

SHIRE OF EXMOUTH



ORDINARY COUNCIL MEETING

MINUTES

19 JULY 2012

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on 16th August 2012 as a true and accurate record of the Ordinary Council Meeting held on 19th July, 2012.

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

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


DISCLAIMER

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

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

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

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ORDINARY COUNCIL MEETING MINUTES

Our Vision

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

Our Purpose

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

Our Strategic Objectives

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

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 3.05pm.

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

Councillor C (Turk) Shales
Councillor S Fitzgerald
Councillor R Winzer
Councillor M Hood
Councillor J Warren
Councillor G Thompson
Mr K Woodward
Mrs Sue O'Toole
Mr R Kempe
Mr R Manning
Mr R Mhasho
Mr A Forte

Shire President
Deputy Shire President

Acting Chief Executive Officer
Executive Manager Corporate Services
Executive Manager Community Engagement
Executive Manager Health & Building
Executive Manager Town Planning
Executive Manager Aviation Services

GALLERY

Visitors

9

APOLOGIES

Mr B Price

Chief Executive Officer

LEAVE

Nil

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTIONS TIME

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

Council Consideration Towards Public

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

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

Nil

5 APPLICATIONS FOR LEAVE OF ABSENCE

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

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

Nil

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 21 June 2012 be confirmed as a true and correct record of proceedings.

COUNCIL DECISION – 01-0712 - ITEM 6
--

Moved Councillor Winzer, Seconded Councillor Thompson.

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 21 June 2012 be confirmed as a true and correct record of proceedings.

CARRIED 6/0

7. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

8. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

9. REPORT OF COUNCILLORS

Councillor Winzer addressed Council with an update on the Fish Waste Management Issue.

Councillor Warren addressed Council with thanks for his card and gift he received when unwell. He also gave Council an update on the Qantas Learmonth to Karratha flight progress, advising that Roebourne Shire Council had recently waived all landing fees for a period of 12 months for the route.

9.1 Shire Presidents Report

Location: Exmouth
Applicant: Cr C (Turk) Shales
File Reference:
Disclosure of Interest: Nil
Date: 10 July 2012
Signature of Author:



SUMMARY

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

BACKGROUND

Meetings attended over the past month:

- Met with Carlin Hughes from Chevron on 28 June, he has received a promotion, he is moving to a training facilitator within the company, a new community engagement officer has not been appointed at this stage.
- Met with Rio Tinto, Jarques, Janet and Rob, they intend to address Council at the next meeting as to current and future plans for FOFL.
- Had meetings with a number of public identities with regards to operational matters.
- Had an interview with GWN on 26 June regarding planning for the future of Exmouth.
- Had an interview with Kristy McQueen from ABC Radio on 29 June with regards to the Census 2011 results.
- Attended the Exmouth Landgroup Meeting on 3 July. Had discussions with regards Defence Logistics, Native Title issues within Onslow and Exmouth, was informed of the \$8.1million Health Campus project being approved with construction to begin in 2013/14.
- Attended the Exmouth Cultural Arts Senior Citizens Arts and Crafts on 14 July of which the Shire sponsors \$250 in prizes and handed out 10 certificates to winners of certain categories.
- Attended the Exmouth Cultural Arts Centre Display in the Shire Hall on Tuesday 17 July where I was a judge along with two others.
- Had a meeting with Robin Chapple MLC Member for Mining and Pastoral Region on 11 July, discussions included Oil & Gas Mining, FIFO and the affects Karratha and Port Hedland are experiencing.
- Had an interview with Kristy McQueen on ABC Radio regarding the Minister for Planning's Decision and the future of Exmouth.
- Had an interview with Branwen Smith from the Northern Guardian regarding the Minister's Decision and the future of Exmouth also.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

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

VOTING REQUIREMENTS

Simple Majority

COUNCILLOR'S RECOMMENDATION – 9.1

That the Shire of Exmouth receive the Shire Presidents Report for the month of July2012.

COUNCIL DECISION – 02-0712 – 9.1

Moved Councillor Fitzgerald, Seconded Councillor Thompson.

That the Shire of Exmouth receive the Shire Presidents Report for the month of July2012.

CARRIED 5/0

Due to public attendance the Shire President requested to have the following item 10.6.8 bought forward as the next item for discussion.

10. REPORTS OF OFFICERS

10.6 Executive Manager Town Planning

10.6.8 Activity on Local Government Property - Simmo's Mobile Scoop Shop stallholder application

Location:	Exmouth Visitors Centre Car Park
Applicant:	Simmo's Mobile Scoop Shop and Country Cappuccinos
File Reference:	LP.PE.0
Disclosure of Interest:	Nil
Date:	2 February 2012
Author:	Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer:

Chief Executive Officer, Bill Price

SUMMARY

This report recommends that the Council of the Shire of Exmouth grant/ refuse approval for Simmo's Mobile Scoop Shop to trade on Council property referred to as the Visitor Centre, subject to standard permit conditions.

BACKGROUND

An application has been received by Council requesting permission to trade for a period 10 days (23 July- 1 August) operating between 9am and 6pm; area 21sqm. Council gave approval for Simmo's Mobile Scoop Shop to trade from 9- 22 July 2012. The applicant requests Council extends the period by another 10 days. Listed below is an application summary.

Application summary:

- Simmo's Mobile Scoop Shop: 10 days (23 July- 1 August) operating between 9am and 6pm; area 21sqm.

COMMENT

The stallholder applications can be assessed against the *Activities on Thoroughfares and Trading in Thoroughfares and Public Places Amendment Local Law 2009*. In determining whether to grant approval, Council is to have due regard to "any relevant policies of the local government; the desirability of the proposed activity; the location of the proposed activity and such other matters as the local government may consider to be relevant in the circumstances of the case."

In December 2011, Council noted that "any application from a trader wishing to operate longer than two weeks will be referred to the full Council for consideration." The resolution provided R45402 (Exmouth Visitors Centre) an exemption to clause 6.8(2)(a) of the local law which states:-

"a stallholder or trader shall not attempt to conduct a business within a distance of 300 metres of any shop or permanent place of business and has for sale any goods or services of the kind being offered for sale by the stallholder or trader."

Two options are presented to Council to consider;

1. To approve the application based on the information from the community survey presented to Council during the December 2011 OCM.

OR

2. Refuse the application based on the Petition and complaints received from Local businesses.

CONSULTATION

A petition against out of town traders was received from local business (refer *Attachment 11*)

STATUTORY ENVIRONMENT

Local Government Act 1995

Activities on Thoroughfares and Trading in Thoroughfares and Public Places Amendment Local Law 2009

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Strategic Objective: 2 - To consistently apply the Principles of Good Governance

- Key Actions 1.To continue ethical and responsible decision making

Strategic Objective 4: To promote socioeconomic development

- Key Actions 1. Manage land use development
2. Promote culture, arts and recreation
 3. Support and manage tourism

Strategic Objective 5: To value our environment and heritage

- Key Actions 1. To develop and implement policies and statutory processes that ensure balanced decision making

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.6.8

That the Council of the Shire of Exmouth:

Grants approval for Simmo's Mobile Scoop Shop stallholder applications to trade on Council property referred to as the Visitor Centre car park, subject to standard permit conditions.

Or

Refuse Simmo's Mobile Scoop Shop stallholder applications to trade on Council property referred to as the Visitor Centre.

COUNCIL DECISION – 03-0712 – 10.6.8

Moved Councillor Warren, Seconded Councillor Fitzgerald.

That the Council of the Shire of Exmouth refuse Simmo's Mobile Scoop Shop stallholder application to trade on Council property referred to as the Visitor Centre.

CARRIED 4/2

Councillor Thompson and Councillor Hood voted against.

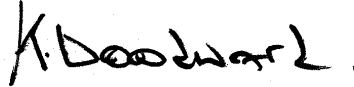
Note: Councillors requested that officers present an agenda for the August 2012 Council Meeting regarding the 15 December 2011 Ordinary Council Meeting Decision 14-1211 – ITEM 10.6.2 Community Survey – Traders out of Town.

10. REPORTS OF OFFICER

10.1 Chief Executive Officer

10.1.1 Chief Executive Officers Report

Location: Exmouth
 Applicant:
 File Reference:
 Disclosure of Interest: Nil
 Date:
 Author: Acting Chief Executive Officer, Mr K Woodward
 Signature of Author:



SUMMARY

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

BACKGROUND

Ningaloo Centre Project

As approved at the April ordinary meeting, Council called an Expression of Interest (EOI) for the design and construction of the Ningaloo Centre. The EOI has been extended to close on the 19 July 2012. Council has had an extraordinary amount of interest from potential contractors with 76 packages having been forwarded to date.

The CEO has been fielding many enquiries and has conducted numerous on-site meetings with potential builders this month as well as last month.

Staff

The positions of Airport Manager and Strategic Projects Officer have been advertised and close on the 20 July. Interviews have been conducted by the Administration Manager and EMTP for the position of Planning Officer, an applicant has been selected but start date has not yet been confirmed.

Other Meetings & Functions attended by the CEO

1. Cr Hood, EMCE and myself attended the Woodside CRG meeting at the Novotel on Monday 18 June.
2. Shire President and myself attended a meeting with Chevron and then a meeting with Rio Tinto at the Novotel on Wednesday 27 June.
3. EMTP, Shire President and myself attended a Landgroup Meeting on Tuesday 3 July.
4. EMCE and myself attended an EVC Meeting on Wednesday 4 July.
5. Councillors, Executive Managers and myself attended a Budget Review Meeting on Thursday 5 July.

Other Meetings Scheduled for this Month

1. EMAS and Acting CEO to attend the State Aviation Strategy Workshop to be held on Wednesday 25 July.
2. EMAS and Acting CEO to attend Aviation Community Consultative Meeting to be held on Thursday 26 July.
3. Shire President, Councillors and myself to travel to Perth for Local Government Week on Tuesday 31 July until Sunday 5 August.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.1.1

That the Shire of Exmouth receive the Chief Executive Officers/ Acting Chief Executive Officers Report for the month of July 2012

COUNCIL DECISION – 04-0712 – 10.1.1

Moved Councillor Fitzgerald, Seconded Councillor Hood .

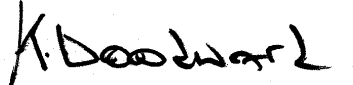
That the Shire of Exmouth receive the Chief Executive Officers/ Acting Chief Executive Officers Report for the month of July 2012.

CARRIED 6/0

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10. REPORTS OF OFFICER**10.1 Chief Executive Officer****10.1.2 New Delegation of Authority – Executive Manager Aviation Services**

Location: Exmouth
 Applicant:
 File Reference:
 Disclosure of Interest: Nil
 Date:
 Author: Acting Chief Executive Officer, Mr K Woodward
 Signature of Author:


SUMMARY

This report recommends that the Council for the Shire of Exmouth grant delegated authority to the Executive Manager Aviation Services to approve, charter flights, tech stop flights and general aviation, that are compliant with the extant Learmonth Airport Lease Agreement and Operating Deed between the Department of Defence and Shire of Exmouth; under conditions.

BACKGROUND

A need was identified by the Department of Defence to streamline the approval process for civilian aircraft movements at RAAF Learmonth. An improved process was examined and agreed in principal for all parties involved and the flight approvals under consideration relate to Charter Flights, Tech Stop Flights and General Aviation. A letter to this extent was sent to the Shire of Exmouth on 5 June 2012 by the Department of Defence. (Refer *Attachment 1*)

COMMENT

Department of Defence has delegated the Chief Executive Officer of Shire of Exmouth for his/her authorised delegate, the Executive Manager Aviation Services to approve, charter flights, tech stop flights and general aviation when the airfield is in a “Dormant State”, that are compliant with the extant Learmonth Airport Lease Agreement and Operating Deed between the Department of Defence and Shire of Exmouth; under certain conditions.

The new delegation is presented in *Attachment 2* and recommended for adoption.

CONSULTATION

RAAF/Department of Defence

STATUTORY ENVIRONMENT

Department of Defence Learmonth Airport Operating Deed

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

VOTING REQUIREMENTS

Absolute Majority

OFFICER’S RECOMMENDATION – 10.1.2

That the Council of the Shire of Exmouth adopts the new delegation shown in Attachment 2 of the report to allow the Executive Manager Aviation Services to approve, charter flights, tech stop flights and general aviation, that are compliant with the extant Learmonth Airport Lease Agreement and Operating Deed between the Department of Defence and Shire of Exmouth; under the conditions outlined by Department of Defence.

COUNCIL DECISION – 05-0712 – 10.1.2
--

Moved Councillor Winzer, Seconded Councillor Thompson.

That the Council of the Shire of Exmouth adopts the new delegation shown in Attachment 2 of the report to allow the Executive Manager Aviation Services to approve, charter flights, tech stop flights and general aviation, that are compliant with the extant Learmonth Airport Lease Agreement and Operating Deed between the Department of Defence and Shire of Exmouth; under the conditions outlined by Department of Defence.

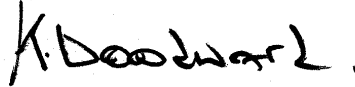
CARRIED 6/0

10. REPORTS OF OFFICER

10.1 Chief Executive Officer

10.1.3 Council Policy Manual Review – Community Engagement

Location: Exmouth
 Applicant: Acting Chief Executive Officer
 File Reference:
 Disclosure of Interest: Nil
 Date: 6 July 2012
 Author: Acting Chief Executive Officer, Keith Woodward
 Signature of Author:



SUMMARY

This report recommends the adoption of the new and reviewed Policies under the Community Engagement sphere of the Council Policy Manual.

BACKGROUND

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

The objectives of the Council's Policy Manual are:

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

Executive staff members have been conducting a major review of the existing Shire of Exmouth Policy Manual, with a number of changes recommended in line with industry standards and guidelines.

Due to the volume and complexities of the existing Policy Manual, it is intended that over the next few ordinary Council meetings, the Executive will present sections of the revised Manual based on the following departmental headings

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

This agenda item specifically relates to policies reviewed under the Community Engagement section.

COMMENT

The sections within the Policy Manual have been revised to reflect the current organisational structure. As such a new section has been included for the Community Engagement Department.

The Executive Manager Community Engagement provides a summary below of the existing Policies and the proposed changes to the same and as duly marked for your consideration:

Policy 4.1(Previously 5.1) Volunteering and Volunteer Management:

This policy is updated in line with the Policy Manual format and reference to the Volunteer Application Form.

Policy 5.2 Youth

This policy is recommended to be deleted since it is not a policy but a strategy. These and other approaches relating to young people in Exmouth are covered in the Exmouth Youth Plan and the Community Strategic Plan 2011.

Policy 5.3 Infant Health Centre

This policy is recommended to be deleted since it is not a policy but contains information that is already covered through a lease arrangement.

Policy 7.4 Tourism

This policy is recommended to be deleted since the content is made up of strategies while Council's approach to Tourism is already included in the *Community Strategic Plan 2011*, existing planning instruments and policies, and management orders or Memoranda of Understanding with tourism partners.

Policy 7.8 Library Charges

This policy is recommended to be deleted since Library Charges are regulated through Council's annual Schedule of Fees & Charges.

Policy 7.10 Parks and Reserves Use (Draft)

This policy is recommended to be deleted as it should never have been included in the Policy Manual as a draft (officers are unsure if this policy was ever formally adopted as it isn't a final policy). Currently, the use of Sporting Grounds is regulated through Council's booking services and Schedule of Fees & Charges.

Policy 7.11 Hire and Use of Shire Venues; Shire Hall and Recreation Centre

This Policy has assisted in regulating use of Shire venues by incidental users and regular users to ensure equitable availability of the facilities.

A new addition to this policy is reference to the Hard Courts at the Exmouth District High School.

A copy of the changes to original policies is provided at **Attachment 3**.

