

Shire of Exmouth

# ORDINARY COUNCIL MEETING

## MINUTES



25 July 2019

### CONFIRMATION OF MINUTES

I hereby certify that the Minutes and Attachments of the Ordinary Council Meeting of held on the 25 July 2019 are a true and accurate record of the proceedings contained therein.

.....  


Matthew Niikkula  
Shire President

.....  
22/8/2019  
.....  
Dated

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# MINUTES

Our Vision	To be a prosperous and sustainable community living in harmony with our natural environment.
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Our Purpose	To responsibly provide governance for the whole community in the best interest of current and future generations.
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Our Strategic Objectives	<ul style="list-style-type: none"> <li>• Diversify and grow our economy in a manner that provides year round employment opportunities</li> <li>• To protect and value our unique natural and built environment as we grow our economy.</li> <li>• To be a vibrant, passionate and safe community valuing our natural environment and unique heritage</li> <li>• To provide open transparent, accountable leadership working in collaboration with our community.</li> </ul>
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## 1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 4.00pm.

The Shire President acknowledged the aboriginal people both past and present, as the traditional custodians of the land on which we meet.

The Shire President advised the gallery in adhering to both the *Local Government Act 1995*, and the Shire of Exmouth Meeting Procedures Local Law 2015, it is an offense to record the proceedings of this meeting and asked the gallery to switch off any recording devices, including phones.

He advised the gallery the meeting will be recorded by the Executive Secretary for the purpose of compiling an accurate record of the minutes only; and the recording will be erased once they are confirmed.

## 2. RECORD OF ATTENDANCE, APOLOGIES AND APPROVED LEAVE OF ABSENCE

Councillor M (Matthew) Niikkula	Shire President
Councillor G (Gary) Mounsey	Deputy Shire President
Councillor H (Heather) Lake	
Councillor M (Mark) Lucas	
Mr C Woods	Chief Executive Officer
Mr K Woodward	Deputy Chief Executive Officer
Mr K Wilson	Executive Manager Corporate Services
Mr G Coetzee	Incoming Executive Manager Corporate Services
Ms M Head	Minute Clerk

**GALLERY**

Ann McCarrol  
Amanda Fuery  
Carla Webster  
Andrew Denholm

**APOLOGIES**

Matthew Bird, Executive Manager Commercial and Community  
Councillor G (Gavin) Penfold

**LEAVE OF ABSENCE**

Councillor B (Ben) Dixon

The Shire President welcomed Mr Gollie Coetzee, whom as recently joined the Shire as the incoming Executive Manager Corporate Services who will replace Kevin Wilson when he departs the Shires of Exmouth on Wednesday 31 July 2019.

Shire President acknowledged this will be the last Council meeting for Mr Kevin Wilson, Executive Manager Corporate Services. He paid a particular tribute to Kevin's work since he commenced with the Shire.

He went on to acknowledge Kevin came into the Shire highly regarded at a time when the Shire needed someone of his calibre; to get to where the Shire currently is, with a second budget in and a recent audit by the Office of the Auditor General resulting with the financial situation being in very good hands is the result of much hard work. Personally and on behalf of Council, the Shire President thanked Kevin for all his work.

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

The following question was received from Ann McCarrol and taken on notice at the Ordinary Council meeting of the 27 June 2019.

*Aluminium Can Recycling: how much has been recycled since can cages removed- not much on view at the Depot?*

The Chief Executive Officer provided the following response: The 3 year average prior to 2019/20 was 950 kg of cans per annum. This year January to June we have processed 325 kg and this period included the disruption period. On this basis we are likely to be 30% down on the previous average.

**4. PUBLIC QUESTIONS TIME**

Nil

**5. DECLARATIONS OF INTEREST**

Nil

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

The Chief Executive Officer will be on annual leave for the month of August 2019, and the Deputy Chief Executive Officer, Mr Keith Woodward will be stepping into this position during this time.

## **7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

That the Minutes and associated attachments of the Ordinary Meeting of the Shire of Exmouth held on the 27 June 2019 be confirmed as a true and correct record of proceedings.

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### **COUNCIL RESOLUTION**

### **ITEM 7**

**Res No: 01-0719**

**MOVED: Cr Mounsey**

**SECONDED: Cr Lucas**

**That the Minutes and associated attachments of the Ordinary Meeting of the Shire of Exmouth held on the 27 June 2019 be confirmed as a true and correct record of proceedings.**

**CARRIED 4/0**

## 8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS

Date	Activity	Councillor					
		Cr Niikkula	Cr Mounsey	Cr Dixon	Cr Lake	Cr Lucas	Cr Penfold
4/07/19	Exmouth District High School NAIDOC Assembly	✓					
12-13 07/19	Exmouth Senior Citizens Annual Craft Fair				✓		
23/07/19	Attended the Exmouth Chamber of Commerce Meeting		✓				
24/07/19	Attended the Crevalle Way Park Committee Meeting				✓		
25/07/19	Citizenship Ceremony – Elaine Davidson	✓			✓		

### Councillor Lake

- *"The skill and creative expression of artists and crafters was showcased with over 100 entries across 18 categories, at this year's Exmouth Art and Craft Exhibition. On the 12th and 13th of this month the eclectic display was presented by the Exmouth Seniors and Pensioners Club at the Shire Hall. The high standard of work and recognition of the many hours invested in the entries made judging a truly nail biting task. I presented 10 Shire of Exmouth awards to some very worthy recipients including some of our local children.*
- *"Attended the Crevalle Way Park Committee Meeting with Deputy CEO to establish an agreed schematic plan including the various elements of the play equipment, the picnic area, and seating and tables, and associated landscaping. Daniel, Jay and Candice, from the local area made some well-considered choices from the different user groups; diversity durability and budgetary constraints. The planting out of the Mortiss Street road modification buffer zone, is also part of this project. The committee were most appreciative for the Shire and Keith's investment of time and guidance and are beginning to feel excited about the prospect of its completion".*
- *"Attended the Citizenship Ceremony for long time local Elaine Davidson today"*

### Councillor Lucas

- Acknowledged a very busy school holiday period and has received great feedback from the visitors and community alike, commenting on how good the town currently looks.

### Councillor Mounsey

- Attended the ECCI meeting and forum last night with the Shire President and CEO

## 9. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

The Shire President read the following to the gallery:

*Firstly, I would like to pass on the condolences of The Exmouth Shire to Dot and Family on the recent passing of another Exmouth Pioneer, Mr Dave Richardson. Dave was a wonderful man that I have known and respected my entire life. He was a founding, and longest serving Shire Councillor, representing the interests of this community for 20 years from 1979-1999, standing down just after Cyclone Vance. He had the honour of being Shire President for 4 of those years and made a point of visiting me immediately after being trusted with the role to share his pride and congratulations, and warn me of the tough road ahead. Unfortunately, after many years of fighting, Dave lost his battle and passed away. Rest in Peace.*

*Today council will be asked to adopt our 2019/20 budget. One that shows we listened to the community while maintaining our fiscal discipline, reflecting the expectations laid out in our 2018 Community Perceptions Survey. It has been a difficult budget for Councillors and Staff to put together, with a focus on declining revenues and the need to boost our reserves to ensure we can maintain, repair and replace our ageing infrastructure in the future.*

*We had to balance the need for ongoing financial responsibility with the community's desire for more spending on local footpaths, a focus on better waste management including recycling, improvements to our boat ramps and more community based projects.*

*Some key initiatives that council has put into this budget include:*

- \$100,000 for repairs to existing footpaths, as well as another \$100,000 for the installation of new ones in strategically defined streets around town.*
- \$645,000 for repairs, upgrades and resealing of our local road network.*
- \$200,000 for the completion of the Exmouth multipurpose bike facility, located to the north of our town ovals and consisting of a Pump Track, Skills Park and Jump Line.*
- We have created a "Waste and Recycling reserve" in which we have allocated \$300,000.*
- and in addition, a further \$1.6 million has been allocated across our other reserves so we can plan for future projects including the redevelopment of the Paltridge Memorial Swimming Pool.*

*Balancing this budget was made particularly difficult due to a widespread reduction in Gross Rental Values, or "GRV" following a recent visit by the Valuer General. Council's Long term Financial Plan budgeted a Rate increase of 2% this year, which forecasted an increased revenue of around \$60,000 - \$70,000. As it turns out, 64% of households will pay lower rates, with some up to a massive 43% less than last year, and our overall rate increase of merely \$4,318.78 or (0.13%) is a long way short of what was originally anticipated.*

*This Drop in revenue called for some tough decisions, but this council is committed to ensuring good financial management and we are proud to have produced a financially responsible budget that delivers for our community."*

## **10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

Nil

## **11. MATTERS ARISING FROM COMMITTEES OF COUNCIL**

Nil



## 12. REPORTS OF OFFICERS

### **EXECUTIVE SERVICES**

#### **12.1.1 CORPORATE BUSINESS PLAN**

File Reference:	FM.FC.0
Responsible Officer:	Chief Executive Officer
Reporting Officer:	As above
Date of Report:	5 July 2019
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	Nil

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#### **PURPOSE**

That Council endorse the revised Corporate Business Plan actions for 2019/20.

#### **BACKGROUND**

On 26 August 2010, the Minister for Local Government introduced regulations to establish new requirements for local governments in Western Australia for Integrated Planning and Reporting (IPR). Councils are to develop and adopt a Corporate Business Plan, supported and informed by resourcing and delivery strategies.

In July 2018 Council adopted the Shire of Exmouth Corporate Business Plan 2018-2022 and in June 2019 endorsed the Corporate Business Plan 2018 – 2022 final report for the 2018/19 financial year.

#### **COMMENT**

The Corporate Business Plan has been created as a practical statement of how Council aims to achieve community objectives, as articulated in the Strategic Community Plan. The Corporate Business Plan has a clear assignment of responsibility, timeframe of projects and key measures for activities. Progress against actions is measured and will be reported in our annual report to the Council and the community, providing a clear and transparent understanding of meeting our sustainable challenges.

The Corporate Business Plan is a living document that informs the key performance targets of the organisation and as such should be regularly reviewed to reflect its effectiveness in delivering on the community objectives as outlined in the Community Strategic Plan. This annual review will then inform the annual budget process and set the organisational performance targets which the Chief Executive Officer will be responsible for achieving.

The revised 2019 Corporate Business Plan actions do not change the **Community Strategic Plan Objectives, Outcomes or Community Priorities**. The changes made are to the Actions which address the Community Priorities and reflect the latest information which then strengthen the relevance of the Corporate Business Plan.

The changes to the 2019/20 Actions relate to the Economic objective as highlighted below.

Outcome	Community Priority	2019 New Actions
1.1 - A diverse and environmentally aware local economy that can attract business investment and provide employment opportunities.	Develop and encourage opportunities for business investment to develop a diverse economy.	Progress the actions from the strategic land and building disposal plan.
		Develop an Investor Prospectus.
		Progress the actions outlined in the Small Business Friendly Council Charter.
1.2 - Facilitate the strengthening and growth of our visitor experience	Support a coordinated approach for regional tourism promotion and management.	Initiate the formation of a skills based Ningaloo Tourism Development Board.
1.3 - Enable the provision of essential infrastructure that will support investment and diversify our economy	Identify opportunities to create multiuse infrastructure and facilities that encourage and diversify the local economy.	Ensure Exmouth benefits economically from the Ningaloo Coastal Reserves Draft Management Plan.

