



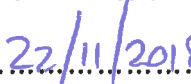
# Ordinary Council Meeting Minutes 25 October 2018

## CONFIRMATION OF MINUTES

I hereby certify that the Minutes of the Ordinary Council Meeting held on 25 October 2018 are a true and accurate record of the proceedings contained therein.

  
.....

**Matthew Niikkula**  
**Shire President**

  
.....  
Dated

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# ORDINARY COUNCIL MEETING MINTUES

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

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

*Our Strategic Objectives*

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

## 1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 4.01pm.

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 Manager Commercial and Community
Mr K Wilson	Executive Manager Corporate Services

Mrs M Head Minute Clerk

**GALLERY** 5

**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).

Nil

### 5. DECLARATIONS OF INTEREST

Item/Description	Name	Nature of Interest	Extent of Interest
12.3.1 Leasing of Exmouth Aerodrome – Birds Eye View Ningaloo	Councillor Heather Lake	Proximity, financial and impartiality interest	Councillor Lake left the Chambers
12.3.1 Leasing of Exmouth Aerodrome – Birds Eye View Ningaloo	Councillor Gavin Penfold	Financial interest. The lease holder of the Birds Eye View lease located at the Exmouth Aerodrome	Councillor Penfold left the Chambers

### 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.

Councillor Lucas requested a leave of absence from 21 November 2018 until the 25 November 2018 inclusive.

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**COUNCIL RESOLUTION****ITEM 6****Res No: 01-1018****MOVED: Cr Dixon****SECONDED: Cr Mounsey**

**Councillor Lucas requested a leave of absence from 21 November 2018 until the 25 November 2018 inclusive.**

**CARRIED 6/0****7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 27 September 2018 be confirmed as a true and correct record of proceedings.

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**COUNCIL RESOLUTION****ITEM 7****Res No: 02-1018****MOVED: Cr Penfold****SECONDED: Cr Lucas**

**That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 27 September 2018 be confirmed as a true and correct record of proceedings.**

**CARRIED 6/0**

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**8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS**

Councillor Lake

- Accompanied the Deputy Chief Executive Officer and attended the Gascoyne Zone of the Local Government Act Review Forum held in Carnarvon on Wednesday 10 October 2018. The purpose of the forum was to seek comment and suggestions as to how the Local Government Act could be modified to be more relevant to our needs.
- Attended the Subsea 7 Public Forum – 24 October 2018.

Councillor Dixon

- Attended the Subsea 7 Public Forum – 24 October 2018.

Councillor Mounsey

- Attended the Subsea 7 Public Forum – 24 October 2018.

Councillor Lucas

- Attended Ningaloo Visitor Centre Committee meeting in relation to the future of the Ningaloo Visitor Centre focusing on destination and visitor marketing. The Executive Manager Commercial and Community presented a very informative report which was well received by the Ningaloo Visitor Centre Committee. Councillor Lucas went on to commend Executive Manager Commercial and Community for the outstanding report.
- Attended the Subsea 7 Public Forum – 24 October 2018. Councillor Lucas commended Subsea 7 on the quality of information provided to the Community.

## **9. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

The Shire President read the following report to the gallery:

*"Firstly, I would like to congratulate my fellow councillors on completing our first year as elected Representatives. Today's meeting marks 1 year and 2 days since we were sworn in as a fresh new lot of councillors, eager to initiate stability and build community respect following a period of intense scrutiny and Commissioner control; and, what a year it has been.*

*We have all spent many more hours, had many more meetings and read SO many more documents than us, or our families ever thought would be the case this time last year. We have undertaken trainings on good governance, completed a full review of each business unit, a community strategic plan, a corporate business plan and adopted our first budget, which we believe will lay the foundation for a strong future.*

*It is fitting that, 1 year after taking control, we are now on the eve of the official opening of Exmouth's controversial Aquarium. Under the direction of this council, and the management of our great executive team, the "Ningaloo Aquarium and Discovery Centre" will be officially opened tomorrow by the Hon Alanna MacTiernan, Minister for Regional Development. This project has been completed within budget, and at no additional cost to ratepayers. The 55,000ltr tank has over 40 species of fish and coral. There are currently 300 fish that call it home and this will grow to around 1000 in coming months. During August, more than 1700 visitors went through the centre and the feedback is overwhelmingly positive. The new entry way showcasing yet another live fish tank is excellent, and I truly believe that the centre will become a major tourism drawcard for the region and a driver of economic growth for Exmouth.*

*I am pleased that Minister MacTiernan has agreed to open the centre and I look forward to showing her around so she can see firsthand the work that has been done to make the centre a success".*

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

Nil

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

Nil

## 12. REPORTS OF OFFICERS

### EXECUTIVE SERVICES

#### 12.1.1 ORDINARY COUNCIL MEETING DATES 2019

File Reference:	GV.CM.0
Responsible Officer:	Chief Executive Officer
Date of Report:	28 September 2018
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Public Notice - Ordinary Council Meetings 2019

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#### **PURPOSE**

That Council consider the proposed Ordinary Council meeting dates for 2019.

#### **BACKGROUND**

Below are the proposed meeting dates for 2019; typically the fourth Thursday of the month.

- 28 February 2019
- 28 March 2019
- 2 May 2019
- 30 May 2019
- 27 June 2019
- 25 July 2019
- 22 August 2019
- 26 September 2019
- 24 October 2019
- 28 November 2019
- 19 December 2019

No meeting will be scheduled for January 2019.

