fri 6/05/16	Excavation, clearing, alignments and banks	
Exmouth Town Site	35 days	Mon 9/05/16	Thu 30/06/16	Potholes, seal edge, line marking, signage, kerbing, verges, drainage	

2015-2016 Engineering Services Contract Project Schedule:

Engineering Services	Project Finish	Project Description	Status % Complete
Cyclone Olwyn WANDRRA Road Works	September 2015	Road reconstruction	95
Cyclone Olwyn LGIS Building Works	September/October 2015	Building repairs	90
Tantabiddi Dredging	September 2015	Dredging sand	95
LIA Reid Street Flood Mitigation	November 2015	Construction of levees and roads	65

Mini Excavator

The new Shire mini excavator has been purchased. The Shire purchased a Caterpillar excavator based on machine performance, price, warranty, parts stock and mobile/remote location breakdown service.

Nationally accredited mini excavator, loader and bobcat competency training was provided to a number of staff.



Tree Mulch

On 12 March 2015 Tropical Cyclone Olwyn was a Category 3 cyclone, with sustained winds near its centre of 150 kilometres per hour with wind gusts to 205 kilometres per hour. The centre of TC Olwyn tracked very close to the Exmouth coast.

The event was activated as a WA Natural Disaster Relief and Recovery Arrangement (WANDRRA) event, AGRN663 TC Olwyn and associated flooding (12 March 2015). In May 2015 TC Quang winds tracked very close to Exmouth.

As a result of these cyclone events large volumes of green waste was cleaned up and stock piled on public land off Willersdorf Road. This mulch between the Shire arboretum and netball courts is free of charge to businesses and residents whose home is Exmouth. This detail will be advertised locally. The large tree stumps will be going to the Nimitz Street Men's Shed.



LIA Reid Street Floodway Project

Background

Severe flooding has affected Exmouth and surrounds on multiple occasions, in March 1999, June 2002, April 2014, March 2015 and May 2015.

A series of reports by Jim Davies and Associates (JDA) and Sinclair Knight Merz (SKM) have discussed the flooding resulting from the 1999 and 2002 events. This project is based on the recommendations of the

“Exmouth Flood Management Study, 1999”, “Review of Exmouth Flood Management Study, 2002”, the findings of the “Exmouth Floodplain Management Study, Dec 2007” and advice from the Department of Water.

The “Exmouth Floodplain Management Study, Dec 2007” highlighted the need for works to occur in the LIA floodway.

Project Objectives

The Exmouth Townsite and North West Cape is subject to cyclones, causing strong winds and storms resulting 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 of particular concern, with the Exmouth Townsite having experienced multiple flood events.

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 modelling and has been endorsed by the Shire and the Department of Water. These works have been recommended to minimize the impact of flooding on the town, including the Light Industrial Area (LIA), Exmouth Marina Precinct, existing residences and businesses and to assist with maintaining access between properties south of the LIA creek and town. The need for flood mitigation has also been identified to establish clear parameters for future development on land affected by the floodway/flood fringe. During a flood event, the breakout of floodwater from the LIA floodway substantially impacts the Exmouth community and ultimately the State Government.

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. Exmouth has a unique environment where the Cape Range meets the World Heritage Ningaloo Reef. This project will allow for the future sustainability and strategic growth of Exmouth.

Works proposed in Exmouth are:

Light Industrial Area (LIA) Creek and Reid Street - The Stage 2 works include the reconstruction and realignment of Reid Street, the Light Industrial Area Creek levee interconnected into the new profile of Reid Street and rock armour, guide posts and signage.

Council awarded Tender EX-01-2015 Reid Street Flood Mitigation Stage 2 to Dean Contracting at the March 2015 Council meeting. The construction completion date is the 12 November 2015.





Sand Bypass Project

The dredger will work in the entrance channel and basin of the harbour, with material to be pumped to a section of Town Beach for nourishment to increase beach amenity in front of the yacht club and town beach. Dredging works are expected in the new year and run for 2 – 3 months depending on weather and production progress. The dredging will also support the upcoming phase of the Exmouth Boat Harbour Upgrade being undertaken by DoT, by deepening some areas needed for wharf and trawler pen upgrades.

Bypassing works will be undertaken separately via road trucking from the southern sand trap to Town Beach, as per previous bypassing works. It is estimated that these works will take 2 – 3 weeks and will likely start on the 28 September 2015.

Note: The sediments in dredging and excavation areas have been sampled and tested, which has confirmed the material is clean and suitable for beach nourishment. The material put on Town Beach is expected to be discoloured when first placed, but will bleach and blend in with the existing beach colour after a few weeks, as has been the case in previous years. At this stage we estimate a total of approximately 40,000 m³ material will be placed on Town Beach for nourishment which will provide an enhanced beach profile and additional buffer against erosion.