CONSULTATION

The policies have been considered by the Executive Managers before being presented to Council.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Policies: 5.1, 5.2, 5.3, 7.4, 7.8, 7.10, 7.11.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION – 10.1.3

That the Shire of Exmouth formally adopts the reviewed Policies numbered 4.1 to 4.2 contained within the Community Engagement section of the Council Policy Manual and delegate authority to the Chief Executive Officer to implement the adopted Council Policies where appropriate.

COUNCIL DECISION – 06-0712 – 10.1.3

Moved Councillor Hood, Seconded Councillor Winzer.

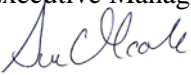
That the Shire of Exmouth formally adopts the reviewed Policies numbered 4.1 to 4.2 contained within the Community Engagement section of the Council Policy Manual and delegate authority to the Chief Executive Officer to implement the adopted Council Policies where appropriate.

CARRIED 6/0

10. REPORTS OF OFFICERS

10.2 Executive Manager Corporate Services

10.2.1 General Report

Location: Exmouth
 Applicant: S O’Toole
 File Reference: CM.RE.0/LS.CM.0
 Disclosure of Interest: Nil
 Date: 11 July 2012
 Author: Executive Manager Corporate Services, Sue O’Toole
 Signature of Author: 
 Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

RATES

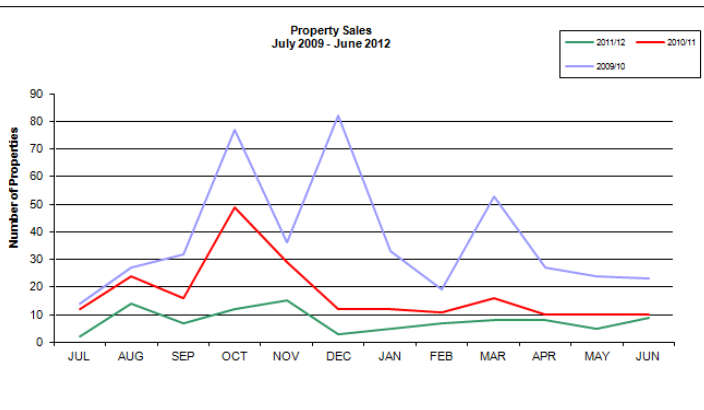
Property Sales

Below is a summary of properties sold during 2011/12:

2011/12 Summary of Property Sales

Number Sold	Land Usage	Total Sales	Average Sale
20	Vacant Land	\$7,806,500	\$390,325
69	Residential	\$34,729,000	\$503,319
4	Industrial	\$3,045,000	\$761,250
0	Composite Devel	\$0	\$0
0	Mixed Use	\$0	\$0
0	Special Use	\$0	\$0
2	Tourism	\$2,000,000	\$1,000,000
95		\$47,580,500	

Property Sales	2011/12	2010/11	2009/10
JUL	2	10	2
AUG	14	10	3
SEP	7	9	16
OCT	12	37	28
NOV	15	14	7
DEC	3	9	70
JAN	5	7	21
FEB	7	4	8
MAR	8	8	37
APR	8	2	17
MAY	5	5	14
JUN	9	1	13
	95	116	236

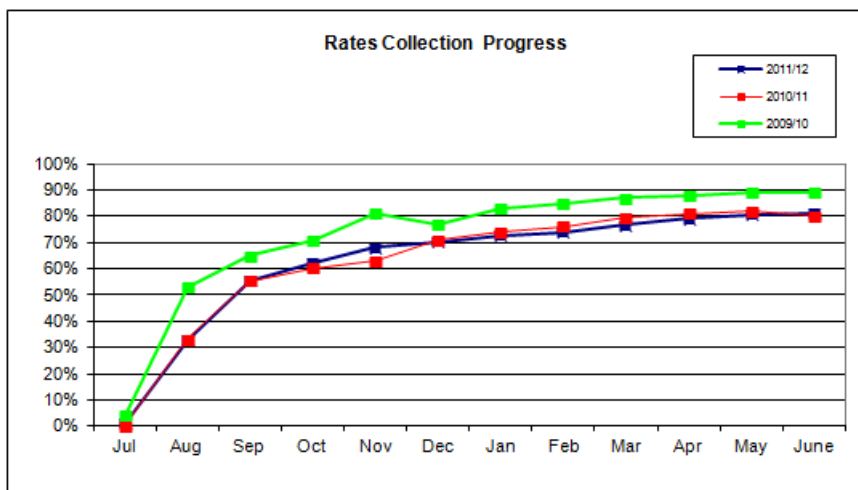


2011/12 Rates Collection Analysis

	\$
Rates & Charges Levied 2011/12	3,505,714
Arrears 1 July 2011	768,603
Less Collections	(3,446,454)
Total Rates & Charges Outstanding	827,863
Less Pensioner Deferred Rates	(10,502)
Total Rates Collectable	817,361
% Collected to Date	80.9%

Comparative percentage of rates collected monthly			
	2011/12	2010/11	2009/10
Rates Due Date	2/09/2011	2/09/2010	28/08/2009
Jul	1%	0%	4%
Aug	33%	33%	53%
Sep	56%	55%	65%
Oct	62%	60%	71%
Nov	68%	63%	81%
Dec	70%	71%	77%
Jan	72%	74%	83%
Feb	74%	76%	85%
Mar	77%	80%	87%
Apr	79%	81%	88%
May	81%	82%	89%
June	81%	80%	89%

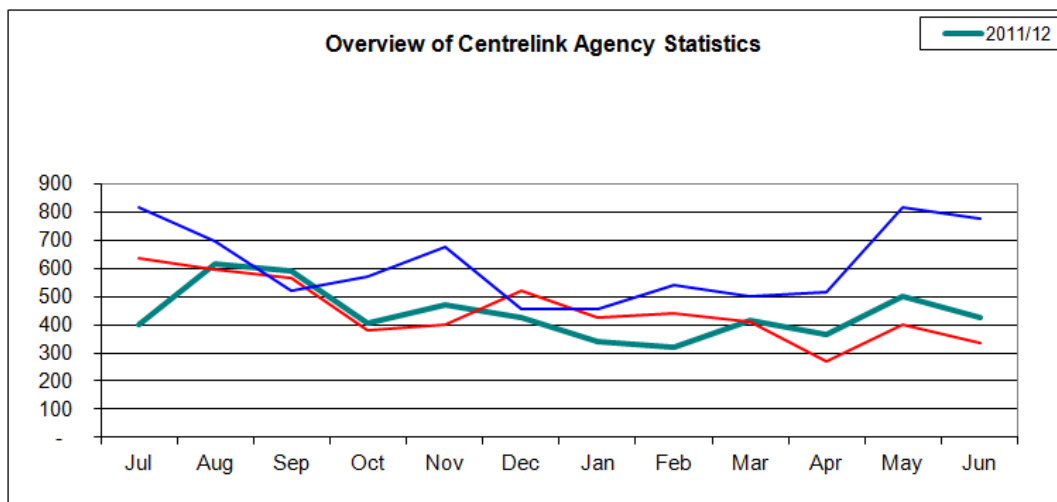
Graphical overview of Rates Collection



Centrelink Agency

Below is a summary of activities performed by Centrelink Agency during this financial year and when compared against year to date processes for the same period last year, there has been an overall reduction of 2%.

	Lodgement of Forms/Assist with Completion	Referrals to Call Centre & CSC	Assist with use of Equipment & Computer	Respond to General Enquiries	TOTAL		2011/12	2010/11	2009/10
Jul	119	85	35	164	403	Jul	403	637	819
Aug	202	125	18	270	615	Aug	615	595	695
Sep	183	113	37	257	590	Sep	590	567	522
Oct	133	84	22	167	406	Oct	406	383	570
Nov	170	97	14	188	469	Nov	469	402	677
Dec	139	99	23	166	427	Dec	427	521	454
Jan	121	70	23	126	340	Jan	340	424	454
Feb	110	68	20	122	320	Feb	320	441	543
Mar	150	76	31	159	416	Mar	416	409	501
Apr	115	73	26	150	364	Apr	364	271	517
May	184	93	30	193	500	May	500	400	820
Jun	141	86	25	176	428	Jun	428	334	779
TOTAL	1,767	1,069	304	2,138	5,278		5,278	5,384	7351



CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995 s.6.32(3)(b)

POLICY IMPLICATIONS

Policy 3.33 - Debt Recovery

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.2.1

That the Council of the Shire of Exmouth receive the Executive Manager Corporate Services Report for the month of July 2012.


COUNCIL DECISION – 07-0712 – 10.2.1

Moved Councillor Warren, Seconded Councillor Fitzgerald.

That the Council of the Shire of Exmouth receive the Executive Manager Corporate Services Report for the month of July 2012.

CARRIED 6/0

10. REPORTS OF OFFICERS**10.2 Executive Manager Corporate Services****10.2.2 Monthly Financial Statements and Report**

Location:	Exmouth
Applicant:	S O'Toole
File Reference:	FM.FI.0
Disclosure of Interest:	Nil
Date:	11 July 2012
Author:	Executive Manager Corporate Services, Sue O'Toole
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Financial report for the period ended 30 June 2012 has been prepared and a copy of the Report is attached as *Attachment Item 1* and a complete list of accounts for payment is attached as *Attachment Item 2*.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.2.2

1. *The monthly financial report for period ended 30 June 2012 be accepted; and*
2. *The accounts as listed in the monthly financial report be received:*
 - a. *Municipal Fund ~ June 2012 \$2,725,762.02 incorporating cheque numbers 11818 to 11863 inclusive and direct debits*
 - b. *Trust Fund ~ \$1002.15 incorporating cheque number 400736 inclusive and direct debits.*

Outstanding Creditors totalling ~ \$761,773.38

COUNCIL DECISION – 08-0712 – 10.2.2

Moved Councillor Thompson, Seconded Councillor Fitzgerald.

- 1. *The monthly financial report for period ended 30 June 2012 be accepted; and***


 - 2. *The accounts as listed in the monthly financial report be received:***
 - a. Municipal Fund ~ June 2012 \$2,725,762.02 incorporating cheque numbers 11818 to 11863 inclusive and direct debits***
 - b. Trust Fund ~ \$1002.15 incorporating cheque number 400736 inclusive and direct debits.***
- Outstanding Creditors totalling ~ \$761,773.38***

CARRIED 6/0

10. REPORTS OF OFFICERS

10.3 Executive Manager Aviation Services

10.3.1 General Report

Location:	Exmouth
Applicant:	Andrew Forte
File Reference:	
Disclosure of Interest:	Nil
Date:	12 July 2012
Author:	Executive Manager Aviation Services, Andrew Forte
Signature of Author:	
Senior Officer:	Chief Executive Officer, Bill Price

SUMMARY

The following Aviation Services Department report contains a brief summary of significant activities and issues arising since the June 2012 agenda report.

BACKGROUND

Defence

The following airlines have sought alternate use approval of Learmonth airport following Defence's determination that such use required formal notification and consent to nominate. It followed from Air Asia X's unauthorised A330 diversion landing and use of military hardstand for refuelling on 1 June 2012.

Also Qantas similarly diverted a domestic A330 on 27 June 2012. In both instances fog prevented landing at Perth airport.

The following Airlines have submitted formal requests to nominate Learmonth as an Alternate:

- Air Asia
- Air Mauritius
- Malaysia Airlines
- Emirates
- Cobham Aviation (As part of Qantas Group)
- Network Aviation (As part of Qantas Group)
- Sunstate Airlines (As Qantaslink)

Documentation and instructions have gone out to Singapore Airlines, following their unauthorised use of the Learmonth on 11 July 2012. It is expected a request will be received from them in the immediate future.

Also Cobham domestic operations are expected to put forth an application as too Qantas proper but neither have yet.

At this time RAAF have not formally approved any applications. In conversation they have indicated they will not decline access and use of their apron areas if available. However, RAAF will not be providing ground services.

This matter is very important for the airlines to fully understand and make suitable contingent arrangements. It is also very timely to have clarity on which airlines have a need to flight plan on Learmonth and what the limitations are when they do arrive.

Regulatory

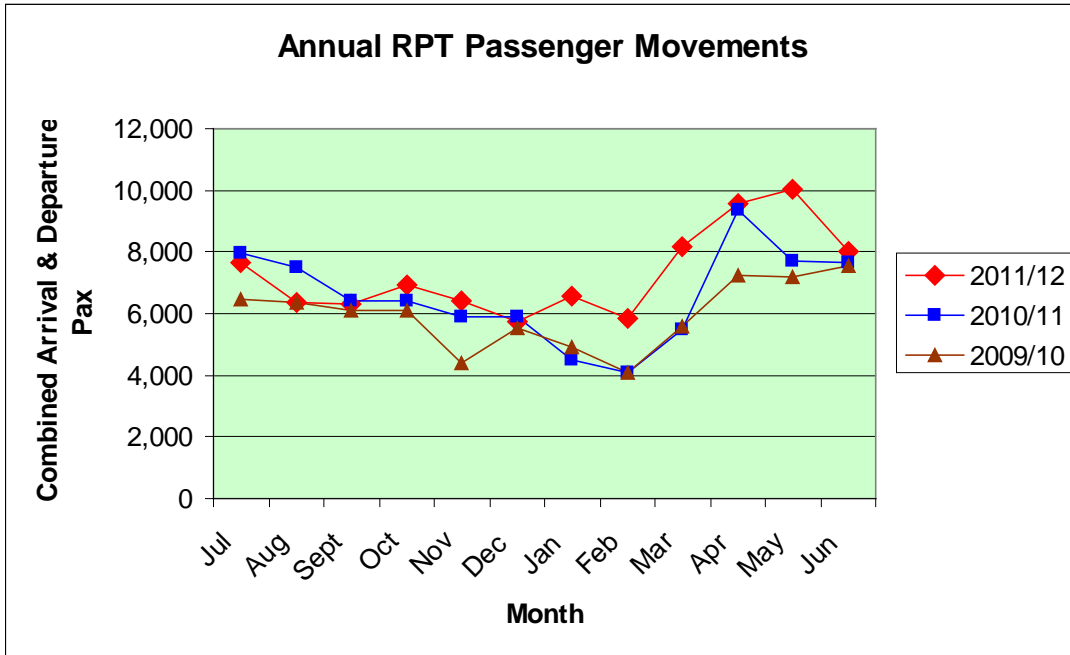
The airport's corrective response to the Office of Transport Security (OTS) annual audit findings of 16 May 2012 has been provided and accepted.

Airlines/Air Operators/Industry

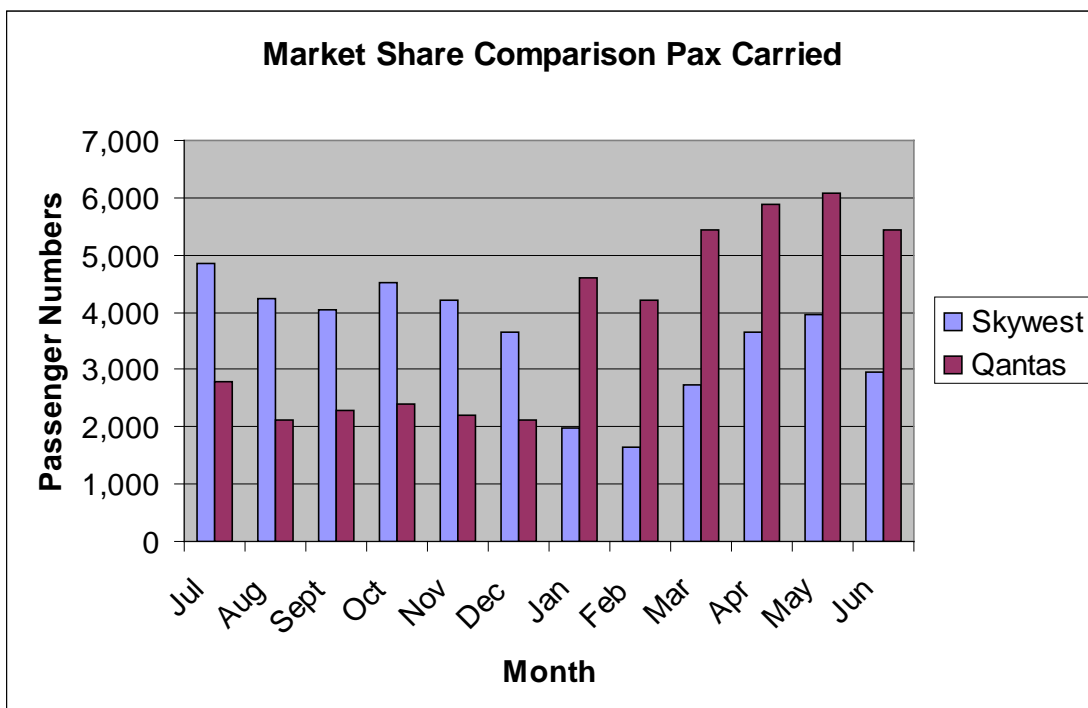
Arriving and departing RPT (combined Qantas and Skywest) passengers for June 2012 totalled 8,404.

