

Shire of Shark Bay Ordinary Council Minutes

23 February 2011





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Unconfirmed Minutes of the Ordinary meeting of the Shire of Shark Bay Council held in the Council Chamber Denham on 23 February 2011 commencing at 9.18am

1.0	DECLARATION OF OPENING	4
2.0	RECORD OF ATTENDANCES / APOLOGIES / LEAVE GRANTED	4
3.0	RESPONSE TO PREVIOUS PUBLIC QUESTIONS ON NOTICE	4
4.0	PUBLIC QUESTION TIME	4
5.0	APPLICATIONS FOR LEAVE	5
5.1	APPLICATION FOR LEAVE OF ABSENCE – COUNCILLOR McLAUGHLIN	5
5.2	APPLICATION FOR LEAVE OF ABSENCE – COUNCILLOR WAKE	7
6.0	PETITIONS	8
7.0	CONFIRMATION OF MINUTES	9
7.1	CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 15 DECEMBER 2010	9
7.2	CONFIRMATION OF THE MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD ON 12 JANUARY 2011	9
7.3	CONFIRMATION OF THE MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD ON 21 JANUARY 2011	9
8.0	ANNOUNCEMENTS BY THE CHAIR	9
9.0	PRESIDENT'S REPORT	9
10.0	COUNCILLOR'S REPORTS	11
11.0	ADMINISTRATION REPORT	12
11.1	SUPREME COURT APPEAL – BY COUNCILLOR HARGREAVES	12
11.2	DISCRIMINATION CLAIM	16
11.3	LOCAL GOVERNMENT COMPLIANCE AUDIT RETURN	22
12.0	FINANCE REPORT	52
12.1	SCHEDULE OF ACCOUNTS PAID TO BE RECEIVED	52
12.2	FINANCIAL REPORTS TO 31 DECEMBER 2010	68
12.3	FINANCIAL REPORTS TO 31 JANUARY 2011	69
12.4	BUDGET REVIEW	70
12.5	NATURAL DISASTER DONATIONS	76
13.0	TOWN PLANNING REPORT	78
13.1	DRAFT LOCAL PLANNING STRATEGY	78
13.2	PROPOSED RE-DEVELOPMENT OF THE SIDE CENTRE BUILDING – DENHAM / HAMELIN ROAD	91
13.3	YADGALAH ABORIGINAL CORPORATION IN-PRINCIPAL DEVELOPMENT APPROVAL	94
13.4	SHIRE OF SHARK BAY TOWN PLANNING SCHEME NO. 3 AMENDMENT NO. 2 PART NORTH LOCATION 59 DENHAM	96
14.0	WORKS REPORT	102
14.1	BUTCHERS TRACK FENCE LINE FUNDING	102
15.0	TOURISM, RECREATION AND CULTURE REPORT	110
15.1	NATIONAL LANDSCAPES PROGRAM	110
15.2	DENHAM ENTRY STATEMENT	128
16.0	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	142
17.0	URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION	143
17.1	TENDER 2010-11-02 – MULTIFUNCTION SPORTS CENTRE REF: ITEM18.2	154
17.2	AVIATION SERVICES TO DENHAM	143
17.3	APPOINTMENT OF AUDITORS AND SCOPE OF AUDIT FOR 2010/11, 2011/12 AND 2012/13	148
18.0	MATTERS BEHIND CLOSED DOORS	153
18.1	BARNARD STREET	153
18.2	TENDER 2010-11-02 – MULTIFUNCTION SPORTS / COMMUNITY CENTRE FRANCIS STREET, DENHAM	154
19.0	DATE AND TIME OF NEXT MEETING	155
20.0	CLOSURE OF MEETING	155

1.0 DECLARATION OF OPENING

The President declared the meeting open at 9.18am.

2.0 RECORD OF ATTENDANCES / APOLOGIES / LEAVE OF ABSENCE GRANTED**ATTENDANCES**

Cr C Cowell	Shire President
Cr G Ridgley	Deputy Shire President
Cr J Hanscombe	
Cr J McLaughlin	
Cr D Pepworth	

Mr P Anderson	Chief Executive Officer
Mr P Tiggemann	Deputy Chief Executive Officer
Mr J McKechnie	Manager Regulatory Services
Mr B Galvin	Works Manager
Mrs R Mettam	Minute Taker

APOLOGIES

Cr T Hargreaves	Suspended until 17 June 2011
Cr B Wake	Leave of Absence

VISITORS

Sergeant D Christ	Denham Police
Superintendent R Tomasini	Mid West-Gascoyne Police District - Superintendent in Charge
Inspector C Laurent	Assistant District Officer for the Mid West Gascoyne Police District

Along with 3 Members of the public

3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS ON NOTICE

Nil

4.0 PUBLIC QUESTION TIME

Cr Hargreaves – The State Administration Tribunal Ruling transcripts of the SAT Hearing clearly reveal that Mr McLeod as the Shire's solicitors pushed for a 5 year suspension as a penalty in the recent State Administrator Tribunal case that I was a party to. Can you please advise as to where this instruction came from?

The Chief Executive Officer advised that Mr McLeod had been instructed to seek penalties to the maximum allowable in accordance with the Local Government Act, this was done in consultation with the Chief Executive Officer due to the nature of the complaint and the evidence presented.

Mr Des Matthews - Illegal Camping and using Shire assets without paying for them.

The Chief Executive Officer advised that the Council only has an honorary ranger available at this time and this would be addressed in future budgets. However, the effectiveness of move on notices would be questionable.

Mr Matthews enquired about the possibility of a Toilet block at the eastern end of town also another BBQ maybe near the Shire Office

The Chief Executive Officer advised that quotes for a toilet block that were called were in excess of Council's budget and the project is being reconsidered.

Mr Matthews enquired as to if, when premises changed their use were they rated accordingly.

The Chief Executive Officer advised that this was captured in the value of the property. Any change of use or increase effects the property value and the rate component is adjusted accordingly.

5.0 APPLICATIONS FOR LEAVE

Moved Cr Pepworth
Seconded Cr Hanscombe

Council Resolution

That Council accept the tabling of item 5.1 and 5.2.

5/0 CARRIED

5.1 APPLICATION FOR LEAVE OF ABSENCE – COUNCILLOR MCLAUGHLIN

CO511

Author

Chief Executive Officer

Disclosure of Any Interest

Declaration of Interest: Cr McLaughlin

Nature of Interest: Impartiality Interest as Councillor applying for Leave of Absence

Moved Cr Ridgley
Seconded Cr Pepworth

Council Resolution

Councillor McLaughlin is granted leave of absence in accordance with Section 2.25 of the *Local Government Act 1995* for the Ordinary meetings of Council scheduled to be held on 30 March 2011 and 20 April 2011.

5/0 CARRIED

Background

Councillor McLaughlin has applied for leave of absence from the ordinary meetings of Council scheduled for 30 March 2011 and 20 April 2011. The Council in accordance with Section 2.25 of the *Local Government Act 1995* as amended may by resolution grant leave of absence to a member.

Comment

Councillor McLaughlin has advised the Chief Executive Officer due to personal commitments he will be unable to attend the Ordinary meetings of council scheduled

to be held on 30 March 2011 and 20 April 2011 and has requested leave of absence be granted by Council for this meeting.

Councillor McLaughlin also advises that this situation may change and he may be available to attend these meetings.

I advised it would be prudent to seek Council's approval for the leave to ensure that he ensure his obligations have been met in accordance with the Local Government Act.

The Council may consider not granting Councillor McLaughlin leave of absence but must include the reasons for the refusal for not granting the leave in the resolution.

Legal Implications

Local Government Act 1995 Section 2.25 Disqualification for Failure to Attend Meetings

1. A council may, by resolution grant leave of absence to a member.
2. Leave is not to be granted to a member in respect of more than 6 consecutive ordinary meetings of the council without the approval of the minister.
3. The granting of leave, or refusal to grant leave and reasons for that refusal, is to be recorded in the minutes for each meeting.
4. A member who is absent, without first obtaining leave of the council, throughout 3 consecutive ordinary meetings of the council is disqualified from continuing his or her membership of the council.
5. The non-attendance of a member at the time and place appointed for an ordinary meeting of the council does not constitute absence from an ordinary meeting of the council –
 - (a) If no meeting of the council at which a quorum is present is actually held on that day; or
 - (b) If the non attendance occurs while –
 - (i) the member has ceased to act as a member after written notice has been given to the member under section 2.27(3) and before written notice has been given to the member under section 2.27(5)
 - (ii) while proceedings in connection with the disqualification of the member have been commenced or are pending; or
 - (iii) while the election of the member is disputed and proceedings relating to the disputed election have been commenced and are pending

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority Required

Date of Report

20 February 2011

5.2 APPLICATION FOR LEAVE OF ABSENCE – COUNCILLOR WAKE

CO511

Author

Chief Executive Officer

Disclosure of Any Interest

Nil

Moved Cr Pepworth
Seconded Cr Hanscombe

Council Resolution

Councillor Wake be granted leave of absence in accordance with Section 2.25 of the *Local Government Act 1995* for the Ordinary meeting of Council schedule to be held on 23 February 2011.

5/0 CARRIEDBackground

Councillor Wake has applied for leave of absence from the ordinary meeting of Council scheduled for 23 February 2011. The Council in accordance with Section 2.25 of the ***Local Government Act 1995*** as amended may by resolution grant leave of absence to a member.

Comment

Councillor Wake has advised the Chief Executive Officer due to personal commitments he will be unable to attend the Ordinary meeting of Council scheduled to be held on 23 February 2011 and has requested leave of absence be granted by Council for this meeting.

The Council may consider not granting Councillor Wake leave of absence but must include the reasons for the refusal for not granting the leave in the recommendation.

Legal Implications

Local Government Act 1995 Section 2.25 Disqualification for Failure to Attend Meetings

- (1) A council may, by resolution grant leave of absence to a member.
 - (2) Leave is not to be granted to a member in respect of more than 6 consecutive ordinary meetings of the council without the approval of the minister.
 - (3) The granting of leave, or refusal to grant leave and reasons for that refusal, is to be recorded in the minutes for eth meeting.
 - (4) A member who is absent, without first obtaining leave of the council, throughout 3 consecutive ordinary meetings of the council is disqualified from continuing his or her membership of the council.
 - (5) The non-attendance of a member at the time and place appointed for an ordinary meeting of the council does not constitute absence from an ordinary meeting of the council –
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- b. If the non attendance occurs while –
 - (i) the member has ceased to act as a member after written notice has been given to the member under section 2.27(3) and before written notice has been given to the member under section 2.27(5)
 - (ii) while proceedings in connection with the disqualification of the member have been commenced or are pending; or
 - (iii) while the election of the member is disputed and proceedings relating to the disputed election have been commenced and are pending

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority Required

Date of Report

22 February 2011

6.0 PETITIONS

Nil

7.0 CONFIRMATION OF MINUTES**7.1 CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 15 DECEMBER 2010**

Moved Cr McLaughlin
Seconded Cr Ridgley

Council Resolution

That the minutes of the ordinary council meeting held on 15 December 2010, as circulated to all councillors, be confirmed as a true and accurate record.

5/0 CARRIED

7.2 CONFIRMATION OF THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 12 JANUARY 2011

Moved Cr Pepworth
Seconded Cr McLaughlin

Council Resolution

That the minutes of the special council meeting held on 12 January 2011, as circulated to all councillors, be confirmed as a true and accurate record.

5/0 CARRIED

7.3 CONFIRMATION OF THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 21 JANUARY 2011

Moved Cr Pepworth
Seconded Cr McLaughlin

Council Resolution

That the minutes of the special council meeting held on 21 January 2011, as circulated to all councillors, be confirmed as a true and accurate record.

5/0 CARRIED

8.0 ANNOUNCEMENTS BY THE CHAIR

Superintendent Ross Tomasini, Inspector Cyril Laurent and Sergeant Dave Christ, will address Council at 11.30 today.

9.0 PRESIDENT'S REPORT

PR 101

As a full Council meeting was not held in January, due to the Shire shutdown for both administrative and works staff and the scheduled meeting date being Australia Day, February's will be the first full Council meeting for 2011.

However, two Special Council meetings were held during January. The option of holding a Council meeting at Useless Loop and Overlander this year is being explored as this will accommodate people who may not have the opportunity to attend meetings in Denham.

Superintendent Tomasini, in charge of Midwest and Gascoyne Policing, and Shark Bay Police Sergeant Dave Christ, will attend the February Council meeting to provide an overview of the next 12 months activities in the Shire.

Tenders have closed for construction of the multi-purpose sporting and community centre and Council will consider the submitted tenders at the February meeting with a view to appointing a preferred contractor for the project. The business case will shortly be considered by State Cabinet prior to the commencement of construction. Options for upgrade or replacement of the Monkey Mia jetty, utilising Royalties for Regions funds, are being pursued and funds have been identified to enable Department of Transport to replace the Denham recreational jetty this year.

With Skippers Aviation due to commence commercial flights to Shark Bay as from 28 February, the Council, in conjunction with other shires, is liaising with the Transport Minister to ensure that the Gascoyne does not receive a lesser air service than that provided by Skywest.

The Australia Day celebrations, held in the Town Hall due to weather conditions, were a resounding success with over 150 people partaking in the big Aussie breakfast, cooked by councilors and enjoyed by all. Citizenship ceremonies were held for two new citizens, Sue Lester and Lynsey Yeaman. Congratulations to Sue and Lynsey on becoming Australian citizens!

The Premier's Australia Day Active Citizenship Awards for 2011 were presented to Errol Bartlett-Torr (individual) and Saint John Ambulance volunteers (community). Both are well deserved, as these people freely invest their time and effort to contribute to the Shark Bay community. Congratulations!

Both the Gascoyne Revitalisation Committee and Gascoyne Development Commission Board meetings were held in Denham recently with an influx of visitors from the other shires within the region. The Shire provided them with a bus tour of the town and surrounds and they also went for a spin in the VMR rescue boat, with some very positive comments received regarding the developments and progress within the Bay.

Moved Cr Ridgley
Seconded Cr McLaughlin

Council Resolution

That the Presidents report for February 2011 be received.

5/0 CARRIED

Councilor's Report (President)

12 January	Special Council Meeting – Premier's Active Citizenship Awards
21	Special Council Meeting – Barnard Street re-opening
	Steering Committee meeting – Monkey Mia jetty
26	Australia Day celebrations and citizenship ceremonies
8 February	Gascoyne Revitalisation Committee meeting – Denham
	National Landscapes teleconference
9	Gascoyne Development Commission Board meeting - Denham
Moved	Cr Pepworth
Seconded	Cr Ridgley

Council Resolution

That the President's February 2011 report on her activities as a Council representative be received.

5/0 CARRIED

10.0 COUNCILLORS' REPORTS**10.1 CR B WAKE**
CO 513

Dec/Jan

Assessed flood damage from significant flood events

Discussed access to Exceptional Circumstances Funding for repairs with Paul Anderson

Discussed with local pastoralists, Monsoon Low & associated flooding (15 December 2010) and natural disaster, relief and recovery arrangements as circulated by the Department of Agriculture and Food

Inspected Butchers Track and damage to Hamelin Station boundary fence allegedly caused by road maintenance

12 Jan 2011 Attended Special Council meeting

13 Jan 2011 Attended Dry Season Industry forum at Murchison Settlement. This included a presentation by Bill Mitchell from NRM regarding carbon capture and sequestration on pastoral leases

21 Jan 2011 Attended Special Council meeting

9 Feb 2011 Met with Brian Lloyd, Pastoral Liaison Officer, Pastoral Land, at Hamelin Station. Discussed Rangeland reform programme, inspected diversification projects and visited various tenure locations in Shark Bay area.

16 Feb 2011 Attended Nation Total Grazing Pressure seminar in Adelaide

Moved Cr Ridgley

Seconded Cr McLaughlin

Council Resolution**That Councillor Wake's February 2011 report on his activities as a Council representative be received.****5/0 CARRIED****10.1 CR G RIDGLEY**
CO 511

NIL

10.3 CR J HANSCOMBE

CO 514

Nil

10.5 CR J MCLAUGHLIN
CO512

15 Dec 2010 Annual Electors Meeting
12 Jan 2011 Special Council Meeting
21 Jan 2011 Special Council Meeting
10 Feb 2011 Gascoyne Country Zone WALGA – Teleconference held in the Chief Executive Officer's office. Next meeting will be an in person event and I will not be able to attend

Moved Cr Pepworth
Seconded Cr McLaughlin

Council Resolution

That Councillor McLaughlin's February 2011 report on his activities as a Council representative be received.

5/0 CARRIED

10.6 CR D PEPWORTH
CO 515

21 Jan 2011 Special Council Meeting
26 Jan 2011 BBQ at Shire Hall for Australia Day
10 Feb 2011 Road inspection after a roll over on the Useless Loop Road

Moved Cr Ridgley
Seconded Cr McLaughlin

Council Resolution

That Councillor Pepworth's February 2011 report on his activities as a Council representative be received.

5/0 CARRIED

11.0 ADMINISTRATION REPORT

11.1 SUPREME COURT APPEAL – BY COUNCILLOR HARGREAVES

CO510-DR234/2010

Author

Chief Executive Officer

Disclosure of Any Interest

Nil

Moved Cr Pepworth
Seconded Cr Ridgley

Council Resolution

That the Chief Executive Officers report on the proceedings in the State Administrative Tribunal case number DR234/2010 Tiggemann vs. Hargreaves be endorsed.

The actions of the Chief Executive Officer in requesting the Department of Local Government to seek the assistance of the Attorney General to be party to the appeal submitted by Councillor Hargreaves be endorsed.

The Chief Executive Officer be authorised to utilise Council resources and the services of the Council's solicitors McLeod's in defence of the appeal to the Supreme Court.

5/0 CARRIED

Background

In accordance with the Local Government Act, section 5.103 every local government is to prepare and adopt a Code of Conduct to be observed by council members, committee members and employees.

Any person can make a complaint to the complaints officer if they believe a breach of the Code of Conduct by an applicable person has been committed. The complaint must be in the manner prescribed by *the Local Government Act 1995* section 5.107(2).

The Chief Executive Officer or Acting Chief Executive Officer in their role as complaints officer of the Shire of Shark Bay has a legal responsibility to forward any complaints to the Standards Panel that are submitted in the correct manner.

The Council is then liable for any costs associated with the enforcement of any rulings and prosecution or defence of any action taken.

This while being onerous on the individual Council ensures any breach of the Local Governments Code of Conduct is treated in the same manner as any breach of the Local Government Act, Local Laws or numerous other articles of legislation that the local government administers.

The Local Government Standards Panel received and dealt with a complaint dated 14 October 2008 made by the Chief Executive Officer of the Shire of Shark Bay Mr Kelvin John Matthews about alleged breaches under the *Local Government (Rules of Conduct) Regulations 2007* by Councillor Timothy Wynn Hargreaves.

The panel found that Councillor Hargreaves committed a breach of regulation 7(1) (b) on or about 21 September 2008 by sending copies of the email to some unnamed persons of his community who he believed had voted for him in his election as a council member

The Local Government Standards Panel ordered that Councillor Hargreaves be publicly censured by way of public notification in the West Australian newspaper, the Northern Guardian and a local community newspaper, Councillor Hargreaves was also required in person at the next Council meeting following the public censure to apologise to Mr Matthews.

Councillor Hargreaves failed to comply with the order of the Standards Panel and in accordance with the obligations imposed by section 5.118 of the Local Government Act the Chief Executive Officer reported the failure to comply with the orders to the State Administrative Tribunal.

The State Administrative Tribunal then in accordance with section 5.117 suspended Councillor Hargreaves for the failure to comply with the order of the Standards Panel for a period of 6 months commencing from 17 December 2010.

The Council, due to the nature of the defence, engaged Denis McLeod from McLeod solicitors to present the case on behalf of the Chief Executive Officer.

In regard to costs I can advise that an amount of \$14,364 has been expended to date for the engaging of solicitors to progress the action in accordance with legislation.

The recording and accounting of Council resources in dealing with this issue has not been separately accounted for, however I can advise that my time spent on the issue since being appointed Chief Executive Officer has been significant.

Comment

Councillor Hargreaves has served on the Council an appeal notice to the Supreme Court of Western Australia in regard to the judgement by the State Administrative Tribunal decision that he be suspended from holding the Office of a Member of Council for a period of six months commencing 17 December 2010.

The appeal is on the grounds that the *Commonwealth of Australia Constitution Act 1900* sections 106 through to 109 clause 5 and the *Commonwealth Constitutional Referendum 1998* (q3) the *Constitution Act 1889* (W.A.) sections 2 and 73 allow for an Appeal of the Judgement.

There is no precedent to comment on the strength of the grounds of appeal in regard to the judgement of the State Administrative Tribunal and I cannot advise if this appeal will be further heard by the Supreme Court.

At the State Administrative hearing on 17 December Councillor Hargreaves introduced a number of constitutional issues and demanded that Justice Chaney observe the right of Councillor Hargreaves to know the constitutional status of the president, the tribunal and the *Local Government Act 1995* and the *State Administrative Tribunal Act 2004*.

Justice Chaney was not prepared to answer Councillor Hargreaves's questions but did provide a ruling on his constitutional based submissions that allowed for the case to be heard.

Justice Chaney also stated that at the end of the hearing he would provide a transcript setting out his reasons for the ruling on the constitutional objections raised by Councillor Hargreaves and these will be available in due course.

These reasons by Justice Chaney will be submitted as evidence if the case is heard by the Supreme Court.

It appears as though the argument and appeal is focussed on the application of the Commonwealth of Australian Constitution Act in regards to the Local Government Act and State Administrative Tribunal Act 2004.

It is unfortunate that the Shire of Shark Bay is being drawn into a protracted argument that may consume significant resources.

The limited resources of the Shire could be better utilised on the core functions of the Council and the issue of the application of the Commonwealth of Australia Constitution should be addressed by Councillors with the endorsement of the full Council making representations to State and Federal Members of Parliament.

If this appeal is successful on the grounds put forward it raises an interesting conundrum as there would be no lawful basis for local government to function. If this was the case all elected representatives would have no supporting legislation to

represent their constituents. This appears in my opinion to be in conflict with the intent of the appeal, which I understand is for Councillor's to maintain representation.

I have requested Council's solicitors to respond to the appeal lodgement indicating the Council's intent to be part of the appeals process.

This action was taken to ensure the adjudication of Justice Chaney was defended in the appeals process and that the credibility of the Local Government Act division 9 - Conduct of Certain Officials is defended.

However the original orders were imposed by the Standards Panel and as such it could be argued that the Shire of Shark Bay is not the proper authority to take responsibility in defence of the action to suspend following non compliance with the orders.

I have also raised the issue of who is the proper authority to defend the appeal with the Department of Local Government and the possibility of the Attorney General's office undertaking the defence of the appeal.

Legal Implications

Councillor Hargreaves is exercising his right to appeal to the Supreme Court which then rules if there are grounds for the matter to be heard by the full bench of the Supreme Court.

It appears that Councillor Hargreaves is appealing against the ability of the State Administrative Tribunal to hear and rule on matters of this nature due to perceived issues in regard to the Australian Constitution.

As Justice Chaney advised at the hearing on 17 December 2010 he established the lawful status of the State of Western Australia to establish the State Administrative Tribunal in accordance with Acts of Parliament.

The Shire of Shark Bays involvement in this matter therefore is not that the evidence submitted is being challenged but rather the ability of the court to hear the matter.

This may limit the further involvement of the shire in this matter if this is the case. This will of course be dependant upon the supporting documentation submitted by the appellant.

It is my understanding that the ruling of Justice Chaney is in force until such time the ruling of the State Administrative Tribunal is overturned by decision of a higher court.

Therefore Councillor Hargreaves suspension from acting as a Council Member for a period of six months from 17 December 2010 will still apply.

Policy Implications

Nil

Financial Implications

The enforcement of the rules of conduct regulation in accordance with the Local Government Act in the case against Councillor Hargreaves has at present accumulated costs of \$14,364 in legal fees.

There has not been a separate accounting for staff resources but since my commencement the staff resources consumed by this matter have been considerable.

There may be additional costs associated with the engagement of legal assistance to defend the appeal if the Council is required to at any stage.

It is difficult to estimate the full amount of costs that may be required in defence of any action taken at this point in time.

I have also contacted the Department of Local Government to enquire if this defence can be conducted by the Attorney General's office.

This will limit the costs to Council associated with defending the appeal if this strategy is successful.

Strategic Implications

Nil

Voting Requirements

Simple Majority Required

Date of Report

27 January 2011

11.2 DISCRIMINATION CLAIM

CO510

Author

Chief Executive Officer

Disclosure of Any Interest

Financial interest	Chief Executive Officer
Nature of interest	Financial Implications

Declaration of Interest Cr McLaughlin

Nature of Interest: Impartiality Interest as member of Shark Bay Community Resource Centre and Step father of the Co-ordinator of Shark Bay Community Resource Centre also a volunteer at the Shark Bay Community Resource Centre

Declaration of Interest: Cr Ridgley

Nature of interest: Impartiality Interest as a member of the board

Moved	Cr Pepworth
Seconded	Cr Hanscombe

Council Resolution

That the actions undertaken by the Chief Executive Officer in assisting the community resource centre to deal with issues of inappropriate behaviour and their continued quiet enjoyment of the premises be endorsed.

The Chief Executive Officer be authorised to utilise Council resources and the services of the Council insurance providers in defence of any claims arising from this action.

4/1 CARRIED

Background

The Community Resource Centre occupies premises owned by the Shire of Shark Bay on Knight Terrace.

The Community Resource Centre as tenants of the building have the right to refuse entry to individuals that they believe conduct themselves in a manner that may be deemed inappropriate. The management committee also have a duty of care to their staff to ensure that they have a safe working environment and this can involve individuals that do not conduct their business in an appropriate manner.

On 11 January 2011 a call was received at the Council office's in regard to an issue at the Community Resource Centre and a request for assistance from the Chief Executive Officer was made by the resource centre staff.

The matter involved a local resident that had previously been denied access to the premises by the management committee for inappropriate behaviour.

The individual has now advised the Chief Executive Officer in writing that he would be seeking redress the actions of the Chief Executive Officer in assisting the management of the Community Resources Centre to remove him from the premises via litigation.

As outlined in the correspondence attached it is advised that the individual will be taking out a summons as it is claimed this action offends section 117 of the Commonwealth of Australia Constitution Act of 1900 and other legislation.

Comment

The correspondence submitted (as below) by the individual outlining the events on the 11 January 2011 are predominately correct, however the building is owned by the Shire of Shark Bay freehold and there are a number of personal observations made which are the opinions of the author.

The Community Resource Centre occupies the building with the permission of the Shire and as such have a right to quiet enjoyment of the facility. This entitles the committee to refuse entry to individuals on the grounds of inappropriate behaviour.

The Council was previously made aware of this action by the management committee on 18 February 2010 by correspondence(as below) from the chairman Mr Wade.

I have since assisted in providing information that will enable the individual to undertake the requirements in the privacy of his personal residence.

I will also raise the issue with Community Resources Centre at a meeting to endeavour to seek an amicable resolution to the matter, however I will ensure that the resource centre staff are afforded a working environment in which they feel comfortable and are not subject, in their opinion to behaviour that is deemed inappropriate and compromises their safe working environment.

RECEIVED

17 JAN 2011

Mr Paul Anderson,
CEO - Shire of Shark Bay
WA 6537

c.c. Dennis Wade (Chairman)
Mrs Jamie Burton (Co-ordinator & Secretary)

Police OIC Denham, Shark Bay

14th of January 2011

Dear Mr Anderson

THE BANNING OF MY PRESENCE FROM THE COMMUNITY RESOURCE CENTRE

This letter confirms, in essence, my lawful entry into the above named building on the 11th January 2011 requesting assistance in registering for an aged pension and in the process being asked to leave by you without any necessary Court order.

You advised on the day in question whilst I was on the premises that as the representative of the Shire and thus the landlord of the Shark Bay Community Resource building, you were entitled to request my removal on behalf of the Management Committee.

I confirm the assertion by telephone- at the same time all this took place - by Mr Dennis Wade of the Small Business Centre in Carnarvon, that on the advice from Centrelink, Canberra, he was authorised to prohibit my presence from this same building.

I also confirm the arrival on site of the Police Officer (Jeff Osborne) who made it clear that I did not necessarily have the right of entry to any such Commonwealth or Government owned building and could be refused permission of entry.

All this I considered this to be discrimination as no such court order exists restricting my entry to a building I • with the rest of the Australian electorate, own; this is the whole point of the said building being named a 'COMMON-WEALTH BUILDING'.

Witnesses to the incident included Mrs Edith Trowbridge (proprietor of the nearby Denham Villas) with all spoken dialogue being recorded on the Recourse telephone which was on speaker mode enabling Mr Wade's directives to be heard.

Those present will attest to the fact that I was not disorderly and at no time was my voice raised nor any threats or expression of intimidation made. I just made it clear my customary income as a tour guide operator was severely depleted and at 72 years of age I sought my right to an Old Age Pension and to do so needed to attend the Centerelink facility.