Pindan Pit

It was reported to Council that the Pindan Pit is a Shire asset and critical for future proofing and the sustainability of the Shire’s civil asset. It was suggested that Shire maintenance and construction costs could be reduced if the Shire produced its own construction materials.

The concept of a Local Government producing materials for municipal construction as cheaply as possible is appropriate and is connected with performing our functions under the Local Government Act 1995. The continued sale of pindan sand is typical historically to our function as a Local Government and the extraction and production of materials for municipal works is not a major undertaking but appropriate, and is also connected with performing our functions under the Local Government Act 1995.

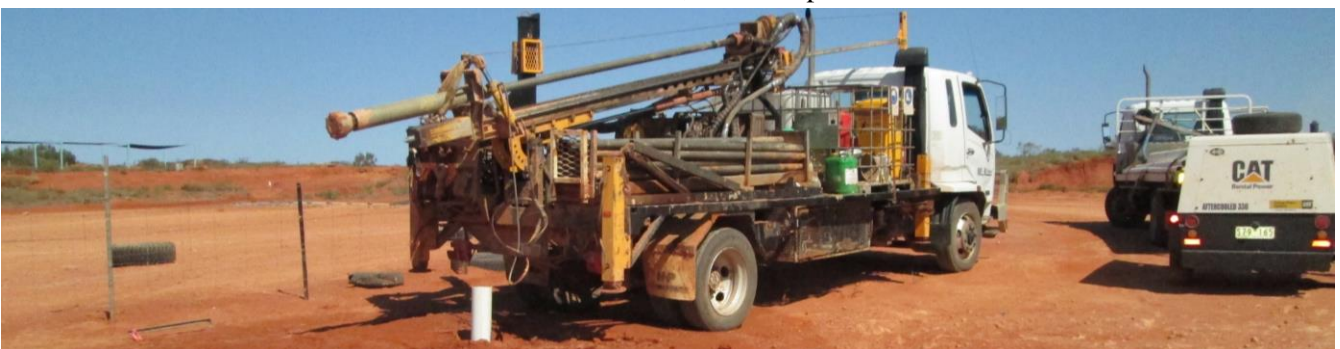
The acquisition of a formal Mining Tenement over Reserve 41975 is continuing.



Bores

The Shire constructed 2 bores in September 2015:

- Pindan Pit- Bored to 14 metres. The flow estimate is 3,500 litres per hour
- Town- Bored to 12 metres. The flow estimate is 2,500 litres per hour



Relay for Life

Leading up to the Relay for Life event held in Exmouth Friday 4 & Saturday 5 September 2015, the Engineering crew worked tirelessly to organise logistics to ensure a successful and safe event. Thursday and Friday prior to the opening ceremony saw tracks being marked out, tents being erected, generators being delivered and LED light signs being installed. Portable toilets and BBQS were all trailered in and

placed around the Recreation Centre. During the event toilets needed cleaning and rubbish needed picking up once again the engineering crew were on hand to keep everything running smoothly. After a successful event the engineering crew were working in reverse to take down and relocate equipment back to their original locations. It clearly demonstrates the valuable input from the engineering crew for logistical management for local events.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.5: Maintain & Improve Shire Infrastructure

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 11.7.1

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

COUNCIL DECISION – 17-0915 – 11.7.1

Moved Councillor Todd, Seconded Councillor Winzer.

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

CARRIED 5/0

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

Nil

13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**COUNCIL DECISION – 18-0915 – ITEM 13**

Moved Councillor Winzer, Seconded Councillor Todd.

That Council accepts the New Business of an Urgent Nature Report 13.1 - Financial Assistance Grants to Local Government and Report 13.2 - Exmouth Amateur Swimming Club Request for Fee Waiver and Exclusive Use of the Pool.

CARRIED 5/0

13.1 Financial Assistance Grants to Local Government

Location:	Exmouth
Applicant:	Australian Local Government Association (ALGA)
File Reference:	GR.SL.33
Disclosure of Interest:	Nil
Date:	30 September 2015
Author:	Chief Executive Officer, Mr B Price

SUMMARY

This report recommends that Council:

1. Acknowledges the importance of federal funding through the Financial Assistance Grants program for the continued delivery of councils services and infrastructure
2. Acknowledges that the Council will receive \$1,876,594 in 2015/16.
3. Will ensure that this federal funding, and other funding provided by the Federal Government under relevant grant programs, is appropriately identified as Commonwealth grant funding in Council publications, including annual reports.