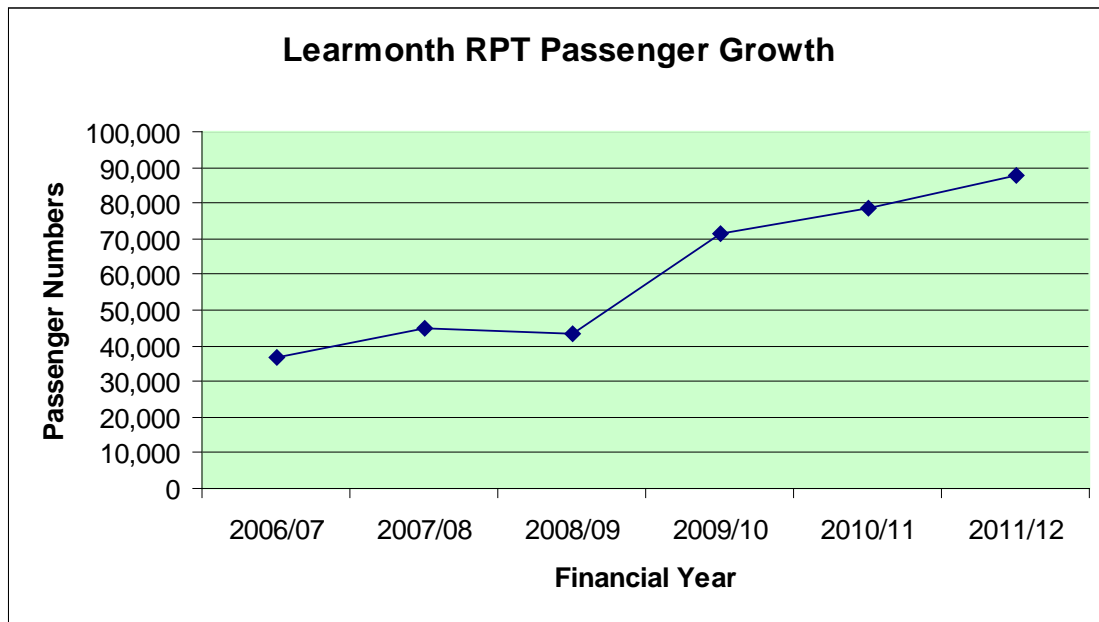
RPT passenger numbers for the twelve months to end of June 2012 aggregated 88,004 and exceeds last financial years total of 78,821. This represents a growth of 10.4% in RPT passenger numbers.

These numbers and below graphical exclude the Skywest service Learmonth to Paraburdoo, which continues to underperform. For the six month to June 2012 the airport count for the Paraburdoo service is 280 RPT passengers both departing and arriving. It may be slightly higher with passengers on carried from Perth remaining on board the aircraft for a ‘quick turnaround’.



Note: Passenger numbers are those recorded by the airport through the arrival and departure gates and may differ slightly from the airlines tally. All persons are treated as adult under this count scenario.





Airport

The Department of Transport have advised they will convene with the Shire of Exmouth a workshop on the 'State Aviation Strategy' Issues paper response. This meeting is scheduled for Wednesday 25 July 1000 – 1200hrs. The Shire has a 20 minute presentation time allocated and the Executive Manager Aviation Services will take carriage with further input as provided on the regional airport view point.

We are also being asked to provide our thoughts on how State and Local Government can work together in partnership to ensure regional airports meet anticipated demands, addressing such things as master planning and funding models.

The following day (Thursday 26th) the Department will also convene an airline community consultative group meeting with both Skywest and Qantas presenting.

Heliport

McDermott Australia Pty Ltd has been contracted by BHPB for a pipe laying on their Macedon Project. Advice has been received that Bristow's will be providing the offshore transfers on a Monday to Thursday basis commencement from month's end.

The next Learmonth Heliport Consultative Meeting is scheduled for Tuesday 24th July and the agenda will address apron parking and service standards being provided.

ERG Training have confirmed with the Heliport that the time for Helideck fire fighting training will be 4 and 5 August 2012, on site. This course and competency acquittal will satisfy Woodside/Apache and BHPB audit compliance and allow our trained persons to train further staff in emergency.

Staffing

The airport manager's position has been advertised (closing 25 July 2012) following the resignation of Tim Lymon.

Clif O'Toole is acting Airport Manager.

Amanda Burbury is acting Heliport Coordinator.

Leasing

It is intended to formalise hire car leasing arrangements covering access to airport terminal booth and parking over the next few months. The demand for site access has escalated and together with the need to adopt commercial leasing arrangements, such as applied at other regional airports, has elevated this as a priority leasing matter.

Projects

Apron expansion works are continuing and with the proposed new apron markings will provide for three RPT Bays plus an expanded General Aviation parking area to the north.

An additional dedicated Helicopter parking bay (three in total) will be possible on the southern apron.

Other Items

Nil

Exmouth Airstrip

Solar lighting installation at Exmouth aerodrome is a new financial year budget item with industry support yet to be confirmed to supplement the estimated cost of \$80,000. Fixed base charter operator Norwest Airwork has been advised of the same.

The importance of the Exmouth aerodrome is highlighted by the Rio Tinto consideration of day return flights from Exmouth to their Brockman mine site. The aerodrome will require substantial investment in the future to meet the growing general aviation demand in the region. This need will be highlighted to both the State, in upcoming meetings, and the respective stakeholders.

The recent appointment of Avdata to undertake the cost recovery billing and movement records (currently self reporting occurs) will be a positive step for the Shire in terms of understanding its current viability.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Strategic Objective 1: Maintain and Improve Shire Infrastructure.
Key Airport Actions Lobby to become the hub for regional air services.
Adopt and implement a plan for expansion of the airports and their operations.
Comply with Commonwealth regulatory and Defence operating requirements.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.3.1

That the Council of the Shire of Exmouth receive the Executive Manager Aviation Services Report for the month of July, 2012.

COUNCIL DECISION – 09-0712 – 10.3.1

Moved Councillor Fitzgerald, Seconded Councillor Hood.
That the Council of the Shire of Exmouth receive the Executive Manager Aviation Services Report for the month of July, 2012.

CARRIED 6/0

10. REPORTS OF OFFICERS

10.4 Executive Manager Community Engagement

10.4.1 General Report

Location: Exmouth
 Applicant: R. Kempe
 File Reference:
 Disclosure of Interest: Nil
 Date: 9 July 2012
 Author: Executive Manager Community Engagement, Rogé Kempe
 Signature of Author: 
 Senior Officer: Acting Chief Executive Officer, Keith Woodward

SUMMARY

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

BACKGROUND

Visitor Centre

Annual Door Statistics

	2010/11	2011/12	Compared to last year
JUL	19833	16175	-3658
AUG	15165	15147	-18
SEP	12309	10901	-1408
OCT	10890	9474	-1416
NOV	6255	6119	-136
DEC	5272	5029	-243
JAN	5355	4874	-481
FEB	3200	3073	-127
MAR	6740	5124	-1616
APR	13062	11565	-1497
MAY	13243	12130	-1113
JUN	13956	12480	-1476
TOTAL	125,280	112,091	-13,189

Door count June 2011

Total visitor numbers 13,956.

The average visitor number per day in June was 465.

Door count June 2012

Total visitor numbers 12,480.

The average visitor number per day in June was 416.

Book easy statistics

Accommodation	May 12	April 12	May 11
Online Accommodation Bookings	212	179	213
Average Spend per booking	\$229	\$300	\$286
Tours			
Online Tour Bookings	429	469	489
Average Spend per booking	\$308	\$349	\$299

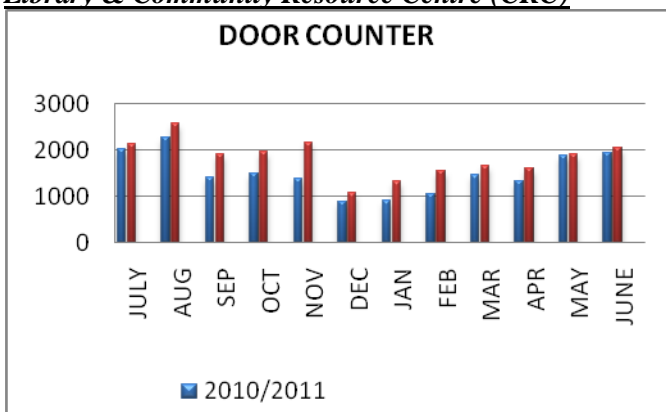
Accommodation Summary

- A significant 20% drop in the value of accommodation bookings sold in June. Total in 2012 \$48,619 compared to \$61,025 in 2011.
- The number of total accommodation bookings remained the same with 212 in 2012, compared to 213 in 2011.
- A drop of 30% in website accommodation bookings with 150 nights and \$22,908 value in June 2012 compared to 212 nights and \$36,834 cost in June 2011.

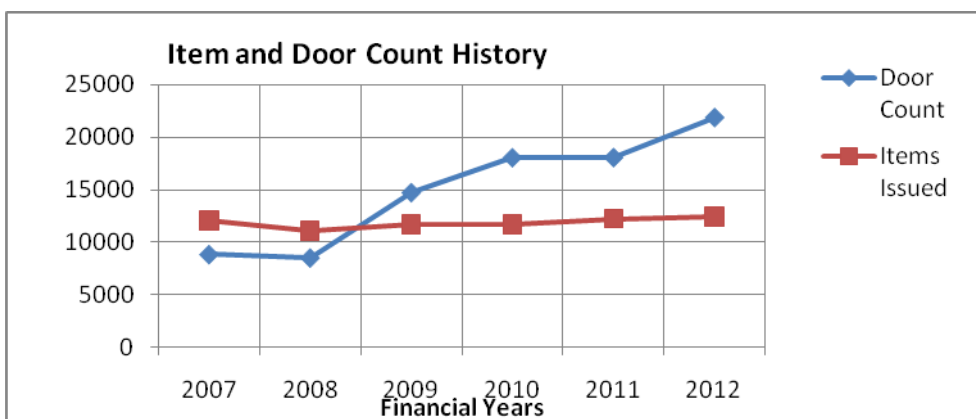
Tour Summary

- The average tour spend is consistent with last year.
- Tour booking revenue is down 10% compared with June 2011 figures.
- Tour booking numbers have decreased by 15%.

Library & Community Resource Centre (CRC)



June’s library door count is an increase of 84 more people compared to June 2011. Tourist season and the combination of the school holidays ensure the library services are well used. June 28th saw 181 patrons through the door including 21 children for Story Time.



There has been a steady growth in Library users in the past 4 years. The introduction of *Better Beginnings* story time, the book exchange, children’s corner upgrade, the free use of computers for school projects and research plus a bright and user friendly arrangement of items for loan have all contributed to this increase.

Ebooks in the Library

Ebooks is an initiative intended to provide all Western Australian public library and State Library members with access to ebooks, including Exmouth.

The Western Australia Public Libraries Digital Media Collection is the state-wide consortium for the provision of ebooks to all WA public library and State Library members. The Digital Media Collection will provide access to a wide selection of ebooks, through a single website powered by OverDrive - <http://www.overdrive.com>. New titles will be added to this website on a regular basis.

The Digital Media Collection is currently in the first year of a trial, with options to extend the trial twice, each for a further 12 month period. During the first year, adult fiction and young adult fiction titles will be available for loan. In subsequent years non-fiction and junior titles will be added to the range of available items.

Libraries will also have the option via OverDrive Advantage of purchasing additional content in both ebooks and downloadable audio formats for exclusive use by their customers. The Service offers an excellent opportunity for our community to have access to a huge variety of reading material not currently available via our library. It is expected that ebooks could be implemented by September 2012.

Community Development

Exmouth Health Expo

The first ever Exmouth Health Expo was held on 22 June 2012 in the Shire Hall and was well attended with 161 people visiting the Expo during the day.

The event was a partnership between the Shire of Exmouth and the Exmouth Hospital. Presentations were held throughout the day and 68 school students from EDHS were given talks about sexual health and drug & alcohol.

The feedback received was very positive from both presenters and attendees and an overview of a survey held is available in *Attachment 1*.

Rock Climbing Wall



The rock climbing wall saw the town kids turn up in large numbers with an estimated 200 young people attending. PCYC put on a sausage sizzle allowing mums not to rush home to feed the kids. Two bungee jumps were also running full time and the Rad-Rock operators had to really work for their money this year. The feedback from parents was very positive with many thanks coming towards the Shire for running this event.



Culture and the Arts – Gascoyne Meetings

The EMCE attended two Regional Gascoyne Culture & Arts meetings in Carnarvon in early July. The first meeting was organised by Country Arts WA, focussing on the Gascoyne in May events, including the Exmouth Whaleshark Festival with the chair Darren Cossill also in attendance. The festival evaluation & future direction was discussed in-depth with the artistic directorate and included what worked and what didn't, what are the needs of the Festivals moving forward and what opportunities are available for the 2013 and 2014 programming. Some good ideas and information on organising large events, setting up sound equipment and organising bands, were received during the day which will assist in making the next Festival even better.

The second meeting was organised by the Department of Culture and the Arts and sought strategic priorities for the Gascoyne region for a future Departmental Cultural Plan. Some topics discussed included grant opportunities and opportunities for a regional Gascoyne Arts Council.

The next regional meeting will be held in Exmouth in early August and seeks to establish a formal regional *Gascoyne in May* committee which will assist in and oversee the delivery of the major Gascoyne community events and work with the newly appointed Executive Officer Alex Harper.

NAIDOC week 2012

The CEO and EMCE were in attendance during the flag raising ceremony as part of NAIDOC week 2012. Every year Shire officers assist in organising this ceremony.

Media and Community Information

The Shire provided the following community information:

- Press release – Exmouth District High School - Hard Courts (Northern Guardian).
- Vlamingh Head Lighthouse Centenary Celebrations - Publication in Australian Lighthouses (Prism magazine; refer *Attachment 2*).
- Vlamingh Head Lighthouse Centenary Celebrations – publication in Northern Guardian
- Health Expo – publication in Northern Guardian
- Letter drop to the Exmouth Community regarding the Kailis proposal and progress.
- Shire of Exmouth Newsletter June 2012

Grant Applications and Sponsorship opportunities

Officers have approached Woodside Petroleum with a request to be the major sponsor of the Vlamingh Head Lighthouse Celebrations in December this year. A very positive response was received from Woodside and they are willing to provide a substantial financial contribution but also offer to investigate opportunities to involve some of their major partners, like WA Museum to work with the Shire.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

Outcome 1.3 – Diverse Tourism opportunities.

Social

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

Outcome 3.3 –An inclusive, responsible and cohesive community.

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.4.1
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That the Council of the Shire of Exmouth receive the Executive Manager Community Engagement Report for the month of July 2012.

COUNCIL DECISION – 10-0712 – 10.4.1

Moved Councillor Fitzgerald, Seconded Councillor Thompson.

That the Council of the Shire of Exmouth receive the Executive Manager Community Engagement Report for the month of July 2012.

