

Shire of Exmouth

ORDINARY COUNCIL MEETING

MINUTES



30 May 2019

CONFIRMATION OF MINUTES

I hereby certify that the Minutes and Attachments of the Ordinary Council Meeting of held on the 30 May 2019 are a true and accurate record of the proceedings contained therein.


.....

Matthew Niikkula
Shire President

27/6/2019
.....

Dated

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MINUTES

Our Vision To be a prosperous and sustainable community living in harmony with our natural environment.

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

Our Strategic Objectives

- Diversify and grow our economy in a manner that provides year round employment opportunities
- To protect and value our unique natural and built environment as we grow our economy.
- To be a vibrant, passionate and safe community valuing our natural environment and unique heritage
- To provide open transparent, accountable leadership working in collaboration with our community.

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 B (Ben) Dixon	
Councillor H (Heather) Lake	
Councillor M (Mark) Lucas	
Councillor G (Gavin) Penfold	
Mr C Woods	Chief Executive Officer

Mr K Woodward	Deputy Chief Executive Officer
Mr M Bird	Executive Manger Commercial and Community
Mr K Wilson	Executive Manager Corporate Services
Mrs M Head	Minute Clerk
Mrs V Shales	Minute Clerk

GALLERY

Garry Smith
Denise Fitch
Grace Keast
Tegan Gourlay
Anne McCarrol

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Questions from Ty Matek

Part 2

Would the Shire consider installing some bench seats along the walk/cycle way as well?

The Deputy Chief Executive Officer responded by advising that the Shire will purchase bench seats that will be installed at the appropriate locations in the shade along Murat Road.

4. PUBLIC QUESTIONS TIME

Nil

5. DECLARATIONS OF INTEREST

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

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 2 May 2019 be confirmed as a true and correct record of proceedings.

COUNCIL RESOLUTION

ITEM 7

Res No: 01-0519

MOVED: Cr Lucas

SECONDED: Cr Lake

That the Minutes and associated attachments of the Ordinary Meeting of the Shire of Exmouth held on the 2 May 2019 be confirmed as a true and correct record of proceedings.

CARRIED 6/0

8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS

Date	Activity	Councillor					
		Cr Niikkula	Cr Mounsey	Cr Dixon	Cr Lake	Cr Lucas	Cr Penfold
7/519	WA Tourism Workshop						
	Met with Sharyn Morrow, Labour Candidate for the Federal Election.	✓		✓	✓		
08/05/19	Met with the CEO and Paul Carmody, Project Director PFAS Site Investigations	✓					
13/05/19	Meeting with Subsea 7 and Site Manager Craig Kitson.	✓		✓	✓	✓	
16/05/19	Attended the Community Volunteer and Sporting Awards at the Mandu Mandu function centre.	✓		✓	✓	✓	✓
27/05/19	Accepted invitation as Councillor and inspected the AIMS RV Solander in port.			✓	✓		

Cr Lake

- Participated in the WA Tourism workshop, which was very well attended;
- Attended the Crevelle Way Nature Playground meeting with Deputy Chief Executive Officer;
- Met with Labour Candidate Sharyn Morrow; very interesting listing to the various issues people in the Pilbara are currently experiencing;
- Attended the Taste of Ireland performance, acknowledging how wonderful it is to see these events stopping in Exmouth. Thanked the Shire for hosting such an event;
- Attended the Community Volunteer Sporting Awards evening. Acknowledging how remarkable the event was, the CEO, Shire President and staff for organising and recognising our local volunteers.
- Visited the RV Solander AIMS research Vessel, and

- Officiated at the Ningaloo Whaleshark Festival Fun Run.

Cr Dixon

- Concurred with Cr Lake with regards the Community Volunteer Awards Night being a quality event. Great success.
- RV Solander AIMS research Vessel – visit. Information they have on the research they can gather was very interesting

Cr Lucas

- Thanked Whaleshark Festival Committee for another great festival
- Community Volunteer Awards Night Event commendation to all concerned.
- Thanked outgoing NVC Committee for the work done over many years to run visitor servicing for the region.
- Congratulated CR Mounsey on his efforts in the recent federal election.

Cr Penfold

- Very busy month, with the Ningaloo Whaleshark Festival and Gala Night;
- Congratulated the local microbreweries:, both achieved significant greatness this month for our community
 - Froth with the opening of the new Sky Bar; and
 - Whalebone for their success with the grant from the Provisional Economic Development Planning Fund.

“Both these business provide something unique for the community, igniting their love and creatively of beer, art and entertainment forming a culture in Exmouth that has never been seen here before. Both venues have fast become iconic in the region attracting visitors from all over the globe, both building these businesses from absolutely nothing.

It’s not always about the big things sometimes it the Collaborative efforts of small businesses that provide the town with the greatest cultural, social and economic benefits”

Cr Mounsey

- Cr Mounsey was away last month on the election campaign, where he had opportunity to meet other Shires Councillors, Presidents, Mayors, Deputies, Chambers of Commerce and local community groups. He acknowledged the experience and appreciated the time off to be able to do so.
- Ningaloo Whaleshark Festival although it seemed smaller than previous years it was very well run and presented.
- He commended the efforts of Bradley Dohnt, Ningaloo Centre Curator, Matthew Bird Executive Manager Commercial and Community MCC and all staff involved on the new aquarium installations in the Ningaloo Discovery Centre.
- Cr Mounsey acknowledged and passed on condolences on behalf of Shire and himself to the families of the two long standing residents of Exmouth community, who passed away last month: Mr Ryan and Mr McDonald.

9. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

The Shire President read the following to the gallery:

"Today we find ourselves in yet another room of this outstanding Ningaloo Centre facility for our May Council meeting, due to our usual location in the Function Centre being utilised by yet another big conference.

Thanks to the efforts of Arvid and his team from Department of Biodiversity Conservations and Attractions, Exmouth has this week played host to the 5th International Whaleshark Convention, right here, at the Ningaloo Centre. This conference has been attended by over 130 delegates, with 65 of them arriving from 20 different countries, including Mexico, US, Philippines, Ecuador, UK, Mozambique, Tanzania, India, Indonesia, Japan and Taiwan.

It brings together scientists, operators and conservationists for a jam packed week of information and experiences. The feedback I have received has been overwhelmingly positive, not only about the town and the hospitality, but the Conference facilities we now have available. One of the delegates from the USA that I was speaking to on opening night was telling me that the goal had long been to have this conference based at the Ningaloo Reef, but up until the completion of this facility, it was just impossible. The old adage is, "If you build it, they will come" and Exmouth is now just starting to realise it's potential on the world stage.

This new centre will also play host to the Minderoo Foundation's new "Flourishing Oceans" initiative, in which one of Australia's largest philanthropic groups will make an investment of \$100 million towards programs that sustain our oceans and ensure a healthy marine environment for future generations. The "Ningaloo Research Centre" within Exmouth's own Ningaloo Centre will be fitted out with state of the art wet and dry labs and play host to some of the world's leading scientists eager to study some of the most pristine marine ecosystems that lie right here, in our back yard, on World Heritage Listed Ningaloo. This is a real win for Exmouth, adding a science and research element that has long been dreamt about, with conference, meeting and function facilities most small towns would have never dreamt about. All adding an extra string to our bow.

The Minderoo Foundation are fast becoming a major supporter of Exmouth and the Ningaloo Region, aligning itself with many parts of our Strategic Community Plan. It is no secret that they have purchased the Lighthouse Caravan Park, and have intentions of building a high class eco resort to further showcase our rich environmental assets to the world. This is a very exciting, once in a generation opportunity for Exmouth. Twice before, in my lifetime we have had proponents apply to create something special on the same property, only to fall over at vital stages of investigation and finance. We are truly fortunate to now have an applicant, that is all about preserving and promoting our unique natural Environment, by building a resort that enhances and encourages World Heritage Values, and, is obviously not subject to finance.

As council, it is our job to carefully assess all aspects of this proposal, and ensure that it fits with the direction and goals that were set out for us through our Strategic

Community Plan. Whilst the community vision states we want "To be a prosperous and sustainable community living in harmony with our natural Environment" our Economic, Social and Leadership sections strongly align with the community's desire for us to "Roll out the red carpet and reduce the red tape". Equally important is our Environment section, which ensures that we "Protect and Value our unique natural and built environment as we grow our Economy".

You will see from today's agenda item dealing with the Lighthouse Caravan Park, that your council has indeed taken the communities desire for input seriously. When the Local Development Plan was first presented, it was decided at the February OCM to send it out for public submission, so that we could make a more informed decision. In all, 9 submissions were received as are printed in today's agenda, with many valid and informative points or issues raised. This gave great feedback to the concerns of our public and key stakeholders, allowing the proponent to amend the plan and re-submit Version 6.

I am proud of how diligent Council has been on the community's behalf, and wish to thank the Executives and Planners for the massive load of work they have done integrating our community's concerns into the officer's recommendation.

One thing everyone should keep in mind. The Local Development Plan is purely the guidelines by which the proponent can start to create their actual Development Application to present to council. THIS is the thing we are all eagerly waiting to see, the piece of information that answers what it will look like, how big it will be, how many beds, what the heights and setbacks may look like etc.

I for one am looking forward to the next stage."

10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

11. MATTERS ARISING FROM COMMITTEES OF COUNCIL

Nil

12. REPORTS OF OFFICERS

DEVELOPMENT SERVICES

12.2.1 RFT 03-2019 NINGALOO CENTRE PROVISION OF TRADE SERVICES MAINTENANCE WORKS CLEANING SERVICES

File Reference:	CM.TE.1.2018
Responsible Officer:	Deputy Chief Executive Officer
Date of Report:	8 May 2019
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. CONFIDENTIAL Evaluation Report

PURPOSE

Council awards a contract for Ningaloo Centre Cleaning as recommended in the confidential evaluation report.

BACKGROUND

Since the Ningaloo Centre opened its premises has been cleaned by contract cleaners. The purpose of this tender process was to ensure that the Shire managed the associated acquisition in accordance with the Local Government Act 1995, and that professional cleaners had the same opportunity via the competitive tender process as well as to ensure cost effective and efficient delivery of service.

COMMENT

Tender RFT 03/2019 Ningaloo Centre-Provision of Cleaning Services was advertised on Wednesday 14 February 2019 in the; West Australian, Pilbara News, also on the Shire, website, e-quotes, ECCI and the local notice boards.

Two (2) tenders were received by the tender deadline of 2.00pm Monday 6 May 2019.

The tender contract term is 3 years.

CONSULTATION

Tenders were evaluated by a three person panel comprising of:

1. Deputy Chief Executive Officer
2. Manager Works
3. Building Surveyor

The tenders were assessed for compliance with all two (2) deemed compliant. The tenders were then assessed against the qualitative criteria that were weighted as follows:

Criteria	Weighting
Relevant Experience	25%
Key Personnel Skills and Experience	25%
Tenderer's Resources	25%
Demonstrated Understanding	25%
Total	100%

The confidential tender evaluation report is available as Attachment 1.

STATUTORY ENVIRONMENT

Section 3.57 of the *Local Government Act 1995 and the Local Government Regulation 1996 (Function and General)* Part 4, Division 2 section 11 (2) (b).

Section 3.57 of the *Local Government Act (LGA) 1995* and the LGA Functions and General Regulations, 11 to 24G.

Regulation 18 (4) of the *Local Government (Functions and General) Regulations* states:

“Tenders that have not been rejected under sub regulation (1), (2), or (3) are to be assessed by the local government by means of a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept and it is to decide which of them it thinks it would be most advantageous to the local government to accept.”

All tenders were evaluated against the selection criteria by which each tender is assigned a score based on the tenderers capacity to meet the tender objectives.

The Contract will be awarded to a Tenderer who best demonstrates the ability to carry out the required service at a competitive price. The tendered prices were assessed via qualitative and compliance criteria to determine the most advantageous outcome to Council.

This means that, although price is considered, the Tender containing the lowest price will not necessarily be accepted, nor will the offer ranked the highest on the qualitative criteria.

POLICY IMPLICATIONS

- Policy 2.7 - Purchasing Policy
- Policy 2.12 - Regional Price Preference

FINANCIAL IMPLICATIONS

The expenditure associated with cleaning the Ningaloo Centre is included in the Annual Shire Budget.

The Regional Price Preference Policy was referenced in the tender document; it was not applicable as both tenderers are regionally based.

STRATEGIC IMPLICATIONS

This item is relevant to the Council's 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

OFFICER'S RECOMMENDATION

ITEM 12.2.1

That Council:

1. Award the contract for RFT 03/2019 – Ningaloo Centre Cleaning Services as per the recommendation in the Confidential Evaluation Report; and
2. Record the recommendation for contract RFT 03/2019 as provided in the Confidential Evaluation Report, in the meeting minutes.

COUNCIL RESOLUTION

ITEM 12.2.1

Res No: 02-0519

MOVED: Cr Lucas

SECONDED: Cr Mounsey

That Council:

1. **Award the contract for RFT 03/2019 – Ningaloo Centre Cleaning Services as per the recommendation in the Confidential Evaluation Report; and**
2. **Tender RFT 03/2019 as provided in the Confidential Evaluation Report, be awarded to HT Services.**

CARRIED 6/0

12.2.2 ANNUAL COUNCIL POLICY, DEVELOPMENT SERVICES MANUAL REVIEW

File Reference:	CM.PO.07
Responsible Officer:	Deputy Chief Executive Officer
Date of Report:	30 May 2019
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Modified Development Services Policies

PURPOSE

That Council adopt the reviewed Council policies from Engineering and Transport, Health and Building Services, Town Planning and Ranger and Emergency Services.

The process associated with the Council Policy Manual review has been separated into three sections which are:

1. Rescind policy that should not be included in the Council Policy Manual;
2. Adopt the modified Council Policies; and
3. Adopt new Council Policies.

BACKGROUND

At the 22 November 2018 Council passed the following resolution.

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.

CARRIED 5/0

The objectives of the Council's Policy Manual are:

- To provide Council with a formal written record of all policy decisions;
- To provide the staff with precise guidelines in which to act in accordance with Council's wishes;
- To enable the staff to act promptly in accordance with Council's requirements, but without continual reference to Council;
- To enable Councillors to adequately handle enquiries from electors without undue reference to the staff or the Council;

- To enable Council to maintain a continual review of Council Policy decisions and to ensure they are in keeping with community expectations, current trends and circumstances;
- To enable ratepayers to obtain immediate advice on matters of Council Policy.

