



Ordinary Council Meeting Minutes 24 May 2018

CONFIRMATION OF MINUTES

I hereby certify that the Minutes of the Ordinary Council Meeting held on 24 May 2018 are a true and accurate record of the proceedings contained therein.

.....
Matthew Niikkula
Shire President

28/6/2018
.....

Dated

NOTICE OF MEETING

Notice is hereby given that the

Shire of Exmouth
Ordinary Council Meeting

will be held on

24 May 2018

Commencing at 4.00 pm

In the Mandu Mandu Function Room, Ningaloo Centre,
2Truscott Crescent, Exmouth

Cameron Woods
Chief Executive Officer

24 May 2018

Disclaimer

The advice and information contained herein is given by and to the Council without liability or responsibility 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.

No responsibility whatsoever is implied or accepted by the Shire of Exmouth for any act, omission, statement or intimation occurring during the Council/Committee meetings or during formal/informal conversations with staff. The Shire of Exmouth disclaims any liability for any loss whatsoever and however caused arising out of reliance by any person or legal entity on any such act, omission, statement or intimation. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broader disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Exmouth during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Exmouth. The Shire of Exmouth warns that anyone who has an application lodged with the Shire of Exmouth must obtain and should only rely on written confirmation of the outcome of the application, and any conditions attached to the decision made by the Shire of Exmouth in respect of the application.

INDEX OF MINUTES

1.	DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS	4
2.	RECORD OF ATTENDANCE, APOLOGIES AND APPROVED LEAVE OF ABSENCE.....	4
3.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	5
4.	PUBLIC QUESTIONS TIME	5
5.	DECLARATIONS OF INTEREST	6
6.	APPLICATIONS FOR LEAVE OF ABSENCE.....	6
7.	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....	6
8.	ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS.....	7
9.	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION.....	8
11.	MATTERS ARISING FROM COMMITTEES OF COUNCIL.....	8
10.	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS	8
14.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING.....	9
14.1	NINGALOO TRAILS MASTER PLAN.....	9
12.	REPORTS OF OFFICERS	15
12.1.1	DETERMINATION OF FEES, ALLOWANCES AND EXPENSES FOR ELECTED COUNCIL MEMBERS.....	15
12.1.2	NEW COUNCIL POLICY – 1.28 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW.....	18
12.1.3	SHIRE OF EXMOUTH CEO PERFORMANCE REVIEW COMMITTEE – TERMS OF REFERENCE AND ELECTION OF THE CEO PERFORMANCE REVIEW COMMITTEE.....	20
12.1.4	NEW COUNCIL POLICY – 1.29 RESPONSIBLE SERVICE OF ALCOHOL.....	23
12.1.5	COUNCIL POLICY REVIEW – 1.16 - COUNCIL EMPLOYEES HOUSING AND 1.17 - RELOCATION EXPENSES	25
12.2.1	FINAL ADOPTION OF DRAFT LOCAL PLANNING SCHEME NO. 4 AND LOCAL PLANNING STRATEGY ..	28
12.2.2	LOCAL EMERGENCY MANAGEMENT COMMITTEE - APPOINTMENT OF LOCAL GOVERNMENT CHAIRPERSON	35
12.2.3	REGIONAL PRICE PREFERENCE POLICY.....	37
12.2.4	MANAGEMENT POLICY – MEMORIAL AND RECOGNITION PLAQUES	41
12.3.1	EXMOUTH DESTINATION DEVELOPMENT FRAMEWORK REPORT	43
12.4.1	FINANCIAL STATEMENTS FOR PERIOD ENDING 30 APRIL 2018	48
12.4.2	LIST OF ACCOUNTS FOR PERIOD ENDING 30 APRIL 2018.....	50
12.5.1	ITEMS FOR INFORMATION ONLY	52
13.	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	55
14.	MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS.....	55
15.	CLOSURE OF MEETING	55

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 AND ANNOUNCEMENT OF VISITORS**

The Shire President declared the meeting open at 4.00pm.

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

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

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

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

Councillor M (Matthew) Niikkula	Shire President
Councillor G (Gary) Mounsey	Deputy Shire President
Councillor B (Ben) Dixon	
Councillor H (Heather) Lake	
Councillor M (Mark) Lucas	
Councillor G (Gavin) Penfold	
Mr C Woods	Chief Executive Officer
Mr K Woodward	Deputy Chief Executive Officer

Mr M Bird	Executive Manger Commercial and Community
Mr K Wilson	Executive Manager Corporate Services
Mrs M Head	Minute Clerk

GALLERY 21

APOLOGIES Nil

LEAVE OF ABSENCE 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).

11 . Minutes, content of (Act s. 5.25(1)(f))

The content of minutes of a meeting of a council or a committee is to include —

- (e) a summary of each question raised by members of the public at the meeting and a summary of the response to the question;***

Question received by Mr James

Mr James provided the Shire President with copies of correspondence submitted to the Shire in June 2014 then again in July 2014 referring to additional street lighting.

"As a property owner in Exmouth I am becoming increasingly concerned by the lack of street lighting from Warne Street to Gnulli Crescent. I was hopeful that over time, once all the wide walkways were completed, lighting would follow but this has not been the case.

This area is very dark at night, the ground often has debris on the footpath which cannot always be seen which make it very dangerous for pedestrians. The addition of lighting would also make pedestrians feel more at ease walking along the path when dark."

The Deputy Chief Executive Officer advised the cost per light is in the vicinity of \$6500 – \$10,000 and this will be discussed and factored into the proposed 2018/19 budget.

He went on to advise Mr James the question will be taken on notice and a response provided accordingly.

Shire President closed public question time at 4.05pm.

5. **DECLARATIONS OF INTEREST**

Nil

6. **APPLICATIONS FOR LEAVE OF ABSENCE**

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

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

Nil

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

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 26 April 2018 be confirmed as a true and correct record of proceedings.

COUNCIL RESOLUTION

ITEM 7

Res No: 01-0518

MOVED: Cr Mounsey

SECONDED: Cr Penfold

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 26 April 2018 be confirmed as a true and correct record of proceedings.

CARRIED 6/0

8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS

Date	Activity	Councillor					
		Cr Niikkula	Cr Mounsey	Cr Dixon	Cr Lake	Cr Lucas	Cr Penfold
14/05/18	Attended the Ningaloo Outlook presentation				✓		
16/05/18	Opened the Australian Coral Reef Society 91 st Conference	✓					
	Morning Tea with Western Australian US Consul General Rachel Cooke	✓			✓		
27/04/18	WALGA Zone Meeting via teleconference			✓			

- Councillor Dixon acknowledged the Executive Management team for the information provided to Councillors during weekly Councillor and Strategic briefing sessions. The information is invaluable in providing Councillors with a good understanding of the business units within the Shire.
- Councillor Lake commended the Executive Management team; keeping all Councillors well informed. She also thanked Senior Planning Officer, Mark Johnson and Planning Officer Kelsey McCaugh for their work with the additional amendments to the Town Planning Scheme and for the additional information provided to which as kept then all well informed
- Councillor Lake advised she attended the Ningaloo Outlook presentation, which is a collaborative project undertaken by CSIRO and BHP which looks at the study of corals and associated fish, including the tagging of fish and whale sharks. Students from the Exmouth District High School were involved in the study by tagging turtles. Councillor Lake thanked for their involvement, under the watchful eye of Ms Suzie Bedford and support from Principal Ray Denholm.
- Councillor Lucas welcomed the Cape Range Riders to the gallery. He went on to thank community members who are volunteering their time for the Ningaloo Whaleshark Festival.
- Councillor Penfold thanked the Ningaloo Whaleshark Festival Committee, event sponsor s and volunteers in the preparation of the 2018 festival. He went on to say that tourism is a major contributor to the Shires economy and advised the abundance of whale sharks spotted daily. Visitor numbers are strong as we reach the half way point of the season.
- Councillor Mounsey along with the Shire President and Councillor Lucas, reviewed the Chief Executive Officer's credit card statements and receipts for the period September 2017-February 2018. He went on to advise each statement was analysed and signed off.

9. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Shire President read his report to the gallery.

"First and foremost, the most exciting news for this last month revolves around the Ningaloo Centre, which played host to "The Australian Coral Reef Society's Annual Conference". Over 120 delegates descended on Exmouth from the 15-17th May, and the feedback from this group of Scientists and conservationists about our new Convention Facilities was excellent. As part of the conference package, delegates were given a pass to explore the Galleries within the centre and almost all who did agreed that the Aquarium will absolutely be the feather in the cap when completed.

I can now happily announce that our new Curator Mr Bradley Dohnt has officially started work on the exhibit, and it is full steam ahead for getting the Aquarium completed, operating and stocked with live fish and coral as was the original intention. I am personally very excited to get this project moving forward and am hoping we aren't too many more months away from showcasing to the world a magnificent snapshot of the Ningaloo Reef.

We were honoured to have a visit last week by the United States Consul General, Ms Rachel Cooke and had the opportunity to discuss all things American in relation to Exmouth's past, present and future. Ms Cooke toured the galleries, especially loving the En Route to Exmouth section. Exmouth is here because of the US Naval Base, and our ties both politically and socially within our town are still strong as ever. To this end, I have been invited to attend the "USA Memorial Day Ceremony" and lay a wreath on behalf of the Exmouth Shire in Perth next week. This is both an honour and a privilege and I look forward to representing my wonderful community at this event.

This week is National Volunteer Week, and being a small town with such a huge heart, our volunteer numbers across all 6 of our organisations are still very strong. As a gesture of sincere thanks towards this group of special people the shire organised a social event at the bowling club where I had the opportunity to publicly thank around 30 volunteers who attended. The recent Bush fires to the south of town, and the well-publicised Search and rescue of the two young boys off Ningaloo highlight the wonderful job these volunteers do, all year round, with no desire for acknowledgement or personal recognition. To these special people, on behalf of our community, myself and the councillors wish to say... Thankyou".

The Shire President changed the order of business and brought forward item 11. Matters Arising from Committees of Council.

11. MATTERS ARISING FROM COMMITTEES OF COUNCIL

Nil

10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Presentation by Exmouth Cape Range Riders, read by Mr Darren Cossill.

Due to the large number of member from the Cape Range Riders in the gallery, the Shire President changed the order of business and brought forward item 14. New business of an urgent nature introduced by decision of meeting, report 14.1 – Ningaloo Trails Masterplan.