CARRIED 6/0

10. REPORTS OF OFFICERS

10.5 Executive Manager Health & Building

10.5.1 General Report

Location: Exmouth
 Applicant: R M Manning
 File Reference: GV.CM.0
 Disclosure of Interest: Nil
 Date: 9th July 2012
 Author: Executive Manager Health & Building, R M Manning

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

Building Licence and Building Certificate Applications and Approvals

Below is a summary of building licence and building certificate applications and approvals up to 10th July 2012.

Building Applications						
Applic. No.	Date received	Lot No	Development location	Description	Decision Date	
20120047	29/03/2012	1377	30 Preston Street	Single dwelling	Approved	13/07/2012
20120055	23/04/2012	285	27 Lefroy Street	Fence	Awaiting information from applicant	
20120065	03/05/2012	1280	8 Seawolf Place	Retaining wall	Approved	25/06/2012
20120069	22/05/2012	127	49 Skipjack Circle	Single dwelling	Approved	19/06/2012
20120070	08/06/2012	122	12 Grenadier Street	Outbuilding	Approved	25/06/2012
20120071	08/06/2012	70	8 Bennett Street	Outbuilding	Approved	22/06/2012
20120072	08/06/2012	986	9 Walters Way	Additions	Approved	19/06/2012
20120073	12/06/2012	38	38/78 Maidstone Crescent	Internal fit out	Approved	13/06/2012
20120074	14/06/2012	160	26 Tuckey Street	Dance studio	Approved	13/06/2012
20120075	18/06/2012	32	5 Pellew Street	Carport	Approved	18/06/2012
20120076	19/06/2012	983	3 Walters Way	Additions	Approved	26/06/2012
20120077	21/06/2012	143	45 Snapper Loop	Outbuilding	Approved	25/06/2012
20120078	22/06/2012	357	13 Kestrel Place	Retaining wall	Awaiting information from applicant	
20120079	29/06/2012	65	Inggarda Lane	Single dwelling	Processing	
20120082	28/06/2012	123	41 Skipjack Circle	Single dwelling	Processing	
20120083	04/07/2012	276	26 Christie Street	Deck & verandah	Processing	

2007 to Year to date 10th July 2012

Year	No. Applications	Total Value of Works	No. Applications up 10 th July	Value up to 10 th July
2007	138	\$19,487,319.01	69	\$11,103,548.00
2008	140	\$23,065,372.40	66	\$7,079,670.00
2009	140	\$24,780,872.94	61	\$10,043,868.00
2010	202	\$25,165,355.12	120	\$13,170,170.00
2011	186	\$26,904,715.11	109	\$13,364,644.00
2012			68	\$8,892,699.00

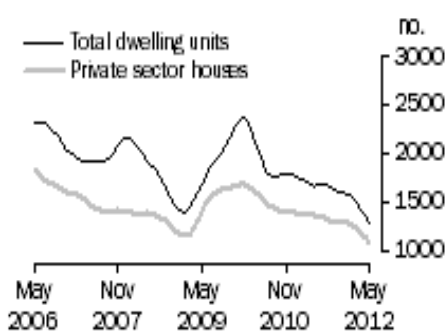
COMMENT**BUILDING**

There has been a lot of discussion in the industry and publicity in some media that the introduction of the new building legislation has resulted in significant delays in local government processing approvals. As is evident from the first table above this has not been the case in the Shire of Exmouth.

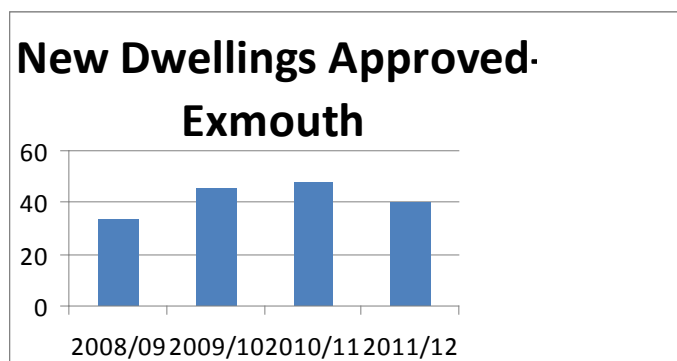
It is the belief of some in the industry that the introduction of the new legislation may have contributed to the recent down turn in building approvals in the State. Representatives from the construction industry and local government (including WALGA) have been working with the Building Commission and the Minister for Commerce, Hon Simon O'Brien MLC. A letter from the Hon Simon O'Brien to all local governments providing background and progress in relation to the above is provided at *Attachment 1*.

Provided at *Attachment 2* is a similar letter from the CEO of WALGA, Ricky Burges to local governments informing of progress and initiatives that they have assisted to have implemented.

From a comparison of the half yearly total of building approvals (above) it seems that the spike of activity that occurred in 2010 has stabilised back to the rate of a few years ago. As presented in the following graph obtained from the Australian Bureau of Statistics, WA generally has been subject to a significant down turn in the number of new dwellings approved over the past two years.

WESTERN AUSTRALIA

ABS Website



However, whilst there may have been a levelling in the number of general building approvals in Exmouth over the last 18 months, the above chart demonstrates that the number of new dwellings approved has remained relatively constant over the past four years by comparison to the WA statistics.

Australian Institute of Building Surveyors WA Chapter Conference 2012-07-11

The above conference is scheduled to be held on the 23rd & 24th of August 2012 at the Duxton Hotel in Perth.

An extract from the conference invitation is provided below that provides an insight in to the topics that will be covered:-

As we enter this new era of building control, good business ethics, along with professional codes of conduct will be critical. The digital age is also upon us and this will present both opportunities and challenges for Building Surveyors.

Now that the new legislation has been promulgated, the Annual WA Chapter Conference presents an opportunity to explore the nuts and bolts of how the different players in the game will deal with the challenges presented and more importantly, their expectations for the future. The roles will be blurred until the new system has time to bed itself down. We will hear from various professionals about their expectations for the future.

Delegates at this year's conference will also have the opportunity to hear from practicing Building Surveyors from Queensland, Victoria and New Zealand. We will also get some feedback from ground level building practitioners about building performance in the Christchurch Earthquake.

In consideration of the current changing environment of the building surveying profession, it is important that local government building surveyors attend such forums to ensure that they are afforded the opportunity to keep up to date with the latest developments. This is especially true for practitioners in remote/regional centres.

At this stage only one place has been reserved for an officer from the Shire of Exmouth to attend and this is likely to be Council's Building Surveyor. However, the Executive Manager Health & Building (EMHB) may also attend given the significance of this particular conference.

Argosy Court

It is apparent that over the past six months the Strata Company has not made any progress with the removal of the units on the southern side of Lot 620 Murat Road, Exmouth.

Given the lack of success that the Strata Company have had with resolving the matter and that the next cyclone season is fast approaching, the Council is informed that the Executive Manager Health & Building is making preparations for the next course of action that may be taken on this matter.

The Council will be provided additional information at/or before the Council meeting should such information be available.

ENVIRONMENTAL HEALTH

Council's Environmental Health Officer (EHO), Mr Patrick Barber commenced duties with the Shire of Exmouth on 21 June 2012 and has 'hit the ground running'. Patrick has many years of experience as an EHO gained whilst working in South Africa, New Zealand and the eastern sea board of Australia.

Sentinel Chickens & Mosquito Borne Diseases

The University of Western Australia's Sentinel Chicken Bleeding Program is continuing with monthly bleeding of chicken flocks. There were no new positive blood tests to report of for Murray Valley Encephalitis, Kunjin Virus or other flaviviruses from the round of testing in June.

Waste Management & Recycling

The Shire of Exmouth in collaboration with the other Shires in the Gascoyne Region and the GDC are in the process of/have recently submitted a grant application to the Royalties for Regions Country Local Government Fund (CLGF) Regional Groups – 2011/2012 for Waste and Recycling Infrastructure for the Gascoyne Region.

The purpose of the above project is described in the application as follows:-

....to purchase and install waste management infrastructure in the Gascoyne and specifically the shires of Carnarvon, Exmouth and Shark Bay.

The objective of the project is to preserve the capacity of existing landfill sites within the region. This will reduce the need to develop new landfill sites that are expected to become more costly to own and operate as landfill standards and regulations become more burdensome.

The project aims to increase the diversion of waste from landfill in the Gascoyne, which is consistent with the desired outcomes of the West Australian Waste Strategy.

If the grant application is successful it will make it possible for the Shire of Exmouth to invest significantly in waste and recycling infrastructure such as a multi-purpose (ie plastics, cardboard and aluminium can) compaction and baling machine and glass crusher. The funding will also be used to construct a highly accessible 'bring to centre' to encourage the community to participate in recycling.

Qualing Scarp Waste Disposal Site on Green Power

At the end of June a hybrid Solar power system was installed to service the tip site office. The system includes enough battery back-up for an estimated three days of power and a diesel generator as additional back-up.

The Tip's hybrid power system was a sub-project of the Council's Renewable Energy Project and was made possible by funding from Royalties for Regions and the Regional Groups CLGF 2010-2011. Signage acknowledging the important financial contribution by Royalties for Regions will soon be installed on the Tip Office in accordance with Council's grant obligations.

The Renewable Energy Project consists of three sub-projects, two of which are now completed being the one above and the 5 x 5kW solar power systems installed at five of the Council's Executive houses. The third project is still waiting on technical design issues to be resolved with Horizon Power in relation to the newly released Generation Management Standard (GMS). If all goes to plan, by October 2012 the third project should be complete which will see a 15kW solar power installation at Learmonth Airport. This will be one of the first GMS of its size in WA.

Occupational Safety & Health

An independent audit of the Shire's OSH systems and implementation was conducted by the Shire's OSH consultants from LGIS in March 2012. The audit report details that we had maintained a level of compliance consistent with our previous audit (2009) and that within the average compliance level of Perth based LGAs.

Since the audit and following discussion with the OSH consultants, the OSH committee has strengthened up existing procedures and processes by adopting formal written procedures.

The report also identified that from 09'10 to 10'11 there had been significant reductions in the Injury Severity Rate and also the cost in claims. During the same period, Lost Time Injury Frequency Rate and Incident Rate remained relatively stable all the while the Shire's work force had increased substantially due to activities at Learmonth Airport. These represent very positive results for the organisation.

Paltridge Memorial Swimming Pool

There is no patronage data to report this month as the pool remains closed for the 'off-season'.

Since returning from leave the EMHB has re-commenced discussions with the appointed consultant to finalise the concept plans and costings for the new Water Spray Park and re-development/Upgrade of the Paltridge Memorial Swimming Pool.

The final concept plans (2 or 3 options for consideration) including estimated costs will be finalised by the August Ordinary Council Meeting.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Environment

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

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

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.5.1

That the Council of the Shire of Exmouth receive the Executive Manager Health & Building Report for the month of July 2012.

COUNCIL DECISION – 11-0712 – 10.5.1

Moved Councillor Fitzgerald, Seconded Councillor Hood.

That the Council of the Shire of Exmouth receive the Executive Manager Health & Building Report for the month of July 2012.

CARRIED 6/0

10. REPORTS OF OFFICERS

10.6 Executive Manager Town Planning

10.6.1 General Report

Location: Exmouth
 Applicant: N/A
 File Reference: LP.PL.0
 Disclosure of Interest: Nil
 Date: 8th July 2012
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

The schedule below indicates the current status of planning applications lodged with the Shire of Exmouth.

COMMENT

Below is a summary of planning applications and approvals up to 11th July 2012.

Applic No	Lodgement Date	Lot	Property Address	Description.	Decision	Date Determined
PA33/12	11/04/2012	1112	1 Nimitz Street	Signage	Awaiting information from applicant 02/07/12	
PA30/12	10/04/2012	38	Murat Road	Real Estate Development Sign	Approved	19/04/2012
PA47/12	14/05/2012	1280	8 Seawolf Place	Retaining Wall	Approved	18/06/2012
PA51/12	16/05/2012	23	1 Kennedy Street	Signage	Approved	13/06/2012
PA53/12	01/06/2012	50	Minilya- Exmouth Road	Expanded Stockpile Area And Services Compound	Approved	13/06/2012
PA54/12	06/06/2012	357	13 Kestrel Place	Retaining Walls	Approved	07/06/2012
PA55/12	07/06/2012	361	27 Pellew Street	Change Of Use	July OCM	
PA56/12	13/06/2012	127	49 Skipjack Circle	Oversized Outbuilding	July OCM	
PA57/12	14/06/2012	443	Osprey Way	Holiday Accommodation	July OCM	
PA58/12	15/06/2012	1366	43 Heron Way	Home Occupation	Approved	15/06/2012
PA59/12	21/06/2012	5	30 Dugong Close	Holiday Accommodation	Approved	13/07/2012
PA60/12	22/06/2012	33	Pellew Street	Ancillary Accommodation addition (Bedrooms)	Approved	03/07/2012
PA61/12	29/06/2012	130	55 Skipjack Circle	Oversized Outbuilding	Approved	03/07/2012
PA62/12	06/07/2012	238	20 Carpenter Street	Holiday Accommodation (Renewal)	Processing	09/07/2012

Draft Gascoyne Regional Planning and Infrastructure Framework

The Department of Planning, on behalf of the Western Australian Planning Commission (WAPC), has released the draft Gascoyne Regional Planning and Infrastructure Framework for public comment. A copy of framework is attached as *Attachment 1*. The draft Gascoyne Regional Planning and Infrastructure Framework (the Framework) has been prepared for the region, which encompasses four local governments –

the Shires of Carnarvon, Exmouth, Shark Bay and Upper Gascoyne. Submissions on the draft framework may be made until the close of business on 28 September 2012.

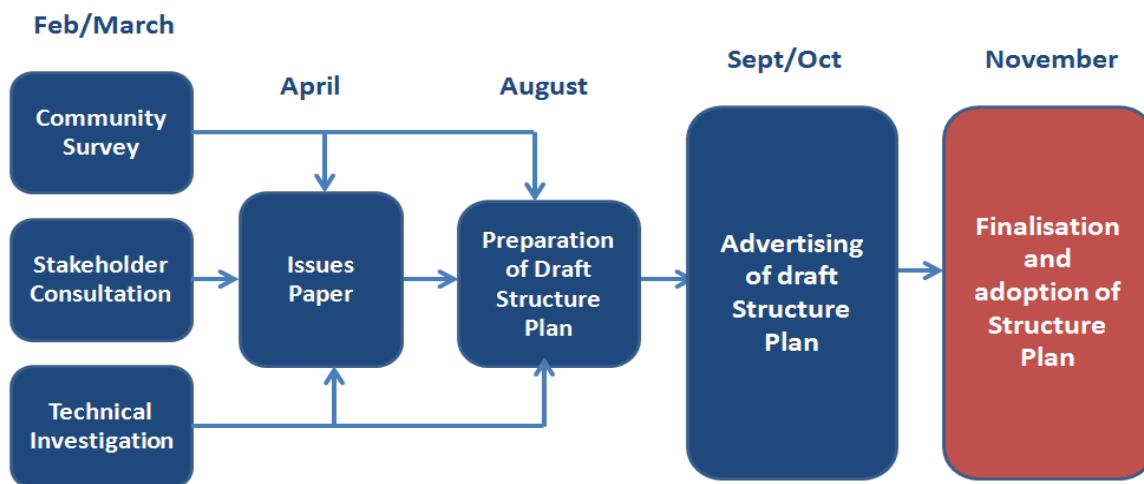
The objectives of the framework are to:

- provide the regional context for land-use planning in the Gascoyne;
- provide an overview of the major regional economic, social, cultural and environmental issues;
- identify the priority actions required to enable comprehensive regional planning and to guide local planning processes; and
- identify the regional infrastructure priorities to facilitate economic and population growth in the Gascoyne

Councillors and Executive Managers are encouraged to review the document so that Council can prepare a draft submission based on technical review of the draft framework. It is envisaged that the draft submission will be presented to Council during the September Ordinary Council meeting before being forwarded to the Western Australian Planning Commission, by close of business on 28 September 2012.