COMMENT

Table 1 - Rescind Policy

It is recommended that the following policies are rescinded and removed from the Council Policy Manual. The justification is outlined in Table 1 below:

Policy		Justification
6.10	Landscaping	<p>Clause 1.3.7 of the Local Planning Strategy recommends strengthening through incorporation of standards into the Scheme.</p> <p>Landscaping requirements associated with development within the local government area have now been incorporated into the new Local Planning Scheme No.4 ('the scheme').</p> <p>Each zone within 'the scheme' area provides guidance and clause 4.23 – landscaping provides general guidance for landscaping requirements.</p> <p>This policy is now duplicating requirements and in any event 'the scheme' is now the highest order document.</p>
6.15	Construction of Shed/Barn Style Dwellings	<p>The Local Planning Strategy recommended a review of this policy in light of updated provisions of the R-Codes and to consider inclusion of development requirements into the scheme.</p> <p>Design requirements have been incorporated into 'the scheme' i.e. Exmouth Marina Special Use zones and more generally cl.4.13 of 'the scheme' deals with Re-purposed dwellings and second hand dwellings.</p> <p>This policy is now effectively outdated and superfluous to operational requirements.</p>
7.6	Crossovers and Verges – within Townsite	<p>Replaced by new policy. Simplification of policy and standards.</p>
7.7	Crossover – Commercial and Outside Townsite	<p>Replaced by new policy. Simplification of policy and standards.</p>
7.9	Lighting, Street, Footpaths, Recreation and Other Areas.	<p>The legislative obligation to provide street lighting is managed via Horizon Power and Western Power State Policy. Any Shire requests to install or modify the State's lighting network is at the Shire cost and therefore managed via Shire budget and the associated reporting process.</p> <p>The management of street lighting associated with the construction of new subdivision is managed via Western Australian Planning Commission development conditions. Other lighting should be managed via a case by case situation with subsequent management via Council and associated budget inclusion.</p>

Table 2 - Adoption of modified Council Policy

It is recommended that the following Policies are modified. The justification is outlined in Table 2 below:

Policy		Justification
5.5	Temporary Accommodation – Caravans	Minor amendments as follows: 1. Change of order for Item 3 camping on vacant land, moved to item 1. 2. Item 6 – Inclusion of 3 metres from any road boundary. 3. Other minor amendments for simplification purposes but no change in intent.
6.2	Colour Palette for Development	A general review and updating of this policy provides a minor update in accordance with good governance so as to relate to the correct legislative reference etc. Pursuant to Schedule 2, Pt.2, cl.5 (2) this minor amendment does not require advertising.
7.3	Guidelines and Specifications for the Design and Construction of Storm Water Drainage Systems	Revision of reference documents, statutory water management planning and policy.
7.4	Specification for the Design and Construction of Roads, Footpaths and Carparks	Revision of reference documents.
8.2	Cyclone Clean Up	Recommendation is to modify this policy to remove references to the removal of sheet metal etc., and include “green waste only”.
8.4	Emergency Overflow Camping Grounds	Needs to be updated to remove references to powered/unpowered sites and update the number of sites available at the golf club.

Table 3 - Adoption of new Council Policy

Policy		Justification
7.6	Vehicle Crossover	Simplification of policy and standards.

CONSULTATION

The policies have been considered by the Executive Management Team and Councillors.

STATUTORY ENVIRONMENT

Section 2.7 (2) (b) of the *Local Government Act 1995* states that one of the roles of a Council is to determine the Local Government’s policies.

POLICY IMPLICATIONS

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.
4.2 A local government that is respected and accountable.

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 12.2.2

That Council:

1. RESCIND the following policies from the current Council Policy Manual dated 22 November 2018:
 - 6.10 – Landscaping;
 - 6.15 – Constructed of Shed/Barn Style Dwelling;
 - 7.6 - Crossovers and Verges – within Townsite;
 - 7.7 - Crossover – Commercial and Outside Townsite; and
 - 7.9 – Lighting, street, footpaths, Recreation & Other Areas.

2. Formally ADOPT the following modified Council policies:
 - 5.5 – Temporary Accommodation – Caravans;
 - 6.2 – Colour Palette for Developments.
 - 7.3 – Guidelines & Specifications for the Design & Construction of Storm Water Drainage Systems;
 - 7.4 – Specification for the Design and Construction of Roads, Footpaths and Carparks;
 - 8.2 – Cyclone Clean-up; and
 - 8.4 – Emergency Overflow Camping Grounds.

3. Formally ADOPT the following new Council policy:
 - 7.6 – Vehicle Crossover.

COUNCIL RESOLUTION

ITEM 12.2.2

Res No: 03-0519

MOVED: Cr Lucas

SECONDED: Cr Lake

That Council:

- 1. RESCIND the following policies from the current Council Policy Manual dated 22 November 2018:**

- **6.10 – Landscaping;**
- **6.15 – Constructed of Shed/Barn Style Dwelling;**
- **7.6 - Crossovers and Verges – within Townsite;**
- **7.7 - Crossover – Commercial and Outside Townsite; and**
- **7.9 – Lighting, street, footpaths, Recreation & Other Areas.**

2. Formally ADOPT the following modified Council policies:

- **5.5 – Temporary Accommodation – Caravans;**
- **6.2 – Colour Palette for Developments.**
- **7.3 – Guidelines & Specifications for the Design & Construction of Storm Water Drainage Systems;**
- **7.4 – Specification for the Design and Construction of Roads, Footpaths and Carparks;**
- **8.2 – Cyclone Clean-up; and**
- **8.4 – Emergency Overflow Camping Grounds.**

3. Formally ADOPT the following new Council policy:

- **7.6 – Vehicle Crossover**

AMENDMENT MOVED: Cr Mounsey

That Council defer agenda item 12.2.2 Annual Council Policy, Development Services Manual Review until the next Ordinary Council Meeting in June 2019.

SECONDED: Cr Dixon

CARRIED 6/0

12.2.3 MOSQUITO MANAGEMENT PLAN, MEMORANDUM OF UNDERSTANDING AND CONTIGUOUS LOCAL AUTHORITY GROUP MOSQUITO MANAGEMENT RESERVE (TRUST)

File Reference:	EM.MO.6
Responsible Officer:	Keith Woodward
Date of Report:	16 May 2019
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	<ol style="list-style-type: none"> 1. Shire of Exmouth Mosquito Management Plan 2. Shire of Exmouth Contiguous Local Authority Group Memorandum of Understanding

PURPOSE

Council endorsement of the Shire of Exmouth Mosquito Management Plan, approval of the Shire of Exmouth Contiguous Local Authority Group Memorandum of Understanding with the Department of Health and authorisation to create a Mosquito Management Reserve (Trust).

BACKGROUND

The management of mosquitoes aim is to reduce the incidence of mosquito borne viruses. In Northern Western Australia there are four viruses of concern, Ross River virus (RRv), Barmah Forrest virus (BFv), Murray Valley Encephalitis (MVE) and West Nile virus Kunjin strain (WNV_{KUN}).

Ross River and Barmah Forrest virus are the most common both cause similar symptoms in people. In nature RRv and BFv are transmitted back and forth between animals and mosquitoes. The only way humans can catch the disease is by been bitten by a mosquito carrying the virus. Both viruses can occur anywhere in Western Australia, with people living, camping or recreating within 3-5km of salt marshes, estuaries, tidal rivers and freshwater wetlands being at a greater risk.

MVE and WMV_{KUN} are endemic in the northern two thirds of WA and is occasionally active in the Gascoyne, Goldfields and Midwest. In nature both viruses cycle between mosquitoes and water birds, while humans are only incidental hosts. Activity of both viruses is monitored by sentinel chickens, blood samples are taken fortnightly, sent to a lab in Perth. This monitoring program is used as an early warning system giving the Department of Health a chance to circulate media releases advising of the detection and warning people to take precautions.

It is important the approach to mosquito management is an integrated one, control over mosquitoes is not going to be achieved by a single action (ie fogging). An integrated approach combines various methods relevant to the local government area, but predominantly includes surveillance, treatment and community education. It also involves engagement of various other major landowners as there needs to be a coordinated approach to mosquito management.

The Department of Health is responsible for monitoring insect-borne diseases and coordinating the management of insects of public significance across Western Australia. In 1990 the State Government funded the Contiguous Local Authority Group (CLAG) scheme. The main aim of the scheme is to assist local governments with management, funding and advice on the technical aspects of health-driven mosquito control. A CLAG is comprised on one or more local governments that share a common mosquito problem. There are currently 18 CLAGs across the state with a total of 36 local governments.

The scheme provides funding and covers:

- 50% of the overall cost of mosquito chemical treatments (larvacides and adulticides).
- Funding towards minor earthworks to eradicate mosquito breeding sites and community awareness campaigns.
- 50% contribution to some equipment such as mosquito surveillance tools.
- Although not relevant to the North-west 100% of helicopter aerial treatments in high risk RRv areas or the southwest of the state are also funded.

COMMENT

In 2008 the Shire had an increase in RRv notifications with 21 cases notified (source Western Australian Notifiable Infectious Diseases Database), this had been triggered by 479.8ml rainfall received over four days. On average excluding the spike there is 0-1 cases reported each year. There has been no detections of either MVE or WNV_{KUN} in Exmouth in the last 4 years.

The response to mosquito management has predominantly been done in an as needs basis within the Shire of Exmouth. The Shire itself compared with other areas doesn't receive a high incidence of mosquito borne disease virus but does receive complaints regarding nuisance mosquitoes. Evidence also supports concerns regarding high rainfall events and the increased risk of mosquito borne disease.

The objectives of the Shire of Exmouth Mosquito Management Plan is to:

- **Objective 1:** Develop an adult trapping program to identify dominant mosquito species within the area and cluster or breeding zones.
- **Objective 2:** Further investigate and identify potential and existing mosquito breeding areas.
- **Objective 3:** To reduce the numbers of nuisance and disease vector species to an acceptable level.
- **Objective 4:** Increased preparedness for emergency/high rainfall events.

There is significant importance on data collection and preservation as historical information will help to detect increases in mosquito numbers prior to complaints or disease notifications being received. Surveillance data will also help to identify areas prone to mosquito breeding. In following years this data will help to give direction to where resources need to be allocated.

The Shire of Exmouth Mosquito Management Plan will be reviewed annually. This will allow for the plan to remain relevant as data builds and creates a clearer picture of the prevalence and breeding

locations of mosquitoes. Preparations can also be in place for predicted high rainfall events to reduce the risk of mosquito borne disease.

CONSULTATION

Department of Health Mosquito Borne Disease Control Branch

STATUTORY ENVIRONMENT

Health (Miscellaneous Provisions) Act 1911, Section VII, provides framework for addressing nuisances and preventing the spread of infectious disease.

Shire of Exmouth Health Local Laws 1998, Division 2, Section 80-86, details measures to be taken to prevent mosquito breeding.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Provisions will need to be made within the 19/20 budget for equipment to support the Mosquito Management Plan. The CLAG scheme will fund up to 50% of some costs as identified, applications for CLAG funding will need to be submitted by the 31 July 2019 to the Department of Health, the funding program is subject to approval each year by the Minister.

As per the Exmouth Contiguous Local Authorities Group Memorandum of Understanding the Shire will need to set aside an additional 10% of our contribution into a CLAG trust (reserve) account which will be tabled in the 19/20 budget. These funds are to be utilised with approval by the Department of Health for years when the costs of managing mosquitos is increased, for example high rainfall events.

The anticipated Shire costs for 19/20 will be considerable larger than following years as equipment will need to be purchased initially. The following table outlines these Shire costs:

Item	Description	\$
Expenses (<i>Items applicable for CLAG funding contribution</i>)		
<i>Surveillance</i>	<i>Dry ice machine, 8 x adult mosquito traps and microscope.</i>	5,000
<i>Treatment</i>	<i>Adulticides and larvacides¹</i>	4,700
Consumables	Batteries and CO ₂ cylinders	700
Labour	300 hours	10,230
Reserve	10% Contribution to Mosquito Management Reserve (Trust). These funds are to be utilised during years when the costs of managing mosquitos is increased, for example high rainfall events.	335
Sub Total		20,965
Income		
DOH CLAG Contribution (50% Dry ice machine, mosquito traps, microscope and larvacides)		3,350

STRATEGIC IMPLICATIONS

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

Social: To be a vibrant, passionate and safe community valuing our natural environment and unique heritage

3.2 Promote facilities/services that enhance public health and safety.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

ITEM 12.2.3

That Council AUTHORISE:

1. The Shire of Exmouth Mosquito Management Plan.
2. Signing of the Shire of Exmouth Contiguous Local Authority Group Memorandum of Understanding with the Department of Health.
3. The establishment of the Mosquito Management Reserve.

COUNCIL RESOLUTION

ITEM 12.2.3

Res No: 04-0519

MOVED: Cr Mounsey

SECONDED: Cr Dixon

That Council AUTHORISE:

- 1. The Shire of Exmouth Mosquito Management Plan.**
- 2. Signing of the Shire of Exmouth Contiguous Local Authority Group Memorandum of Understanding with the Department of Health.**
- 3. The establishment of the Mosquito Management Reserve**

MOVED AMENDMENT TO THE MOTION: Cr Lake

That a 4th point to be added:

- 4. To establish and regularly maintain a local Bee keepers registry.**

SECONDED: Cr Lucas

CARRIED 4/2

12.2.4 ADOPTION OF LOCAL DEVELOPMENT PLAN (LDP) – AS MODIFIED - (VLAMINGH HEAD) NINGALOO LIGHTHOUSE CARAVAN PARK, LOT2 AND LOT 557 YARDIE CREEK ROAD, NORTH WEST CAPE.

File Reference:	A156/A2131 (PA19/19)
Responsible Officer:	Deputy Chief Executive Officer
Date of Report:	30 May 2019
Applicant/Proponent:	Element Advisory Pty Ltd
Disclosure of Interest:	Nil
Attachment(s):	<ol style="list-style-type: none">1. Environmental Report (received 08/05/2019)2. Local Development Plan – as modified (V.6 – 23/05/2019)3. Proponents response letter (received 08/05/2019)4. Development Envelope Comparison Plan5. Perspective plans (received 13/05/2019)

PURPOSE

The Local Development Plan (LDP) has been through the process of public advertising with submissions received taken into consideration resulting in a modified LDP being presented for final adoption.

BACKGROUND

This item was presented to the Ordinary Council Meeting 28 February 2019 seeking a resolution to publicly advertise the proposed Local Development Plan (Item: 12.2.5), whereby Council resolved (Res. No.: 15-0219):

- a) Advertise the proposed local development plan in accordance with subclause (2);*
- b) Seek comments in relation to the proposed local development plan from the community, any public authority or utility service that the local government considers appropriate; and*
- c) After conclusion of advertising and review of submissions, present a further report to council with a final recommendation.*

As per the aforementioned resolution, the item is now being presented back to Council with a final recommendation.

COMMENT

As a result of public advertising there was a number of concerns raised which are discussed in further detail in the schedule of submissions (refer to **attachment 4**).

The tourism investigation areas identified in the NCRS and VHMP include the southern part of the former Lot 6 (Now part of Lot 557) which the proposed LDP identifies as having two (2) possible

future development envelopes. This area of the subject land is undeveloped primarily and requires more investigative reporting at any development application stage.

It is noted, and raised via submissions received, that the rear of former lot 6 was not originally advertised, during the drafting and advertising process of Local Planning Scheme No.4, as being Special Use Zone 2 but rather Environmental Conservation Reserve. Toward the latter part of 2018 however, the Western Australian Planning Commission (WAPC) advised that the rear portion of the former lot 6 is to be amended to be included within the Special Use Zone 2 following land tenure changes between Lot 6 and Lot 319 (now Lot 557) further modifications were made to the Shire of Exmouth Local Planning Scheme No. 4, to reflect current land dealings under the Land Administration Act 1997, and that Notwithstanding this, noting that any development requirements are to be in accordance with the Vlamingh Head Masterplan.

Additionally, the proponent has lodged a detailed environmental study of the subject land area and surrounds which in part provides an element of clarity in relation to some environmental matters of concern (**attachment 1**). A comparison plan of development envelopes/investigation areas can be found in **attachment 4**.

The expansion of the tourism node was previously noted, in the regional strategy (NCRS), that any expansion is limited by landform and until recently was also limited by land tenure. The land tenure element is resolved in that the subject land (Lot 2 and Lot 557) are now owned by one entity (Minderoo Foundation) as opposed to multiple tenures. As a result, to concerns raised during public advertising, the proponent has provided a modified LDP, modifications are outlined in **Table 1** below, shown as bold in right hand column.