## CONSULTATION

Chief Executive Officer  
Executive Managers  
Councillors

## STATUTORY ENVIRONMENT

Local Government Act 1995 Part 5 Division 5, s 5.56  
Local Government (Administration) Regulations 1996 Part 5, Division 3, r19DA

## POLICY IMPLICATIONS

Nil

## FINANCIAL IMPLICATIONS

Nil

## STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2030 and Corporate Business Plan 2016-2020.

- Leadership: To provide open transparent, accountable leadership working in collaboration with our community.
- 4.1 To provide proactive, collaborative and transparent leadership
  - 4.2 A local government that is respected and accountable.
  - 4.3 To be a champion for our community

## VOTING REQUIREMENTS

Absolute Majority

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## OFFICER'S RECOMMENDATION

**ITEM 12.1.1**

That Council ENDORSE the revised Corporate Business Plan Actions for 2019/20.

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## COUNCIL RESOLUTION

**ITEM 12.1.1**

**Res No: 02-0719**

**MOVED: Cr Mounsey**

**SECONDED: Cr Lake**

**That Council ENDORSE the revised Corporate Business Plan Actions for 2019/20.**

**CARRIED 4/0**

### 12.1.2 COUNCIL POLICY 1.16 EX-FACTOR ALLOWANCE (COST OF LIVING ASSISTANCE)

File Reference:	CM.PO.10
Responsible Officer:	Cameron Woods
Reporting Officer:	Executive Manager Corporate Services/ Manager Human Resources
Date of Report:	5 July 2019
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	Nil

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#### PURPOSE

The purpose of this report is for Council to rescind Council Policy 1.16 – Ex-Factor Allowance (Cost of Living Assistance).

With the introduction of the 'Shire of Exmouth Enterprise Agreement 2017 effective 23 May 2019 the Council Policy Manual requires alignment.

#### BACKGROUND

The 'All of Staff Collective Agreement 2011' (AG2011/1602) effective 8 August 2011 introduced the Ex Factor Allowance in recognition of the cost of living in Exmouth.

- At the Ordinary Council Meeting held on the 20 September 2012, Council passed the following resolution:

#### **COUNCIL DECISION – 04-0912-10.1.2**

**Moved Councillor Hood, Seconded Councillor Thompson.**

**That the Shire of Exmouth formally adopts:**

- Reviewed Policies numbered 2.1 to 2.16 contained within the Corporate Services section of the Council Policy Manual;**
- Creation of Policy 1.44 and reviewed Policies numbered 1.45 and 1.46 contained within the Governance section of the Council Policy Manual;**
- Reviewed Policy 4.3 contained within the Community Engagement section of the Council Policy Manual;**
- Delegate authority to the Chief Executive Officer to implement the adopted Council Policies where appropriate.**

#### **CARRIED by ABSOLUTE MAJORITY 6/0**

Policy - 1.44 Ex-factor Allowance (Cost of living assistance) the Ex-Factor allowance was set at \$14,000 to recognise the amount currently provided to staff and pro rata for part time employees.

- At the Ordinary Council Meeting held on the 15 May 2014, Council passed the following resolution:

**COUNCIL DECISION – 04-0514 – 10.1.3**

***Moved Councillor Todd, Seconded Councillor Winzer.***

***That the Shire of Exmouth adopt the revised Policy 1.44 Ex-Factor Allowance (refer to Attachment 2).***

***CARRIED by ABSOLUTE MAJORITY 4/0***

An amendment was made to the 1.44 - Ex Factor Allowance (Cost of living assistance) with regards to Shire of Exmouth employees in the aviation business unit.

The 'All of Staff Collective Agreement 2014' (AG2014/7337) effective date 22 October 2014 continued with reference to the Ex Factor allowance including at clause 7.10.1, "The Ex-Factor may be varied in accordance with Council Policy".

- At the Ordinary Council Meeting held on the 18 December 2014, Council passed the following resolution:

**COUNCIL DECISION – 04-1214 – 11.1.2**

***Moved Councillor Todd, Seconded Councillor Winzer.***

***That Council adopt the revised Policy 1.44 Ex-Factor Allowance (refer Attachment 1).***

***CARRIED by ABSOLUTE MAJOIRTY 5/0***

The Ex-Factor allowance was increased from \$14,000 to \$15,000 effective 1 January 2015.

- At the Ordinary Council Meeting held on the 22 November 2018, Council passed the following resolution:

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**COUNCIL RESOLUTION**

**ITEM 12.1.1**

**Res No: 04-1118**

**MOVED: Cr Mounsey**

**SECONDED: Cr Lake**

***That Council adopt the reviewed Council Policy Manual dated 22 November 2018 to improve the effectiveness of the policy structure which includes:***

- Rescinding the following policies from the current Council Policy Manual dated 27 September 2018:***

***1.18 - Email and Internet Usage***

***1.19 - Injury Management & Rehabilitation***

***1.20 - Equal Opportunity***

**1.21 - Sexual Harassment**

**1.22 - Occupational Safety & Health**

**1.24 - Managing Public Question Time**

**1.25 - Managing Petitions, Deputations, Presentations & Submissions**

**2.5 – Community Noticeboard**

**3.1 - Learmonth Airport**

**3.2 - Exmouth Aerodrome**

**3.3 - Display of Promotional material and Advertising Signs at the Learmonth Airport Terminals.**

**2. Formally adopting the following modified Council policies:**

**1.6 - Council Briefing Sessions**

**1.9 - Provision of Tablet (Internet Plan) to Councillors**

**2.1 - Asset Capitalisation – Depreciation**

**2.3 - Common Seal**

**2.10 - Debt Recovery**

**2.14 - Asset Management Policy**

**3. Formally adopting the following new Council policies (refer Attachment 1):**

**2.5 - Reserves Policy**

**2.15 – Information Management – IT System Security**

**CARRIED 5/0**

Following a Council Policy Review, the Ex factor Allowance (Cost of living assistance) was updated into a new policy template document and re-numbered to Policy 1.16.

The “All of Staff Collective Agreement 2014” was replaced with introduction of the “Shire of Exmouth Enterprise Agreement 2017 (AG2019/887)” effective 23 May 2019.

The Shire of Exmouth Enterprise Agreement 2017 no longer includes or makes reference to the Ex-Factor Allowance (Cost of living assistance) or Council Policy. The entitlement to the Ex Factor cost of living assistance allowance was rolled into the ordinary hourly rates of pay.

**COMMENT**

The Shire of Exmouth Enterprise Agreement 2017 effective 23 May 2019 was approved by the Fair Work Commission.

**CONSULTATION**

WALGA

Shire employees

**STATUTORY ENVIRONMENT**

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

Fair Work Act 2009

## POLICY IMPLICATIONS

Update Council Manual.

## FINANCIAL IMPLICATIONS

Included in wages budget 2019/2020.

## STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2030 and Corporate Business Plan 2018-2022.

Economic: Diversify and grow our economy in a manner that provides year round employment opportunities  
 1.1 A diverse and environmentally aware local economy that can attract business investment and provide employment opportunities

## VOTING REQUIREMENTS

Absolute Majority

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### OFFICER'S RECOMMENDATION

**ITEM 12.1.2**

That Council RESCIND Council Policy 1.16 – Ex-Factor Allowance (Cost of Living Assistance).

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### COUNCIL RESOLUTION

**ITEM 12.1.2**

**Res No:** 03-0719

**MOVED:** Cr Lake

**SECONDED:** Cr Lucas

**That Council RESCIND Council Policy 1.16 – Ex-Factor Allowance (Cost of Living Assistance).**

**CARRIED 4/0**

## **DEVELOPMENT SERVICES**

### **12.2.1 NYINGGULU (NINGALOO) COASTAL RESERVES MANAGEMENT PLAN**

File Reference:	LP.PL.0.2019
Responsible Officer:	Deputy Chief Executive Officer
Reporting Officer:	As above
Date of Report:	15 July 2019
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	Nil

#### **PURPOSE**

The purpose of this report is to obtain Councils approval to formally request that the Honourable Stephen N Dawson MLC Minister for Environment; Disabilities; Electoral Affairs not approve the Nyinggulu (Ningaloo) Coastal Reserves Draft Management Plan 2019 until WALGA has completed the *"Independent Economic Assessment"*.

#### **BACKGROUND**

Councillor Dixon and the Deputy Chief Executive Officer attended the 20 June 2019 WALGA Gascoyne Country Zone Meeting at Mount Augustus, Shire of Upper Gascoyne. Zones are groups of geographically aligned Councils who are responsible for direct elections of State Councillors, providing input into policy formulation and providing advice on various local government matters.

As part of the 20 June 2019 Zone agenda was the 'Zone Business Status Report' item 5.4.

2019 March 22 Zone Agenda Item 5.4 Ningaloo Coast Regional Strategy Carnarvon to Exmouth – Nyinggulu (Ningaloo) Coastal Reserves, Draft Joint Management Plan.	That the Gascoyne Zone requests WALGA to advocate to the State Government to undertake an independent economic assessment of Wilderness Camping in the Shire of Exmouth and the broader Gascoyne Region.	WALGA has commenced discussions with the Shire, the Department of Biodiversity Conservation and Attractions and the Gascoyne Development Commission on the development of the Regional Strategy, and the concerns raised by the Shire of Exmouth.	Mark Batty Executive Manager Environment and Waste <a href="mailto:Mbatty@walga.asn.au">Mbatty@walga.asn.au</a> 9213 2078
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#### **COMMENT**

The Gascoyne Zone members were concerned that the Nyinggulu (Ningaloo) Coastal Reserves Draft Management Plan 2019 would be approved prior to the WALGA *"Independent Economic Assessment"*.

The Zone members voted unanimously to report to their respective Councils and present a resolution that states,

*The Shire of ..... formally request that the Honourable Stephen N Dawson MLC Minister for Environment; Disabilities; Electoral Affairs not approve the Nyinggulu (Ningaloo) Coastal Reserves draft management plan 2019 until WALGA has completed the "Independent Economic Assessment".*



## CONSULTATION

Western Australian Local Government Association  
WALGA Gascoyne Zone Members

## STATUTORY ENVIRONMENT

Local Government Act 1995

The Nyinggulu (Ningaloo) Coastal Reserves Draft Management Plan 2019 manages the *environmental protection* and *social advancement* of the Ningaloo Coastline. It does not address the *economic prosperity* and the impact on Local Government. Therefore the Local Government cannot support the Plan without the “*Independent Economic Assessment*” being completed as this action would force Local Government to be indifferent to the statutory requirements of the Local Government Act 1995 Part 1, section 1.3 (3).

(3) *In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.*

The role of Council is to govern the local government’s affairs, be responsible for the performance of the local government’s functions, and oversee the allocation of the local government’s finances and resources; and to determine the local government’s policies. In the absence of the associated “*Independent Economic Assessment*” Council cannot govern this situation that has the potential to affect the Shire’s function. Local Government Act 1995 Part 2, Division 2, s.2.7. (1) (2).

- (1) *The council —*
  - (a) *governs the local government’s affairs; and*
  - (b) *is responsible for the performance of the local government’s functions.*
- (2) *Without limiting subsection (1), the council is to —*
  - (a) *oversee the allocation of the local government’s finances and resources; and*
  - (b) *determine the local government’s policies.*

The function of the CEO is to ensure that advice and information is available to the council so that informed decisions can be made. At this current time the CEO cannot report to Council on the matters associated with the “*Independent Economic Assessment*”. Local Government Act 1995 Part 5, Division 4, s.5.41 (b).