Exmouth South Structure Plan

The Exmouth South Structure Plan preparation is progressing well with the results of stage 1 presented to Council during April Council meeting. The consultants are busy working on the draft Structure plan. The indicative process for the plan is shown below;



INDICATIVE PROCESS FOR EXMOUTH SOUTH STRUCTURE PLAN

Grant application

Council has recently lodged a grant application with FESA for the construction of sea walls as part of the Foreshore Revitalisation Project.

Lot 900 Madaffari Road Vacant Strata Subdivision, Exmouth

Council is notified that clearance was given for the vacant survey strata subdivision on the above lot. The subdivision will yield 18 dwellings. The consultant, Oldfield Knott Architects held a pre-lodgement meeting regarding the planning application for the development of the site. The planning application will be presented to Development Assessment Panel as the value of the development is above \$7million.

Ranger Services

A summary of the activities performed by the Ranger during June 2012.

	Dogs	Camping	Parking	Litter	Fire	Off road	Other
Warning/caution	2	8	6	0	0	0	2
Infringement	0	67	2	0	0	0	0
Court	0	0	0	0	0	0	0
June Total	2	75	8	0	0	0	2
July-May Total	74	276	52	5	41	6	37
2011-2012 Totals	76	351	60	5	41	6	39

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Shire of Exmouth Town Planning Scheme No 3.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Environment

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

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

Social

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

- Outcome 3.2: Excellent lifestyle, recreational and cultural facilities.
- Outcome 3.3: An inclusive, responsible and cohesive community..
- Outcome 3.5 - Maintain and increase the participation levels in local community organisations and clubs.

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.6.1

That the Council of the Shire of Exmouth receive the Executive Manager Town Planning Report for the month of July 2012.

COUNCIL DECISION – 12-0712 – 10.6.1

Moved Councillor Thompson, Seconded Councillor Hood.

That the Council of the Shire of Exmouth receive the Executive Manager Town Planning Report for the month of July 2012.

CARRIED 6/0

10 REPORTS OF OFFICERS

10.6 Executive Manager Town Planning

10.6.2 Section 76(1) Order -Initiation of Scheme Amendment 27 - Lots 1,101,112&220 Minilya – Exmouth Road, Learmonth

Location: Lots 1, 101, 112 and 220 Minilya-Exmouth Road, Learmonth
 Applicant: RPS on behalf of MG Kailis Group
 File Reference: 361(27)
 Disclosure of Interest: Nil
 Date: 10 July 2012
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that the Council of Shire of Exmouth initiate scheme amendment 27- Lots 1, 101, 112 and 220 Minilya-Exmouth Road, Learmonth pursuant to section 76(1) of the *Planning and Development Act 2005* (the Act) order by the Minister for Planning; Culture and the Arts; Science and Innovation.

BACKGROUND

In October 2011, Council received a proposed scheme amendment from MG Kailis (the 'land owner') for a Marine Supply Base upon Lots 1, 101, 112 and 220 Minilya-Exmouth Road, Learmonth. During the December OCM held 15 December 2012, Council Decision 17-1211 resolved;

“to set aside amendment 27 to carry out a comprehensive study/risk analysis, with the assistance of the WAPC that engages the community and industry to fully understand the demand and impact of any potential supply base(s).”

In February 2012 the land owner requested Council to reconsider the December 2011 Council resolution however the motion did not receive an absolute majority vote to revoke the December resolution.

On 1 May 2012, Council held a Special Council Meeting to consider the scheme amendment after considering the report from TME regarding development in Exmouth's southern area. The officer's report recommended Council initiate the proposed Scheme Amendment 27 for the purpose of public advertising pursuant to Section 75 of the *Planning and Development Act 2005*.

Council voted against the Officers recommendation based on the following reasons:

1. *That the existing Exmouth Town Planning Scheme No 3, that has had extensive community consultation and endorsement, has already identified Lots 50 & 51 Minilya –Exmouth Road (Mowbowra Creek) as the Strategic Industrial site enabling Marine Supply Base uses and activities, and that there has been considerable developments and private investment within the Strategic Industrial area.*
2. *That the proposal is considered ad hoc spot rezoning and should not be supported in accordance to Town Planning Bulletin 102/2010, given it sets an undesirable precedent for fragmented development of an environmentally sensitive area which otherwise requires coordinated and comprehensive planning.*
3. *That the 27.840Ha proposal is considered to be of large scale and is not consistent to a small/second tier Marine Supply Base.*
4. *Environmental Impacts.*

On 22 May 2012, Council was advised by the Department of Planning (DoP) that a request under section 76 had been received from the applicant regarding the initiation of Scheme Amendment 27 (refer **Attachment**

2). In this correspondence, the Minister requested any further comment from the Shire of Exmouth in order to make a final decision on the request to initiate the amendment. The Shire prepared a submission, dated 4 June 2012, providing additional information on the scheme amendment process and the grounds in which the Council refused the proposal. (Refer **Attachment 3**).

On 6 July 2012, the Minister for Planning; Culture and the Arts; Science and Innovation ordered the Shire of Exmouth to prepare the amendment to its *Town Planning Scheme No.3* set out in the document entitled "Proposed Scheme Amendment Lots 1, 101, 112 and 220 Minilya-Exmouth Road, Learmonth" (refer **Attachment 4**).

The order also stated that the Shire of Exmouth is to comply with the Order on or before **1 August 2012**.

The following reasons for the Order were given:

1. *The Shire of Exmouth has declined to prepare the amendment to its Town Planning Scheme No 3 set out in the document entitled "PROPOSED SCHEME AMENDMENT Lots 1, 101, 112 & 220 Minilya-Exmouth Road, Learmonth".*
2. *A need has been identified for a marine supply base to service the oil and gas industry and fishing operations in this location which could bring significant economic benefits to the local community. As the proposed amendment could facilitate this need being met, it is appropriate for the proposed amendment to be prepared in order that it can be the subject of more detailed consideration through the scheme amendment process.*
3. *As to the reasons given by the Shire of Exmouth for refusing to prepare the proposed amendment:*
 - a) *Strategic planning for this area has begun but has not been completed. As it will not be completed in the near future, it is preferable for the proposed amendment to be considered on its merits through the scheme amendment process.*
 - b) *given the current use of the land as a 'brownfields' site in a Special Use zone, the proposed amendment is not considered to constitute as hoc 'spot rezoning'.*
 - c) *The scale of the development including the comments by the Learmonth Solar Observatory can be assessed through the scheme amendment process once the proposed amendment is initiated by the Shire of Exmouth.*
 - d) *Environmental concerns can also be assessed through the scheme amendment process including referral to the Environmental Protection Authority, once the proposed amendment is initiated by the Shire of Exmouth.*

The order and the reasons for making the order will be laid before each House of Parliament in accordance with section 76(5) of the Act.

COMMENT

In accordance with WAPC Planning Bulletin 102/2010, Council is required to take steps to prepare and submit, for the approval of the Minister, the proposed amendment 27, as set out in the document entitled, "PROPOSED SCHEME AMENDMENT Lots 1, 101, 112 and 220 Minilya-Exmouth Road, Learmonth" in accordance with Part 5 of the *Planning and Development Act 2005*.

This includes:

1. referral to the Environmental Protection Authority (EPA) for comment (concurrent approval);
2. advertising (42 days) the amendment, including the notification of other relevant service authorities and persons likely to be affected;
3. Council will compile a table of submissions received for consideration and resolve whether to adopt with or without modifications or refuse the amendment;
4. notification to the Commission of resolutions passed in relation to the amendment (including a schedule of submissions received and the amendment documentation) will be provided for review and recommendation to the Minister;
5. determination of the amendment by the Minister; and
6. public notification of the outcome of the amendment planning process.

There is no right of appeal for the Shire against the Minister's decision to the section 76 order. However, it is noted that the issuing of the order does not follow that the proposed amendment will be ultimately approved. Final Ministerial approval under section 87 of the Act is still required, following the procedural requirements set out in Part 5 of the Act outlined above.

If Council fails to comply with the section 76 order, the Minister can undertake further enforcement action, which is likely to be carried out under section 212. This section enables the Minister to serve written notice requiring Council to comply within a specified period. If Council does not comply, then the Minister can take whatever action is necessary for compliance with the requirement. The Minister's costs in doing so are recoverable from the Council.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Town Planning Regulations 1967
Shire of Exmouth Town Planning Scheme No. 3

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Environment

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

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

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Nil.

OFFICER'S RECOMMENDATION – 10.6.2

That the Council of the Shire of Exmouth initiate Scheme Amendment 27- Lots 1, 101, 112 and 220 Minilya-Exmouth Road, Learmonth pursuant to section 76(1) of the Planning and Development Act 2005 (the Act) order by the Minister for Planning; Culture and the Arts; Science and Innovation.

COUNCIL MOTION – 13-0712 – 10.6.2

Moved Councillor Winzer, Seconded Councillor Fitzgerald.

That the Council of the Shire of Exmouth note the Minister for Planning Hon John Day's response and direction to initiate Scheme Amendment 27- Lots 1, 101, 112 and 220 Minilya-Exmouth Road, Learmonth pursuant to section 76(1) of the Planning and Development Act 2005 (the Act).

CARRIED 6/0

10. REPORTS OF OFFICERS

10.6 Executive Manager Town Planning

10.6.3 Final Adoption of the Exmouth District Water Management Strategy

Location:	Exmouth
Applicant:	N/A
File Reference:	LP.PL.9
Disclosure of Interest:	Nil
Date:	11 April 2012
Author:	Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer:

Chief Executive Officer, Bill Price

SUMMARY

This report recommends Council to adopt the Draft Exmouth District Water Management Strategy (DWMS) as a Local Planning Policy in accordance clause 9.6.2 of the Shire of Exmouth Town Planning Scheme No. 3 (refer *Attachment 5*).

BACKGROUND

The Draft Exmouth District Water Management Strategy (DWMS) was considered by Council during the April Ordinary Council meeting and Council resolved:

That the Council of the Shire of Exmouth pursuant to clause 9.6 of the Shire of Exmouth Town Planning Scheme No. 3,

- 1. Adopt the Draft Exmouth District Water Management Strategy, for the purpose of advertising to the community as Draft Policy and*
- 2. Advertise the Draft Policy by publishing a notice once a week for 2 consecutive weeks in a local newspaper circulating within the Scheme Area giving details of where the Draft Policy may be inspected, and in what form and during what period (being not less than 21days) submissions may be made.*

The Policy was advertised and is being presented to Council for Final adoption. It is expected that the DWMS will provide greater long term direction, facilitating the sustainable development of the Shire of Exmouth and provide for adapting current management processes of water and land use to better suit the unique Exmouth climate.

COMMENT

The adoption of the Strategy as Scheme Policy will be particularly important to set consistent design criteria and objectives in terms of water conservation, groundwater management and stormwater management for future subdivision and development in the town. It would also provide the basis to enable contributions to be sought from future subdivisions and development in the town.

In accordance with the Shire of Exmouth Town Planning Scheme No 3, the Draft Policy was advertised, to Public authorities and owners of land likely to be affected by the Policy inviting each owner and nominated public authority to make a submission. In addition the Plan was advertised broadly within the Northern Guardian, public notice boards and the Shire website inviting the community to comment on the Plan.

Consultation was undertaken for a period of 21days and submissions were accepted in writing on or before 4.00pm Thursday 19th April 2012. Two (2) Submissions were received, table below is a summary: -

No	Submission From	Remarks	Recommendation Shire of Exmouth
Cape Conservation Group Inc PO Box 1029 Exmouth WA 6707	<p>Thank-you for the opportunity for public comment on the Shire of Exmouth's District Water Management Strategy (DWMS) prepared by Cardno (WA). Cape Conservation Group Inc. (CCG) is a locally-based volunteer group whose charter is to "Protect and Preserve the North West Cape – now and for future generations". CCG is fully supportive of the emphasis that has been placed on the value of our subterranean water and the need to protect this resource which has been strongly identified in the DWMS. Below are comments and recommendations for your consideration.</p> <p>Private domestic water bores</p> <p>The total water cycle management system design objectives include "<i>sustainable use of all water sources</i>" (Cardno, 2012, p. 3) The DWMS acknowledges the limited availability of freshwater through-out the townsite (Cardno, 2012, p. iv) and refers to the over allocation of the Exmouth town sub area with "<i>no further allocations for access made available</i>" (Cardno, 2012, p. 24). CCG would like to point out the DWMS has overlooked the large volume of domestic water bores which have been drilled since the removal of the requirement for a license in November 2011.</p> <p>CCG believes the unmonitored volume of groundwater extraction from private water bores could be significant and needs to be taken into account when considering available water; monitoring of groundwater level and quality; and when assessing impacts on the sensitive subterranean ecosystems found within the townsite.</p> <p>Monitoring and Assessment</p> <p>The DWMS refers to the lack of soil type mapping (Cardno, 2012, p. ii), long-term data for groundwater quality and quantity under the township by DoW (Cardno, 2012, p. iii) and that no groundwater monitoring was undertaken as part of the report (Cardno, 2012, p.4). Also identified in the DWMS is the need for:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Establishing quality of groundwater and surface runoff leaving the townsite (Cardno, 2012, p. 4). <input type="checkbox"/> Investigating hydraulic conductivity through geotechnical investigation (Cardno, 2012, p.7). <input type="checkbox"/> Groundwater and surface water monitoring to prove viability of proposed developments (Cardno, 2012, p. 25). <input type="checkbox"/> A detailed geotechnical investigation to identify porous limestone (Cardno, 2012, p. 32) and confirm regional geological mapping (Cardno, 2012, p.36). <input type="checkbox"/> Detailed assessment for likely water requirements of any proposal (Cardno, 2012, p. 37). <input type="checkbox"/> Detailed water balance undertaken as part of the LWMS for all developments (Cardno, 2012, p. 38). <input type="checkbox"/> Baseline data of groundwater levels and quality for at least 2 years (Cardno, 2012, p. 38). <input type="checkbox"/> Groundwater level and quality townsite specific data is required (Cardno, 2012, p. 39). <input type="checkbox"/> Post-development monitoring should continue for at least 2 years from completion (Cardno, 2012, p. 39). <p>CCG agree with the needs identified above and that "<i>appropriate monitoring regimes both pre-development and after construction are an integral part of the whole water cycle approach</i>" (Cardno, 2012, p. 39).</p> <p>CCG recommends that monitoring of groundwater level and quality is on-going.</p> <p>CCG recommends that acceptable groundwater levels and quality are clearly identified with effective mitigation measures in place to rectify any breach.</p> <p>Cameron's Cave</p> <p>Cameron's Cave Troglitic Community is located within the</p>	The issue of domestic bore is regulated by DoW. CCG is encouraged to raise its concern with DoW.	

	<p>town boundary and considered critically endangered. CCG supports the 500m buffer recommended by the North West Cape Karst Management Advisory Committee (Cardno, 2012, p. 11).</p> <p>Due to the general eastern groundwater flows (Cardno, 2012, p. 9) CCG suggests consideration should be given to excluding development to the west of the 500m buffer within the town boundary, because of the floodways present northwest and southwest of the site.</p> <p>Potential petroleum contamination</p> <p>CCG agrees with the concern raised about a petrol station being located within a floodway (Cardno, 2012, p. 14) and urges the Shire of Exmouth to specifically address the issue and ensure appropriate mitigation measures are in place.</p> <p>Dunal System</p> <p><i>“Developments proposed along the coastal fringe of the SoE are required to undertake appropriate consideration of possible storm surges, with coastal vulnerability studies recommended where development is proposed within or immediately behind the dunal systems”</i>[our emphasis]. (Cardno, 2012, p. 37)</p> <p>Due to high conservation value and the significant protection dunal systems provide against storm surge and tsunamis, CCG recommend that no development is considered within the coastal dunal system.</p>		
Department of Water	<p>The DWMS (Rev 1) has been reviewed by the DoW, and it is considered that the document is acceptable to endorsement, subject to some minor typographical corrections listed below.</p> <p><u>Exmouth DWMS Rev 1 – minor comments</u></p> <ul style="list-style-type: none"> • Section 1.1 – 3rd para: BUWM is WAPC publication, not DoW. Also incorrect reference on p4, the correct reference which should be used is on p20. • Table 1 (p2) – Section 0 stated, needs to be corrected. • Section 2.2.4.3 – Reference should be to <i>Exmouth Water Reserve Drinking Water Source Protection Review</i> (DoW 2011). • Section 5.1.3.5 – Ref on p24 incorrect, should be (WRC 1999) and title as listed in Reference List. 	Noted – These minor typographical corrections will be made to the document .	