There are proposed variations via this LDP to the existing Vlamingh Head Master Plan are summarised in the **Table 2** below. The modified LDP requires that any development above single-storey would be subject to further reporting requirements of new clause 13 inserted into the LDP.

Table 2 – Variations proposed to VHMP.

Vlamingh Head Master Plan (VHMP)	Proposed Local Development Plan
Locate buildings in the existing landscape and away from visually sensitive ridgelines and exposed limestone outcrops	<p>There are some elements of the proposed development envelopes that incorporate ridgelines not previously identified to investigate.</p> <p>However, it is considered that balanced outcomes could be achieved through new clause 13 of the LDP which requires visual impact landscape assessment.</p>
Single storey only	<p>There are two development envelopes fronting Yardie Creek Road that are annotated as three storey and there are elements between 1-2 storey throughout.</p> <p>The proponent has advised that the three-storey component is primarily to allow for features rather than bulk building form.</p> <p>However, it is considered that the newly introduced reporting requirements of clause 6 and 13 of the modified LDP would control any adverse impacts on the significant landscape value of this locality.</p> <p>Clause 6 of the LDP has been modified so that any three storey-built form elements may only be considered</p>

	<p>subject to the reporting requirements of clause 13 of the LDP. i.e. 'Heights of up to 3 storeys and 15.0 metres may be permitted within the main resort area fronting Yardie Creek Road, as indicated, subject to clause 13 below'.</p>
<p>Setback to Yardie Creek Road – Guidelines of the VHMP show a road frontage setback of 20 m being required.</p>	<p>The proponent provided the following commentary regarding setbacks (refer to attachment 3 for letter). Setbacks</p> <p><i>"In response to the Shire's comment, we would dispute the need for a defined street setback provision to be incorporated into the proposed LDP. A defined street setback would simply be an arbitrary requirement and we fail to see the benefit of a street setback in a location that is remote to the extent that no surrounding properties would be affected by development on the subject site. The current LDP provision in relation to street setbacks provides greater flexibility to consider appropriate responses to the site context at the development application stage, at the discretion of the decision-making authority, and having regard to the amenity considerations listed under Clause 67, Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015. As such, we would request that the current setback provisions are retained and endorsed by the Shire."</i></p> <p>Officer comment:</p> <p>It is noted that pursuant to clause 3.10.4.2 – Tourist zone requirements, the setback provisions for short-term accommodation development in accordance with the R40 Density Code; And for other uses, as determined by the local government.</p> <p>The proponent's reasoning is considered sound and with the required reporting via cl.13 of the LDP, and the regulations 2015, setback can be addressed dependent of what is proposed.</p> <p>Additionally, it is noted that many existing caravan park sites have very limited setbacks to roads and it could simply be the case the proponent has emphasis on drive-in caravan sites for such setbacks less than 20m, these are unknown factors at this juncture and it seems rational and reasonable to not have setbacks prescribed at this juncture.</p>

Environmental

If, at a time of any development process/proposal for significant development, it appears likely, if implemented, would have a significant effect on the environment, the local authority has responsibility to refer such a proposal to the Environment Protection Agency pursuant to s.48(i) of the *Environmental Protection Act 1986*. Further, the proponent has lodged an environmental report (**attachment 1**) which could accompany any development application in the future to assist with assessment of development. The proponent has provided some commentary (**attachment 3**) in a response letter to the shire of some of the concerns.

CONSULTATION

The proposed LDP was publicly advertised and at the conclusion of that advertising there were ten (10) submissions received a summary of which are outlined in the (**Table 3** below). Some of the primary concerns are that of environmental matters, building heights and occupation levels.

In part, those environmental concerns are addressed in the **attachment 1** environmental report whilst any new built form higher than single-storey and/or on or near ridgelines would be addressed in reporting requirements of cl.13 of the proposed modified LDP.

The building heights / structure heights of any new development would also be addressed per the reporting requirements of cl.13 of the LDP. The proponent has provided three (3) perspectives of concept development, refer to **attachment 5**.

In relation to concerns regarding occupancy levels, as previously noted in this report and as noted in the Shire of Exmouth Local Planning Strategy (cl.6.1.2 (5)) there are approximately 720 beds operational with a further 300 bed yet to be allocated. It is worth noting that at this juncture the proponent has not expressed any intent to exceed the current bed allocation yet alone aim for the cap of 1020 beds as per the NCRS & VHMP. The proponent is not requesting any variation to bed numbers. The schedule of submissions and response thus far is provided in **Table 3** of this report. Refer to **Table 3** below for a copy of the schedule of submissions received.

Table 3 – Schedule of submissions

Shire of Exmouth Schedule of Submissions PA 19/19			
Submission from	Submitters Comment/s	Applicant Comments	Officer Comments
Gascoyne Development Commission	<p>Thank you for the opportunity to review the Local Development Plan (LPD) relating to the proposed redevelopment of the Ningaloo Lighthouse Holiday Park by Norwest Resorts Pty Ltd.</p> <p>The Gascoyne Development Commission (GDC) understands that the LOP, if adopted, will coordinate and assist in achieving improved built-form outcomes by linking lot design to future development. The GDC suggests the consideration of the visual impact of building design as part of a development application or as conditions of a planning approval. To further protect and promote the natural environment, including the dark night sky, the GDC recommends the development of detailed design guidelines to control colours, materials, lighting, built-form and scale. In addition, while the retention of some types of facilities is beyond the control of the Shire, the GDC recommends policy guidance to ensure that the extent and form of development is sustainable.</p> <p>Beyond built-form outcomes, the proposed LOP allows for a more flexible approach to tourism planning and the diversification of accommodation. Noting this, the development of an accommodation supply and demand model that would inform the future demand of accommodation types relative to market trends may be valuable. It would be useful if the model considered the potential redevelopment of the 'caravan park' to a three-storey development.</p> <p>Finally, the GOG notes that the adoption of the LOP will</p>	<p>Based on subsequent correspondence, it is understood that, overall, the Gascoyne Development Commission (GDC) supports the proposed Local Development Plan (LDP) and the intent to redevelop the existing holiday park. The GDC has acknowledged that private sector investment is essential for the enhancement of tourism operations in the region and supports the efforts by Northwest Resorts Pty Ltd to enhance the regions tourism offerings and economic activity. The intent to provide a mix of accommodation options and function areas in a manner that respects the surrounding natural environment and maintains the low impact nature of tourism operations at Vlamingh Head has been commended by the GDC.</p> <p><u>Visual Impact Assessment:</u></p> <p>The suggestion that a visual landscape impact assessment is undertaken at the development application stage is considered fair and reasonable, and has been incorporated in the revised LDP that is enclosed. This will ensure that the necessary detailed design information is available to enhance the accuracy of the assessment.</p> <p><u>Lighting Impacts:</u></p> <p>Whilst the original LDP did acknowledge the need to consider the lighting impacts of any proposal to respect nocturnal or breeding animals, the GDC comments are duly noted and the LDP has been revised to require the submission of a lighting management plan at the development application stage, which will need to consider the impact of light spill on nesting</p>	<p>Noted and concur with the comments.</p> <p>Further, it is noted that the proponent, as a result of public advertising, has modified the LDP text to now include reporting requirements for 'visual impact assessment' and a 'lighting management plan' amongst other reporting refer cl.13 of the modified LDP.</p> <p>Acknowledge and concur with the inclusion of visual landscape impact reporting requirements at any significant development application stage – now inserted into LDP document.</p> <p>There are no exempted development elements to this proposed LDP.</p> <p>Acknowledge and concur with the inclusion of a lighting management plan requirement reporting at development application stage.</p>

	<p>mean that compliant development may be exempt from the requirement to obtain development approval. The GDC recommends that all developments require development approval, particularly where the project is inconsistent with the principles of the Vlamingh Head Masterplan.</p> <p>For further information, please contact myself or Odile May, Project Officer, on (08) 6552 2093 or email odile.may@gdc.wa.gov.au.</p>	<p>turtle habitats. This is considered to appropriately address the GDC's comment.</p> <p><u>Requirement for Development Approval:</u></p> <p>Whilst the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (LPS Regulations) indicate that an LDP may include specific exemptions for requiring development approval, no such provisions have been incorporated into the proposed LDP. As such, all development will require approval unless otherwise exempted under Clause 61 of the Deemed Provisions contained within the LPS Regulations or the Shire of Exmouth Local Planning Scheme No. 4 (LPS4).</p>	<p>Noted and agree with rationale.</p>
<p>Private citizen</p>	<p>I wish to make some comments on the proposed Local Development Plan for the Ningaloo Lighthouse Caravan Park.</p> <p>The current Vlamingh Head Masterplan provisions include single storey buildings only to a maximum height of 5 metres and requires a Visual Impact Assessment of any development. As no detailed plan with visual impacts have been submitted under this plan it has failed to comply with requirements. To propose buildings of two or three storeys up to 20 metres in height without a Visual Impact Assessment must surely mean that this proposal in the current form should be rejected.</p> <p>Just because the Vlamingh Head Masterplan is 10 years old does not necessary mean it is not fit for its purpose. For this proposal to vary and augment this plan is surely not consistent with necessary protocols. The Vlamingh Head Masterplan exists and must be adhered to until it is revised appropriately.</p> <p>There seem to be some inconsistencies of this Local</p>	<p><u>Height and Visual Impact:</u></p> <p>The proposed building heights in the LDP are considered appropriate in the context of delivering a contemporary redevelopment of an existing tourism development that will be a significant asset to the Shire area. The ultimate form and siting of development will be further refined at the development application stage through the preparation of a formal visual landscape impact assessment, with this having been included as a specific provision in the revised LDP. Development will be carefully designed to respond sensitively to the unique landscape character of Vlamingh Head, having regard to the findings of the visual landscape impact assessment and the desire to retain the semi-remote visitor experience in the locality.</p>	<p>The proponent has now also lodged three (3) perspectives drawings that go some way into showing what development, moving forwards, is being considered.</p> <p>The proponent has also advised that the three (3) storey component is to allow for features and/or statements rather than out of scale bulk development at that height.</p> <p>The proponent has also now provided a comprehensive Environmental report which will form an attachment to the OCM report.</p> <p>Noting that this LDP is a high-level document with no prescribed exempt development, it is therefore considered that with the now modified LDP includes a new section 'Development Application</p>

	<p>Development Plan proposal from existing planning policies and strategies and there is a lack of detail within the document of how consideration of the local flora and fauna has been assessed or will be accommodated. I do not profess to understanding all of the planning documents in their entirety but the essence of this proposal does not seem to be in the best interest of the town of Exmouth at large.</p> <p>There is no reference to the water use and I would like to know if consideration has been given to the use of grey water to minimize the impact of the development for the long term.</p> <p>I do not support the acceptance of the plan as it is proposed and hope that the Shire of Exmouth seeks much more detail to be able to assess the plan.</p> <p>Thank you for allowing the residents a chance to provide feedback.</p>	<p><u>Status of the VHMP:</u></p> <p>In relation to the status of the Vlamingh Head Masterplan (VHMP), it is noted that despite this document requiring that it be reviewed no later than 5 years after its adoption in 2008, no reviews have occurred to-date. Following consultation with the Department of Planning, Lands and Heritage, it was determined that an LDP was a more appropriate pathway for updating the development standards that apply to the Vlamingh Head area than a review of the VHMP. Both documents will have the status of documents of 'due regard' at the development application stage, and therefore it is both reasonable and legally appropriate for the LDP to vary the outdated provisions in the VHMP to reflect contemporary aspirations for the site.</p> <p><u>Use of Greywater:</u></p> <p>Appropriate sustainability measures will be considered at the development application stage.</p> <p><u>Sufficiency of Information Submitted</u></p> <p>The information provided with the LDP is considered to be sufficient, given that the LDP is a high-level document to guide the future redevelopment of an existing tourism asset that is zoned appropriately for this form of development under LPS4. Further detailed studies will be provided at the development application stage, as detailed throughout this response to submissions.</p>	<p>Requirements', the level of reporting now required would address concerns outstanding.</p> <p>It is acknowledged that the Vlamingh Head Masterplan would remain as the higher-level informing document, and that this LDP seeks to vary:</p> <ul style="list-style-type: none"> a) The height of some built forms; b) Development envelopes of former lot 319 to the southern portion of the former lot 6 (Now amalgamated to form Lot 557). c) Setbacks to Yardie Creek is not prescribed in the LDP but rather states subject to Regulations 2015 and local government discretion, which is similar to requirements in the 'Tourism Zone' of local planning scheme No.4. <p>A servicing report/water extraction/pollution reporting would be a requirement of development.</p> <p>Acknowledged.</p>
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		The presence of significant flora and fauna has also been considered in formulating the defined building envelopes, as shown in the supporting plans that were submitted with the LDP and the detailed environmental surveys that are enclosed.	Acknowledged and note the environmental report that is to form an attachment to the next OCM report on this matter.
Department of Primary Industries and Regional Development	<p>Thank you for the opportunity to comment on the Local Development Plan (LOP). The Department of Primary Industries and Regional Development (DPIRD) administers and provides advice on land use matters under the <i>Soil and Land Conservation Act 1945</i>. DPIRD notes that the development includes the provision:</p> <ul style="list-style-type: none"> Development to avoid creek lines, or areas prone to flooding, having regard to the 1 in 100-year flood levels; <p>DPIRD supports this provision as 'it will protect these areas from land degradation. DPIRD raises no objection to this development as it will not significantly impact on agriculture in Western Australia.</p> <p>For further information, please contact Nathan Penny on 9368 83577 or nathan.penny@dpiird.wa.gov.au.</p>	Supportive comments are noted.	Noted.
	<p>CUSTOMER FEEDBACK FORM Re Lighthouse Development Proposal. Query on one of the plans the Hunters car park is named as a boat ramp. Is this something that has always been planned for Hunters under the Jurabi Coastal Plan or is this something the Lighthouse wish to develop in future.</p>	This falls outside the scope of the proposed LDP, which pertains to the freehold land held by Northwest Resorts Pty Ltd only.	For clarity, there was an incorrect reference by the proponent on a supplementary map, there is no boat ramp here and there are no plans for one, there is only a pedestrian footpath to the headland from the Hunters car park.