I left of my own volition as I felt it was clear Mrs Burton was not going to afford me the services of the Centrelink facilities and I had taken up enough time of those present and intended to pursue this matter if necessary through the Courts.

Approx. an hour later I phoned yourself advising that if you as the Shire CEO and landlord of the building were not able to resolve this issue whereby I was given free and uninterrupted access to this Community facility like anyone else, I would be taking out a summons as this action offends section 117 of the Commonwealth of Australia Constitution Act of 1900 and other legislation.

I emphasised I wanted to avoid taking such a step as the matter risked litigation and gave you & all concerned 48 hours 'grace' which should enable common-sense to prevail and a satisfactory outcome achieved.

I confirm that you have not responded during the said 48 hour period and therefore I am left with no alternative but to seek equality via litigation.

In writing I also draw to your attention the following-

1. I understand Mrs Burton was employed under the approval of Mr Matthews along with the other key personnel-paid & voluntary- at the Resource Centre.
2. Mr Matthews was the previous C.E.O of the Shire of Shark Bay, he being the C.E.O. named in the West Australian local Government official Inquiry into the Shire of Shark Bay.
You are aware of the allegations made in that Inquiry, currently with the CCC, of various corrupt practices which include false & misleading reports, cronyism and selective application of the law.
3. I understand you are aware that I was elected to Council on a declared anti-corruption ticket which the community felt was endemic in the Administration and Council of the Shire of Shark Bay and I being the Councillor identified with bringing matters to a head.
4. I maintain that there is still that influence of nepotism, cronyism and selective application of the Law, inherited from the previous Administration and Council of this Shire, which continues to permeate the Resource Centre.
5. Cronyism aside, and just where nepotism is concerned, Mr Shaun Burton is the husband of the plaintiff, Mrs Jamie Burton, and sits on the same committee which sought and seeks to ban my entry into the Resource Centre.
Judith Britza, one of those volunteers named as as part of the Staff of the Resource Centre is the mother of Mrs Jamie Burton.
Judith Britza in turn is the de-facto wife of Councillor Joe McLaughlin who is likewise on the Management Committee of the Resource Centre and a party to the banning of my presence at this Centre.
On the subject of cronyism I will be naming Mr. Errol Bartlett-Torr (Vice-Chairman of the Management Committee), Mr. Greg Ridgley (Vice President of the Shire of Shark Bay), and Mr Robert Blennerhassett, likewise on the Management Committee a previously a Councillor who was named in the Official Inquiry into the Shire of Shark Bay.

6. The misfeasance and malfeasance utilised at this Government funded Resource Centre in banning my presence is designed to not only discredit me personally but likewise inconvenience me in a myriad of other pursuits of which I will be able to give adequate evidence in a Court of law.

Yours faithfully,

Councillor Hargreaves

A handwritten signature in black ink, appearing to read 'Hargreaves', written over a horizontal line.



COMMUNITY RESOURCE CENTRE INC.

67 Knight Traca
P.O. BOX 68
Denham WA 6537Phon: 08/99481787
Ftl: 08/99481823
Eml: lha&ba1@telOJrn.au

The CEO
Shire of Shark Bay
PO Box 126
Denham 6537

18th February 2010

Dear Sir,

Ref: Inappropriate behaviour of a shire councillor in the Community Resource Centre office.

You will by now have received a copy of a report from our manager Jamie Burton in respect of Cr Hargreave's visit to her office on the 8th of February.

This matter was discussed at last night's committee meeting of the Resource Centre and we resolved to write to council voicing our concerns. We are very aware of our duty of care to Jamie and to our other employee Tara Wakefield and to volunteers and clients of the centre.

Since the office we occupy belongs to and forms part of the shire's premises, and the person concerned is a councillor we feel that council is best placed to deal with this matter. Our wish is that Cr Hargreaves be asked not to enter the Resource Centre at any time and that any copy he might have for publication be submitted by post, fax or e-mail.

Yours faithfully,

Dennis Wade

Dennis Wade
Chairman.

Legal Implications

There are a number of issues raised in the correspondence submitted which may be entered into evidence in support of the claim, however it would be difficult to prove the validity of the claims.

The Community Resource Centre have a duty of care to provide their employees and volunteers with a safe working environment, while it is claimed that a court order is required to substantiate the request to leave the premises, the lessee is afforded the right to quiet enjoyment of the premises and can impose restrictions to ensure this occurs.

The Chief Executive Officer or authorised officer of the Shire can also restrict or limit access to council property to individuals and groups for a variety of reasons.

Policy Implications

Nil

Financial Implications

There will be costs associated with the defence of a summons which would be insurable given that duties undertaken were in the capacity and jurisdiction of the Chief Executive Officer.

It is difficult to estimate the full amount of costs that may be required in defence of any action taken at this point in time.

Strategic Implications

Nil

Voting Requirements

Simple Majority Required

Date of Report

27 January 2011

11.3 LOCAL GOVERNMENT COMPLIANCE AUDIT RETURNAuthor

Deputy Chief Executive Officer

Disclosure of Any Interest

Nil

Moved Cr Ridgley
Seconded Cr Pepworth

Officer Recommendation

That Council adopt the Local Government Compliance Audit Return for the period 1 January 2010 to 31 December 2010 as completed and return it to the Department of Local Government as a true and correct record of the information contained therein.

Moved **Cr McLaughlin**
Seconded **Cr Hanscombe**

AMENDMENT TO RECOMMENDATION

Reason: To allow Council to confirm accuracy of the return.

Council Resolution

That Council refer the Local Government Compliance Audit Return back to administration for further review and to be re-presented to the March 2011 Ordinary meeting of Council.

5/0 CARRIED

Background

The Statutory Compliance Audit Return for the period 1 January 2010 to 31 December 2010 is due. Regulations 14 and 15 of the *Local Government (Audit) Regulations 1996* require all local governments to complete the Statutory Compliance Audit Return.

The Compliance Audit Return is to be -

- 1 Presented to Council at a meeting of the Council.
- 2 Adopted by the Council.
- 3 The adoption recorded in the minutes of the meeting at which it is adopted.

After the Compliance Audit Return has been presented to the Council a certified copy of the Return along with the relevant section of the minutes and any additional information explaining or qualifying the Compliance Audit is to be submitted to the Director General, Department of Local Government by 31 March 2011.

The Compliance Audit Return has been completed and needs to be checked and adopted by Council.

A certified copy of the Return is to be submitted by 31 March 2011 to the Department of Local Government.

The Compliance Return is an excellent internal control to assess the Shire of Shark Bay's statutory compliance.

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

Shark Bay - Compliance Audit Return 2010

Caravan Parks and Camping Grounds					
No	Reference	Question	Response	Comments	Respondent
1	s21(1) Caravan Parks and Camping Grounds Act 1995	Did the local government inspect each caravan park or camping ground in its district within the period 1 July 2009 to 30 June 2010.	Yes		Peter Tiggemann
2	s14(1) of the Caravans and Camping Grounds Act 1995	Did you keep a register of caravan park licences. (For the return period)	Yes		Peter Tiggemann

Cemeteries					
No	Reference	Question	Response	Comments	Respondent
1	s40(1)(a), (b) Cemeteries Act 1986	Has a register been maintained which contains details of all burials in the cemetery, including details of the names and descriptions of the deceased persons and location of the burial. (For the return period)	Yes		Peter Tiggemann
2	s40(1)(a), (b) Cemeteries Act 1986	Has a register been maintained which contains details of all grants of right of burial in the cemetery, including details of assignments or bequests of grants. (For the return period)	Yes		Peter Tiggemann
3	s40(2) Cemeteries Act 1986	Have plans been kept and maintained showing the location of all burials registered in as above.	Yes		Peter Tiggemann

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a)(b)(c) F&G Reg 7,9	Has the local government prepared a business plan for each major trading undertaking in 2010.	N/A	Sale of land to the State Government for \$900,000. Exempt under Sec 3.58 LG Act and Reg 30 of LG F & G Regulations.	Peter Tiggemann
2	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2010.	N/A		Peter Tiggemann
3	s3.59(2)(a)(b)(c) F&G Reg 7,11	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2010.	N/A		Peter Tiggemann
4	s3.59(4)	Has the local government given Statewide public notice of each proposal to commence a major trading undertaking or enter into a major land transaction for 2010.	N/A		Peter Tiggemann
5	s3.59(5)	Did the Council, during 2010, resolve to proceed with each major land transaction or trading undertaking by absolute majority.	Yes		Peter Tiggemann

COPY ONLY

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

Delegation of Power / Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority.	N/A	There were no delegations made to committees.	Peter Tiggemann
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing.	N/A		Peter Tiggemann
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17.	N/A		Peter Tiggemann
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations.	N/A		Peter Tiggemann
5	s5.18	Has Council reviewed delegations to its committees in the 2009/2010 financial year.	No		Peter Tiggemann
6	s5.42(1),5.43 Admin Reg 18G	Did the powers and duties of the Council delegated to the CEO exclude those as listed in section 5.43 of the Act.	Yes		Peter Tiggemann
7	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO resolved by an absolute majority.	Yes		Peter Tiggemann
8	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO in writing.	Yes		Peter Tiggemann
9	s5.44(2)	Were all delegations by the CEO to any employee in writing.	No		Peter Tiggemann
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority.	N/A		Peter Tiggemann
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees.	Yes		Peter Tiggemann
12	s5.46(2)	Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2009/2010 financial year.	Yes		Peter Tiggemann
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required.	N/A		Peter Tiggemann
Disclosure of Interest					
No	Reference	Question	Response	Comments	Respondent
1	s5.67	If a member disclosed an interest, did he/she ensure that they did not remain present to participate in any discussion or decision-making procedure relating to the matter in which the interest was disclosed (not including participation approvals granted under s5.68).	Yes		Peter Tiggemann
2	s5.68(2)	Were all decisions made under section 5.68(1), and the extent of participation allowed, recorded in the minutes of Council and Committee meetings.	Yes		Peter Tiggemann

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
3	s5.73	Were disclosures under section 5.65 or 5.70 recorded in the minutes of the meeting at which the disclosure was made.	Yes		Peter Tiggemann
4	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly elected members within three months of their start day.	No	One Councillor did not put a return in until the 27 Jan 2010, 1 day late.	Peter Tiggemann
5	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly designated employees within three months of their start day.	Yes		Peter Tiggemann
6	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2010.	Yes		Peter Tiggemann
7	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2010.	Yes		Peter Tiggemann
8	s5.77	On receipt of a primary or annual return, did the CEO, (or the Mayor/ President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return.	Yes		Peter Tiggemann
9	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76	No	This was not being maintained at the time but since this reporting period this has been rectified.	Peter Tiggemann
10	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28.	Yes		Peter Tiggemann
11	s5.88 (3)	Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76.	Yes		Peter Tiggemann
12	s5.88(4)	Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee.	Yes		Peter Tiggemann
13	s5.103 Admin Reg 34C & Rules of Conduct Reg 11	Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes.	No		Peter Tiggemann
14	s5.66(b)	Did the person presiding at a meeting, on all occasions, when given a member's written financial interest disclosure by the CEO, bring its contents to the attention of persons present immediately before any matters to which the disclosure relates were discussed.	No		Peter Tiggemann

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
15	s5.71(a)	Did the CEO disclose to the mayor or president the nature of the interest as soon as practicable after becoming aware that he or she had an interest in the matter to which the delegated power or duty related.	Yes		Peter Tiggemann
16	5.71(b)	Did an employee disclose to the CEO the nature of the interest as soon as practicable after becoming aware that he or she had an interest in the matter to which the delegated power or duty related.	Yes		Peter Tiggemann
17	s5.70(2)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to the Council or a Committee, did that person disclose the nature of that interest when giving the advice or report.	N/A		Peter Tiggemann
18	s5.70(3)	Where an employee disclosed an interest under s5.70(2), did that person also disclose the extent of that interest when required to do so by the Council or a Committee.	Yes		Peter Tiggemann
19	s5.66(a)	Did the CEO, on all occasions, where a council member gave written notice of a disclosure of interest before a meeting, cause that notice to be given to the person who presided at the meeting.	Yes		Peter Tiggemann
20	s5.71	On all occasions were delegated powers and duties not exercised by employees that had an interest in the matter to which the delegated power or duty related.	Yes		Peter Tiggemann

Disposal of Property

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Was local public notice given prior to disposal for any property not disposed of by public auction or tender (except where excluded by Section 3.58(5)).	N/A	The shire sold an allotment of land to the state government which was exempt from these sections. LG Act Sec 3.58 (5) Reg 30 F & A	Peter Tiggemann
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property.	N/A		Peter Tiggemann

Elections

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
1	s4.17(3)	Was approval sought from the Electoral Commissioner where council allowed a vacancy to remain unfilled as a result of a councillor's position becoming vacant under s2.32 and in accordance with s4.17(3)(a) & (b).	No		Peter Tiggemann
2	s4.20(2)	Did the local government appoint a person other than the CEO to be the returning officer of the local government for an election or all other elections held while that appointment applied, after having written agreement of the person concerned and the Electoral Commissioner.	N/A		Peter Tiggemann
3	s4.20(4)	Did the local government declare the electoral commissioner to be responsible for the conduct of an election, after having first obtained the written agreement of the Electoral Commissioner.	N/A		Peter Tiggemann
4	s4.20(5)	Where a declaration has not already been made, was a declaration made under s4.20(4) prior to the 80th day before election day.	N/A		Peter Tiggemann
5	s4.32(4)	Did the CEO, within 14 days after receiving a claim for enrolment, decide whether the claimant was eligible or not eligible under s4.30(1)(a)&(b) and accept or reject the claim accordingly.	N/A		Peter Tiggemann
6	s4.32(6) Elect Reg 13	Did the CEO record on all occasions the decision in the owners and occupiers register in accordance with Regulation 13 of the Local Government (Elections) Regulations 1997 and give written notice of the decision to the claimant without delay, for eligibility to enrol.	N/A		Peter Tiggemann
7	s4.35(2)	Did the CEO give written notice to the person before making a decision under subsection (1)(c) and allow 28 days for the person to make submissions on the matter.	N/A		Peter Tiggemann
8	s4.35(3)	Did the CEO, after making a decision under subsection (1)(c), give written notice of it to the person.	N/A		Peter Tiggemann
9	s4.35(5)	Did the CEO, on receipt of advice of the Electoral Commissioner's decision on an appeal, take any action necessary to give effect to that decision.	N/A		Peter Tiggemann
10	s4.35(6)	Did the CEO give written notice on all occasions to the person, where after considering submissions made under subsection 2, the CEO decided that the person was still eligible under s4.30 to be enrolled to vote at elections for the district or ward.	N/A		Peter Tiggemann
11	s4.35(7)	Did the CEO, on all occasions, record any decision under subsection (1) or (6) in the register referred to in section 4.32(6).	N/A		Peter Tiggemann

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
12	s4.39(2)	Did the CEO on or after the 70th day, but no later than the 56th day give statewide public notice of the time and date of the close of enrolments.	N/A		Peter Tiggemann
13	s4.41(1)	Did the CEO prepare an owners and occupiers roll for the election on or before the 36th day before election day.	N/A		Peter Tiggemann
14	s4.41(2)	Did the CEO certify that the owners and occupiers roll included the names of all persons who were electors of the district or ward under s4.30 at the close of enrolments.	N/A		Peter Tiggemann
15	s4.43(1)	Where the CEO was returning officer (RO) and the rolls were not consolidated, did the RO delete the names of any person from the owners and occupiers roll whose name also appeared on the residents roll, on or before the 22nd day before election day.	N/A		Peter Tiggemann
16	s4.47(1)	Where the CEO was returning officer (RO), did the RO give statewide public notice calling for nominations of candidates for the election on or after the 56th day but no later than the 45th day before election day.	N/A		Peter Tiggemann
17	s4.47(2)(a)	Did the notice referred to in s4.47(1) calling for nominations specify the kind of election to be held and the vacancy or vacancies to be filled.	N/A		Peter Tiggemann
18	s4.47(2)(b)	Did the notice referred to in s4.47(1) calling for nominations specify the place where nominations may be delivered or sent.	N/A		Peter Tiggemann
19	s4.47(2)(c)	Did the notice referred to in s4.47(1) calling for nominations specify the period within which nominations have to be delivered or sent.	N/A		Peter Tiggemann
20	s4.47(2)(d)	Did the notice referred to in s4.47(1) calling for nominations specify any other arrangements made for the receipt by the returning officer of nominations.	N/A		Peter Tiggemann
21	s4.61(2)	Did the Council of the local government, where it decided to conduct the election as a postal election, make that decision by absolute majority.	N/A		Peter Tiggemann
22	s4.61(3)	Where a decision was made under s4.61(2) and a relevant declaration had not already been made, was that decision made prior to the 60th day before election day.	N/A		Peter Tiggemann

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
34	Elect Reg 40	Has a postal voters register been kept of electors whose applications are under regulation 37(1)(b) and are accepted under regulation 38(1), which contains the enrolment details of each elector included on it and any ward in respect of which the elector is registered.	N/A	Shire conducted a full postal vote.	Peter Tiggemann
35	Elect Reg 81	Was the report relating to an election under s4.79 provided to the Minister within 14 days after the declaration of the result of the election.	N/A		Peter Tiggemann

Executive Functions

No	Reference	Question	Response	Comments	Respondent
1	s3.18(3)(a)	Has the local government satisfied itself that the services and facilities that it provides ensure integration and co-ordination of services and facilities between governments.	Yes	The shire cooperates with many government agencies in a range of services. Government departments include DEC, Fisheries, DOT, Regional development, Police and Sport & Recreation.	Peter Tiggemann
2	s3.32(1)	Was a notice of intended entry given to the owner or occupier of the land, premises or thing that had been entered.	N/A		Peter Tiggemann
3	s3.50	Did the local government close a thoroughfare wholly or partially for a period not exceeding 4 weeks under the guidelines of 3.50.	No		Peter Tiggemann
4	s3.18(3)(b)	Has the local government satisfied itself that the services and facilities that it provides avoid unnecessary duplication of services or competition particularly with the private sector.	Yes	The shire operates a Tourist Information Centre which sell ticket for various tourist activities and accommodation. There are other businesses that provide similiar service but do not have the full range as the Tourist Information centre does.	Peter Tiggemann
5	s3.18(3)(c)	Has the local government satisfied itself that the services and facilities that it provides ensure services and facilities are properly managed.	Yes	The shire have experienced senior staff, through this experience they have the knowledge to determine the efficiency of services and facilities provided.	Peter Tiggemann
6	s3.40A(1)	Where in the opinion of the local government a vehicle was an abandoned vehicle wreck, was it removed and impounded by an employee authorised (for that purpose) by the local government.	N/A		Peter Tiggemann

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
7	s3.40A(2)	Where the owner of the vehicle was identified within 7 days after its removal under s3.40A(1), did the local government give notice to that person advising that the vehicle may be collected from a place specified during such hours as are specified in the notice.	N/A		Peter Tiggemann
8	s3.40A(3)	Where notice was given under s3.40A (2) did it include a short statement of the effect of subsection (4)(b) and the effect of the relevant provisions of sections 3.46 and 3.47.	N/A		Peter Tiggemann
9	s3.51(3)	Did the local government give notice of what is proposed to be done giving details to the proposal and inviting submissions from any person who wishes to make a submission and allow a reasonable time for submissions to be made and consider any submissions made.	N/A		Peter Tiggemann
10	s3.52(4)	Has the local government kept plans for the levels and alignments of public thoroughfares that are under its control or management, and made those plans available for public inspection.	Yes		Peter Tiggemann
11	s3.32(2)	Did the notice of intended entry specify the purpose for which the entry was required.	N/A		Peter Tiggemann
12	s3.32(3)	Was the notice of intended entry given not less than 24 hours before the power of entry was exercised.	N/A		Peter Tiggemann

Finance

No	Reference	Question	Response	Comments	Respondent
1	s5.53, Admin Reg 19B	Has the local government prepared an annual report for the financial year ended 30 June 2010 that contained the prescribed information under the Act and Regulations.	Yes		Peter Tiggemann
2	s5.54(1), (2)	Was the annual report accepted by absolute majority by the local government by 31 December 2010.	Yes	Council accepted report on the 24th November 2010 by Absolute Majority.	Peter Tiggemann
3	s5.54(1), (2)	Where the Auditor's report was not available in time for acceptance by 31 December, was it accepted no more than two months after the Auditor's report was made available.	N/A		Peter Tiggemann
4	s5.55	Did the CEO give local public notice of the availability of the annual report as soon as practicable after the local government accepted the report.	Yes		Peter Tiggemann
5	s5.56 Admin Reg 19C(2)	Has the local government made a plan for the future of its district in respect of the period specified in the plan (being at least 2 financial years).	Yes		Peter Tiggemann

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
6	Admin Reg 19D	After a plan for the future, or modifications to a plan were adopted under regulation 19C, did the local government give public notice in accordance with subsection (2).	Yes		Peter Tiggemann
7	s5.94, s5.95	Did the local government allow any person attending the local government during office hours to inspect information, free of charge, listed in s5.94 of the Act and subject to s5.95 whether or not the information was current at the time of inspection.	Yes		Peter Tiggemann
8	s5.96	Where a person inspected information under Part 5, Division 7 of the Act and requested a copy of that information, did the local government ensure that copies were available at a price that did not exceed the cost of providing those copies.	Yes		Peter Tiggemann
9	s5.98 Admin Reg 30	Was the fee made available to elected members for attending meetings within the prescribed range.	Yes		Peter Tiggemann
10	s5.98 Admin Reg 31	Was the reimbursement of expenses to elected members within the prescribed ranges or as prescribed.	Yes		Peter Tiggemann
11	s5.98A Admin Reg 33A	Where a local government decided to pay the deputy mayor or the deputy president an allowance, was it resolved by absolute majority.	Yes		Peter Tiggemann
12	s5.98A Admin Reg 33A	Where a local government decided to pay the deputy mayor or the deputy president an allowance, was it up to (or below) the prescribed percentage of the annual local government allowance to which the mayor or president is entitled under section 5.98 (5).	Yes		Peter Tiggemann
13	s5.99 Admin Reg 34	Where a local government decided to pay Council members an annual fee in lieu of fees for attending meetings, was it resolved by absolute majority.	Yes		Peter Tiggemann
14	s5.99 Admin Reg 34	Where a local government decided to pay Council members an annual fee in lieu of fees for attending meetings, was it within the prescribed range.	Yes		Peter Tiggemann
15	s5.99A Admin Reg 34A, AA, AB	Where a local government decided to pay Council members an allowance instead of reimbursing telephone, facsimile machine rental charges and other telecommunication, information technology, travelling and accommodation expenses, was it resolved by absolute majority.	Yes		Peter Tiggemann
16	s5.99A Admin Reg 34A, AA, AB	Where a local government decided to pay Council members an allowance instead of reimbursing telephone, facsimile machine rental charges and other telecommunication, information technology, travelling and accommodation expenses, was it within the prescribed range.	Yes		Peter Tiggemann

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
17	s5.100 (1)	Did the local government pay a fee for attending committee meetings only to a committee member who was a council member.	Yes		Peter Tiggemann
18	s5.100 (2)	Where the local government decided to reimburse a committee member, who was not a council member or employee, for an expense incurred by the person in relation to a matter affecting the local government, was it within the prescribe range.	N/A	Council doe not pay a committe member who ins not a member.	Peter Tiggemann
19	s6.8	Was expenditure that the local government incurred from its municipal fund, but not included in its annual budget, authorised in advance on all occasions by absolute majority resolution.	N/A		Peter Tiggemann
20	s6.8(1)(c)	Did the Mayor or President authorise expenditure from the municipal fund in an emergency. (Please indicate circumstances in the "Comments" column)	No		Peter Tiggemann
21	s6.8	In relation to expenditure that the local government incurred from its municipal fund that was authorised in advance by the mayor or president in an emergency, was it reported on all occasions to the next ordinary meeting of council.	N/A		Peter Tiggemann
22	s6.12, 6.13, 6.16 (1),(3)	Did Council at the time of adopting its budget, determine the granting of a discount or other incentive for early payment by absolute majority.	Yes		Peter Tiggemann
23	s6.12, 6.13, 6.16 (1),(3)	Did Council determine the setting of an interest rate on money owing to Council by absolute majority.	Yes		Peter Tiggemann
24	s6.12, 6.13, 6.16 (1),(3)	Did Council determine to impose or amend a fee or charge for any goods or services provided by the local government by absolute majority. (Note: this applies to money other than rates and service charges).	Yes		Peter Tiggemann
25	s6.17(3)	Were the fees or charges imposed for receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate, limited to the cost of providing the service or goods.	Yes		Peter Tiggemann
26	s6.17(3)	Were the fees or charges imposed for any other service prescribed in section 6.16 (2)(f), limited to the cost of providing the service or goods.	Yes		Peter Tiggemann
27	s6.19	After the budget was adopted, did the local government give local public notice for all fees and charges stating its intention to introduce the proposed fees or charges and the date from which it proposed to introduce the fees or charges.	No		Peter Tiggemann

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
37	s7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken by the local government, was that action undertaken.	Yes	There were two matters raised by the auditor, (1) List of accounts for payment. This has now been rectified and reporting on the list of accounts paid is now being presented to Council. (2) Budget Review not submitted to the department within 30 days following adoption. This has been noted by staff and will be presented by staff on time in the future.	Peter Tiggemann
38	s7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a report prepared on any actions undertaken.	Yes	The two issues were reported to the Audit committee.	Peter Tiggemann
39	s7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a copy of the report forwarded to the Minister by the end of the financial year or 6 months after the last report prepared under s7.9 was received by the local government whichever was the latest in time.	No	The matters from the 2008-09 were not reported to the minister however this will be rectified.	Peter Tiggemann
40	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit.	No		Peter Tiggemann
41	Audit Reg 7	Did the agreement between the local government and its auditor include the scope of the audit.	Yes		Peter Tiggemann
42	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit.	Yes		Peter Tiggemann
43	Audit Reg 7	Did the agreement between the local government and its auditor include details of the remuneration and expenses to be paid to the auditor.	Yes		Peter Tiggemann
44	Audit Reg 7	Did the agreement between the local government and its auditor include the method to be used by the local government to communicate with, and supply information to, the auditor.	Yes		Peter Tiggemann
Local Government Employees					

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve the process to be used for the selection and appointment of the CEO before the position of CEO was advertised.	Yes	Approved WALGA to conduct recruitment process. Min 19.2, Ord. Meeting 26 May 2010.	Peter Tiggemann
2	s5.36(4) s5.37(3)	Were all vacancies for the position of CEO and for designated senior employees advertised.	Yes	Advertised in the Western Australia 5th June 2010	Peter Tiggemann
3	s5.36(4) s5.37(3) Admin Reg 18A(1)	Did the local government advertise for the position of CEO and for designated senior employees in a newspaper circulated generally throughout the State.	Yes	Advertised in the Western Australia 5th June 2010	Peter Tiggemann
4	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees contain details of the remuneration and benefits offered.	Yes		Peter Tiggemann
5	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees contain details of the place where applications for the position were to be submitted.	Yes		Peter Tiggemann
6	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees detail the date and time for closing of applications.	Yes		Peter Tiggemann
7	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees indicate the duration of the proposed contract.	Yes		Peter Tiggemann
8	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees provide contact details of a person to contact for further information.	Yes		Peter Tiggemann
9	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss a designated senior employee.	N/A		Peter Tiggemann
10	s5.38	Was the performance of each employee, employed for a term of more than one year, (including the CEO and each senior employee), reviewed within the most recently completed 12 months of their term of employment.	No	There were two senior employees that were not reviewed within the 12 month period, this has been rectified since the appointment a new CEO.	Peter Tiggemann
11	Admin Reg 18D	Where Council considered the CEO's performance review did it decide to accept the review with or without modification (if Council did not accept the review, the preferred answer is N/A & refer Q12).	Yes	No review, due to resignation of CEO in May 2010	Peter Tiggemann
12	Admin Reg 18D	Where the Council considered the CEO's performance review, but decided not to accept the review, did it decide to reject the review (if Council accepted the review, the preferred answer is N/A refer Q11).	N/A		Peter Tiggemann

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
13	s5.39	During the period covered by this Return, were written performance based contracts in place for the CEO and all designated senior employees who were employed since 1 July 1996.	Yes		Peter Tiggemann
14	s5.39 Admin Reg 18B	Does the contract for the CEO and all designated senior employees detail the maximum amount of money payable if the contract is terminated before the expiry date. This amount is the lesser of the value of one year's remuneration under the contract.	Yes		Peter Tiggemann
15	s5.39 Admin Reg 18B	Does the contract for the CEO and all designated senior employees detail the maximum amount of money payable if the contract is terminated before the expiry date and this amount is the lesser of the value of the remuneration they would be entitled to had the contract not been terminated.	No		Peter Tiggemann
16	s5.50(1)	Did Council adopt a policy relating to employees whose employment terminates, setting out the circumstances in which council would pay an additional amount to that which the employee is entitled under a contract or award.	Yes		Peter Tiggemann
17	s5.50(1)	Did Council adopt a policy relating to employees whose employment terminates, setting out the manner of assessment of an additional amount.	Yes		Peter Tiggemann
18	s5.50(2)	Did the local government give public notice on all occasions where council made a payment that was more than the additional amount set out in its policy.	N/A		Peter Tiggemann
19	s5.53(2)(g) Admin Reg 19B	For the purposes of section 5.53(2)(g) did the annual report of a local government for a financial year contain the number of employees of the local government entitled to an annual salary of \$100,000 or more.	Yes		Peter Tiggemann
20	s5.53(2)(g) Admin Reg 19B	For the purposes of section 5.53(2)(g) did the annual report of a local government for a financial year contain the number of those employees with an annual salary entitlement that falls within each band of \$10,000 and over \$100,000.	Yes		Peter Tiggemann
21	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position of CEO under section 5.36(4).	Yes		Peter Tiggemann
22	Admin Regs 18E	Did the local government ensure checks were carried out to confirm that the information in an application for employment was true (applicable to CEO only).	Yes		Peter Tiggemann