The issues raised by Cape Conservation Group will be dealt with during development approval stage using the various State Planning Policies. No major issues were raised by the Department of Water during the advertising period and the officers recommend that Council adopt the Exmouth District Water Strategy as a Planning Policy in accordance with Clause 9.6 of the Town Planning Scheme No. 3.

CONSULTATION

In accordance with the Shire of Exmouth Town Planning Scheme No 3, the Policy will be advertised, to include publishing a notice once a week in a local newspaper circulating within the Scheme Area giving details of the adoption of the Policy.

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Town Planning Scheme No.3

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Environment

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

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

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.6.3

That the Council of the Shire of Exmouth pursuant to clause 9.6 of the Shire of Exmouth Town Planning Scheme No. 3;

- 1. Adopt the Exmouth District Water Management Strategy as a Planning Policy, and*
- 2. Advertise the Policy by publishing a notice once in a local newspaper circulating within the Scheme Area giving details of the adoption of the Policy.*

COUNCIL DECISION – 14-0712 – 10.6.3

Moved Councillor Fitzgerald, Seconded Councillor Warren.

That the Council of the Shire of Exmouth pursuant to clause 9.6 of the Shire of Exmouth Town Planning Scheme No. 3;

- 1. Adopt the Exmouth District Water Management Strategy as a Planning Policy, and*
- 2. Advertise the Policy by publishing a notice once in a local newspaper circulating within the Scheme Area giving details of the adoption of the Policy.*

CARRIED 6/0

10. REPORTS OF OFFICERS

10.6 Executive Manager Town Planning

10.6.4 Town Planning Scheme No. 3 - Amendment 29

Location: Exmouth
 Applicant: RPS
 File Reference: LP.PL.2.29
 Disclosure of Interest: Nil
 Date: 27th June 2012
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that Council initiate Scheme Amendment 29 to Local Planning Scheme No. 3 for the purpose of initiating formal advertising pursuant to Section 75 of the Planning and Development Act 2005. (refer *Attachment 6*).

BACKGROUND

Council is in receipt of a scheme amendment application from RPS which seeks to rezone a portion of Lot 847 Nimitz Street & Portion of Lot 500 Reid Street, Exmouth from Recreation and Open Space to Residential Development. The purpose of the Amendment is to extend the 'Residential Development' zone across the subject land to facilitate the future development of this land for residential purposes, including additional road connections to Reid Street, consistent with the initiatives identified in the Nimitz Street ODP.

Council during the May 2012 OCM adopted the Nimitz Street ODP with the following being part of the resolution:

That the Council of the Shire of Exmouth adopt the Outline Development Plan subject to subject to the modifications below and within 21 days the Council forward the Outline Development Plan, a summary of all submissions and its recommendation to the Commission:-

1. *LandCorp prepare a scheme amendment for Council to rezone portion of 31212 and 50806 immediately west of Reid Street from Recreation and Open Space to Residential; this may include a minor amendment to the Exmouth Structure Plan;*

The proposed amendment is being submitted to achieve the above resolution.

COMMENT

Scheme amendments are controlled by the *Planning and Development Act 2005* and the *Town Planning Regulations 1967*. These outline the processes to be undertaken in the scheme amendment, Town Planning Scheme No 3 and the Exmouth Structure Plan can be used to provide guidance on the assessing of this amendment.

It should be noted that only the Council can initiate/refuse an amendment having due regard to the purpose and objectives outlined in regional and local planning strategies and the purpose of public advertising.

At the conclusion of public advertising, any submissions received will be tabled to Council to resolve whether to adopt, with or without modifications, or refuse the Amendment. The final approval is to be granted by the Minister for Planning and Infrastructure having regard to advice from the Western Australian Planning Commission.

The Exmouth Structure Plan

The Exmouth Structure Plan provides an over-arching framework for the future development of the Exmouth Townsite. The Exmouth Townsite Structure Plan was adopted by the Shire of Exmouth in December 2009 and endorsed by the WA Planning Commission in September 2011.

The Opportunities and Constraints assessment undertaken as part of the Structure Plan investigations identifies the Nimitz Street site, including the land subject of the proposed Amendment, as an opportunity for infill residential development, subject to appropriate resolution of planning (Liveable Neighbourhoods) engineering (drainage and flooding) and Native Title considerations. The proposed Amendment is consistent with the strategic framework for Exmouth and Council's May 2012 OCM resolution.

Environmental issues

The environmental qualities of the subject land have been investigated as part of the broader technical investigations associated with the ODP. These investigations have revealed that the land subject to the Proposed Amendment, and indeed within the overall ODP, contains no flora or fauna species of any significance, or any other environmental attributes to warrant retention of the current zoning in the Council's TPS No. 3.

Based on the above strategic document, the Structure Plan and the approved Nimitz Street ODP, Council is requested to support the initiation of the scheme amendment. The amendment will ensure that development is maximised by utilising unconstrained land for residential development.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Shire of Exmouth Town Planning Scheme No.3

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Environment

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

- Outcome 2.2: Our pristine natural environment and biodiversity will be understood, maintained and protected.

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.6.4

That the Council of the Shire of Exmouth initiate Amendment 29 to Local Planning Scheme No. 3 for the purpose of initiating formal advertising pursuant to Section 75 of the Planning and Development Act 2005 for the purposes of:

- 1. Rezoning a portion of Lot 847 Nimitz Street & Portion of Lot 500 Reid Street, Exmouth from Recreation and Open Space to Residential Development.*
- 2. Amending the Scheme Map accordingly as depicted on the Scheme Amendment Map.*

COUNCIL DECISION – 15-0712 – 10.6.4

Moved Councillor Fitzgerald, Seconded Councillor Thompson.

That the Council of the Shire of Exmouth initiate Amendment 29 to Local Planning Scheme No. 3 for the purpose of initiating formal advertising pursuant to Section 75 of the Planning and Development Act 2005 for the purposes of:

- 1. Rezoning a portion of Lot 847 Nimitz Street & Portion of Lot 500 Reid Street, Exmouth from Recreation and Open Space to Residential Development.*
- 2. Amending the Scheme Map accordingly as depicted on the Scheme Amendment Map.*

CARRIED 6/0

10. REPORTS OF OFFICERS

10.6 Executive Manager Town Planning

10.6.5 Final Adoption of Scheme Amendment 28

Location: Exmouth
 Applicant: Shire of Exmouth
 File Reference: LP.PL.2.19
 Disclosure of Interest: Nil
 Date: 13th June 2012
 Author: Executive Manager Town Planning, Rhassel Mhasho
 Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that the Council of the Shire of Exmouth adopt Scheme Amendment 28 without modification and execute the Amendment in accordance with section 22 of the Town Planning Regulations 1967. (refer *Attachment 7*).

BACKGROUND

In March, 2012 Council resolved to adopt Scheme Amendment 28 to amend Local Planning Scheme No.3 for the purpose of initiating formal advertising pursuant to section 75 of the Planning and Development Act 2005. The Amendment seeks to:

1. Reclassify a portion of Reserve 50807 and 28764 from Recreation and Open Space to Public Purposes.
2. Amend the scheme map accordingly as depicted on the Scheme Amendment Map.

The amendment will provide guidance on the future development of the land should the ultimate purpose of Reserve 50807 change from 'recreation and research centre.' Reclassifying the land from Recreation and Open Space, as shown on the Scheme Map, to Public Purposes will protect the land for future development of the Ningaloo Centre.

COMMENT

Council advertised Scheme Amendment 28 for one week in the Northern Guardian and on community notice boards inviting public comment for a period of 42 days. Submissions were accepted on or before the 21st June 2012 and seven submissions were received. The schedule of submission is shown below.

Amendment No. 28 – Schedule of Submissions

N ^o	SUBMISSION FROM	REMARKS	RECOMMENDATION	
			SHIRE OF EXMOUTH	WAPC
1	Main Roads Department PO Box 480 Carnarvon WA 6701	No objection	Noted	
2	Department of Environment and Conservation Nimitz Street Exmouth WA 6707	No environmental concerns	Noted	
3	Department of Regional Development and Lands PO Box 1143 West Perth WA 6872	No further action is required by the Department	Noted	
4	Horizon Power	Horizon Power may have concerns regarding	An application	

	333 Robinson Street Carnarvon WA 6701	capacity within the installed assets. These may require upgrading dependent of the required customer loading.	will be made to Horizon Power during the construction stage	
5	Department of Health PO Box 8172 Perth WA 6849	<p>Waste Water Disposal</p> <p>The proposed development should only proceed after the neighboring wastewater ponds have been relocated.</p> <p>All proposed and subsequent developments must comply with the provisions of the draft Country Sewerage Policy.</p> <p>Scheme Amendment</p> <p>Public Health is recommended to be integrated to the Town Planning Scheme under the headings such as scheme objectives and within the various strategies outlined. Public Health should include disability access, disaster preparedness, health, social and mental wellbeing of the residents, workforce and visitors. Incorporating 'public health' into the design and implementation of the Town Planning Scheme will ensure more sustainable developments.</p> <p>The new Public Health Bill will require integration of Public Health Planning into existing town planning schemes and strategies as part of the integrated planning framework. This is an opportune time to start incorporating such public health principles and objectives into existing planning schemes and strategies.</p> <p>Failure to consider 'public health' when resolving planning issues has been identified as the cause of some difficult public health problems. It is suggested that a clear statement is made to incorporate public health issues under the planning principles in the planning scheme and associated strategies.</p> <p>The amendment provides the Shire of Exmouth the opportunity to minimize the land use conflicts and incompatible activities which is the most common issue in land use and development. Health impacts draw many attentions in those issues and hence, should be appropriately and adequately addressed at this level.</p> <p>Health concerns about buffers are limited to the industries and infrastructures. Consideration must be given to the need for adequate buffers to protect residents from lifestyle and public health impacts such as mosquitoes or pesticide spray drift from agricultural activities for example.</p>	Noted . Council may be required to undertake odour modeling studies.	
6	Aspen Park PO Box 3442 Perth WA 6832	<p>Aspen Park commends Council for its initiative and supports the intention to develop the site to provide for specific infrastructure which meets the need of the community now and into the future.</p> <p>As outlined in the Scheme report the Exmouth WWTP adjoins the area proposed to be developed. As Council would be aware the normal operation of a wastewater treatment plant results in the production of a noticeable odour which can impact on the surrounding amenity making the area unsuitable for odour sensitive land uses, namely, residential houses, restaurants, cafes or any other land uses which involve the attraction of large numbers of people.</p> <p>Given the proposed use of the subject area for tourism uses and the proximity of the Exmouth WWTP it is highly conceivable tourists, workers and other visitors to the site will regularly detect unpleasant odours from the plant. It is acknowledged the importance the Exmouth WWTP provides to the Town and local environment, however its location forms a constraint to the development of the subject site.</p> <p>It is therefore important for the community</p>	Noted	

		development to proceed, which will enhance the attraction of use of the subject facilities; the relocation of the WWTP needs to precede the development. Therefore whilst the Water Corporation may have committed to its relocation; Council must be satisfied that progressing the Scheme Amendment will not bring people into harms way. To address this fundamental concern Aspen Parks recommends strongly that the Shire receives in writing from both the Hon Bill Marmion MLA, Minister for Environment; Water and the Managing Director of the Water Corporation dates and timelines committing to the relocation of the Exmouth WWTP to Commonwealth land to the north of the town before gazettal of the Scheme Amendment.		
7	Water Corporation PO Box 100 Leederville WA 6902	<p>The Corporation has no objections to the proposal to reclassify the current Waste Water Treatment Plan Site (R28764) from "Recreation and open space" to "public purposes". However any development of the surrounding land for public purposes as outlined in the amendment report must have due regard to the land use restrictions associated with the odour buffer around the existing WWTP, until the plant has been relocated. The relocation of the WWTP is presently anticipated to be implemented around the end of 2016, subject to the availability of capital funding, acquisition of a suitable site, and obtaining the necessary environmental and other approvals.</p> <p>The town's sewers currently terminate at the existing WWTP site. As part of the WWTP relocation, the Corporation will need to construct a large wastewater pump station on the current WWTP site to transfer the towns wastewater northwards to the new WWTP. The transfer pump station is planned to be situated towards the eastern end of Reserve 28764. The ultimate pump station will require a 30m radius odour buffer within which odour sensitive land uses must not be permitted.</p> <p>The pump station will pump through a large diameter wastewater pressure main which will need to be satisfactorily accommodated with existing or future road reserves or other Crown reserves. The Corporations present planning indicates that the pressure main will traverse R28764 and R 50807 and thereafter follow the alignment of Willersdorf Road northwards towards the new WWTP.</p>	Noted	

One major issue raised during the advertisement period was the odour buffer of the proposed Ningaloo centre from the waste water plant. The EPA Guiding Statement No 3 *Separation distances between industrial and sensitive land use* identifies waste water treatment plants as requiring a separation distance for their possible gaseous and odour emissions. The 1997 version recommended a separation distance of 1km for large biological treatment plants and 500m for smaller facilities such as Exmouth. This buffer is depicted in the Exmouth Structure Plan.

In 2005 the EPA issued a revised version to the EPA Guiding statement No 3 *Separation distances between industrial and sensitive land use*. The 2005 version omitted the recommended separation distances and instead recommends that site specific buffer zone studies be undertaken to determine appropriate separation distances.

Council officers recommend that should the construction of the Ningaloo Centre be completed before works on the construction of the new waste water plant have commenced, Council will need to undertake studies in line with the EPA Guiding Statement No 47 *Assessment of Odour Impacts from New Proposals*.

Based on these above discussion Council is recommended to adopt Scheme Amendment 19 without modification and execute the Amendment in accordance with section 22 of the *Town Planning Regulations 1967*.

CONSULTATION

Consultation was undertaken for 42days in accordance with Section 15 of the *Town Planning Regulations 1967*.

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Town Planning Regulations 1967
Shire of Exmouth Town Planning Scheme No. 3

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Environment

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

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

Social

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.6.5

That the Council of the Shire of Exmouth adopt Scheme Amendment 28 without modification and execute the Amendment in accordance with section 22 of the Town Planning Regulations 1967.

COUNCIL DECISION – 16-0712 – 10.6.5

Moved Councillor Hood, Seconded Councillor Fitzgerald.

That the Council of the Shire of Exmouth adopt Scheme Amendment 28 without modification and execute the Amendment in accordance with section 22 of the Town Planning Regulations 1967.

CARRIED 6/0

10. REPORTS OF OFFICERS

10.6 Executive Manager Town Planning

10.6.6 Holiday Accommodation upon Lot 443 (24) Osprey Way Exmouth

Location: Lot 443 (24) Osprey Way, Exmouth
 Applicant: Jacquie Lymbery and Luke Sullivan
 File Reference: 443
 Disclosure of Interest: Nil
 Date: 9 July 2012
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that the Council of the Shire of Exmouth grant planning approval for the change of use - holiday accommodation upon Lot 443 (24) Osprey Way, Exmouth. (refer *Attachment 8*)

BACKGROUND

The subject property is within the Marina Zone under the Shire of Exmouth Town Planning Scheme No. 3 (the Scheme). The applicant seeks Council's planning approval for the use of holiday accommodation upon the subject land.

Proposal summary:

- Maximum number of occupants: 12 persons. This includes no more than nine (9) people over the age of 10.
- Maximum number of vehicles: 3 vehicles and 2 trailers (inc. boats on trailers)
- Property to be managed by Exmouth Cape Realty
- Tenant Code of Conduct and Management Statement for occupants
- Fire Escape plan for occupants

COMMENT

The Shire of Exmouth Town Planning Scheme No. 3 (Scheme) and Local Planning Policy No. 6.27: Holiday Accommodation (Policy 6.27) outlines the permissibility and development requirements for holiday accommodation use within the Marina zone.

