



Special Council Meeting  
Agenda  
6 January 2017

# NOTICE OF MEETING

Notice is hereby given that the

## Shire of Exmouth Special Council Meeting

will be held on  
6 January 2017  
Commencing at 3:30pm

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**Keith Woodward**  
**Acting Chief Executive Officer**

**6 January 2017**

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### **Disclaimer**

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

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# SHIRE OF EXMOUTH

## DISCLOSURE OF INTEREST

**To: Chief Executive Officer**

As required by Section 5.65(1)(a) of the Local Government Act 1995, I \_\_\_\_\_ hereby declare my interest in the following matters included on the Agenda paper for the Council/Committee meeting to be held on \_\_\_\_\_ (Date).

Item No.	Subject	Details of Interest	*Extent of Interest (see below)

\*Extent of Interest only has to be declared if the Councillor also requests to remain present at a meeting, preside, or participate in discussions or the decision making process (see item 6 below)

Councillor / Employee Signature \_\_\_\_\_ Date \_\_\_\_\_

NB:

1. This notice must be given to the Chief Executive Officer prior to the meeting or at the meeting immediately before the matter in which you have an interest is discussed, Section 5.65(2)(a) & (b).
2. It remains Councillor's responsibility to make further declarations to the Council if a matter arises during the course of a meeting and no previous declarations have been made.
3. It is a Councillor's responsibility to ensure that the interest is brought to the attention of the Council/Committee when the Agenda item arises and to ensure that it is recorded in the minutes.
4. It remains the Councillor's responsibility to ensure that he/she does not vote on a matter in which a declaration has been made, unless specifically entitled under the Local Government Act 1995. This responsibility also includes the recording of particulars in minutes to ensure they are correct when such minutes are being confirmed.
5. It is recommended that when previewing Agendas, Councillors mark Agendas with items on which an interest is to be declared and complete the declaration form at the same time.
6. Councillors may be allowed to remain at meetings at which they have declared an interest and may also be allowed to preside (if applicable) and participate in discussions and the decision making process upon the declared matter subject to strict compliance with the enabling provisions of the Local Government Act 1995 and appropriately recorded resolutions of the Council. Where Councillor's request consideration of such Council approval the affected Councillor must vacate the Council Chambers in the first instance whilst the Council discusses and decides upon the Councillor's application.
7. Local Governments are required to include in their codes of conduct certain provisions in relation to the disclosure of interests that are perceived to affect the impartiality of elected members or employees. It is the Councillor's responsibility to declare those matters where they perceive they may have an Impartiality Interest – however Councillors are entitled to stay in the room, participate in the debate and vote on matters where they have declared an Impartiality Interest.

Remember: The responsibility to declare an interest rests with individual Councillors. If Councillors are in any doubt seek legal opinion or, to be absolutely sure, simply declare in any case.

**Office Use Only:**

**Date/Initial**

1. Particulars of declaration given to the meeting \_\_\_\_\_
  2. Particulars recorded in the minutes \_\_\_\_\_
- Signed by the Chief Executive Officer \_\_\_\_\_

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# SPECIAL COUNCIL MEETING AGENDA

## *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**

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

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

### **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's 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).

## **5. DECLARATIONS OF INTEREST**

## **6. APPLICATIONS FOR LEAVE OF ABSENCE**

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

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

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

## **8. ANNOUNCEMENTS BY THE PRESIDING PERSON**

## **9. PETITIONS, DEPUTATION, PRESENTATIONS AND SUBMISSIONS**

## **10. REPORTS OF COUNCILLORS**

## **11. REPORTS OF OFFICERS**

## 11 EXECUTIVE SERVICES

### 11.1 ORDINARY COUNCIL MEETING DATES 2017

File Reference:	GV.CM.0
Responsible Officer:	Acting Chief Executive Officer
Date of Report:	6 January 2016
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	Nil

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#### PURPOSE

The purpose of the report is to revoke the Council Resolution 15 December 2016, Council Decision 18-1216 "Ordinary Council Meeting Dates 2017" and to reschedule of the Ordinary Council meeting dates and starting time for 2017.

#### BACKGROUND

Council passed the following resolution at the 15 December 2016 Council meeting.

<b>COUNCIL RESOLUTION- 18-1216-ITEM 11.1</b>
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<b>Res No:</b>	<b>18-1216</b>
<b>MOVED:</b>	<b>Cr Jones</b>
<b>SECONDED:</b>	<b>Cr McHutchison</b>

***That Council endorse the following dates for Ordinary Council meetings for 2017 commencing at 4.00pm:***

- ***25 January 2017 (Wednesday)***
- ***23 February 2017***
- ***30 March 2017***
- ***27 April 2017***
- ***25 May 2017***
- ***29 June 2017***
- ***27 July 2017***
- ***31 August 2017***
- ***28 September 2017***
- ***26 October 2017***
- ***30 November 2017***
- ***21 December 2017***

**CARRIED 3/0**

**COMMENT**

The following dates for the 2017 Ordinary Council meetings commencing at 9.00am.