	<p>WHAT ACTION DO YOU CONSIDER IS REQUIRED BY THE SHIRE IN THIS INSTANCE? To clarify if this boat ramp at Hunters/ Bommie carpark is a future plan or proposal. If so, who is proposing?</p>		
<p>Protect Ningaloo</p>	<p>Protect Ningaloo is a national NGO whose mission is to defend Ningaloo Reef, Cape Range and Exmouth Gulf from inappropriate development and to promote their conservation values. We are proud to carry on the work of the Save Ningaloo Campaign that helped shape many of the state's regulatory and management outcomes since 2004. A substantial number of our members are residents and ratepayers in the Exmouth Shire, and many more are annual visitors to the region, whether as tourists, scientists or researchers.</p> <p>Since the historic rejection of the Coral Coast Marina Development at Maud's Landing, near Coral Bay, in 2003, the WA community has been vigilant about coastal management on the North West Cape. There is a widespread expectation that any tourism development on the Ningaloo coast will be sensitive, innovative and sustainable.</p> <p>Ningaloo is a national and international asset and Australians quite rightly expect any new development in this area to be world's best practice. Sadly, the Proposal put forward for the Ningaloo Lighthouse Holiday Park does not meet such standards. It fails to align with almost all management protocols for this area, and as a consequence it should not be approved at this time.</p> <p>1. We refer Council to relevant provisions and protocols:</p> <p>a. The Vlamingh Head Masterplan. This Proposal does not:</p> <ul style="list-style-type: none"> • 'retain low-key and low-impact objectives for development on the Ningaloo coast' • conform to the policy of concentrating 	<p><u>Vlamingh Head Masterplan:</u></p> <p>These comments are subjective, and it is considered that the proposal is consistent with the intent of the VHMP, given that the proposed LDP seeks to facilitate the redevelopment of a pre-existing tourism asset, without increasing overnight visitor numbers. Accordingly, it is noted that the LDP:</p> <ul style="list-style-type: none"> • Is consistent with the intent of retaining low-key, low-impact tourism development along the Ningaloo coast; • Is intended to facilitate a sensitive redevelopment of the existing facility only, whilst retaining the semi-remote visitor experience and respecting the natural environment; and • Will not contribute to a diminishment of the role of the Exmouth township in the broader region. <p>The proposed development envelopes have also been formulated with due regard to the environmental and landscape character of the site, and are broadly consistent with those set out in the VHMP and the existing pattern of development on site. The ultimate siting of development will be further refined at the development application stage, having due regard to the visual impact assessment that will be prepared at the development application stage, with this having been included as a provision in the revised LDP that is enclosed.</p>	<p>Noted.</p> <p><u>Vlamingh Head Master Plan (VHMP)</u> The Vlamingh Head Master Plan area comprises the tourist node at Vlamingh Head – Lot 2 (existing Lighthouse Caravan park) and former Lot 309/Part Lot 6 (now Lot 557), Yardie Creek Road. The Master Plan aims to retain the semi-remote experience of Vlamingh Head by establishing the framework for a land exchange, specifying a building envelope and limiting the type and scale of development, specifically 1020 beds, with approximately 720 beds already operational on Lot 2. In 2010, TPS 3 Amendment 25 introduced the statutory framework for the Master Plan by zoning the 'footprint' of development and requiring detailed site planning to be in accordance with the Master Plan, no further expansion of the site has taken place to date. Figure below is an extract of figure 1 from the Vlamingh Head Master Plan noting it is a replica to that of figure 1 above.</p>

	<p>higher density development in the Exmouth township</p> <ul style="list-style-type: none"> • preserve and honor Vlamingh Head's 'remote experience' and 'nature-based' values • preserve Vlamingh Head's 'environment and landscape amenity' • locate buildings 'within the landscape and away from visually-sensitive ridgelines and exposed limestone outcrops' • site buildings sensitively given the unique physical environment <p>b. The Ningaloo Coast Regional Strategy Carnarvon to Exmouth. This Proposal does not:</p> <ul style="list-style-type: none"> • 'provide for low-impact nature-based tourism' • qualify as 'the sustainable use of the Ningaloo coast' <p>c. The Exmouth-Learmonth (North-West Cape) Structure Plan This Proposal does not:</p> <ul style="list-style-type: none"> • provide largely "wilderness lodge style accommodation" • 'protect the wilderness values and environmental sensitivities of the west coast' • avoid plans that "could detract from the west coast's major attractions of wilderness, beauty and relative isolation" <p>d. The Ningaloo Coast State Planning Policy 6.3 This Proposal does not:</p> <ul style="list-style-type: none"> • "limit growth" so as to "ensure the community continues to enjoy a remote and natural experience" 	<p><u>Ningaloo Coast Regional Strategy:</u></p> <p>These comments are subjective, and we consider that the proposed LDP is consistent with the intent of retaining low impact tourism activities, noting that the LDP seeks to facilitate the redevelopment of a pre-existing tourism asset, without increasing overnight visitor numbers.</p> <p><u>Exmouth-Learmonth Structure Plan:</u></p> <p>Similar to the above, these comments are subjective, and we consider that the LDP is consistent with the intent of promoting low impact tourism activities that do not adversely impact the environmental and wilderness value of the area, noting that the LDP seeks to facilitate the redevelopment of a pre-existing tourism asset, without increasing overnight visitor numbers.</p> <p><u>State Planning Policy 6.3:</u></p>	<p>The perspectives provided and discussions thus far portray a future redevelopment of the site that is responsive to the nature of the surrounding land and the proponent's intent to sensitively blend all new development into the landscape.</p> <p>The ultimate development will be determined at the development application stage whereby all the newly inserted reporting requirements of the LDP will require addressing, which includes a visual impact assessment.</p> <p>Acknowledged and concur with commentary.</p> <p>The recently submitted environmental report for this area will be included as an attachment to the OCM report and will form the foundation of any future decisions in the development envelopes shown on the LDP.</p> <p><u>The Ningaloo Coast Regional Strategy – Carnarvon to Exmouth (2004) (NCRS)</u> identifies Vlamingh Head as a Coastal Tourism Node, figure below – Vlamingh Head - <i>Recommended Tourism Node</i>, identifies tourism investigation envelopes which are directly to the east and south of the existing caravan park.</p> <p><u>The Gascoyne Coast Sub-Regional Strategy, part A (2018)</u> identifies Vlamingh Head as a</p>
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	<ul style="list-style-type: none"> provide evidence that its plans will result in little chance of serious or irreversible harm to the natural environment show that any harm that may ensue will be competently managed show cause why, in the absence of such substantiation, this Proposal can be approved show cause, given its "higher-impact" on a site well away from the town of Exmouth, why it should not be referred to the Environmental Protection Authority <p>e. The Environmental Protection of Cape Range Province: Position Statement No.1 This Proposal does not conform to the requirement that "development and management (be) undertaken in a manner that ensures that the long-term ability of the area to accommodate human pressures is not exceeded".</p> <p>f. The Shire of Exmouth Town Planning Scheme No.3 This Proposal does not:</p> <ul style="list-style-type: none"> align with the provision that developments "protect and wherever possible enhance the special characteristics which attract tourists to the area" <p>g. Environmental Values The Application does not:</p> <ul style="list-style-type: none"> provide documented consideration of and mitigation strategies for protected, vulnerable and endangered fauna in close proximity, including 3 species of sea turtle provide documented consideration of and mitigation strategies for subterranean 	<p>Contrary to the points raised by submitter, the proposal is considered to be entirely consistent with the intent of limiting growth within the "limits of acceptable change", noting that the LDP seeks to facilitate the redevelopment of a pre-existing tourism asset, without increasing overnight visitor numbers. As such, it is concluded that the proposal is of low impact and consistent with State Planning Policy 6.3. Therefore, a referral of the LDP to the EPA is not warranted.</p> <p><u>Environmental Protection of Cape Range Province:</u> As noted above, the proposal seeks to facilitate the redevelopment of a pre-existing tourism asset only, with no increase in overnight visitor numbers. As such, the proposal will not compromise the long-term ability of the area to accommodate human pressures.</p> <p><u>Town Planning Scheme No. 3:</u> For the reasons outlined above, the proposal is considered to respect the unique characteristics that attract tourists to the area. Furthermore, by revitalising an ailing tourism asset, the project will enhance the quality of tourism offerings in the area and contribute to the economic development of the broader Shire area.</p> <p><u>Environmental Values:</u> As noted previously, the revised LDP includes a requirement for a lighting management plan to be prepared at the development application stage to consider lighting impacts of any proposal on turtle nesting habitats. The need to mitigate impacts on troglofauna and stygofauna is also acknowledged, and the requirement for a water extraction and pollution control plan has been incorporated in</p>	<p>tier 4-<i>Tourism Node</i> in its settlement hierarchy table, and by way of comparison, Exmouth town site is shown as a tier 2 – <i>Regional Centre</i>. Tourism nodes contain a negligible population base and as such the functions they provide cater exclusively for the needs of tourists; and like tourism centres they experience significant seasonal population fluctuations. Tourism nodes primarily accommodate overnight visitors and generally contain the necessary infrastructure to facilitate this function. They can also offer some basic retail facilities that are secondary to the core function of accommodation. Tourism nodes in the Gascoyne Coast sub-region currently include caravan parks remote from other activity centres.</p> <p>The Ningaloo Coast Regional Strategy, Carnarvon to Exmouth (2004) is currently under review by the WAPC for its future direction. It is acknowledged that this document provided a planning framework for the locality at a time when there was little. However, much of this document is duplicated within more recently endorsed local planning documents.</p> <p>The amended reporting now included within the LDP will capture such matters of concerns should a development application be forthcoming, and arguably the existing caravan park is not one of 'wilderness lodge style accommodation' currently. <u>Shire of Exmouth Local Planning Strategy - (Endorsed 05/04/2019)</u></p>
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	<p>waterways and aquatic fauna including World Heritage-listed troglofauna and stygofauna</p> <p>h. World Heritage Values: This Proposal does not:</p> <ul style="list-style-type: none"> • address World Heritage visual values, from land and sea • address World Heritage landscape and aesthetic values, from land and sea • give proper consideration to WH environmental values within a highly interconnected system • provide modelling and mitigation of its impacts <p>i. Indigenous Heritage This Proposal does not:</p> <ul style="list-style-type: none"> • account for sites of Indigenous significance and cultural sensitivity within the development zone and within the proximate environs • provide any documentation to mitigate impacts <p>j. Landscape values and visual amenity This Proposal does not:</p> <ul style="list-style-type: none"> • clearly address impositions on landscape values by construction of larger structures • clearly and openly address loss of visual amenity by increased density and higher structures • visually represent higher visual impacts in 	<p>the revised LDP, as recommended by the Department of Biodiversity, Conservation and Attractions (DBCA).</p> <p><u>Impact on World Heritage Values</u> Given that the LDP seeks to facilitate the redevelopment of a pre-existing tourism asset only, with no increase in overnight visitor numbers, and on a site that is zoned appropriately for this form of development under LPS4, the LDP is not considered to have any fundamental impact on the world heritage values of the surrounding area.</p> <p>Furthermore, additional detailed studies will be provided at the development application stage, including a detailed visual landscape impact assessment and lighting management plan, as reflected in the revised LDP.</p> <p><u>Indigenous Heritage:</u> In relation to Indigenous heritage, it is noted that any subsequent development proposal would need to comply with the requirements of the <i>Aboriginal Heritage Act 1972</i> at the development application stage. This will ensure that any subsequent development respects any areas of Indigenous heritage value.</p> <p><u>Landscape Values and Visual Amenity:</u> As noted previously, the suggestion that a visual landscape impact assessment is undertaken at the development application stage is considered fair and reasonable, and has been incorporated in the revised LDP. This will ensure that the necessary detailed design information is available to enhance the accuracy of the assessment.</p>	<p>In the action statement of clause 5.3 (j), support is given to a review of the Vlamingh Head Master Plan to re-assess the limitations on the scale of development permitted in the context of overall sustainability objectives and the changing supply and demand characteristics of the tourism market. The proposed LDP is now investigating the suitability of development in this regard and the proponent has now also lodged an environmental report (attachment 1) noting that further investigation is required via report requirements for any significant redevelopment proposal at a development application stage (Refer to Table 1 below outlining LDP provisions)</p> <p><u>Shire of Exmouth Local Planning Scheme No.4 (12/03/2019)</u> The subject land is zoned 'Special Use 2 (SU2) whereby conditional requirements include that detailed site and development requirements shall be in accordance with the Vlamingh Head Masterplan and that the local government may require a local development plan to be prepared in accordance with part 6 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> to guide development. The proponent, through Liaison with the Western Australian Planning Commission (WAPC) and local government advice given, has lodged this proposed LDP to provide the next tier down planning guidance document to provide clarity and direction</p>
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	<p>documents - ie despite a large increase in building volumes, heights and density, site plans fail to include any elevations or design elements</p> <p>k. Sense of place This Proposal does not:</p> <ul style="list-style-type: none"> • address the unique and well-documented character of this site • demonstrate in its designs an intention to preserve this quality <p>l. Sustainability and Best Practice This Proposal does not:</p> <ul style="list-style-type: none"> • demonstrate highest design principles in terms of power generation, water capture and management, waste water disposal, waste management, sustainable construction materials, light pollution and landscape design <p>m. Council Precedent We note that in July 2016 Council rejected an application by the lessee of Exmouth Station to construct a "wilderness camping node" on lands near Wapet Creek. Assessed against provisions of Shire of Exmouth TPS No.3, Draft Planning Scheme No. 4, Local Planning Strategy No.1, Exmouth South Structure Plan, WAPC Ningaloo Coast Carnarvon to Exmouth and State Planning Policy 6.3: Ningaloo Coast, this application was rejected. Protect Ningaloo supports that decision and draws Council's attention to it as a means of</p>	<p><u>Sense of Place:</u> The LDP seeks to facilitate the redevelopment of an existing tourism asset in a manner consistent with the prevailing semi-remote visitor experience at Vlamingh Head, as per the VHMP and without proposing any increase in total visitor numbers. As such, these concerns are considered to be unfounded.</p> <p><u>Sustainability:</u> The comments regarding the incorporation of sustainability initiatives are noted, and will be considered at the development application stage, consistent with the intent of delivering an environmentally responsible development that is compatible with the semi-remote nature of the visitor experience offered at Vlamingh Head.</p> <p><u>Precedent Comments:</u> The wilderness tourism precedent that is referenced in the submission is not relevant to this proposal, which needs to be considered on its individual merits. The circumstances are also entirely different, in that the proposed LDP seek to facilitate the refurbishment of an <i>existing</i> tourism asset, without intending any increase in overnight visitor numbers.</p> <p><u>Referral to the EPA:</u></p>	<p>prior to pursuant a development application.</p> <p>Noted and concur.</p> <p>Noted and concur. The proponent, in previous discussion, suggested a willingness to improve interpretive information about the locality.</p> <p>These elements will be addressed at the reporting requirements at development application stage, as per the modified LDP</p> <p>Noted and concur.</p>
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	<p>maintaining consistency of assessment as well as high standards of conservation stewardship in the Shire.</p> <p>The LDP proposed for Vlamingh Head seeks sanction for far higher impacts than a wilderness camping node, ie higher density, a larger footprint and 3-storey accommodation. In its rejection of the wilderness camping proposal Council made note of the applicant's failure to address many factors that are relevant to the Vlamingh Head Proposal. Council noted that:</p> <p>"No studies or investigation has been provided to address the following significant matters:</p> <ul style="list-style-type: none"> <i>i. Environmental values for the site;</i> <i>ii. Infrastructure servicing including power, water, sewerage, telecommunications;</i> <i>iii. Environmental management;</i> <i>iv. Waste Management;</i> <i>v. Foreshore management;</i> <i>vi. Heritage;</i> <i>vii. Bushfire protection, flooding and emergency management; and</i> <i>viii. Public access to/from the site."</i> <p>Many of the above failings similarly feature in the LOP for Vlamingh Head.</p> <p>n. Process This Proposal is accompanied by a level of confusion and uncertainty about planning processes in the lead-up to the current application, particularly regarding the retention of Lot 6 and the purchase of Lot 319 despite the Masterplan not supporting development on Lot 6. Also, there has been some confusion about the status and public availability of the current</p> 	<p>A referral to the EPA at this stage is not warranted, as the LDP is a high-level document to guide the future redevelopment of an existing tourism asset that is zoned appropriately for this form of development under LPS4. The identified building envelopes are also generally consistent with the VHMP and/or the existing development on site, and have been informed by detailed environmental surveys, as shown on the plans that were included with the original LDP documentation.</p>	<p>Noted and any environmental concerns within relocated development boundaries will be addressed/investigated at the development application stage.</p>
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	<p>Masterplan. We also note that "sustainability principles should not be compromised" during any review of the Masterplan. Also of concern is the fact that TPS4 has not been widely available during most of the comment period. Given concerns about transparency and governance at the Shire in recent years, we respectfully seek clarification in all these matters.</p> <p>SUMMARY</p> <p>While we welcome the prospect of mixed and improved forms of tourism accommodation within the Shire of Exmouth - including at Vlamingh Head - Protect Ningaloo submits that this Proposal does not:</p> <ul style="list-style-type: none"> • meet best practice • align with a raft of longstanding guidelines and protocols • fit with the environmental values of the area. <p>The proponent's LDP will impose much higher impacts on Vlamingh Head and its environs. These increased impacts are clearly not allowed under current provisions and should not be permitted. At the very least they merit referral to the Environmental Protection Authority.</p> <p>In such an application the onus is on the proponent to demonstrate that its plans threaten no harm to the natural environment, and where any harm is likely, this will be minimised and the proponent will demonstrate means by which mitigation will be achieved. The proponent has made some general assertions in this regard, but these are not substantiated with evidence. The Proposal has provided no studies, modelling, or documentary evidence regarding many significant impact factors.</p>		
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	<p>Vlamingh Head is an iconic site. It provides a landscape-scale point of entry to the Ningaloo World Heritage Area and it a highly visible part of the Ningaloo/Cape Range landscape. As a result, development in this area must be sensitive, sustainable and meet the highest standards. Sadly, the LDP proposed in this instance demonstrates few such qualities. We respectfully submit that this Application be rejected in its current form.</p>		
<p>Private citizen</p>	<p>My first objection to the PA19/19 is the the future building to be built in the dunes. If it is just a hut with no lighting like dunes this may be OK But a residence in the primary Dunes is just not in line with everything that Exmouth is about. Also with sea level rise and storm surge it's just a crazy idea. Have a look at the trouble shires are having on the east coast with this problem and reclaiming land at rate payers expense.</p> <p>2nd objection is that I believe 3 story buildings are a bit much for the area.</p> <p>Notes Water management will have to be monitored well as with that creek there I can see the reef dying out front with the impact of 1020 people. 10% of tourist will stay here what losses will be impacted in town restaurants and shops? Will another paper be put forward with what can be built on the site PA19/19.</p>	<p><u>Building in Dunes:</u></p> <p>These concerns regarding visual and lighting impacts will be addressed through the visual landscape impact assessment and lighting management plan that will be prepared at the development application stage, as required by the revised LDP that is enclosed for the Shire's consideration.</p> <p><u>Building Heights:</u></p> <p>As noted previously, the proposed building heights in the LDP are considered appropriate in the context of delivering a contemporary redevelopment of an existing tourism development that will be a significant asset to the Shire area. The ultimate form and siting of development will be further refined at the development application stage through the preparation of a formal visual landscape impact assessment, with this having been included as a specific provision in the revised LDP. Development will be carefully designed to respond sensitively to the unique landscape character of Vlamingh Head, having regard to the findings of the visual</p>	<p>Noted and concur. Further – the LDP map shows a minor water course running through the dunes/beach. However, it is acknowledged that on a supplementary map there does appear to be a grey outline of a structure. The dune/beachfront is a separate lot, owned by the Crown and managed by the Shire, any changes in this primary dune would require separate review and application processes.</p> <p>Noted and concur, and also note proponent's advice that any three storey components will be features and/statements rather than bulky built form.</p> <p>In any event the 3 storey development envelopes as shown are at the lowest part of the site.</p>