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
23	Admin Reg 33	Was the allowance paid to the mayor or president for the purposes of s5.98 (5) within the prescribed range.	Yes		Peter Tiggemann
Local Laws					
No	Reference	Question	Response	Comments	Respondent
1	s3.12(2) F&G Reg 3	On each occasion that Council resolved to make a local law, did the person presiding at the Council meeting give notice of the purpose and effect of each proposed local law in the manner prescribed in Functions and General Regulation 3.	N/A		Peter Tiggemann
2	s3.12(4)	Have all Council's resolutions to make local laws been by absolute majority.	N/A		Peter Tiggemann
3	s3.12(4)	Have all Council's resolutions to make local laws been recorded as such in the minutes of the meeting.	N/A		Peter Tiggemann
4	s3.12(6)	After the local law was published in the Gazette, did the local government give local public notice summarising the purpose and effect of the local law and the day on which it came into operation.	N/A		Peter Tiggemann
5	s3.12(6)	After the local law was published in the Gazette, did the local government give local public notice advising that copies of the local law may be inspected or obtained from its office.	N/A		Peter Tiggemann
6	s3.16(1)	Have all reviews of local laws under section 3.16(1) of the Act been carried out within a period of 8 years.	Yes	The review of Local Laws was not completed within the eight years. They are still currently being reviewed	Peter Tiggemann
7	s3.16(1)(2)	If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice stating that it intended to review the local law.	N/A		Peter Tiggemann
8	s3.16(1)(2)	If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice advising that a copy of the local law could be inspected or obtained at the place specified in the notice.	N/A		Peter Tiggemann
9	s3.16(1)(2)	If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice detailing the closing date for submissions about the local law.	N/A		Peter Tiggemann

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
10	s3.16(3)	Did the local government (after the last day for submissions) prepare a report of the review and have it submitted to Council.	N/A		Peter Tiggemann
11	s3.16(4)	Was the decision to repeal or amend a local law determined by absolute majority on all occasions.	N/A		Peter Tiggemann

Meeting Process

No	Reference	Question	Response	Comments	Respondent
1	s2.25(1)(3)	Where Council granted leave to a member from attending 6 or less consecutive ordinary meetings of Council was it by Council resolution.	Yes		Peter Tiggemann
2	s2.25(1)(3)	Where Council granted leave to a member from attending 6 or less consecutive ordinary meetings of Council, was it recorded in the minutes of the meeting at which the leave was granted.	Yes		Peter Tiggemann
3	s2.25(3)	Where Council refused to grant leave to a member from attending 6 or less consecutive ordinary meetings of Council, was the reason for refusal recorded in the minutes of the meeting.	N/A		Peter Tiggemann
4	s2.25(2)	Was Ministerial approval sought (on all occasions) before leave of absence was granted to an elected member in respect of more than 6 consecutive ordinary meetings of council.	N/A		Peter Tiggemann
5	s5.4	On all occasions when the mayor or president called an ordinary or special meeting of Council, was it done by notice to the CEO setting out the date and purpose of the proposed meeting;	Yes		Peter Tiggemann
6	s5.5	On all occasions when councillors called an ordinary or special meeting of Council was it called by at least 1/3 (one third) of the councillors, by notice to the CEO setting out the date and purpose of the proposed meeting.	N/A		Peter Tiggemann
7	s5.5(1)	Did the CEO give each council member at least 72 hours notice of the date, time, place and an agenda for each ordinary meeting of Council.	Yes		Peter Tiggemann
8	s5.5(2)	Did the CEO give each council member notice before the meeting, of the date, time, place and purpose of each special meeting of Council.	Yes		Peter Tiggemann
9	s5.7	Did the local government seek approval (on each occasion as required) from the Minister or his delegate, for a reduction in the number of offices of member needed for a quorum at a Council meeting	N/A		Peter Tiggemann

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
10	s5.7	Did the local government seek approval (on each occasion as required) from the Minister or his delegate, for a reduction in the number of offices of member required for absolute majorities.	N/A		Peter Tiggemann
11	s5.8	Did the local government ensure all Council committees (during the review period) were established by an absolute majority.	Yes		Peter Tiggemann
12	s5.10(1)(a)	Did the local government ensure all members of Council committees, during the review period, were appointed by an absolute majority (other than those persons appointed in accordance with section 5.10 (1)(b)).	Yes		Peter Tiggemann
13	s5.10(2)	Was each Council member given their entitlement during the review period, to be appointed as a committee member of at least one committee, as referred to in section 5.9(2)(a) & (b) of the Act.	Yes		Peter Tiggemann
14	s5.12(1)	Were Presiding members of committees elected by the members of the committees (from amongst themselves) in accordance with Schedule 2.3, Division 1 of the Act.	Yes		Peter Tiggemann
15	s5.12(2)	Were Deputy presiding members of committees elected by the members of the committee (from amongst themselves) in accordance with Schedule 2.3 Division 2 of the Act.	Yes		Peter Tiggemann
16	s5.15	Where the local government reduced a quorum of a committee meeting, was the decision made by absolute majority on each occasion.	Yes		Peter Tiggemann
17	s5.21 (4)	When requested by a member of Council or committee, did the person presiding at a meeting ensure an individual vote or the vote of all members present, were recorded in the minutes.	Yes		Peter Tiggemann
18	s5.22(1)	Did the person presiding at a meeting of a Council or a committee ensure minutes were kept of the meeting's proceedings.	Yes		Peter Tiggemann
19	s5.22(2)(3)	Were the minutes of all Council and committee meetings submitted to the next ordinary meeting of Council or committee, as the case requires, for confirmation.	Yes		Peter Tiggemann
20	s5.22(2)(3)	Were the minutes of all Council and committee meetings signed to certify their confirmation by the person presiding at the meeting at which the minutes of Council or committee were confirmed.	Yes		Peter Tiggemann
21	s5.23 (1)	Were all council meetings open to members of the public (subject to section 5.23(2) of the Act).	Yes		Peter Tiggemann

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
22	s5.23 (1)	Were all meetings of committees to which a power or duty had been delegated open to members of the public (subject to section 5.23(2) of the Act).	Yes		Peter Tiggemann
23	s5.23(2)(3)	On all occasions, was the reason, or reasons, for closing any Council or committee meeting to members of the public, in accordance with the Act.	Yes		Peter Tiggemann
24	s5.23(2)(3)	On all occasions, was the reason, or reasons, for closing any Council or committee meeting to members of the public recorded in the minutes of that meeting.	Yes		Peter Tiggemann
25	s5.24 (1) Admin Reg 5&6	Was a minimum time of 15 minutes allocated for questions to be raised by members of the public and responded to at every ordinary meeting of Council.	Yes		Peter Tiggemann
26	s5.24 (1) Admin Reg 5&6	Was a minimum time of 15 minutes allocated for questions to be raised by members of the public and responded to at every special meeting of Council.	Yes		Peter Tiggemann
27	s5.24 (1) Admin Reg 5&6	Was a minimum time of 15 minutes allocated for questions to be raised by members of the public and responded to at every meeting of a committee to which the local government has delegated a power or duty.	Yes		Peter Tiggemann
28	Admin Reg 8	Was a period of 30 minutes allowed from the advertised commencement time before any Council or committee was adjourned due to the lack of a quorum.	N/A		Peter Tiggemann
29	Admin Reg 9	Was voting at Council or committee meetings conducted so that no vote was secret.	Yes		Peter Tiggemann
30	Admin Reg 10(1)	Were all motions to revoke or change decisions at Council or committee meetings supported in the case where an attempt to revoke or change the decision had been made within the previous 3 months but failed, by an absolute majority.	Yes		Peter Tiggemann
31	Admin Reg 10(1)	Were all motions to revoke or change decisions at Council or committee meetings supported in any other case, by at least one third of the number of officers of member (whether vacant or not) of the Council or committee.	Yes		Peter Tiggemann
32	Admin Reg 10(2)	Were all decisions to revoke or change decisions made at Council or committee meetings made (in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority), by that kind of majority.	Yes		Peter Tiggemann

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
33	Admin Reg 10(2)	Were all decisions to revoke or change decisions made at Council or committee meetings made in any other case, by an absolute majority.	Yes		Peter Tiggemann
34	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include the names of members present at the meeting.	Yes		Peter Tiggemann
35	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include where a member entered or left the meeting, the time of entry or departure, as the case requires, in the chronological sequence of the business of the meeting.	Yes		Peter Tiggemann
36	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include details of each motion moved at the meeting, including details of the mover and outcome of the motion.	Yes		Peter Tiggemann
37	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include details of each decision made at the meeting.	Yes		Peter Tiggemann
38	Admin Reg 11	Did the contents of the minutes of all Council or committee meetings include, where the decision was significantly different from written recommendation of a committee or officer, written reasons for varying that decision.	No	Min. 19.2, 24 Feb 2010 (Planning Decision) Min. 16.1, 28 Apr 2010 (Barnard Street) Min 17.2, 28 Apr 2010 (Jetty Fenders) Min 11.2, 30 June 2010 (Relocate Telecentre) Min. 12.6, 30 June 2010 (President Allowance) Min. 12.7, 30 June 2010 (Dep. Pres Allowance) Min. 12.8, June 2010 (Reimb Crs. Expenses) Min. 16.1 June 2010 (Refuse Centre Contract)	Peter Tiggemann
39	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include a summary of each question raised by members of the public and a summary of the response given.	Yes		Peter Tiggemann
40	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include in relation to each disclosure made under sections 5.65 or 5.70, where the extent of the interest has been disclosed, the extent of the interest.	Yes		Peter Tiggemann
41	Admin Reg 12(1)	Did the local government, at least once during the period covered by this return, give local public notice for the next twelve months of the date, time and place of ordinary Council meetings.	Yes		Peter Tiggemann

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
42	Admin Reg 12(1)	Did the local government, at least once during the period covered by this return, give local public notice for the next twelve months of the date, time and place of those committee meetings that were required under the Act to be open to the public or that were proposed to be open to the public.	Yes		Peter Tiggemann
43	Admin Reg 12(2)	Did the local government give local public notice of any changes to the dates, time or places referred to in the question above.	N/A		Peter Tiggemann
44	Admin Reg 12(3) (4)	In the CEO's opinion, where it was practicable, were all special meetings of Council (that were open to members of the public) advertised via local public notice.	Yes		Peter Tiggemann
45	Admin Reg 12(3) (4)	Did the notice referred to in the question above include details of the date, time, place and purpose of the special meeting.	Yes		Peter Tiggemann
46	Admin Reg 13	Did the local government make available for public inspection unconfirmed minutes of all Council meetings within 10 business days after the Council meetings.	Yes		Peter Tiggemann
47	Admin Reg 13	Did the local government make available for public inspection unconfirmed minutes of all committee meetings within 5 business days after the committee meetings.	Yes		Peter Tiggemann
48	Admin Reg 14(1) (2)	Were notice papers, agenda and other documents relating to any Council or committee meeting, (other than those referred to in Admin Reg 14(2)) made available for public inspection.	Yes		Peter Tiggemann
49	Admin Reg 14A	On all occasions where a person participated at a Council or committee meeting by means of instantaneous communication, (by means of audio, telephone or other instantaneous contact) as provided for in Administration Regulation 14A, did the Council approve of the arrangement by absolute majority.	Yes		Peter Tiggemann
50	Admin Reg 14A	On all occasions where a person participated at a Council or committee meeting by means of instantaneous communication, (as provided for in Administration Regulation 14A) was the person in a suitable place as defined in Administration Regulation 14A(4)	Yes		Peter Tiggemann
51	s5.27(2)	Was the annual general meeting of electors held within 56 days of the local government's acceptance of the annual report for the previous financial year.	Yes		Peter Tiggemann

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
52	s5.29	Did the CEO convene all electors' meetings by giving at least 14 days local public notice and each Council member at least 14 days notice of the date, time, place and purpose of the meeting.	Yes		Peter Tiggemann
53	s5.32	Did the CEO ensure the minutes of all electors' meetings were kept and made available for public inspection before the Council meeting at which decisions made at the electors' meeting were first considered.	Yes		Peter Tiggemann
54	s5.33(1)	Were all decisions made at all electors' meetings considered at the next ordinary Council meeting, or, if not practicable, at the first ordinary Council meeting after that, or at a special meeting called for that purpose.	Yes		Peter Tiggemann
55	s5.33(2)	Were the reasons for Council decisions in response to decisions made at all electors' meetings recorded in the minutes of the appropriate Council meeting.	Yes		Peter Tiggemann
56	s5.103(3) Admin Reg 34B	Has the CEO kept a register of all notifiable gifts received by Council members and employees.	Yes		Peter Tiggemann

Miscellaneous Provisions

No	Reference	Question	Response	Comments	Respondent
1	s9.4	Has each person who received an unfavourable decision from Council, or from an employee of the local government exercising delegated authority, (that is appealable under Part 9 of the Act) been informed of his or her right to object and appeal against the decision.	N/A		Peter Tiggemann
2	s9.29(2)(b)	On all occasions, were those employees who represented the local government in court proceedings, appointed in writing by the CEO.	N/A		Peter Tiggemann
3	s9.6(5)	Did the local government ensure that the person who made the objection was given notice in writing of how it has been decided to dispose of the objection and the reasons why.	N/A		Peter Tiggemann

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

Official Conduct					
No	Reference	Question	Response	Comments	Respondent
1	s5.120	Where the CEO is not the complaints officer, has the local government designated a senior employee, as defined under s5.37, to be its complaints officer.	N/A		Peter Tiggemann
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that result in action under s5.110(6)(b) or (c).	No	Currently being Upgraded	Peter Tiggemann
3	s5.121(2)(a)	Does the complaints register maintained by the complaints officer include provision for recording of the name of the council member about whom the complaint is made.	No	Currently being Upgraded	Peter Tiggemann
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the name of the person who makes the complaint.	No	Currently being Upgraded	Peter Tiggemann
5	s5.121(2)(c)	Does the complaints register maintained by the complaints officer include provision for recording a description of the minor breach that the standards panel finds has occurred.	No	Currently being Upgraded	Peter Tiggemann
6	s5.121(2)(d)	Does the complaints register maintained by the complaints officer include the provision to record details of the action taken under s5.110(6)(b) (c).	No	Currently being Upgraded	Peter Tiggemann

Swimming Pools					
No	Reference	Question	Response	Comments	Respondent
1	s245A(5)(aa) LG (MiscProv) Act 1960	Have inspections of known private swimming pools, either been, or are proposed to be, carried out as required by section 245A(5)(aa) of the Local Government (Miscellaneous Provisions) Act 1960.	Yes		Peter Tiggemann

Tenders for Providing Goods and Services					
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BY ONLY

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
1	s3.57 F&G Reg 11	Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)).	No	<p>The refuse reserve maintenance contract became due after the five year contract expired. Council decided to change the way the refuse reserve was to be managed but were not ready to proceed to contract so, Council decided to re-appoint the contractor for a twelve month period. The contract was worth just over \$100,000.</p> <p>A project funded by royalties for region was planned to be constructed by Council supervision and with some contractors and some employees however due to staff not being available a contractor was asked to do more than first anticipated. He subsequently went over \$100,000. Both of these incidents were mentioned in the shire audit report.</p>	Peter Tiggemann
2	F&G Reg 12	Has the local government, as far as it is aware, only entered into a single contract rather than multiple contracts so as to avoid the requirements to call tenders in accordance with F&G Reg 11 (1).	No		Peter Tiggemann
3	F&G Reg 14(1)	Did the local government invite tenders via Statewide public notice.	Yes		Peter Tiggemann
4	F&G Reg 14(3)	Did all the local government's invitations to tender include a brief description of the goods and services required and contact details for a person from whom more detailed information could be obtained about the tender.	Yes		Peter Tiggemann
5	F&G Reg 14(3)	Did all the local government's invitations to tender include information as to where and how tenders could be submitted.	Yes		Peter Tiggemann
6	F&G Reg 14(3)	Did all the local government's invitations to tender include the date and time after which tenders would not be accepted.	Yes		Peter Tiggemann
7	F&G Reg 14(3)(4)	Did the local government ensure information was made available to all prospective tenderers concerning detailed specifications of the goods or services required.	Yes		Peter Tiggemann

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
8	F&G Reg 14(3)(4)	Did the local government ensure information was made available to all prospective tenderers of the criteria for deciding which tender would be accepted.	Yes		Peter Tiggemann
9	F&G Reg 14(3)(4)	Did the local government ensure information was made available to all prospective tenderers about whether or not the local government had decided to submit a tender.	Yes		Peter Tiggemann
10	F&G Reg 14(3)(4)	Did the local government ensure information was made available to all prospective tenderers on whether or not tenders were allowed to be submitted by facsimile or other electronic means and if so, how tenders were to be submitted.	Yes		Peter Tiggemann
11	F&G Reg 14(3)(4)	Did the local government ensure all prospective tenderers had any other information that should be disclosed to those interested in submitting a tender.	Yes		Peter Tiggemann
12	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer, notice of the variation.	N/A		Peter Tiggemann
13	F&G Reg 15	Following the publication of the notice inviting tenders, did the local government allow a minimum of 14 days for tenders to be submitted.	Yes		Peter Tiggemann
14	F&G Reg 16(1)	Did the local government ensure that tenders submitted, (including tenders submitted by facsimile or other electronic means) were held in safe custody.	Yes		Peter Tiggemann
15	F&G Reg 16(1)	Did the local government ensure that tenders submitted, (including tenders submitted by facsimile or other electronic means) remained confidential.	Yes		Peter Tiggemann
16	F&G Reg 16 (2)& (3)(a)	Did the local government ensure all tenders received were not opened, examined or assessed until after the time nominated for closure of tenders.	Yes		Peter Tiggemann
17	F&G Reg 16 (2)& (3)(a)	Did the local government ensure all tenders received were opened by one or more employees of the local government or a person authorised by the CEO.	Yes		Peter Tiggemann
18	F&G Reg 16 (3)(b)	Did the local government ensure members of the public were not excluded when tenders were opened.	Yes		Peter Tiggemann
19	F&G Reg 16 (3)(c)	Did the local government record all details of the tender (except the consideration sought) in the tender register immediately after opening.	Yes		Peter Tiggemann

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
20	F&G Reg 18(1)	Did the local government reject the tenders that were not submitted at the place, and within the time specified in the invitation to tender.	Yes		Peter Tiggemann
21	F&G Reg 18 (4)	In relation to the tenders that were not rejected, did the local government assess which tender to accept and which tender was most advantageous to the local government to accept, by means of written evaluation criteria.	Yes		Peter Tiggemann
22	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) a brief description of the goods or services required.	Yes		Peter Tiggemann
23	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) particulars of the decision made to invite tenders and if applicable the decision to seek expressions of interest under Regulation 21(1).	Yes		Peter Tiggemann
24	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) particulars of any notice by which expressions of interest from prospective tenderers were sought and any person who submitted an expression of interest.	Yes		Peter Tiggemann
25	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) any list of acceptable tenderers that was prepared under regulation 23(4)	Yes		Peter Tiggemann
26	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) a copy of the notice of invitation to tender.	Yes		Peter Tiggemann
27	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) the name of each tenderer whose tender was opened.	Yes		Peter Tiggemann
28	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) the name of the successful tenderer.	Yes		Peter Tiggemann
29	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) the amount of consideration or the summary of the amount of the consideration sought in the accepted tender.	Yes		Peter Tiggemann
30	F&G Reg 19	Was each tenderer sent written notice advising particulars of the successful tender or advising that no tender was accepted.	Yes		Peter Tiggemann

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
31	F&G Reg 21(3)	On each occasion that the local government decided to invite prospective tenderers to submit an expression of interest for the supply of goods or services, did the local government issue a Statewide public notice.	Yes		Peter Tiggemann
32	F&G Reg 21(4)	Did all public notices inviting an expression of interest, include a brief description of the goods and services required.	Yes		Peter Tiggemann
33	F&G Reg 21(4)	Did all public notices inviting an expression of interest, include particulars of a person from whom more detailed information could be obtained.	Yes		Peter Tiggemann
34	F&G Reg 21(4)	Did all public notices inviting an expression of interest, include information as to where and how expressions of interest could be submitted.	Yes		Peter Tiggemann
35	F&G Reg 21(4)	Did all public notices inviting an expression of interest, include the date and time after which expressions of interest would not be accepted.	Yes		Peter Tiggemann
36	F&G Reg 22	Following the publication of the notice inviting expressions of interest, did the local government allow a minimum of 14 days for the submission of expressions of interest.	Yes		Peter Tiggemann
37	F&G Reg 23(1)	Did the local government reject the expressions of interest that were not submitted at the place and within the time specified in the notice.	Yes		Peter Tiggemann
38	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services.	Yes		Peter Tiggemann
39	F&G Reg 24	Was each person who submitted an expression of interest, given a notice in writing in accordance with Functions & General Regulation 24.	Yes		Peter Tiggemann
40	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government prepare a proposed regional price preference policy (only if a policy had not been previously adopted by Council).	Yes		Peter Tiggemann
41	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government give Statewide public notice of its intention to have a regional price preference policy and include in that notice the region to which the policy is to relate (only if a policy had not been previously adopted by Council).	N/A	Policy not reviewed in reporting period.	Peter Tiggemann

Department of Local Government - Compliance Audit Return



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
42	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government include in the notice details of where a complete copy of the proposed policy may be obtained (only if a policy had not been previously adopted by Council).	No		Peter Tiggemann
43	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government include in the notice a statement inviting submissions commenting on the proposed policy, together with a closing date of not less than 4 weeks for those submissions (only if a policy had not been previously adopted by Council).	No		Peter Tiggemann
44	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government make a copy of the proposed regional price preference policy available for public inspection in accordance with the notice (only if a policy had not been previously adopted by Council).	No		Peter Tiggemann
45	F&G Reg 11A(1)	Has the local government prepared and adopted a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$100,000 or less or worth \$100,000 or less.	Yes		Peter Tiggemann
46	F&G Reg 11A(3)(a)	Did the purchasing policy that was prepared and adopted make provision in respect of the form of quotations acceptable.	Yes		Peter Tiggemann
47	F&G Reg 11A (3) (b)	Did the purchasing policy that was prepared and adopted make provision in respect of the recording and retention of written information, or documents for all quotations received and all purchases made.	Yes		Peter Tiggemann

Comments

There are a few areas that the shire has not fully complied with the Local Government Act and Regulations. In the comments column these issues have been explained.

The issue of increased compliance with legislation will be addressed during the 2011 reporting year.

Legal Implications

Section 7.13 (1)(i) of the *Local Government Act 1995*.

Regulation 14 – Compliance audit return to be prepared – *Local Government (Audit) Regulations 1996*

Regulation 15 – Completion of compliance audit return – *Local Government (Audit) Regulations 1996*

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Absolute Majority Required

Date of Report

9 February 2011

12.0 FINANCE REPORT**12.1 SCHEDULE OF ACCOUNTS PAID TO BE RECEIVED**Author

Finance Officer / Accounts Payable

Disclosure of any interest

Nil

Moved Cr Pepworth

Seconded Cr Ridgley

Council Resolution

That the cheques and electronic payments as per the attached schedules of accounts for payment totalling \$742,470.66 be accepted.

5/0 CARRIED

Comment

The schedules of accounts for payment covering -

Municipal fund account cheque numbers 25472 to 25525 totalling \$24,708.87

Municipal fund account electronic payment numbers EFT9433-9517, EFT9541-9548, EFT9559-9613, EFT9637-9645 and EFT9658-9709 totalling \$513,855.42

Municipal fund account for payroll periods ending 20/12/10 to 07/01/11 totalling \$81,136.57

Trust fund Police Licensing for December 2010 and January 2011 totalling \$37,735.10

Trust fund account cheque numbers 727 to 753 totalling \$9,151.77 and

Trust Fund account electronic payment numbers EFT9518-9540, EFT9549-9558, EFT9614-9627 and EFT9646-9656 totalling \$75,882.93

The schedule of accounts submitted to each member of council on 18 February 2011 has been checked and are fully supported by vouchers and invoices. All vouchers and invoices have been duly certified as to the receipt of goods and services and the cost of goods and services received.