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

14.1 NINGALOO TRAILS MASTER PLAN

File Reference:	RC.DE.1
Responsible Officer:	Executive Manager Corporate and Community
Date of Report:	21 May 2018
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Ningaloo Trails Masterplan

PURPOSE

That Council recommends the adoption of the Ningaloo Trails Masterplan document and that Council set aside \$30,000 in the 2018/19 budget for the planning and construction of the priority trail identified in the plan, the multipurpose bike facility.

BACKGROUND

In 2014 the Gascoyne Regional Tourism Strategy identified the need to develop regional cultural and heritage trails and the Ningaloo Shark Bay National Landscapes report identified trails as an emerging trend in travel and visitor preference. Western Australia also has a WA Strategic Trails Blueprint.

Within this context, in 2015 the Shire of Exmouth successfully applied for funding from Lotterywest to develop a strategic plan for the development of recreational trails within the Exmouth Shire. TRC Tourism were engaged to complete the Masterplan and a steering committee with representatives from the Department of Sport and Recreation, Shire of Exmouth, Department of Biodiversity Conservation and Attractions and Gascoyne Tourism Board was formed to guide the process. The Masterplan sought to identify:

- the current trail network;
- community and visitor trail use preferences and needs;
- Exmouth's potential for tourism trails development within a regional, state and national context;
- a blueprint for development of a strategic trails network that addressed local and visitor needs; and
- the budgetary requirements for implementing the plan.
-

Through the development of the Ningaloo Trails Masterplan it was necessary to engage with various land managers across the Shire including the Department of Water, Water Corporation and

Department of Defence to address complex land access issues identified as part of the masterplan development process.

Public consultation for the development of the plan was significant. Two public workshops were hosted by TRC Tourism and a public survey also provided the opportunity for residents and visitors to have their say on future trails development. The draft plan attracted comment from the Ningaloo Coast World Heritage Advisory Committee, Water Corporation, Department of Water and Environmental Regulation, Cape Conservation Group, Cape Ranger Riders, Gascoyne Development Commission and Department of Local Government, Sport and Cultural Industries.

It should be noted that as outlined in the Masterplan document, the land managers responsible for development of identified trails varies. Proposed trails (such as the Sandy Bay Track) within Cape Range National Park boundaries would be developed at the discretion of the Department of Biodiversity, Conservation and Attractions.

While the Shire has no direct influence over the development of trails in the National Park, it was important that the Masterplan consider these opportunities in the context of the regions overarching potential for trails development and to ensure trails development within Shire boundaries was strategically aligned.

COMMENT

The Ningaloo Trails Masterplan document identifies a total of 14 trail development opportunities for Exmouth that can be classified into five broad categories:

- unique trails showcasing world heritage values;
- Ningaloo coast trails;
- bike trails;
- town trails; and
- four wheel drive trails.

A summary of these trails and their priority for development is available at page vi of the Ningaloo Trails Masterplan document.

The document also provided guidance on timeframes for development of the trails considered. Trails were prioritised as being short term (1-3 years) medium term (3-5 years) or long term (5-10 years) projects. Five trails were identified for development in the short term. Three of these are within the Cape Range National Park and the responsibility of DBCA as the land managers. Two are within the Exmouth Shire boundaries and the responsibility of the Shire. These are detailed in the table below:

Trail name	Priority	Development term	Estimated cost
Land Manager: DBCA			
Multi-day sea kayaking trail	Priority Trail	1-3 years	\$121,000
Ningaloo Yardie Creek Road		1-3 years	\$15,000
Sandy Bay track		1-3 years	\$50,000
Land Manager: Shire of Exmouth			
Mountain Bike Skills Park and cycling activity area	Priority	1-3 years	\$362,500
Exmouth town loops and connections		1-3 years	\$686,000

Exmouth Multiuse Bike Facility

As outlined above, of the short term trail developments identified in the strategy, the multi-use bike facility located to the north of the current recreation precinct was identified as a priority trail. This facility would integrate with the recreation area and provide a mountain bike skills park and cycling activity area including a pump, jump and possible BMX track. The location of the facility would provide easy access for local residents and visitors with connectivity to a series of proposed trails around the Exmouth town site.

Town Loops and Connections

These paths will create improved pedestrian and cycleway linkages between the town centre, Ningaloo Centre and Exmouth Gulf.

Exmouth Gulf Trail

A third trail, the Exmouth Gulf Coastal Walk, was also identified as a priority trail for its ability to link the Exmouth town centre and Ningaloo Centre with town beach and the Exmouth Gulf. However the discovery of a dump site containing asbestos in close proximity to the trail has impacted on the potential for this to be developed in the short term as contamination and alignment issues are addressed. As a result it has been listed as a medium priority trail (3-5 years).

Cape Range Crossing

Further, while listed as a medium term trail, the Cape Range Crossing Trail, if developed as a class 3 trail, has the potential to create an iconic local trail. More analysis is required to determine the cost of developing this trail as a class three trail and to negotiate land access through the Department of Water and Department of Defence.

Additional mountain bike trail areas south of the Exmouth Townsite

Also identified as a medium term priority and with no cost estimate, this trail is recommended for development in the medium term as it will provide additional trail based riding opportunities for the growing number of mountain bike riders in Exmouth and has the potential to attract regional visitors for events.

CONSULTATION

Ningaloo Coast World Heritage Advisory Committee
Water Corporation
Department of Water and Environmental Regulation
Cape Conservation Group
Cape Ranger Riders
Gascoyne Development Commission
Department of Local Government, Sport and Cultural Industries,
Department of Biodiversity, Conservation and Attractions
Department of Defence
Sporting groups
Local community members

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Cost provided by TRC Tourism as part of the Ningaloo Trails Masterplan estimate the cost of developing short term trails on Shire land at \$1,048,500.

Trail	Development Stage	Estimated cost
Multipurpose bike facility	Landscape design and engineering	\$40,000
	Pump track	\$100,000
	Linking, skills and jump track	\$20,000
	Site infrastructure (ie car parks and shade shelters)	\$100,000
	Landscaping and drainage	\$30,000
Contingency	25%	\$72,500
	TOTAL	\$362,500
Exmouth Town loops and connections	North Town Trail Loop	\$392,000
	Coastal Loop	\$84,000
	Central Town Trail Loop	\$170,000
	Engineering and traffic advice	\$40,000
	TOTAL	\$686,000

However it should be noted that this is an estimate only and does not take into account possible external funding opportunities or management arrangements that could reduce the total cost to the Shire.

The cost of the priority trail, the multiuse bike facility, is estimated at \$362,500 with the landscaping and design proposal estimated to cost \$40,000. It is recommended that Council set aside \$30,000 towards the design of this priority trail in the 2018/19 budget. This represents 75% of the estimated total cost and the Shire can then seek additional funding from external sources to make up the total amount. The Shire has already sought support from Lotterywest to expend \$8,320 in grant funding remaining from the Ningaloo Trails Masterplan process on planning for the multipurpose bike facility. The Shire is also aware that the Cape Range Riders have applied for grant funding for this purpose.

Further in 2019/20 that the Shire set aside \$30,000 that can be used to leverage matching funding for the construction of the trail and begin working with the Cape Range Riders to determine a model for the management of the facility.

STRATEGIC IMPLICATIONS

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

- Economic:
- 1 To be a diverse and innovative economy with a range of local employment opportunities.
 - 1.3 *Diverse tourism opportunities.*
- Environment:
- 2 To have a balanced respect for our environment and heritage, both natural and built.
 - 2.5 *To make Exmouth an attractive town that is a comfortable and welcoming place to live and visit, and reflects the lifestyle values and unique natural environment.*
 - 2.6 *Incorporate Climate Change impacts onto current and future planning and policy of Land Developments.*

- Social: 3 To be a dynamic, passionate and safe community valuing natural and cultural heritage.
 3.2 *Excellent lifestyle, recreational and cultural facilities.*
 3.5 *Maintain and increase participation levels in local community organisations and clubs.*
- Civic Leadership: 4 To work together as custodians of now and the future.
 4.1 *To be a collaborative community with the capacity to manage the current and future direction of Exmouth.*

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

ITEM 14.1

That Council:

1. Adopt the Ningaloo Trails Masterplan and endorse the strategy outlined for strategic development of trails within the Shire of Exmouth.
2. Allocates \$30,000 in the 2018/19 budget for the planning of the priority multipurpose bike facility.
3. Include an allocation of \$30,000 in the long term financial plan (2019/20) for the construction of the multipurpose bike facility as outlined in the Ningaloo Trails Masterplan.
4. Authorises the CEO to resolve the land tenure matters and enter into discussions with the Cape Range Riders to determine the preferred management model for the multipurpose bike facility and develop and implement the necessary agreements to formalise this model.
5. Authorises the CEO to investigate alternative funding opportunities and seek support from external agencies for the development of trails identified in the Ningaloo Trails Masterplan.
6. Work with the Department of Biodiversity, Conservation and Attraction, Department of Defence and Department of Water and Environment to resolve land access and use issues which support the development of trails as outlined in the Ningaloo Trails Masterplan.

COUNCIL RESOLUTION

ITEM 14.1

Res No: 02-0518

MOVED: Cr Lucas

SECONDED: Cr Lake

That Council:

- 1. Adopt the Ningaloo Trails Masterplan and endorse the strategy outlined for strategic development of trails within the Shire of Exmouth.**
- 2. Allocates \$30,000 in the 2018/19 budget for the planning of the priority multipurpose bike facility.**

- 3. Include an allocation of \$30,000 in the long term financial plan (2019/20) for the construction of the multipurpose bike facility as outlined in the Ningaloo Trails Masterplan.**
- 4. Authorises the CEO to resolve the land tenure matters and enter into discussions with the Cape Range Riders to determine the preferred management model for the multipurpose bike facility and develop and implement the necessary agreements to formalise this model.**
- 5. Authorises the CEO to investigate alternative funding opportunities and seek support from external agencies for the development of trails identified in the Ningaloo Trails Masterplan.**
- 6. Work with the Department of Biodiversity, Conservation and Attraction, Department of Defence and Department of Water and Environment to resolve land access and use issues which support the development of trails as outlined in the Ningaloo Trails Masterplan.**

CARRIED 6/0

Executive Manger Commercial and Community commended Mr Darren Cossill, from Cape Range Riders association for his presentation to Council.

He also commended Amanda Fuery Manager, Commercial and Community for her dedication and work to finalise the Ningaloo Trails Master Plan.