(b) *ensure that advice and information is available to the council so that informed decisions can be made; and*

## POLICY IMPLICATIONS

This resolution is in alignment with Council Policy 4.3 – Economic Development Policy.

## FINANCIAL IMPLICATIONS

At this stage the Shire has no understanding of the economic impact associated with the directives of the Nyinggulu (Ningaloo) Coastal Reserves Draft Management Plan 2019.

Once WALGA completes the “*Independent Economic Assessment*” the report will be tabled with Council.

## STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2030 and Corporate Business Plan 2018-2022

- Economic: Diversify and grow our economy in a manner that provides year round employment opportunities
- 1.1 A diverse and environmentally aware local economy that can attract business investment and provide employment opportunities
  - 1.2 Facilitate the strengthening and growth of our visitor experience.
  - 1.3 Enable the provision of essential infrastructure that will support investment and diversify our economy.
- Environment: To protect and value our unique natural and built environment as we grow our economy.
- 2.1 A strong focus on environmental conservation and sustainable management of our natural environment
  - 2.2 Strive to achieve a balance between the preservation of our unique environment and the delivery of sustainable economic growth.
  - 2.3 Advocate and promote opportunities for the development of environmentally sustainable essential infrastructure and services
- Social: To be a vibrant, passionate and safe community valuing our natural environment and unique heritage
- 3.1 Explore opportunities to deliver services and facilities that attract and retain people living in the Shire.
  - 3.2 Promote facilities/services that enhance public health and safety.
  - 3.3 Champion self-supporting community clubs and associations.
- Leadership: To provide open transparent, accountable leadership working in collaboration with our community.
- 4.1 To provide proactive, collaborative and transparent leadership
  - 4.2 A local government that is respected and accountable.
  - 4.3 To be a champion for our community

## VOTING REQUIREMENTS

Simple Majority

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### OFFICER'S RECOMMENDATION

### ITEM 12.2.1

That Council formally REQUEST the Honourable Stephen N Dawson MLC Minister for Environment; Disabilities; Electoral Affairs not approve the Nynggulu (Ningaloo) Coastal Reserves Draft Management Plan 2019 until the *"Independent Economic Assessment"* has been:

1. Completed;
2. The findings have been communicated with stakeholders; and

3. Stakeholder's feedback is included in a revised Nynggulu (Ningaloo) Coastal Reserves Draft Management Plan 2019.

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**COUNCIL RESOLUTION**

**ITEM 12.2.1**

**Res No: 04-0719**

**MOVED: Cr Lake**

**SECONDED: Cr Mounsey**

**That Council formally REQUEST the Honourable Stephen N Dawson MLC Minister for Environment; Disabilities; Electoral Affairs not approve the Nynggulu (Ningaloo) Coastal Reserves Draft Management Plan 2019 until the *"Independent Economic Assessment"* has been:**

- 1. Completed;**
- 2. The findings have been communicated with stakeholders; and**
- 3. Stakeholder's feedback is included in a revised Nynggulu (Ningaloo) Coastal Reserves Draft Management Plan 2019.**

**CARRIED 4/0**

***The following reports were recommended enbloc 12.2.2, 12.2.3 and 12.2.4.***

## **12.2.2 PROPOSED PERMANENT LOCAL ROAD CLOSURE – PACE RETREAT, NORTH WEST CAPE**

File Reference:	RD.RO.0
Responsible Officer:	Deputy Chief Executive Officer
Reporting Officer:	Senior Planning Officer
Date of Report:	25 July 2019
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	Nil

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### **PURPOSE**

To revoke a previous Council resolution 13-0513 – 10.6.2 from 16 May 2013 and re-initiate the proposed permanent road closure of Pace Retreat, North West Cape.

### **BACKGROUND**

At its meeting of 16 May 2013 Council resolved (Decision – 13-0513 – 10.6.2):

***That the Council of the Shire of Exmouth proceed with the public road closure of Pace Retreat Road Reserve:***

- 1) In accordance with Section 58 of the Land Administration Act 1997 publish the public notice of intention to close Pace retreat, Exmouth in the local newspaper circulating in the relevant district and invite representations on the proposed closure within a period of 35 days from the publication.***
- 2) In accordance with the requirements of Section 58 of the Land Administration Act 1997 contact service infrastructure authorities including Water Corporation, Western Power, Alinta Gas, Telstra and Department of Industry and Resource confirming their agreement to the proposed road closure; and***
- 3) Following consultation make a request to the Minister for Lands pursuant to Section 58 of the Land Administration Act 1997 for the permanent closure of Pace Retreat Road Reserve, for a distance of 1327 metres in an east-westerly direction, subject to the land becoming a new lot.***

Subsequently on Wednesday 05 June 2013 an advertisement was placed in the Northern Guardian.

## COMMENT

The previous request from the Shire of Exmouth (Shire) to close "Pace Retreat Road Reserve" DPLH Reference Job reference: 131790 has since been closed primarily due to lack of advice/response from the Shire and for the two main reasons as follows.

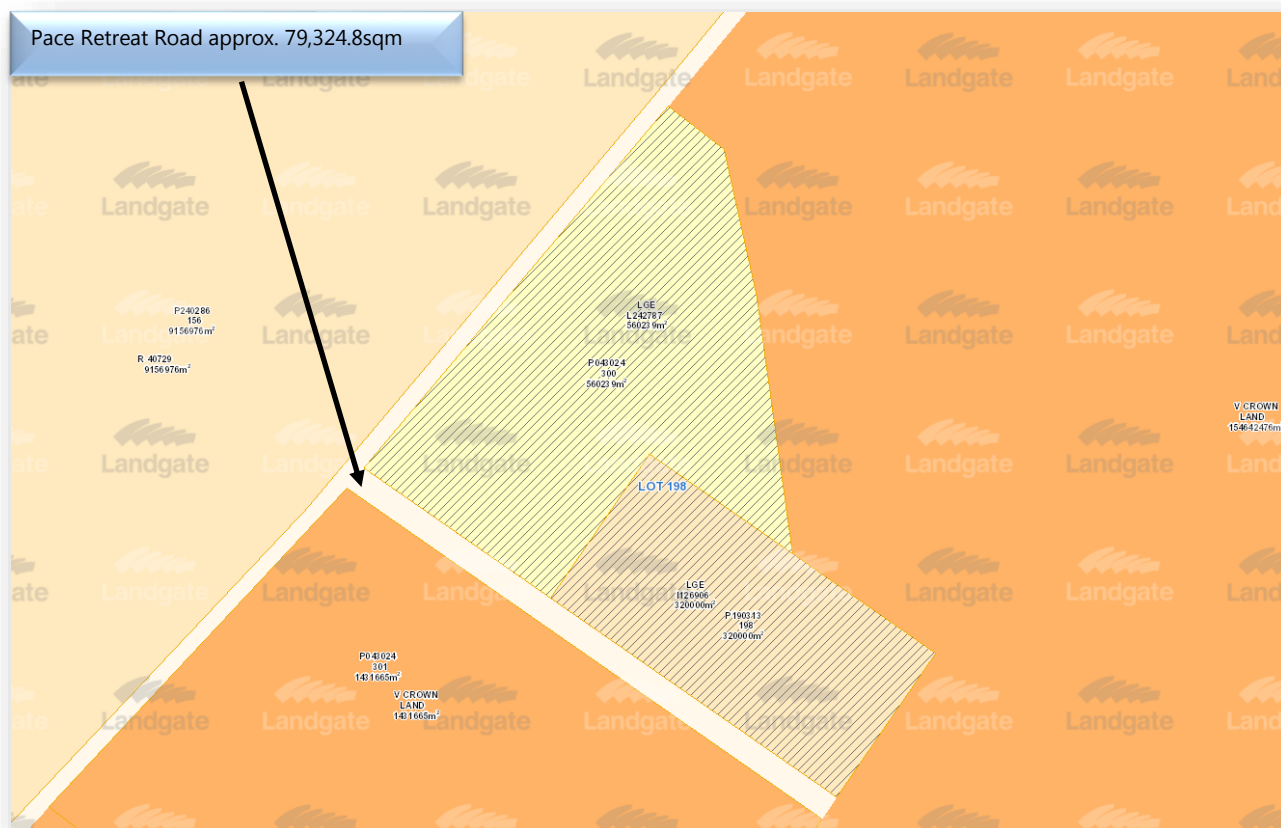
1. The Shire did not strictly comply with the requirements of S.58 of the *Land Administration Act 1997* (LAA) or Part 9 of the *Land Administration Regulations 1998* (LA Regulations) resulting in the initial request for road closure containing significant flaws; and
2. The Lessee of the land adjoining Pace Retreat Road Reserve objected to the proposed road closure. The Shire Administration of the day failed to understand some of the technicalities of the formal Road Closure process however, reiterated the intent to proceed with the road closure.

It will be necessary for the Shire Council to revoke the Council resolution 13-0513-10.6.2 in order to recommence a formal road closure process which is compliant with both S.58 of the LAA and Part 9 of the LA Regulations 1998.

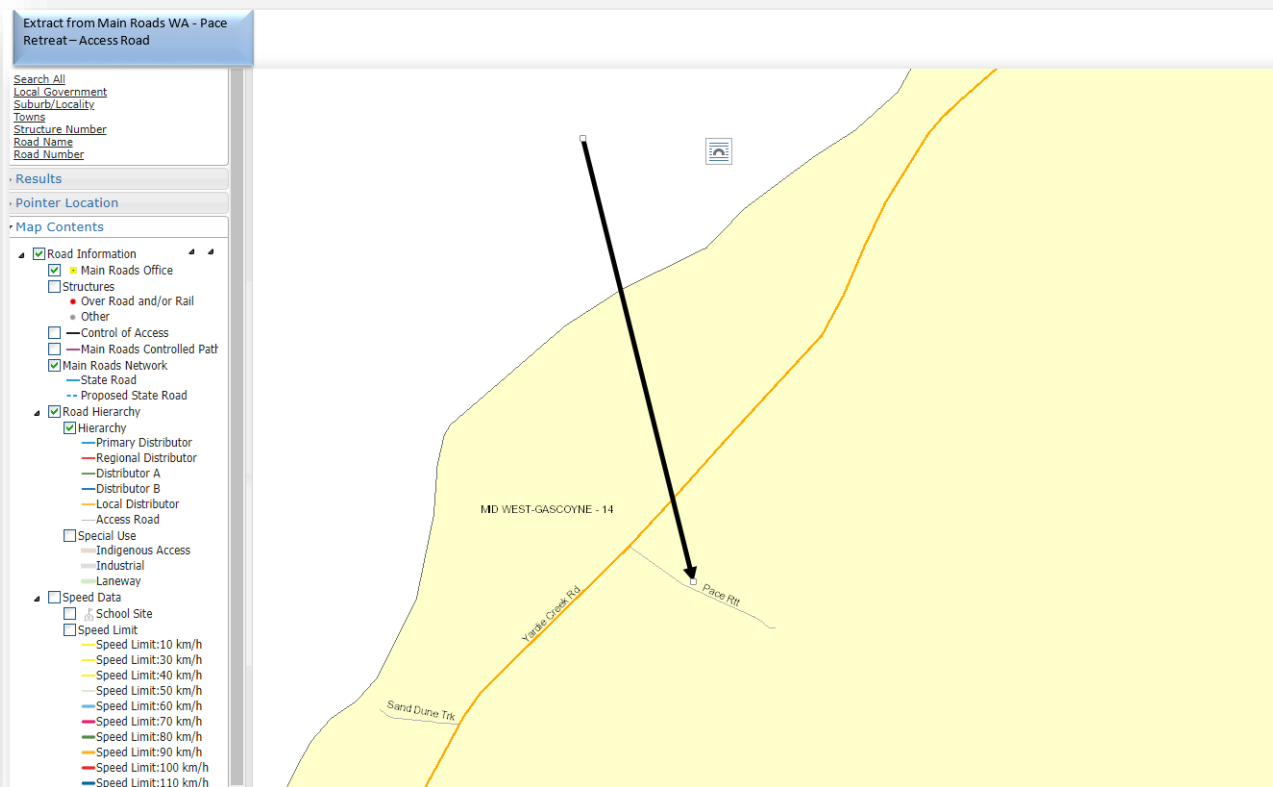
**Figure 1** – Extract from zoning map of Shire of Exmouth Local Planning Scheme No.4



**Figure 2 – Aerial Extract from Landgate Mapping**



**Figure 3 – Extract from Main Roads WA mapping**





Pace Retreat is a gazetted local road reserve which is under the care and maintenance of the Shire of Exmouth. This road reserve provides access to the Yardie Creek Caravan (Lessee of Crown Lease) and it is noted the Lessee of the Yardie Caravan Park also leases adjoining Lot 300 on Deposited Plan 43024 for the purpose of "Airstrip" and that Lot 300 on Deposited Plan 43024 abuts Yardie Creek Road on its south-western boundary and abuts Yardie Creek Road reserve with its north-western boundary.