Date of Report

15 February 2011

**SHIRE OF SHARK BAY
ORDINARY COUNCIL MEETING 23 FEBRUARY 2011
MUNI CHEQUES 25472-25525**

CHQ	Date	Name	Description	Amount
25472	07/12/2010	TELSTRA CORPORATION LTD	CALLS - VISITORS CENTRE 1300367072 NOV 10	-28.91
25473	20/12/2010	SHARK BAY BOWLING CLUB INC.	Carton Carlton Dry	-64.00
25474	20/12/2010	THE PERTH MINT AUSTRALIA	COMMEMORATIVE COIN FOR NEW CITIZENS 2010	-34.10
25475	21/12/2010	AMP SUPERANNUATION	Superannuation contributions	-338.53
25476	21/12/2010	AGEST PTY LTD	Superannuation contributions	-127.31
25477	21/12/2010	AMP CORPORATE SUPERANNUATION	Superannuation contributions	-258.56
25478	21/12/2010	AXA AUSTRALIA	Superannuation contributions	-356.97
25479	21/12/2010	BT BUSINESS SUPER	Superannuation contributions	-322.79
25480	21/12/2010	HOSTPLUS PTY LTD	Superannuation contributions	-1052.40
25481	21/12/2010	HESTA SUPER FUND	Superannuation contributions	-436.97
25482	21/12/2010	MLC NOMINEES PTY LTD	Superannuation contributions	-275.12
25483	21/12/2010	COLONIAL FIRST STATE	Superannuation contributions	-70.82
25484	21/12/2010	REST	Superannuation contributions	-748.38
25485	21/12/2010	SHIRE OF SHARK BAY	Payroll deductions	-660.00
25486	21/12/2010	SMA SUPER PTY LTD	Superannuation contributions	-160.49
25487	21/12/2010	WESTSCHEME PTY LTD	Superannuation contributions	-717.63
25490	23/12/2010	AUSCOINWEST	Gold Sovenir Coins for resale	-738.10
25491	23/12/2010	ROB BARTLEY PICTURE FRAMING	Framing of six (6) large Shark Bay from Space posters for resale.	-1386.00
25492	10/01/2011	OLD PEARLER RESTAURANT	COUNCIL MEET LUNCH WED15.12.201	-310.00
25493	10/01/2011	TELSTRA CORPORATION LIMITED	ANTENNA - TRANSMITTER	-2279.67
25494	11/01/2011	SHARK BAY FUEL & SERVICE CENTRE	GAS BOTTLES- REFILL	-37.45
25495	11/01/2011	TELSTRA CORPORATION LIMITED	1300 PHONE #	-79.59
25496	11/01/2011	LANDGATE (WA LAND INFORMATION AUTHORITY)	GRV VALUATION	-95.83
25497	12/01/2011	KEN'S TENDER JOINT	30 X STEAK	-328.85
25498	12/01/2011	AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY	LICENCE RENEWAL FEES #1155140	-148.00
25499	12/01/2011	SHARK BAY NEWSAGENCY	NEWSPAPERS	-169.25

CHQ	Date	Name	Description	Amount
25500	25/01/2011	BOOLBARDIE COUNTRY CLUB	ROUND 2 DONATIONS & FINANCIAL ASSISTANCE 2010/11	-500.00
25501	25/01/2011	SILVER CHAIN NURSING ASSOCIATION	MEDICAL PRE EMPLOYMENT FOR S McNAMARA	-50.00
25502	28/01/2011	FURNITURE SPOT	2 MATTRESSES SLUMBER KING	-318.00
25503	28/01/2011	SHARK BAY FISHING CLUB INC	Hire of Bain Marie	-50.00
25504	31/01/2011	AMP SUPERANNUATION	Superannuation contributions	-328.88
25505	31/01/2011	AGEST PTY LTD	Superannuation contributions	-187.77
25506	31/01/2011	AMP CORPORATE SUPERANNUATION	Superannuation contributions	-365.12
25507	31/01/2011	AXA AUSTRALIA	Superannuation contributions	-274.66
25508	31/01/2011	BT BUSINESS SUPER	Superannuation contributions	-478.70
25509	31/01/2011	HOSTPLUS PTY LTD	Superannuation contributions	-2926.25
25510	31/01/2011	HESTA SUPER FUND	Superannuation contributions	-647.16
25511	31/01/2011	MLC NOMINEES PTY LTD	Superannuation contributions	-355.40
25512	31/01/2011	REST	Superannuation contributions	-1194.39
25513	31/01/2011	SMA SUPER PTY LTD	Superannuation contributions	-224.69
25514	31/01/2011	WESTSCHEME PTY LTD	Superannuation contributions	-1087.10
25515	02/02/2011	TELSTRA CORPORATION LIMITED	WORKS MANAGER MOBILE - 0428178501	-1981.55
25516	31/01/2011	SHIRE OF SHARK BAY	Payroll deductions	-590.00
25517	08/02/2011	SHARK BAY FUEL & SERVICE CENTRE	FUEL	-45.07
25518	08/02/2011	KEN'S TENDER JOINT	50 Sausages	-204.30
25519	08/02/2011	SILVER CHAIN NURSING ASSOCIATION	Shire of Shark Bay Medical for Ms Jo-Anne Taylor - Tuesday 4 January 2011 - 10am	-50.00
25520	08/02/2011	TELSTRA CORPORATION LIMITED	ANTENNA - TRANSMITTER	-580.06
25521	08/02/2011	LANDGATE (WA LAND INFORMATION AUTHORITY)	GRV VALUATION	-110.85
25522	08/02/2011	SHARK BAY NEWSAGENCY	NEWSPAPERS	-229.70
25523	08/02/2011	TELSTRA CORPORATION LIMITED	1300 PHONE #	-29.49
25524	10/02/2011	JOHN MCCLEARY	J MCLEARY ACCOMMODATION FOR INTERVIEW CEO	-570.00
25525	10/02/2011	SILVER CHAIN NURSING ASSOCIATION	SENIOR'S OUTINGS	-104.01
TOTAL				\$24,708.87

**SHIRE OF SHARK BAY
ORDINARY COUNCIL MEETING 23 FEBRUARY 2011
MUNI EFTS 9433-9517, 9541-9548, 9559-9613, 9637-9645, 9658-9709**

EFT	Date	Name	Description	Amount
EFT9433	07/12/2010	LANDGATE	GROSS RENTAL VALUE CHARGE	-93.40
EFT9442	14/12/2010	MCLEODS BARRISTERS AND SOLICITORS	LEGAL SERVICES	-2660.15
EFT9443	14/12/2010	MITRE 10 SHARK BAY MARINE & HARDWARE	SINK PLUG, BATTER, GLOBE, AUDIO LEAD, HOSE, GLOBE, MATX2	-1276.93
EFT9444	14/12/2010	SHARK BAY MITRE 10- COMMUNITY GARDENS	GARDENING MATERIALS	-602.08
EFT9445	14/12/2010	SHARK BAY ROOFING	Remove Asbestos from Old Gym	-13621.62
EFT9446	14/12/2010	AZURE BISTRO	CATERING 3 DECEMBER 2010	-150.00
EFT9447	14/12/2010	AUSTRALIA POST	LOCAL GOVERNMENT POST	-416.36
EFT9448	14/12/2010	BUNNINGS BUILDING SUPPLIES PTY LTD	SANDSTONE PAINT	-46.89
EFT9449	14/12/2010	BOOKEASY AUSTRALIA P/L	BOOKEASY	-362.35
EFT9450	14/12/2010	BOC LIMITED	SUPPLY OF GASES	-77.65
EFT9451	14/12/2010	BATTERY MART	KUBOTA BATTERY	-144.10
EFT9452	14/12/2010	Data #3	MICROSOFT DESTOP AND SOFTWARE ASSURANCE YEAR 1	-5918.57
EFT9453	14/12/2010	GERALDTON FUEL COMPANY	FUEL TANKER	-28226.88
EFT9454	14/12/2010	GERALDTON INDUSTRIAL SUPP	SOCKET SET	-1425.08
EFT9455	14/12/2010	HORIZON POWER-STREET LIGHTING	201 STREET LIGHT TARRIFF CHARGES	-2244.53
EFT9456	14/12/2010	TOLL IPEC PTY LTD	SUNNY SIGNS - FREIGHT	-84.52
EFT9457	14/12/2010	PEST-A-KILL	MICE MONITORING & BAITING	-242.00
EFT9458	14/12/2010	PAPER PLUS	OFFICE STATIONERY	-308.91
EFT9459	14/12/2010	PHONOGRAPHIC PERFORMANCE CO OF AUST	FOR PUBLIC PERFORMANCES HELD AT HALL	-75.79
EFT9460	14/12/2010	PHIL THOMSON	TRAVEL TO TOURISM MANAGER'S MEETING	-1159.84
EFT9461	14/12/2010	SHARK BAY FREIGHTLINES	FREIGHT- TIGER TURF	-1424.70
EFT9462	14/12/2010	SHARK BAY CAR HIRE	CAR HIRE - TRANSPORT AIRPORT- SILVER CHAIN	-495.00

EFT	Date	Name	Description	Amount
			AND RETURN ON CLINIC DAYS	
EFT9463	14/12/2010	AUSTRALIAN TAXATION OFFICE	Payroll deductions	-8370.00
EFT9464	20/12/2010	SHARK BAY ROOFING	REMOVAL OF REMAINING SHED STRUCTURE - NEAR OLD GYM	-4800.00
EFT9465	20/12/2010	WATER BORE REDEVELOPERS	BORE - MONKEY MIA	-3740.00
EFT9466	20/12/2010	ANSTEY'S COMMERCIAL WINDOWS	SBIC WINDOW	-30360.00
EFT9467	20/12/2010	BAJA DATA & ELECTRICAL SERVICES	ELECTRICAL TO AIR CONDITIONER AT COMMUNITY CENTRE-CRAFTER'S ROOM	-311.85
EFT9468	20/12/2010	NICKO LANDSCAPING	PAINTING UNIT 12, 11	-2525.00
EFT9469	20/12/2010	PROFESSIONAL PC SUPPORT	Ironport mail filtering	-924.00
EFT9470	20/12/2010	SHARK BAY SUB BRANCH RSL	RSL DONATION SEPENSIONER CHRISTMAS HAMPERS	-1000.00
EFT9471	20/12/2010	SHARK BAY ELECTRICAL T/A MAINACE HOLDINGS PTY LTD	TO REPLACE JJJ DECODER	-787.55
EFT9472	20/12/2010	SHARK BAY AIR CHARTER	Charter Flight - Tuesday 7 December - Denham to Carnarvon - Departing 9am Charter Flight - Wednesday 8 December - Carnarvon to Denham - Departing 3pm Pass - Mr Paul Anderson & Mrs Cheryl Cowell	-1141.80
EFT9473	20/12/2010	SHARK BAY SKIPS	SUPPLY AND LIFT OF SKIP BINS	-428.00
EFT9474	20/12/2010	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOC	ADVERTISING - ADMINISTRATION OFFICER	-1849.82
EFT9475	20/12/2010	WEST STEEL SHEDS	BALANCE OF PAYMENT FOR SHED FOR GYM	-21867.59
EFT9476	20/12/2010	P.G & S. J WOOD	CONSULTANCY ON PHONE SYSTEM FOR SHIRE OFFICES	-800.00
EFT9477	20/12/2010	CAMPBELLS WHOLESALE PTY LTD	ANCHOR SPOT & SURVEY YELLOW, BLUE, PINK, WHITE	-154.70
EFT9478	20/12/2010	M & B SALES	MODWOOD WPC NATURAL GRAIN-SILVER GUM MARINA	-2050.97
EFT9479	20/12/2010	BAJA DATA & ELECTRICAL SERVICES	CABLE FOR EXTENSIONS TO SBIC	-2727.45
EFT9480	20/12/2010	CHUBB FIRE & SECURITY LTD	SBIC MONITORING DIALLER	-129.76

EFT	Date	Name	Description	Amount
EFT9481	20/12/2010	DENHAM IGA X-PRESS	SBIC FUNCTION	-200.51
EFT9482	20/12/2010	FASCINE LODGE	Accommodation for Tuesday 7 December 2010 for Mr Paul Anderson & Mrs Cheryl Cowell	-263.21
EFT9483	20/12/2010	GRAY & LEWIS	RECOVER OF DISBURSEMENTS - LOCAL PLANNING STRATEGY	-269.50
EFT9484	20/12/2010	HODGE + COLLARD ARCHITECTS	PROFESSIONAL COST FOR THE PARTIAL COMPLETION OF THE TENDER STAGE OF MULTI PURPOSE SPORTS CENTRE	-31652.50
EFT9485	20/12/2010	J & T FREIGHT	FREIGHT	-155.35
EFT9486	20/12/2010	MINTER ELLISON	LEGAL SERVICES	-6763.90
EFT9487	20/12/2010	JAMES MCKECHNIE	PROJECT MANAGEMENT CONSULTANCY	-10436.55
EFT9488	20/12/2010	NICKO LANDSCAPING	REPAIRS TO FLYSCREENS, TOUCH UP PAINTING, RUBBISH TAKEN TO TIP	-180.00
EFT9489	20/12/2010	OAKLEY EARTHWORKS CONCRETE	CONCRETE, BOBCAT, TRENCHER, AUGER	-5516.02
EFT9490	20/12/2010	PURCHER INTERNATIONAL PTY LTD	AS BLUE 20 LITRES	-145.20
EFT9491	20/12/2010	PAPER PLUS	MARBIG TELEPHONE SHOULDER REST - BLACK	-175.40
EFT9492	21/12/2010	EARTHWORKS TRAINING & ASSESSMENT SERVICES	TRAFFIC MANAGEMENT COURSES FOR 6 ATTENDEES	-3000.00
EFT9493	21/12/2010	CENTAMAN SYSTEMS PTY LTD	CENTAMAN ANNUAL CHARGE 01.12.2010-30.11.2011	-2868.00
EFT9494	21/12/2010	CHAMBERLAIN RUSSELL	ACCOMMODATION	-1011.90
EFT9495	21/12/2010	UNIVERSAL CARTRIDGES PTY LTD	RICHOH MPC 4500	-983.40
EFT9496	21/12/2010	FLETCHER COMMUNICATIONS	NEW TELEPHONE SYSTEM	-7694.50
EFT9497	21/12/2010	GERALDTON INDUSTRIAL SUPPLIES	677.16HEAVY DUTY WHEEL DOLLY	-677.16
EFT9498	21/12/2010	UHY HAINES NORTON	AUDIT CERTIFICATION ON RESPECT OF ROYALTIES FOR REGIONS 2008/09 FUNDING	-2915.00
EFT9499	21/12/2010	HERITAGE RESORT SHARK BAY	Accommodation for Cr Pepworth Annual Electors Meeting Wednesday 15/12/2010	-144.00
EFT9500	21/12/2010	TOLL IPEC PTY LTD	WESTRAC - FREIGHT	-10.91
EFT9501	21/12/2010	SHARK BAY CLEANING SERVICE	FISH CLEANING FACILITIES X 2	-4948.25
EFT9502	21/12/2010	SHARK BAY ELECTRICAL	SUPPLY LEAD TO TIP DONGA	-1144.40

EFT	Date	Name	Description	Amount
		MAINACE HOLDINGS PTY LTD T/A		
EFT9503	21/12/2010	WESTRAC EQUIPMENT PTY LTD	ADJUSTER KIT	-332.09
EFT9504	21/12/2010	WA LOCAL GOV SUPERANNUATION PLAN P/L	Superannuation contributions	-6999.66
EFT9505	23/12/2010	CONCEPT MEDIA	Advertising in Have a Go News - Annual Travel Guide to WA	-167.20
EFT9506	23/12/2010	ART ON THE MOVE	Art on the move travelling exhibition costs - Voices of the Wheatbelt - December 2010	-550.00
EFT9507	23/12/2010	S.A.BURTON	TO REPLACE LOCK ON SLIDING DOOR OF COMMUNITY CENTRE	-201.08
EFT9509	23/12/2010	HORIZON POWER-SBIC	SBIC ELECTRICITY - MONTHLY ACCOUNT	-5411.61
EFT9510	23/12/2010	HERITAGE RESORT SHARK BAY	12 Cartons of Beer for Xmas Party	-771.80
EFT9511	23/12/2010	JACQUI TOWELL	AUSTRALIA DAY BREAKFAST PLATES, NAPKINS, CUPS, CUTLERY	-85.88
EFT9512	23/12/2010	MIDWEST FIRE PROTECTION SERVICE	QUARTERLY SERVICE ALARM SYSTEM	-275.00
EFT9513	23/12/2010	SHARK BAY COMMUNITY RESOURCE CENTRE	Colour photocopies of Visitors Centre Letterhead for Membership invoices	-27.00
EFT9514	23/12/2010	VISITOR CENTRE ASSOCIATION OF WA INC	Italic i mat for entrance	-298.40
EFT9515	23/12/2010	VISIT MERCHANDISE	Can Cooler Shark Bay World Heritage Discovery Centre for resale	-1784.40
EFT9516	23/12/2010	WEST-OZ WEB SERVICES	Annual web advertising feature and admin fee	-275.00
EFT9517	04/01/2011	DEPARTMENT OF ENV & CONS	MONKEY MIA ADULT DAY PASSES 3001-3500 FOR RESALE	-8460.00
EFT9541	11/01/2011	BOOKEASY AUSTRALIA PTY LTD	BOOKEASY	-311.84
EFT9542	11/01/2011	DENHAM IGA X-PRESS	STAFF FUNCTION	-192.21
EFT9543	11/01/2011	FIRE & EMERGENCY SERVICES AUTHORITY OF WA	SHIRE OF SHARK BAY ESL BILLING 2010/11	-3424.84
EFT9544	11/01/2011	SHARK BAY SUPERMARKET	STAFF FUNCTION	-161.36
EFT9545	11/01/2011	HORIZON POWER-STREET	201 LIGHTS	-2319.34

EFT	Date	Name	Description	Amount
EFT9546	11/01/2011	PRECEDENT COMM AUSTRALIA PTY LTD	LIGHTING SHARK BAY WEBSITE	-7892.50
EFT9547	11/01/2011	SHARK BAY COMMUNITY RESOURCE CENTRE	USE OF VIDEO CONFERENCING FACILITES 2 HOURS	-176.00
EFT9548	11/01/2011	SHARK BAY CLEANING SERVICE	ANNUAL CLEANING CONTRACT FOR SBIC 2010-11	-9340.04
EFT9559	11/01/2011	TOURISM KANGAROO ISLAND	NATIONAL LANDSCAPES FIELD TRIP ON KANGAROO ISLAND - C COWELL	-130.00
EFT9560	11/01/2011	GASCOYNE OFFICE EQUIPMENT	PHOTOCOPIER- REPAIRS	-308.00
EFT9561	11/01/2011	ITVISION	ONSITE TRAINING 2.5 DAYS FROM 30.11.10 TO 03.12.10	-5028.58
EFT9562	11/01/2011	LIFETEC PTY LTD	WEIGHT VEST 20KG	-286.00
EFT9563	11/01/2011	RICHARD CLAUDE MORONEY	CLEAN UP AND REMOVE RUBBISH AROUND SBIC	-62.50
EFT9564	11/01/2011	SHARK BAY TAXI SERVICE	SHIRE/OVERLANDER RUN	-832.70
EFT9565	11/01/2011	GERALDTON FISH MARKET	4KGS UNCOOKED PRAWNS	-120.00
EFT9566	11/01/2011	SHARKBAY EARTHMOVING	FOR DECEMBER (443 X 9)	-9339.84
EFT9567	12/01/2011	AZURE BISTRO	3 LARGE SALADS -GARDEN, POTATO, PASTA	-92.50
EFT9568	12/01/2011	SHARK BAY BAKERY	24 round Bread Rolls	-33.60
EFT9569	12/01/2011	J & T FREIGHT	PURCHER	-133.55
EFT9570	12/01/2011	MITRE 10 SHARK BAY MARINE & HARDWARE	WIRE TIE, NUTSETTER MAGENTIC, SHOVEL, FILM POLY BLACK	-682.20
EFT9571	12/01/2011	TRAVIS PRESS	TO REPAIR LEAKS TO ROOF ON PENSIONER UNIT 3	-77.95
EFT9572	12/01/2011	SHARK BAY PASTORAL HISTORY GROUP	ROUND TWO DONATIONS AND FINANCIAL ASSISTANCE SB PASTORAL HISTORY GROUP	-4478.00
EFT9573	12/01/2011	AUSTRALIA POST	LOCAL POST	-323.41
EFT9574	12/01/2011	BOC LIMITED	CONTAINER RENTAL	-80.23
EFT9575	12/01/2011	GERALDTON FUEL COMPANY	FUEL BULK	-7030.69
EFT9576	12/01/2011	GOLDEN WEST NETWORK	ADVERTISING ON GWN	-1210.00
EFT9577	12/01/2011	TOLL IPEC PTY LTD	FREIGHT	-58.56
EFT9578	12/01/2011	NEVERFAIL SPRINGWATER	WATER	-12.65
EFT9579	12/01/2011	PRECEDENT COMMAUSTRALIA	SHARK BAY WEBSITE	-6787.00

EFT	Date	Name	Description	Amount
EFT9580	12/01/2011	PTY LTD SHARK BAY CAR HIRE	CAR HIRE TO TRANSPORT DOCTOR FROM AIRPORT TO SILVER CHAIN AND RETURN	-495.00
EFT9581	12/01/2011	SHIRE OF SHARK BAY	INV 7818	-241.50
EFT9582	12/01/2011	ROB SKELTON PLUMBING	TO SUPPLY AND FIT A NEW HOT WATER SYSTEM	-1515.50
EFT9583	14/01/2011	SHARK BAY ROOFING	REMOVAL OF SHEDS AT THE REAR OF SHIRE OFFICES	-13089.00
EFT9584	14/01/2011	AUSTRALIA DAY COUNCIL OF WA INC	MERCHANDISE FOR AUSTRALIA DAY	-246.00
EFT9585	14/01/2011	CHERYL COWELL	MEETING ATTENDANCES	-1190.00
EFT9586	14/01/2011	JOHN JOSEPH HANSCOMBE	MEETING ATTENDANCE	-300.00
EFT9587	14/01/2011	JOE MCLAUGHLIN	MEETING ATTENDANCE	-300.00
EFT9588	14/01/2011	NEVERFAIL SPRINGWATER	WATER	-24.05
EFT9589	14/01/2011	DARREN PEPWORTH	MEETING ATTENDANCE	-300.00
EFT9590	14/01/2011	PAULS TYRES	REMOVE AND REFIT 8 TRUCK TYRES	-1453.00
EFT9591	14/01/2011	GREGORY LEON RIDGLEY	MEETING ATTENDANCES	-300.00
EFT9592	14/01/2011	SHARK BAY COMMUNITY RESOURCE CENTRE	Photocopying agendas December	-34.75
EFT9593	14/01/2011	SHARK BAY MECHANICAL & TOWING SERVICES	TRACTOR TYRES	-3948.24
EFT9594	14/01/2011	SHARK BAY SKIPS	SUPPLY AND LIFT OF SKIP BINS	-535.00
EFT9595	14/01/2011	NORTHERN GLASS	WINDSCREEN REPLACEMENT CEO'S VEHICLE	-579.90
EFT9596	14/01/2011	AUSTRALIAN TAXATION OFFICE	Payroll deductions	-18386.97
EFT9597	14/01/2011	BRIAN WAKE	MEMBER TRAVEL	-696.04
EFT9598	28/01/2011	TRAVIS PRESS	TO REPAIR LEAKS TO ROOF	-711.10
EFT9599	28/01/2011	P.G & S. J WOOD	TO TRANSFER FAX LINE INTO FRONT OFFICE	-465.00
EFT9600	28/01/2011	Data #3	Adobe Acrobat Professional upgrade to version 10	-125.89
EFT9601	28/01/2011	FASCINE LODGE	Accommodation for Jo-Anne Taylor to complete Police Licensing training in Carnarvon	-552.81
EFT9602	28/01/2011	GASCOYNE OFFICE EQUIPMENT	REPAIRS TO RICHOH MPC 4500 PHOTOCOPIER	-88.00
EFT9603	28/01/2011	GERALDTON MOWER & REPAIRS SPECIALISTS	KUBOTA VACUUM FAN BELTS	-119.50
EFT9604	28/01/2011	HORIZON POWER-SBIC	SBIC ELECTRICITY - MONTHLY ACCOUNT	-5073.99
EFT9605	28/01/2011	HERITAGE RESORT SHARK BAY	ACCOMMODATION FOR MR MARTIN SEARLE -	-144.00

EFT	Date	Name	Description	Amount
			ENGINEER - MONKEY MIA FINGER JETTY	
EFT9606	28/01/2011	TOLL IPEC PTY LTD	FREIGHT	-175.60
EFT9607	28/01/2011	J & T FREIGHT	FREIGHT	-29.50
EFT9608	28/01/2011	NICKO LANDSCAPING	To clean pontoon and rid of slippery surface	-56.00
EFT9609	28/01/2011	RICHARD CLAUDE MORONEY	REPLACE LOCK FOR SHOP 6	-41.95
EFT9610	28/01/2011	SHARK BAY CLEANING SERVICE	FISH CLEANING FACILITIES X 2	-4871.25
EFT9611	28/01/2011	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSO	AIR FARES AND ACCOMMODATION COST, FOR COUNCILLORS, CEO PERFORMANCE INDICATORS	-853.78
EFT9612	28/01/2011	WESTRAC EQUIPMENT PTY LTD	SWITCH	-20.59
EFT9613	31/01/2011	WA LOCAL GOV SUPERANNUATION PLAN P/L	Superannuation contributions	-13816.19
EFT9637	02/02/2011	JO-ANNE TAYLOR	REIMB MEALS	-110.28
EFT9638	02/02/2011	COURIER AUSTRALIA	FREIGHT	-43.20
EFT9639	02/02/2011	UHY HAINES NORTON	AUDIT CERTIFICATION - WORLD HERITAGE DRIVE	-880.00
EFT9640	02/02/2011	JACQUI TOWELL	MERCHANDISE FOR AUSTRALIA DAY	-70.00
EFT9641	02/02/2011	MCLEODS BARRISTERS AND SOLICITORS	LEGAL EXPENSES	-5358.25
EFT9642	02/02/2011	MINTER ELLISON	BARNARD STREET	-5334.26
EFT9643	02/02/2011	DARREN PEPWORTH	SES LAPTOP	-1443.73
EFT9644	02/02/2011	PEST-A-KILL	MICE MONITORING & BAITING	-242.00
EFT9645	02/02/2011	PAULS TYRES	WHEEL BEARING KIT	-33.50
EFT9658	08/02/2011	SHARK BAY BAKERY	Sandwich Bread loaves	-24.00
EFT9659	08/02/2011	COURIER AUSTRALIA	FREIGHT	-41.88
EFT9660	08/02/2011	HORIZON POWER-MAIN USAGE	ELECTRICITY WORKS MANAGER	-226.79
EFT9661	08/02/2011	TOLL IPEC PTY LTD	FREIGHT	-168.15
EFT9662	08/02/2011	J & T FREIGHT	FREIGHT	-269.50
EFT9663	08/02/2011	LGIS WORKCARE	PAYMENT WITH THE DIFFERENCE IN EST WAGES AND ACTUAL WAGES PAID	-1903.00
EFT9664	08/02/2011	MITRE 10 SHARK BAY MARINE & HARDWARE	BBQ equipment for Aust Day breakfast	-53.80

EFT	Date	Name	Description	Amount
EFT9665	08/02/2011	JAMES MCKECHNIE	PROJECT MANAGEMENT CONSULTANCY	-11016.20
EFT9666	08/02/2011	NICKO LANDSCAPING	GENERAL MAINT OF GROUNDS - PENSIONER'S UNITS	-420.00
EFT9667	08/02/2011	RICHARD CLAUDE MORONEY	CLEAN UP AND REMOVE RUBBISH AROUND SBIC	-25.00
EFT9668	08/02/2011	GERALDTON FISH MARKET	10kg Mullet fillets	-170.00
EFT9669	08/02/2011	SEARLE CONSULTING PTY LTD	PROFESSIONAL SERVICES	-1500.00
EFT9670	08/02/2011	SHARK BAY CAR HIRE	CAR HIRE TO TRANSPORT DOCTOR FROM AIRPORT TO SILVER CHAIN AND RETURN	-495.00
EFT9671	08/02/2011	TRUCKLINE PARTS CENTRE	BEARING SEALS	-43.58
EFT9672	08/02/2011	AMELUP SERVICE STATION	CART GRAVEL FOR SHARK BAY ROAD TYNE AND ADD	-11682.00
EFT9673	08/02/2011	BATTERY MART	Battery For Pump	-95.70
EFT9674	08/02/2011	CUMMINS SOUTH PACIFIC PTY LTD	FILTER	-621.69
EFT9675	08/02/2011	HORIZON POWER-STREET LIGHTING	201 LIGHTS	-2319.34
EFT9676	08/02/2011	J & T FREIGHT	FREIGHT- BATTERY	-33.40
EFT9677	08/02/2011	NICKO LANDSCAPING	Cleaning of Rock Wall	-308.00
EFT9678	08/02/2011	PEMCO DIESEL	SUPPLY FUEL PUMP AND V BELT	-1008.98
EFT9679	08/02/2011	SEARLE CONSULTING PTY LTD	RECONSTRUCTION JETTY	-1320.00
EFT9680	08/02/2011	TRUCKLINE PARTS CENTRE	AIR SYSTEM FOR BRAKES	-1692.43
EFT9682	08/02/2011	SHARK BAY SUPERMARKET	AUST DAY EVENT	-259.48
EFT9683	08/02/2011	HORIZON POWER-MAIN USAGE	ELECTRICITY	-8178.83
EFT9684	08/02/2011	MCLEODS BARRISTERS AND SOLICITORS	28839 LEGAL SERVICES	-1537.96
EFT9685	08/02/2011	SHARK BAY TAXI SERVICE	SHIRE/OVERLANDER RUN	-1040.87
EFT9686	08/02/2011	SHARK BAY COMMUNITY RESOURCE CENTRE	PRINTING OF A3 PRINTS, RAFFLE BOOKS	-82.50
EFT9687	08/02/2011	SHARK BAY CLEANING SERVICE	ANNUAL CLEANING CONTRACT FOR SBIC 2010-11	-9450.26
EFT9688	08/02/2011	SHARKBAY EARTHMOVING	FOR JANUARY (444 X 98	-8801.24
EFT9689	10/02/2011	ROBERT O'BRIEN	RETAINING WALL - TOWN HALL	-7000.00
EFT9690	10/02/2011	PUBLIC LIBRARIES WESTERN AUSTRALIA INC.	PLWA MEMBERSHIP 2010/2011	-100.00
EFT9691	10/02/2011	DEPARTMENT OF THE PREMIER	ADVERTISING GOV GAZETTE	-365.76

EFT	Date	Name	Description	Amount
		AND CABINET		
EFT9692	10/02/2011	STATE LIBRARY OF WA	GIFTS FOR THE BETTER BEGINNINGS	-27.50
EFT9693	10/02/2011	SHARK BAY BAKERY	SANDWICHES FOR 7 PEOPLE FRIDAY 21 JANUARY 2011	-80.00
EFT9694	10/02/2011	GOLDEN WEST NETWORK	ADVERTISING ON GWN	-440.00
EFT9695	10/02/2011	TOLL IPEC PTY LTD	FREIGHT	-31.11
EFT9696	10/02/2011	MINTER ELLISON	60-1428431 LEGAL EXPENSES	-7218.20
EFT9697	10/02/2011	MITRE 10 SHARK BAY MARINE & HARDWARE	KILLRUST, HOSES ETCTOOLS	-328.41
EFT9698	10/02/2011	AUSTRALIA POST	LOCAL POST	-231.83
EFT9699	10/02/2011	BAJA DATA & ELECTRICAL SERVICES	TO RESENT ELECTRICITY AT FORESHORE TOILETS	-434.50
EFT9700	10/02/2011	BOOKEASY AUSTRALIA PTY LTD	BOOKEASY	-337.65
EFT9701	10/02/2011	BOC LIMITED	CONTAINER RENTAL	-80.23
EFT9702	10/02/2011	DENHAM IGA X-PRESS	AUSTRALIAN DAY SUPPLIES	-411.69
EFT9703	10/02/2011	GERALDTON FUEL COMPANY	Fuel For Depot	-20642.84
EFT9704	10/02/2011	JOJUNICA PTY LTD	MEETING HELD BY SES SUPPLIES- BUTCHER	-345.11
EFT9705	10/02/2011	MIDWEST AUTO GROUP	PARTS (UNIVERSAL)	-157.09
EFT9706	10/02/2011	MALIBU NOMINEES	Cart Garvel Shark Bay Road	-30096.00
EFT9707	10/02/2011	PRECEDENT COMMUNICATIONS AUSTRALIA PTY LTD	SHARK BAY WEBSITE	-2271.50
EFT9708	10/02/2011	SHARK BAY CLEANING SERV	TO CLEAN UNIT 1 & SHAMPOO LOUNGE	-192.50
EFT9709	10/02/2011	TOTALLY WORKWEAR	STAFF UNIFORMS	-539.32
			TOTAL	\$513,855.42