		<p>landscape impact assessment and the desire to retain the semi-remote visitor experience in the locality.</p> <p><u>Coastal Risk Assessment:</u></p> <p>Preliminary coastal risk analysis has been undertaken and will be formalised into a report at the development application stage, with a provision having been incorporated into the revised LDP to this effect. This will ensure that coastal risks are appropriately considered in the ultimate siting and design of development on the subject site.</p> <p><u>Water Runoff:</u></p> <p>These concerns will be addressed at the development application stage via the preparation of a water extraction and pollution control plan, as recommended by DBCA, with a provision having been incorporated in the revised LDP to reflect the requirement for this plan.</p> <p><u>Impact on Exmouth Town:</u></p> <p>As noted previously, the proposed LDP seeks to facilitate the redevelopment of an existing tourism asset only, with no intended increase in overnight visitor numbers. As such, the redevelopment of the site will not have any undue adverse impact on the Exmouth township.</p>	<p>It is noted that GDC as the lead agency for regional development has suggested that model would be useful in considering the potential redevelopment of the 'caravan park' to a three-storey development.</p> <p>Noted and concur.</p> <p>Noted and concur.</p> <p>Noted and concur.</p> <p>Noted and concur.</p>
<p>Cape Conservation Group Inc.</p>	<p>While Cape Conservation Group, Inc. (CCG) initially welcomed an upgrade of the Lighthouse Caravan Park and was hopeful that the new operator would bring a fresh approach, sensitivity and high environmental standards to its plans, the application currently before the Shire is deeply disappointing. The community has a right to expect best practice at this iconic site, but this cursory Application fails to satisfy the management framework for the area and we respectfully submit that it should not be approved.</p>	<p>This submission is essentially a duplication of the Protect Ningaloo submission, which has been addressed above.</p>	<p>Noted and concur – see earlier comment above.</p>

	<p><u>VLAMINGH HEAD MASTERPLAN</u></p> <p>The Application does not meet the terms or the spirit of the Vlamingh Head Masterplan, which seeks to:</p> <ul style="list-style-type: none"> • 'retain low-key and low-impact objectives for development on the Ningaloo coast' • concentrate higher density development in the Exmouth township • maintain Vlamingh Head's 'remote experience' and 'nature-based' values • protect the area's 'environment and landscape amenity' • locate buildings within the landscape and away from visually-sensitive ridgelines and exposed limestone outcrops • ensure that buildings and structures respond sensitively to the unique physical environment <p><u>NINGALOO COAST REGIONAL STRATEGY CARNARVON TO EXMOUTH</u></p> <p>Similarly, the Application does not accord with the Ningaloo Coast Regional Strategy Carnarvon to Exmouth. As presented the proposal does not reasonably:</p> <ul style="list-style-type: none"> • 'provide for low-impact nature-based tourism' • entail 'the sustainable use of the Ningaloo coast' <p><u>EXMOUTH-LEARMONTH (NORTH WEST CAPE) STRUCTURE PLAN</u></p> <p>The Application does not conform to the Exmouth-Learmonth (North-West Cape) Structure Plan which concludes that 'the development of major tourist accommodation could detract from the west coast's major attractions of wilderness, beauty and relative isolation". As presented the proposal does not qualify as or demonstrate</p> <ul style="list-style-type: none"> • 'wilderness lodge style accommodation' 		
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	<ul style="list-style-type: none"> • 'protect the wilderness values and environmental sensitivities of the west coast' <p><u>NINGALOO COAST STATE PLANNING POLICY 6.3</u> The Application does not align with the Ningaloo Coast State Planning Policy 6.3 which aims to 'limit growth' to 'ensure the community continues to enjoy a remote and natural experience'. Within this plan the onus is on the Proponent to</p> <ul style="list-style-type: none"> • demonstrate that its development poses no likelihood of serious or irreversible harm to the environment • demonstrate that any harm can be managed • And in the case of failure to so demonstrate, development should not proceed. <p>'Higher-impact' developments outside the Exmouth town site must be consistent with this state policy and in instances of significant impacts to the environment proposals must be referred to the Environmental Protection Authority for assessment. The Vlamingh Head Masterplan is within the framework of the NCSP Policy 6.3, with specific sustainability design guidelines. This Application demonstrates 'higher impacts' and should be referred.</p> <p><u>ENVIRONMENTAL PROTECTION OF CAPE RANGE PROVINCE: Position Statement No.1</u> The Application does not meet the aspirations of the Environmental Protection of Cape Range Province: Position Statement No.1 that requires 'development and management undertaken in a manner that ensures that the long-term ability of the area to accommodate human pressures is not exceeded'.</p> <p><u>SHIRE OF EXMOUTH TOWN PLANNING SCHEME NO.3</u> <u>AND TPS4</u></p>		
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	<p>The Application does not meet the terms of the Shire of Exmouth Town Planning Scheme No.3 which stipulate that development must</p> <ul style="list-style-type: none"> • 'protect and wherever possible enhance the special characteristics which attract tourists to the area' <p>The new Town Planning Scheme No. 4 is relevant to this proposal and was not widely available for most of the comment period. Therefore, we were unable to assess whether the plan meets the terms of TPS4 (2019).</p> <p><u>GASCOYNE COAST SUB-REGIONAL STRATEGY</u></p> <p>The Application does not meet the terms of the Gascoyne Coast Sub-regional Strategy Part A, page 22, which stresses the importance that tourism development appropriately considering environmental impacts and World Heritage implications.</p> <ul style="list-style-type: none"> • The Vlamingh Lighthouse area has been proposed to be included in the State conservation estate, including as a potential northern extension to Cape Range National Park because there are known conservation values within the extent (Conservation Commission of WA, 2010). • "tourism activity and/or development should be sustainably managed and not compromise the unique product intrinsic to the sub-region's tourism experience" <p><u>ENVIRONMENTAL CONSIDERATIONS</u></p> <p>The Application does not take proper account of the special Environmental considerations of the area it wishes to modify.</p> <ul style="list-style-type: none"> • Fauna: Beaches in the Jurabi Coastal Park are nesting sites 		
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	<p>for several species of protected fauna, including loggerhead, green and hawksbill turtles. These species are listed as threatened under the Wildlife Conservation Act and the EPBBC Act (1998) and hawksbills in particular are listed as critically endangered (IUCN, 2007)</p> <ul style="list-style-type: none"> • Karst Subterranean waterways and aquatic fauna in the Cape Range are of high national and international conservation significance. Troglifauna and stygofauna are vulnerable to extinction and must be taken into consideration. <p><u>NATIONAL HERITAGELISTING</u> The Application has not taken proper account of the National Heritage Listed cave systems within the Cape Range National Park.</p> <ul style="list-style-type: none"> • Vlamingh Head is surrounded by nationally listed cave systems. The national and World Heritage values may be impacted (EPBC Act: Commonwealth of Australia, No S2, Wednesday 6 January, 2010). <p><u>WORLD HERITAGE VALUES</u> The Application impinges upon World Heritage Values. As currently drawn it diminishes:</p> <ul style="list-style-type: none"> • visual values, from land and sea • landscape and aesthetic values, from land and sea <p>The Application takes little account of environmental considerations of WH within a highly interconnected system. No studies or modelling of possible impacts are provided.</p> <p><u>INDIGENOUS HERITAGE</u></p>		
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	<p>The Application does not take sufficient account of Indigenous Heritage. Sites of significance and cultural sensitivity are known to exist near or within the development site. No documentary material has been attached.</p> <p><u>LANDSCAPE AND VISUAL CHARACTER</u></p> <p>Landscape and visual character is not addressed. Despite an increase in building volume, density and height, no representations of elevations or aspects have been provided.</p> <p><u>SENSE OF PLACE</u></p> <p>Despite its unique and well-documented character, impositions on the site are not sufficiently discussed or documented.</p> <p><u>LOT 557, SPECIAL USE ZONE 2</u></p> <p>The State Government reviewed Lots 6 and 319 in 2018. These were amalgamated to form Lot 557, and the zoning changed to 'Special Use 2' match that of the existing caravan park. However, given the National and World Heritage values of the land surrounding the Vlamingh Lighthouse, and the lack of clarity around these proceedings we request clarification about the changes.</p> <p>The proponent's application for a Local Development Plan (LDP) claims to update, 'vary and augment' provisions of the Vlamingh Head Master Plan and to replace existing guidelines with 'contemporary provisions'. However, the proponent's LDP presents as an attempt to circumvent established guidelines for its</p>		
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	<p>own commercial interests. The LDP is seeking to impose far higher impacts on the site than are currently experienced and currently allowed.</p> <p>In this matter the onus is on the applicant to demonstrate that its proposal will not degrade or harm the natural environment. Where harm is likely it is required to show that this will be minimised. The proponent has made assertions in this regard, but these are not substantiated with evidence. It has provided no studies, modelling, or documentary evidence regarding:</p> <ul style="list-style-type: none"> • Public access to the site • Environment values, including karst, fauna, and flora • Heritage considerations, including Cultural Heritage and World Heritage implications • Foreshore management • Lighting impacts and mitigation • Increased visitor impacts within Jurabi Coastal Park • Increased human occupation impacts within the site • Infrastructure considerations such as power use and generation, telecommunications etc. • Impacts of increased water use • Emergency factors, including inundation, bushfire etc. • Foreshore management • Waste management • Aesthetic impacts • Visual amenity • Sustainability aspects to design and construction materials • Impacts on 'sense of place' – i.e. values of remoteness 		
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	<p>We note that in July 2016 Council rejected an application for wilderness style accommodation. It was deemed inconsistent with several established planning policies. Also noted was its lack of documentary support showing studies of many of the factors listed above. Given that the Ningaloo Lighthouse Caravan Park is proposing a far larger footprint than the rejected 'wilderness camping', and much higher impacts there is no reason to justify its approval.</p> <p>As a point of entry to and observation of the Ningaloo World Heritage Area, Vlamingh Head is a very significant site. No development in this area can reasonably be approved on the basis of such an Application. Again, we submit that this Application be rejected in its current form.</p>		
<p>Department of Planning, Lands and Heritage</p>	<ul style="list-style-type: none"> • <i>That any development requirements shall be in accordance with the Vlamingh Head Masterplan,</i> • there now appears to be some discrepancy in the Vlamingh Head Masterplan (the Masterplan), as it refers to development occurring in a manner that is taking into account the agreed land swap. However, the land swap has not occurred. Consequently, this suggests that the Masterplan's review of the tourism investigation envelopes, which are identified in the <i>Ningaloo Coast Regional Strategy 2004</i>, would provide guidance. • With regard to the draft Local Development Plan (LDP) for the Lighthouse Caravan Park we note that former Lot 6, that was part of the intended land swap, contains development proposals such as camping and other activities. However, it is likely that this lot would not have been assessed during the LPS 4 process by the EPA (as this lot was originally intended to remain a reserve); 	<p><u>Land Swap:</u></p> <p>The land swap is no longer considered of any relevance to development at Vlamingh Head, with all of the land subject to the proposed Local Development Plan being owned in freehold by Northwest Resorts Pty Ltd and being zoned appropriately for tourism development under the Shire's LPS4. The proposed development envelopes are generally consistent with the VHMP and the existing pattern of development on site.</p> <p><u>Inconsistency with the VHMP:</u></p> <p>As noted previously, the proposed building heights in the LDP are considered appropriate in the context of delivering a contemporary redevelopment of an existing tourism development that will be a significant asset to the Shire area. The ultimate form and siting of development will be further refined at the development application stage through the preparation of a formal visual landscape impact assessment,</p>	<p>It is noted that the newly amalgamated lot 6 and lot 319 into Lot 557 is owned by the same private landowner.</p> <p>It is also noted that the new lot 557 is zoned as a special use zone the same as the existing main caravan park, that is SU2.</p> <p>It is acknowledged that the proponent has amended the LDP to include significant reporting requirements at the development application stage and that occupant numbers/capacity can be controlled at this stage. However, it is also noted that the Vlamingh Head Masterplan will remain in and that its provisions of 1020 limit would</p>