In collaboration with the Department and Planning, Lands and Heritage it has been established that Council resolution 13-0513-10.6.2 (16 May 2013) did not strictly comply with the requirements of S.58 of the *Land Administration Act 1997* (LAA) or Part 9 of the *Land Administration Regulations 1998* (LA Regulations) resulting in the initial request for road closure containing significant flaws. For this reason, the Council must now revoke this resolution before deciding whether it wishes to pursue the road closure.



### *Re-initiate*

The existing Pace Retreat local road serves only the private business operation of the Yardie Creek Caravan Park who operate on the land under the licence arrangement with the State Government. The Yardie Creek Caravan also hold a licence to operate the nearby air strip.

**Figure 1** – Extract from LAA 1997.

*Land Administration Act 1997*  
 Part 5 Roads  
 Division 1 Conventional roads  
 s. 58

**58. Closing roads**

- (1) When a local government wishes a road in its district to be closed permanently, the local government may, subject to subsection (3), request the Minister to close the road.
- (2) When a local government resolves to make a request under subsection (1), the local government must in accordance with the regulations prepare and deliver the request to the Minister.
- (3) A local government must not resolve to make a request under subsection (1) until a period of 35 days has elapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.

**Figure 2 – Extract from LA Regulations 1998A 1997.**

*Land Administration Regulations 1998*  
 Part 2 General

r. 9

- (e) any other information the local government considers relevant to the Minister's consideration of the request; and
- (f) written confirmation that the local government has complied with section 56(2) of the Act.

**9. Local government request to close road permanently (Act s. 58(2)), requirements for**

For the purposes of preparing and delivering under section 58(2) of the Act a request to the Minister to close a road permanently, a local government must include with the request —

- (a) written confirmation that the local government has resolved to make the request, details of the date when the relevant resolution was passed and any other information relating to that resolution that the Minister may require; and
- (b) sketch plans showing the location of the road and the proposed future disposition of the land comprising the road after it has been closed; and
- (c) copies of any submissions relating to the request that, after complying with the requirement to publish the relevant notice of motion under section 58(3) of the Act, the local government has received, and the local government's comments on those submissions; and
- (d) a copy of the relevant notice of motion referred to in paragraph (c); and
- (e) any other information the local government considers relevant to the Minister's consideration of the request; and
- (f) written confirmation that the local government has complied with section 58(2) and (3) of the Act.

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Version 04-f0-01

As at 01 Jul 2018

In consideration of maintaining access for the Yardie Creek Caravan Park (Lot 198 on P190313) from Yardie Creek Road the lessee of this licenced lot was previously advised that, should the Lessee wish to continue using Pace Retreat as a means of access to Lot 198 after it has been formally closed, the following options were available;



1. A Licence over the land formerly comprising Pace Retreat,
2. An Easement for "Access" over the land formerly comprising Pace Retreat, or
3. The amalgamation of the land formerly comprising Pace Retreat into existing General Lease I126906 over Lot 198 on Deposited Plan 190313.

It is considered that the third of the above options may be the best way forwards in this regard as this access is intrinsically linked to the licence and operation of the Yardie Creek Caravan Park.

## CONSULTATION

A notice will be published in the Pilbara News stating that the Local Government is seeking any comments to its plans to permanently close Pace Retreat road reserve, consult all stakeholders/agencies and affected land/lease holders, and that the former Pace Retreat Road Reserve is '*amalgamation of the land formerly comprising Pace Retreat into existing General Lease I126906 over Lot 198 on Deposited Plan 190313*'.

## STATUTORY ENVIRONMENT

Planning and Development Act 2005  
Land Administration Act 1997  
Land Administration Regulations 1998

## POLICY IMPLICATIONS

Nil

## FINANCIAL IMPLICATIONS

The Local Government will no longer bear the cost of care and maintaining responsibility of this road reserve.

## STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2030 and Corporate Business Plan 2018-2022

Environment:	<u>To protect and value our unique natural and built environment as we grow our economy.</u>
	2.1 A strong focus on environmental conservation and sustainable management of our natural environment.
	2.3 Advocate and promote opportunities for the development of environmentally sustainable essential infrastructure and services.
Leadership:	<u>To provide open transparent, accountable leadership working in collaboration with our community.</u>
	4.1 To provide proactive, collaborative and transparent leadership.
	4.2 A local government that is respected and accountable.

## VOTING REQUIREMENTS

Simple Majority

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## OFFICER'S RECOMMENDATION

## ITEM 12.2.2

That Council RESOLVE to:

- a) Revoke Council Resolution 13-0513-10.6.2 dated 16 May 2013.
- b) Pursuant to the *Land Administration Act 1997*, Pt.5, Div.1, S.58, initiate the proposed permanent closure of Pace Retreat Local Road, amalgamate land formerly comprising Pace Retreat into existing General Lease I126906 over Lot 198 on Deposited Plan 190313, and advertise the notice of motion for this resolution in a local newspaper circulating in the district for a period not less than 35 days.
- c) The local government considers any objections made to it within that period concerning the proposal set out in that notice and a final recommendation be subsequently be brought before Council for a final resolution recommendation.

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**COUNCIL RESOLUTION**

**ITEM 12.2.2**

**Res No: 05-0719**

**MOVED: Cr Niikkula**

**SECONDED: Cr Mounsey**

**That Council RESOLVE to:**

- a) **Revoke Council Resolution 13-0513-10.6.2 dated 16 May 2013.**
- b) **Pursuant to the *Land Administration Act 1997*, Pt.5, Div.1, S.58, initiate the proposed permanent closure of Pace Retreat Local Road, amalgamate land formerly comprising Pace Retreat into existing General Lease I126906 over Lot 198 on Deposited Plan 190313, and advertise the notice of motion for this resolution in a local newspaper circulating in the district for a period not less than 35 days.**
- c) **The local government considers any objections made to it within that period concerning the proposal set out in that notice and a final recommendation be subsequently be brought before Council for a final resolution recommendation.**

**CARRIED 4/0**

**12.2.3 PROPOSED PARTIAL CLOSURE OF RIGGS STREET, EXMOUTH**

File Reference:	RD.RO.0
Responsible Officer:	Deputy Chief Executive Officer
Reporting Officer:	Senior Planning Officer
Date of Report:	25 July 2019
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	Nil

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**PURPOSE**

That Council initiate the permanent closure of a 110 square metre portion of Riggs Street road reserve and amalgamate into the adjoining Reserve 28153 which is under Management Order to the Shire for purpose of 'Civil Defence Emergency Services Site'.

**BACKGROUND**

The SES are located on Reserve 28153 (Southern side of Riggs Street) and in the recent past there was a requirement to expand/provide additional structure/s. The original preferred was on Reserve 28145 which is the adjoining lot to the immediate south and utilised by the Department of Fire and Emergency Services (DFES).

An item was subsequently presented to the Ordinary Council Meeting of 14 February 2017 to pass a resolution allowing for the Management Order of the DFES reserve 28145. Refer to **figure 1** below for OCM 14 February 2017 minutes extract.

However, subsequent to that resolution and upon conclusion of research reserve 28145 (DFES) was found to be contaminated and the shire did not want to inherit the cost and/or responsibility of a clean-up of the land.

In the meantime, the construction of any new structure for SES was dependent on DFES grant funding with strict requirements, amongst those requirements was that of location, i.e. close to existing building and timeframes. If the timeframe was adhered to, as with many grant requirements, the monies would have been forfeited as would the new SES facility.

A decision was subsequently made to construct the new building within close proximity to the existing building with legal road access. The new building was therefore built partly on an existing road reserve (Riggs Street) prior to any formal road closure mainly due to timing issues.

**Figure 1** – Extract of Council Minutes of 14 February 2017.**COUNCIL RESOLUTION****ITEM 15.2****Res No: 09-0217****That the Commissioner:**

1. Pursuant to the *Land Administration Act 1997*, Request Crown Reserve 28145 being Lot 351 (4) Riggs Street, Exmouth on Deposited Plan 210125 to be vested to the Shire of Exmouth through a Management Order for the purpose of emergency services subject to confirmation from the Department of Lands that there is no contamination at the property;
2. Pursuant to Section 1.4 of the Shire of Exmouth Local Government Property Local Law, upon receiving the Management Order outlined in recommendation 1 above, agree to the use of Crown Reserve 28145 by the Exmouth Volunteer Fire and Rescue Services for the purpose of access, parking and training subject to the following conditions:

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Shire of Exmouth

Ordinary Council Meeting - Minutes

14 February 2017

- a. The property shall be maintained in a clean and tidy condition at all times;
- b. The Exmouth Volunteer Fire and Rescue Services must have public liability insurance to a minimum value of \$5,000,000, relating to the activity;
- c. The Shire of Exmouth shall be indemnified in respect to any injury to any person or damage to any property that may occur in connection with the use of the property;
- d. If any damage to the property does occur the Exmouth Volunteer Fire and Rescue Services accepts total responsibility to make good such damage;
- e. Prior consent shall be obtained before conducting any activities not specified as a part of this agreement;
- f. The activities conducted under this agreement shall not result in any contamination to the property;
- g. The Exmouth Volunteer Fire and Rescue Services shall be permitted to use the property under this agreement until such time as the property is required for the carrying out of the Exmouth Town Centre and Foreshore Revitalisation Plan.