12. REPORTS OF OFFICERS

12.1 EXECUTIVE SERVICES

12.1.1 DETERMINATION OF FEES, ALLOWANCES AND EXPENSES FOR ELECTED COUNCIL MEMBERS

File Reference:	GV.AU.0
Responsible Officer:	Chief Executive Officer
Date of Report:	11 April 2018
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Salaries and Wages Allowances Tribunal April 2017 determination

PURPOSE

That Council consider setting the annual attendance fee and President & Deputy President allowances within the ranges as determined by the Salaries & Allowances Tribunal.

BACKGROUND

The Salaries and Allowances Tribunal has completed its review of fees, allowances and expenses for elected council members of Local Governments throughout Western Australia.

The determination which will operate from 1 July 2018 establishes a scale of payments and provisions for reimbursement of expenses in accordance with the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*.

In establishing a framework for the payment of fees, allowances and expenses, the Tribunal has adopted a banding model to differentiate between the responsibilities carried by Councillors, Mayors, Presidents and their deputies in local governments throughout the State. Provision has been made for reimbursement of expenses properly incurred in enabling elected council members to properly fulfil their duties.

The levels of remuneration for attending meetings and allowances for elected council members are not intended to be salaries but do take into account the responsibilities and commitments of elected council members serving as representatives of the community.

The fees which may be claimed under the four band structure under which each local government is designated enables local governments to exercise the discretion vested in them by the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*.

COMMENT

Attached for Council information is the Determination of the Salaries & Allowances Tribunal for Elected Members dated 10 April 2018.

Exmouth has been determined a Band 3 Council with the following ranges (table 1) for annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees and table 2 for the annual allowances for Mayors and Presidents.

Table 1: Salaries and Wages Tribunal April 2017 Band 3 Annual Attendance Fees

Band 3 Annual Attendance Fees	Minimum	Maximum
Councillor Annual Attendance Fees	\$ 7,612	\$ 16,205
President Attendance Fee	\$ 7,612	\$ 25,091

Table 2: Salaries and Wages Tribunal April 2017 Band 3 Annual Allowance for Shire President

Band 3 Annual Allowance for Mayor / President	Minimum	Maximum
	\$ 1,015	\$ 36,591
Note: Deputy President's allowance is 25% of the Presidents Allowance.		

The current Annual Attendance Fees and Shire President Allowance for Shire of Exmouth as at October 2017 is outlined in table 3 below.

Table 3: 2017/2018 Shire of Exmouth current Annual Attendance fees and Shire President Allowance

Councillor Annual Attendance Fees	\$7,700 this is 47.5% of the maximum
President Annual Attendance Fee	\$7,700 this is 30% of the maximum.
President Annual Allowance	\$12,830 this is 35% of the maximum.
Deputy Annual Allowance	\$3,207

The previous annual attendance fees for the Shire of Exmouth are outlined in table 4 below.

Table 4: 2016/17 Shire of Exmouth Annual Attendance fees and Shire President Allowance

Councillor Annual Attendance Fees	\$7,600 or 47% of maximum.
President Annual Attendance Fee	\$12,665 or 50% of maximum.
President Annual Allowance	\$12,665 or 35% of maximum.
Deputy Annual Allowance	\$3166

CONSULTATION

Not applicable as the Salaries and Wages Tribunal; determines the range of fees annually and each local governments elected member body determines the attendance fees and allowances within the prescribed range.

STATUTORY ENVIRONMENT

Section 7B (2) of the *Salaries & Allowances Act 1975*
Local Government Act 1995, Part 5 Division 8, s 5.98

POLICY IMPLICATIONS

Adoption of new Policy

FINANCIAL IMPLICATIONS

The 2018/19 budget will reflect Council's decision.

STRATEGIC IMPLICATIONS

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

- Civic Leadership: 4 To work together as custodians of now and the future.
- 4.1 *To be a collaborative community with the capacity to manage the current and future direction of Exmouth.*
- 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

Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 12.1.1

That Council determine the:

1. Annual Sitting Fee (Councillors) will be ___% of the maximum allocation for a band 3 local government which is \$_____;
2. Annual Sitting Fee (Shire President) will be ___% of the maximum allocation for a band 3 local government which is \$_____; and
3. The Shire Presidents annual allowance will be ___% of the maximum for a band 3 local government which is \$___ per annum and the Deputy Shire Presidents allowance being 25% of the Shire Presidents allowance is \$_____.

for the 2018/19 financial year.

COUNCIL RESOLUTION

ITEM 12.1.1

Res No: 03-0518

MOVED: Cr Mounsey

SECONDED: Cr Penfold

- 1. Annual Sitting Fee (Councillors) will be 60% of the maximum allocation for a band 3 local government which is \$9,723;**
- 2. Annual Sitting Fee (Shire President) will be 60% of the maximum allocation for a band 3 local government which is \$15,054; and**
- 3. The Shire Presidents annual allowance will be 60% of the maximum for a band 3 local government which is \$21,954 per annum and the Deputy Shire Presidents allowance being 25% of the Shire Presidents allowance is \$5,488, for the 2018/19 financial year.**

CARRIED 6/0

Note: The \$ value is for reference purpose.

12.1.2 NEW COUNCIL POLICY – 1.28 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW

File Reference:	CM.PO.6
Responsible Officer:	Chief Executive Officer
Date of Report:	1 May 2018
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Policy 1.28 – Chief Executive Officer Performance Review

PURPOSE

That Council adopt new Policy 1.28, Chief Executive Officer Performance Review as stated in the *Local Government Act 1995* section 5.38 which requires:

The performance of each employee who is employed for a term of more than one year, including the Chief Executive Officer, is to be reviewed at least once in relation to every year of the employment

This policy will ensure a consistent approach to the Shire of Exmouth Chief Executive Officer (CEO) review.

BACKGROUND

The Shire of Exmouth does not currently have a policy to instruct the conducting of the annual CEO performance review. Given the importance of the role of the CEO in achieving the objectives of the Shire of Exmouth a policy which ensures the review is conducted objectively and transparently is considered essential.

COMMENT

The review process must be a collaborative, constructive process that is designed to enhance performance and provide guidance for the ensuing twelve months, aligning to the Shires Corporate Business Plan and Community Strategic Plan.

The performance review process should be regarded as an opportunity to build relationships and to increase the effectiveness of individuals, systems and processes which will improve the performance and the profile of the Shire of Exmouth.

Councillors participating in the review process will:

- Show an ability to be fair and objective,
- Use good communication and negotiating skills,
- Possess preparation and evaluation skills, and
- Have a good understanding of the Western Australian Salaries and Allowances Tribunal process and determinations.

CONSULTATION

WALGA was consulted in preparing this report. WALGA is currently developing guidelines for the CEO recruitment and performance reviews however this is likely to be several months away.

A review of other local governments found that most progressive local governments had a policy to guide the performance review of the CEO.

STATUTORY ENVIRONMENT

Local Government Act 1995, Part 5, Division 4, s 5.38

POLICY IMPLICATIONS

Adoption of new Policy

FINANCIAL IMPLICATIONS

The annual performance review process will also determine the total reward package (TRP) of the CEO in the upcoming financial year. The review is programmed annually to inform the new financial year budget and any changes to the TRP will take affect from July 1st of the new financial period.

STRATEGIC IMPLICATIONS

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

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.*

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 12.1.2

That Council adopt the new Policy 1.28, Chief Executive Officer Performance Review as shown in Attachment 1.

COUNCIL RESOLUTION

ITEM 12.1.2

Res No: **04-0518**

MOVED: **Cr Mounsey**

SECONDED: **Cr Dixon**

That Council adopt the new Policy 1.28, Chief Executive Officer Performance Review as shown in Attachment 1.

CARRIED 6/0

12.1.3 SHIRE OF EXMOUTH CEO PERFORMANCE REVIEW COMMITTEE – TERMS OF REFERENCE AND ELECTION OF THE CEO PERFORMANCE REVIEW COMMITTEE

File Reference:	PE.EC.0
Responsible Officer:	Chief Executive Officer
Date of Report:	1 May 2018
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. CEO Performance Review Committee – Terms of Reference

PURPOSE

That Council endorse the Shire of Exmouth CEO Performance Review Committee Terms of Reference (TOR) (Attachment 1) to ensure the CEO performance review process can be conducted to meet the requirements of the *Local Government Act 1995* and the CEO Employment Contract.

That Council nominate and elect two elected members to the CEO Performance Review Committee to assist the Shire President in performing the CEO annual performance review as per the CEO Performance Review Policy 1.28 and the CEO Performance Review TOR.

BACKGROUND

The establishment of a CEO Performance Review Committee will provide a consistent, transparent and accountable performance review process.

The CEO Performance Review Committee TOR will be reviewed immediately following each CEO performance review to ensure it remains relevant and enables the review process to be conducted as effectively as possible.

The Shire of Exmouth Human Resource Manager will provide the secretariat support to the Shire President and the review Committees.

COMMENT

The CEO employment contract makes reference to a formal review process which is mutually agreed by both parties. This TOR and the development of the CEO Performance Review Policy enables this process to occur in an objective and transparent process.

CONSULTATION

WALGA was consulted and they provided advice which indicated that progressive local governments developed policy and guidelines to manage the CEO performance review process.

WALGA is currently preparing formal guidelines that local governments can follow; as this is months away from completion this CEO performance review terms of reference will formally meet all of the statutory and contractual obligations of the Shire of Exmouth in relation to the CEO performance review process.

STATUTORY ENVIRONMENT

Local Government Act 1995, Part 5, Division 4, s 5.38

Local Government Act 1995, Part 5, Division 2, s 5.9 empowers Council to establish committees and elect persons to serve on those committees.

POLICY IMPLICATIONS

This terms of reference meets the requirements of the CEO Performance Review Policy 1.28.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

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

- 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.*

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 12.1.3

That Council:

1. Elect two members of Council to the CEO Performance Review Committee;
 Appoint the following Councillors as the CEO Performance Review Committee.
 - Councillor _____.
 - Councillor _____.
2. Endorse the Shire of Exmouth CEO Performance Review Committee Terms of Reference as noted in Attachment 1.