Policy 6.27 objectives sought to:

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

Generally the development conforms with the Scheme however, there are issues which require modifications, as discussed herein: -

Amenity

Tenant Code of Conduct framework clearly outlines: minimal noise after 10pm, no fish cleaning, no pets without the owner's permission, parking and occupancy requirements, bin collection and emergency contacts. While sufficient, a condition shall be applied to ensure the use can be rescinded if, in the opinion of Council, any activities associated with the use affects amenity (enjoyment) or causes nuisance or annoyance to owners/occupiers of land in the vicinity.

Number of Occupants

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

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

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

Schedule 1: Allowable Occupants: Lot 443 (24) Osprey Way, Exmouth

Bedroom 1: Total floor space: 17.33m², Approximate Air Space: 46m³
Allowable occupants: 3 adults **OR** 5 children **OR** 2 adults and 2 children **OR** 1 adult and 4 children

Bedroom 2: Total floor space: 13.91m², Approximate Air Space: 37m³
Allowable occupants: 2 adults **OR** 4 children **OR** 2 adults and 1 child **OR** 1 adult and 2 children

Bedroom 3: Total floor space: 14.49m², Approximate Air Space: 38m³
Allowable occupants: 2 adults **OR** 4 children **OR** 2 adults and 1 child **OR** 1 adult and 3 children

Bedroom 4: Total floor space: 14m², Approximate Air Space: 37m³
Allowable occupants: 2 adults **OR** 4 children **OR** 2 adults and 1 child **OR** 1 adult and 2 children

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

**The air space is calculated with a 2.675m ceiling height.

Occupancy Levels

The application states the maximum number of overnight occupants to be 12 persons. The Shire's Holiday Accommodation Policy (6.27) allows up to 12 persons to be considered in a holiday home, which complies with the ventilation/overcrowding requirements of the *Health Act 1911*. This includes no more than nine (9) people over the age of 10.

Alternative combinations of adults and children can be accommodated as per Schedule 1 above. Further, the maximum occupancy for each room shall be in accordance with the Shire of Exmouth Health Local Laws and Council Policy.

Number of Vehicles

The property can accommodate a maximum of three cars and two boats (including trailers) on site. The Holiday Accommodation Policy (6.27) states that car parking shall be calculated on the basis of four persons per vehicle. Given the recommendation to limit the occupancy rate to twelve (12) people, the number of vehicles and trailers (including boats on trailers) shall be restricted to 3 to 2 respectively.

Access

Legal access is provided by one sealed crossover to Friedman Way (proposed garage) and one sealed crossover to Osprey Way (proposed boat shed). The Scheme permits the use of the front setback areas for a means of access and daily parking of vehicles. However, Council may impose conditions concerning:-

- *the proportion of parking spaces to be roofed or covered;*
- *the location of the parking spaces on-site and its effect on the amenity of adjoining properties; and*
- *the suitability and adequacy of proposed screening or landscaping.*

Management Statement and Code of Conduct

The applicant has submitted a copy of the Tenant Code of Conduct and Fire Evacuation Plan. The documentation is considered sufficient to achieve the desired management framework. A condition shall be applied to ensure the occupancy numbers are written clearly to reflect the relevant Scheme provisions and approval by Council.

Consultation Undertaken

All holiday accommodation applications are required to be referred to adjoining owners and occupiers of land for comment on the proposal. Council must consider any submissions received during the advertising period.

Adjoining property owners were invited to comment on the proposal, with the consultation period closing Tuesday 10 July 2012. No comments were received from neighbours. A list of notified properties is tabled below:

Property	Response	Officers comments
Lot 442 Osprey Way	No objection - expect that noise abatement policy will apply.	The proposed change of use is compatible within the precinct.
Lot 444 Madaffari Drive	No comment	A condition shall be applied to state that Council may vary or rescind its approval if there are any adverse effects on the local amenity, including the enjoyment of neighbouring properties in the vicinity, in accordance with Council Policy. A condition shall be applied to ensure parking is consistent to the residential scale.
Lot 445 Madaffari Drive	No comment	
Lot 414 Madaffari Drive	No comment	

Council officers recommend Council grant planning approval for the use of holiday accommodation subject to conditions.

CONSULTATION

The application was referred to adjoining landowners and tenants for comment as per Clause 8.3.3 of Town Planning Scheme No. 3.

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Town Planning Scheme No. 3
Health Act 1911

POLICY IMPLICATIONS

Policy No. 6.27: Holiday Accommodation

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Environment

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

- Outcome 2.2: Our pristine natural environment and biodiversity will be understood, maintained and protected.

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

FINANCIAL IMPLICATIONS

Nil

OFFICER'S RECOMMENDATION – 10.6.6
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That the Council of the Shire of Exmouth grant planning approval for holiday accommodation upon Lot 443 (24) Osprey Way, Exmouth subject to the following conditions:-

- 1. Development to accord with the Shire of Exmouth Town Planning Scheme No.3, approved plans (PA57/12) and Local Planning Policy No. 6.27: Holiday Accommodation (as amended) to the satisfaction of Council officers;*
- 2. The maximum number of overnight occupants allowed within the dwelling at the same time shall be Twelve (12) persons and no more than nine (9) persons over the age of ten at any one time. Furthermore, the maximum occupancy for each room shall be in accordance with the Shire of Exmouth Health Local Laws and Council Policy;*
- 3. The maximum number of vehicles and trailers (including boats on trailers or camper trailers) that can be accommodated on the property shall be three (3) and two (2) respectively. The property does not include the Council road verge or adjoining/nearby vacant land. Potential occupants shall be advised of this prior to booking;*
- 4. The property shall provide at least three (3) 240 litre rubbish bins prior to the use commencing;*
- 5. The Tenants Code of Conduct and Management Statement shall be rewritten, and approved by Council prior to the use commencing. This includes and is not limited to the following issues:*
 - *The maximum number of occupants being twelve (12) persons, this includes a maximum of nine (9) persons over the age of ten at any one time;*
 - *The maximum number of vehicles and trailers (including boats on trailers) is three (3) and two (2).*
- 6. The Tenants Code of Conduct shall be clearly displayed in the premises in accordance with Council Policy;*
- 7. An emergency response plan (i.e. fire escape route maps etc) is required to be clearly displayed in a conspicuous location within the dwelling, plus:*
 - *a fire extinguisher, in a clearly visible location (and marked on the emergency response plan), is to be maintained in proper working order; and*
 - *no fires are to be lit outside with the exception of a gas barbeque.*
- 8. The property is to be managed by a local caretaker/manager living and readily contactable within ten (10) minutes of the property;*

9. *Prior to the property being used for holiday accommodation, an approved smoke alarm must be installed on or near the ceiling in each guest bedroom; and in every corridor or hallway associated with a bedroom, or if there is no corridor or hallway, in an area between the bedrooms associated with a bedroom, or if there is no corridor or hallway, in an area between the bedrooms and the remainder of the building. The smoke alarms must be installed in accordance with AS 3786 and be connected to the consumer mains power;*
10. *If in the opinion of Council the approved use adversely affects the local amenity including the enjoyment of neighboring properties, or causes a nuisance to owners/occupiers of the land in the vicinity, or to persons or traffic using roads in the vicinity of the approved use, Council may vary or rescind its approval in accordance with Council Policy;*
11. *The property not being used for the use hereby granted until an inspection has been carried out by a Council officer and that officer is satisfied that the conditions of this approval hereby granted have been complied with; and*
12. *The approval is valid for a period of two (2) years (30 September 2014). Upon this period lapsing, the re-application for approval shall be required should the property continue to be used for holiday accommodation.*

Advice

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

Below is a Schedule of permitted number of occupants per room which identifies alternative combinations of guests – not to exceed a total of Twelve (12) persons. This includes no more than nine (9) persons over the age of 10 at any one time. This Schedule shall be appropriately displayed in the house.

Schedule 1: Allowable Occupants: Lot 443 (24) Osprey Way, Exmouth

Bedroom 1: Total floor space: 17.33m², Approximate Air Space: 46m³
 Allowable occupants: 3 adults **OR** 5 children **OR** 2 adults and 2 children **OR** 1 adult and 4 children

Bedroom 2: Total floor space: 13.91m², Approximate Air Space: 37m³
 Allowable occupants: 2 adults **OR** 4 children **OR** 2 adults and 1 child **OR** 1 adult and 2 children

Bedroom 3: Total floor space: 14.49m², Approximate Air Space: 38m³
 Allowable occupants: 2 adults **OR** 4 children **OR** 2 adults and 1 child **OR** 1 adult and 3 children

Bedroom 4: Total floor space: 14m², Approximate Air Space: 37m³
 Allowable occupants: 2 adults **OR** 4 children **OR** 2 adults and 1 child **OR** 1 adult and 2 children

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

***The air space is calculated with a 2.675m ceiling height.*

- ii) *Should the holiday accommodation be viewed as a 'Lodging House' at any time under the Health Act 1911, a permit pursuant to the Shire of Exmouth Health Local Laws will be required. For further information, please contact the Shire of Exmouth's Health Services on 9949 3000.*
- iii) *Should the applicant be aggrieved by this decision, a right of review may exist pursuant to the State Administrative Tribunal Act 2004. A request for review should be made within 28 days of notice of this decision to the State Administrative Tribunal.*

COUNCIL DECISION – 17-0712 – 10.6.6

Moved Councillor Fitzgerald, Seconded Councillor Hood.

That the Council of the Shire of Exmouth grant planning approval for holiday accommodation upon Lot 443 (24) Osprey Way, Exmouth subject to the following conditions:-

2. *Development to accord with the Shire of Exmouth Town Planning Scheme No.3, approved plans (PA57/12) and Local Planning Policy No. 6.27: Holiday Accommodation (as amended) to the satisfaction of Council officers;*
3. *The maximum number of overnight occupants allowed within the dwelling at the same time shall be Twelve (12) persons and no more than nine (9) persons over the age of ten at any one time. Furthermore, the maximum occupancy for each room shall be in accordance with the Shire of Exmouth Health Local Laws and Council Policy;*
4. *The maximum number of vehicles and trailers (including boats on trailers or camper trailers) that can be accommodated on the property shall be three (3) and two (2) respectively. The property does not include the Council road verge or adjoining/nearby vacant land. Potential occupants shall be advised of this prior to booking;*
5. *The property shall provide at least three (3) 240 litre rubbish bins prior to the use commencing;*
6. *The Tenants Code of Conduct and Management Statement shall be rewritten, and approved by Council prior to the use commencing. This includes and is not limited to the following issues:*
 - *The maximum number of occupants being twelve (12) persons, this includes a maximum of nine (9) persons over the age of ten at any one time;*
 - *The maximum number of vehicles and trailers (including boats on trailers) is three (3) and two (2).*
7. *The Tenants Code of Conduct shall be clearly displayed in the premises in accordance with Council Policy;*
8. *An emergency response plan (i.e. fire escape route maps etc) is required to be clearly displayed in a conspicuous location within the dwelling, plus:*
 - *a fire extinguisher, in a clearly visible location (and marked on the emergency response plan), is to be maintained in proper working order; and*
 - *no fires are to be lit outside with the exception of a gas barbeque.*
9. *The property is to be managed by a local caretaker/manager living and readily contactable within ten (10) minutes of the property;*
10. *Prior to the property being used for holiday accommodation, an approved smoke alarm must be installed on or near the ceiling in each guest bedroom; and in every corridor or hallway associated with a bedroom, or if there is no corridor or hallway, in an area between the bedrooms associated with a bedroom, or if there is no corridor or hallway, in an area between the bedrooms and the remainder of the building. The smoke alarms must be installed in accordance with AS 3786 and be connected to the consumer mains power;*
11. *If in the opinion of Council the approved use adversely affects the local amenity including the enjoyment of neighboring properties, or causes a nuisance to owners/occupiers of the land in the vicinity, or to persons or traffic using roads in the vicinity of the approved use, Council may vary or rescind its approval in accordance with Council Policy;*
12. *The property not being used for the use hereby granted until an inspection has been carried out by a Council officer and that officer is satisfied that the conditions of this approval hereby granted have been complied with; and*
13. *The approval is valid for a period of two (2) years (30 September 2014). Upon this period lapsing, the re-application for approval shall be required should the property continue to be used for holiday accommodation.*

Advice

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

Below is a Schedule of permitted number of occupants per room which identifies alternative combinations of guests – not to exceed a total of Twelve (12) persons. This includes no more than nine (9) persons over the age of 10 at any one time. This Schedule shall be appropriately displayed in the house.

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

**The air space is calculated with a 2.675m ceiling height.

- ii) Should the holiday accommodation be viewed as a 'Lodging House' at any time under the Health Act 1911, a permit pursuant to the Shire of Exmouth Health Local Laws will be required. For further Information, please contact the Shire of Exmouth's Health Services on 9949 3000.***
- iii) Should the applicant be aggrieved by this decision, a right of review may exist pursuant to the State Administrative Tribunal Act 2004. A request for review should be made within 28 days of notice of this decision to the State Administrative Tribunal.***

CARRIED 4/2

Councillor Winzer and Councillor Thompson voted against.

10. REPORTS OF OFFICERS

10.6 Executive Manager Town Planning

10.6.7 Over height Outbuilding upon Lot 127 (49) Skipjack Circle, Exmouth

Location: Lot 127 (49) Skipjack Circle, Exmouth
 Applicant: Mark Lintern
 File Reference: 127(49)
 Disclosure of Interest: Nil
 Date: 9 July 2012
 Author: Executive Manager Town Planning, Rhassel Mhasho

Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

This report recommends that the Council of the Shire of Exmouth grant conditional approval for an oversized outbuilding upon Lot 127(49) Skipjack Circle, Exmouth. (refer *Attachment 9*).

BACKGROUND

The proponent seeks Council's planning approval for an oversized outbuilding upon Lot 127(49) Skipjack Circle, Exmouth. Currently an existing shed is situated upon the south west portion of the subject land. A building permit has been issued for a proposed residence approximately 131m². There is no vegetation on the site with one side and one rear boundary fence erected. The applicant provided a letter of support for the proposed variation. (refer *Attachment 10*).

Proposal summary includes:

- 10m x 7m enclosed shed with skillion roof design;
- total floor area: approximately 70m²; and
- wall height of approximately 3.8m.

Setbacks:

- Front: 10.4m (behind proposed dwelling setback)
- Side: 0.7m
- Rear: 7.6m

A variation from the Residential Design Codes of Western Australia (R-Codes) is as follows:

- A total area of approximately 70m² in lieu of 60m²;
- 3.8m height in lieu of 2.4m; and
- 0.7m setback in lieu of 1.5m

COMMENT

The proposal can be assessed under the Shire of Exmouth Town Planning Scheme No. 3 (Scheme), the Western Australian Residential Design Codes (R-Codes) and the Council's Local Planning Policy 6.7 - Outbuildings (Policy).

Shire of Exmouth Town Planning Scheme No. 3 (Scheme)

Under the Shire of Exmouth Town Planning Scheme No. 3 (Scheme), the subject site is zoned Residential. The objectives of the residential zone are to:

- a) *provide for the predominant form of residential development to be single houses whilst providing for diversity with some higher density close to the town centre;*
- b) *provide for diversity of lifestyle choice with a range of densities;*
- c) *achieve a high standard of residential development having regard to the economic importance of tourism to the town; and*
- d) *allow for the establishment of non-residential uses which are compatible with the predominant residential use and which will not adversely affect local amenities.*

It is considered that the proposed oversized outbuilding subject to this planning application is not inconsistent with the zone objectives.

Clause 4.1 of the Scheme outlines that the Residential Design Codes of Western Australia (R-Codes) are the provisions that must be adhered to for development of land within the Residential zone.

It is considered that the proposed Outbuilding subject to PA56/12 is generally consistent with the standards identified in the Scheme.