**CARRIED 1/0**

## COMMENT

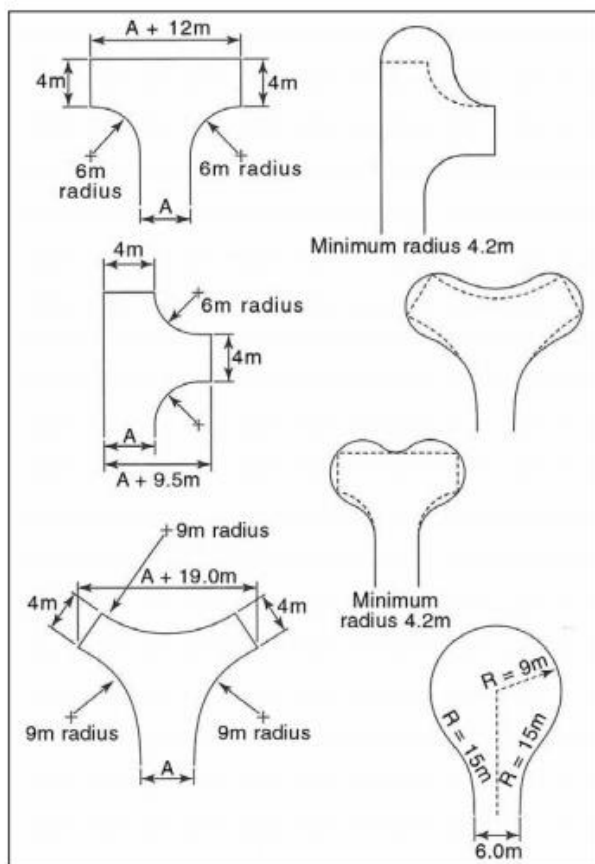
To finalise this project there is the matter of requesting the state government for the permanent partial road closure of Riggs Street to facilitate the now constructed SES building, which is partly built within the Riggs Street local road reserve.

A review of the required specifications for a Cul-de-sac turning dimension is shown in **Figure 2** below which identifies that a minimum of 9m radius (18 diameter) is required for a cul-de-sac turning bulb.

There is in excess of 23 metre remaining to accommodate the cul-de-sac bulb which exceeds the minimum requirement thus meeting the required standards.

However, any road closure requires public advertising pursuant to s.58 of the Land Administration Act, this advertising will include utility agencies that may have infrastructure located within that portion of road reserve proposed to be closed.

**Figure 2** – Extract from Liveable Neighbourhoods, WAPC January 2009



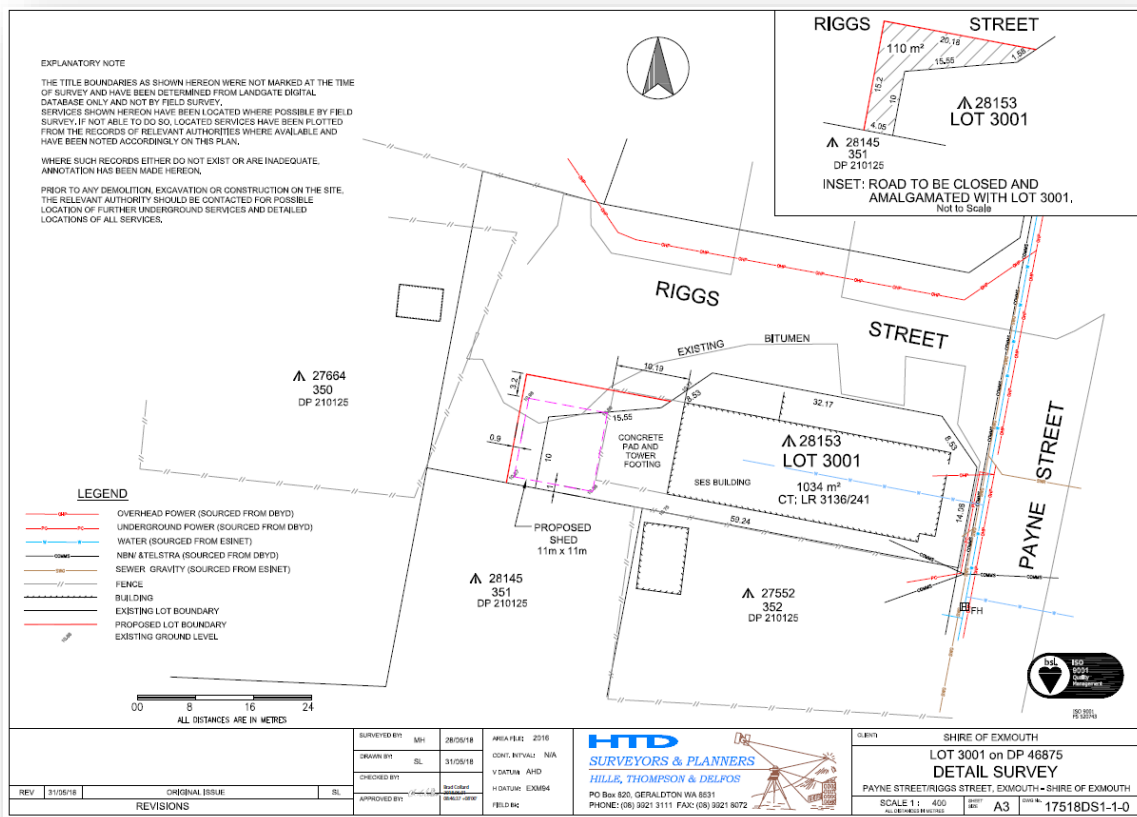
**Figure 25: Recommended turning head dimensions.**

Source: Guidelines for the Design and Geometric Layout of Residential Roads (Western Australian Planning Commission, June 1998).

Figure 3 – Extract from Land Gate Mapping



Figure 4 – Survey drawing of proposed reconfiguration/closure portion.



A survey drawing has been produced (refer to **figure 4**) which would form part of the road closure requirement upon any application to the State government in respect to road closures.

## **CONSULTATION**

Subsequent to a Council resolution to proceed, a notice would be published in the Pilbara News stating that the Local Government is seeking any comments to its plans to permanently close a portion of Riggs Street local road reserve, consult all stakeholders/agencies and affected land/lease holders, and that the former portion of Riggs Street Road Reserve is amalgamated into existing Reserve 28153 (Lot 3001 on Plan 046875)'.

## **STATUTORY ENVIRONMENT**

*Planning and Development Act 2005.*

*Land Administration Act 1997.*

*Land Administration Regulations 1998.*

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Nil

## **STRATEGIC IMPLICATIONS**

This item is relevant to the Councils approved Strategic Community Plan 2030 and Corporate Business Plan 2018-2022

- |              |  |
|--------------|--|
| Economic:    | <p><u>Diversify and grow our economy in a manner that provides year round employment opportunities</u></p> <p>1.3 Enable the provision of essential infrastructure that will support investment and diversify our economy.</p>   |
| Environment: | <p><u>To protect and value our unique natural and built environment as we grow our economy.</u></p> <p>2.1 A strong focus on environmental conservation and sustainable management of our natural environment</p> <p>2.3 Advocate and promote opportunities for the development of environmentally sustainable essential infrastructure and services</p> |
| Leadership:  | <p><u>To provide open transparent, accountable leadership working in collaboration with our community.</u></p> <p>4.1 To provide proactive, collaborative and transparent leadership</p> <p>4.2 A local government that is respected and accountable.</p>  |

## **VOTING REQUIREMENTS**

Simple Majority

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**OFFICER'S RECOMMENDATION****ITEM 12.2.3**

That Council RESOLVE to:

- a) Pursuant to the Land Administration Act 1997, Pt.5, Div.1, S.58, initiate the proposed permanent closure of a portion of Riggs Street Local Road, Exmouth, amalgamate land formerly comprising that portion of Riggs Street into existing Reserve 28153 (Lot 3001on Plan 046875), and advertise the notice of motion for this resolution in a local newspaper circulating in the district for a period not less than 35 days.
- b) The local government considers any objections made to it within that period concerning the proposal set out in that notice and a final recommendation be subsequently be brought before Council for a final resolution recommendation.

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**COUNCIL RESOLUTION****ITEM 12.2.3**

**Res No:**                   **06-0719**

**MOVED:**               **Cr Niikkula**

**SECONDED:**       **Cr Mounsey**

That Council RESOLVE to:

- a) **Pursuant to the Land Administration Act 1997, Pt.5, Div.1, S.58, initiate the proposed permanent closure of a portion of Riggs Street Local Road, Exmouth, amalgamate land formerly comprising that portion of Riggs Street into existing Reserve 28153 (Lot 3001on Plan 046875), and advertise the notice of motion for this resolution in a local newspaper circulating in the district for a period not less than 35 days.**
- b) **The local government considers any objections made to it within that period concerning the proposal set out in that notice and a final recommendation be subsequently be brought before Council for a final resolution recommendation.**

**CARRIED 4/0**



## 12.2.4 PROPOSED PERMANENT CLOSURE OF NINGALOO ROAD

File Reference:	RD.RO.0
Responsible Officer:	Deputy Chief Executive Officer
Reporting Officer:	Senior Planning Officer
Date of Report:	25 July 2019
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	Nil

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### PURPOSE

To initiate the proposed permanent closure of Ningaloo Road and that it be amalgamated in Lot 173 on Deposited Plan 220577 (L3114 1093) known as Ningaloo Pastoral Station.

### BACKGROUND

Ningaloo Road is an unsealed road with an approximate length of 32km. This road provided access to the former Ningaloo Station Pastoral arrangement which ceased to exist in 2015.

It is understood that currently the former Ningaloo Pastoral Station land holding is going through the formalities of how it is to be managed moving forwards by the State Government and others.

This road has historically served for access into the former Ningaloo Pastoral Station.

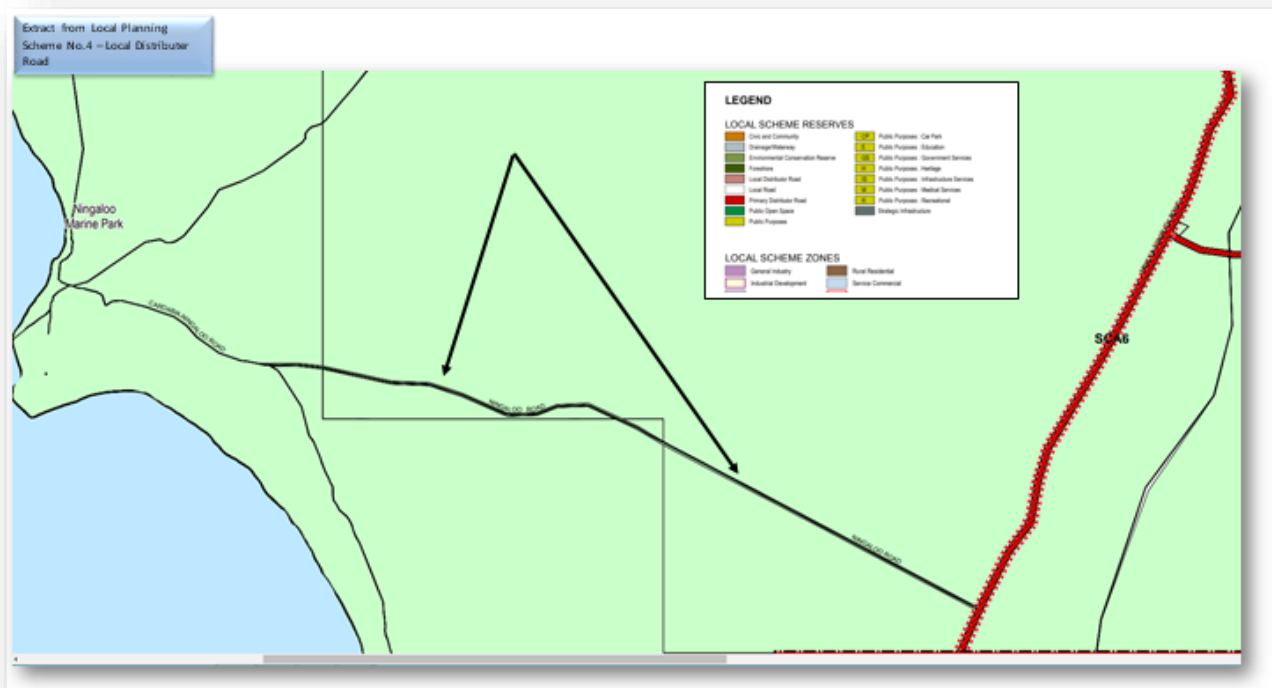
### COMMENT

It is considered that once land tenure and care and maintenance of the former Ningaloo Pastoral Station has been concluded, access will be required to that former homestead and surrounds. The best option would be to amalgamate the proposed closed Ningaloo Road reserve into the land parcel of the former Ningaloo Pastoral Station. **Figures 1 and 2** below show extracts from the Local Planning Scheme No.4 and Main Roads WA mapping to give context.