Council are required to give local public notice of the proposed dates as per Regulation 12(1) of the Local Government (Administration) Regulations 1996:

12. *Meetings, public notice of (Act s. 5.25(1)(g))*  
*(1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —*  
*(a) the ordinary council meetings;*

#### **COMMENT**

Nil



## CONSULTATION

Nil

## STATUTORY ENVIRONMENT

Local Government (Administration) Regulations 1996

## POLICY IMPLICATIONS

Nil

## FINANCIAL IMPLICATIONS

Nil

## STRATEGIC IMPLICATIONS

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

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

## VOTING REQUIREMENTS

Simple Majority

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## OFFICER'S RECOMMENDATION

**ITEM 12.1.1**

That Council endorse the following dates for the Ordinary Council meetings for 2019 commencing at 4.00pm:

- 28 February 2019
- 28 March 2019
- 2 May 2019
- 30 May 2019
- 27 June 2019
- 25 July 2019
- 22 August 2019
- 26 September 2019
- 24 October 2019
- 28 November 2019
- 19 December 2019

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## COUNCIL RESOLUTION

**ITEM 12.1.1**

**Res No: 03-1018**

**MOVED: Cr Lake**

**SECONDED: Cr Lucas**

**That Council endorse the following dates for the Ordinary Council meetings for 2019 commencing at 4.00pm:**

- **28 February 2019**
- **28 March 2019**
- **2 May 2019**
- **30 May 2019**
- **27 June 2019**
- **25 July 2019**
- **22 August 2019**
- **26 September 2019**
- **24 October 2019**
- **28 November 2019**
- **19 December 2019**

**CARRIED 6/0**

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## **DEVELOPMENT SERVICES**

### **12.2.1 TANTABIDDI BOAT RAMP REPORT**

File Reference:	GS. PR.8
Responsible Officer:	Deputy Chief Executive Officer
Date of Report:	11 October 2018
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Tantabiddi Boat Launching Facility Investigation report

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#### **PURPOSE**

The purpose of this report is to advise Council that:

1. The Recreational Boat Facility Scheme, Tantabiddi Boat Launching Facility Investigation report is completed. The report is attached for Councils information; and
2. A working group consisting of representatives from State and Local Government has been formed to manage the Investigations associated with the Tantabiddi Boat Ramp.

#### **BACKGROUND**

On 29 June 2016 Council passed the following resolution:

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##### ***COUNCIL RESOLUTION ITEM 17.1***

***Res No: 14-0616***

***MOVED: Cr Todd***

***SECONDED: Cr McHutchison***

***That Council authorises the signing of the Funding Agreements between the Shire of Exmouth and the Minister for Transport for the 'Bundegi Boat Ramp Upgrade' and the 'Tantabiddi Boat Ramp Usage Study'.***

***CARRIED by ABSOLUTE MAJORITY 5/0***

#### **COMMENT**

The plan moving forward is to establish a working group consisting of representatives from:

Membership:

- Chair – Department of Transport Richard Sellers
- Shire of Exmouth – Shire President and CEO and technical support staff
- Department of Transport Marine Infrastructure representative
- Member representing Minister Dawson

- Member representing Tourism from the Department of Jobs, Tourism, Science and Innovation.
- Members representing DBCA and DPAW
- Industry Member – Tourism / Recreational Fishing
- Industry Member – Tourism / Whale Shark Tourism operator
- Gascoyne Development Commission – Chief Executive Officer

The Shire is led to believe that the working group will establish the Terms of Reference and formulate a submission for the Round 3 of the Building Better Regions Fund – Infrastructure Stream. The State Government will lead the project and provide technical and secretariat support but the Shire will be the applicant.

## Building Better Regions Fund Infrastructure Projects Stream

Last updated: 28 September 2018

### At a glance

✔ Open

Provides organisations with grants of between \$20,000 to \$10 million to support projects which involve the construction of new infrastructure, or the upgrade or extension of existing infrastructure that provide economic and social benefits to regional and remote areas.

#### Who can apply:

At a minimum, you must:

- have an Australian Business Number (ABN)

and

- be one of the following incorporated entities:
  - an incorporated not for profit organisation.
  - an Australian local government agency or body as defined in appendix A of the [grant opportunity guidelines](#)
  - non-distributing co-operatives.

Other eligibility requirements apply.

#### Deadline to apply:

Applications close: **15 November 2018 5:00 pm AEDT**

#### Contact information:

[13 28 46](tel:132846)

[business.gov.au/contact](https://business.gov.au/contact)

Apply

[ects#how-to-apply](#)

The Tantabiddi Boat Launching Facility Investigation report is attached for Councils information.

## CONSULTATION

- Department of Transport
- Department of Biodiversity, Conservation and Attractions
- The Department of Transport Coastal Infrastructure provided the following feedback on the report:

*The round 21 RBFS application nominated that the purpose of the planning study was to:*

- 1. Produce a Level of Demand report investigating commercial and recreational use.*
- 2. Make recommendations on the expansion of the facility to meet future demand separating commercial and recreational activity.*
- 3. Investigate and report in the implementation of user pay arrangement including commercial and recreational use.*
- 4. Report on the existing operational cost and capital expansion costs separating commercial and recreational activity.*

*The report states that its scope of investigations included (p1, 2):*

- *Define current facility user demand*
- *Define future onshore and offshore infrastructure*
- *Categorise statutory responsibilities*
- *Identify which Govt agencies benefit from the facility*
- *Assess annual cost of management*
- *Define development cost*
- *Investigate user pay systems*

*We are satisfied this Report meets the conditions of the Grant.*

*Following a review of the Report DoT notes the following:*

*It is apparent that the report has expanded its scope somewhat to include possible alternative management strategies.*

*The report considers the limitations of the existing facility. Usage rates are considered, and forecasts made of future needs. It is established that the existing facility will need to be expanded to cater for forecast future demand.*

*The commercial vs recreational percentage usage - Using the weighted average figures on a Peak Day, 46% commercial and 54% recreational. However, the Average Day percentage figure would be a more reflective and accurate representation of the locals' usage of the boat ramp (62% commercial and 38% recreational).*

*Due to the considerable funding commitment required for the longer-term option, it has been recommended that alternate sites are examined to determine whether the sediment management can be better managed elsewhere. Clearly, irrespective of the option selected, environmental issues will be a major concern for this project.*