Residential Design Codes of Western Australia (R-Codes)

Section 6.3 outlines the objectives of boundary set-back requirements, which is *to ensure adequate provision of direct and sun and ventilation for buildings and to ameliorate the impacts of building bulk, interference with privacy, and overshadowing on adjoining properties.*

Section 6.10 discusses incidental building requirements and the acceptable development provisions for Outbuildings are outlined in Section 6.10.1. Outbuildings should not detract from the streetscape or the visual amenity of residents or neighbouring properties.

The following acceptable development is prescribed for Outbuildings:

- collectively do not exceed 60m² in area or 10% in aggregate of the site area, whichever is the lesser;
- do not exceed a wall height of 2.4m;
- do not exceed ridge height of 4.2m;
- are not within the primary setback area; and
- do not reduce the amount of open space required, being minimum total of 50% off site and 36m² of outdoor living area.

The proposed oversized outbuilding requests a variation to the above standards as it exceeds 60m² in area and is approximately 3.8m in wall height. The side setback on the western boundary is also approximately 700mm, which is a variation to 1.5m (Table 2a of the R-Codes).

It is considered that the variation can be approved as it conforms to some of the existing wall height and sizes of a number of outbuildings within this locality and no objection from adjoining residents were raised during previous consultation.

The increase in height is considered negligible and does not detract from the intent of the provision which is to not detract from the streetscape or the visual amenity of residents or neighbouring properties.

Local Planning Policy 6.7 - Outbuildings

Council's Local Planning Policy 6.7 - Outbuildings (Policy) defines an 'outbuilding' as:

"An enclosed non-habitable structure that is ancillary to and detached from a dwelling, used for domestic purposes associated with the enjoyment of that dwelling, and may include the garaging of motor vehicles."

In addition, an 'oversized outbuilding' is defined under the Policy as:

"An outbuilding that exceeds 60m² in area and/or has a wall height exceeding 2.4m and/or a ridge height that exceeds 4.2m."

In accordance with Section 4.1 of the Policy, this planning application is made pursuant to the R-Codes, for a Single House/Outbuilding Codes Variation.

Whilst requesting a variation for the above size and height, the proposed oversized outbuilding is setback over 10m from the street in accordance with Section 2.3 of the Policy.

In accordance with Section 5 of the Policy, a reduced setback can be considered as long as affected neighbours have been consulted and do not object. As outlined below under the consultation section, the proposed oversized outbuilding has been notified to affected properties and no objections were raised.

It is noted that the proposed oversized outbuilding is inconsistent with the R-Code standards and the wall height standard of the Policy. Despite this departure, it is considered that the oversized outbuilding is consistent with the orderly and proper planning of the locality and does not have any adverse effect upon the locality.

CONSULTATION

Adjacent properties were invited to comment on the proposed variation prior to **Thursday 5th July 2012**. Comments were received, a summary is tabled below:

Property	Received	Comment
Lot 126 (47) Skipjack Circle	No comment	
Lot 128 (51) Skipjack Circle	No objection	
Lot 144 (43) Snapper Loop	No objection	New shed should not compromise existing fence and run-off is minimised.
Lot 145 (41) Snapper Loop	No objection	

A condition regarding the appropriate management of stormwater will be recommended for any approval granted.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Shire of Exmouth Town Planning Scheme No. 3

POLICY IMPLICATIONS

Local Planning Policy 6.2: Colour Palette for Developments

Local Planning Policy 6.7: Outbuildings

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Economic

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

- Outcome 1.2 - Planned and balanced economic growth.

Environment

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

Social

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

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

Civic Leadership

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.6.7

That the Council of the Shire of Exmouth grant conditional planning approval for the oversized outbuilding with a reduced side setback upon Lot 127 (49) Skipjack Circle, Exmouth subject to the following conditions:-

1. *The development being carried out generally in accordance with the Shire of Exmouth Town Planning Scheme No. 3 and the amended approved plans (PA56/12) to the satisfaction of Council Officers;*
2. *The external cladding of the outbuilding to be consistent with the Council Policy 6.2 - Colour Palette for Developments;*
3. *A maximum wall height of 3.8m (plans to be amended) and 0.7m western side setback;*
4. *The outbuilding should not be used for habitable purposes;*
5. *Stormwater being managed on site and/or discharged into the Shire's road drainage system in accordance with the Building Code of Australia;*
6. *Concrete footings on the boundaries shall not encroach beyond the limits of the site; and*
7. *The approval granted is valid up to two years of the date of this approval. Should the use approved not substantially commence within this time, the approval will lapse.*

Advice

- i) *Prior to any construction, the applicant being required to obtain a building permit approval from the Shire of Exmouth.*
- ii) *The approval granted is not to be construed as approval granted under the Local Government (Miscellaneous Provisions) Act 1960, Building Regulations 1989 or any other relevant statutory approval.*
- iii) *Should the applicant be aggrieved by this decision, a right of review may exist pursuant to the State Administrative Tribunal Act 2004. A request for review should be made within 28 days of notice of this decision to the State Administrative Tribunal.*

COUNCIL DECISION – 18-0712 – 10.6.7

Moved Councillor Fitzgerald, Seconded Councillor Hood.

That the Council of the Shire of Exmouth grant conditional planning approval for the oversized outbuilding with a reduced side setback upon Lot 127 (49) Skipjack Circle, Exmouth subject to the following conditions:-

1. *The development being carried out generally in accordance with the Shire of Exmouth Town Planning Scheme No. 3 and the amended approved plans (PA56/12) to the satisfaction of Council Officers;*

2. *The external cladding of the outbuilding to be consistent with the Council Policy 6.2 - Colour Palette for Developments;*
3. *A maximum wall height of 3.8m (plans to be amended) and 0.7m western side setback;*
4. *The outbuilding should not be used for habitable purposes;*
5. *Stormwater being managed on site and/or discharged into the Shire's road drainage system in accordance with the Building Code of Australia;*
6. *Concrete footings on the boundaries shall not encroach beyond the limits of the site; and*
7. *The approval granted is valid up to two years of the date of this approval. Should the use approved not substantially commence within this time, the approval will lapse.*

Advice

- i) *Prior to any construction, the applicant being required to obtain a building permit approval from the Shire of Exmouth.*
- ii) *The approval granted is not to be construed as approval granted under the Local Government (Miscellaneous Provisions) Act 1960, Building Regulations 1989 or any other relevant statutory approval.*
- iii) *Should the applicant be aggrieved by this decision, a right of review may exist pursuant to the State Administrative Tribunal Act 2004. A request for review should be made within 28 days of notice of this decision to the State Administrative Tribunal.*

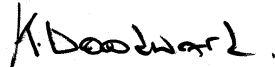
CARRIED 6/0

10. REPORTS OF OFFICERS

10.7 Executive Manager Engineering Services

10.7.1 General Report

Location: Exmouth
 Applicant: Keith Woodward
 File Reference: Nil
 Disclosure of Interest: Nil
 Date: 11 July 2012
 Author: Executive Manager Engineering Services, Keith Woodward
 Signature of Author:



Senior Officer: Chief Executive Officer, Bill Price

SUMMARY

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

BACKGROUND

1. **Project Status Schedule**

The Engineering Services Project Status Schedule 2012/2013 provides an overview of the project start, progress and completion dates.

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

- 2012/2013 Engineering Services Project Status Schedule.

Attachment 1

2. **Engineering Staff Update**

Training & Development

The Engineering Department currently has numerous staff members undergoing training and professional development:

- 1 x Cert II Horticulture Trainee that has been underway since January 2012 – this accredited traineeship includes on the job training and local training assessment through Durack
- 2 x Parks & Garden crew undertaking a Diploma in Horticulture due to commence July/August 2012
- 1 x Engineering Labourer undertaking a Certificate III in Civil Construction Plant Operations
- Leading Hands for Engineering and Parks & Gardens will be travelling to Perth in September to undertake Leadership development
- 1 x Administration Store person Traineeship will be advertised October/November targeting school leavers

Engineering Services is committed to succession training and professional development for all Council staff and support this through short term acting opportunities through varied roles and offering internal transfers. This provides Council with staffs that are multi-skilled and are motivated for continuous improvement in service delivery. Securing traineeship positions under the Federal Government Australian Apprenticeships/Traineeship scheme provide Council with a future staff structure that has a commitment and dedication to the local environment. Employed and trained locally provide the community with staff who 'live, work & play' here ensuring a stable and secure workforce.

Full Time Employees

The Engineering Department currently have a full complement of full time employees with the exception of the Administration Store person Trainee as per previously advised.

3. Depot Fuel Infrastructure and Supply of Diesel Fuel

Engineering Services are investigating the supply of diesel fuel to the Shire Works Depot. The current infrastructure comprises of a 25,000 litre above ground tank and a single bowser which were installed in 1999 by the current supplier of diesel fuel, KCD Fuel Supplies. The Shire currently uses 20,000 litres diesel per month.

Following extensive research we have determined the tank and bowser remain the property of KCD Fuel Supplies, however it would appear no written agreement was formalised at the time of installation.

Due to the age of the current arrangements it is the intent to call quotes/tender for the supply of fuel infrastructure and diesel fuel. The exact method of agreement still needs to be decided as the Local Government Act 1995 states:

**Local Government (Functions and General) Regulations
Regulation 11 states;**

(2) Tenders do not have to be publicly invited according to the requirements of this Division if —

- (g) the goods to be supplied under the contract are —
- (i) petrol or oil; or
 - (ii) any other liquid, or any gas, used for internal combustion engines

4. Shire Houses Snapper Loop

Lot 116 is due for handover on Thursday 19th July. Landscaping will be completed by the Parks & Garden team over the coming weeks.

Lot 115 should be ready for completion around the 17th August date to be confirmed with landscaping to follow.

The Landscaping will be based on low maintenance and waterwise concepts. Many of the plants that will be utilised in these gardens will be reproduced in public parks and gardens and lean heavily towards the drought tolerant, hardy flowering variety.

5. Town Centre and Foreshore Revitalisation Plan***Town Centre***

The detailed engineering design associated with the Exmouth Town Centre works Stage 1 has commenced. This includes the realignment of Payne Street, the inter-connect of Thew Street with Maidstone Crescent and Learmonth Street, the expansion of the Kennedy Street Carpark. The associated construction drawings will include the:

- General arrangement plan
- Existing surface contour plan
- Existing survey feature plan
- Design surface contour plan
- Road works and drainage general arrangement plan
- Road works and drainage set out plan
- Typical road works cross section plan
- Pavement markings plan
- Storm water drainage catchment plan
- Storm water drainage calculations

- Storm water mitigation plan
- Town creek general arrangement plan
- Town creek set out plan
- Town creek cross section
- Profile for bunds including construction method
- Culvert location plan
- Culvert detail plan
- Quantity survey

The draft general arrangement drawings have been included as *Attachment 2*.

Foreshore Seawalls

The detailed engineering design associated with the town beach seawalls stage 1 has commenced. The draft general arrangement drawings have been included as *Attachment 3*.

6. Tender 07/2012 Panel Arrangement of Consultants for the Provision of Engineering and Technical Services 07/2012

The Shire of Exmouth has called tenders for suitably qualified and experienced persons or organisations to form the Shire Panel Arrangement. The principal proposes to use this Panel Arrangement for the delivery of its requirements for engineering and technical services.

The Principal has reserved the right to invite quotations or call tenders from non-panel consultants where it considers in its sole discretion that the required capacity, expertise and experience are not available from any of the Panel Members.

The nature and level of the required services is subject to the Principal's prevailing workloads, priorities and the availability of internal and external funding. The Principal does not guarantee any minimum funding level, minimum value of work or continuity of workflow.

The Principal, at its sole discretion will determine the number of Panel Members. Panel members will include:

- Civil Engineering
- Marine Engineering
- Structural Engineering
- Transport Engineering
- Road/Drainage Engineering
- Drafting and Drawing Services
- Survey
- Electrical Engineering
- Landscape and Irrigation Design

The Contract shall be in force for the period of Two (2) years commencing from the date of execution of this Contract. A further one (1) year extension is available at the sole discretion of the Principal.

Council will be advised of the tender submissions and subsequently presented with a resolution to award the tender.

7. Driver Reviver

Each holiday season up to 220 Driver Reviver Sites open right across Australia. Driver Reviver is a community program operated by some volunteers from a wide range of Service organisations and community groups, whose members give up their own time to help reduce the road toll.

Here is a description regarding the signs and symptoms of driver fatigue:

Do you know you're four times more likely to have a fatal fatigue crash if you're driving between 10pm and dawn. That's because your body's circadian rhythms are programming you to sleep.

Driving while sleep deprived, especially late at night and at dawn, increases the risk of having a 'microsleep' and losing control of your vehicle.

If you fall into a microsleep and nod off at 100 km/h, you'll travel 100 metres in just four seconds, unconscious.

Don't ignore the early warning signs of fatigue:

- *Yawning*
- *Poor concentration*
- *Tired eyes*
- *Restlessness*
- *Drowsiness*
- *Slow reactions*
- *Boredom*
- *Oversteering*

The Shire of Exmouth set up a Driver Reviver rest stop to coincide with the commencement of the school holidays at the Exmouth-Minilya and Burkett Rd intersection over the 8th and 9th of July. The Driver Reviver was manned by FESA, the Western Australian Police Force and members from the Shire. Chris Rohan from the Shire of Exmouth is just one of the representatives from numerous organisations that make up the local Roadwise Committee, 'Roadwise is a Western Australian Local Government Association led initiative that focuses on community awareness and education for all road users. The committee is made up of volunteers and various government agencies to help set up activities like the 'Driver Reviver'.

Sergeant Ian Gilyead from the Exmouth Station was pleased to be a part of the program as he sees initiatives like this as a potential preventative measure to avoid driver fatigue. 'Situations surrounding driver fatigue can be avoided with the aid of rest, as a guide, a break should be taken from driving every two hours'. He also stated that the location of the Driver Reviver rest stop was important to discourage drivers from 'pushing through' to a destination whilst potentially fatigued. 'Another factor adding to Driver Fatigue is that they only have a short distance to drive and will shrug off the signs of tiredness in an attempt to make it to their destination'. Chris Rohan stated that there was a very positive response from holiday makers and believes that the Driver Reviver was a great success.

Below is a photo of the Driver Reviver Volunteers. From the left: Marcus Saxton (FESA), Sergeant Ian Gilyead (WAPOL), Troy Wright (FESA) and Chris Rohan (Shire of Exmouth)



COMMENT

Nil

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

As per Shire 2011/2012 Budget

STRATEGIC IMPLICATIONS

Strategic Community Plan 2011-Outcome 1.5 Maintain and Improve Shire Infrastructure

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – 10.7.1

That the Council of the Shire of Exmouth receive the Executive Manager Engineering Services Report for the month of July 2012.

COUNCIL DECISION – 19-0712 – 10.7.1

Moved Councillor Fitzgerald, Seconded Councillor Hood.

That the Council of the Shire of Exmouth receive the Executive Manager Engineering Services Report for the month of July 2012.

CARRIED 6/0

The Shire President addressed the Council and the gallery to express his thanks to the Acting Chief Executive Officer Keith Woodward for his efforts over the past 2 weeks.

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

Nil

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

Nil

13. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS

COUNCIL DECISION – 20-0712 – ITEM 13

Moved Councillor Fitzgerald, Seconded Councillor Hood.

That the Council of the Shire of Exmouth move Behind Closed Doors in accordance with the Local Government Act 1995 section 5.23 (2) (A) (C) and (D).

CARRIED 6/0

- Legal Matter – Lester Group \$300,000 Bank Guarantee

COUNCIL DECISION – 21-0712 – 13.1

Moved Councillor Fitzgerald, Seconded Councillor Winzer.

The Council of the Shire of Exmouth authorise the Chief Executive Officer to negotiate settlement should the settlement terms be satisfactory to the Chief Executive Officer.

CARRIED 6/0

14. CLOSURE OF MEETING

The Shire President declared the meeting closed at 4.39pm.