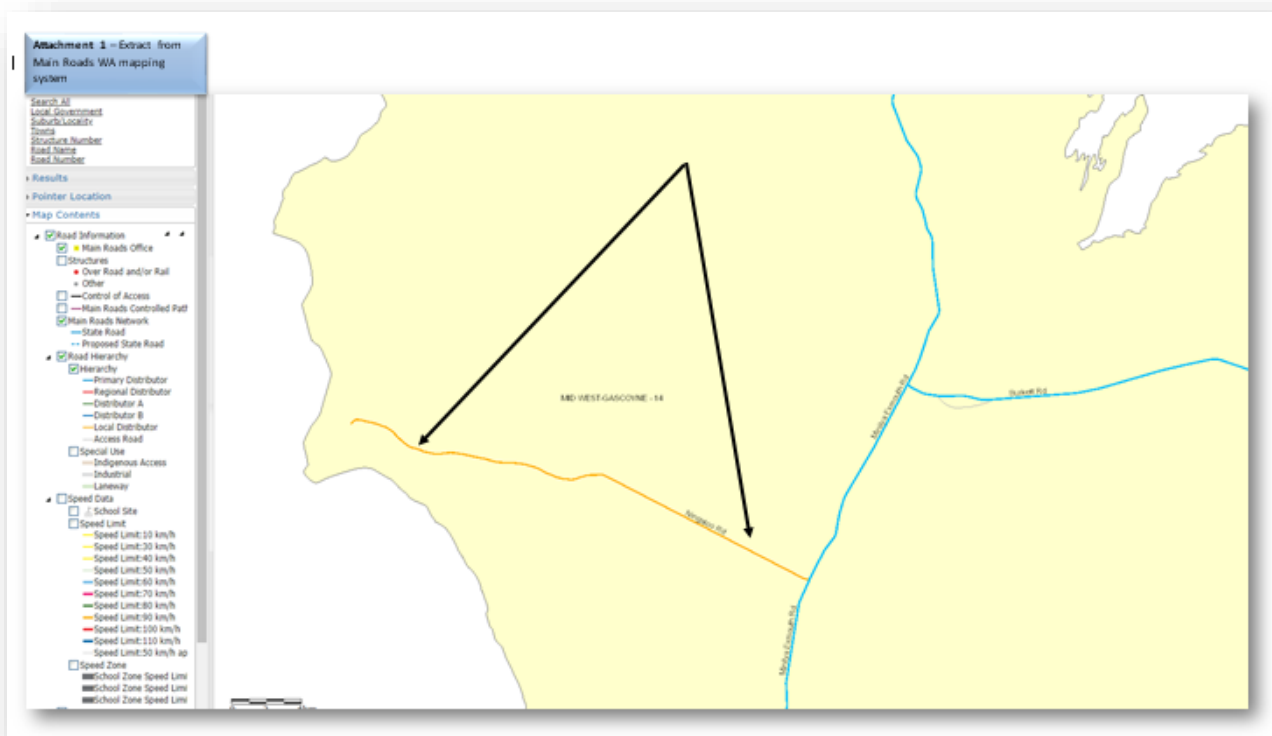
The Shire recently submitted a written submission to the Department of Biodiversity, Conservation and Attractions (DBCA) commenting on the Nyinggulu Coastal Reserves Draft Joint Management Plan and raised concerns over the cost implications to local governments relating to maintaining access roads and the increased formalisation of low yield camping on the Ningaloo coastal area.

This proposed closure of Ningaloo Road will be a catalyst for discussions and negotiations with DBCA as to the future contribution of the state in the maintenance of access roads that benefit the department's business model.

**Figure 1** – Extract from Local Planning Scheme No.4 Map



**Figure 2** – Extract from Main Roads WA mapping



## CONSULTATION

Subsequent to a Council resolution to proceed, a notice would be published in the Pilbara News stating that the Local Government is seeking any comments to its plans to permanently close Ningaloo Road, consult all stakeholders/agencies and affected land/lease holders, and that the former Ningaloo Road Reserve is amalgamated Lot 173 on Deposited Plan 220577(L3114 1093).

## STATUTORY ENVIRONMENT

*Planning and Development Act 2005.*

*Land Administration Act 1997.*

*Land Administration Regulations 1998.*

## POLICY IMPLICATIONS

Nil

## FINANCIAL IMPLICATIONS

The Local Government will no longer bear the cost of care and maintaining responsibility of this road reserve.

## STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2030 and Corporate Business Plan 2018-2022

Environment: To protect and value our unique natural and built environment as we grow our economy.

2.1 A strong focus on environmental conservation and sustainable management of our natural environment.

2.3 Advocate and promote opportunities for the development of environmentally sustainable essential infrastructure and services.

Leadership: To provide open transparent, accountable leadership working in collaboration with our community.

4.1 To provide proactive, collaborative and transparent leadership.

4.2 A local government that is respected and accountable.

## VOTING REQUIREMENTS

Simple Majority

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## OFFICER'S RECOMMENDATION

## ITEM 12.2.4

That Council RESOLVE to:

- a) Pursuant to the Land Administration Act 1997, Pt.5, Div.1, S.58, initiate the proposed permanent closure of a Ningaloo Road, Exmouth, amalgamate the closed road into Lot 173 on deposited plan 220577 (L3114 1093), and advertise the notice of motion for this resolution in a local newspaper circulating in the district for a period not less than 35 days.
- b) The local government considers any objections made to it within that period concerning the proposal set out in that notice and a final recommendation be subsequently be brought before Council for a final resolution recommendation.

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**COUNCIL RESOLUTION****ITEM 12.2.4**

**Res No:** 07-0719

**MOVED:** Cr Niikkula

**SECONDED:** Cr Mounsey

**That Council RESOLVE to:**

- a) Pursuant to the Land Administration Act 1997, Pt.5, Div.1, S.58, initiate the proposed permanent closure of a Ningaloo Road, Exmouth, amalgamate the closed road into Lot 173 on deposited plan 220577 (L3114 1093), and advertise the notice of motion for this resolution in a local newspaper circulating in the district for a period not less than 35 days.
- b) The local government considers any objections made to it within that period concerning the proposal set out in that notice and a final recommendation be subsequently be brought before Council for a final resolution recommendation.

**CARRIED 4/0**

## **CORPRATE SERVICES**

### **12.4.1 ADOPTION OF 2019/20 BUDGET**

File Reference:	FM.BU. 19.20
Responsible Officer:	Executive Manager Corporate Services
Reporting Officer:	As above
Date of Report:	15 July 2019
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	<ol style="list-style-type: none"> <li>1. 2019/20 Budget</li> <li>2. 2019/20 Capital Acquisitions</li> <li>3. 2019/20 Fees &amp; Charges Schedule</li> </ol>

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#### **PURPOSE**

That Council adopt the 2019/20 Budget and Fees and Charges as presented in attachments 1 to 3.

#### **BACKGROUND**

Council is required to prepare and adopt in the manner and form prescribed, its annual budget by no later than 31 August each year in accordance with Section 602 of the *Local Government Act 1995*.

#### **COMMENT**

The budget of 2019/20 presented for adoption reflects a surplus of \$48,147.

The 2018/19 closing surplus of \$4,940,153 was achieved due to the early receipt of an instalment of the Financial Assistance Grant of \$975,073 in June 2019 from the Local Government Grants Commission, this will be carried forward to fund operations in 2019/20.

The remaining surplus of \$3,965,080 was the net result of increased revenue from fees and charges mainly through the airport operations, increased interest earnings from investments and increased reimbursements from workers compensation and other state funded grants. Offset by reduced expenditure from operations including reduced depreciation and capital works projects the majority of which will be rolled over and included in the 2019/20 budget.

In accordance with Council Resolution in March 2018 the remaining surplus of \$1,900,000 which is not required to fund rollover requirements for 2019/20 is to be transferred to reserves for the preservation of assets as detailed below:

Waste & Recycling Reserve	\$300000
Aviation Reserve	\$150000
Building Reserve	\$250000
Roads Reserve	\$300000
Plant Reserve	\$250000
Leave Reserve	\$100000
Land Acquisition & Disposal Reserve	\$200000
Staff Housing Reserve	\$100000
Ningaloo centre Reserve	\$100000
Swimming Pool Reserve	\$100000
Rehabilitation Reserve	\$40000
Mosquito Management Reserve	\$10000

The 2019/20 budget is financially prudent and has been built bearing in mind the adverse trends of the Councils asset ratios with funds being allocated to Shire reserves for the future preservation of Shire assets which had been highlighted as a concern during the last two audits. Operational costs have been kept to a reasonable level in comparison to the 2018/19 budget and in fact across many of the portfolios there is a reduction in operating expenditure.

Revenue from operating activities has decreased from 2018/19 mainly due to anticipated reduction in operations at Learmonth Heliport in the latter half of the financial year this has been offset by a reduction in employment costs. Fees and charges for community activities have been increased by a CPI factor of 2% across the board and in some cases no increase at all. The budget has also recommended the revenue and expenditure requirements of the Ningaloo Visitor Centre which will be transferred to Shire operations in November 2019.

The overall objective of the rates and charges included in the 2019/20 budget is to provide for the net funding of Council's operational and capital activities after taking into account all other forms of revenue. The majority of land values in the Shire of Exmouth have been heavily reduced with the exception of properties in marina and as a result the Shire has applied a rates model which has resulted in a (\$4,318) increase in rate revenue for 2019/20. While the rate in the dollar has increased the majority (64.7%) of Exmouth home owners will actually pay lower rates in 2019/20 than 2018/19.

Key features of the budget include:

- Minimal rates revenue increase due to reduced property valuations.
- Employee costs increased by 1.9% due to new Workplace Agreement approved in May 2019.
- Some new positions created to enable the Shire to support its growing IT infrastructure and telecommunications needs, the staff to manage and operate the Ningaloo Visitor Centre, a Sport and Recreation Development Officer offset by grant revenue and two part time support positions in Development Services and Communications to support the achievement of the Corporate Business Plan.
- Reduction in residential green waste fees at the waste site and a reduction in Heliport landing revenue and operating grants from the State Government for roads.
- Reduction in depreciation expense due to revaluation of assets and a revision of residual value in determining depreciation expense.