*In conclusion:*

- *DoT supports the upgrade / expansion of boating facilities at Tantabiddi. However, without further investigation the Report's proposals may not be the best options.*
- *DoT is also supportive of investigating the possibility of alternative sites for the boat launching facility.*
- *DoT believes the commercial vs recreational "Average Day" percentage usage is a more accurate representation of the locals' use of the boat ramp.*
- *DoT recommends the Shire undertakes early engagement with affected agencies (DBCA, Fisheries and Tourism) on the likely objections to expanding the existing site and/or moving to another site. Discussions should also be held with DBCA (and possibly Tourism) on funding contributions for maintenance and long-term management of the facility.*

## **STATUTORY ENVIRONMENT**

Nil

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Nil

## **STRATEGIC IMPLICATIONS**

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

- Economic: Diversify and grow our economy in a manner that provides year round employment opportunities
- 1.1 A diverse and environmentally aware local economy that can attract business investment and provide employment opportunities
  - 1.2 Facilitate the strengthening and growth of our visitor experience.
  - 1.3 Enable the provision of essential infrastructure that will support investment and diversify our economy.
- Environment: To protect and value our unique natural and built environment as we grow our economy.
- 2.3 Advocate and promote opportunities for the development of environmentally sustainable essential infrastructure and services
- Social: To be a vibrant, passionate and safe community valuing our natural environment and unique heritage
- 3.1 Explore opportunities to deliver services and facilities that attract and retain people living in the Shire.
- Leadership: To provide open transparent, accountable leadership working in collaboration with our community.
- 4.1 To provide proactive, collaborative and transparent leadership
  - 4.2 A local government that is respected and accountable.

## 4.3 To be a champion for our community

**VOTING REQUIREMENTS**

Simple Majority

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**OFFICER'S RECOMMENDATION****ITEM 12.2.1**

That Council:

1. Receive the Tantabiddi Boat Launching Facility Investigation report.
2. Support the Shire being the applicant of the Australian Government Building Better Regions Fund – Infrastructure Stream submission.

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**COUNCIL RESOLUTION****ITEM 12.2.1****Res No: 04-1018****MOVED: Cr Lucas****SECONDED: Cr Dixon****That Council:**

- 1. Receive the Tantabiddi Boat Launching Facility Investigation report.**
- 2. Support the Shire being the applicant of the Australian Government Building Better Regions Fund – Infrastructure Stream submission.**

**CARRIED 6/0**

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## 12.2.2 MURAT ROAD RECONSTRUCTION-AWARD OF TENDER 05/2018 (RFT 05/2018)

File Reference:	CM.TE.05.2018
Responsible Officer:	Deputy Chief Executive Officer Keith Woodward
Date of Report:	October 2018
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. CONFIDENTIAL Tender Closeout Report – KC00805.00 dated 26 September 2018

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### PURPOSE

This report recommends that Tender 05/18 for the construction of Murat Road and Mortiss Street be awarded as per the recommendation in the Confidential Tender Closeout Report – KC00805.00 dated 26<sup>th</sup> September 2018 (Attachment 1).

### BACKGROUND

Murat Road is the only entrance road into the Exmouth town site. The road was originally designed and constructed in 1966. Murat Road services a significant tourist destination and the Exmouth community. It links the town site with the Naval Communication Base 'Harold E Holt'. The road extends north to Yardie Creek Road in close proximity to the coastline, providing visitor access to the Ningaloo shore and reef and Cape Range National Park which is encapsulated within the Ningaloo Coast World Heritage Area.

With Exmouth being promoted as the "Northern Gateway" to the Ningaloo Reef and with development increasing in the town site and increased usage of the World Heritage coastline in between Exmouth and Carnarvon, it is critical that the entrance road into in Exmouth is appropriately designed to improve vehicle and pedestrian safety. Murat Road is included in the RAV 4 Network system (conditional). Increasing traffic to the Exmouth region is placing high demands on the existing road which was designed in 1966. The road is under-engineered and its design does not meet current standards. It is expected that traffic volumes will increase on Murat Road as the Shire continues to develop. One of the main benefits to be derived from the reconstruction of Murat Road relates to the significant indirect economic benefit opportunity associated with the project. It is envisaged that the Exmouth's new and improved infrastructure associated with air, sea and road transport, land development, building construction, tourism facilities, World Heritage recognition will inevitably attract increased investment from both existing and prospective owners.

The Exmouth Shire Council was advised at the February 2018 Council meeting that Murat Road would be reconstructed from Preston Street to Reid Street. The associated report awarded the project administration to KCTT. The KCTT scope included the development of technical specifications, tender management and project management as the Shire's superintendent's representative.



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**COUNCIL RESOLUTION ITEM 12.2.4****Res No:** 09-0218**MOVED:** Cr Lucas**SECONDED:** Cr Mounsey

***That Council award the Murat Road Engineering Consultancy Project to KCTT as recommended in the confidential assessment report (Attachment 1).***

**CARRIED 5/0****COMMENT****Tender Process**

KCTT was appointed by the Shire of Exmouth to manage and provide the overall project management, inclusive of civil and traffic engineering, electrical and lighting, geotechnical engineering, landscape architecture and road safety auditing for the upgrade of the section of Murat Road (SLK 0.00-3.22), for Mortiss Street and Neale Cove.

**Team Structure**

The team was appointed with the following structure:

Project Lead	KCTT
Traffic Engineering	KCTT
Civil Engineering	KCTT
Electrical Engineering	UPD
Geotechnical Engineering	Douglas Partners
Road Safety Auditing	Traffic Safety Consultants

The key client contact is the Deputy Chief Executive Officer of the Shire of Exmouth, Keith Woodward.

**Key Milestones**

The Murat Road Upgrade project underwent major changes in scope during the design and tendering phase. In summary these included:

- The addition of a major re-design for Mortiss Street and Neale Cove which required an effective duplication of Mortiss Street to separate heavy vehicles from residential vehicular traffic for the Harbour Access;
- The initial tendering of the project on 28 June 2018 with closing date of 20 July 2018 which saw all tenderers provide pricing in excess of the nominated budget;
- An agreed methodology between the Shire of Exmouth and the consultant team to reduce the scope of work to all works in Murat Road between Preston Street and Mortiss Street, plus the Mortiss Street and Neale Cove works, thereby creating an improved Harbour Access strategy, with the Murat Road works north of Mortiss Street placed on-hold for future construction, and to remove the construction of the partial Market Street levee from the scope of the Contract.