COUNCIL RESOLUTION

ITEM 12.1.3

Res No: 05-0518

MOVED: Cr Dixon

SECONDED: Cr Lake

That Council:

1. **Elect two members of Council to the CEO Performance Review Committee;
 Appoint the following Councillors as the CEO Performance Review Committee.**
 - **Councillor Penfold.**
 - **Councillor Lucas.**
2. **Endorse the Shire of Exmouth CEO Performance Review Committee Terms of Reference as noted in Attachment 1.**

CARRIED 6/0

*The Shire President called for nominations and only two nomination were received:
Councillor Penfold nominated himself seconded by Councillor Mounsey.
Councillor Lake nominated Councillor Lucas seconded by Councillor Penfold.*

Appoint the following Councillors as the CEO Performance Review Committee.

- *Councillor Penfold.*
- *Councillor Lucas.*

12.1.4 NEW COUNCIL POLICY – 1.29 RESPONSIBLE SERVICE OF ALCOHOL

File Reference:	CM.PO.5
Responsible Officer:	Chief Executive Officer
Date of Report:	8 May 2018
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Draft Policy – 1.29 Responsible Service of Alcohol

PURPOSE

This is a new policy that introduces responsible service of alcohol typical to local government as the Fitness for Work Policy 1.26 is silent on the responsible service of alcohol at functions and events.

BACKGROUND

The role of Council is to determine the local government's policies. The objectives of the Council's Policy Manual are:

1. To provide Council with a formal written record of all policy decisions;
2. To provide the staff with precise guidelines in which to act in accordance with Council's wishes;
3. To enable the staff to act promptly in accordance with Council's requirements, but without continual reference to Council;
4. To enable Councillors to adequately handle enquiries from electors without undue reference to the staff or the Council;
5. 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; and
6. To enable ratepayers to obtain immediate advice on matters of Council Policy.

COMMENT

Employers have a duty of care under the *Occupational Safety and Health Act (1984)* to protect workers from any known harms. This includes the short and long term risks associated with alcohol. Creating a workplace that prevents the miss use of alcohol within the workplace and ensures responsible use outside of the workplace.

The Shire of Exmouth:

- Will provide /promote an alcohol free workplace;
- Is committed to providing a workplace culture that recognizes that drinking alcohol can have a negative influence on the health, work and social relationships of staff;
- Provide a safe and supportive work environment to reduce risks associated with drinking alcohol by only allowing the consumption of alcohol on the following occasions:
 - Civic Functions – Visiting dignitaries and official functions of the organisation at the Chief Executive Officer and Shire Presidents discretion.
 - Dinner or Networking Events where the Chief Executive Officer, Staff and Councillors may attend and the event is determined to be furthering the interests of the Shire of Exmouth.
 - Staff Christmas Parties as a means of recognizing the dedication and commitment shown by Council staff in the provision of services.

- At conferences where networking and associated functions form part of the registration and expectation of attendance.

CONSULTATION

Work Safe Western Australia
Department of Health Western

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Fitness for Work Drug and Alcohol Policy

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

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

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.*

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 12.1.4

That Council adopt the new Council Policy 1.29 – Responsible Service of Alcohol as shown in Attachment 1.

COUNCIL RESOLUTION

ITEM 12.1.4

Res No: 06-0518

MOVED: Cr Lucas

SECONDED: Cr Mounsey

That Council adopt the new Council Policy 1.29 – Responsible Service of Alcohol as shown in Attachment 1.

CARRIED 6/0

12.1.5 COUNCIL POLICY REVIEW – 1.16 - COUNCIL EMPLOYEES HOUSING AND 1.17 - RELOCATION EXPENSES

File Reference:	CM.PO. 6
Responsible Officer:	Chief Executive Officer
Date of Report:	9 May 2018
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Policy 1.16 – Council Employees Housing 2. Policy 1.17 - Relocation Expenses

PURPOSE

That Council adopt the following revised Council policies to improve the effectiveness and application of the policies to achieve Shire of Exmouth objectives relating to the attraction and retention of employees:

- Policy 1.16 – Council Employees Housing
- Policy 1.17 - Relocation Expenses

BACKGROUND

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; and
- To enable Council to maintain a continual review of Council Policy decisions and to ensure they are in keeping with community expectations and reflect management practices that enable sustainable and effective local government operations.

COMMENT

Policy 1.16 Council Employees Housing

Current Housing Policy (adopted on 21 June 2012)	Revised (attached)	Shire Comment
Specific role titles allocated a house.	No reference to role titles.	Role titles in current Policy are out of date. Removing role titles provides CEO with discretion based on recruitment requirements.
Address of CEO listed.	Remove reference to CEO address.	It is unnecessary to have CEO address listed.

Reference to rent amounts.	No reference to rent amounts.	Rental amounts and increases are managed through the Residential Tenancies Agreement with the tenant.
Reference to standard of house.	Reference to standard of house for CEO and Executives Managers remains. Remove reference to standard of house and for all other roles as allocation will be based on availability.	Due to limited Shire housing stock allocation will be based on availability.

Policy 1.17 – Relocation Expenses

Current (adopted on 10 October 2017)	Revised (attached)	Shire Comment
Reference to employees levels.	No reference to employee levels.	CEO discretion required as to which roles will attract relocation based on recruitment needs.
Cap of \$6000 for all roles.	CEO discretion to pay up to \$8000 for the appointment of Executive Managers. Shire President has discretion to negotiate the relocation costs associated with the appointment of the CEO.	Increased dollar figure to assist with attraction of CEO or Executive Manager levels.
Policy only covers reimbursement of furniture removal, flights etc	Policy to cover reasonable resettlement expenses at CEO discretion within monetary guidelines.	Require more flexibility to attract candidates to relocate to Exmouth.
50% of costs reimbursed to employee on commencement and balance on completion of 12 months service.	Shire pays upfront however employee is liable if they resign or are terminated within 24 months on a sliding scale. CEO discretion.	Attraction tool as many candidates do not have the money to pay upfront for their relocation.

CONSULTATION

SRB Legal

WALGA

STATUTORY ENVIRONMENT

Local Government Act (WA) 1995

Residential Tenancies Act 1978 (WA)

Fair Work Act 2009 (Cth)

POLICY IMPLICATIONS

Adoption of new Policy

FINANCIAL IMPLICATIONS

Housing: No impact.

Relocation Policy: Shire may incur an additional \$2000 more per CEO/Executive Manager appointment due to increase in relocation costs.

STRATEGIC IMPLICATIONS

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

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

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 12.1.5

That Council adopt the following revised the Council policies as detailed in Attachment 1 and 2;

- Policy 1.16 Employee Council Housing
- Policy 1.17 Relocation Expenses

COUNCIL RESOLUTION

ITEM 12.1.5

Res No: 07-0518

MOVED: Cr Penfold

SECONDED: Cr Dixon

That Council adopt the following revised the Council policies as detailed in Attachment 1 and 2;

- **Policy 1.16 Employee Council Housing**
- **Policy 1.17 Relocation Expenses**

CARRIED 6/0

12.2 DEVELOPMENT SERVICES

12.2.1 FINAL ADOPTION OF DRAFT LOCAL PLANNING SCHEME NO. 4 AND LOCAL PLANNING STRATEGY

File Reference:	LP.PL.0.2; LP.PL.0.4; LP.PL.4
Responsible Officer:	Deputy Chief Executive Officer
Date of Report:	9 May 2018
Applicant/Proponent:	Shire of Exmouth
Disclosure of Interest:	Nil
Attachment(s):	<ol style="list-style-type: none">1. Chronological Order of Events2. Schedule of Late Submissions3. Schedule of Late Modifications4. Draft Local Planning Scheme No. 4 (Revision 11)5. Draft Local Planning Strategy (Revision 8)6. Initial Final Adoption of Draft Local Planning Scheme No. 4 Minutes7. Initial Final Adoption of Draft Local Planning Strategy Minutes

PURPOSE

The purpose of this report is for Council to consider the modifications proposed in Attachment 3 to draft Local Planning Scheme No. 4 (Revision 11) and Local Planning Strategy (Revision 8) for final adoption.

BACKGROUND

Council has been in the process of adopting draft Local Planning Scheme No. 4 (LPS4) and the draft Local Planning Strategy (Strategy) since the resolution to prepare the documents at the Ordinary Council Meeting held on the 21 February 2013.

The advertising of LPS4 (Revision 10) and Strategy (7) concluded on the 23 September 2016. Final adoption of documents initially occurred at the 15 December 2016 Ordinary Council Meeting with modifications resulting in LPS4 (Revision 11) and Strategy (Revision 8). For a chronological order of events that occurred between the above dates refer to Attachment 1.

On the 6 January 2017 a Commissioner was appointed at the Shire of Exmouth under the *Local Government Act 1995* in place of the Council following their suspension. At the 19 January 2017 Ordinary Council Meeting the Commissioner resolved to request an extension of time for the lodgement of LPS4 to the Western Australian Planning Commission (WAPC) for final approval by the Minister for Planning. Following the resolution the adoption process was put on hold for the independent review of LPS4 by the Department of Planning as a part of the Commissioner's on-going review of the administrative functions and projects carried out by the previous Council.

The independent review was commenced in May 2017 and concluded on the 29 September 2017. The review found that preparation of LPS4 followed due process. Proposed changes to LPS4 did not

serve to benefit any former elected members or Shire of Exmouth staff. The proposed changes to the local planning framework have been well-documented and serve a valid planning purpose. However some matters require further consideration from a planning perspective by the WAPC prior to the documents being finalised. It was concluded that the adoption process should be resumed and the documents forwarded to the WAPC.

However, during the time the adoption process was on hold and following the above review a number of late submissions were received requesting further modifications (refer Attachment 2). Some of these modifications were considered to have merit. In addition, since the initial final adoption LPS4 and the Strategy have been continually tested against development applications, development proposals and queries. As a result, a number of oversights and issues with the framework have been identified. Therefore, it is recommended that Council re-adopt LPS4 and Strategy for final approval with further modifications outlined in Attachment 3. The reasons for the modifications are included in the attachment.

COMMENT

The *Planning and Development Act 2005* (Act) and *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations) set out the statutory process by which a local planning scheme and strategy may be prepared and adopted. A simplified flow chart of the process for LPS4 can be viewed in Attachment 1.