**SHIRE OF SHARK BAY
ORDINARY COUNCIL MEETING 23 FEBRUARY 2011
TRUST CHEQUES 727-753**

CHQ	Date	Name	Description	Amount
727	06/12/2010	AARON BONDITCH	GYM KEY REFUND #165	-20.00
728	09/12/2010	KATHLEEN OAKLEY	GYM KEY REFUND T OAKLEY	-10.00
729	23/12/2010	SHIRE OF SHARK BAY	LOT 111 DURLACHER ST REC # 27952	-1016.00
730	07/01/2011	SHARK BAY HOTEL MOTEL	BOOEASY DEC 2010	-263.50
731	12/01/2011	DONNA LOUISE SMITH	GYM KEY REFUND	-20.00
732	12/01/2011	DEB DYMOND	REFUND - GYM KEY	-20.00
733	27/01/2011	WEIRD LOGIC PTY LTD	REFUND COMPLETION CNR BROCKMAN ST AND HUGHES STREET DENHAM 6537	-700.00
734	27/01/2011	REX WILLIAM GRASS	COMPLETION REFUND 20 OAKLEY RISE	-500.00
735	27/01/2011	WHITESAND HOLDINGS PTY LTD ATF WASSMAN FAMILY TRUST	COMPLETION REFUND LOT 45 SELLENGER HEIGHTS	-500.00
736	27/01/2011	ROBERT LEO PEDERSEN	KERB REFUND LOT 15 TERRY DESCHAMPS WAY	-200.00
737	27/01/2011	JOHN CHRISTIAN BROUWER	COMPLETION REFUND LOT 44 SELLENGER HEIGHTS	-500.00
738	27/01/2011	R C MONCK	KERB REFUND LOT 331 DAMPIER ROAD	-200.00
739	27/01/2011	KEN SCOTT	COMPLETION REFUND 1 FREYCINET DR	-500.00
740	27/01/2011	ELENI MARKLAND	REFUND KERB DEPOSIT 303 LEEDS CT DENHAM WA 6537	-200.00
741	27/01/2011	THE ROBERT CROWHURST FAMILY TRUST	REFUND KERB - 1 LEEDS CT	-200.00
742	27/01/2011	PS CHESTER & SON	COMPLETION REFUND LOT 67 HARTOG CRES	-1500.00
743	27/01/2011	SHELLEY MICHELLE COUTTS	KERB REFUND LOT 41 SELLENGER HEIGHTS	-200.00
744	27/01/2011	KENNETH OWERS DAWE	KERB REFUND LOT 13 TERRY DESCHAMPS WAY	-200.00
745	27/01/2011	DR RICHARD EDMUND FENNY	COMPLETION REFUND OCEAN PARK RD	-300.00
746	27/01/2011	DOUGLAS MARSHALL GRAHAM	KERB REFUND LOT 325 VLAMINGH CRES	-200.00
747	27/01/2011	RICHARD JOHN LODDING	KERB REFUND LOT 23 TERRY DESCHAMPS WAY	-200.00
748	27/01/2011	AHEARN, MICHAEL FRANCIS	REFUND KERB 4 POLAND STREET DENHAM WA 6537	-200.00

CHQ	Date	Name	Description	Amount
749	27/01/2011	SHIRE OF SHARK BAY	KERB DEPOSIT (W NICHOLS) PAID TO SHIRE FOR FEES DUE	-600.00
750	27/01/2011	LEIGH STUART WRIGHT	KERB REFUND LOT 63 HUGHES ST	-200.00
751	01/02/2011	COASTAL REST	BOOKEASY JANUARY 2011	-306.00
752	01/02/2011	SWAN VALLEY TOURIST PARK	BOOKEASY JANUARY 2011	-158.27
753	01/02/2011	KALBARRI TUDOR HOLIDAY PARK	BOOKEASY JANUARY 2011	-238.00
TOTAL				\$9,151.77

SHIRE OF SHARK BAY
ORDINARY COUNCIL MEETING 23 FEBRUARY 2011
TRUST EFTS 9518-9540, 9549-9558, 9614-9627, 9646-9656

EFT	Date	Name	Description	Amount
EFT9518	07/01/2011	GERALDTON'S OCEAN WEST RESORT	BOOKEASY DECEMBER 2010	-119.00
EFT9519	07/01/2011	A ITURBID	REFUND - ACCOMMODATION DEC 2010	-363.00
EFT9520	07/01/2011	BLUE DOLPHIN CARAVAN PARK	BOOKEASY DECEMBER 2010	-77.35
EFT9521	07/01/2011	BAY LODGE	BOOKEASY DECEMBER 2010	-1019.15
EFT9522	07/01/2011	BEST WESTERN HOSPITALITY INN CARNARVON	BOOKEASY DECEMBER 2010	-287.30
EFT9523	07/01/2011	DENHAM HOLIDAY RESORT	BOOKEASY DECEMBER 2010	-1580.00
EFT9524	07/01/2011	DENHAM SEASIDE TOURIST VILLAGE	BOOKEASY DECEMBER 2010	-372.30
EFT9525	07/01/2011	DENHAM VILLAS	BOOKEASY DECEMBER 2010	-514.25
EFT9526	07/01/2011	Hartog Cottages	BOOKEASY DECEMBER 2010	-850.00
EFT9527	07/01/2011	HAMELIN POOL CARAVAN PARK	BOOKEASY DECEMBER 2010	-37.40
EFT9528	07/01/2011	HERITAGE RESORT SHARK BAY	BOOKEASY DECEMBER 2010	-1105.00
EFT9529	07/01/2011	INTOWN APARTMENTS	BOOKEASY DECEMBER 2010	-119.00
EFT9530	07/01/2011	KALBARRI MOTOR HOTEL	BOOKEASY DECEMBER 2010	-204.00
EFT9531	07/01/2011	ASPEN MONKEY MIA PTY LTD	BOOKEASY DECEMBER 2010	-1487.07
EFT9532	07/01/2011	MONKEYMIA WILDSIGHTS	BOOKEASY DECEMBER 2010	-202.30

EFT	Date	Name	Description	Amount
EFT9533	07/01/2011	NINGALOO REEF RESORT	BOOKEASY DECEMBER 2010	-918.00
EFT9534	07/01/2011	OCEANSIDE VILLAGE	BOOKEASY DECEMBER 2010	-1394.00
EFT9535	07/01/2011	SHARK BAY HOLIDAY COTTAGES	BOOKEASY DECEMBER 2010	-195.50
EFT9536	07/01/2011	SHARK BAY AIR CHARTER	BOOKEASY DECEMBER 2010	-161.50
EFT9537	07/01/2011	SHARKBAY CARAVAN PARK	BOOKEASY DECEMBER 2010	-378.25
EFT9538	07/01/2011	SHIRE OF SHARK BAY	COMM BOOKEASY DEC 2010	-2435.38
EFT9539	07/01/2011	TRADEWINDS SEAFRONT	BOOKEASY DEC 2010	-2661.00
EFT9540	07/01/2011	WINTERSUN HOTEL MOTEL GERALDTON	BOOKEASY DEC 2010	-123.25
EFT9549	11/01/2011	BLUE LAGOON PEARLS	DECEMBER 2010	-104.40
EFT9550	11/01/2011	MONKEY MIA YACHT CHARTERS (ARISTOCAT)	DECEMBER 2010	-5740.26
EFT9551	11/01/2011	MONKEYMIA WILDSIGHTS	DECEMBER 2010	-7327.14
EFT9552	11/01/2011	WEST AUSTRALIAN OCEAN PARK PTY LTD	DECEMBER 2010	-913.50
EFT9553	11/01/2011	PAULS GALLERY	DECEMBER 2010	-56.00
EFT9554	11/01/2011	SHARK BAY AIR CHARTER	DECEMBER 2010	-2987.58
EFT9555	11/01/2011	SHARKBAY COACHES	DECEMBER 2010	-1100.55
EFT9556	11/01/2011	SHIRE OF SHARK BAY	COMMISSION DECEMBER 2010	-3319.17
EFT9557	11/01/2011	UNREAL FISHING CHARTERS	DECEMBER 2010	-1914.00
EFT9558	11/01/2011	WULA GUDA NYINDA (CAPES)	DECEMBER 2010	-278.40
EFT9614	01/02/2011	BLUE DOLPHIN CARAVAN PARK	BOOKEASY JANUARY 2011	-982.00
EFT9615	01/02/2011	BAY LODGE	BOOKEASY JANUARY 2011	-2165.80
EFT9616	01/02/2011	DENHAM SEASIDE TOURIST VILLAGE	BOOKEASY JANUARY 2011	-439.45
EFT9617	01/02/2011	DENHAM VILLAS	BOOKEASY JANUARY 2011	-703.25
EFT9618	01/02/2011	Hartog Cottages	BOOKEASY JANUARY 2011	-1213.50
EFT9619	01/02/2011	HERITAGE RESORT SHARK BAY	BOOKEASY JANUARY 2011	-323.00
EFT9620	01/02/2011	KALBARRI EDGE RESORT	BOOKEASY JANUARY 2011	-683.40
EFT9621	01/02/2011	ASPEN MONKEY MIA PTY LTD	BOOKEASY JANUARY 2011	-1217.20
EFT9622	01/02/2011	MONKEYMIA WILDSIGHTS	BOOKEASY JANUARY 2011	-2447.15
EFT9623	01/02/2011	OCEANSIDE VILLAGE	BOOKEASY JANUARY 2011	-2278.00
EFT9624	01/02/2011	SHARKBAY CARAVAN PARK	BOOKEASY JANUARY 2011	-582.25
EFT9625	01/02/2011	SHIRE OF SHARK BAY	BOOKEASY COMMISSION JAN 2011	-2597.43
EFT9626	01/02/2011	TRADEWINDS SEAFRONT APARTMENTS	BOOKEASY JANUARY 2011	-1164.50
EFT9627	01/02/2011	WULA GUDA NYINDA (CAPES)	BOOKEASY JANUARY 2011	-68.00

EFT	Date	Name	Description	Amount
EFT9646	02/02/2011	AUSSIE OFFROAD TOURS	TOURS JAN 11	-261.00
EFT9647	02/02/2011	BLUE LAGOON PEARLS	TOURS JAN 11	-52.20
EFT9648	02/02/2011	MONKEY MIA YACHT CHARTERS (ARISTOCAT)	TOURS JAN 11	-6080.43
EFT9649	02/02/2011	MONKEYMIA WILDSIGHTS	TOURS JAN 11	-5471.43
EFT9650	02/02/2011	WEST AUSTRALIAN OCEAN PARK PTY LTD	TOURS JAN 11	-609.00
EFT9651	02/02/2011	PAULS GALLERY	SALES JAN 11	-132.00
EFT9652	02/02/2011	SHARK BAY AIR CHARTER	TOURS JAN 11	-948.30
EFT9653	02/02/2011	SHARKBAY COACHES	TOURS JAN 11	-1026.60
EFT9654	02/02/2011	SHIRE OF SHARK BAY	COMMISSION TOURS JANUARY 2011	-2439.04
EFT9655	02/02/2011	UNREAL FISHING CHARTERS	TOURS JAN 11	-1305.00
EFT9656	02/02/2011	WULA GUDA NYINDA (CAPES)	TOURS JAN 11	-348.00
			TOTAL	\$75,882.93

12.3 FINANCIAL REPORTS TO 31 JANUARY 2011Author

Accountant

Disclosure of Any Interest

Declaration of Interest:

Nature of Interest:

Moved Cr Ridgley
 Seconded Cr Pepworth

Council Resolution

**That the monthly financial reports to 31 January 2011 as attached be received.
 5/0 CARRIED**

Comment

As per the requirements of Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government Accounting (Financial Management) Regulations 1996*, the following monthly financial reports to **31 January 2011** are attached.

TABLE OF CONTENTS

Statement of Financial Activity	2
Notes to and Forming Part of the Statement	3 to 15
Supplementary Information	
Summary of Cash/Investments	16
Bank Reconciliation	17
Statement of Financial Position	18
Notes to Statement of Financial Position	19 to 20
Operating Statement by Nature & Type	21
Operating Statement by Program	21
Program Progress Report	Attachment
Material Variance Report	Attachment

Voting Requirements

Absolute Majority Required.

Date of Report

12 February 2011

12.4 BUDGET REVIEWAuthor

Accountant

Disclosure of Any Interest

Nil

Moved Cr Ridgley
Seconded Cr McLaughlin

Officer Recommendation

That Council -

1. **Accept the budget review as presented; and**
2. **Adopt the revised budget figures as budget amendments for the year ending 30 June 2011 showing a deficit of \$39,873.**

Cr McLaughlin left the meeting at 10.48am

Cr McLaughlin returned to the meeting at 10.51am

Moved Cr Ridgley
Seconded Cr McLaughlin

AMENDMENT TO RECOMMENDATION

Reason for Amendment: That Council wanted the administration to take measures so that the budget did not end up as a deficit.

Council Resolution

1. **Accept the budget review as presented: and**
2. **Adopt the revised budget figures as budget amendments for the year ending 30 June 2011 showing a deficit of \$39,873.**
3. **Instruct the administration to take proactive steps to ensure that the projected budget deficit is not exceeded and where possible steps are taken to ensure a balanced budget**

5/0 CARRIEDBackground

Local Governments are required to conduct a budget review between 1 January and 31 March each financial year. This is a requirement covered by Regulation 33A of the *Local Government (Financial Management) Regulations 1996* (FM Regulations). The intention of the legislation is to ensure Local Governments conduct at least one budget review between six and nine months into a financial year.

A budget review is a detailed comparison of the year to date actual results with the adopted or amended budget. It establishes whether a Local Government continues meeting its budget commitments; is in receipt of income and incurs expenditure in accordance with the adopted budget.

Regulation 33A(2) and (3) of the FM Regulations requires the results of the budget review to be submitted to Council within 30 days of the review. Council is then to consider the review submitted to Council within 30 days of the review and determine whether or not to adopt the review, any part of the review or any recommendations made in the review.

Regulation 33A(4) states that within 30 days after Council has made a determination, a copy of the review and determination is to be provided to the Department of Local Government and Regional Development.

Comment

The budget review for the year ending 30 June 2011 has been conducted by senior management and have indicated the reasons for the significant variances and the actions required to address the problem.

The revised budget figures presented in the report reflect the anticipated expenditure or income for the period under review. These revised budget figures will represent the new amended budget if accepted by Council as these figures may correspond to changes since the adoption of the current budget and if different require a budget amendment and approval by Council.

If the revised budget figures are adopted as the amended budget it is expected that the Shire of Shark Bay will be left with a deficiency of \$39,873 to be carried forward as at 30 June 2011.

as at 31/12/2010

SHIRE OF SHARK BAY
Printed : at 4:55 PM on 15/02/2011

COA	Description	Original Budget	YTD Actual	Budget Adjustment	Comment
00101420	Debt Recovery Costs - Rates	\$1,800.00	\$0.00	(1,500.00)	Expense expected to be less than budgeted
00304140	Interest Earned - Investments	-\$40,000.00	-\$12,168.25	15,000.00	Income less due to reduced funds in Miami account
00403610	Debt Recovery Costs	-\$3,500.00	\$0.00	1,500.00	Income less due to reduced debt recovery needs
00404413	Commission - Police Department	-\$20,000.00	-\$7,480.20	5,000.00	Income expected to be less possibly due to increase in online payments
00404414	Reimbursements - Police Licensing Credit Card Facilities Charges	-\$600.00	-\$2,851.17	(2,000.00)	Income exceeds budget
05101281	Strategic Planning	\$35,000.00	\$13,332.32		May need to repay unexpensed portion
05200950	Recruitment/Relocation Costs	\$12,000.00	\$18,655.03	6,500.00	Expenditure exceeds budget
05200775	Utilities - Shire Office	\$11,500.00	\$11,524.87	7,000.00	Expenditure exceeds budget expectations
05200860	Vehicle Running Costs - CEO (OSB)	\$12,500.00	\$2,994.78	(5,500.00)	Expenditure expected to be less than budgeted
05200861	Vehicle Running Costs - Administration Pool Car	\$3,500.00	\$586.83	(1,500.00)	Expenditure expected to be less than budgeted
05200930	Computer Software Support	\$25,000.00	\$26,223.25	1,500.00	Expenditure exceeds budget
05200950	Photocopier - Servicing	\$10,000.00	\$735.02	(7,000.00)	Expenditure expected to be less than budgeted
05200965	Photocopier - Stationery	\$6,000.00	\$1,078.00	(3,000.00)	Expenditure expected to be less than budgeted
05200975	Printing & Stationery - Governance	\$13,000.00	\$3,638.28	(3,000.00)	Expenditure expected to be less than budgeted
05200980	Publications & Subscriptions - Governance	\$3,000.00	\$9,650.85	7,000.00	Workplace solutions and Linking Councils with Communities subscriptions
05202580	Legal Expenses	\$30,000.00	\$70,234.59	100,000.00	Expenditure exceeds budget.
05203650	Reimbursements - Other	-\$3,000.00	-\$3,423.67		\$3,225 water leak claim for Denham Hall
05204405	Insurance Reimbursement	\$0.00	-\$2,853.90	(3,000.00)	Not budgeted Good driver rebate and G Parker claim.
05204979	Furniture and Fittings - 39 Durlacher Street	\$0.00	\$5,087.88		Budgeted under staff housing capital works.
05210701	Cleaning - 39 Durlacher Street	\$0.00	\$265.69	1,000.00	No budget allocation
05210701	Maintenance - 39 Durlacher Street	\$0.00	\$806.07	2,000.00	No budget allocation
05210701	Rent - 39 Durlacher Street	\$0.00	\$6,105.60	13,000.00	No budget allocation
05210701	Utilities - 39 Durlacher St	\$0.00	\$137.61	1,500.00	No budget allocation
10302750	Ranger Patrols	\$20,000.00	\$5,558.63	(6,000.00)	Expense expected to be less than budgeted
10303218	Grant FESA - SES	-\$4,000.00	-\$5,153.00	(1,100.00)	SES FESA Grant allocation exceeds budget
10303401	Contribution - SES	\$0.00	-\$2,077.90	(2,100.00)	SES equipment grant not budgeted
30102190	Refuse Site Maintenance	\$150,000.00	\$32,547.24	(45,000.00)	Expense expected to be less than budgeted

as at 31/12/2010

SHIRE OF SHARK BAY
 Printed : at 4:55 PM on 15/02/2011

CDA	Description	Original Budget	YTD Actual	Budget Adjustment	Comment
30209720	Refuse Site Fees	-\$120,000.00	-\$21,626.23	80,000.00	Income expected to be less than budgeted

as at 31/12/2010

SHIRE OF SHARK BAY
Printed : at 4:55 PM on 15/02/2011

COA	Description	Original Budget	YTD Actual	Budget Adjustment	Comment
35103201	Grant - Community Centre	\$0.00	-\$9,900.00	(9,900.00)	Not budgeted
35103341	Grant - DSRRF Rec centre	-\$400,000.00	\$0.00	400,000.00	DSR application unsuccessful
35103344	Grant - GDC R4R Rec Centre Construction	-\$3,500,000.00	\$0.00	(400,000.00)	Extra funding from R4R application
35104701	Community Centre Improvements	\$6,000.00	\$15,121.49	9,900.00	Extra works from unbudgeted grant funds
35104702	Community Building/Hall	\$0.00	\$4,345.35	4,500.00	Council Chamber air cond replacement not budgeted
35120775	Utilities - Denham Hall	\$5,500.00	\$10,562.46	8,000.00	Excessive water bill due to leak, reimbursement claimed
35201920	Beach/Rock Wall Maintenance	\$6,000.00	\$1,887.97	(3,000.00)	Expenditure expected to be less than budgeted
35210715	Cleaning - Foreshore/Lagoon	\$31,800.00	\$15,850.72	15,000.00	Extra cleaning of new facilities
35302125	Multi-Purpose Courts	\$5,000.00	\$129.74	(3,000.00)	Expenditure expected to be less than budgeted
35302242	Town Oval Maintenance	\$23,000.00	\$5,929.62	(3,000.00)	Expenditure expected to be less than budgeted
35305592	Pioneer Park Upgrade	\$0.00	\$2,900.00	2,900.00	Fencing not budgeted
35601200	Shark Bay Historical Projects	\$0.00	\$4,478.00		Funding already accounted for in financial assistance budget
35605101	Oral Pastoral History	\$39,000.00	\$0.00	(14,000.00)	Overbudgeted
36000877	Promo Material - SBIC	\$5,000.00	\$6,376.75	1,500.00	Expense exceeds budget
36002699	Purchase - Merchandise	\$40,000.00	\$44,298.29	30,000.00	Monkey Mia Passes
36003770	Sale - Merchandise	-\$45,000.00	-\$50,428.61	(30,000.00)	Monkey Mia Passes
36004790	SBDC Windows Insurance Claim	\$0.00	\$0.00	(\$5,000.00)	Insurance Claim on SBDC Windows
45102760	Shark Bay Discovery Centre Land & Buildings	\$30,000.00	\$52,409.31	\$5,000.00	SBDC Windows Repairs
45103290	Road Data Collection	\$3,000.00	\$92.44	5,000.00	Upgrade to Remans II subscription
45150015	Contribution Useless Loop Road	\$0.00	-\$30,000.00	(60,000.00)	Not budgeted, contribution by Salt for Useless Loop Road
45155670	Eagle Bluff Road - Capital	\$0.00	\$0.00	90,000.00	Diverted from Stella Rowley Drive as per PRG schedule
45185791	O'Dene Road - Capital Works	\$0.00	\$17,595.06		RZR funded project
	Stella Rowley Drive	\$90,000.00	\$0.00	(90,000.00)	Reallocated to Eagle Bluff Road as per PRG schedule

SHIRE OF SHARK BAY
 Printed : at 4:55 PM on 15/02/2011

as at 31/12/2010

COA	Description	Original Budget	YTD Actual	Budget Adjustment	Comment
45205345	Country Ute Replacement	\$44,000.00	\$0.00	(44,000.00)	Deferred
45205555	Deputy Works Ute	\$44,000.00	\$0.00	(44,000.00)	Deferred
45205485	Works Ute Replacement	\$52,000.00	\$42,233.32	(9,766.68)	Expenditure less than budget
45205493	Bob Cat Accessories and Trailer	\$85,000.00	\$0.00	(85,000.00)	Deferred
45501590	Denham Service Jetty Mtce	\$7,000.00	\$17,743.02	11,000.00	Expense exceeds budget, (damage from storm and boats moved at time.)
45503730	Fuel Wharfage Charge	-\$15,000.00	-\$4,782.83	7,000.00	Income expected to be less than budgeted
50203230	Festivals/Events -Other Grants	\$0.00	-\$20,000.00	(20,000.00)	Not budgeted, drought relief grant for community events.
50205725	Entry Statement/Carpark	\$110,000.00	\$0.00	80,000.00	Not budgeted, entry statement completion.
50400775	Utilities - Hout Property	\$0.00	\$3,053.09		Expenditure to be reversed out.
50402820	Little Lagoon Site Planning	\$0.00	\$2,860.00	2,860.00	Not budgeted, final payment for site planning
50402900	Property Valuation Expense	\$2,500.00	\$6,784.00	4,300.00	Valuation of Shire offices, not budgeted
50403985	Royalties - Shell Mining	-\$18,000.00	-\$5,276.22	6,500.00	Income expected to be less than budgeted
50410730	Maintenance - Mccleary Propert	\$3,000.00	\$270.85	12,000.00	Removal of asbestos sheds behind offices not budgeted
50430740	Maintenance Monkey Mia Bore	\$0.00	\$3,400.00	5,000.00	Not budgeted, repair costs still unknown.
	Total Budget Adjustment (Surplus) Deficiency			70,160.00 D	
	Original Budget (Surplus) Deficiency			(30,287.00) S	
	Budget Review (Surplus) Deficiency			\$9,873.00 D	

Legal Implications

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* requires a Local Government to conduct a budget review between 1 January and 31 March each financial year.

Policy Implications

Division 6 - Finance - Section 8 - Budget deliberations process.

Financial Implications

The proposed changes will decrease Council's budgeted surplus of \$30,287 to a deficiency of \$39,873 which is to be carried forward as at 30 June 2011.

Capital purchases that will be deferred until the 2011/2012 financial year include two works utes and a bobcat, attachments and trailer.

Strategic Implications

Nil

Voting Requirements

Absolute Majority Required

Date of Report 03 February 2011

12.5 NATURAL DISASTER DONATIONS

DO 105

Author

Deputy Chief Executive Officer

Disclosure of Any Interest

Nil

Moved Cr Ridgley
Seconded Cr Hanscombe

Officer Recommendation

That the \$373 raised by the community be forwarded to the, The Lord Mayor's Distress Relief Fund for the residents of Carnarvon and Upper Gascoyne.

Moved Cr McLaughlin
Seconded Cr Hanscombe

AMENDMENT TO RECOMMENDATION

Reason: That Council felt the original intent of the donation received should be adhered to.

Council Resolution

That Council forward the \$373 from Council's trust fund to the Victorian Bush Fires Appeal as was the original intent of the donation.

5/0 CARRIED

Moved Cr Hanscombe

Seconded Cr McLaughlin

AMENDMENT TO RECOMMENDATION

Reason: That Council considered it appropriate to donate to the flood appeal for the Carnarvon region.

Council Resolution

That Council donate an amount of \$1,000 to the Lord Mayors Gascoyne Flood funding.

5/0 CARRIED

Background

In February 2009 Victoria experienced a terrifying Bushfire; an appeal was established to help the victims of the fire. The Denham community placed collection tins around the town, and \$373.00 was raised and forwarded onto the shire. A recent media report indicated that there are still \$100 million remains in the Victoria Bushfire Appeal Fund.

Following an audit of the shire's trust account it was discovered the money that was collected has not been forwarded on.

The Shire President of the time Cr. Bob Eddington approved a donation of \$2500.00 to the appeal.

In December 2010 Carnarvon and Upper Gascoyne shires experienced a flood disaster and an appeal was established through, "The Lord Mayor's Distress Relief Fund".

Comment

The \$373.00 in the shires trust account needs to be forwarded onto the Victorian Bushfires Appeal.

It could be considered that the \$373.00 was part of the \$2,500.00 donated to the Victorian Bushfire appeal and the \$373.00 be receipted into the shire general funds or forwarded to the, The Lord Mayor's Distress Relief Fund for the victim of the Gascoyne floods.

Legal Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority

Date of Report

9th February 2011

Council adjourned at 11.09 am and reconvened at 11.16 am with all previous mentioned in attendance.

13.0 TOWN PLANNING REPORT

13.1 DRAFT LOCAL PLANNING STRATEGY

Author

Manager Regulatory Services

Disclosure of Any Interest

Nil

Moved Cr Ridgley
Seconded Cr Pepworth

Council Resolution

That Council invite planning consultants Grey and Lewis land use planners to attend a workshop in Denham to discuss key strategic development issues which it believes are integral to the future growth and development of the Denham Townsite that need to be clearly identified / detailed within the Local Planning Strategy.

5/0 CARRIED

Précis

In accordance with section 87 of the *Planning and Development Act 2005* the Minister for Planning and Infrastructure approved the Shire of Shark Bay, Local Planning Scheme No. 3 on the 8 January 2008. The compilation and finalisation of the Shire of Shark Bay Town Planning Scheme No 3 was over an extraordinary period of time for a small local authority Town Planning Scheme.

Subsequently when it was finalised in 2008 the scheme report which provides the statistical data and rationale to the Town Planning Scheme contained significant information that was out of date and did not reflect many current circumstances.

For this reason it has been necessary to prepare a Local Planning Strategy (which now replaces a scheme report) that will reflect the current status of the Shire and Council's strategic directions. This report reviews a draft Local Planning Strategy prior to lodging the Strategy with the Western Australian Planning Commission seeking their endorsement prior to formal advertising or workshopping the strategy further with the consultant prior to the referral to the Western Australian Planning Commission.

Background

To assist Council in its understanding of the purpose of a Local Planning Strategy I have provided the following information;

What is Local Planning Strategy?

The Town Planning Amendment Regulations 1999 introduced the requirement for local authorities to prepare a Local Planning Strategy when they envisage the zoning or classification of land through the preparation or the review of a Local Planning Scheme.

Regulation 12A (3) of the Town Planning Amendment Regulation 1999 requires that a Local Planning Strategy shall:

- (a) Set out the long-term planning directions for the local government;
- (b) Apply State and regional planning policies; and
- (c) Provide the rationale for the zones and other provisions of the Scheme.

The Local Planning Strategy replaces the former Town Planning Scheme Report required to precede the preparation or review of Local Planning Schemes and should incorporate any existing Rural, Commercial, Industrial, Residential/Housing, Tourism or other strategies relating to the local government. The Local Planning Scheme needs to be reviewed on a regular basis to respond to changing circumstances.

A Local Planning Strategy should be:

- A “leadership” document which provides strategic planning direction for the next 15 years or longer as distinct from the Local Planning Scheme, which manages that growth within a statutory framework.
 - A document which sets out the direction for economically, socially and environmentally sustainable development based on a comprehensive analysis of state, regional and local planning issues and objectives.
 - A document which gives direction both to local government, the Department of Planning and Infrastructure, the Western Australian Planning Commission and the Minister in assessment of amendments, subdivision, development and provides strategic planning support for this decision making.
 - A document which provides the basis for co-ordinated decision making on future servicing of the local government area by local, state government and any other service agency.
 - A document which explains/justifies the strategic direction for growth and development to all stakeholders.
-

The Local Planning Scheme should be consulted when questions of background data about the Shire emerge in relation to the Scheme Text and Maps. It may also be useful during the planning approval process to provide the background reasoning for decisions where Council is required to use its discretionary decision making powers.