BACKGROUND

The Australian Local Government Association (ALGA) has been raising with the Commonwealth the significant impact the decision to freeze the indexation of the Federal Assistance Grants (FAGs) in the 2014 Federal Budget for three years from the 2014/15 year.

ALGA has written to every local government in the nation to have the impact of this decision known to all residents. This report is presented to Council to formally consider ALGA's request to publicise these impacts.

COMMENT

FAGs are a vital part of the revenue base of all Councils, and this year councils will receive \$2.3 billion from the Australian Government under this important program.

The Federal Government's decision in the 2014 Federal Budget to freeze the indexation of FAGs for the three years beginning in 2014-15 will unfortunately cost councils across Australia an estimated \$925 million by 2017-18. This is the equivalent of a permanent reduction in the FAG's base by 13%.

Without being able to predict the changes that may have occurred to Council's FAGs in those 3 years, if a 13% increase was to have occurred this would cost Council the equivalent of \$242k.

In 2015/16 Council received \$1,876,594 in FAGS, being a general purpose grant and a road grant.

ALGA and the state local government associations are seeking the support of Council for advocacy to have the Federal Government reverse the decision to freeze the indexation of FAGs.

While the FAGs are paid through each State's Local Government Grants Commission, the funding originates with the Commonwealth and it is important it is recognised as such. Council, and every other council in Australia, have been asked to pass a resolution acknowledging the importance of the Commonwealth's Financial Assistance Grants in assisting Council to provide important community infrastructure.

Council is also being asked to acknowledge the receipt of Financial Assistance Grants from the Commonwealth in media releases and council publications, including its annual report and to highlight to the media a council project costing a similar size to the FAGs received by Council so that the importance and impact of the grants can be more broadly appreciated.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Council's 2015/16 Budget is prepared on the assumption that the 2014/15 FAGs will remain the same in 2015/16.

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 13.1

That Council:

1. *Acknowledges the importance of federal funding through the Financial Assistance Grants program for the continued delivery of councils services and infrastructure*
2. *Acknowledges that the Council will receive \$1,876,594 in 2015/16.*
3. *Will ensure that this federal funding, and other funding provided by the Federal Government under relevant grant programs, is appropriately identified as Commonwealth grant funding in Council publications, including annual reports.*

COUNCIL DECISION – 19-0915 – 13.1

Moved Councillor Winzer, Seconded Councillor Hood.

That Council:

1. *Acknowledges the importance of federal funding through the Financial Assistance Grants program for the continued delivery of councils services and infrastructure*

2. *Acknowledges that the Council will receive \$1,876,594 in 2015/16.*
3. *Will ensure that this federal funding, and other funding provided by the Federal Government under relevant grant programs, is appropriately identified as Commonwealth grant funding in Council publications, including annual reports.*

CARRIED 5/0

The Executive Manager Health & Building Mr Rob Manning declared an impartiality interest in the following report and made the following statement:

'With regard to Exmouth Amateur Swimming Club Request for Fee Waiver and Exclusive Use of the Pool, the matter in item 13.2, I disclose that my Wife is on the Executive Committee of Exmouth Amateur Swimming Club as Treasurer. As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I have considered this matter on its merits and have prepared the below report and recommendation accordingly.'

13.2 Exmouth Amateur Swimming Club Request for Fee Waiver and Exclusive Use of the Pool

Location:	Paltridge Memorial Swimming Pool
Applicant:	Exmouth Amateur Swimming Club
File Reference:	RC.LI.33 & CP.US.1.2015
Disclosure of Interest:	Nil
Date:	1 October 2015
Author:	Executive Manager Health & Building, R M Manning
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

This report recommends that the Council for the Shire of Exmouth Grant exclusive use of the Paltridge Memorial Swimming Pool to the Exmouth Amateur Swimming Club for the 2015 Gascoyne Open Swimming Competition on the 7 and 8 November 2015 and grant a full fee waiver for the associated charges.

BACKGROUND

The Exmouth Amateur Swimming Club is requesting permission of the Council to host the 2015 Gascoyne Open Swimming Competition on the 7 and 8 November 2015 at the Paltridge Memorial Swimming Pool (refer *Attachment 1*).

To host the event, the swimming club will require exclusive use of the public facility from 7 to 4:30 on Saturday and 7 to 12pm on Sunday, these times may vary depending on the amount of competitors entering into the competition.

COMMENT

This event has previously been held in Carnarvon in 2014 and the aim is for Carnarvon and Exmouth to alternate hosting this event annually. Previous events hosted by the Exmouth Amateur Swimming Club have been extremely successful and well managed.