Local Planning Scheme No. 4

The advertising process of LPS4 concluded on the 23 September 2016. Therefore, Regulation 25(3) of the Regulations applies as follows:

- (3) *Before the end of the consideration period for a draft local planning scheme, or a later date approved by the Commission, the local government must pass a resolution —*
- a) to support the draft scheme without modification; or*
 - b) to support the draft scheme with proposed modifications to address issues raised in the submissions; or*
 - c) not to support the draft scheme.*

The consideration period for LPS4 concluded on the 21 January 2017. Technically the previous Council has already passed a resolution under Regulation 25(3)(b) at the 15 December 2016 Ordinary Council Meeting, resulting in the adoption of LPS4 (Revision 11). However, another resolution must be passed to make further modification based on the late submissions received. In addition, the WAPC must approve extension of the consideration period to the date of this meeting to allow consideration of the late submissions. It is recommended that Council passes a resolution accordingly, adopting the modifications to LPS4 (Revision 11) outlined in Attachment 3. This will result in the adoption of LPS4 (Revision 12).

Following the resolution recommended above LPS4, and supporting information required by the Regulations, must be forwarded to the WAPC within 21 days. Within 120 days the WAPC must make a recommendation to the Minister for Planning to approve, with or without modification, or refuse to approve LPS4 in accordance with Section 87 of the Act. Prior to making this decision the Minister may require any of the modifications above to be re-advertised. Should LPS4 be approved the documents must be executed and submitted to the Minister within 42 days, including any modifications required, or 14 days if no modifications are required.

Execution of LPS4 will require the Chief Executive Officer and President to sign and affix the Shire of Exmouth common seal to the document in accordance with Council's *Policy No. 2.3 - Common Seal*. Following the execution the WAPC and Minister endorse their approval on LPS4. Subsequently, LPS4 is published in the *Government Gazette*, giving the document statutory effect. Notice of this occurring must be given through publication in a newspaper circulating the Shire of Exmouth and a letter sent to each person who lodged a submission.

Local Planning Strategy

The process for adopting a local planning strategy is similar to a local planning scheme except the statutory timeframes are shorter, such as advertising and the WAPC's consideration of the document. Given that the Regulations require the adoption of the Strategy in order to inform LPS4 Council Officers have progressed its adoption simultaneously with LPS4. The advertising of the Strategy concluded at the same time as LPS4. Therefore, Regulation 14(2) of the Regulations applies as follows:

(2) *The local government may —*

(a) *support the local planning strategy without modification; or*

(b) *support the local planning strategy with proposed modifications to address issues raised in the submissions.*

Similarly with LPS4, technically Council has already passed a resolution under Regulation 14(2) above at the 15 December 2016 Ordinary Council Meeting, resulting in the adoption of the Strategy (Revision 8). However another resolution is required to make further modification based on the late submissions received. The Regulations do not clarify whether submissions can be considered following the advertising process. Therefore, it is recommended that consent to consider the late submissions is requested from the WAPC.

It is recommended that Council passes a resolution in accordance with the above, adopting the modifications to the Strategy (Revision 8) outlined in Attachment 3. This will result in the adoption of the Strategy (Revision 9).

Following the resolution recommended above the Strategy, and supporting information required by the Regulations, must be forwarded to the WAPC. Within 60 days the WAPC must determine to approve, with or without modification, or refuse to approve the Strategy. Determination is not required from the Minister. The Strategy is not required to be published in the *Government Gazette* and no notice of the final approval is required unless determined by the WAPC.

Re-advertising

As outlined above, one risk associated with adopting the modifications is the potential for the Minister to require their re-advertising. Given some of the events outlined in the Background section of this report and Attachment 1 the adoption of LPS4 and the Strategy has been considerably prolonged. Further time delays would be to the disadvantage of the community. This is reflected by a number of community members requesting regular updates on the status of the adoption process due to seeking approval for development currently not permitted by *Town Planning Scheme No. 3*. Council may also determine to re-advertise the modifications prior to forwarding the documents to the WAPC. However this is considered unnecessary given the modifications are based on late submissions and have other administrative purposes.

Therefore, it is recommended that Council delegate authority to Council Officers to determine whether to request the removal of any modification that results in the requirement for re-

advertising. Should this occur these modifications can be implemented as an amendment to LPS4 and the Strategy following their final approval.

CONSULTATION

In accordance with the Regulations, draft LPS4 and the Strategy were advertised as follows:

- Displayed at the Shire Administration Office, Shire Library and WAPC Administration Offices;
- Displayed on the Shire website;
- A notice published in the Pilbara News newspaper;
- A notice sent to all relevant State Government agencies and to all persons on the Shire's rate book;
- Special electronic signature on relevant officers emails;
- Five (5) community consultation sessions held; and
- A notice being sent to all person's land that is proposed to be rezoned in the new Scheme.

The period for making submissions on a local planning scheme is required to be a minimum of 90 days and for a local planning strategy a minimum of 21 days. LPS4 and the Strategy were advertised with a minimum period of 113 days within which submissions could be made, being from the 2 June 2016 until the 23 September 2016. A total of 25 submissions for LPS4 and 18 submissions for the Strategy were received. As outlined above, Council adopted LPS4 and the Strategy with modifications in response to the submissions where considered necessary.

Submissions on LPS4 lodged after the submissions period may be considered within the consideration period, being 120 days from the date the above submission period finished. This date was the 21 January 2017. Consent from the WAPC is required to consider late submissions lodged after this date. A total of 5 submissions in respect of LPS4 and the Strategy have been received between the consideration period and the date of this report (refer Attachment 2).

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Town Planning Scheme No. 3

Environmental Protection Act 1986

POLICY IMPLICATIONS

State Planning Strategy

Ningaloo Coast Regional Strategy Carnarvon to Exmouth

Draft Gascoyne Coast Sub-Regional Strategy

Exmouth-Learmonth (North West Cape) Structure Plan 1998

All State Planning Policies as applicable

Exmouth Townsite Structure Plan

Exmouth South Structure Plan

All Shire of Exmouth Local Planning Policies

Policy No. 2.3 - Common Seal

FINANCIAL IMPLICATIONS

There will be costs associated with publishing LPS4 in the *Government Gazette* and a newspaper circulating the Shire of Exmouth if approval by the Minister for Planning and WAPC is given. However, these cost will be covered through the grant obtained under the Northern Planning Program from the Department of Planning to prepare LPS4 and Strategy.

STRATEGIC IMPLICATIONS

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

- Economic: 1 To be a diverse and innovative economy with a range of local employment opportunities.
- 1.1 *To increase the number of local businesses, industries and services that will provide a range of employment opportunities for the people of Exmouth.*
 - 1.2 *Planned and balanced economic growth.*
 - 1.3 *Diverse tourism opportunities.*
 - 1.4 *Maintain and increase the defence presence.*
 - 1.5 *Maintain and improve Shire infrastructure.*
- Environment: 2 To have a balanced respect for our environment and heritage, both natural and built.
- 2.1 *To maintain and improve access and connectivity to our natural assets.*
 - 2.2 *Our pristine natural environment and biodiversity will be understood, maintained and protected.*
 - 2.3 *To have a town and community that takes pride in its world heritage status.*
 - 2.4 *To be a leader in eco-friendly initiatives and innovations.*
 - 2.5 *To make Exmouth an attractive town that is a comfortable and welcoming place to live and visit, and reflects the lifestyle values and unique natural environment.*
 - 2.6 *Incorporate Climate Change impacts onto current and future planning and policy of Land Developments.*
- Social: 3 To be a dynamic, passionate and safe community valuing natural and cultural heritage.
- 3.1 *Retain a safe community environment.*
 - 3.2 *Excellent lifestyle, recreational and cultural facilities.*
 - 3.3 *An inclusive, responsible and cohesive community.*
 - 3.4 *A community that is well informed and educated about our natural, cultural and built environment.*
 - 3.5 *Maintain and increase participation levels in local community organisations and clubs.*
 - 3.6 *Expand education and training facilities and opportunities.*
 - 3.7 *Residents and visitors have access to appropriate services and facilities to enhance their health and wellbeing.*
 - 3.8 *There is a diverse range of residential land options available.*
- Civic Leadership: 4 To work together as custodians of now and the future.
- 4.1 *To be a collaborative community with the capacity to manage the current and future direction of Exmouth.*
 - 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

Simple Majority

OFFICER'S RECOMMENDATION**ITEM 12.2.1**

That Council, pursuant to the *Planning and Development (Local Planning Schemes) Regulations 2015*:

1. Requests the Western Australian Planning Commission to approve the extension of the Consideration Period to the date of this resolution, in accordance with Regulations 14(1), 25(1)(d) and 25(3), to allow the consideration of late submissions in respect of draft Local Planning Scheme No. 4 and Local Planning Strategy lodged after the Consideration Period and Submission Period as outlined in Attachment 2;
2. Adopts draft Local Planning Scheme No. 4 (Revision 11 – refer Attachment 4) with proposed modifications outlined in Attachment 3 in accordance with Regulation 25(3) and Section 87(1) of the *Planning and Development Act 2005*;
3. Adopts draft Local Planning Strategy (Revision 8 – refer Attachment 5) with proposed modifications outlined in Attachment 3 in accordance with Regulation 14(2);
4. Forwards draft Local Planning Scheme No. 4, Local Planning Strategy and any required documents to the Western Australian Planning Commission and Minister for Planning for final approval in accordance with Regulations 14(3) and 28 and Section 87(1) of the *Planning and Development Act 2005*;
5. Delegates authority to Council Officers to determine whether to request the removal of any modification to draft Local Planning Scheme No. 4 and/or Local Planning Strategy that results in the requirement for advertising;
6. Execute draft Local Planning Scheme No. 4 and Local Planning Strategy upon determination by the Western Australian Planning Commission and Minister for Planning in accordance with Regulations 15 and 32(2) or (3) and Section 87(2)(a) or (b); and
7. Give notice of the determination of draft Local Planning Scheme No. 4 and Local Planning Strategy in accordance with Regulations 16 and 33(2).