- 19 January 2017
- 14 February 2017
- 7 March 2017
- 4 April 2017
- 2 May 2017
- 6 June 2017
- 4 July 2017
- 1 August 2017
- 5 September 2017
- 3 October 2017
- 7 November 2017
- 5 December 2017

**CONSULTATION**

The Commissioner

**STATUTORY ENVIRONMENT**

Local Government (Administration) Regulations 1996

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

This item is relevant to the Councils approved Strategic Community Plan 2011-2021 and Corporate Business Plan 2016-2020.

<i>Civic Leadership:</i>	4	<u><i>To work together as custodians of now and the future.</i></u>
	4.1	<i>To be a collaborative community with the capacity to manage the current and future direction of Exmouth.</i>
	4.2	<i>A local government that is respected, professional, trustworthy and accountable.</i>

**VOTING REQUIREMENTS**

The Commissioner

That the Commissioner:

1. Revoke the Council Resolution 15 December 2016, No: 18-1216 *“Ordinary Council Meeting Dates 2017”*.
2. Authorises the following dates for the 2017 Ordinary Council meetings commencing at 9.00am.
  - 19 January 2017
  - 14 February 2017
  - 7 March 2017
  - 4 April 2017
  - 2 May 2017
  - 6 June 2017
  - 4 July 2017
  - 1 August 2017
  - 5 September 2017
  - 3 October 2017
  - 7 November 2017
  - 5 December 2017

## 11.2 APPOINT REPRESENTATIVES TO STATUTORY COMMITTEES

File Reference:

Responsible Officer: Acting Chief Executive Officer

Date of Report: 6 January 2017

Applicant/Proponent: Nil

Disclosure of Interest: Nil

Attachment(s): Nil

### PURPOSE

The purpose of this report is to revoke the Council Resolution 21 October 2015, Council Decision 01-1015 and 02-1015 *Special Council Meeting "Formation of Council Committees"* and to nominate new Committee representatives to exercise the powers and discharge the duties of the local government.

### BACKGROUND

Council passed the following resolution at the 21 October 2015, *Special Council Meeting "Formation of Council Committees"*.

<b>COUNCIL DECISION – 01-1015 – ITEM 9.1.1</b>
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*Moved Councillor Todd, Seconded Councillor McHutchison.*

#### AUDIT COMMITTEE

*That the Council:-*

- i) In accordance with provisions of Sections 5.8 of the Local Government Act 1995 Council establishes an Audit Committee;*
- ii) In accordance with provisions of Sections 5.9 of the Local Government Act 1995, the Committee is to comprise of Councillors only;*
- iii) The Committee meet as required;*
- iv) In accordance with provisions of section 5.10 (1) (a) and (3) of the Local Government Act 1995 the Committee shall consist of the whole Council.*

**CARRIED by ABSOLUTE MAJORITY 6/0**

<b>COUNCIL DECISION – 02-1015 – 9.1.1</b>
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*Moved Councillor McHutchison, Seconded Councillor Todd.*

#### NINGALOO CENTRE PROJECT STEERING/MANAGEMENT COMMITTEE

*That the Council:-*

- a) In accordance with provisions of Sections 5.8 of the Local Government Act 1995 Council establishes a Ningaloo Centre Project Steering/Management Committee;*
- b) In accordance with provisions of Sections 5.9 of the Local Government Act 1995, the Committee is to comprise of Councillors and Staff;*
- c) In accordance with provisions of section 5.10 (1)(a) and (3) of the Local Government Act 1995 the Committee shall have as its Members the following Councillors, the Chief Executive Officer, Executive Manager Community Engagement, Executive Manager Corporate Services, Strategic Project Officer, and*

**MEMBERS:**

- (1) *Shire President*
- (2) *Cr Todd*
- (3) *Cr McHutchison*

**CARRIED by ABSOLUTE MAJORITY 6/0**

**COMMENT**

That the Commissioner, Officer(s) and Persons be appointed as representatives for the Shire of Exmouth on the following committees:

**Audit Committee**

In accordance with provisions of Sections 5.8 of the Local Government Act 1995 Council establishes an Audit Committee;

In accordance with provisions of Sections 5.9 of the Local Government Act 1995, the Committee is to comprise of Commissioner and other Persons only;

The Committee meet as required;

In accordance with provisions of section 5.10 (1) (a) and (3) of the Local Government Act 1995 the Committee shall consist of:

- The Commissioner
- Independent Financial Experts

**Ningaloo Centre project Steering/Management Committee**

In accordance with provisions of Sections 5.8 of the Local Government Act 1995 Council establishes a Ningaloo Centre Project Steering/Management Committee;

In accordance with provisions of Sections 5.9 of the Local Government Act 1995, the Committee is to comprise of the Commissioner and Staff only;

In accordance with provisions of section 5.10 (1) (a) and (3) of the Local Government Act 1995 the Committee shall consist of:

- The Commissioner
- The Acting Chief Executive Officer
- The Executive Manager of Corporate Services
- The Executive Manager Community Engagement

**CONSULTATION**

The Commissioner

**STATUTORY ENVIRONMENT**

All Committees are established under provisions of Sections 5.8 to 5.18 of the Local Government Act 1995.

**POLICY IMPLICATIONS**

Council Policy 1.9 Committee Meetings

**FINANCIAL IMPLICATIONS**

## STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2011-2021 and Corporate Business Plan 2012-2016.

*Civic Leadership:* 4 *To work together as custodians of now and the future.*

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

4.3 *To be strong advocates representing the region's interests.*

## VOTING REQUIREMENTS

The Commissioner

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### OFFICER'S RECOMMENDATION

### ITEM 11.2

That the Commissioner:

1. Revoke the Council Resolution 21 October 2015, Council Decision 01-1015 and 02-1015 *Special Council Meeting "Formation of Council Committees"*.
2. Authorise the Commissioner, Officer(s) and other Persons be appointed as representatives for the Shire of Exmouth on the following committees:

#### **Audit Committee**

In accordance with provisions of Sections 5.8 of the Local Government Act 1995 Council establishes an Audit Committee;

In accordance with provisions of Sections 5.9 of the Local Government Act 1995, the Committee is to comprise of Commissioner and other Persons only;

The Committee meet as required;

In accordance with provisions of section 5.10 (1) (a) and (3) of the Local Government Act 1995 the Committee shall consist of:

- The Commissioner
- Independent Financial Experts

#### **Ningaloo Centre Project Steering/Management Committee**

In accordance with provisions of Sections 5.8 of the Local Government Act 1995 Council establishes a Ningaloo Centre Project Steering/Management Committee;

In accordance with provisions of Sections 5.9 of the Local Government Act 1995, the Committee is to comprise of Commissioner and Staff only;

In accordance with provisions of section 5.10 (1) (a) and (3) of the Local Government Act 1995 the Committee shall consist of:

- The Commissioner
- The Acting Chief Executive Officer
- The Executive Manager of Corporate Services
- The Executive Manager Community Engagement

### 11.3 APPOINT REPRESENTATIVES TO EXTERNAL COMMITTEES

File Reference:

Responsible Officer: Acting Chief Executive Officer

Date of Report: 6 January 2017

Applicant/Proponent: Nil

Disclosure of Interest: Nil

Attachment(s): Nil

#### PURPOSE

The purpose of this report is to revoke the Council Resolution 21 October 2015, Council Decision 02-1015, *Special Council Meeting "Portfolio Allocation (Appointments to External Committees and Organisation)"* and to nominate representatives to external Committees to exercise the powers and discharge the duties of the local government.

#### BACKGROUND

Council passed the following resolution at the 21 October 2015, *Special Council Meeting "Formation of Council Committees"*.

<b>COUNCIL DECISION – 02-1015 – 9.1.2</b>
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***Moved Councillor McHutchison, Seconded Councillor Coote.***

***That the following Councillor(s) / Officer(s) be appointed as representatives for the Shire of Exmouth on the following committees and other organizations:***

***Gascoyne Development Commission  
Gascoyne Regional Committees***

***Councillor – Cr Todd  
Councillor – Cr Todd  
Councillor – Cr Hood  
Council Officer - CEO  
Council Officer – EMES (GRRG)***

***Local Emergency Management Committee  
(LEMC)***

***Councillor – Cr McHutchison  
Council Officers – CEO, EMTP, Compliance  
& Emergency Services Officer***

***Development Assessment Panels (DAPS)***

***Councillor – Cr Hood Proxy – Cr  
McHutchison  
Councillor – Cr Todd Proxy – Cr Roscic***

***Recreation & Culture Portfolio***

***Councillor – Cr Coote & Cr McHutchison***

***Emergency/Community Services Portfolio***

***Councillor – Cr McHutchison***

***Environmental Portfolio***

***Councillor – Cr Roscic***

**Tourism Portfolio****Councillor – Cr Hood****Oil & Gas/Resource Sector Reference  
Group Portfolio****Councillor – Cr Coote & Cr Roscic****Commerce/Industry****All Councillors****CARRIED 6/0****COMMENT**