- Reduction in revaluation expenses as the GRV was undertaken in 2018/19.
- Increase in the Health portfolio with the introduction of a new Mosquito Management Program in conjunction with the Department of Health.
- Increase Community Development Programs and events with additional funding for quarterly community newsletters throughout the year and continuation of the community grants scheme.
- Provision of funds for electronic inspection software to streamline inspection processes for Health, Building assessments and Ranger Services.
- Provision of consultancy funds for a review of the original Town Master Plan developed by Hassell Consulting and funds for planning support to assist with assessment of submissions for Scheme Amendment 1 which will be funded by proponent.
- Increasing the Shire reserves to meet its commitment to build capacity for the future preservation and maintenance of its asset infrastructure base.
- Existing borrowings will require principal and interest repayments of \$305,232.
- Funding for a review of the Shires waste management options.
- Fees and Charges have been reviewed with the majority being increased by CPI with some struck at cost recovery.

Capital works and acquisition program of \$4.243M with main items detailed below

Replacement of Shire plant and equipment including rubbish truck, Kubota mower, two trucks and seven replacement vehicles and a new Hyundai Imax van	\$942000
To install solar system and battery at the Ningaloo Centre partially offset by grant funding	\$560000
Various projects at Learmonth Airport including reseal carpark, arrivals upgrade such as air-conditioning upgrade, repaint building, Information counter upgrade and water connection	\$351000
For finalisation of Murat Road upgrade and Murat Road drainage rectification works	\$304000
General road sealing	\$267000
For purchase and implementation of a weighbridge at the sanitation site	\$250000
To install a multipurpose bike facility in the recreation precinct	\$200000
To upgrade the Terrestrial Gallery, Cyclone exhibit, lagoon tank and Fairy Queen exhibits at Ningaloo Centre	\$161500
Footpath/kerbing renewal and \$100K for new footpaths	\$200000
For Yardie Creek Road shoulder and seal edge works	\$147000
To undertake repair & maintenance on Shire buildings at Maidstone Crescent	\$75000
To repair chlorination plant at Irrigation Sewerage Farm offset in full by Water Corporation	\$70000
For a waste recycling equipment and shed offset by grant income	\$67300
To undertake rectification and shade upgrades at Federation Park	\$60000
New digital sign in town mall and a water dispensing unit at the old Visitor Centre carpark	\$60000
Street light renewal project on Murat Road	\$30000
Entrance gate upgrade and remedial work on the fence at Exmouth Aerodrome	\$30000
NBN change over for all Shire buildings	\$22000

To install a disabled ramp from Ningaloo Centre across Murat Road	\$20000
To relocate and upgrade the dog pound	\$15000

Once Council adopt the 2019/20 Annual Budget, Council will communicate to the community through a variety of media channels, the projects and strategic outcomes that will be achieved as a result of the budget.

## CONSULTATION

Shire of Exmouth ratepayers

## STATUTORY ENVIRONMENT

Section 6.2 & 6.35 (5) Local Government Act 1995

Local Government Financial Management Regulations

## POLICY IMPLICATIONS

Nil

## FINANCIAL IMPLICATIONS

The budget outlines the financial plans for the Shire during 2019/20 and contains estimated revenue and expenditure which is monitored throughout the year with an estimated closing surplus of \$66,576.

## STRATEGIC IMPLICATIONS

- Leadership: 4 To provide open transparent, accountable leadership working in collaboration with our community.
- 4.1 *To provide proactive, collaborative and transparent leadership*
- 4.2 *A local government that is respected and accountable*

## VOTING REQUIREMENTS

Absolute Majority

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## OFFICER'S RECOMMENDATION

## ITEM 12.4.1

That Council in accordance with Section 6.2(1) of the *Local Government 1995*, having considered any submissions received on the intended Differential Rates, Specified Area rate adopt the Budget for the financial year ending June 30, 2020 as resolved below:

### Differential General Rates

Impose a differential general rate on rateable land within the Municipality of Exmouth in accordance with Section 6.33 of the *Local Government Act 1995* the following schedule of differential rates:

Rate Category	Rate in the Dollar \$	Minimum payment \$
GRV General	0.0751	930
GRV Marina Developed	0.1013	930
GRV Holiday Homes	0.1041	930
GRV Vacant Land	0.1501	735
UV Mining	0.1599	230
UV Rural	0.0800	735



GRV Specified Area Rate	0.01339	Nil
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### Rubbish Removal Charges

Set the following rubbish charges:

- Residential \$253.75 for the weekly removal of each 120 litre mobile garbage bin, one collection per week.
- Residential \$362 for the weekly removal of each 240 litre mobile garbage bin, one collection per week.
- Commercial \$362 for the weekly removal of each 240 litre mobile garbage bin, one collection per week.

### Payment Options of Rates and Due Dates

Set the due date for the payment of rate instalments as follows:

- Option 1 - Single payment due no later than 4.30pm on 3 September 2019
- Option 2 - Two equal instalments
  - First Instalments due no later than 4.30pm on 3 September 2019
  - Second instalment due no later than 4.30pm on 15 November 2019
- Option 3 - Four instalments
  - First instalment due no later than 4.30pm on 3 September 2019
  - Second instalment due no later than 4.30pm on 15 November 2019
  - Third instalment due no later than 4.30pm on 21 January 2020
  - Fourth instalment due no later than 4.30pm on 31 March 2020

### Administration Charge on Instalments

Set an administration charge of \$14.50 per rate instalment notice where the instalment plan is selected.

### Interest on Rate Instalments

Set as an additional charge by way of interest where the instalment plan is selected a rate of 5.5%.

### Late Payment Interest Charge

Set an interest rate of 11% as a penalty interest for the late payment of rates and charges.

### Reserve Funds

Create Reserve Funds and allocate funds to and from Reserve Funds for the financial year ending 30 June 2020 as specified in the Budget document.

### Trust Fund Budget

Adopt the Trust Fund Budget for the financial year ending 30 June 2020.

### Imposition of Fees and Charges

Adopt the Schedule of Fees and Charges for the Financial Year ending 30 June 2020.

### Depreciation

Adopt the depreciation schedule as specified in the Budget document.

### Material Variance

The 2019/20 Financial Statements presented to Council during the financial year for review and comparison to budget will indicate Variance Value (+) or minus (-) of 10% or \$10,000 whichever is greater.

Call Tenders

Authorise the Chief Executive Officer to call tenders for goods and services where there is a provision in the 2019/20 Budget with Council to determine the outcome of all tenders.

**COUNCIL RESOLUTION****ITEM 12.4.1**

**Res No: 08-0719**

**MOVED: Cr Mounsey**

**SECONDED: Cr Lake**

That Council in accordance with Section 6.2(1) of the *Local Government 1995*, having considered any submissions received on the intended Differential Rates, Specified Area rate adopt the Budget for the financial year ending June 30, 2020 as resolved below:

Differential General Rates

Impose a differential general rate on rateable land within the Municipality of Exmouth in accordance with Section 6.33 of the *Local Government Act 1995* the following schedule of differential rates:

Rate Category	Rate in the Dollar \$	Minimum payment \$
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GRV Holiday Homes	0.1041	930
GRV Vacant Land	0.1501	735
UV Mining	0.1599	230
UV Rural	0.0800	735
GRV Specified Area Rate	0.01339	Nil

Rubbish Removal Charges

Set the following rubbish charges:

- Residential \$253.75 for the weekly removal of each 120 litre mobile garbage bin, one collection per week.
- Residential \$362 for the weekly removal of each 240 litre mobile garbage bin, one collection per week.
- Commercial \$362 for the weekly removal of each 240 litre mobile garbage bin, one collection per week.

Payment Options of Rates and Due Dates

Set the due date for the payment of rate instalments as follows:

- Option 1 - Single payment due no later than 4.30pm on 3 September 2019
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- Option 3 - Four instalments
  - First instalment due no later than 4.30pm on 3 September 2019
  - Second instalment due no later than 4.30pm on 15 November 2019

- **Third instalment due no later than 4.30pm on 21 January 2020**
- **Fourth instalment due no later than 4.30pm on 31 March 2020**

**Administration Charge on Instalments**

**Set an administration charge of \$14.50 per rate instalment notice where the instalment plan is selected.**

**Interest on Rate Instalments**

**Set as an additional charge by way of interest where the instalment plan is selected a rate of 5.5%.**

**Late Payment Interest Charge**

**Set an interest rate of 11% as a penalty interest for the late payment of rates and charges.**

**Reserve Funds**

**Create Reserve Funds and allocate funds to and from Reserve Funds for the financial year ending 30 June 2020 as specified in the Budget document.**

**Trust Fund Budget**

**Adopt the Trust Fund Budget for the financial year ending 30 June 2020.**

**Imposition of Fees and Charges**

**Adopt the Schedule of Fees and Charges for the Financial Year ending 30 June 2020.**

**Depreciation**

**Adopt the depreciation schedule as specified in the Budget document.**

**Material Variance**

**The 2019/20 Financial Statements presented to Council during the financial year for review and comparison to budget will indicate Variance Value (+) or minus (-) of 10% or \$10,000 whichever is greater.**

**Call Tenders**

**Authorise the Chief Executive Officer to call tenders for goods and services where there is a provision in the 2019/20 Budget with Council to determine the outcome of all tenders.**

**CARRIED 4/0**

Through the Chair Councillor Lake addressed the following question to the Executive Manager Corporate Services:

*"Are you satisfied in your professional opinion that there is an adequate business plan to justify further expenditure and running costs for the Ningaloo Discovery Centre, particularly for the creation of many new exhibits?"*

The Executive Manager Corporate Services responded by saying the centre is a great asset to the Exmouth community, however more work on the future preservation of the asset is required. A reserve account has started to be built, with funds from this year's budget being allocated to the account.

The past few months which has included school holidays, highlighted an increase in visitor numbers through the centre with April showing \$48,680 and June \$40,615 in gate receipts.

By investing money in this budget and updating the terrestrial area and museum exhibits, will increase further revenue as visitors hear by word of mouth or marketing of the great value the centre offers for the Shire of Exmouth

*The following reports were recommended enbloc 12.4.2, 12.4.3 and 12.5.1*

## **12.4.2 FINANCIAL STATEMENTS FOR PERIOD ENDING 30 JUNE 2019**

File Reference:	FM.FL.0
Responsible Officer:	Executive Manager Corporate Services
Reporting Officer:	Manager Finance
Date of Report:	15 July 2019
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Monthly Financial Report as at 30 June 2019

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### **PURPOSE**

This report recommends Council accepts the financial reports for the financial period ending 30 June 2019.

### **BACKGROUND**

The provisions of the *Local Government Act 1995* and associated Regulations require a monthly financial report is presented at an ordinary meeting within 2 months of the period end date.

### **COMMENT**

As at 30 June, operating revenue is exceeding target by 9% with major movement being in Fees & Charges and advanced payment of Financial Assistance Grant.

Operating expenditure budget is under by 10% due to minor reduction in works maintenance employee costs, materials & contracts, utility charges and reduction in depreciation expense. Also, the deferral of lease payment for Learmonth Airport to Department of Defence.

The capital program is currently under budget due to the delay in some projects with \$1.8m not being undertaken in 18/19 and will be considered as part of the 19/20 budget, including the Ningaloo Centre solar project.

Rates Debtors outstanding are \$328,807 with recovery slightly below last year's recovery rate however, \$199,602 of this is currently subject debt recovery.

General Debtors is \$1,493,836 with the \$1,090,431.52 of the current debt being for airport operations and for June. \$21,097.94 is currently subject to debt recovery.