COUNCIL RESOLUTION**ITEM 12.2.1**

Res No: 08-0518

MOVED: Cr Mounsey

SECONDED: Cr Lucas

That Council, pursuant to the *Planning and Development (Local Planning Schemes) Regulations 2015*:

- 1. Requests the Western Australian Planning Commission to approve the extension of the Consideration Period to the date of this resolution, in accordance with Regulations 14(1), 25(1)(d) and 25(3), to allow the consideration of late submissions in respect of draft Local**

Planning Scheme No. 4 and Local Planning Strategy lodged after the Consideration Period and Submission Period as outlined in Attachment 2;

- 2. Adopts draft Local Planning Scheme No. 4 (Revision 11 – refer Attachment 4) with proposed modifications outlined in Attachment 3 in accordance with Regulation 25(3) and Section 87(1) of the *Planning and Development Act 2005*;**
- 3. Adopts draft Local Planning Strategy (Revision 8 – refer Attachment 5) with proposed modifications outlined in Attachment 3 in accordance with Regulation 14(2);**
- 4. Forwards draft Local Planning Scheme No. 4, Local Planning Strategy and any required documents to the Western Australian Planning Commission and Minister for Planning for final approval in accordance with Regulations 14(3) and 28 and Section 87(1) of the *Planning and Development Act 2005*;**
- 5. Delegates authority to Council Officers to determine whether to request the removal of any modification to draft Local Planning Scheme No. 4 and/or Local Planning Strategy that results in the requirement for advertising;**
- 6. Execute draft Local Planning Scheme No. 4 and Local Planning Strategy upon determination by the Western Australian Planning Commission and Minister for Planning in accordance with Regulations 15 and 32(2) or (3) and Section 87(2)(a) or (b); and**
- 7. Give notice of the determination of draft Local Planning Scheme No. 4 and Local Planning Strategy in accordance with Regulations 16 and 33(2).**

CARRIED 6/0

Councillor Mounsey made special thanks to Senior Planning Officer, Mark Johnston; commending him on his work in relation to the Town Planning Scheme No. 4 and Local Planning Strategy.

12.2.2 LOCAL EMERGENCY MANAGEMENT COMMITTEE - APPOINTMENT OF LOCAL GOVERNMENT CHAIRPERSON

File Reference:	ES. ME.1
Responsible Officer:	Deputy Chief Executive Officer
Date of Report:	7 May 2018
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. PowerPoint presentation – Government of Western Australian Office of Emergency Management

PURPOSE

That Council support the appointment of the Shire President to the position of Local Emergency Management Committee (LEMC) Chairperson. The Western Australian Police Sargent in Charge will be the LEMC Deputy Chairperson.

BACKGROUND

The Government of Western Australia Office of Emergency Management power point presentation for Councillors and LEMC Committee members is available at Attachment 1.

On the 8 May 2018 the LEMC Committee voted unanimously to appoint the Shire President to the role.

COMMENT

The appointment of the Shire President to this role supports Council policy 1.8 Public Relations-Press Releases.

"The Local Government Act 1995 provides that the role of the Shire President is to speak on behalf of the Local Government and accordingly, the Shire President is the official spokesperson for the Council."

The Shire President as the Chair of LEMC will have a thorough understanding of the impact and recovery associated with local emergency management. This situational awareness will assist in providing accurate comment to the media.

CONSULTATION

- Government of Western Australia Office of Emergency Management advised the LEMC members that the Shire of Exmouth should appoint to the position of Chairperson.
- Western Australian Police, Sargent in charge.
- Shire of Exmouth, President.

STATUTORY ENVIRONMENT

Emergency Management Act 2005:

38. Local emergency management committees

- (1) *A local government is to establish one or more local emergency management committees for the local government's district.*
- (2) *If more than one local emergency management committee is established, the local government is to specify the area in respect of which the committee is to exercise its functions.*
- (3) *A local emergency management committee consists of—*
 - (a) *A chairman and other members appointed by the relevant local government in accordance with subsection (4); and*
 - (b) *If the local emergency coordinator is not appointed as chairman of the committee, the local emergency coordinator for the local government district.*
- (4) *Subject to this section, the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.*

POLICY IMPLICATIONS

Policy 1.6 Election of Committees and Representatives.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

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

- Civic Leadership: 4 To work together as custodians of now and the future.
- 4.1 *To be a collaborative community with the capacity to manage the current and future direction of Exmouth.*
 - 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

Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 12.2.2

That Council appoint the Shire President to the position of Local Emergency Management Committee Chairperson.

COUNCIL RESOLUTION

ITEM 12.2.2

Res No: 09-0518

MOVED: Cr Mounsey

SECONDED: Cr Dixon

That Council appoint the Shire President to the position of Local Emergency Management Committee Chairperson.

CARRIED 6/0

12.2.3 REGIONAL PRICE PREFERENCE POLICY

File Reference:	CM.OP.6
Responsible Officer:	Deputy Chief Executive Officer
Date of Report:	7 May 2018
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Council Policy 2.12 – Regional Price Preference

PURPOSE

That Council adopt revised Council Policy 2.12 - Regional Price Preference Policy (Attachment 1).

BACKGROUND

22 February 2018 Council passed the following resolution:

COUNCIL RESOLUTION

ITEM 12.2.1

Res No: 03-0218

MOVED: Cr Niikkula

SECONDED: Cr Mounsey

That Council authorise Prescribed Area: The local government area of Exmouth be adopted for advertising purposes; and Pursuant to Section 24E of the Local Government (Functions and General) Regulations 1996, State-wide public notice be given of the intention to adopt revised Policy 2.12 -Regional Price Preference as detailed in Attachment 1.

**CARRIED 5/0
EN BLOC**

In February 2000, the *Local Government (Functions and General) Regulations 1996* were amended to allow non-metropolitan local governments to offer a price preference to regional suppliers when deciding which quotation or tender to accept. A price preference can only be applied if a local government has adopted a regional price preference policy.

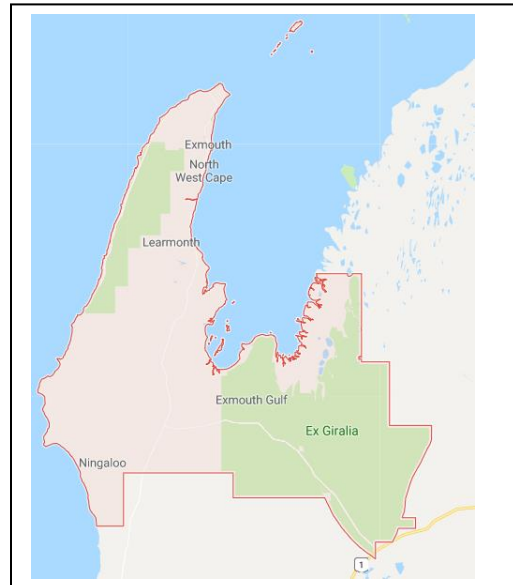
The policy will give guidance to the Council and staff in relation to the provision of a preference to local suppliers when a purchasing decision is made. The policy will allow a quoted or tendered price from a 'Local Business/Contractor' to be reduced for the purposes of comparison with submissions from outside the region, in most instances to a maximum price reduction of \$50,000.00.

In line with the Regulation 24D(1)(c), the policy provides up to a maximum price reduction of \$500,000.00, if the Council is seeking tenders for the provision of goods or services for the first time, due to those goods or services having been, until then, undertaken by the Council.

The aim is to stimulate economic activity and growth in the defined regional pricing area by giving added weight to the use of competitive local businesses in supplying goods, services and works purchased or contracted on behalf of the Shire. Under the proposed policy, a price preference will apply to quotations of \$5,000 value or greater and all tenders invited by the Shire of Exmouth. Setting a regional price preference may result in a higher priced goods or services being sourced than would otherwise be the case.

This policy does not provide that a local provider who supplies the lowest quote after the price preference has been taken into account will automatically be selected. There are a range of factors taken into account when determining the appropriate supplier of goods.

A 'Local Business/Contractor' is defined in this policy as being a business with a permanent office in the Prescribed Area for at least six months prior to bids being sought. The business must have permanent staff based in the Prescribed Area and bidding and management/delivery of the majority of the contract outcomes will be carried out from the business location in the Prescribed Area.



COMMENT

In accordance with Council Resolution 22 February 2018 03-0218 the Regional Price Preference Policy was advertised in the Western Australian Newspaper on the 17 March 2018.

The public submissions for the adoption of Revised Regional Price Preference Policy closed on the 12th April 2018. The Shire did not receive any submissions via email or mail.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995.

Local Government (Functions and General) Regulations 1996.

Regulations 24 A to G provide that a local government located outside the metropolitan area may give a regional price preference to a 'regional' tenderer and specifies the process for implementing this. Statewide public notice must be given of the intention to have a price preference policy. The applicable region needs to be defined in the policy, which must be (or include) the entire district of the local government.

A policy cannot be adopted by a local government until it has considered all submissions that are received and, if that consideration results in significant changes to the proposed policy, then the local government must again give state-wide public notice of the altered policy. An adopted policy cannot be applied until the local government gives state-wide notice that it has adopted that policy.

Regulation 24B (2) states that:

'(2) A supplier of goods or services who submits a tender is regarded as being a regional tenderer for the purposes of this Part if—

- (a) *that supplier has been operating a business continuously out of premises in the appropriate region for at least 6 months before the time after which further tenders cannot be submitted; or*
- (b) *some or all of the goods or services are to be supplied from regional sources.'*

Regulation 24D states that:

'(1) A preference may be given to a regional tenderer by assessing the tender from that regional tenderer as if the price bids were reduced by—

- (a) *up to 10% — where the contract is for goods or services, up to a maximum price reduction of \$50 000; or*
 - (b) *up to 5% — where the contract is for construction (building) services, up to a maximum price reduction of \$50 000; or*
 - (c) *up to 10% — where the contract is for goods or services (including construction (building) services), up to a maximum price reduction of \$500 000, if the local government is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by the local government.*
- (2) *Although goods or services that form a part of a tender submitted by a tenderer (who is a regional tenderer by virtue of regulation 24B(2)(b)) may be—*
- (a) *wholly supplied from regional sources; or*
 - (b) *partly supplied from regional sources, and partly supplied from non-regional sources, only those goods or services identified in the tender as being from regional sources may be included in the discounted calculations that form a part of the assessments of a tender when a regional price preference policy is in operation.*
- (3) *Despite subregulation (1), price is only one of the factors to be assessed when the local government is to decide which of the tenders it thinks would be most advantageous to that local government to accept under regulation 18(4).'*

In line with Section 24E of the Local Government (Functions and General) Regulations Statewide public notice was given of the intention to adopt the Regional Price Preference Policy.

POLICY IMPLICATIONS

This report recommends the adoption of a new policy.

FINANCIAL IMPLICATIONS

Under the proposed policy, a price preference will apply to quotations of \$5,000 value or greater and to all tenders invited by the Shire of Exmouth. Setting a regional price preference may result in a higher priced goods or services being sourced than would otherwise be the case. This may result in the Shire paying a higher price for goods and services.