At all phases, KCTT and the Shire of Exmouth have sought to provide opportunities for as many tenderers as possible to respond to this Tender offer.

## **A detailed discussion of the Tendering process follows**

Qualitative Criteria for the Selection of a Preferred Tenderer:

A detailed selection criteria was provided in the RFT documents for both the initial tender, and the re-tender under the Tender RFT 05/2018 as follows: -

*The Contract may be awarded to a Tenderer or Tenderers who best demonstrate the ability to provide quality products and/or services at a competitive price. The tendered prices will be assessed together with qualitative and compliance criteria to determine the most advantageous outcome to the Principal. The Principal has adopted a best value for money approach to this Request. This means that, although price is considered, the tender containing the lowest price will not necessarily be accepted, nor will the Tender ranked the highest on the qualitative criteria. A scoring system will be used as part of the assessment of the qualitative criteria. In determining the most advantageous Tender, the Evaluation Panel will score each Tenderer against the qualitative criteria. Each criterion will be weighted to indicate the relative degree of importance that the Principal places on the technical aspects of the Requirements being purchased.*

The scoring system for the Qualitative Criteria was: -

- Organisational Capability – 40%
- Personnel – 35%
- Performance – 25%

The Shire of Exmouth's Regional Pricing Policy (dated 24 May 2018) applied for the initial tender and the re-tender.

### **Tendering Process – Initial Tender**

The draft Request for Tender document was submitted on 22 May 2018 for the Shire of Exmouth's consideration. The preliminary bill of quantities and cost estimate reflecting the proposal from the geotechnical engineer was submitted to the Shire of Exmouth on 23 May 2018. The final draft for the tender documents was approved by the Shire of Exmouth and the tender was published in the West Australian on Saturday 30 June 2018. The tender was originally intended to be closed on 20 July 2018, however due to increased interest the tender was extended to 27 July 2018. The tender was advertised in West Australian for the duration of the tender, on Shire of Exmouth's web page, on KCTT's web page, on KCTT's Facebook and Linked In page.

### **Tendering Process – Re-Tender**

The initial tender revealed that at the current market price the full scope of works (upgrade of Murat Road with levee construction and reconstruction of the Mortiss Street and Neale Cove intersections) cannot be completed within the Shire's allocated budget. Therefore the decision was made to complete redesign of Murat Road (removing the levee construction from the scope of works) and that the tender is to be reopened with Murat Road broken into two separable portions as follows: -

- Murat Road Stage 1A (Preston Road to Mortiss Street);
- Murat Road Stage 1B (Mortiss Street to Reid Street)

From our understanding of the previous tenders we believed that the major cost component was the traffic management and the construction of the levee. Of secondary importance was the traffic management in the works north of Mortiss Street, due to a higher requirement for traffic management with the increased number of intersections and interfaces to residential areas.

KCTT completed civil engineering designs over a 2-week period to remove the levee and to break quantities into Murat Road Stages 1A and 1B. It was agreed that additional Road Safety Audits were not required as the majority of the hazards identified within the first two road safety audits pertained to the levee design. The electrical plans required only minor adjustments which was completed within the originally approved fee. The tender was re-advertised on the 20 of August 2018 and was intended to be closed initially on 5 September 2018. The deadline was extended to 12 September 2018 on requests from more tenderers to be considered. All tenderers who requested tender documentation for the initial tender received a revised tender pack. During the tender period two (2) Requests for Information were received and responded to. A total of eight (8) tender responses were received.

A full report is provided in the Confidential Tender Closeout Report submitted by KCTT dated 26 September 2018 (Attachment 1).

### **CONSULTATION**

Western Australian Main Roads  
Western Australian Department of Transport

### **STATUTORY ENVIRONMENT**

Section 3.57 of the *Local Government Act 1995 and the Local Government Regulation 1996 (Function and General)* Part 4, Division 2 section 11 to 24.

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

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

All tenders were evaluated against the selection criteria by which each tender is assigned a score based on the tenderers capacity to meet the tender objectives. The Contract will be awarded to a Tenderer who best demonstrates the ability to carry out the required service at a competitive price. The tendered prices were assessed via qualitative and compliance criteria to determine the most advantageous outcome to Council. This means that, although price is considered, the Tender containing the lowest price will not necessarily be accepted, nor will the offer ranked the highest on the qualitative criteria.

### **POLICY IMPLICATIONS**

Council Purchasing Policy 2.7

### **FINANCIAL IMPLICATIONS**

The project budget comprises of:

Western Australian Main Roads	1,800,000
Western Australian Department of Transport	605,290
The Shire of Exmouth (Roads to Recovery)	<u>192,018</u>
The total project budget excluding GST is	<b>\$2,597,308</b>

The project income vs expenditure is referenced in Table 1.

<b>Income</b>		
<b>Project Budget</b>		<b>Excluding GST (\$)</b>
Department of Transport	Civil	551,295.00
Department of Transport	Administration	53,995.00
Main Roads Western Australia	Civil and Administration	1,800,000.00
Shire Road to Recovery	Civil	192,018.00
<b>Grand Total</b>		<b>2,597,308.00</b>
<b>Expenditure</b>		
Rate Murat Rd	Civil	1,258,343.69
Rate Mortiss St	Civil	466,814.12
Rate Murat Rd	Administration	195,828.00
Rate Mortiss St	Administration	53,995.00
Rate	Administration (additional)	15,000.00
Rate	Horizon Power	479,024.74
Rate	Survey	10,430.00
Rate	Traffic Management	4,008.40
Rate	Horizon Power Design fee	5,550.00
<b>Total</b>		<b>2,488,993.95</b>
Project Contingency (4.75%)		108,314.05
<b>Grand Total</b>		<b>2,597,308.00</b>

<b>Actual Costs</b>		
Department of Transport	Civil	466,814.12
Department of Transport	Administration	53,995.00
<b>Total</b>		<b>520,809.12</b>
(HP) Transfer to Intersection Street Lighting		84,480.88
<b>Grand Total</b>		<b>605,290.00</b>
Main Roads Western Australia	Civil	1,258,343.69
	Administration	210,828.00
	Horizon Power	394,543.86
	Other Costs	19,988.40
	Project Contingency	108,314.05
<b>Total</b>		<b>1,992,018.00</b>
<b>Grand Total</b>		<b>2,597,308.00</b>

In accordance with the *Local Government (Functions and General) Regulation 1996*, Part 4, Division 2 section 20, prior to the contract being signed the Shire will enter into minor variation negotiations.