The Local Planning Scheme effectively forms part of the Local Planning Scheme and provides a broader 10-15 year vision for the formulation of the Scheme Text and Maps which operate over a 5 year timescale.

The Local Planning Scheme should also assist the public's understanding of:

- How State and regional policies apply to the municipality; and
- The planning rationale for the zones, reservations and statutory provisions contained in the Local Planning Scheme.

In essence, the Local Planning Scheme is the community's vision for the municipality and how this will be reflected in longer term directions for land use and development, anticipating growth and change. It will determine the preferred pattern of rural land use and settlement having regard to the most appropriate future for agriculture, the growth and form of urban areas and other settlement forms such as rural residential and rural smallholding areas.

Landuse planning provides a mechanism for careful allocation and ordering of land for activities and purposes in a way to cater for strategic growth and to minimise landuse conflict.

The landuse planning system in Western Australian is based on the *Planning and Development Act 2005*.

The Shire of Shark Bay Local Planning Scheme No 3 is the statutory document that currently controls zoning, residential densities, landuse permissibility and development control.

Much of the area in the Shire of Shark Bay, including the islands, waters and adjacent environment is registered on the World Heritage List.

Local Planning Strategies are non statutory strategic planning tools which set out a Council's general objectives, aims and intentions for long term growth and change. Strategies should also provide some reflection of the community's aspirations and cater for identified and future population needs.

A Local Planning Strategy provides an overarching planning framework and can more clearly express a local government's vision and objectives for future planning and development. Strategies play a valuable role in outlining how long term objectives can be achieved, and act as a sound basis for future local planning scheme amendments and reviews.

The Format and Structure of the Local Planning Strategy

A review of the Model Scheme Text by the Western Australian Planning Commission has necessitated reassessment of the Planning Schemes Manual (2000). As an interim measure the Western Australian Planning Commission has released a Local Planning Manual (March 2010) which includes guidance on the preparation and format for new Local Planning Strategies.

This Strategy is based on the Local Planning Manual 2010 and is presented in two parts;

- Part 1 The Strategy which outlines the major characteristics and issues relevant to future planning and development for the Shire of Shark Bay, and incorporates strategic plan and actions required to implement the strategy and Council's objectives.
- Part 2 The Background Information and Analysis which examines the state and local planning context, and provides a rationale for the Strategy.

Objectives – Part 1

The objectives of the Strategy are;

1. To identify key components of the long-term direction for the Shire of Shark Bay that are crucial to orderly growth and development of the Denham townsite, and to recommend strategies to pursue these.
 2. To ensure that the Denham town centre is vibrant and is the focus of future retail, commercial, and office uses in the Shire.
 3. Encourage the development of businesses that will strengthen the economic base of the Denham townsite whilst respecting the local character, amenity, streetscape, surrounding built form, views, topography, urban design, and the Shire's Town Centre Strategy.
 4. Ensure that there is sustainable provision of land to meet existing and future needs for housing, business, community facilities, recreation, open space, industry, tourist accommodation, foreshore facilities, and civic uses.
 5. To provide a range of quality services and amenities to meet the existing and future needs of the local community and support local tourism in a manner that enhances the existing townsite and does not adversely impact on local character and amenity.
 6. Enhance and develop a distinct 'main street' character for Denham townsite and create an identity that complements the history of the area and relaxed coastal nature of the town.
 7. Support ongoing improvements and expansion of infrastructure and provide a basis for coordinated decision making on future servicing of the local government area by local, state government, and service providers.
-

8. Protect the natural environment, resources and coastal areas from inappropriate development that may have any undesirable or negative impact in terms of amenity, social, environmental, or visual.
9. Promote sustainable development and conservation of water resources.
10. Provide for greater housing choice and aged accommodation through medium density residential development and maximize the number of people living within walking distance of the town centre.
11. Provide convenient access and circulation for cars, service vehicles, pedestrians, and cyclists.
12. Promote Shark Bay and its World Heritage Listing as a place for recreation and nature-based tourism, and ensure that the local community continues to enjoy a natural lifestyle experience.
13. Give direction to the Shire of Shark Bay, the Department of Planning, Western Australian Planning Commission, the Minister, and the State Administrative Tribunal in assessment of Scheme Amendments, subdivision, applications, development, applications for review, and provide strategic planning support for this decision making.

The Strategy needs to identify any further studies or investigation required to meet objectives for creating good quality environments.

5.0 STRATEGIES AND ACTIONS

5.1 Strategy 1

Develop a successful service centre for the Shire by consolidating the town centre and improving services and facilities offered to residents and visitors.

5.1.1 Actions for Strategy 1

- a. Continue to encourage development of the town centre in Denham as the principal place for retail, commercial, civic and administrative functions in the Shire.
 - b. As part of any future Scheme review or Amendment, consider opportunities to reduce and/or consolidate the 'Town Centre' zone and introduce specific objectives and landuse controls for different precincts generally in accordance with the Town Centre Strategy. Any review should have regard to the predominant landuses in each precinct, whether some of the precincts dominated by residential and tourist accommodation should be zoned 'Residential' or 'Tourist' zones and examine opportunities to protect existing retail activity hubs which exist in Knights Terrace.
-

- c. Continue to ensure new development meets minimum floor level requirements whilst having regard for the need of quality development outcomes, protection for pedestrians against weather and opportunities for pedestrian links.
- d. Ensure all new development is of a high architectural quality and enhances and contributes positively to the existing town character and streetscape.
- e. Ensure development will not adversely affect local amenities.
- f. Encourage upgrading of older developments.
- g. Provide for the efficient and safe movement of vehicles (including trucks, buses, and caravans) and pedestrians.
- h. Provide sufficient parking spaces for cars, caravans, and buses without compromising pedestrian movements.
- i. Continue to maintain and provide good quality public amenities along the foreshore adjacent to the town centre including public toilets, shaded areas, public art and street furniture.
- j. Pursue funding opportunities for projects to enhance the character of the town centre through an urban design / townscape improvement plan to strive to retain vibrancy of the town centre. Any study should ensure that the relaxed atmosphere of the town and general coastal theme is maintained.
- k. Seek funding opportunities for public art, seating, street furniture, streetscape works, and landscaping in the town centre.
- l. Pursue an exit strategy for relocation of the Shire Offices subject to budget considerations.
- m. Ensure that the Scheme encourages uses such as restaurants, offices and retail shops to concentrate in the town centre or in association with tourist accommodation, and review the commercial type uses permissible in Special Use zones in the Denham townsite that are predominantly planned for residential use and urban expansion.

5.2 Strategy 2

Maintain Denham as a place where people can enjoy a quality relaxed living environment with a range of housing opportunities and lifestyle choices that are developed on good design principles and enhance the existing townsite.

5.2.1 Actions for Strategy 2

- a. Provide for a range of opportunities catering for future residential, aged persons', rural residential/ larger lifestyle lots and a wide range of housing choice.
-

- b. Ensure all ODPs respond to the site characteristics, are sympathetic to local character, maximise open space and pedestrian links, are of an appropriate scale and density, address drainage and have regard to the natural landscape.
- c. Require all ODPs to incorporate sound planning design principles consistent with relevant local and state planning policies.
- d. Require management plans where necessary for development adjacent to the coast or for protection of dunes.
- e. Examine opportunities in any future Scheme review or Amendment to reduce the number of Special Use zones for those areas which are predominantly planned for urban growth in the Denham townsite. Consider increased use of 'Residential Development' zones and ensure zonings follow lot boundaries where possible.

5.3 Strategy 3

Continue to cater for tourists and promote Denham as a desirable tourist destination offering a variety of attractions.

5.3.1 Actions for Strategy 3

- a. Continue to promote and support tourist related uses through flexible Scheme provisions.
- b. Actively encourage tourist developments in appropriate locations that include facilities and services which will attract visitors in non peak periods.
- c. Seek available funding opportunities for promoting the Shire's attractions and for any future surveys or review of tourist needs.
- d. Continue to promote local recreational and cultural activities.
- e. As part of any future Scheme review retain Special Use zones for those sites which are specifically earmarked predominantly for tourist uses (such as Area 12) and are located in close proximity to the coast or sensitive environments (with specific requirements and conditions).
- f. As part of any future Scheme review ensure that permissible tourist uses that are listed in Schedules of the Scheme are also clearly defined in the Scheme.

5.4 Strategy 4

Maintain and enhance the relaxed quality of life enjoyed by the local community and enhance recreation opportunities to service existing and future needs.

5.4.1 Actions for Strategy 4

- a. Continue to progress/develop plans and seek funding opportunities for construction of a new sports and recreation centre on Reserve 36163.
- b. Continue to promote private and public recreation areas to tourists and the local population.
- c. Consider pursuing opportunities for funding of a Bikeplan and associated upgrading of pathways throughout the townsite and to provide strong pedestrian and bike paths to recreation facilities.
- d. Develop and promote walking 'trails' throughout the townsite with good quality paths, interpretative signage for heritage sites, interest/activity points, resting/seating areas at strategic points, and public art.
- e. Ensure that adequate signage and/or entry statements are provided to assist tourists to maximise use of local recreation areas.
- f. Continue to maintain, upgrade and enhance foreshore areas adjacent to the town centre.
- g. Continue to seek funding for upgrading of roads, construction of new community facilities (such as a Telecentre) and services.
- h. Foster a sense of community by promoting local community events and Council services.
- i. Continue to support and foster a good relationship with the DEC as an important agency which manages day to day operations of the World Heritage area.

5.5 Strategy 5

Facilitate business opportunities and industrial development which deliver diverse employment opportunities and support development in the district.

5.5.1 Actions for Strategy 5

- a. Maximize the development potential of existing lots with good access to infrastructure.
 - b. Encourage expansion of existing developments or redevelopment of older sites by streamlining planning processes without compromising the need to achieve high quality buildings and meet necessary site requirements.
 - c. Provide appropriate buffers and/or treatments between industry and any sensitive land uses as part of any future planning, so as to avoid land use conflicts.
 - d. Seek funding opportunities to liaise with key stakeholders and major businesses and actively promote the industrial area as a small business centre.
-

- e. Continue to pursue partnerships Federal and State bodies for business development and promotion.
- f. Promote the Industrial area through good quality signage, community business directories, and consider future opportunities for an entry statement.
- g. Work closely with private owners and developers to maximize opportunities for shared and co-ordinated access or parking.

5.6 Strategy 6

Liaise with relevant servicing authorities to continue to maintain and extend infrastructure to service current and future needs, with particular emphasis on water supply.

5.6.1 Actions for Strategy 6

- a. Seek necessary upgrading of services to ensure the Shire has sound infrastructure that meets the needs of existing and future residents, tourism development and businesses.
- b. Liaise with servicing authorities through advertising of the Local Planning Strategy to allow for future growth and planning.
- c. Encourage authorities such as the DoP Coastal Branch, DEC and Department of Water to assist the Shire with water management and to progress studies that will assist with improvements for water conservation and drainage upgrades.
- d. Continue to seek funding for upgrading of drainage.
- e. Seek future extension of sewerage to ensure the Shire has a sound, stable infrastructure that meets the needs of residents, tourists, visitors and local businesses.

6.0 IMPLEMENTATION

The *Town Planning Regulations 1967* set out the statutory procedure for preparation, consultation and approval and endorsement of a Local Planning Strategy.

The following steps should be taken to implement the Local Planning Strategy;

1. Consideration of a Draft Local Planning Strategy by the Shire.
 2. The Shire can undertake preliminary informal advertising of the Strategy.
 3. Submission of the Strategy to the Western Australian Planning Commission.
 4. Assessment of the Strategy by the Western Australian Planning commission against state and regional policy (for consent to advertise).
-

5. Modification of strategy (if necessary) as required by the Western Australian Planning Commission.
6. Preliminary certification of the Strategy by the Western Australian Planning Commission prior to advertising.
7. Formal advertising of the Strategy for public comment and referral to service providers and interested agencies.
8. Consideration of all public submissions by the Council, modification (if necessary) and final adoption.
9. Submission of Strategy to Western Australian Planning commission for final endorsement.
10. Assessment of modifications (if any) by Western Australian Planning Commission. Western Australian Planning Commission may require further modifications of the Strategy.
11. Endorsement of final strategy approved by the Western Australian Planning Commission.

7.0 MONITORING AND REVIEW

The Strategy will require future review in order to remain current, and to ensure that it responds to local changes in circumstances or priorities, changes in state or regional policy. The Strategy can be kept updated through occasional minor updates, or through longer periodic reviews (at least every five years).

Amendments to the strategy should be pursued where there is a significant development or change.

The procedure for review or amendment of the Strategy is generally the same as for implementation including adoption by the Shire, advertising and assessment/endorsement by the Western Australian Planning Commission. The main difference is that only the new changes require advertising and re-assessment.

Opportunities and Constraints – Part 2

The World Heritage listing applicable to a significant portion of Shark Bay creates immense opportunities for tourism which is a major source of employment, as well as promotion of the attractions in the area. There is always opportunity to continue to build on the tourist industry, and Shark Bay has a unique range of attractions.

The low permanent population could be seen as a constraint as increases in population would assist to sustain the local economy and more businesses in non tourist peaks. Population growth is difficult to predict and there is a high transient tourist population for part of the year, which places pressure on local

infrastructure. Denham could attract increased population for retirees however currently lacks the services required, such as a permanent doctor, to attract and retain older persons.

For the World Heritage area the Shire is only one of many stakeholders involved in ongoing planning, management and promotion of the area. This in itself could be seen as a constraint as the Shire is often not involved in decisions such as changes in land tenure or purchase of land for conservation.

In terms of physical constraints, the challenges for the Shire include;

- a. The proximity of development to the coast and lack of coastal setbacks.
- b. Flooding in the Town Centre as a result of major and intense storm events, and need to implement minimum floor areas which causes streetscape and design challenges for interaction between existing and new development.
- c. The topography of the townsite which results in high construction costs, and presents difficulties in provision of pedestrian links and bike paths.
- d. Drainage issues and natural water runoff.
- e. Limitations on further infill development in the north portion of the town due to lack of sewerage extensions.
- f. Water quality and need to preserve water.
- g. Maintenance of buffers to the Waste Water Treatment Plant.
- h. Buffers to the local airport and Waster Water Treatment Plant (although they are relatively distanced from the town).
- i. Lack of land available for drainage basins or ponds.
- j. Buffers to the local airport and Waster Water Treatment Plant (although they are relatively distanced from the town).
- k. Expansion to the north is constrained by the existing Industrial area and substantial areas zoned for 'Parks and Recreation'.

Opportunities include;

- a. The Shire has an existing land bank of 'development ready' released lots so can cater for any sudden unexpected increase in population growth. Population increases in regional areas can occur suddenly as a result of industry booms (eg mining / tourism).
 - b. The Shire is serviced with an excellent school which services the needs of families by catering for kindergarten, primary and high school students.
 - c. The Shire is proactively undertaking a number of significant building projects to improve services for its local community, such as a new recreation centre and telecentre. There is an opportunity to relocate the Shire office and a new Department of Environment and Conservation office is planned in Knights Terrace.
-

- d. There are opportunities to further enhance the attractiveness of the town through an urban design study and continuing streetscape improvements. It would also be beneficial to expand on the existing pedestrian networks and seek funding for bike paths.
- e. Consolidating the Town Centre zone, refine the scheme provisions to include specific objectives and roles for the precincts identified in the Town Centre Strategy, and limiting retail uses to specific locations.
- f. Reducing and refining the number of Special Use sites in and around the townsite, and consider introducing 'Development' zones subject to structure plans.
- g. Ensuring any retained 'Special Use' zones list landuses that are defined in the Scheme.
- h. Reviewing the permissibility of uses for some Special Use sites near to existing residential areas, such as restaurants, which may be better suited to the Town Centre.
- i. Considering broadening of landuse permissibility's for undeveloped Special Use site 3.
- j. Changing the zoning of Dirk Hartog Island and other areas that have been clearly designated by the government for conservation, or to recognise changes in land tenure / pastoral leases.
- k. Longer term urban development can occur to the west of Denham once existing areas are fully developed.
- l. Amendment No 2 has substantially progressed and will create flexibility for the establishment of new businesses.
- m. The area is well serviced with tourist accommodation and continual improvements to infrastructure can be pursued.
- n. There are outstanding scenic attributes throughout the Shire area and coastal views.
- o. The Shire is well serviced with public open space and a planned Recreation Centre.
- p. Promoting the local Industrial area through entry statements and signage from town.
- q. Providing some future areas for rural residential / larger lifestyle lots to increase housing choice.

Key Issues

The "Planning Implications" for Sections are explained throughout Part 2 of the Strategy for ease of reference.

The Shire already has a number of sound strategic planning documents, such as the Town Centre Strategy, which can be further built on through the Local Planning Strategy and any future Scheme Amendments or Scheme review.

One of the key issues for Denham is sustaining existing businesses throughout the year as tourist numbers fluctuate and are seasonal. Another key issue for the Shire is attracting an increased permanent population and to diversify employment and business opportunities.

Tourism is an important industry for the Shire however does place pressures on ongoing maintenance of infrastructure. The Shire has relatively limited resources and has to balance the need to service tourists whilst trying to preserve amenity for the local community.

Due to the amount of existing available subdivided residential land, opportunities for further expansion to the west combined with undeveloped special use sites, the Shire is considered to be well catered for in terms of current and future residential supply. Provision of some Residential/lifestyle lots close to town could be examined.

Denham Townsite is an important node and local centre in the Shire. Continued streetscape improvements could build on the existing attractions of the town. It is important to try and retain the relaxed atmosphere associated with the town, as that is one of major attributes.

Comment

This is now an opportune time for council to clearly express its views relative to strategic directions for the future development of residential, commercial, industrial, community purpose and public infrastructure to guide the future growth of the Denham townsite.

I believe that more input is required in relation to the consolidation of the towncentre precincts and to address the future placement or opportunity for larger commercial development and or larger retail outlets, I am also of the view that future urban sprawl should be curtailed until infill land parcels are developed.

The importance of this document cannot be understated and I am of the view that it should be workshopped with the consultant to further discuss key strategy issues.

Legal Implications

The Shire of Shark Bay Town Planning Scheme No. 3.
The *Planning and Development Act 2005*.

Policy Implications

All relevant policies pursuant to the Town Planning Scheme.

Financial Implications

The funding of the Local Planning Strategy has been identified in the 2010/2011 budget considerations.

Strategic Implications

A Local Planning Strategy that clearly provides future strategic directions is an invaluable document for the structured growth and development of the Denham townsite.

Voting Requirements

Simple Majority Required

Date of Report

27 January 2011

Superintendent Ross Tomasini, Inspector Cyril Laurent and Sergeant Dave Christ entered the meeting at 11.31am

Superintendent Ross Tomasini, presented a power point report to Council on the proposed direction of the police Service in the Gascoyne Region.

Superintendent Ross Tomasini advised that if anybody requires to contact him his mobile number is 0411429319.

Council adjourned at 12.31pm and reconvened at 1.09pm without Cr Hanscombe.

13.2 PROPOSED RE-DEVELOPMENT OF THE SIDE CENTRE BUILDING – DENHAM / HAMELIN ROAD

BU 104.03

Author

Manager Regulatory Services

Disclosure of Any Interest

Declaration of Interest: Cr McLaughlin

Nature of Interest: Impartiality interest – Member of Shark Bay Community Resource Centre

Declaration of Interest: Cr Ridgley

Nature of Interest: Impartiality interest – As a member of the Shark Bay Community Resource Centre

Moved Cr Pepworth

Seconded Cr Ridgley

Officer Recommendation

That Council advise the Chairman of the Telecentre Committee that if all the issues relative to the proposed redevelopment of the side centre building have not been resolved and a program of works ready to commence by the end of February 2011 the position of the Side Centre redevelopment be one that pursues new building construction.

Cr Hanscombe returned to the meeting at 1.14pm.

AMENDMENT TO RECOMMENDATION

Reason: The Council felt that there was not enough information provided to make a decision and referred the matter back to the administration.

Moved Cr Cowell

Seconded Cr Pepworth

Council Resolution

That Council advise the Chairman of the Telecentre Committee that if all the issues relative to the proposed redevelopment of the side centre building have not been resolved and a program of works ready to commence by the end of February 2011, that the administration investigate further and refer back to council in march 2011 council meeting with options to resolve the issue.

5/0 CARRIED

Précis

The Chairman – Shark Bay Community Resource Centre, Mr Dennis Wade has advised as follows in relation to the proposed redevelopment of the side centre building;

At a relocation sub-committee meeting of Shark Bay Community Resource Centre Inc this morning it was resolved that we would advise council that we feel that the only viable way forward is to clear the existing site completely and put up a new, purpose designed building.

Our reasons for this decision are fourfold; the asbestos in the existing building will be difficult, if not impossible to entirely remove with the attendant long term implications for us and council, the existing building is now in poor structural condition and restoration could be seen as 'throwing good money after bad', the entire site would be far better utilised by removing all the existing structures and placing the new building so as to allow safe and easy access by vehicles and pedestrians and a new building and good site design will result in a much lower maintenance cost in years to come for both council and the resource centre.

For these reasons we ask that council approve the clearing of the site and, subject to building approval, the erection of a new community resource centre that will enhance the entry to the town and remain an asset for the community for years to come.

We look forward to your response with regards to the above matter please do not hesitate to contact myself on 9941 3262 to discuss this matter further.

This report further details the current position of the Shire in relation to the progress of the side centre redevelopment and recommends a timeline for an outcome to either upgrade the existing building and or progress a total redevelopment.

Background

At an ordinary meeting of the Shark Bay Shire Council on the 28 July 2010 council resolved to recommend;

- A) That Council request the Chairman of the Telecentre committee to seek approval for the Transfer of all the secured grants for the up- grade of the Side Centre and its associated buildings from the funding agencies to the Shire of Shark Bay for the purpose of the grants.
- B) That Council approve taking over the management of the project to progress the required measures to enable the Side Centre and its associated buildings to be up-graded for the purpose of a Telecentre and associated community use.

The original concept was for grant funding to be obtained to up-grade the Side Centre buildings to a standard suitable to accommodate the Telecentre and other associated community groups.

For this purpose an architect was engaged to prepare plans and contract documentation to allow a building contract to be placed out to tender. From this process no tenders were received. The Telecentre also secured a number of grants based, I would assume, on a cost estimate from the architect. Given that no tenders were received it is difficult to know as to whether or not sufficient funds have been secured to carry out all the required works. This process has now been ongoing for a long period of time with the Telecentre now requiring support and direction to reach a positive outcome for the project as the Side Centre buildings have significantly deteriorated externally.

At this time my previous comments were;

I believe this remains a worthwhile project that can be salvaged subject to;

- 1) The Chairman of the Telecentre Committee being able to negotiate with the funding agencies to have the secured grants transferred to the Shire of Shark Bay with a clear process to enable the Shire to effectively acquit the funds for the up-grade of the SIDE Centre and its associated buildings.
 - 2) The Shire agree to take over the management of the project and progress the required measures to enable the SIDE Centre and its associated buildings to be upgraded for the purpose of a Telecentre and associated community use.
 - 3) To progress an outcome the Shire would re-evaluate the total project and structure a program that was achievable within the parameters of its budgetary constraints.
-

Comment

On the current situation;

- A) I believe that there is sufficient funds to carry out the required works to upgrade the existing building and that jointly both the Telecentre committee and the shire can effectively work together to acquit the funds to expedite the works.
- B) However, this work requires the experience and availability of a local building contractor who has agreed to do the work on his return. On his return a budgetary program will be established and subject to satisfactory funds being available the work can commence. The work would be carried out on a sub contract basis with the local builder being in control of the outcome with shire supervision and direction, a program for the works to occur has already been resolved with the builder.
- C) Quotations have already been obtained for all the asbestos to be removed and the site cleared by licensed contractors in accordance with prescribed requirements. This could occur immediately but we are awaiting the builder who wants to have all the replacement wall and roof cladding onsite ready to commence the work after the asbestos has been removed.

However, if all the issues have not been satisfactorily resolved by the end of February 2011 and work commences I would suggest the alternate option of clearing the site and the consideration of new buildings as is now being suggested by the Telecentre committee.

Legal Implications

The Shire of Shark Bay Towing Planning Scheme No.3.

Policy Implications

All relevant policies pursuant to the Town Planning Scheme.

Financial Implications

The total project would need to be re-evaluated relative to cost implications and budgetary constraints.

Strategic Implications

This is a worthwhile project for which an outcome needs to be progressed as a matter of some urgency.

Voting Requirements

Simple Majority Required

Date of Report

27 January 2011

13.3 YADGALAH ABORIGINAL CORPORATION IN-PRINCIPAL DEVELOPMENT APPROVAL
RES 33517

Author

Manager Regulatory Services

Disclosure of Any Interest

Nil

Moved Cr Ridgley
Seconded Cr Pepworth

Council Resolution

That Council advise the Chairperson of the Yadgalah Aboriginal Corporation that it is prepared to grant in-principal development approval for the development of an administration building on Lot 223, (9) Francis Street, being Reserve 33517 subject to the submission and approval of a development application for the facility.

5/0 CARRIED

Précis

The chairperson of Yadgalah Aboriginal Corporation has requested council in-principal approval to develop an administration building facility on its leased premises located on Lot 223, (9) Francis Street being Reserve 33519 and vested in the Shire of Shark Bay for recreation purposes. This report considers the application and recommends conditional approval.

Background

The chairman has advised that a new administration building is required to successfully administer its daily business operations and organisational structure to enable it to control and run community based programs.

Comment

The development of an administration building on its premises to effectively manage and operate its recreational activities is considered acceptable development on this reserve location.

Legal Implications

Shire of Shark Bay Town Planning Scheme No. 3

Policy Implications

All relevant policies pursuant to the scheme.

Financial Implications

Nil

Strategic Implications

The addition of new administration building will enable Yadgalah Aboriginal Corporation to more effectively run its recreational activities and programs.

Voting Requirements

Simple Majority Required

Date of Report

27 January 2011

13.4 SHIRE OF SHARK BAY TOWN PLANNING SCHEME NO. 3 AMENDMENT NO. 2 PART NORTH LOCATION 59 DENHAMAuthor

Manager Regulatory Services

Disclosure of Any Interest

Nil

Moved Cr Pepworth
 Seconded Cr Hanscombe

Council Resolution

That Council advertise amendment No. 2 of the Shire of Shark Bay Town Planning Scheme No. 3 as depicted hereunder in accordance with the provisions of section 87 (4B) of the *Planning and Development Act 2005*.

No.	Description of Land	Special Use	Conditions
4.	Part North Location 59 – Denham / Hamelin Road, Denham	<p>Council has the discretion to consider the following uses;</p> <ul style="list-style-type: none"> • Car park • Garden Centre • Hire Service • Service Industry • Motor vehicle, boat or caravan sales • Motor vehicle repair • Office • Showroom • Convenience Store • Motor Vehicle Wash (car and boat wash) Laundromat 	<p><u>Objectives</u></p> <ul style="list-style-type: none"> - To ensure that any development is compatible with the Town Centre and Surrounding zoning. - To provide for a wide range of compatible land uses and encourage opportunities for mixed use development. - To encourage development of an attractive place to work and conduct business. - To promote a high standard of development including buildings, landscaping and car parking. - To ensure that all development presents a visually attractive appearance to Monkey Mia Road as a main gateway into the

			<p style="text-align: center;">Denham Townsite.</p> <p><u>Conditions</u></p> <ul style="list-style-type: none"> - Any development is to have quality building facades fronting Shark Bay Road and Monkey Mia Road. - The layout of car parking areas shall be designed with high regard for traffic circulation between developments on the same lot and shall be integrated to allow for good on site traffic management and flow. - Development shall be setback from Shark Bay Road and Monkey Mia Road intersection to the satisfaction of the local government. - The boundary of the site abutting the Cemetery Reserve No. 8886 shall be landscaped to the satisfaction of the local government. - Council may require lodgement of a landscaping plan as a condition of any development. - Council shall only consider 'motor vehicle repair' as a stand-alone development where: <ul style="list-style-type: none"> (i) the building is of a high quality with adequate on site car parking and landscaping to the satisfaction of Council; and (ii) the use is confined to those activities as defined in the 'motor vehicle
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			<p>repair; land use definition in Schedule 1 of the Scheme with car servicing as a predominant activity; and</p> <p>(iii) the use shall not include any motor vehicle wrecking (which is defined separately in the Scheme) dismantling of vehicles, or storage of any car bodies on site; and</p> <p>(iv) any external storage shall be confined to the side or rear of a building and must be adequately screened from public view to the satisfaction of Council; and</p> <p>(v) the workshop floor space within Special Use 4 zone shall be limited to a maximum area of 300m² (excluding office and amenities) to the satisfaction of Council.</p> <p>In determining any application, Council will have regard for the objectives listed for this site.</p>
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5/0 CARRIEDPrécis

At its ordinary meeting held on the 27 October 2010 council resolved to recommend;
That Council advise planning consultants Grey & Lewis on behalf of the proponent Sigma Syon Pty Ltd that;

- 1) It supported the original Town Planning Scheme No. 3 Amendment No. 2 without modification because it was of the belief that it had sufficient control measures within its Town Planning Scheme No. 3 to approve only appropriate development for this location.
- 2) It supports the additional information provided as further justification for the use of Motor Vehicle Repairs to be re-instated into Scheme Amendment No. 2.
- 3) It also supports the additional objectives and conditions that are being proposed to be included into "Schedule 4 Special Use Zone" which provide further definition interpretation to the approval process for development.