That the Commissioner and Officers to be appointed as representatives for the Shire of Exmouth on the following committees:

Gascoyne Development Commission:	The Commissioner and the Acting Chief Executive Officer.
WALGA Gascoyne Regional Committees:	The Commissioner and the Acting Chief Executive Officer.
Local Emergency Management Committee:	The Commissioner, the Acting Chief Executive Officer, the Works Coordinator and the Emergency Manager
Development Assessment Panels (DAPS):	The Commissioner

**CONSULTATION**

The Commissioner

**STATUTORY ENVIRONMENT**

All Committees are established under provisions of Sections 5.8 to 5.18 of the local Government Act 1995.

**POLICY IMPLICATIONS**

Council Policy 1.9 Committee Meetings

**FINANCIAL IMPLICATIONS****STRATEGIC IMPLICATIONS**

This item is relevant to the Councils approved Strategic Community Plan 2011-2021 and Corporate Business Plan 2012-2016.

<i>Civic Leadership:</i>	4	<u><i>To work together as custodians of now and the future.</i></u>
	4.2	<i>A local government that is respected, professional, trustworthy and accountable.</i>
	4.3	<i>To be strong advocates representing the region's interests.</i>

**VOTING REQUIREMENTS**

The Commissioner

**OFFICER'S RECOMMENDATION****ITEM 11.3**

That the Commissioner:

1. Revoke the Council Resolution 21 October 2015, Council Decision 02-1015, *Special Council Meeting "Portfolio Allocation (Appointments to External Committees and Organisation)"*.
2. Authorise the Commissioner and Officers to be appointed as representatives for the Shire of Exmouth on the following committees:

Gascoyne Development Commission:	The Commissioner and the Acting Chief Executive Officer.
WALGA Gascoyne Regional Committees:	The Commissioner and the Acting Chief Executive Officer.
Local Emergency Management Committee:	The Commissioner, the Acting Chief Executive Officer, the Works Coordinator and the Emergency Manager
Development Assessment Panels (DAPS):	The Commissioner

## 11.4 REVIEW OF THE DELEGATION REGISTER

File Reference:

Responsible Officer: Acting Chief Executive Officer

Date of Report: 6 January 2017

Applicant/Proponent: Nil

Disclosure of Interest: Nil

Attachment(s): Nil

### PURPOSE

Two delegations need to be revoked and re-delegated to the Commissioner.

1. GO009 Executing and Affixing of Common Seal to Documents.
2. LO001 Bush Fires Act 1954-Authorised Person

### BACKGROUND

Council passed the following resolution at the 29 June 2016, *Ordinary Council Meeting "Annual Review of the Delegation Register"*.

<b>COUNCIL RESOLUTION-02-0616</b>	<b>ITEM 11.1</b>
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**Res No:** 02-0616

**MOVED:** Cr Todd

**SECONDED:** Cr Hood

**That Council:**

1. **Revoke the existing Delegation Register - June 2015 in its entirety; and**
2. **Adopt the revised Delegation Register - June 2016 as presented to this report.**

**CARRIED by ABSOLUTE MAJORITY 5/0**

### COMMENT

The Delegation Register is to formalise the Council's "day to day" functions/operations through empowerment of the Commissioner and staff to operate efficiently, effectively and productively in the interest of good governance

### CONSULTATION

The Commissioner

## STATUTORY ENVIRONMENT

The Council is empowered pursuant to Sections 5.16 and 5.42 of the *Local Government Act 1995* to delegate roles and responsibilities, while Section 5.46 (2) requires an annual review of delegations by Council.

## POLICY IMPLICATIONS

There are no evident policy implications in relation to this review.

## FINANCIAL IMPLICATIONS

Nil

## STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2011-2021 and Corporate Business Plan 2012-2016.

<i>Civic Leadership:</i>	4	<u><i>To work together as custodians of now and the future.</i></u>
	4.2	<i>A local government that is respected, professional, trustworthy and accountable.</i>
	4.3	<i>To be strong advocates representing the region's interests.</i>

## VOTING REQUIREMENTS

The Commissioner

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## OFFICER'S RECOMMENDATION

## ITEM 11.4

That the Commissioner:

1. Revoke the 29 June 2016 delegations GO009 Executing and Affixing of Common Seal to Documents and LO001 Bush Fires Act 1954-Authorised Person.
2. Authorise the Commissioner to perform the duties of delegations GO009 Executing and Affixing of Common Seal to Documents and LO001 Bush Fires Act 1954-Authorised Person.

- 12. ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**
- 14. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS**
- 15. CLOSURE OF MEETING**