20. Variation of requirements before entry into contract

- (1) *If, after it has invited tenders for the supply of goods or services and chosen a successful tenderer but before it has entered into a contract for the supply of the goods or services*

*required, the local government wishes to make a minor variation in the goods or services required, it may, without again inviting tenders, enter into a contract with the chosen tenderer for the supply of the varied requirement subject to such variations in the tender as may be agreed with the tenderer.*

The project contingency:

When estimating the cost for a project, product or other item or investment, there is always uncertainty as to the precise content of all items in the estimate, how work will be performed, what work conditions will be like when the project is executed and so on. These uncertainties are risks to the project. The estimated costs of the known-unknowns is referred to by cost estimators as cost contingency. Until the project is complete, no one can be certain exactly how much the cost will be. The basis for the estimate and the calculations used to turn that information into a cost are both uncertain. Other factors may come into play as well, such as unexpected changes in the design, the scope of work, or the way work is to be carried out. Or you may wish to improve a standard whilst resources are engaged.

The project contingency associated with RFT 05/2018 for the construction of Murat Road and Mortiss Street is \$108,314. As discussed previously the variation negotiations if achieved will be allocated to the project contingency.

### **STRATEGIC IMPLICATIONS**

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

- Economic:            Diversify and grow our economy in a manner that provides year round employment opportunities
- 1.1 A diverse and environmentally aware local economy that can attract business investment and provide employment opportunities
  - 1.2 Facilitate the strengthening and growth of our visitor experience.
  - 1.3 Enable the provision of essential infrastructure that will support investment and diversify our economy.
- Environment:        To protect and value our unique natural and built environment as we grow our economy.
- 2.3 Advocate and promote opportunities for the development of environmentally sustainable essential infrastructure and services
- Leadership:           To provide open transparent, accountable leadership working in collaboration with our community.
- 4.1 To provide proactive, collaborative and transparent leadership
  - 4.2 A local government that is respected and accountable.
  - 4.3 To be a champion for our community

### **VOTING REQUIREMENTS**

Absolute Majority

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**OFFICER'S RECOMMENDATION****ITEM 12.2.2**

That Council:

1. Awards the contract for Tender RFT 05/2018, as per the recommendation in the Confidential Tender Closeout Report – KC00805.00 dated 26 September 2018 (Attachment 1).
2. Record the recommendation for Tender RFT 05/2018 as provided in the Confidential Tender Closeout Report – KC00805.00 dated 26 September 2018, in the meeting minutes.
3. Authorise the Deputy Chief Executive Officer to approve variations not exceeding the project budget of \$2,597,308.00.

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**COUNCIL RESOLUTION****ITEM 12.2.2**

**Res No:                   05-1018**

**MOVED:                 Cr Mounsey**

**SECONDED:           Cr Lake**

**That Council:**

1. **Awards the contract for Tender RFT 05/2018, as per the recommendation in the Confidential Tender Closeout Report – KC00805.00 dated 26 September 2018 (Attachment 1).**
2. **Tender RFT 05/2018 as provided in the Confidential Tender Closeout Report – KC00805.00 dated 26 September 2018, be awarded to Exmouth Civil.**
3. **Authorise the Deputy Chief Executive Officer to approve variations not exceeding the project budget of \$2,597,308.00.**

**CARRIED 6/0**

### 12.2.3 AMENDMENT TO DELIGATION DS012 TOWN PLANNING SCHEME

File Reference:	GV.AU.2
Responsible Officer:	Deputy Chief Executive Officer
Date of Report:	16 October 2018
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Revised Delegation DS012 Shire of Exmouth Operative Town Planning Scheme.

---

#### PURPOSE

That Council consider amendments to delegation DS012 Shire of Exmouth Town Planning Scheme No.3, including a title change as shown in Attachment 1.

#### BACKGROUND

Local Governments are empowered under a number of sections of State Government legislation (Acts and Regulations) to perform certain duties and exercise certain powers.

In many instances a piece of legislation empowers the Chief Executive Officer (CEO) or another officer of the Local Governments to perform duties, but often the Act or Regulations (particularly the *Local Government Act 1995*) defaults to the Local Government Council with the ability to delegate some of its powers and duties to the CEO or to Committees in order to expedite the effective operations and implementation of the Shire's functions.

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

At the August 2017 Ordinary Council Meeting the following resolution was carried.

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#### **COUNCIL RECOMMENDATION**

**ITEM 11.3**

**Res No: 07-0817**

***That the Commissioner revoke the existing Delegation Register – 7 June 2016 in its entirety, and adopt the revised delegation register at Attachment 1.***

**CARRIED 1/0**

#### COMMENT

The Shire of Exmouth Draft Town Planning Scheme No.4, as advertised, Revision 10 – May 2016 is scheduled to be presented before the Planning Minister Hon Rita Saffioti in November 2018 for endorsement.

Pursuant to Schedule 2, Pt.9, cl.67 (a) & (b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, there are matters that the local government are to consider relating to development applications, amongst those matters

- a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
- b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the *Planning and Development (Local Planning Schemes) Regulations 2015* or any other proposed planning instrument that the local government is seriously considering adopting or approving;

The existing instrument of delegation DS012 refers specifically to 'Town Planning Scheme No.3' whereby most decisions will be determined pursuant to Draft Town Planning No.4.