### **CONSULTATION**

Nil

### **STATUTORY ENVIRONMENT**

Sections 6.4 of the *Local Government Act 1995* provides for the preparation of financial reports.

In accordance with Regulation 34 (5), a report must be compiled on variances greater than the materiality threshold adopted by Council of \$10,000 or 10% whichever is greater. As this report is composed at a program level, variance commentary considers the most significant items that comprise the variance.

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

Nil

### **STRATEGIC IMPLICATIONS**

This item is relevant to the Councils approved Strategic Community Plan 2030 and Corporate Business Plan 2018-2022.

- Leadership: To provide open transparent, accountable leadership working in collaboration with our community.
- 4.1 To provide proactive, collaborative and transparent leadership
  - 4.2 A local government that is respected and accountable.

### **VOTING REQUIREMENTS**

Simple Majority

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### **OFFICER'S RECOMMENDATION**

**ITEM 12.4.2**

That Council RECEIVES the Financial Report for the financial period ending 30 June 2019.

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### **COUNCIL RESOLUTION**

**ITEM 12.4.2**

**Res No:** 09-0719

**MOVED:** Cr Niikkula

**SECONDED:** Cr Lucas

**That Council RECEIVES the Financial Report for the financial period ending 30 June 2019.**

**CARRIED 4/0**

**12.4.3 LIST OF ACCOUNTS FOR PERIOD ENDING 30 JUNE 2019**

File Reference:	FM.FI.0
Responsible Officer:	Executive Manager Corporate Services
Reporting Officer:	Manager Finance
Date of Report:	15 July 2019
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. List of Accounts for period ending 30 June 2019

---

**PURPOSE**

To advise Council of payments made since the previous Ordinary Council Meeting.

**BACKGROUND**

It has been customary practice that whilst being a leader in the community, we meet our terms of credit as established between suppliers and aspire to obtain discounts where practicable. Payments have been approved by authorised officers in accordance with agreed delegations and policy frameworks.

**COMMENT**

Council has given delegated authority that allows the Chief Executive Officer to approve payments from Council's bank accounts either via cheque or through electronic lodgement.

June Payments

Municipal Fund	totalling \$1,141,729.25 Incorporating cheques, direct debits, electronic payments and credit cards.
Trust Fund	totalling \$172,983.61 Incorporating cheques, direct debits and electronic payments.
Total Payments:	\$1,314,712.86

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

Payments are to be made in accordance with Part 6, Division 4 of the *Local Government Act 1995* and as per the *Local Government (Financial Management) Regulations 1996*. Payments are to be made through the municipal fund, trust fund or reserve funds. Payments are to be in accordance with approved systems as authorised by the Chief Executive Officer.

**POLICY IMPLICATIONS**

Staff are required to ensure that they comply under Council Policy 2.10 – Purchasing Policy and 2.17 – Regional Price Preference Policy (where applicable) and that budget provision is available for any expenditure commitments.

**FINANCIAL IMPLICATIONS**

Payments are made under delegated authority and are within defined and approved budgets. Payment is made within agreed trade terms and in a timely manner.

**STRATEGIC IMPLICATIONS**

This item is relevant to the Councils approved Strategic Community Plan 2030 and Corporate Business Plan 2018-2022.

Leadership: To provide open transparent, accountable leadership working in collaboration with our community.

4.1 To provide proactive, collaborative and transparent leadership

4.2 A local government that is respected and accountable.

**VOTING REQUIREMENTS**

Simple Majority

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**OFFICER'S RECOMMENDATION****ITEM 12.4.3**

That Council pursuant to Sections 6.7 and 6.9 of the *Local Government Act 1995* RECEIVES the report of payments made from the Municipal and Trust bank accounts during the month of June 2019 (*totalling \$1,314,712.86*).

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**COUNCIL RESOLUTION****ITEM 12.4.3**

Res No: 10-0719

MOVED: Cr Niikkla

SECONDED: Cr Lucas

**That Council pursuant to Sections 6.7 and 6.9 of the *Local Government Act 1995* RECEIVES the report of payments made from the Municipal and Trust bank accounts during the month of June 2019 (*totalling \$1,314,712.86*).**

**CARRIED 4/0**



## **ITEMS FOR INFORMATION ONLY**

### **12.5.1 ITEMS FOR INFORMATION ONLY**

#### **PURPOSE**

To advise Council of the information items for June as listed below.

#### **VOTING REQUIREMENTS**

Simple Majority.

#### **OFFICER'S RECOMMENDATION**

#### **ITEM 12.5.1**

That Council note the following information items:

#### Register of Documents Stamped with the Shire of Exmouth Common Seal

The documents, as listed below, that have been stamped with the Common Seal of the Shire of Exmouth since the last meeting.

<b>DATE</b>	<b>DOCUMENT</b>
13/06/19	Lease of Portion of Ningaloo Centre for Café – Shire of Exmouth and Ningaloo Cooking Studio T/A Café Muiron (Council Decision 16-0219)
	Sale of Lot 2 Heron Way Exmouth – Moss Conveyancing (Council Decision 15-2016 & 17-0517)
26/06/19	Minor Works Contract – Shire of Exmouth and HT Services (Council Decision 02-0519)
27/06/19	Deed of Extension Reserve 27647, Lot 1412 Shire of Exmouth and Exmouth Bowling Club (Council Decision 1089-10.2.3)
	Surrender of Lease: Telstra Corporation Ltd and Shire of Exmouth Lease G811695
	CMTS Lease at Lot 1 Yardie Road North West Cape (Vlamingh Head CMTS)

#### Building Decisions Issued

A summary of the building licence and building certificate applications and approvals made under Delegation pursuant to the *Building Act 2011* up to 30 June 2019.

<b>App #</b>	<b>Date Received</b>	<b>Lot</b>	<b>Property Address</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
18/74	11/12/18		Jurabi Turtle Centre	Jurabi Ocean Monitoring Station - Expansion of existing DBCA shed	Awaiting Information	
19/40	08/05/19	311	30 Gnulli Court,	Floating pontoon/ jetty	Approved – 02/07/19	
19/43	06/06/19	665	17 Stewart Street	Verandah	Approved – 08/06/19	
19/44	07/06/19	634	1 Stoke-Hughes Street	Boundary fence	Approved – 08/06/19	
19/45	07/06/19	428	19 Fitzhardinge Street	Shed	Approved – 03/07/19	
19/46	24/06/19	750	83 Nimitz Street	Carport	Approved – 04/07/19	
19/47	24/06/19	705	3 Cameron Street	Boundary fence	Approved – 09/07/19	
19/48	26/06/19	186	4 Ningaloo Street	Outbuilding (shed)	Approved – 27/06/19	

19/49	27/06/19	108	15 Snapper Loop	Outbuilding (shed)	Processing
19/50	28/06/19	485	Lyon Street	Fence	Approved – 09/07/19
19/51	28/06/19	7	78 Maidstone Crescent	Renew patio structure	Approved – 10/07/19

### Planning Decisions Issued

A summary of the planning decisions issued under delegation up to 30 June 2019.

App #	Date Received	Lot	Property Address	Description.	Decision	Decision Date
PA112/16	25/08/16	1586 and 1587	164 Lyndon Location Exmouth Gulf Pastoral Station	Nature based camping	Deferred	28/06/19
PA8/19	21/01/19	37	6 Pelias Street/ Murat Road	Proposed construction of fuel filling station and vehicle wash	Deferred	08/02/19
PA12/19	29/01/19	411	36 Madaffari Drive	Single House	Processing	
PA14/19	31/01/19	36	2 Pelias Street	Shop, Signage	Deferred	12/06/19
PA16/19	04/02/19	152	23 Hunt Street	Verandah	Withdrawn	13/06/19
PA32/19	13/03/19		Scheme Amendment 1 to LPS4		Deferred	
PA34/19	19/03/19	92	11 Bluefin Cove	Single house	Processing	
PA39/19	29/03/19	901	7 Patterson Way	Warehouse and Office	Approved	07/07/19
PA48/19	17/04/19	102	441 Murat Road	Carport	Deferred	17/04/19
PA51/19	24/04/19	1370	7 Heron Way	Holiday accommodation	Approved	23/06/19
PA52/19	03/05/19	1145	37 Welch Street	Existing Warehouse and Office	Approved	15/07/19
PA58/19	17/05/19	166	166 Lyndon location	Nature based park - Bullara station stay	Deferred	17/05/19
PA63/19	23/05/19	343	28 Kestrel Place	Change of use - holiday Accommodation	Processing	
PA67/19	29/05/19	501	10 Lefroy Street	Boundary fencing	Processing	
PA69/19	07/06/19	428	19 Fitzhardinge Street	Amendment to PA130/18 - shed	Approved	24/06/19
PA70/19	20/06/19	130	55 Skipjack Circle	Amendment to PA50/19 -shed	Approved	21/06/19
PA71/19	20/06/19	7	78 Maidstone Crescent	Addition to a roof over existing deck to Holiday House	Approved	21/06/19
PA72/19	21/06/19	466	26 Fitzhardinge Street	Carport	Approved	23/06/19

Permits Issued Under the *Local Government Act 1995*, Local Government Property Local Law:

App #	Date Received	Description.	Decision	Permit issued
PA75/19	10/06/19	ECAC Annual Craft Fair	Issued	03/07/2019

### **OFFICER'S RECOMMENDATION**

### **ITEM 12.5.1**

That Council note the following information items:

- Register of Documents Stamped with the Shire of Exmouth Common Seal;

- Building Decisions Issued up to 30 June 2019; and
- Planning Decisions Issued up to 30 June 2019.

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**COUNCIL RESOLUTION****ITEM 12.5.1**

**Res No: 11-0719**

**MOVED: Cr Niikkula**

**SECONDED: Cr Lucas**

**That Council note the following information items:**

- **Register of Documents Stamped with the Shire of Exmouth Common Seal;**
- **Building Decisions Issued up to 30 June 2019; and**
- **Planning Decisions Issued up to 30 June 2019.**

**CARRIED 4/0**

**13. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

Nil

## 15. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS

The following Agenda item be considered under 15. Matters to be considered behind closed doors, in accordance with section 5.23(2) of the *Local Government Act 1995*.

### 15.1 CHIEF EXECUTIVE OFFICER ANNUAL PERFORMANCE REVIEW

As the following report was a matter to be considered behind closed doors the Shire President asked that the Minute Taker and gallery leave the Chambers. This occurred at 4.37pm.

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#### COUNCIL RESOLUTION

**ITEM 15.1**

**Res No:** 12-0719

**MOVED:** Cr Niikkula

**SECONDED:** Cr Lucas

**That Council move Behind Closed Doors at 4.37pm in accordance with the Local Government Act 1995 section 5.23 (2).**

**CARRIED 4/0**

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### 15.1 CHIEF EXECUTIVE OFFICER ANNUAL PERFORMANCE REVIEW

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#### COUNCIL RESOLUTION

**Res No:** 13-0719

**MOVED:** Cr Mounsey

**SECONDED:** Cr Lake

**That Council accept the officer's recommendation.**

**CARRIED 4/0**

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#### COUNCIL RESOLUTION

**Res No:** 14-0719

**MOVED:** Cr Niikkula

**SECONDED:** Cr Lucas

**That Council return from Behind Closed Doors at 4.40pm.**

**CARRIED 4/0**

## 16. CLOSURE OF MEETING

The Shire President declared the meeting closed at 4.41pm.