	<p>Our review of the draft LDP has identified a number of instances where it is considered to be in conflict with the WAPC's Masterplan, as per the following:</p> <ul style="list-style-type: none"> • The draft LDP proposes development of three storeys which is inconsistent with the single storey limit set by the Masterplan; and • The Masterplan sets a limit on overnight visitors of 1020 and the draft LDP does not indicate how many visitors/beds it is proposing. The draft LDP, therefore should reflect the requirements of the Masterplan. <p>Further, the Masterplan sets out planning and sustainability guidelines (Table 5 of the Masterplan) and other considerations, that should be adequately addressed in the draft LDP including:</p> <ul style="list-style-type: none"> • Formal visual landscape evaluation and visual impact assessment; • Access management strategy; and • Servicing report that identifies any additional water, wastewater, power and solid waste infrastructure requirements. 	<p>with this having been included as a specific provision in the revised LDP. Development will be carefully designed to respond sensitively to the unique landscape character of Vlamingh Head, having regard to the findings of the visual landscape impact assessment and the desire to retain the semi-remote visitor experience in the locality.</p> <p>With respect to the existing cap on overnight visitors under the VHMP, it is noted that the VHMP will continue to have effect upon finalisation of the LDP, except where otherwise varied by the LDP. As such, it is not considered necessary to replicate the cap of 1020 overnight beds under the VHMP in the LDP, as this would still apply to tourism development on the subject site in any case and would therefore represent an unnecessary duplication of the VHMP provisions.</p> <p>As noted previously, the request for a visual landscape impact assessment at the development application stage is supported, and a provision has been included to this effect in the revised LDP that is enclosed.</p> <p>The requirement for a servicing infrastructure report and access management strategy is also supported, and these will be provided at the development application stage, with a provision having been included in the revised LDP to this effect.</p>	<p>remain, and in any event the LDP is not seeking to vary this.</p> <p>It is noted that the reporting requirements at the development application stage have now been incorporated into the amended LDP document.</p> <p>The environmental report now submitted will also assisted with determining development outcomes to the rear of former Lot 6 being southern element of the new lot 557.</p> <p>Noted and concur.</p>
<p>Ningaloo Coast World Heritage Advisory Committee</p>	<p>The Ningaloo Coast World Heritage Advisory Committee was established in 2013 by agreement between the Commonwealth and Western Australia governments. The role of the Committee is to provide advice to managing agencies, State and Federal Ministers on the protection, conservation, presentation and management of the Outstanding Universal Value (OUV) of the Ningaloo Coast World Heritage Area (NCWHA), (attachment 1). The Committee addresses activities within and adjacent to the World Heritage area that have the potential to affect the</p>	<p><u>Visual Impact Assessment:</u></p> <p>This has been addressed in previous responses and will be provided at the development application stage. A provision has been included in the revised LDP to reflect this.</p> <p>This will include consideration of the ultimate form and siting of development within the identified building envelopes to ensure a sensitive response to the site context.</p>	<p>Noted and concur.</p> <p>Acknowledged.</p>

	<p>OUV for which the property was listed.</p> <p>The Ningaloo Coast was inscribed on the World Heritage list in 2011 for having OUV under the following criterion:</p> <ul style="list-style-type: none"> • (vii) to contain superlative natural phenomena or areas of exceptional natural beauty and aesthetic importance; • (x) to contain the most important and significant natural habitats for in-situ conservation of biological diversity, including those containing threatened species of outstanding universal value from the point of view of science or conservation. <p>World Heritage listing creates obligations on the Commonwealth and State governments to ensure that the OUV of the World Heritage property is conserved for existing and future generations. On inscription of a World Heritage property, the World Heritage Committee adopts a "Statement of Outstanding Universal Value (SoOUV), a key reference point for the ongoing protection and management of the property. The NCWHA's SoOUV is at attachment 2.</p> <p>The comments below address the proposed Local Development Plan - Lighthouse Ningaloo Caravan Park (LDP), which has the potential to affect the OUV of the NCWHA. The Committee refers to the SoOUV throughout the submission.</p> <p>Potential effects on mating turtles, nesting turtles and turtle hatchlings</p> <p>The Committee is concerned about the potential effects of the proposed LDP on nesting turtles and turtle hatchlings, a key component of the OUV of the World Heritage area "an unusual diversity of marine turtle species with an estimated 10,000 nests deposited along</p>	<p><u>Lighting Management Plan – Turtle Impacts:</u></p> <p>This has been addressed in previous responses and an appropriate lighting management plan will be provided at the development application stage, with a provision having been included in the revised LDP to reflect this. This is considered sufficient to ensure that any development that is visible from the coast has appropriate regard for the impact of light spill on turtle nesting habitats.</p> <p><u>Visitor Management Plan – Turtle Impacts:</u></p> <p>The suggested lighting management plan is considered sufficient to address the impact of the proposal on nesting turtle habitats, noting that:</p> <ol style="list-style-type: none"> a. The LDP seeks to facilitate the redevelopment of an existing tourism asset only, with no intended increase in overnight visitor numbers, and therefore there will be no increase in indirect human pressures on nesting habitats; and b. The nesting habitats themselves are located outside the boundaries of the subject site, such that the development will have no direct physical impact on nesting habitats. <p>As such, the benefits of a proponent-led visitor management plan would be negligible. DBCA may wish to separately consider a broader regional strategy, if deemed necessary.</p> <p><u>Potential Effects on Obligate Subterranean Fauna:</u></p> <p>The request for a water extraction and pollution control plan at the development application stage is supported and has been included as a provision in the revised LDP.</p> <p><u>Potential effects on other species recognised within the NCWHA:</u></p>	<p>Noted and concur.</p> <p>Noted and concur and that the proponent as now amended the LDP to include significant reporting at the development application stage.</p> <p>Acknowledged.</p>
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the coast annually”.

The Jurabi Coastal Park (located within the NCWHA) which includes Lighthouse Bay and other beaches adjacent to the proposed LDP forms part of one of the most important turtle rookeries in the Indian Ocean. Turtle activity monitoring takes place along the coastal park annually through the Department of Biodiversity, Conservation and Attractions (DBCA), Ningaloo Turtle Program (NTP). Any proposed development that has the potential to impact mating turtles, nesting turtles and turtle hatchlings should discuss the implications with DBCA. The NTP summarises survey data annually, which gives DBCA an indication of annual turtle activity as seen in the below table. Full reports can be found at http://www.ningalooturtles.org.au/media_reports.html.

Table 1: The total number of activity (suspected nests and false crawls) and suspected nests recorded for all three species (Green, Loggerhead and Hawksbill) within the North West Division of the Ningaloo Turtle Monitoring Program 2014/15 – 2016/17. Similar figures are expected for the latest monitoring season 2017/18 when published.

Turtle Activity	North West Cape	Lighthouse Section	Hunters Section
2016/17	est. turtle activity 6754 est. no. nests 2130	est. turtle activity 811 est. no. nests 200	est. turtle activity 2284 est. no. nests 730
2015/16	est. turtle activity 2514 est. no. nests 962	est. turtle activity 264 est. no. nests 112	est. turtle activity 1036 est. no. nests 328
2014/15	est. turtle activity 2501 est. no. nests 824	est. turtle activity 365 est. no. nests 111	est. turtle activity 1007 est. no. nests 294

i. The committee is concerned with the effects of lighting from the proposed LDP on sea-finding ability of turtle hatchlings emerging from beaches adjacent to the proposed LDP.

The need to potentially assess the impacts on other species in the area at the development application stage is noted. However, it is not considered necessary to include an LDP provision to this effect, as this can be appropriately addressed at the development application stage by virtue of the standard considerations listed under Clause 67 of the Deemed Provisions contained within the LPS Regulations, with particular reference to sub-clauses (n) and (o). It is also noted that the detailed environmental surveys that were undertaken have identified that:

- No terrestrial Threatened or Priority Ecological Communities are known from nearby;
- No Threatened Flora or Threatened Fauna species are known from nearby, and therefore none are expected to be associated with the survey area;
- 23 Priority Flora species have been previously recorded within 50km of the subject site, including one (1) previously recorded within the study area;
- 40 conservation significant fauna species have been previously recorded within 20km of the subject site, with 27 of these species being birds that are protected under international agreements but without other conservation significance; and
- None of the recorded vegetation types are of conservation significance.

LDP Provision Regarding Referral under the EPBC Act:

This provision is not considered necessary. The Shire can consider necessary referrals at the development application stage in accordance with Clause 66 of the Deemed Provisions contained within the LPS Regulations. Inclusion of a specific LDP provision is therefore not warranted and would represent an unnecessary duplication.

Potential Effects on the Aesthetically Striking Landscapes

Noted and it is acknowledged that the proponent as also recently lodged a comprehensive environmental report that will form an attachment to the OCM report moving forwards.