The proposed minor amendment is to update this document in line with the current instruments of legislation by replacing all occurrences of the words 'Town Planning Scheme No.3' with 'The Operative Town Planning Scheme'. This allows for transitional considerations between both schemes.

The second minor amendment, relating to the symbols in the zoning table, is to replace all occurrences of 'AA' and 'IP' with 'A' and 'I' which is a change introduced into draft Town Planning Scheme.04 pursuant to and in line with Schedule 1. Pt.3, cl.18 (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

In summary, the proposed minor amendments are to update the delegation in line with the current legislative document wording and requirements.

## **CONSULTATION**

Nil

## **STATUTORY ENVIRONMENT**

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

The Act also allows the Chief Executive Officer to sub-delegate any of his/her powers to another employee with the sub-delegations to be in writing.

The Chief Executive Officer is also permitted under the Act to place conditions on any sub-delegation passed onto another Shire employee.

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Nil

## **STRATEGIC IMPLICATIONS**

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



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

## **VOTING REQUIREMENTS**

Absolute Majority

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### **OFFICER'S RECOMMENDATION**

**ITEM 12.2.3**

That Council adopt amendments to delegation DS012 Shire of Exmouth Town Planning Scheme No.3, including a title change as shown in Attachment 1.

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### **COUNCIL RESOLUTION**

**ITEM 12.2.3**

**Res No: 06-1018**

**MOVED: Cr Mounsey**

**SECONDED: Cr Dixon**

**That Council adopt amendments to delegation DS012 Shire of Exmouth Town Planning Scheme No.3, including a title change as shown in Attachment 1.**

**CARRIED 6/0**

## **COMMERCIAL AND COMMUNITY**

*Councillor Lake declared a proximity, financial and impartiality interest in the following report and left the Chambers at 4.34pm.*

*Councillor Penfold declared a financial interest in the in the following report and left the Chambers at 4.34pm.*

### **12.3.1 LEASING OF EXMOUTH AERODROME – BIRDS EYE VIEW NINGALOO**

File Reference:	R32867/3
Responsible Officer:	Executive Manager Commercial and Community
Date of Report:	11 October 2018
Applicant/Proponent:	Birds Eye View Ningaloo
Disclosure of Interest:	Nil
Attachment(s):	1. CONFIDENTIAL – Lease Agreement

---

#### **PURPOSE**

That Council approve the granting of a 10 year option to Birds Eye View Ningaloo to continue to lease Lot 73 at Exmouth Aerodrome from the Shire of Exmouth.

#### **BACKGROUND**

Council approved the granting of a lease agreement to Birds Eye View Ningaloo (Birds Eye) for Lot 73 at Exmouth Aerodrome at the September 2008 Council Meeting via Council decision 1243 for a ten year term commencing 31 October 2008.

Figure 1 below highlights the current Lot 73 lease area boundaries. The shape is trapezoid in nature making some of the surrounding areas unusable and partially inhibits taxiway access into recently created other General Aviation (GA) areas.



Figure 1 - current lease boundary Lot 73

Included in the original lease was the option for a further 10 year term at the Lessors discretion. The option to renew clause within the original lease agreement is as follows;

*Clause 20. Option to renew*

*If the Lessee not less than three months and not more than six months prior to the expiration of the term, gives the Lessor notice requesting the extension of the Lease for the further term, the lessor may, in its absolute discretion, grant to the lessee a lease for the further term on the same provisions as this lease or with any amendment to those provisions agreed to by the parties.*

Birds Eye are coming to the end of the initial 10 year lease term due to expire 30 October 2018, and have provided the Shire with notice requesting the extension of the lease for the further 10 year term.

In October 2012 Birds Eye submitted an application to the Shire for approval to construct an additional hangar that included the adjoining lot area. Under this application the total new development and lease area would have been 5,897 sqm.

Legal advice received at that time by the Shire stated Birds Eye must either;

- Enter into a second lease agreement with the Shire to account for additional area required, or
- Agree to surrender the lease and enter into a new lease for the whole of the new total area.

Shire management at the time saw this as an opportunity to encourage the surrender of the existing lease, enter into a new lease, and to realign the Birdseye View lot in line with adjoining other General Aviation (GA) lots as per Figure 2 below. The proposed new lease area would have been 5,158 sqm and realignment would have enabled access via taxiway to other GA leases areas.

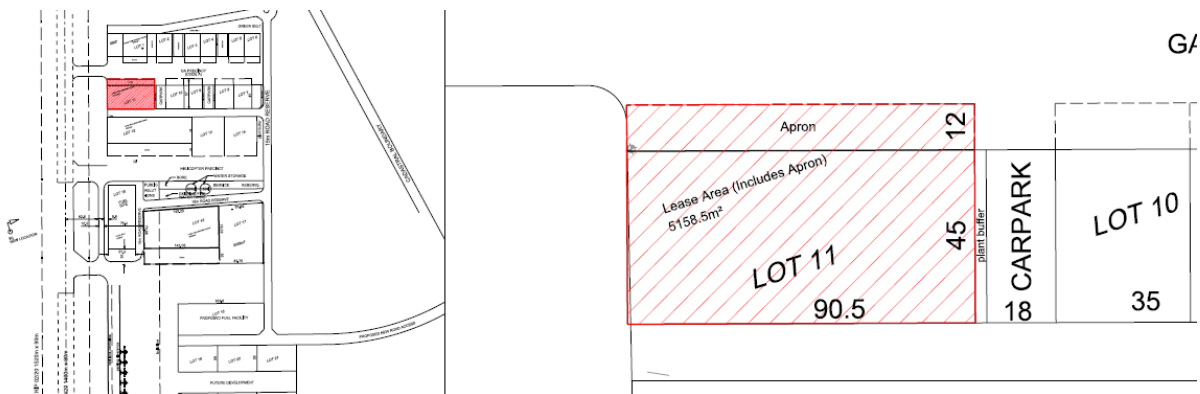


Figure 2 - proposed realignment of lease boundaries in GA area as part of additional hangar application - indicative only

Birds Eye enjoys a relatively low lease rate negotiated as part of its original lease agreement. As per clause 20 detailed above the lease for the further 10 year term would be "on the same provisions as this lease or with any amendment to those provisions agreed to by the parties".