Council Officers consider that this event will have positive impact on local business community at a time when town is generally very quiet. The event also provides an accessible opportunity for the children of the Exmouth Amateur Swimming Club to compete against swimmers from many other clubs. Being an 'Open', swimmers from anywhere in the state are eligible to compete. In consideration of the above it is recommended that the Council support the request from Exmouth Amateur Swimming Club for exclusive use of the Paltridge Memorial Swimming Pool and a full fee waiver to host the 2015 Gascoyne Open Swimming Competition.

Exclusive use of the pool will be only while the event is occurring and the pool can open to the public on Saturday and Sunday once the event has finished. This is estimated to be 2 hours on Saturday 4pm to 6pm and 1pm to 6pm on Sunday. On the Saturday, in the spirit of the event and for the benefit of the general public that may want to access the pool for the last couple of hours in the day, it is also recommended that pool entry is free from 4pm to 6pm.

In accordance with Council Policy 3.4 - Sponsorships, Donations and Waiver of Fees, any waiver of Councils adopted Fees and Charges for an event is considered a 'Non-cash Contribution' to that event. The above policy also provides that "An Exmouth Event Sponsorship may be provided in cash, non-cash or a combination of these to the maximum combined value per financial year of \$1,500 per organisation. Any

Sponsorship proposals over \$1,500 may be determined by Council. The actual Event Sponsorship contribution will be determined on a case-by-case basis.”

Should the Council grant a full the fee waiver, the fee waiver will exceed the amount specified in the above Council policy. Owing to the above, the approval of the recommended non-cash contribution to this event must be approved by the Council.

In return the Council may request that this financial support be recognised and the Council be acknowledged as a major sponsor of the event.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Policy 4.3– Sponsorships, Donations and Waiver of Fees

FINANCIAL IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Should the Council grant approval for the full fee waiver as recommended, the following loss of income should be recorded as a non-cash contribution to the Exmouth Amateur Swimming Club:-

- Private(NFP) hire at \$63.00 /hr. plus 2 life guard at \$30.00/hr. for Saturday = 10hrs x \$93.00 = \$930.00
- Private(NFP) hire at \$63.00/hr. plus 2 life guard at \$30.00/hr. for Sunday =6hrs x \$93 = \$558.00

TOTAL = \$1488.00

In addition to the above, actual cash expenses incurred by the Council for the event to proceed with a full fee waiver include the following:-

- Loss of gate takings for normal Saturday = \$150.00 Plus
- Overheads of approximately \$400.00 (Shire resources and utilises etc.)

TOTAL = \$550.00

Total non-cash sponsorship for this event will be approximately \$2,038.00

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 3.3: An inclusive, responsible and cohesive community.
- 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 4.2: A local government that is respected, professional, trustworthy and accountable.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 13.2

That Council grants the Exmouth Amateur Swimming Club:-

- 1. Exclusive use of the Paltridge Memorial Swimming Pool from 6.30am to 4pm on Saturday 7 November and 6:30am to 1.00pm on Sunday 8 November 2015 for the 2015 Gascoyne Open Swimming Competition;*
- 2. A full fee waiver for private hire of the facility and the hourly hire for 2 lifeguards; and*
- 3. Saturday 7 November be a free entry day to the pool for the 2 hours it is open to the public, 4pm to 6pm.*

Further to the above, the Exmouth Amateur Swimming Club Inc. is advised that the granting of the above is subject to the Shire of Exmouth being acknowledged as a sponsor for the event.

COUNCIL DECISION – 20-0915 – 13.2

Moved Councillor Hood, Seconded Councillor Winzer.

That Council grants the Exmouth Amateur Swimming Club:-

- 1. Exclusive use of the Paltridge Memorial Swimming Pool from 6.30am to 4pm on Saturday 7 November and 6:30am to 1.00pm on Sunday 8 November 2015 for the 2015 Gascoyne Open Swimming Competition;*
- 2. A full fee waiver for private hire of the facility and the hourly hire for 2 lifeguards; and*
- 3. Saturday 7 November be a free entry day to the pool for the 2 hours it is open to the public, 4pm to 6pm.*

Further to the above, the Exmouth Amateur Swimming Club Inc. is advised that the granting of the above is subject to the Shire of Exmouth being acknowledged as a sponsor for the event.

CARRIED 5/0

14. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS

Nil

15. CLOSURE OF MEETING

The Chief Executive Officer advised that a Special Council Meeting will be held on 21 October 2015 to enable new Councillors to be sworn in along with the election of the Shire President and Deputy Shire President.

The Shire President thanked the gallery for their attendance and declared the meeting closed at 5:04pm.