	<p>Turtle hatchlings when emerging from a nest seek to find the sea as quickly and efficiently as possible, to reduce the chances of predation on land and to conserve energy for the following swim of up to 2 kilometres to deeper water. Turtle hatchlings head toward the horizon at low levels of elevation from their view point. Artificial light can disorient turtle hatchlings by changing the view of the light horizon, which may attract them towards the land and away from the sea. (Thums et al 2016, Limpus and Kamrowski 2013, Kamrowski et al 2014).</p> <p>The proposed LDP elevation of the 2-3 storey buildings and conventional lighting will likely create disturbance to emerging turtle hatchlings causing them to orientate away <u>from the sea and towards the land (and the light source)</u>. There are anecdotal reports of hatchlings found swimming in the pool of the current caravan park, this could potentially be from the existing artificial light source around the pool disorientating the hatchlings.</p> <p>The height of main frontal dune (adjacent to the proposed LDP) is 10-12 metres above AHD. The base of the proposed LDP 2-3 storey buildings will be starting at 12 m AHD and possibly rise to 15 metres above the base i.e. 25-27 metres above AHD. Lighting from the proposed LDP may be from direct light spill and from light glow created by reflection from salt spray and atmospheric dust. Both can potentially affect the ability of turtle hatchlings to find the correct low elevation light horizon and reach the sea. The proposed LDP does not provide detailed justification for the increase in height of buildings except to meet contemporary tourism development standards and associated environmental impacts management.</p> <p><i>The Committee recommends that the 'Development Control' provisions on the finalised LDP include a requirement for detailed Visual Impact Assessment that</i></p>	<p><u>and Seascapes:</u></p> <p>These matters will be considered at the development application stage as part of the visual landscape impact assessment that is discussed above, as suggested by DBCA. This requirement for a visual landscape impact assessment has been incorporated as a provision of the revised LDP.</p> <p><u>Potential Impacts from Increased Visitation:</u></p> <p>With respect to the existing cap on overnight visitors under the VHMP, it is noted that the VHMP will continue to have effect upon finalisation of the LDP, except where otherwise varied by the LDP. As such, it is not considered necessary to replicate the cap of 1020 overnight beds under the VHMP in the LDP, as this would still apply to tourism development on the subject site in any case and would therefore represent an unnecessary duplication of the VHMP provisions.</p> <p><u>CSIRO Scenario Modelling:</u></p> <p>This recommendation can be considered if, in the future, further development is pursued that would increase the existing cap on overnight visitors for the tourist accommodation component on site. However, a specific LDP provision is not considered to be warranted at this stage.</p> <p><u>Weed Species:</u></p> <p>It is considered that the control of invasive weed species is more appropriately dealt with via a condition on any subsequent development approval, noting that LDPs are intended to provide high level guidance in relation to future built form outcomes on a given site, not to specify detailed ongoing management issues that will need to be addressed.</p> <p><u>Review of the Vlamingh Head Masterplan:</u></p>	<p>See above comments re reporting requirements at development application stage.</p> <p>It is acknowledged that visitor bed numbers are not being proposed to increase and as such will remain consistent with the VHMP.</p> <p>The broader impact of visitors to the locality would need to be addressed collaboratively with all stakeholders moving forwards.</p> <p>Noted and concur.</p> <p>Concur.</p>
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	<p><i>justifies the increase in building height but also address the aesthetic impact and lighting effects of such an increase. The proposed LDP has a unique opportunity to design a resort that is both attractive and safe for visitors while minimising effects (from the development) on turtles. The development of an appropriate 'turtle friendly' lighting management plan could also create a visitor attraction, promoting viewing of a dark sky at night adjacent to the LDP. The committee sees potential to enhance tourist experiences through the designation of "dark sky" areas where stargazing could be a major attraction. Dark skies and visible stars also have high cultural value for indigenous groups.</i></p> <p><i>The Committee recommends that the 'Development Control' provisions on the finalised LDP include a requirement for a lighting management plan that achieves these two objectives. The Committee is available to assist in providing contacts with experts in this field who could guide the developer towards world best practice.</i></p> <p>The Committee is concerned with the effects of unmanaged visitors viewing mating turtles, female turtles coming ashore to nest and emerging turtle hatchlings on beaches adjacent to the proposed LDP.</p> <p>During the period (November - March) unmanaged visitors seeking to view turtle activity along the Jurabi Coastal Park have the potential to disturb mating and nesting turtles and emerging turtle hatchlings: artificial light (torchlight and vehicle light), disorients hatchlings and disturbs nesting female turtles, sudden movements and going near resting and nesting female turtles may force them back into the water prematurely without nesting successfully; walking through sand dunes increases the chance of trampling on nests and emerging hatchlings; domestic dog on beaches can disturb nesting turtles and harm or cause stress to vulnerable turtle</p>	<p>Following consultation with the Department of Planning, Lands and Heritage, it was determined that an LDP was a more appropriate pathway for updating the development standards that apply to the Vlamingh Head area than a review of the VHMP. Both documents will have the status of documents of 'due regard' at the development application stage, and therefore it is both reasonable and legally appropriate for the LDP to vary the outdated provisions in the VHMP to reflect contemporary aspirations for the site.</p> <p>Undertaking a subsequent review of the VHMP is a matter for the Department of Planning, Lands and Heritage, and is not within the remit of the proponent.</p>	<p>The VHMP will remain as the lead guiding document in this regard barring any variations i.e. height changes being proposed in the LDP.</p> <p>Noted and acknowledged.</p>
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	<p>hatchlings; disturbance from recreational activities such as beach fishing. It is noted that Lighthouse Bay is a Special Purpose Shore Based Fishing Zone within the Ningaloo Marine Park and allows line fishing and throw netting for bait as well as motorised vessels, all of which have the potential to affect turtles. <i>The Committee recommends that the 'Development Control' provisions on the finalised LDP include a requirement for a visitor management plan in consultation with DBCA to minimise the impacts of visitors seeking turtle mating, turtle nesting and turtle hatchling experiences along the Jurabi Coastal Park.</i></p> <p>Potential effects on obligate subterranean fauna</p> <p>The unique obligate subterranean fauna found in the anchialine cave system of Cape Range is a key reason for the World Heritage listing, "The subterranean fauna of the peninsula is highly diverse and has the highest cave fauna (troglomorphic) diversity in Australia and one of the highest in the world". The Cape Range karst system and subterranean fauna are vulnerable to human induced impacts such as water extraction and pollution. The Committee notes that there is the intention to extract water from underground sources for use at the proposed development. Water extraction may inadvertently affect the subterranean fauna found in in the anchialine cave system. In addition, the disposal of sewerage and wastewater will need to be managed carefully to ensure no pollution of the underground water sources, "Future concerns include increased water demand leading to water abstraction with potential effects on the groundwater systems as well documented in arid areas with abruptly increasing numbers of visitors". It is understood that large amounts of fuel will be stored on site. The potential for leakage into underground water sources is of concern.</p>		
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	<p><i>The Committee recommends that the 'Development Control' provisions on the finalised LDP include a requirement for a water extraction management plan and pollution control plan that avoids impacts on the obligate subterranean fauna.</i></p> <p>Potential effects on other species recognised within the NCWHA</p> <p>"The Cape Range Peninsula belongs to an arid ecoregion recognized for its high levels of species richness and endemism, particularly for birds and reptiles". The LDP does not address the potential effects of the development on birds and reptiles. Lighting and access to visitor feeding are two potential impacts on birds.</p> <p><i>The Committee recommends that the 'Development Control' provisions on the finalised LDP addresses the potential effects on birds and terrestrial reptiles and management responses to deal with such impacts.</i></p> <p>In this regard it is noted that the LDP does not address the possibility of impacts on species listed in the Commonwealth Environment Protection and Biodiversity Conservation Act.</p> <p><i>The Committee recommends that the 'Development Control' provisions on the finalised LDP include a requirement to seek advice from the Commonwealth Department of Environment and Energy as to whether this development proposal should be referred under the EPBC Act.</i></p> <p>Potential effects on the aesthetically striking landscapes and seascapes</p> <p>The aesthetic natural beauty and seascapes of the Ningaloo Coast are two of the key factors contributing to the OUV of the World Heritage property and are key reasons for the property's inscription to the World Heritage list in 2011, "The interconnected ocean and arid</p>		
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	<p>coast form aesthetically striking landscapes and seascapes". Given the prominent location of the site the LPD has the potential to detract the aesthetic natural beauty.</p> <p><i>The Committee recommends the LDP should not adversely effect the aesthetic natural beauty and seascapes of the NCWhA. The Committee recommends that the proposed Visual Impact Assessment should specifically address the OUV (landscape and seascape values) and potential impacts on those values.</i></p> <p>Potential impacts from increased visitation</p> <p>The development proposal contains an estimate of bed numbers of 1020 which is the limit allocated in the Master Plan to the Vlamingh Head Tourist Node. Increased visitation has the potential to impact the OUV of the World Heritage area, "Tourism is on the increase leading to associated threats such as damage to vegetation, illegal fishing, sewage and waste disposal and disturbance to wildlife".</p> <p><i>The Committee recommends that the maximum number of beds stated in the Master Plan be included as a part of the 'Development Control' provisions on the finalised LDP.</i></p> <p>If it is intended that future bed numbers may increase, the potential impacts on the OUV will also increase. The Committee is aware of the use of scenario modelling developed and undertaken by CSIRO to model effects and impacts of population growth along the Ningaloo Coast. Such modelling was used to inform the Coral Bay structure planning of 2012 (<i>Fulton E.A. (2012) InVitro modelling in support of Coral Bay Structure Planning Review. CSIRO Briefing Paper, CSIRO, Australia</i>). The author can be contacted at beth.fulton@csiro.au.</p>		
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	<p><i>The Committee recommends that the 'Development Control' provisions on the finalised LDP consider the use of such scenario modelling to address the potential impacts of the proposed LDP and future growth scenarios.</i></p> <p>Potential impacts from introduced invasive weed species</p> <p>A key concern for management of the terrestrial component of the World Heritage area is the control of invasive weed species, "... Requiring permanent monitoring and management are invasive alien species, ... weeds on land".</p> <p><i>The Committee recommends that the that the 'Development Control' provisions on the finalised LDP addresses the management, control and prevention of migration (into the NCWHA) of weed species within and around the proposed development site.</i></p> <p>Planning within and adjacent to the NCWHA</p> <p>The Committee notes that there are inconsistencies between the LPS4 of Exmouth Shire and other planning documents. For example, the LDP does not seem to address guiding principles 9 and 10 of State Planning Policy 6.3- Ningaloo Coast https://www.dplh.wa.gov.au/getmedia/3c7088f1-8ed4-45b0-b9f1-578d8536f547/SPP_6-3_ningaloo_coast.</p> <p><i>The Committee recommends a complete review of the Vhamingh Head masterplan to assist providing a consistent approach to planning within and adjacent to the NCWHA which aligns with World Heritage management obligations.</i></p> <p>If you would like further information on the above-mentioned Committee recommendations please contact myself or Tegan Gourlay, World Heritage Program Manager, Ningaloo Coast, details below</p>		
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<p>Department of Biodiversity, Conservation and Attractions</p>	<p>Thank you for the opportunity for the Department of Biodiversity, Conservation and Attractions (DBCA) to provide comment on the proposed Local Development Plan (LDP) for the Ningaloo Lighthouse Holiday Park at Lot 2 and Lot 557 Yardie Creek Road, Northwest Cape, Exmouth.</p> <p>DBCA has reviewed the proposed LDP and provides the following advice pursuant to its responsibilities under the <i>Conservation and Land Management Act 1984</i> and the <i>Biodiversity Conservation Act 2016</i> (BC Act) and associated regulations.</p> <p>The proposed LDP is located adjacent to the World Heritage listed Ningaloo Marine Park and Jurabi Coastal Park which provide habitat for the green (<i>Chelonia mydas</i>), loggerhead (<i>Caretta caretta</i>) and hawksbill (<i>Eretmochelys imbricata</i>) turtles. These species are listed as threatened species under the BC Act.</p> <p>Artificial lighting associated with implementation of the proposed LDP, in its current form, is considered likely to impact on nesting turtles and their hatchlings in significant rookeries. Prior to approval of the proposed LDP, an assessment of impacts on turtle nesting beaches from lighting associated with the proposed development is required to be undertaken by adequately qualified and experienced personnel. This assessment should also consider the cumulative impact of artificial lighting along the extent of nesting beaches in the region. The assessment of light impacts is required to determine if the proposal can be implemented without unacceptable impacts to nesting turtles and hatchlings.</p> <p>Planning context DBCA understands that development in the area is</p>	<p><u>Lighting Impact Assessment – Turtle Impacts</u></p> <p>This has been addressed in previous responses and an appropriate lighting management plan will be provided at the development application stage, with a provision having been included in the revised LDP to reflect this. This is considered sufficient to ensure that any development that is visible from the coast has appropriate regard for the impact of lighting on turtle nesting habitats.</p> <p><u>Visitor Management Plan – Turtle Impacts:</u></p> <p>The suggested lighting management plan is considered sufficient to address the impact of the proposal on nesting turtle habitats, noting that:</p> <ol style="list-style-type: none"> a. The LDP seeks to facilitate the redevelopment of an existing tourism asset only, with no intended increase in overnight visitor numbers, and therefore there will be no increase in indirect human pressures on nesting habitats; and b. The nesting habitats themselves are located outside the boundaries of the subject site, such that the development will have no direct physical impact on nesting habitats. <p>As such, the benefits of a proponent-led visitor management benefit would be negligible. DBCA may wish to separately consider a broader regional strategy, if deemed necessary.</p> <p><u>Black-Flanked Rock-Wallabies:</u></p> <p>The need to potentially assess the impacts on rock-wallabies at the development application stage is noted. However, it is not considered necessary to include an LDP provision to this</p>	<p>Noted and acknowledge the amended LDP document to include reporting requirement at the development application stage.</p> <p>See above comment.</p> <p>The proponent has sent in three perspectives to show concept development, the proponent also advises that any three-storey component is more for features/statement rather than solid built bulk.</p> <p>It is noted that this element is covered in the environmental report available as an attachment with the OCM report.</p>
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	<p>expected to be in accordance with the Statement of Planning Policy Number 6.3 (Ningaloo Coast) and the Vlamingh Head Masterplan (2008). One of the key design imperatives detailed in the Vlamingh Head Masterplan requires that any development is single-storey.</p> <p>OBCA notes that the proposed LOP includes a three-storey development with a commitment that "<i>external lighting will not cause disruption to nocturnal or breeding animals</i>". This commitment is acknowledged however does not demonstrate a level of mitigation that would result in no or low impacts to matters protected under the BC Act.</p> <p>It is noted in the Vlamingh Head Masterplan that proponents are encouraged to work with OBCA at the initial development stage to develop appropriate management solutions to potential impacts to turtles and OBCA welcomes further discussion with the proponent in this regard.</p> <p>Lighting impacts on turtles</p> <p>Several significant rookeries are known to occur within 10 kilometres (km) of the proposed development, including Lighthouse Bay, Hunters Access Beach and Mauritius Beach, which are directly adjacent to the proposed development. All three beaches have nationally significant green and loggerhead turtle activity compared to the rest of the Ningaloo coast while Hunters Access and Mauritius beaches also have the highest nesting activity for hawksbill turtles in the Ningaloo area (Markovina 2017; Rob et al. 2018).</p> <p>Artificial light pollution has been identified as a major threat for sea turtles in the Recovery Plan for Marine Turtles in Australia (2017) as it disturbs critical behaviour. For example, evidence shows that artificial lighting increases the mortality rate of sea turtle hatchlings</p>	<p>effect, as this can be appropriately addressed at the development application stage by virtue of the standard considerations listed under Clause 67 of the Deemed Provisions contained within the LPS Regulations, with particular reference to sub-clauses (n) and (o).</p> <p><u>Visual Impact Assessment:</u></p> <p>This has been addressed in previous responses and will be provided at the development application stage. A provision has been included in the revised LDP to reflect this.</p> <p><u>Matters of National Environmental Significance:</u></p> <p>These comments regarding the need to discuss any potential impacts to Matters of National Environment Significance with the Department of the Environment and Energy are duly noted. The requirement to do so will be duly considered as the redevelopment project progresses, following adoption of the LDP.</p> <p><u>Cultural Matters:</u></p> <p>In relation to Indigenous heritage, it is noted that any subsequent development proposal would need to comply with the requirements of the <i>Aboriginal Heritage Act 1972</i> at the development application stage. This will ensure that any subsequent development respects any areas of Indigenous heritage value.</p>	<p>Refer to the lodged visual perspective (attached). Reporting requirements now included in the development application as per amended LDP document.</p> <p>See above earlier comments.</p> <p>Noted and concur.</p>
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	<p>because it interferes with hatchlings' ability to find their way from their nests on the beach to the sea (e.g. Whitherington and Bjomdal, 1991; Tuxbury and Salmon, 2005; and Lome and Salmon, 2007; Kamrowski et al. 2014; Price et al. 2018).</p> <p>The beaches surrounding the development are considered 'significant rookeries'. The term 'significant rookeries' is referenced in the Environmental Protection Authority's (EPA) <i>Environmental Assessment Guideline for protecting marine turtles from artificial light impacts</i> (EAG 5) (2010). In addition to undertaking a lighting assessment, the proponent should also consider how the proposed development meets or will meet the requirements of the EAG 5. The EAG 5 recommends, amongst other controls, that a 'darkness zone' is maintained within at least 1.5 km of nesting beaches and that a horizon glow is avoided. Positioning a development out of sight of the coast is considered the most effective solution to meet these requirements.</p> <p>Should the assessment of lighting impacts identify the potential for significant impacts on turtles, the Shire of Exmouth should consider if the proposed LOP requires referral to the Environmental Protection Authority under the <i>Environmental Protection Act 1986</i>.</p> <p>Visitor impacts to turtles</p> <p>Should the proposed LOP be approved, it is likely to result in an increase in day and overnight visitors to adjacent beaches. This may increase the potential for disturbance of nesting turtles and hatchlings as well as disturbance to nesting habitat. A management plan that minimises or avoids potential impacts should be provided to support a future development application. It is recommended that the management plan is endorsed by OBCA prior to submission.</p>		
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	<p>Black-flanked rock-wallabies</p> <p>A colony of the threatened black-flanked rock-wallaby (<i>Petrogale lateralis</i>) is known in close proximity (e.g. less than 5 km) from the site and the foraging extent of these animals has not yet been confined. The proponent should be advised that potential impacts to this species should be considered and addressed should a development application be submitted in the future.</p> <p>Seascapes</p> <p>The visual amenity of the Ningaloo Marine Park, in particular the seascape, has been identified as a key performance indicator for the park. The <i>Management Plan for the Ningaloo Marine Park and Muiron Islands Marine Management Area 2005-2015</i> identifies that inappropriate structures along the coastline have the potential to degrade the aesthetic value of the area. The Management Plan requires that coastal vistas are generally uninterrupted. The proponent must include a visual impact assessment, which demonstrates impact to the seascape have been minimised, to support a future development application.</p> <p>Matters of National Environmental Significance</p> <p>The proposed LOP is located in close proximity to the Ningaloo Coast World Heritage Area that was recognised in 2011 for Outstanding Universal Value and is protected as a matter of national environmental significance (MNES) under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>. The three species of turtle and the black-flanked rock-wallaby are also recognised as MNES under the Act.</p> <p>The proponent should be advised that any potential significant impacts to the MNES, including impacts to</p>		
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	<p>both the environmental values and visual amenity of the World Heritage Area, should discussed with the Australian Government Department of the Environment and Energy to determine assessment requirements.</p> <p>Cultural matters DBCA has signed an Indigenous Land Use Agreement with the Gnulli Native Title Claimants encompassing the waters and shoreline of the Ningaloo Marine Park, with the area to be jointly managed. It is recommended that the proponent also considers the cultural significance of the site and contacts the Yamatji Marlpa Aboriginal Corporation regarding any possible requirements. Should you require further information please contact Kirsten Mannion (Conservation Officer- Development Management) via kirsten.mannion@dbcawagov.au or 08 9182 2034.</p>		
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STATUTORY ENVIRONMENT

Planning and Development (Local Planning Schemes) Regulations 2015.

Ningaloo Coast Regional Strategy – Carnarvon to Exmouth (2004).

Ningaloo Coast Sub-Regional Planning Strategy (2018)

Future Directions of the Ningaloo Coast Regional Strategy (2019).

Vlamingh Head Master Plan (2008)

Framework for Local Development Plans (WAPC Aug 2015)

Shire of Exmouth Local Planning Strategy (2019)

Shire of Exmouth Local Planning Scheme No.4 (2019)

POLICY IMPLICATIONS

There are no identified policy implications.

FINANCIAL IMPLICATIONS

There are no identified financial implications.

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.
- Leadership: To provide open transparent, accountable leadership working in collaboration with our community.
- 4.1 To provide proactive, collaborative and transparent leadership

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

ITEM 12.2.4

That Council, pursuant to Sch.2, Pt.6, Cl.52 of the *Planning and Development (Local Planning Scheme) Regulation 2015* resolved to:

1. APPROVE the modified local development plan (LDP) inserting new clause as follows:

13. Development Application Requirements

As part of any significant redevelopment of the subject site, the following information will be required at the development application stage:

- *A coastal hazard risk assessment;*
- *A visual landscape impact assessment;*
- *A lighting management plan, addressing the impacts of light spill on nesting turtle habitats;*
- *A water extraction and pollution control plan, addressing potential impacts on subterranean fauna;*
- *A servicing infrastructure report, addressing the provision of essential utilities and services;*
- *An access management strategy;*
- *An odour management plan, for any development within the 500-metre buffer around the existing sewage treatment ponds; and*
- *Environmental assessment.*

2. AUTHORISE the Chief Executive Officer to sign and approve the modified Local Development Plan (V.6 – 23 May 2019).

Note:

The Deputy Chief Executive Officer advised Council at the start of the report that there were two addendums to the body of the report.

Proposed Amended 1:

Table 3 – Schedule of submissions currently states that the submission is from the Department of Biodiversity, Conservation and Attraction's when in fact it is from 'The Ningaloo Coast World heritage Advisory Committee' it is recommended that the report be amended accordingly.