Birds Eye agreed to the realignment of the lease boundaries. However parties could not agree on the new lease rate and the relationship soured between the Shire and Birds Eye.

This relatively low original lease rate was based on Birds Eye investing its own capital into what was predominantly a green field site. Similar arrangements were made with other lessees at the time with the ultimate aim to encourage greater private investment into the Exmouth Aerodrome facility.

Discussions broke down between the parties and the application for the second hangar on the larger lease area were withdrawn by Birds Eye.

At the December 2015 Council meeting (Council Decision – 07 – 1215 – 11.3.2) Council approved the removal of the 10 year option on a vote 3-2 which means Birds Eye currently do not have a further term to exercise.

The Shire recommenced negotiations with Birds Eye in 2017 via an independent aviation consultant and these negotiations have continued in 2018 through Shire officers with a view to negotiating an acceptable agreement to both parties.

The increase in lease space as detailed in Figure 2 above is now no longer required however a realignment of the current lease boundaries will benefit the Shire by improving tenure and access to this GA apron area.

**COMMENT**

The current 10 year term for the Birds Eye lease expires 30 October 2018. Birds Eye would like to enact the option for an additional 10 years as per their original lease agreement terms.

There is a benefit to the Shire if the current lease boundaries of Lot 73 are realigned. Birds Eye are agreeable to realigning lease boundaries and reducing lease space in agreement with the needs of the Shire.

The further 10 year term was removed by Council at the December 2015 OCM (Council Decision – 07 – 1215 – 11.3.2) on a vote 3-2 which could be viewed as a punitive measure for Birds Eye not agreeing to the new lease approach proposed at that time. In order to grant this further 10 year

term Council will need to rescind the 2015 decision and approve the granting of the 10 year further term.

The current lease states any further term is at the same conditions as per the original lease or varied by agreement between parties. If Council approve the reinstatement of the further 10 year option then the terms of the current agreement will be in place.

The officer recommendation is for Council to reinstate the option for 10 year extension under current terms of agreement and to realign the current lease boundaries by mutual agreement.

## **CONSULTATION**

Birds Eye View Ningaloo

## **STATUTORY ENVIRONMENT**

Local Government Act 1995 and Local Government (Functions & General) Regulations 1996

## **POLICY IMPLICATIONS**

The terms and conditions of the lease agreement comply with Shire of Exmouth Policy Manual – Policy No 2.4 Leases. The policy states the approval of further extensions of existing leases lies within the delegated authority of the CEO however due to Council rescinding the option in 2015 the reinstatement of the option via Council approval is recommended as part of this report.

## **FINANCIAL IMPLICATIONS**

As per Shire Policy 2.4 Leases;

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

In addition to lease fees the Shire receives fees for every aircraft landing at Exmouth Aerodrome as per the 2018/19 budget adopted by Council.

## **STRATEGIC IMPLICATIONS**

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

Economic:	1	<u>To be a diverse and innovative economy with a range of local employment opportunities.</u>
	1.1	<i>To increase the number of local businesses, industries and services that will provide a range of employment opportunities for the people of Exmouth.</i>
Environment:	2	<u>To have a balanced respect for our environment and heritage, both natural and built.</u>
	2.5	<i>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.</i>
Social:	3	<u>To be a dynamic, passionate and safe community valuing natural and cultural heritage.</u>

- 3.1 *Retain a safe community environment.*
- 3.2 *Excellent lifestyle, recreational and cultural facilities.*
- 3.3 *An inclusive, responsible and cohesive community.*
- 3.5 *Maintain and increase participation levels in local community organisations and clubs.*
- 3.7 *Residents and visitors have access to appropriate services and facilities to enhance their health and wellbeing.*

## **VOTING REQUIREMENTS**

Absolute Majority

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### **OFFICER'S RECOMMENDATION**

**ITEM 12.3.1**

That Council:

1. Rescind its 2015 decision (Council Decision – 07 – 1215 – 11.3.2) to not approve the granting of the additional 10 year option to Birds Eye View for Lot 73.
2. Approve the granting of the additional 10 year term as per the original lease agreement (Council Decision 1243 OCM September 2008) on the terms detailed in the lease as attached to this report.
3. Approvals for the above subject to Birds Eye and Shire agreeing to a realignment of the current lease boundaries that enable improved access to the General Aviation taxiway and apron and that the total leased area not exceed the current total lease space of 2,871 sqm. Any lease space greater than the original square metre area to be charged at current market rates.

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### **COUNCIL RESOLUTION**

**ITEM 12.3.1**

**Res No: 07-1018**

**MOVED: Cr Lucas**

**SECONDED: Cr Dixon**

**That Council:**

- 1. Rescind its 2015 decision (Council Decision – 07 – 1215 – 11.3.2) to not approve the granting of the additional 10 year option to Birds Eye View for Lot 73.**
- 2. Approve the granting of the additional 10 year term as per the original lease agreement (Council Decision 1243 OCM September 2008) on the terms detailed in the lease as attached to this report.**
- 3. Approvals for the above subject to Birds Eye and Shire agreeing to a realignment of the current lease boundaries that enable improved access to the General Aviation taxiway and apron and that the total leased area not exceed the current total lease space of 2,871 sqm. Any lease space greater than the original square metre area to be charged at current market rates.**

**CARRIED 4/0**

*Councillor Lake and Councillor Penfold returned Chambers at 4.41pm.*

## **CORPORATE SERVICES**

### **12.4.1 FINANCIAL STATEMENTS FOR PERIOD ENDING 30 SEPTEMBER 2018**

File Reference:	FM.FI.0
Responsible Officer:	Executive Manager Corporate Services
Date of Report:	12 October 2018
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Monthly Financial Report as at 30 September 2018

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#### **PURPOSE**

That Council accepts the financial reports for the financial periods ending 30 September 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**

The depreciation has been allocated for the first three months of the year however, depreciation in some areas has exceeded budget following asset revaluations in road and other infrastructure. The budget will be adjusted in midyear review to reflect new depreciation rates as per revaluation as detailed in the new asset depreciation policy.