Planning consultant Grey and Lewis subsequently requested the Minister for Planning, Culture and the Arts review amendment No 2 to the Shire of Shark Bay Town Planning Scheme No 3. The Minister having considered the additional information provided relating to 'motor vehicle repair use' and the proposed additional statutory provisions in the special use 4 zone granted his consent to council further modifying the amendment documents before final approval is given. This report now advises of the Minister for Planning granting of final approval to local planning scheme No 3 amendment No 2 and recommends that the amendment be advertised in accordance with section 87 (4B) of the Planning and Development Act and ensure that copies are available to the public.

Background

The Minister for Planning, Culture and the Arts granted consent to Council on the 2 December 2010 to further modifying the amendment documents as specified hereunder;

No.	Description of Land	Special Use	Conditions
4.	Part North Location 59 – Denham /Hamelin Road, Denham	Council has the discretion to consider the following uses; <ul style="list-style-type: none"> • Car park • Garden Centre • Hire Service • Service Industry • Motor vehicle, boat or caravan sales • Motor vehicle repair • Office • Showroom • Convenience 	<u>Objectives</u> <ul style="list-style-type: none"> - To ensure that any development is compatible with the Town Centre and Surrounding zoning. - To provide for a wide range of compatible land uses and encourage opportunities for mixed use development. - To encourage development of an attractive place to work and conduct business. - To promote a high

		<p>Store</p> <ul style="list-style-type: none"> • Motor Vehicle Wash (car and boat wash) <p>Laundromat</p>	<p>standard of development including buildings, landscaping and car parking.</p> <ul style="list-style-type: none"> - To ensure that all development presents a visually attractive appearance to Monkey Mia Road as a main gateway into the Denham Townsite. <p><u>Conditions</u></p> <ul style="list-style-type: none"> - Any development is to have quality building facades fronting Shark Bay Road and Monkey Mia Road. - The layout of car parking areas shall be designed with high regard for traffic circulation between developments on the same lot and shall be integrated to allow for good on site traffic management and flow. - Development shall be setback from Shark Bay Road and Monkey Mia Road intersection to the satisfaction of the local government. - The boundary of the site abutting the Cemetery Reserve No. 8886 shall be landscaped to the satisfaction of the local government. - Council may require lodgement of a landscaping plan as a condition of any development. - Council shall only consider ‘motor vehicle repair’ as a stand-alone development where: <ul style="list-style-type: none"> (i) the building is of a high quality with adequate on site car parking and landscaping to the
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			<p>satisfaction of Council; and</p> <p>(ii) the use is confined to those activities as defined in the 'motor vehicle repair; land use definition in Schedule 1 of the Scheme with car servicing as a predominant activity; and</p> <p>(iii) the use shall not include any motor vehicle wrecking (which is defined separately in the Scheme) dismantling of vehicles, or storage of any car bodies on site; and</p> <p>(iv) any external storage shall be confined to the side or rear of a building and must be adequately screened from public view to the satisfaction of Council; and</p> <p>(v) the workshop floor space within Special Use 4 zone shall be limited to a maximum area of 300m² (excluding office and amenities) to the satisfaction of Council.</p> <p>In determining any application, Council will have regard for the objectives listed for this site.</p>
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MINISTER'S DECISION

To consent to Council further modifying the amendment documents in the above manner before final approval is given.

Prior to granting final approval to the above amendment on the 18 January 2011.

Comment

While the Town Planning Scheme Amendment proposes to modify Schedule 4 Special Use Zone in the scheme text to expand the permissible uses and conditions applicable to Part North Location 59 Denham Hamelin Road, the Council has the discretion to consider each development application on its merits and apply appropriate control measures to support sustainable development.

Legal Implications

The Planning and Development Act 2005.
The Shire of Shark Bay Town Planning Scheme No. 3.

Policy Implications

All relevant policies pursuant to the Town Planning Scheme.

Financial Implications

The Scheme Amendment increases the opportunities for potential economic development.

Strategic Implications

The proposal will increase the potential viability of this Special Use Land parcel which is of strategic importance to the entrance of the Denham townsite.

Voting Requirements

Simple Majority Required

Date of Report

27 January 2011

14.0 WORKS REPORT**14.1 BUTCHERS TRACK FENCE LINE FUNDING**Author

Chief Executive Officer

Disclosure of Any Interest

Nil

Moved Cr Ridgley
Seconded Cr Pepworth

Council Resolution

That the Hamelin Pool Pastoral Co be advised that the Council's resolution of December 2010 as follows stands:

The Council provide funding of \$15,000 in the 2011/2012 draft budget to establish a new fence line at a cleared width of 10 metres approximately 50 metres further into Hamelin Station from the existing fence line that is contiguous to the northern boundary of the Butchers Track road surface and this section be gazetted as part of the existing road reserve.

And

That with the agreement of the Hamelin Pool Pastoral Co a representative from the Main Roads Department Gascoyne region be requested to inspect the fence line to establish the adequacy of the fence in accordance with the *Local Government Act 1995* and local government uniform local provisions regulations and degree of responsibility of both parties to make good the boundary fence of Hamelin Pool Pastoral Co that is contiguous to the northern boundary of the Butchers Track road surface.

4/0 CARRIED

Background

The council at the ordinary meeting of council resolved the following:

The Council provide funding of \$15,000 in the 2011/2012 draft budget to establish a new fence line at a cleared width of 10 metres approximately 50 metres further into Hamelin Station from the existing fence line that is contiguous to the northern boundary of the Butchers Track road surface and this section be gazetted as part of the existing road reserve.

The owner of Hamelin Pool Pastoral Co have written to Council (copy below) and emailed councillors (copy below) advising of their dissatisfaction with the Councils decision and have requested that the council re-examine this position.

I have also attached the report from the Council meeting in December 2010.

Without the agreement of the Hamelin Pool Pastoral Co the Council will not be able to undertake their resolved action if funding was included in the draft budget.

Hamelin Pool Pastoral Co

PMB 72 via GERALDTON WA 6530 Ph 08 9942 5914 Fax 08 9942 5939

12th February 2011

Paul Anderson
Chief Executive Officer
Shire of Shark Bay
Knight Tce

Denham WA 6537

Dear Paul

FENCING – BUTCHERS TRACK

The Council provide funding of \$15,000 in the 2011/2012 draft budget to establish a new fence line at a cleared width of 10 metres approximately 50 metres further into Hamelin Station from the existing fence line that is contiguous to the northern boundary of the Butchers Track road surface and this section be gazetted as part of the existing road reserve.

We do not find acceptable the action resolved by council in the resolution above, regarding boundary fencing on Butchers Track. It would seem that the request that the Shire be responsible for the cost of the fencing material has been deemed unreasonable. However, we feel that the Shire should be responsible for both the clearing of the line and the cost of the material. We are prepared to erect the fence, which is a reasonable offer.

It is a clear case of fault and causation and the Shire is the responsible entity for the maintenance of the road. We are aware that the damage has been caused by sub-contractors who would of necessity have insurance for these kinds of incidents.

It would appear that there is an opinion that the fence is old and we are trying to gain a new one. The present fence, if unobstructed would perform its function quite adequately and we would not be seeking to replace it under normal circumstances. The circumstances have changed due to the sand which has been graded into the fence. The fence does not retain stock as it is now not of a sufficient height and we are unable to carry out normal maintenance. The wire that is buried is corroding at a much faster rate than normal. Where attempts have been made to re-tension exposed wires, they snap. In some places it is impossible to gain access to the fence to carry out any maintenance. The grading of the road has caused irreparable damage to the fence. Material for a new fence would not be required if the sand was not graded into it.

While this matter remains unresolved, we are losing stock. We request that Council re-examine this matter. We will prepare new quotes, including the cost for clearing and at present are seeking advice as to how we should proceed.

Yours sincerely

Mary Wake

From: Mary & Brian Wake [hamelinstn@bigpond.com]

Sent: Saturday, 12 February 2011 4:33 PM

To: Cheryl Cowell; Darren Pepworth; Greg Ridgley; Joe McLaughlin; John Hanscombe; Tim Hargreaves

Cc: Paul Anderson

Subject: Butchers Track - Hamelin boundary Fence.

Dear Councillors

Following on from the letter I have sent to Paul regarding our fence on Butchers Track, I think it is pertinent to share a few facts.

Then: We used to have a fence on our boundary which worked. We had no need to replace it in the near future and it was kept regularly maintained.

Now: We have a fence that doesn't work.

If: We accept the resolution passed at the December Shire meeting, we could have a fence that doesn't work and will need to be removed. We will have a new cleared line. We will have to buy material for a new fence and erect it at our own cost. We won't be very happy and the prospect of litigation could be very high. And the Shire will benefit (which is a good thing) by having a wider road verge. It doesn't seem a very fair outcome when you consider that if the sand wasn't graded into the fence, we would still have a fence that worked and just our regular maintenance to carry out.

Another scenario to consider is the family living in Denham. They have an older fence round their house but it does its job. Unfortunately the Shire loader drops a load of sand which partly buries and causes damage to their fence. Now the kids and dogs get out and the neighbour's dog gets in. How best to resolve this and in what time frame?

I think it is time that responsibility is taken for the consequences of the Shire's actions. To say that the Shire has no money is not acceptable whenever a problem occurs. When problems occur, budgets need to be re-prioritized. This is not an item of maintenance on Butchers Track. It is an issue which should have been resolved before the Shire accepted back responsibility of the road at the completion of the last gas pipeline development phase.

I hope this information assists you achieve some clarity with this issue because the decision you have made indicates that you think it is acceptable to damage private property without consequence.

Kind Regards

Mary Wake

Comment

Hamelin pool pastoral company do not appear to have introduced any substantially new information to support the argument with the exception of the statement as follows

It is a clear case of fault and causation and the Shire is the responsible entity for the maintenance of the road. We are aware that the damage has been caused by sub-contractors who would of necessity have insurance for these kind of incidents.

I have not undertaken any further research into these claims as it would be difficult given the effluxion of time to prove fault to a third party without evidence of damage caused.

The email that has also been distributed also states

If we accept the resolution passed at the December Council meeting, we could have a fence that doesn't work and will need to be removed. We will have a new cleared line. We will have to buy material for a new fence and erect it at our own cost. We won't be very happy and the prospect of litigation could be very high.

Hamelin Pool also claim that the fence if unobstructed would perform its function quite adequately and we would not be seeking to replace it under normal circumstances.

The issue of the ability of the fence to perform its function adequately if unobstructed could be argued as evidenced by the site inspection, however this is subject to individual interpretation.

While litigation and the utilisation of regulations are a remedy that if possible should be avoided may prove to be beneficial to the council in this instance.

The introduction of litigation and subsequent ruling by the courts could provide a clear indication of both parties level of responsibility by an independent arbiter and provide a clear precedent for council in future claims.

To this end the council could look to enact schedule 9.1 section 4 of the Local government act 1995 which states

Separating land from public thoroughfare

Regulations may require the owner or occupier of land to keep in good repair any fence or gate that separates the land from a public thoroughfare

Further to this regulation 8 of the Local Government (uniform local provisions) 1996 state

Separating land from public thoroughfare sch 9.1 clause 4

(1) A person who is the owner or occupier of land commits an offence if any fence or gate that separates the land from a public thoroughfare is not kept in good repair.

(2) The penalty for an offence against sub regulation (1) is \$1,000

This would assist the council and property owners in establishing the definition of good repair and the standard required of a fence to perform adequately.

However as stated in my opinion undertaking action in accordance with the Act and Regulations should be utilised as a last resort and it may be beneficial with the agreement of the Hamelin Pool Pastoral Co to commission an independent assessor to provide an opinion on the adequacy of the fence and the veracity of the claims put forward by the Hamelin Pool Pastoral Co.

A representative from the Main Roads Department Gascoyne region could assist in this matter and this option should be put to the Hamelin Pool Pastoral Co in the first instance.

Legal Implications

The local government act 1995 Schedule 9.1 section 4 states
Separating land from public thoroughfare

Regulations may require the owner or occupier of land to keep in good repair any fence or gate that separates the land from a public thoroughfare

The *Local Government (uniform local provisions) Regulations 1996* section 8 states Separating land from public thoroughfare sch 9.1 clause 4

- (1) A person who is the owner or occupier of land commits an offence if any fence or gate that separates the land from a public thoroughfare is not kept in good repair.
- (2) The penalty for an offence against sub regulation (1) is \$1,000

The imposition of this section of the act and regulations may be onerous in areas of substantial property holdings and it may be difficult to enforce given the expenses of major roads that are unfenced

Policy Implications

Nil

Financial Implications

Council's previous recommendation was to include funding in the 2011/2012 draft budget.

If approved by the Council this will impact upon available funding for other projects in the 2011/2012 financial year.

The financial implications to accede to a request of this nature may be significant as it would establish a precedent for other property owners to make claims of a similar or like nature.

Strategic Implications

Nil

Voting Requirements

Simple Majority Required

Date of Report

13 February 2011

THIS IS THE ATTACHMENT REFERED TO IN THE BACKGROUND SECTION OF THE ABOVE REPORT

16.1 Butchers Track Fence Line WC100

Author

Chief Executive Officer

Disclosure of Any Interest

Declaration of Interest: Cr Wake

Nature of Interest: Financial Interest as Neighbour

Cr Wake left the meeting at 1.47pm.

Moved Cr Hargreaves
Seconded Cr Pepworth

Officer Recommendation

That the Works Committee recommend to Council that:

The Council provide funding of \$15,000 in the 2011/2012 draft budget to establish a new fence line at a cleared width of 10 metres approximately 50 metres further into Hamelin Station from the existing fence line that is contiguous to the northern boundary of the Butchers Track road surface.

Moved: Cr Ridgley
Seconded: Cr Hargreaves

Amended Recommendation

Reason:

The Council felt that the resolution should indicate a clear benefit be for the Shire and included a motion that included the gazettal of the land as part of the Road Reserve.

Council Resolution

The Council provide funding of \$15,000 in the 2011/2012 draft budget to establish a new fence line at a cleared width of 10 metres approximately 50 metres further into Hamelin Station from the existing fence line that is contiguous to the northern boundary of the Butchers Track road surface and this section be gazetted as part of the existing road reserve.

5/1 CARRIED

Background

The works supervisor has provided the following information in regard to the recommendation of the Works Committee meeting held at the Overlander Hall on the 19 November 2010

That the Works Manager research the costs to clear a fence line 11kms in length approximately 50 metres further into Hamelin Station from the current fence line on the Northern boundary of the Butchers Track at a cleared width of 10 metres and report back to a meeting of the Works Committee at a date to be confirmed.

Contact was made with two Geraldton and one local contractor in regard to the costs involved to clear the fence line along the Butchers Track, in accordance with the recommendation made at the Works Committee meeting held on the 19 November 2010.

The local contractor, although he advised his opinion, said that due to other commitments and time constraints he would not be able to do the works involved. He also advised that in his

opinion the cost would be between \$5,000 and \$10,000 depending on availability of float for mob and demob purposes.

Below is a table with three approximated prices. The general consensus was that a bull dozer in the D7 to D8 caterpillar range or equivalent would be able to clear the proposed new fence line at about 3 to 5 Km's per day depending on the density of the vegetation to be cleared. So a compromised speed of 4 Km's per day was used in the calculations for costs. The Shire grader was used in all costs for the grading portion of the contract and the Shire loader was used as the machine to do the clearing within the Shire's price. I would not recommend placing the Shires loader in this type of clearing as the risk of staking tyres is very high. If a tyre was to be staked then the cost of tyre replacement would out way any price saving gained by using Shire machinery to clear the vegetation along the new fence line. The Shire's excavator was considered and even though it could do the work, its lack of speed whilst clearing increases its overall cost well beyond that of the other three prices. As can be seen, all the pricing is reasonably close but I emphasise that these are approximated costs but I don't envisage that they will be far from actual costs.

Contractor	Northcoast	Malibu	Shire of Shark Bay
Machine	D7	D8	Loader L70E
Price	\$5,400	\$6,300	\$6,500
Grading	\$4,490	\$4,490	\$4,490
Mob	\$1,375	\$1,375	\$775
Demob	\$1,375	\$1,375	\$775
Accommodation/ Meals	\$510	\$510	\$850
Total	\$13,150	\$14,050	\$13,390

Comment

As the committee is aware the implications associated with supporting a request of this nature may set a precedent that has significant ongoing cost implications to the Council.

The site inspection evidenced issues with the fence line of sections in the vicinity of the road, however there are a number of contributing factors beyond the responsibility of the Council associated with the deterioration of the fence.

The issue of a contribution towards the reconstruction of a fence line 50 metres north from the existing fence without significant benefit to the Council would be difficult to justify.

The Butchers Track road way also veers away from the fence line and it would be proposed that the costs associated with the clearing of this section of the fence line be borne by Hamelin Station.

There is an obligation on a property owner to establish and maintain an adequate boundary fence and that is adjacent to a public road way.

The current state of the Hamelin Station boundary fence adjacent to the Butchers Track would be difficult to be described as a fence adequate for the purposes of which it was originally constructed purpose.

However there would be an advantage to the Council for the fence to be relocated. The relocation 50 metres to the north of the existing fence line adjacent to the roadway would provide a far greater area of road verge.

This would provide sufficient room for the Council over time to shift the roadway to the north and alleviate the same situation occurring on the southern boundary fence. The relocation would also provide sufficient room to lose any spoil and to install offshoots to drain the water away from the roadway.

The installation of drains would provide for a greater degree of trafficable surface during rain events and assist in the long term maintenance of the road surface.

This proposal would of course be dependant upon the agreement of the lessee of Hamelin Station gifting the area of land from the current fence line to the proposed new fence line approximately 50 metres in from the present location.

This area would then be required to be surveyed and the new area to be gazetted as part of the Butchers Track. There would be costs associated with the surveying and gazettal process. These could be borne by the Council in conjunction with other statutory advertising obligations. In the interim a memorandum of understanding could be established to ensure that all parties are fully cognisant of their obligations in regard to the area of land concerned.

Legal Implications

Nil

Policy Implications

Nil

Financial Implications

Recommendation is to include funding in 2011/2012 draft budget. If approved by the Council this will impact upon available funding for other projects in the 2011/2012 financial year

Strategic Implications

Nil

Voting Requirements

Simple Majority Required

Date of Report

9 December 2010

Cr Wake returned to the meeting at 2.08pm

15.0 TOURISM, RECREATION AND CULTURE REPORT

15.1 NATIONAL LANDSCAPES PROGRAM

Author

Community Development Officer

Disclosure of Any Interest

Declaration of Interest: Cr Cowell

Nature of Interest: Impartiality Interest as a member of the committee

Moved Cr Ridgley

Seconded Cr Pepworth

Council Resolution

That Council commit \$5,000 to the development of the National Landscape Strategic Experience Plan.

5/0 CARRIED

Background

Please see the attached National Landscape Handbook which will explain the process and the National Landscape program in more detail.

Stage 5 The Branding Workshop

In December 2010, an invitation was distributed to all tourism operators, businesses and tourism organisations to participate in the National Landscape Branding Workshops, in Monkey Mia, Exmouth and Carnarvon. These workshops were lead by Tourism Australia and their marketing consultant. Each individual community had an opportunity to put words, concepts, ideas and descriptions forward about our region. The consultant is required to come up with a Brand name for the Shark Bay - Ningaloo region. Upon completion, the Shark Bay - Ningaloo region will be declared a National Landscape by the National Landscape Reference Committee and the region will be officially included in the marketing initiatives related to the program..

The next step is the master plan, the Strategic Experience Plan. This Plan will outline the required public and private sector visitor facilities and product development required to deliver the brand promise. It has been recommended by the National Landscape Reference Committee that the steering committee allow a budget of \$100,000 to develop the Plan. The steering committee will be applying for grants to assist with the costs to develop the Plan. The Shires' of Exmouth and Carnarvon are also being approached to contribute some funding towards the Plan.

Comment

Tourism WA and the Steering Committee have worked hard to bring the Shark Bay - Ningaloo region this far through the National Landscape process. In the future, business and tour operators will be expected to contribute to the National Landscape program to ensure our region remains a National Landscape and is sustainable. For now, though, the Steering Committee requires the financial support of the three Shires.

The Strategic Experience Plan is instrumental in giving our region much needed direction in Tourism and is the key to the success of any National Landscape.

Legal Implications

Nil

Policy Implications

Nil

Financial Implications

The Shire of Shark Bay has a current budget of \$10,000 for National Landscapes, with \$10,000 still available.

Strategic Implications

Nil

Voting Requirements

Simple Majority Required.

Date of Report

9 February 2011

MINUTES
Tuesday 8th February 2011
10.00am to 11.10am
Phone Conference

Please call: 1800 063 705 followed by pin 10502326#. Any problems please call Jacqui on 0488043609.

Attendees:

Harvey Raven CHAIR
 Jacqui Towell
 Rogé Kempe
 Darren Capewell (Capes)
 David O'Malley
 Catherine Fethers
 Cheryl Cowell
 Karen Thompson

Apologies:

Melanie Bentley ?
 Des Matthews
 Jacqueline Hine(Jack)
 Stefanie Schneider
 Ray De Jong

 Jackie Brooks
 Brett Fitzgerald
 Martin Grenside

Actions

1.	<p>10.00 am Welcome – by Chairperson Harvey Raven Introductions- Apologies</p>
2.	<p>Branding workshops – Exmouth, Shark Bay, Carnarvon Rogé commented on Exmouth workshop-: Well attended with thirty participants from a broad spectrum of businesses and community members. . Harvey commented on Shark Bay: Well attended with good contributions from all participants.</p> <p>David O'Malley/ Catherine Fethers commented on Carnarvon workshop: Good number of participants, broad spectrum of business and community. A lot of positive time spent educating the participants in what the National Landscape Program is all about.</p> <p>Catherine Fethers stated that Tony and Paul (Tourism Aust) commented on the success of the Gascoyne workshops and congratulated the communities</p>

	<p>for their involvement.</p> <p>Tourism Australia will be holding a presentation with Tourism WA tomorrow (9/02/11) to reveal their branding concept for Shark Bay-Ningaloo. Catherine will discuss with Tony the possibility of him making the branding presentation to each of our individual communities, involving councils, branding workshop participants and interested community members. The time frame for the presentations and official launch is unknown as yet. It was generally agreed that, if possible, the launch should take place in the Gascoyne region rather than Perth as long as there is substantial media coverage (Martin Ferguson, Minister for Resources and Energy, Minister for Tourism and Peter Garrett, Minister for Environment Protection launched the Kimberley National Landscape in Broome).</p>
3.	<p>Next step- Funding for Strategic Experience Plan- approx \$100 000 required. This amount has been suggested by Tourism Australia based on the cost of two of the most recently received National Landscape Strategic Plans.</p> <p>Rogé Kempe is investigating the Royalties for Regions grant application for funding for the Strategic Experience Plan. While he is happy to write the application, he cannot continue without support from all three councils. A letter of support is required from all councils, including the amount that the council may be willing to contribute. Rogé is working with the Exmouth CEO and Jacqui is putting an agenda item to the Shark Bay council this month with this request. The committee still requires the commitment from the Shire of Carnarvon in order for the grant application to proceed. DEC should also be approached regarding funding. (Jacqui to approach Cheryl Cowell)</p> <p>Whilst it was agreed that the R4R funding is our best grant option, other grants are available through Lotterywest, GDC, etc.</p> <p>Darren Capewell is meeting with WAITOC (Western Australian Indigenous Tourism Operators Committee) on March 10, 2011. As WAITOC support the National Landscape Program, Darren will discuss with the committee the possibility of financial and written support requested by the National Landscape Committee. If successful, Darren will forward the letter to Rogé to be included as an attachment to the R4R grant application.</p> <p>Other support letters for the R4R funding application are required from tour operators, businesses, organisations and community groups. Jacqui to contact Shark Bay tour operators. A support letter template is a possibility to ensure letters are received. (Rogé, Mel and Jacqui to forward to appropriate groups)</p> <p>Current funding from Tourism WA has been in three stages: \$2000 initial \$10000 for Branding Workshops \$25000 for the Strategy Plan</p>

	<p>Catherine Fethers will research the amount currently available and whether or not any has been delegated to an account. Catherine will also confirm what, where and if there is a Memorandum of Understanding of any kind, involving the National Landscape Committee. This information will be forward to Harvey.</p>
4.	<p>Steering committee positions: A ‘treasurer’ will be required at some stage to maintain and update financial information. If the committee remain unincorporated it is possible to use a Shire or incorporated body to hold funds in trust on the committee’s behalf. With Rogé writing the R4R grant application, it may be possible for the Shire of Exmouth to hold the funds in trust should the grant be successful.</p> <p>Two parts of funding is required for the National Landscape:</p> <ol style="list-style-type: none"> 1. The Strategic Experience Plan (approx \$100 000) R4R funding etc- as discussed previously 2. General committee costs: such as meeting costs, NL national conference Attendance in November 2011, implementation EDS -Programs & Projects marketing and PR (not sure for example if we need to make/distribute copies of our upcoming branding strategy etc), stationery, other, etc. <p>Jacqui discussed the possibility of introducing a National Landscape Levy to members of visitor centres in the Gascoyne, i.e. a small set percentage figure of each member’s membership fee. Shark Bay Visitor Centre is Shire operated, Carnarvon and Exmouth are operated differently. Would need to pass through various committees and possibly council. This form of revenue would assist in keeping the National Landscape Committee sustainable, rather than assist with the Strategic Plan funds. Rogé responded that it may be too early to ask tour operators to contribute as they would want to see a return. Possibility in the future.</p> <p>All committee members are requested to have a think about where this funding can come from and put forward their suggestions.</p>
5.	<p>Memorandum of Understanding (MOU) with Tourism WA re funds transfer Catherine to investigate .</p>
6.	<p>General Business Laura Jones will be leaving Tourism Australia at the end of February. Ingrid Johnson will be her replacement.</p>
7.	<p>Future Meeting Dates Bi-monthly- second Tuesday of the month. Next meeting Tuesday 12th April 2011 at 1pm.</p>
8.	<p>11.10am Close Meeting</p>

National Landscapes

HANDBOOK

A partnership between conservation and tourism

- October 2009 -

BACKGROUND

Australia is widely regarded as having one of the world's most distinct and rich environments. It is also home to the world's oldest living culture. Its people have a lifestyle that is admired and sought after the world over. These compelling assets make Australia one of the world's most desirable visitor destinations – one that should be better interpreted, visited and conserved.

The program was inspired by a realisation that around the world the term 'National Park' is a prime brand name for tourism. For example the Serengeti National Park, Yellowstone National Park, and Kilimanjaro National Park, to name a few, are major tourism draw cards. Around the world National Parks are usually few but significant. While America has 57 National Parks and Canada has 41, Australia has over 600. Australia's large number of national parks and protected areas are impressive yet overwhelming for travellers to navigate and digest.

In recognition of this Tourism Australia and Parks Australia have formed a partnership between tourism and conservation to identify Australia's iconic landscapes, which capture and promote the best of Australia and which are sort after by the global target audience, the Experience Seeker. This partnership has seen the creation of National Landscapes, an initiative that aims to achieve conservation, social and economic outcomes for Australia and its regions via the promotion of superlative nature based tourism experiences. National Landscapes will help to ensure that our natural and cultural experiences are protected for our future and enjoyed by locals and visitors in a sustainable manner.

Program Aims

National Landscapes aims to:

- Ensure tourism agencies, conservation agencies, infrastructure agencies, industry players and local government are collectively responsible for the conservation and enhancement of Australia's outstanding natural and cultural experiences for the future.
- Raise awareness and encourage visitation to these landscapes by Australia's global target market to achieve positive social, economic and environmental outcomes.
- Ensure that each landscape's natural and cultural experiences meet the target market expectations. These expectations are driven primarily by marketing activity on Tourism Australia's consumer site, Australia.com.

History

The National Landscapes program was launched in December 2006 with the announcement of Australia's Red Centre as Australia's first National Landscape. In June 2008 seven subsequent landscapes were named at the Australian Tourism Exchange (ATE) - Australia's premier tourism trade event.

Australia's **nine** National Landscapes are:

Australian Alps	Australia's Green Cauldron
Australia's Coastal Wilderness	Australia's Red Centre
Flinders Ranges	Greater Blue Mountains
Great Ocean Road	Kakadu
Kangaroo Island	

For more information on each of these landscapes, visit
<http://www.australia.com/campaigns/nationallandscapes/index>

What is a National Landscape?