STRATEGIC IMPLICATIONS

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

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

- Civic Leadership: 4
- 1.1 *To increase the number of local businesses, industries and services that will provide a range of employment opportunities for the people of Exmouth.*
 - 4.1 To work together as custodians of now and the future.
 - 4.1 *To be a collaborative community with the capacity to manage the current and future direction of Exmouth.*
 - 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

Simple Majority

OFFICER'S RECOMMENDATION

ITEM 12.2.3

That Council adopt the revised Council Policy 2.12 - Regional Price Preference as shown in Attachment 1.

COUNCIL RESOLUTION

ITEM 12.2.3

Res No: 10-0518

MOVED: Cr Mounsey

SECONDED: Cr Penfold

That Council adopt the revised Council Policy 2.12 - Regional Price Preference as shown in Attachment 1.

CARRIED 6/0

12.2.4 MANAGEMENT POLICY – MEMORIAL AND RECOGNITION PLAQUES

File Reference:	CM.OP.6
Responsible Officer:	Deputy Chief Executive Officer
Date of Report:	9 May 2018
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	Nil

PURPOSE

The purpose of this report is to advise Council of the introduction of a management policy related to memorial and recognition furniture and plaques.

BACKGROUND

The Shire is receiving requests to install seats in memory and recognition of persons that have made a significant contribution to Exmouth. This management policy seeks to provide consistent and effective administration of these requests.

COMMENT

The Shire wishes to offer a way to acknowledge people that have made a significant social and/or cultural contribution towards the development of the Shire of Exmouth. One approach is through furniture and plaques.

If the application is on behalf of a deceased person, age will not be a determining factor.

To provide guidance related to this initiative the following guidelines will apply:

1. The Shire will project plan the purchase and installation of the memorial asset. The applicant will pay costs in full prior to the Shire managing the acquisition and installation. There will be a 15% administration charge added to the project cost.
2. Unless otherwise approved all commemorative parks seats are to be to the Shire's standard design specifications and requirements. The seats will be in keeping with the existing furniture design already utilised in the precinct or a similar location.
3. The Shire may at any time temporarily remove the furniture for maintenance purposes.
4. The parks furniture may be permanently removed if the use of the site significantly changes.
5. Should the seat be damaged by cyclone, flood, fire, vandalism or end of life depreciation the seat will be removed and not replaced. The Shire will endeavour to contact the relevant person to advise of the situation.
6. Plaques can be installed at the Cemetery Niche Wall or on the parks seats purchased by the applicant.

The locations approved for the installation of memorial seats are:

- Town Beach
- Yardie Creek Road coastal carpark outside the Cape Range National Park
- Talanjee Oval
- Koobooroo Oval
- Learmonth Jetty
- Town site walk trail
- Marina Precinct

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

ITEM 12.2.4

That Council approve the installation of memorial and recognition furniture and plaques in accordance with the guidelines and locations stated in this report.

COUNCIL RESOLUTION

ITEM 12.2.4

Res No: 11-0518

MOVED: Cr Lake

Amended motion by Councillor Lake

That Council approve the installation of memorial and recognition furniture and plaques in accordance with the guidelines and include the Ningaloo Centre to the list of approved locations as stated in this report.

SECONDED: Cr Mounsey

CARRIED 6/0

12.3 COMMERCIAL AND COMMUNITY

12.3.1 EXMOUTH DESTINATION DEVELOPMENT FRAMEWORK REPORT

File Reference:	ED.IN.5
Responsible Officer:	Executive Manager Commercial and Community
Date of Report:	10 May 2018
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Exmouth Destination Development Framework - Distinctly Tourism Management Report

PURPOSE

This report seeks Council endorsement for the Exmouth Destination Development Framework Report (May 2018) undertaken by Distinctly Tourism Management for the Shire of Exmouth (Attachment 1).

BACKGROUND

In 2017 Council approved an independent review of the Ningaloo Visitor Centre (NVC) operations. Kirkgate Consulting were appointed and delivered its report that was endorsed by Council at the Ordinary Council meeting held on the 10 October 2017.

As part of this October 2017 item Council resolved the following:

COUNCIL RESOLUTION ITEM 13.1

Res No: 13-1017

That Council approve the Chief Executive Officer to progress and implement the (Kirkgate) report findings where required and more specifically:

- Appoint a suitably qualified consultant to consult and develop a bespoke destination development framework that will clearly outline;***
- A sustainable business model that delivers effective visitor servicing at the Ningaloo Centre;***
- A destination marketing strategy for the Ningaloo region that achieves buy in from all relevant stakeholders; and***
- A recommended governance structure that ensures strong local industry and tourism stakeholder engagement.***

CARRIED 1/0

A key finding of the Kirkgate report was that *"the opportunity exists for the Shire and the Ningaloo Visitor Centre Management Committee to develop a bespoke model for visitor servicing and*

destination development which reduces the operating subsidy on ratepayers and increases the return on investment to the local economy”.

In December 2017 the Shire contracted Distinctly Tourism Management (DTM) to undertake the investigation of a bespoke visitor servicing and destination marketing model.

DTM have finalised its report and this is now presented for Council review and endorsement (full copy in Attachment 1).

DTM conducted a range of industry and key stakeholder consultation including survey of all Ningaloo Visitor Centre members; face to face interviews with the Ningaloo Visitor Centre Management Committee (NVCMC) and key stakeholders; conducted an industry workshop in region; and regular meetings with Shire of Exmouth officers.

Key findings of the survey and stakeholder consultation as part of the DTM report are as follows and presented under the three headings of;

Governance & Leadership

- There is a strong desire from the tourism community to move the NVC back under Shire of Exmouth management to provide a consistent delivery of servicing, which is focused on driving sales in person and online.
- There is no appetite from the current committee to continue management of the Visitor Servicing administration. The committee thought they would be driving visitation not providing an administration approval process.
- Tourism community advocacy and product development opportunity is recognized as a gap, presenting an opportunity for a skills-based Destination Marketing Organisation to pursue on behalf of the region.
- There is a lack of a “Visitor Community” in both Exmouth and Coral Bay which needs to be addressed to ensure that Tourism is seen as a major economic driver by the residents, contributing to advocacy.

Visitor Servicing

- There was no resistance to locating the NVC in the Ningaloo Centre (NC); it was expected.
- There is support to collaborate in Visitor Servicing and the Ningaloo Centre as one entity through an appointed Tourism Manager, employed by the Shire of Exmouth. However, this does not extend to employing VC staff until cost-modelling has been completed.
- Department Biodiversity Conservation and Attractions (DBCA) have expressed a desire to provide visitor servicing for their assets at the NC and to lease out the Milyering Centre on a commercial basis. This needs to be done as a cost neutral move, to be implemented in the 2018-19 fiscal year.
- Merchandise sales represent a principle revenue stream for the NVC and it is recognized that more efficient retail software, together with a focus on local artisan and quality tourism products, would contribute positively to revenue and visitor experience within the centre. Professional merchandising consultants are desirable.

Destination Marketing

- There is little or no destination marketing done by the current NVC due to gaps in skillset and human resource. It is recognized that there is brand equity in ‘Visit Ningaloo’ to be leveraged, together with the World Heritage status of the region, through the development of a new

destination marketing strategy, administered by a Destination Marketing Group (DMG) where all stakeholder interests are represented.

- The formation of an effective DMG is supported, provided that it is resourced with relevant skills to engage stakeholders and generate awareness in new markets. There is wide-spread acknowledgement that required skillset is not available locally; nor is there the collective knowledge to form an efficient board to manage the process.
- The Chamber of Commerce and the current NVC would seem to be at odds as to who should deliver tourism destination marketing. The formation of a DMG could resolve this impasse by clearly showing leadership and delivering results.

The DTM report also provides an analysis of the current strategic context, compares and contrasts the benefits and limitations of the three basic destination management operational models of "Collaboration", "Local Government Authority (LGA)", and "Industry Association". The DTM report recommends further investigation into adopting a Collaborative Model approach between the Local Government Authority and an Industry led Destination Marketing Group (DMG).

Key components to this recommended approach is;

- The Shire of Exmouth to employ a Tourism Manager to drive and implement this collaborative model;
- Formation of a new Destination Marketing Group administered by a skills based board that has direct responsibility for destination marketing;
- Seek cooperative funding for destination marketing via corporate partnerships; and
- The Shire of Exmouth to assume the lead responsibility in Visitor Servicing, Tourism Product Infrastructure and Regional Advocacy.

The Report then includes a Recommended Actions table for progressing the investigation and implementation of activities over the May to December 2018 period. The responsibility for these tasks are clearly assigned to both the Shire of Exmouth and to the Ningaloo Visitor Centre Management Committee.

COMMENT

The DTM Report provides a good summary of the current tourism setting and options for pathway forward for the Exmouth and broader Ningaloo visitor destination.

It is clear from the consultation and survey work carried out by DTM with the NVCMC, local industry and stakeholders that there is a strong appetite to adopt a new and more effective destination management model. In particular local tourism industry is wanting to see resources allocated to more effective destination marketing rather than just servicing visitors once they have already arrived to the destination.

The Collaborative model recommended between the Shire of Exmouth and an Industry led Destination Marketing Group (DMG) has strong merit and should be further investigated. This recommendation is supported as part of the Officer recommendation in this paper.

The DTM report recommendation for the Shire of Exmouth to directly employ a Tourism Manager also appears a logical approach and will provide the necessary resource to drive this process however in the spirit of collaboration it is the Officer recommendation that the Shire of Exmouth should seek co-funding of this role from the NVCMC until this new DMG entity is fully investigated and implemented. The Officer recommendation in this report supports the employment of a Tourism

Manager role as detailed in the DTM report with the added resolution to seek co-funding of the role from other relevant stakeholders.

Other DTM recommendations as detailed in the Report's Recommended Action table are supported by the Shire Officer recommendation and reflect Tasks 1 to 3 as detailed in the DTM report. These include exploring Visitor Servicing options via a Service Level Agreement tender approach for Council to consider against a Shire funded Visitor Centre model.

The DTM report also clearly outlines tasks for the NVCMC and the Shire will continue to work closely with the NVCMC to progress and investigate a collaborative approach to destination management.

CONSULTATION

The DTM report clearly outlines the level of consultation undertaken for the preparation of its report. This included an online survey distributed to all NVC members with a return rate of 25%, interviews with NVC Committee members, key tourism industry stakeholders both in and outside the region, regular meetings with Shire of Exmouth officers and the conducting of an industry workshop.