The year to date surplus is high due to delayed capital acquisition program and disposal of assets.

2017/18 Annual Financial Audit is expected to be presented to the Audit Committee in November 2018.

#### **CONSULTATION**

Nil

#### **STATUTORY ENVIRONMENT**

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

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

#### **POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

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

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

**VOTING REQUIREMENTS**

Simple Majority

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**OFFICER'S RECOMMENDATION****ITEM 12.4.1**

That Council receives the Financial Report for the financial period ending 30 September 2018.

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

**Res No:** 08-1018

**MOVED:** Cr Lucas

**SECONDED:** Cr Dixon

**That Council receives the Financial Report for the financial period ending 30 September 2018.**

**CARRIED 6/0**



## 12.4.2 LIST OF ACCOUNTS FOR PERIOD ENDING 30 SEPTEMBER 2018

File Reference:	FM.FI.0
Responsible Officer:	Executive Manager Corporate Services
Date of Report:	12 October 2018
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. List of Accounts for period ending 30 September 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.

#### September Payments

Municipal Fund totalling \$672,276.04  
Incorporating cheques, direct debits, electronic payments and credit cards.

Trust Fund totalling \$5,901.70  
Incorporating electronic payments.

Total September Payments: \$678,177.74

### 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 2.7 – Purchasing Policy and 2.12 – Regional Price Preference Policy (where applicable) and that budget provision is available for any expenditure commitments.

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

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

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

**VOTING REQUIREMENTS**

Simple Majority

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**OFFICER'S RECOMMENDATION****ITEM 12.4.2**

That Council 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 September 2018 (totalling \$678,177.74).

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**COUNCIL RESOLUTION****ITEM 12.4.2**

**Res No:** 09-1018

**MOVED:** Cr Penfold

**SECONDED:** Cr Mounsey

**That Council pursuant to Sections 6.7 and 6.9 of the *Local Government Act 1995* receives the report of payments made from the Municipal and Trust bank accounts during the month of September 2018 (totalling \$678,177.74).**

**CARRIED 6/0**

## **ITEMS FOR INFORMATION ONLY**

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

#### **PURPOSE**

To advise Council of the information items for September 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.

<b>DATE</b>	<b>DOCUMENT</b>
Nil	Nil

#### 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.

<b>NAME</b>	<b>REASON</b>	<b>AMOUNT (exc GST)</b>
Nil	Nil	Nil

#### 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 September 2018.

<b>App #</b>	<b>Date Received</b>	<b>Lot</b>	<b>Property Address</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
18/60	14/09/18	1361	5 Redfin Court	Swimming Pool	Approved	21/09/18

#### Planning Decisions Issued

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

<b>App #</b>	<b>Date Received</b>	<b>Lot</b>	<b>Property Address</b>	<b>Description.</b>	<b>Decision</b>	<b>Decision Date</b>
PA112/16	25/08/016	1586 and 1587	164 Lyndon Location Exmouth Gulf Pastoral Station	Use Not Listed (Nature Based Park)	Deferred	27/07/18
PA65/18	8/06/18	198	Yardie Creek Rd	Caravan Park Additions	Deferred	14/06/18
PA70/18	25/06/18	13	116 Madaffari Drive	Dwelling	Approved	4/10/18

PA72/18	3/07/18	321	Minilya-Exmouth Rd	Outbuilding	Deferred	04/09/18
PA74/18	9/07/18	417	54 Madaffari Drive	Dwelling	Deferred	07/09/18
PA76/18	12/07/18	2	Yardie Creek Road	Change of Use	Processing	
PA82/18	30/07/18	311	561 Maidstone Crescent	Signage	Processing	
PA84/18	3/08/18	462	16 Osprey Way	Garage	Deferred	4/09/18
PA91/18	13/08/18	382	36 Corella Court	Dwelling	Processing	
PA92/18	15/08/18	101	15 Ingram Street	Concrete Batching Plant	Processing	
PA94/18	16/08/18	134	63 Skipjack Circle	Shed and Carport	Processing	
PA96/18	17/08/18	963	27 Patterson Way	Change of Use	Deferred	07/09/18
PA97/18	20/08/18	98	23 Bluefin Cove	Swimming Pool and Fence	Approved	11/09/18
PA98/18	22/08/18	416	52 Madaffari Drive	Swimming Pool and Fence	Approved	25/09/18
PA100/18	24/08/18	1412	18 Payne Street	Building Extension	Approved	24/08/18
PA101/18	29/08/18	1134	13 Koolinda Way	Swimming Pool	Processing	
PA106/18	14/09/18	963	27 Patterson Way	Variation to Application	Approved	3/10/18
PA108/18	19/09/18	432	84 Madaffari Drive	Retaining wall, Pool, Building of House & Reduced set back	Processing	

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

App	Date Received	Description	Date Issued
PA103/18	7/09/18	Filming at Vlamingh Head Lighthouse	16/09/18
PA104/18	10/09/18	Piano in the Mall	Deferred
PA109/18	25/09/18	Seeing Eye Dog Australia Fundraising	9/10/18

## 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 30 September 2018;
- Building Decisions Issued up to 30 September 2018; and
- Planning Decisions Issued up to 30 September 2018.

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**COUNCIL RESOLUTION****ITEM 12.5.1****Res No: 10-1018****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 30 September 2018;**
- **Building Decisions Issued up to 30 September 2018; and**
- **Planning Decisions Issued up to 30 September 2018.**

**CARRIED 6/0**

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

Nil

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

Nil

**15. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS**

Nil

**16. CLOSURE OF MEETING**

The Shire President declared the meeting closed at 4.46pm