Proposed Amended 2:

That Council, pursuant to Sch.2, Pt.6, Cl.52 of the *Planning and Development (Local Planning Scheme) Regulation 2015* resolved to:

- A lighting impact assessment, addressing the impacts of light spill on nesting turtle habitats

COUNCIL RESOLUTION

ITEM 12.2.4

Res No: 05-0519

MOVED: Cr Lucas

SECONDED: Cr Dixon

That Council, pursuant to Sch.2, Pt.6, Cl.52 of the *Planning and Development (Local Planning Scheme) Regulation 2015* resolved to:

1. APPROVE the modified local development plan (LDP) inserting new clause as follows:

13. Development Application Requirements

As part of any significant redevelopment of the subject site, the following information will be required at the development application stage:

- ***A coastal hazard risk assessment;***
- ***A visual landscape impact assessment;***
- ***A lighting impact assessment, addressing the impacts of light spill on nesting turtle habitats;***
- ***A water extraction and pollution control plan, addressing potential impacts on subterranean fauna;***
- ***A servicing infrastructure report, addressing the provision of essential utilities and services;***
- ***An access management strategy;***
- ***An odour management plan, for any development within the 500-metre buffer around the existing sewage treatment ponds; and***
- ***Environmental assessment.***

2. AUTHORISE the Chief Executive Officer to sign and approve the modified Local Development Plan (V.6 – 23 May 2019).

CARRIED 6/0

COMMERCIAL AND COMMUNITY

12.3.1 BABCOCK OFFSHORE SERVICES AUSTRALASIA PTY LTD SUBLEASE WITHIN LEARMONTH TERMINAL

File Reference:	CP.LE.13
Responsible Officer:	Executive Manager Commercial and Community
Date of Report:	20 May 2019
Applicant/Proponent:	Babcock Offshore Services Australasia Pty Ltd
Disclosure of Interest:	Nil
Attachment(s):	1. CONFIDENTIAL – Lease Agreement Shire of Exmouth and Babcock Offshore Services Australasia Pty Ltd

PURPOSE

This report recommends that Council approve to sublease an office to Babcock Offshore Services Australasia Pty Ltd (Babcock) located within the fixed wing terminal at Learmonth Airport at Lot 102 on Plan 180508 and being the whole of the land comprised within Certificate of Title Volume 1392 Folio 461.

BACKGROUND

Babcock are an international air transport operation providing rotary wing services including offshore oil and gas transport and search and rescue services. Babcock will commence services to and from the Learmonth Airport on behalf of resource client Santos and are seeking to lease a small office space to support this level of activity.

The proposed lease area is approximately 9m² and located within the main Learmonth fixed wing terminal.

COMMENT

The lease commencement date is 1 June 2019 with services to commence prior to 1 July. Other terms and conditions are included in the lease attached to this item marked confidential.

The main purpose for use of the office is to accommodate a Babcock engineer who will be on site from time to time to service the Babcock aircraft as required. The 9m² office space is located behind the main passenger check-in counter, is fully secured and is currently unused.

Babcock staff possess all required air side access accreditations.

There is no existing sub meter to determine power usage for this leased area, however calculations have been determined based on similar leaseholders usage for basic power, lighting and limited use of a small air conditioner.

CONSULTATION

Babcock Offshore Services Australasia Pty Ltd

Department of Defence

STATUTORY ENVIRONMENT

Local Government Act 1995, Part 3 Division 3 s. 3.58

POLICY IMPLICATIONS

The terms and conditions of the new lease agreement comply with Shire of Exmouth Policy Manual, Policy 2.4 Leases. As per the policy all new leases and sub-leases shall require approval of Council.

FINANCIAL IMPLICATIONS

As per Shire Policy 2.4 Leases;

- All costs associated with the development, execution and completion of the lease documentation will be met by the Lessee.
- All costs associated with the development and ongoing operations of the lease area will be met by the Lessee.

Annual Lease & Utilities Fee are in accordance with market commercial rate.

STRATEGIC IMPLICATIONS

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

Economic	<p><u>Diversify and grow our economy in a manner that provides year round employment opportunities</u></p> <p>1.1 A diverse and environmentally aware local economy that can attract business investment and provide employment opportunities</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>2.3 Advocate and promote opportunities for the development of environmentally sustainable essential infrastructure and services</p>
Social	<p><u>To be a vibrant, passionate and safe community valuing our natural environment and unique heritage</u></p> <p>3.1 Explore opportunities to deliver services and facilities that attract and retain people living in the Shire.</p>

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

ITEM 12.3.1

That Council APPROVE:

- 1 Babcock Offshore Services Australasia Pty Ltd to sublease approximately 9m² office area, in the main fixed wing terminal at Learmonth Airport as per the terms and conditions listed in Lease Schedule marked confidential attachment 1 to this report.
- 2 Any sublease agreement to be subject to Department of Defence approval in accordance with the Shire's Head Lease.

COUNCIL RESOLUTION

ITEM 12.3.1

Res No: 06-0519

MOVED: Cr Mounsey

SECONDED: Cr Penfold

That Council APPROVE:

- 1 **Babcock Offshore Services Australasia Pty Ltd to sublease approximately 9m² office area, in the main fixed wing terminal at Learmonth Airport as per the terms and conditions listed in Lease Schedule marked confidential attachment 1 to this report.**
- 2 **Any sublease agreement to be subject to Department of Defence approval in accordance with the Shire's Head Lease.**

CARRIED 6/0

CORPRATE SERVICES

The following reports were recommended en bloc: 12.4.1, 12.4.2, 12.4.3 and 12.5.1

12.4.1 FINANCIAL STATEMENTS FOR PERIOD ENDING 30 APRIL 2019

File Reference:	FM.FL.0
Responsible Officer:	Executive Manager Corporate Services
Date of Report:	13 May 2019
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Monthly Financial Report as at 30 April 2019

PURPOSE

This report recommends Council accepts the financial reports for the financial period ending 30 April 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 April, operating revenue is exceeding target by 4% with major movement being in Fees & Charges and Grants & Contributions.

Operating expenditure budget is under by 9.5% mainly through works maintenance employee costs, materials & contracts and utility charges expense.

The capital program is currently under budget due to the delay in some projects with the bulk of these projects being undertaken over the next few months. The Ningaloo Centre solar project, Learmonth apron extension and Administration Centre upgrade will not be undertaken in 18/19 and will be considered in 19/20 Budget.

Rates debtors outstanding are \$410,718 with recovery slightly below last year's recovery rate however, \$194,370.73 of this is currently subject debt recovery.

General debtors is \$1,348,177 with the \$681,484 of the current debt being for airport operations and for April and \$248,600 for community grants income. \$14,840 is currently subject to debt recovery.

Council is currently receiving an average of 2.66% return on investments.

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

OFFICER'S RECOMMENDATION

ITEM 12.4.1

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

COUNCIL RESOLUTION

ITEM 12.4.1

Res No: 07-0519

MOVED: Cr Niikkula

SECONDED: Cr Mounsey

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

CARRIED 6/0

12.4.2 LIST OF ACCOUNTS FOR PERIOD ENDING 30 APRIL 2019

File Reference:	FM.FI.0
Responsible Officer:	Executive Manager Corporate Services
Date of Report:	14 May 2019
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	21. List of Accounts for period ending 30 April 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.

March Payments

Municipal Fund	totalling \$792,121.41 Incorporating cheques, direct debits, electronic payments and credit cards.
Trust Fund	totalling \$376.61 Incorporating electronic payments.
Total Payments:	\$792,498.02

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

OFFICER'S RECOMMENDATION

ITEM 12.4.2

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 April 2019 (totalling \$792,498.02).

COUNCIL RESOLUTION

ITEM 12.4.2

Res No: 08-0519

MOVED: Cr Niikkula

SECONDED: Cr Mounsey

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 April 2019 (totalling \$792,498.02).

CARRIED 6/0

12.4.3 RFQ10-2019 INFORMATION TECHNOLOGY HARDWARE

File Reference:	IT.AQ.1
Responsible Officer:	Executive Manager Corporate Services
Date of Report:	2 May 2019
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment	1. CONFIDENTIAL – Evaluation Report

PURPOSE

That Council consider awarding the contract for leasing of its Information Technology Hardware as recommended in the attached the confidential evaluation report.

BACKGROUND

This matter was presented to Council at the March 2019 Ordinary Council Meeting and the following resolution was made:

1. **APPROVE leasing of the IT asset from 1 July 2019 to 1 July 2023, the estimated value of this project is \$237,000.**

CARRIED 6/0

COMMENT

The Shire sourced suppliers from the WALGA Procurement panel and our Request for Quote was sent to the three suppliers on the Panel. These three suppliers were:

1. HPE Financial Services
2. All Leasing PTY LTD
3. Capital Finance.

The Project Brief was:

"The Shire of Exmouth is seeking to replace some of its existing IT Hardware Infrastructure and would like quotations to replace the equipment under a new lease arrangement over a four year period. The lease amount must be clearly identified with an annual amount column and a life of lease amount for each item. It is also required that an annual and life of lease amount be identified for each category detailed below with GST being identified separately. Equipment should be provided with minimum four year warranty, but no less than the period of the new proposed lease.

It is anticipated that several items under the current lease arrangement will be bought out and retained for ongoing use, these will include monitor, switches, fibre connections, wireless connections and other IT peripherals.

Vendors should include separate costs for the supply and the install of these new leased assets, and separate amount for returning the existing items to the current lease provider in Perth, WA"

The specifications were also very specific to our requirements and itemised to be addressed individually, these specifications were included in the March 2019 Ordinary Council Meeting Agenda.

The Shire received formal quotations from two suppliers as detailed in the confidential evaluation report at Attachment 1.

CONSULTATION

Western Australian Local Government Association

STATUTORY ENVIRONMENT

Local government Act 1995, Part 3, Division 3, Section 3.55

- (2) Tenders do not have to be publicly invited according to the requirements of this Division if —
- (b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program;

POLICY IMPLICATIONS

Policy 2.7 – Purchasing Policy

FINANCIAL IMPLICATIONS

There is effect on the 19/20 budget because the lease fee as the Annual Lease Cost approximately \$36,110 (for 10 months), annual maintenance of \$5,000 per year for switches and once off buy out of monitors and other IT peripheral equipment of \$10,000.

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

OFFICER'S RECOMMENDATION

ITEM 12.4.3

That Council:

1. Award the contract for RFQ10-2019 – Information Technology Hardware as per the recommendation in the Confidential Evaluation Report; and
2. Record the recommendation for contract RFQ10-2019 as provided in the Confidential Evaluation Report, in the meeting minutes.

COUNCIL RESOLUTION

ITEM 12.4.3

Res No: 09-0519

MOVED: Cr Niikkula

SECONDED: Cr Mounsey

That Council:

- 1. Award the contract for RFQ10-2019 – Information Technology Hardware as per the recommendation in the Confidential Evaluation Report; and**
- 2. Request for Quotation RFQ10-2019 provided in the Confidential Evaluation Report, be awarded to HP Financial Services.**

CARRIED 6/0

ITEMS FOR INFORMATION ONLY

12.5.1 ITEMS FOR INFORMATION ONLY

PURPOSE

To advise Council of the information items 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.

DATE	DOCUMENT
02/05/19	Sublease Agreement between Shire of Exmouth and CHC Helicopters Services

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 April 2019.

App #	Date Received	Lot	Property Address	Description	Decision	Decision Date
18/74	11/12/2018		Jurabi Turtle Centre	Jurabi Ocean Monitoring Station - Expansion of existing DBCA shed	Awaiting Info	
19/20	12/03/2019	108	Lot 108 (15) Snapper Loop	Residential dwelling & swimming pool	Approved	01/05/2019
19/26	05/04/2019	318	Lot 318 Minilya-Exmouth Road	Carport	Approved	16/04/2019
19/27	08/04/2019		2 Carpenter Street	Storage & BBQ shed	Approved	24/04/2019
19/29	08/04/2019	296	Lot 296 Lyndon Location	Aquaculture farming shed fsc1	Approved	16/04/2019
19/31	26/04/2019	112	lot 112 (19) Tautog street	Rear boundary fence	Approved	13/05/2019
19/32	29/04/2019	296	Lot 296 Lyndon Location	2 x water tanks	Approved	13/05/2019
19/34	30/04/2019	158	Lot 158 (59) Snapper Loop	Steel framed shed	Approved	11/05/2019

Planning Decisions Issued

A summary of the planning decisions issued under delegation up to 30 April 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	Advertising	
PA8/19	21/01/19	37	6 Pelias Street/ Murat Road	Proposed construction of fuel filling station and vehicle wash	Deferred	08/02/19
PA9/19	23/01/19	4	21A Ningaloo Street	Single dwelling	Approved	02/05/19
PA12/19	29/01/19	411	36 Madaffari Drive	Residential new dwelling	Deferred	20/03/19
PA14/19	31/01/19	36	2 Pelias Street	Dive shop addition, sign and covered parking area	Advertising	
PA16/19	04/02/19	152	23 Hunt Street	Veranda	Deferred	04/02/19
PA18/19	13/02/19	227	46 Kennedy Street	Caravan shelter	Processing	
PA19/19	15/02/19	2	Yardie Creek Road	Proposed Local Development Plan Ningaloo Lighthouse Caravan Park	OCM May 30	
PA21/19	20/02/19	132	59 Skipjack Circle	Outbuilding	Approved	07/05/19
PA25/19	28/02/19	321	Minilya-Exmouth Road	Single dwelling	Approved	13/05/19
PA28/19	05/03/19	434	88 Madaffari Drive	Private jetty	Processing	
PA31/19	12/03/19	158	59 Snapper Loop	Shed storage	Approved	18/04/19
PA32/19	13/03/19			Scheme Amendment 1 to LPS4	Deferred	
PA34/19	19/03/19	92	11 Bluefin Cove	Single house	Processing	
PA38/19	29/03/19	366	4 Corella Court	Single storey dwelling 4 x 2	Deferred	09/05/19
PA39/19	29/03/19	901	7 Patterson Way	Industrial premise - shed	Processing	
PA40/19	04/04/19	750	83 Nimitz Street	Carport addition to single house	Approved	02/05/19
PA41/19	05/04/19	108	15 Snapper Loop	Proposed outbuilding	Deferred	12/04/19
PA48/19	17/04/19	102	441 Murat Road	Carport	Deferred	17/04/19
PA50/19	23/04/19	130	55 Skipjack Circle	Garage addition to single house	Approved	07/05/19
PA49/19	18/04/19	451	11 Gndaroo Road	Home occupation - hair studio	Processing	
PA51/19	24/04/19	1370	7 Heron Way	Holiday accommodation	Processing	

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

App #	Date Received	Description.	Decision	Permit issued
PA42/19	05/04/2019	Banner sign - Evolution Fishing Charters - Murat Road	Cancelled	13/05/2019
PA43/19	02/04/2019	Donut stall at the outdoor cinema	Issued	09/04/2019
PA44/19	10/04/2019	Spud Van at old Visitors Centre Carpark – 20-22 and 28-31 May	Issued	10/04/2019
PA45/19	12/04/2019	Easter Church Service - Lighthouse Carpark	Issued	12/04/2019
PA46/19	15/04/2019	WAIFS 8th June 2019. - Federation Park, Mobile Food Vans x 2 and Bar Area	Cancelled	13/05/2019
PA47/19	16/04/2019	Wedding Ceremony at Vlamingh Lighthouse - 31 August 2019	Issued	13/05/2019

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 April 2019; and
- Planning Decisions Issued up to 30 April 2019.

COUNCIL RESOLUTION

ITEM 12.5.1

Res No: 10-0519

MOVED: Cr Niikkula

SECONDED: Cr Mounsey

That Council note the following information items:

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

CARRIED 6/0

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

Nil

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

Nil

15. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS

Nil

16. CLOSURE OF MEETING

The Shire President declared the meeting closed at 5.10pm.