This final DTM report will be presented to the NVCMC following Council review and direction.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The Shire of Exmouth allocates annual funding to "Tourism/Area Promotion" under its Economic services budget heading. In 2017/18 this included a contribution to visitor centre (E134522) operations along with maintaining a range of tourism infrastructure.

If the Officer recommendation is approved then Council will need to approve funding for a Tourism Manager role in 2018/19. The CEO will seek co funding for this role and to investigate options to reduce the Shire's overall financial commitment towards this report recommendation.

Any additional and future funding requests regarding the report recommendations including formation of the DMG and contributions towards dedicated marketing funding will be brought back to Council for consideration.

STRATEGIC IMPLICATIONS

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

- Economic:
- 1 To be a diverse and innovative economy with a range of local employment opportunities.
 - 1.1 *To increase the number of local businesses, industries and services that will provide a range of employment opportunities for the people of Exmouth.*
 - 1.2 *Planned and balanced economic growth.*
 - 1.3 *Diverse tourism opportunities.*
 - 1.5 *Maintain and improve Shire infrastructure.*

- Environment: 2 To have a balanced respect for our environment and heritage, both natural and built.
- 2.1 *To maintain and improve access and connectivity to our natural assets.*
- 2.3 *To have a town and community that takes pride in its world heritage status.*
- 2.5 *To make Exmouth an attractive town that is a comfortable and welcoming place to live and visit, and reflects the lifestyle values and unique natural environment.*
- Social: 3 To be a dynamic, passionate and safe community valuing natural and cultural heritage.
- 3.2 *Excellent lifestyle, recreational and cultural facilities.*
- Civic Leadership: 4 To work together as custodians of now and the future.
- 4.1 *To be a collaborative community with the capacity to manage the current and future direction of Exmouth.*
- 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

Simple Majority

OFFICER'S RECOMMENDATION

ITEM 12.3.1

That Council:

1. Endorse the Exmouth Destination Development Framework Report (9 May 2018).
2. Request the Ningaloo Visitor Centre Management Committee (NVCMC) communicate the report findings and recommendations to its membership and seek NVCMC endorsement for the report's recommended actions.
3. Subject to achieving officer recommendation 2 above, approve the Chief Executive Officer to progress and implement the Distinctly Tourism Management Report recommendations where required as set out in the recommended action tasks allocated to the Shire of Exmouth and more specifically;
 - a. Prepare a position description, seek co funding and/or organisational structure opportunities to employ a full time equivalent position to progress and implement the Report recommendations;
 - b. Prepare and implement a Service Level Agreement tender process for the delivery of Visitor Servicing for Council review; and
 - c. Continue to work closely with the NVCMC to achieve the development of an effective collaborative destination management model.

The motion lapsed for want of a mover.

12.4 CORPORATE SERVICES

The following recommendations 12.4.1, 12.4.2 and 12.5.1 where adopted en bloc.

12.4.1 FINANCIAL STATEMENTS FOR PERIOD ENDING 30 APRIL 2018

File Reference:	FM.FL.0
Responsible Officer:	Executive Manager Corporate Services
Date of Report:	9 May 2018
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Monthly Financial Report as at 30 April 2018

PURPOSE

This report recommends Council accepts the financial reports for the financial periods ending 30 April 2018.

BACKGROUND

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

COMMENT

Overall revenue budget is slightly under target and will adjusted further by funding for the Ningaloo Centre (\$1.3m) that will be offset by expenditure. These funds will be reimbursed to the Shire prior to October 2018 upon successful completion of the aquarium.

In general, expenditure budget is on track to meet midyear review forecast subject to Ningaloo Centre adjustments.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

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

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

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

- 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.*

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION**ITEM 12.4.1**

That Council receives the Financial Report for the financial periods ending 30 April 2018.

COUNCIL RESOLUTION**ITEM 12.4.1**

Res No: 12-0518

MOVED: Cr Niikkula

SECONDED: Cr Lucas

That Council receives the Financial Report for the financial periods ending 30 April 2018.

CARRIED 6/0

12.4.2 LIST OF ACCOUNTS FOR PERIOD ENDING 30 APRIL 2018

File Reference:	FM.FI.0
Responsible Officer:	Executive Manager Corporate Services
Date of Report:	9 May 2018
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. List of Accounts for period ending 30 April 2018

PURPOSE

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

BACKGROUND

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

COMMENT

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

April Payments

Municipal Fund totalling \$1,246,370.70
Incorporating cheques, direct debits, electronic payments and credit cards.

Trust Fund totalling \$5,620.47
Incorporating electronic payments.

Total April Payments: \$1,251,991.17

CONSULTATION

Nil

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

- 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.*

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

ITEM 12.4.2

That Council pursuant to Sections 6.7 and 6.9 of the *Local Government Act 1995* receives the report of payments made from the Municipal and Trust bank accounts during the month of April 2018 (*totalling \$1,251,991.17*).

COUNCIL RESOLUTION

ITEM 12.4.2

Res No: 13-0518

MOVED: Cr Niikkula

SECONDED: Cr Lucas

That Council pursuant to Sections 6.7 and 6.9 of the *Local Government Act 1995* receives the report of payments made from the Municipal and Trust bank accounts during the month of April 2018 (*totalling \$1,251,991.17*).

CARRIED 6/0

12.5 ITEMS FOR INFORMATION ONLY

12.5.1 ITEMS FOR INFORMATION ONLY

PURPOSE

To advise Council of the information items for April 2018 as listed below.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION

ITEM 12.5.1

That Council note the following information items:

Register of Documents Stamped with the Shire of Exmouth Common Seal

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

DATE	DOCUMENT
01/05/18	Contract between Shire of Exmouth and Colas (Council Decision 02-0418).
	Amendment to Lease Agreement between Shire of Exmouth and Ningaloo Aviation (Council Decision 14-1014-11.3.4).
11/05/18	Loan Agreement between Shire of Exmouth and Truscott Memorial Club (Council Decision 07-0418).

Concessions on Fees for Council Facilities

A summary of all concessions on fees for Council's facilities and services under Section 4.1 of the *Register of Delegations of Authority from Council to the CEO and Other Officers* since the last Ordinary Council Meeting.

NAME	REASON	AMOUNT
Exmouth Community Markets Inc.	Annual permit fee for Activity on Local Government Property PA18/18.	\$ 227.00
Exmouth Anglican Community Church	Community noticeboard and electronic noticeboard advertising & temporary food permit for Easter Dawn Service on 1 April 2018.	\$ 27.10
Petra Liedel	Community Mental Health First Aid training 2, 4, 9, 10, 11 & 12 April 2018 Senior Citizen Building meeting room.	\$ 137.01
Bangarang Dance	Public event permit Federation Park stage. Concert 14th April rehearsals 11-13 April.	\$ 28.25

Building Decisions Issued

A summary of the building licence and building certificate applications and approvals made under Delegation pursuant to the *Building Act 2011* up to 30 April 2018.

App #	Date Received	Lot	Property Address	Description	Decision	Decision Date
17/111	28/11/17	47	3 Searaven Crescent	Fence	Pending	
17/113	6/12/17	73	43 Kennedy Street	Steel framed carport	Pending	
18/3	12/01/18	315	27 Gnulli Court	New Dwelling	Approved	17/03/18
18/12	07/02/18	1277	2 Seawolf Circle	Side Fence	Approved	7/03/18
18/18	12/03/18	437	37 Fitzhardinge Street	Verandah Upgrade	Pending	
18/19	15/03/18	8	106 Madaffari Drive	New Dwelling	Pending	
18/20	15/03/18	443	30 Stokes Hughes Street	Steel Framed Boundary Fence	Approved	20/03/18
18/22	15/03/18	111	Thresher Street	Industrial Shed, Office and Caretakers	Approved	27/03/18
18/24	6/04/18	500	1 Nimitz Street	Steel Framed Carport Patio	Approved	11/04/18
18/26	19/04/18	277	24 Christie Street	Carport	Pending	
18/27	20/04/18	215	Coral Way	Steel Framed Fence	Approved	27/04/18

Planning Decisions Issued

A summary of the planning decisions issued under delegation up to 30 April 2018.

App #	Date Received	Lot	Property Address	Description	Decision	Decision Date
PA70/16	13/06/16	2	Yardie Creek Road	Additional Camping Sites	ON HOLD - Pending information from Applicant	
PA112/16	25/08/16	1586 & 1587	164 Lyndon Location	Nature Based Park - Exmouth Gulf Pastoral Station	ON HOLD - Pending information from Applicant	
PA44/17	28/02/17	831	7 Pelias Street	Storage Unit	ON HOLD - Pending information from Applicant	
PA45/17	28/02/17	141	7 Dugong Close	Dwelling	Processing – Pending Information from Applicant	
PA07/18	15/01/18	1359	9 Redfin Court	Change of Use	Pending	
PA12/18	30/01/18	43	11 Searaven Crescent	Single Dwelling	Pending	
PA13/18	2/02/18	500	1 Nimitz Street	Carport	Approved	20/04/18
PA21/18	21/02/18	475	7 Osprey Way	Carport and Balcony Extension	Approved	26/04/18
PA29/18	09/03/18	267	25 Christie Street	New Carport	Approved	26/04/18
PA34/18	23/03/18	23	146 Madaffari Drive	Residence and Carport	Approved	3/05/18
PA35/18	27/03/18	789	5 Jones Place	Single residential + single outbuilding	Pending	

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

App	Date Received	Description	Date Issued
Nil			

OFFICER'S RECOMMENDATION**ITEM 12.5.1**

That Council note the following information items:

- Register of Documents Stamped with the Shire of Exmouth Common Seal;
- Concessions on Fees for Council Facilities for April 2018;
- Building Decisions Issued up to 30 April 2018; and
- Planning Decisions Issued up to 30 April 2018.

COUNCIL RESOLUTION**ITEM 12.5.1**

Res No: 14-0518

MOVED: Cr Niikkula

SECONDED: Cr Lucas

That Council note the following information items:

- **Register of Documents Stamped with the Shire of Exmouth Common Seal;**
- **Concessions on Fees for Council Facilities for April 2018;**
- **Building Decisions Issued up to 30 April 2018; and**
- **Planning Decisions Issued up to 30 April 2018.**

CARRIED 6/0

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

Nil

14. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS

Nil

15. CLOSURE OF MEETING

The Shire President closed the meeting at 5.30pm.