A National Landscape goes beyond individual National Parks boundaries or iconic visitor attractions. It is not about municipal or State boundaries, instead, a National Landscape is united by its world class experiences of environmental or cultural significance. This approach encourages greater collaboration between the parties that govern, preserve and promote it. National Landscapes brings together a wide range of stakeholders including local government, environmental NGOs, tourism operators, protected area managers and tourism marketing agencies.

Strict selection criteria has been developed to ensure that only destinations that have truly extraordinary attributes and provide a unique point of difference can become National Landscapes: A world-class landscape of natural, cultural and spiritual assets, distinctive to Australia

In identifying Australia's quintessential landscapes, the aim is to encourage regional partnerships and planning, including the appropriate provision of access and infrastructure in balance with natural and cultural conservation outcomes.

How does the program work?

Areas that are selected as National Landscapes will be incorporated into Tourism Australia's marketing initiatives, primarily via Australia.com, and will be encouraged to continually improve regional tourism experiences through a cooperative planning process.

How many National Landscapes will there be?

To elevate Australia's prime landscapes to the international market, the National Landscapes program will include up to 20 landscapes, bringing into sharp focus the best nature based tourism experiences Australia has to offer.

BECOMING A NATIONAL LANDSCAPE

The Process

To be eligible for consideration as a National Landscape a region must demonstrate a high degree of stakeholder interest and commitment and be able to show to the National Landscape Reference Committee (NLRC) that they have potential to meet the National Landscape selection criteria to a very high level. The National Landscapes Reference Committee will review candidates at each step in the process and determine if they are eligible to progress.

1. Declare interest

The first step in the process requires that the region will convene a meeting of interested stakeholders and invite a representative from the NLRC to outline the elements involved in becoming a National Landscape, discuss potential for local implementation of the program, including regional partnerships that could support sustainable tourism and product development in the region.

2. Form a Steering Committee

If the region would like to proceed with a National Landscapes application, then a local

steering committee should be convened to write to the NLRC addressing the selection criteria using the attached application form.

3. Initial assessment

The NLRC will assess each application on its merits, consulting with state parks and tourism agencies as appropriate.

4. Experience Audit

If the candidate passes the initial assessment, an experience audit will be commissioned by Tourism Australia to ensure that the area has sufficient international ready product to participate in the program.

5. Destination Branding

If the experience audit results are supportive, the candidate will commence a destination branding exercise to identify strengths of the region from a consumer point of view.

6. Declaration as a National Landscape

Upon satisfactory completion of the branding process, the candidate is declared a National Landscape by the National Landscape Reference Committee. The region will then be officially included in the marketing initiatives related to the program.

7. Master Planning

Each National Landscape will develop a Master plan that to focus on the delivery of a number of outstanding and iconic experiences distinctive to the National Landscape to the Brand Australia target market in optimal locations. The plan will outline the required public and private sector visitor facilities and product development required to deliver the brand promise.

8. Indigenous elements

Whilst the Brand may not necessarily highlight Indigenous cultural values, in view of the target market's interest in engagement with Indigenous culture the Committee is keen to give this element a particular focus. The Committee would be interested in any plans that encompass this aspect of the heritage of the National Landscape region.

Experiences Audit

The aim of the audit is to compile a comprehensive list of experiences, products, and activities that can be found and undertaken in the candidate region. The audit will be completed after liaising with the relevant STOs then utilising strict selection criteria that responds to the Experience Seekers needs. The criteria were developed by Tourism Australia in conjunction with the Destination Australia Marketing Alliance. It will include both commissionable and non-commissionable experiences and products. The audit will identify existing and potential experiences aligned to the candidate region's strengths.

The audit will reveal:

- A comprehensive list of experiences available in the candidate's region including an assessment of their level of market and export readiness
 - A list of potential experiences suited to the region's unique strengths including key steps required to bring them to market and export readiness
 - Detailed information on each experience
 - Gaps in existing product that the region needs to address to attract the Experience Seeker market eg signage, infrastructure, and accommodation.
-

Once the audit report is completed the consultant will present it to the National Landscape Reference Committee. The committee members will decide whether the candidate is ready to progress in consultation with the consultant. It is important to note that not all candidates will progress past this stage.

Brand Positioning

Tourism Australia will commission a consultant to undertake destination branding for the candidate. All the branding work is undertaken in close consultation with the candidate Steering Committee.

Objectives of Destination Branding

- To develop a brand strategy that understands and identifies strengths of the region from a consumer point of view
- To define the emotional territory of the brand and/or a positioning that resonates with the consumer

This process delivers the brand strategy that will drive the candidates Tourism Master Plan development. The brand strategy will also underpin and leverage relevant STO's within the candidates region along with Tourism Australia's marketing. Recommendations will also be provided by the consultant on how the brand strategy can be brought to life by the tourism industry.

Tourism Master Planning

The TDM Plan will be based on the target market, and iconic experiences within the National Landscape that are distinctive in world terms. These experiences will be presented as specified journeys, precincts, or destinations around which products, infrastructure, access visitor facilities, services, and information can be further developed.

Central themes in the development of the plan are firstly: environmental sustainability within the context of climate change; cultural and social appropriateness and economic viability; and secondly: cooperative management between the tourism industry; traditional owners; the conservation sector and government stakeholders. The plan will also identify: issues that require detailed planning, design or management solutions; commercial and investment opportunities; quality assurance standards, and regulatory considerations.

Once complete, the plan will be presented to State, Regional and Local government authorities to provide a framework that will guide supply side planning of National Landscape destinations and a platform to better co-ordinate public and private tourism development and infrastructure investment.

The plan will help ensure:

- delivery of iconic superlative experiences distinctive to the National Landscape to the Brand Australia target market.
- that required visitor facilities, industry development, services and infrastructure requirements are identified for planning and provision in public sector programs or by the private sector as appropriate.

Parks Australia will guide each National Landscape through this process; however the development of the Master Plan is not funded by the program.

Australian Experiences

Tourism Australia's aim is to move Australia to the top of the mental checklist of the Experience Seeker. To achieve this, Tourism Australia and its industry partners must place a greater emphasis on promoting world's best Australian Experiences.

Truly authentic experiences distinguish a destination from its competitors and the perceived opportunity for such experiences can attract visitors to a destination.

Our target audience, the Experience Seeker, is, by definition, looking for unique, involving and personal experiences from their holidays. Within a complex decision making process we need to create a desire for compelling Australian Experiences to enhance the value of our destination.

These experiences show the needs and wants of the Experience Seeker.

The seven Key Australian Experiences are:

- Aboriginal Australia
- Nature in Australia
- Outback Australia
- Aussie Coastal Lifestyle
- Food and Wine
- Australian Major Cities
- Australian Journeys

The National Landscape program aims to comprehensively evaluate the experiences within each of the landscapes through the audit process. It also seeks to encourage these already superlative areas to fill product or experiences gaps via their Master Plan and to identify opportunities that deliver on the brand and the desires of the Experience Seeker.

Australia's Key Experiences

- 1. Aboriginal*** Australia – is all about sharing the world's most ancient, living culture, best expressed through art, storytelling, dance music and the land itself. For the Experience Seeker, it means learning about traditional Aboriginal practices as well as contemporary interpretations.
 - 2. Nature in Australia** – Australia's vast wilderness, ancient landscapes and natural beauty are best described by their colours: the red sandy deserts, the green rainforests, the white untouched beaches and the rich blue oceans. The Experience Seeker can easily access and learn about distinctive plants and intriguing wildlife that cannot be found anywhere else in the world.
 - 3. Outback Australia** – Australia's heartland is characterised not only by the spectacular colours and dramatic landscapes, but also by the spirit and resilience of its people, their communities and lifestyle. The Experience Seeker can enjoy the vast open spaces, the sky, the stars, the pubs, the cattle stations and meet the people that make this uniquely Australian landscape what it is.
 - 4. Aussie Coastal Lifestyle** – is more than just the beach, surfing and the strip of sand – it is a way of living. The coast is a place where families and friends meet: a place where you can watch a movie, play a game of cricket or volleyball, throw a Frisbee or have a picnic. With nine coastal World Heritage Areas, Australia offers the Experience Seeker one of the most diverse, least-crowded and unspoilt coastal experiences in the world.
 - 5. Food and Wine** – inspired by fresh, natural produce experienced in stunning locations. Experience Seekers can enjoy Australia's fabulous food and wine served by friendly Aussies in great locations. They can choose from casual cafes, alfresco or fine dining, or
-

simply have a picnic or BBQ on a beach. Experience Seekers can also explore some of our renowned wine regions and visit cellar doors to sample and learn about the wines.

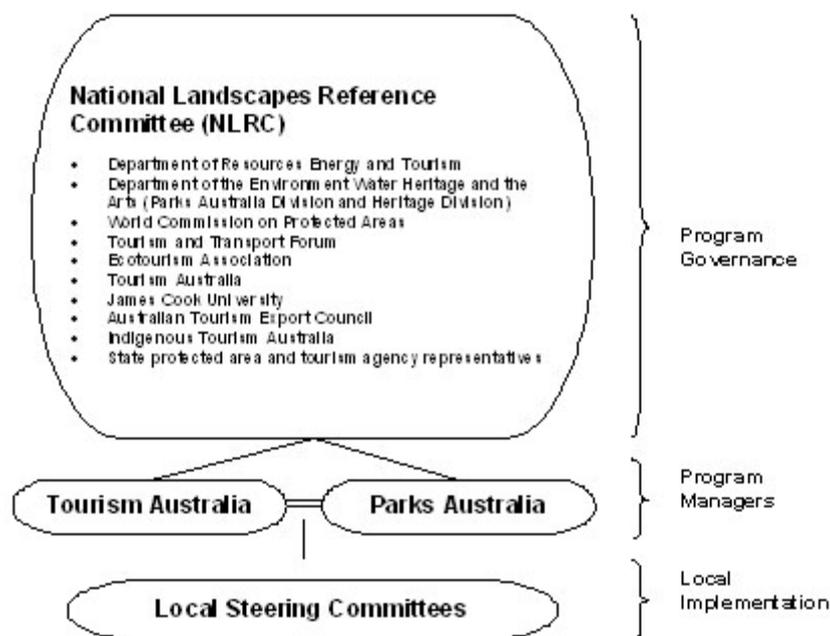
6. Australian Major Cities – Australia’s major cities show off the Australian way of life and culture. Experience Seekers can enjoy our cities and their contemporary, outdoor lifestyle. They can see Australia in our architecture; experience it in our multicultural precincts, shops, theatres, and bars; watch it in the people; taste it in our food or smell it in the oceans or bushland. Australia has a young, free-spirited and uninhibited culture.

7. Australian Journeys – from the outback to the coasts, Australian journeys are more than just getting from one place to another: they’re about discovering the diversity, the wonders, the vibrant towns, the people and their unique way of life. Experience Seekers can take weeks meandering through rolling countryside, red desert, sparkling waterholes and our spiritual heritage or a few days exploring wilderness coast, island clusters or reefs.

*The term ‘Indigenous’ refers to Aboriginal and Torres Strait Islander people and the tourism businesses that showcase these cultures. Tourism Australia uses the term ‘Indigenous’ when referring to cultural experiences across Australia. However, for consumer-targeted media, Tourism Australia usually refers to ‘Aboriginal Australia’ or ‘Aboriginal experiences’ as these are the terms recognised by consumers globally.

Program Partners

The success of the National Landscape program relies on the support of a number of stakeholders. It is important that all parties involved understand their own roles and those of others involved to ensure smooth delivery of the program.



National Landscape Reference Committee

The National Landscapes Reference Committee (NLRC) was jointly established in 2005 by the Director of National Parks and Tourism Australia to oversee the design and delivery of the program.

The NLRC has a responsibility to provide the program managers (the Director of National Parks and Tourism Australia) with independent advice on the direction and implementation of the program. The NLRC also has a decision making responsibility in the assessment and evaluation of potential National Landscape candidates. These responsibilities underpin the establishment of the NLRC as an assessment and advisory committee with a focus on the strategic direction and successful delivery of the National Landscapes program.

The NLRC is comprised of:

- A Chair representing the program managers
- Members from
 - Tourism Australia
 - Parks Australia
 - The Department of the Environment, Water, Heritage and the Arts – Heritage Division
 - The Department of Resources Energy and Tourism
 - Tourism and Transport Forum
 - Ecotourism Australia
 - Australian Tourism Export Council
 - World Commission on Protected Areas
 - James Cook University
 - State tourism and protected area agencies

Program Managers

Tourism Australia and Parks Australia have formed a partnership to identify a key number of iconic national landscapes for the purposes of being able to better define and promote Australia's outstanding natural features for national and international tourism.

Tourism Australia

Tourism Australia's interest is to increase the knowledge of potential travellers, both international and domestic, of Australia's outstanding natural areas. Working with Parks Australia, Tourism Australia project manages the program and also is responsible for commissioning and paying for the auditing and branding work that each National Landscape undertakes. Its main role is to incorporate and promote the National Landscapes areas via its current marketing initiatives.

To date these include:

- A dedicated National Landscape's site on Australia.com (Tourism Australia's global 'call to action' for all marketing activity). This site includes information, useful links, footage and maps of each NL and has been translated into seven languages (www.australia.com).
 - A downloadable brochure has been included on Tourism Australia's corporate site www.tourism.australia.com
 - Media fact sheets for each National Landscape have been developed and distributed to the media and appears on Tourism Australia's corporate and consumer sites.
 - National Landscape information will be incorporated into TA's PR activities including the International Media Hosting Program.
 - Developed a National Landscapes mini collection on Tourism Australia's image library
 - Australian Geographic coverage
 - A dedicated module is being developed for the Aussie Specialist Program, Tourism Australia's global online training program with over 20,000 travel agents participating in the program
-

Parks Australia

Parks Australia works in conjunction with Tourism Australia as a project manager of the program. Its main interest is in the promotion of protected areas as community cultural assets and as contributors to the economic well being of regional Australia. Parks Australia works closely with the National Landscapes on advising best practices in line with the master planning process.

Steering Committees: Terms of Reference

It is the role of each Steering Committee to undertake the following:

- Appoint a chair who will liaise the National Landscape Reference Committee and act as a central contact point for the group
 - Ensure adequate representation from both the tourism and conservation sectors
 - To update local stakeholders i.e. Tourism Operators, Regional Resort Management Boards, STO's, Parks and Wildlife agencies, participating shires, local and regional tourism organisations, on all stages of the National Landscape process.
 - To work cooperatively with Tourism Australia and Parks Australia during the audit and branding and ongoing implementation of the National Landscape process. (auditing and branding are highly collaborative and will require a significant investment of time)
 - Commit to assessment elements of: aligning to Brand Australia, sustainability, leadership, planning, and marketing, along with the importance of Indigenous elements
 - To work with Parks Australia on the master planning stage of the program. This will also include the Steering Committee sourcing funds for the master plan
 - Provide updates to Parks Australia, Tourism Australia and the National Landscape Reference Committee on activities, news, updates within their National Landscape
 - Each National Landscape Chair to attend the National Landscape Forum and to participate in monthly telephone conferences providing an update on activities.

Marketing

Activity to date

Tourism Australia has incorporated the National Landscapes areas into its current marketing initiatives. To date these include:

- A dedicated National Landscape's site on Australia.com (Tourism Australia's global 'call to action' for all marketing activity). This site includes information, useful links, footage and maps of each NL and has been translated into seven languages. Click [here](#) to view.
 - A downloadable brochure has been included on Tourism Australia's corporate site. Click [here](#) to view.
 - Media fact sheets for each NL have been developed and distributed to the media and appears on Tourism Australia's corporate and consumer sites.
 - NL information will be incorporated into TA's PR activities including the International Media Hosting Program.
 - Developed a National Landscapes mini collection on [Tourism Australia's image library](#)
 - Australian Geographic coverage
 - A dedicated module is being developed for the Aussie Specialist Program, Tourism Australia's global online training program with over 20,000 travel agents participating in the program. To read more about the Aussie Specialist Programme click [here](#).
-

Media success to dateKakadu

Vox Tours – travel TV show – Germany

Greater Blue Mountains

AD newspaper – Netherlands

Amica magazine – trend lifestyle magazine – Germany

Australia's Red Centre

NZ Herald – newspaper

Dream Holiday TV show – NTV channel – Japan

Gala magazine – woman's lifestyle magazine – Netherlands

Flinders Ranges

Ulysses newspaper – France

Echappées Belles – TV show – France

Men's Journal – US men's magazine

Great Ocean Road

Vox tours – travel TV – Germany

Australia's Green Cauldron

Prime North Coast local news – TV news - Queensland

Marketing Resources

Marketing is the very broad term that refers to how organisations promote their products and services. There are many different aspects of the marketing mix that a National Landscape can tap into including advertising, direct mail, viral campaigns, public relations and digital communications. An organisation's marketing approach usually depends on available budget and their business objectives.

The Australian Experiences Industry Toolkit Volume 1 will provide some practical information on how to develop media materials for your business using the key Australian Experiences including:

Writing a media release

Improving your company's biography

Preparing a media kit

Producing a newsletter

Using an online news centre

Visit www.tourism.australia.com to download Australian Experiences Industry Toolkit Volume 1.

The Australian Experiences Industry Toolkit Volume 2 builds upon the practical guides outlined in Volume 1 and includes additional information on digital marketing including:

Online Marketing

Search engine optimization

Social Networking and user generated content

Podcasting and Vidcasting

Mobile phones

Viral campaigns

Visit www.tourism.australia.com to download Australian Experiences Industry Toolkit Volume 2

Communications

National Landscapes eNewsletter

Is the newsletter of the National Landscapes program and includes local stories and developments. To subscribe click [here](#).

Funding

The National Landscapes program is a partnership on many levels between conservation and tourism through to the stakeholders that work to implement the program within their region.

As such, funding the various stages of the program becomes the responsibility of the following:

- **Audit:** Tourism Australia will consult with the relevant STOs in the industry if the candidate has the appropriate product that fits the criteria.
- **Brand Positioning:** Tourism Australia will commission an external consultant to undertake a brand positioning for the candidate. All the branding work is undertaken in close consultation with the candidate Steering Committee
- **Master Planning:** Each landscape's steering committee is responsible for working with stakeholders within their landscape to source funding for the Master Plan.

New funding opportunity:

TQUAL Grants launched

Minister for Tourism, the Hon Martin Ferguson AM MP recently launched the TQUAL Grants. TQUAL Grants is a competitive funding program that was formerly known as the Australian Tourism Development Program.

The funding round opened on 15 April 2009. Applications close on Thursday, 11 June 2009 at 5pm local time.

The aim of *TQUAL Grants* is to stimulate sustainable growth in the Australian tourism industry. It will do this by supporting innovative, high-quality tourism products that contribute to the long-term economic development of Australia. TQUAL Grants will be delivered by AusIndustry on behalf of the Department of Resources, Energy and Tourism.

There are three categories of funding, each with separate eligibility requirements, evaluation criteria and funding requirements:

- Category 1—grants of between \$5,000 and \$100,000 for Innovative Tourism Projects
- Category 2—grants of between \$100,000 and \$500,000 for Integrated Tourism Development Projects
- Category 3—grants of between \$25,000 and \$500,000 for National or Sectoral Tourism Initiatives

For more information please click [here](#) or download [TQUAL factsheet](#).

Bundling' your product

'Bundling' refers to aligning and marketing products together to present a rich and diverse palette of experiences that greatly enhance the competitive offering. It is all about bringing

together complementary activities to form compelling and unique Australian Experiences. It helps to improve visitation through regions and increase tourist revenue through multiple suppliers offering complementary products, or via single suppliers providing services that complement their core offering.

‘Bundling’ by individual suppliers or destinations can in effect present a smorgasbord of potential activities/experiences that greatly enhances the competitive nature of what we offer the Experience Seeker.

‘Bundling’ can help your business by:

- Assisting you to more clearly tailor your marketing to the Experience Seeker by highlighting the most appealing activities and experiences;
- Assisting you to tailor your products more closely to the needs of the Experience Seeker and align yourself with products that complement your offering;
- Improving the profile and visibility of your business;
- Helping you to leverage Tourism Australia’s and the State Tourism Organisations’ activities, as well as other operators in your area, to grow visitor arrivals, length of stay and spend;
- Keeping your product fresh and keeping people interested, which are both important for repeat visitation; and
- Helping to generate ‘word of mouth’.

For detailed information on Bundling, including informative case studies please visit www.tourism.australia.com to download ‘Australian Experiences Industry Toolkit Volume 2’. Bundling can be found from page 23-30.

Useful Links

www.australia.com

www.tourism.australia.com

www.tourism.australia.com/research

Key Contacts

Tourism Australia

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Parks Australia

Lisa Testoni

A/Director Tourism and National Landscapes

Hilary.Schofield@environment.gov.au

15.2 DENHAM ENTRY STATEMENT

RO 105.04

Author

Deputy Chief Executive Officer

Disclosure of Any Interest

Nil

Moved Cr Ridgley
Seconded Cr Pepworth

Council Resolution

1. That the Council adopt the concept presented in principal utilising Option 2, Vertical format proposal for the Entry Statement which includes the marine mega fauna display of two dugongs and instruct the Chief Executive office to further progress that matter and investigate any possible cost savings to the project.
2. That the Entry Statement be placed between the Shark Bay Road and the Tourist Information Parking Bay.
3. That the funding be included in the Draft 2011/12 budget for the concept plans to continue the theme of displays of mega fauna that are endemic to the Shire of Shark Bay.
4. That the Chief Executive Officer seek grant opportunities to fund the proposed future displays.

5/0 CARRIEDBackground

The Entry Statement is one component of a larger project, World Heritage Drive other components include;

World Heritage Drive Signs (completed), paid by grant from Dept of Regional Development.

Entry Statement Lighting, to be paid by grant from Gascoyne Development Commission. This is currently being priced for solar powered lights rather than mains power.

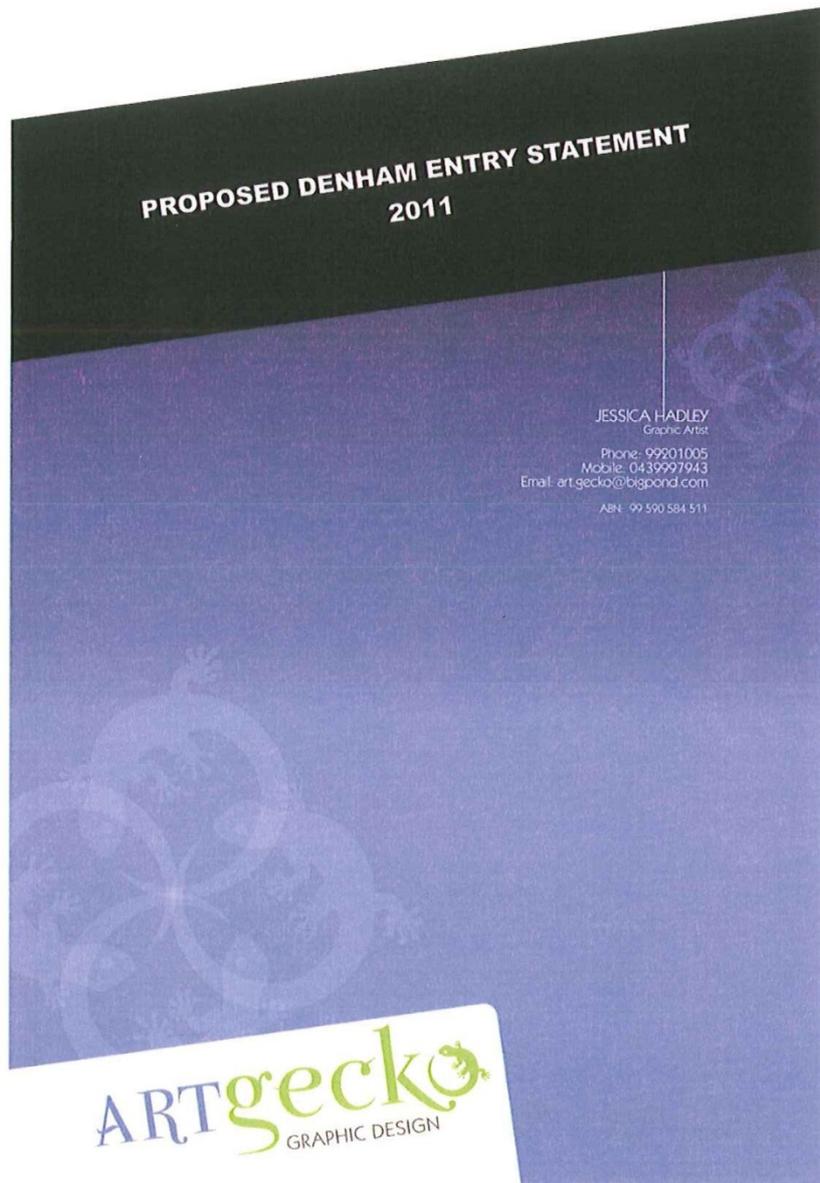
Entry Statement Power connection, to be paid by grant from Department of Regional development, to be combined with above.

Promotion for World Heritage Drive (completed), Shire funded and
Denham Entry Statement, Shire funded.

In 2003 the called for Expressions of Interest for the design of the Denham Entry Statement. There were a number of submissions with Jessica Beales's (now Jessica Hadley) design being selected by the Council.

This proposal did not proceed due to budgetary constraints.

Given councils desire to have the entry statement completed Mrs Hadley was contacted to provide a design fro an entry statement based upon the councils desire to have the mega fauna of the Shire of Shark Bay represented.



PROPOSED DENHAM ENTRY STATEMENT
2011

JESSICA HADLEY
Graphic Artist
Phone: 99201005
Mobile: 0439997943
Email: art.gecko@bigpond.com
ABN: 99 590 584 511

ARTgecko
GRAPHIC DESIGN

IN COLLABORATION WITH



RED CROW
Design & Fabrication

Proposed Denham Entry Statement, 2011

DESIGN OPTION 1: Vertical Format (Manta Ray)

This Entry Statement is designed to create a maximum impact for the visitors to the town via vehicle. The scale of the obelisk is consummate with the large open landscape and vast sky. It's vertical axis and its imposing hard edged form is designed to juxtapose the surrounding horizontal landscape and texture of the natural vegetation. These design qualities are selected to create a dynamic focal point.

The elements that have been selected for this work include the treatment of the polished, red earth coloured concrete which reflects the predominate earth pigmentation of this area (Rammed earth can be used as an alternative to concrete). The horizontal copper patina inlay makes a visual reference to the aqua coloured sea which laps on Denham's shoreline. An inlay will also be used to represent Denham's net fishing and pearling history outlined in the design on the back of the wall. Shadow lines that diagonally meander over the obelisk surface are reminiscent of drifting sand.

The large dynamic sculptural form of the manta ray reminds the viewer that they are entering into a marine precinct and is fitting considering how many of the magnificent creatures inhabit the bays of Denham and Shark Bay as a whole. The dark, smooth surfaced form of the sculpture contrasts abruptly with the other elements and surface treatments. It appears to soar out of the obelisk creating a sense of visual drama.

The anodized aluminium signage boldly announces to the viewer that they have arrived at their destination. Its vertical orientation allows the lettering to be larger than it would on a horizontal format. After hours of travelling through a horizontal landscape this work has been designed to stand out like a beacon and could be seen from several kilometres as it silhouettes against the skyline.

For the entry statement to have a visual impact at night, solar lights will be installed. After the design has been selected the position of the lights will need to be negotiated with the Council Engineer to determine the most appropriate location and direction, with vertical up-lighting being the preference.

Durability and Vandalism:

This work has been designed to maximize its durability by the selection of materials in construction. The concrete is reinforced with galvanized deform bar and its surface coated in anti-graffiti film. The signage is inlayed into the concrete so it cannot be pried off. The sign is anodized aluminium and cannot corrode. The lettering is routed into a depth of three millimetres and cannot be pried off. The ray is anodized aluminium and cannot corrode. Being fastened high on the obelisk it cannot be tampered with.



Proposed Denham Entry Statement, 2011

DESIGN OPTION 2: Vertical Format (Dugongs)

This Entry Statement is also designed to create a maximum impact for the visitors to the town via vehicle. Much the same as Design Option 1, the scale and vertical axis is designed to juxtapose the surrounding horizontal landscape and texture of the natural vegetation. These design qualities are selected to create a dynamic focal point.

Again, the elements that have been selected for this work include the treatment of the polished, red earth coloured concrete which reflects the predominate earth pigmentation of this area (Rammed earth can be used as an alternative to concrete). The horizontal copper patina inlay makes a visual reference to the aqua coloured sea which laps on Denham's shoreline. An inlay will also be used to represent Denham's net fishing and pearling history outlined in the design on the back of the wall. Shadow lines that diagonally meander over the obelisk surface are reminiscent of drifting sand.

The large dynamic sculptural form of the Dugong and its calf reminds the viewer that they are entering into a marine precinct and that the mammals illustrated are greatly significant to the area. The mother Dugong will be mounted 100 millimetres off the wall and the calf 100 millimetres off the mother. The sculptures will be cut using a laser, allowing line detail to be seen. Positioning the baby in front of the mother will create shadow lines, depth of field and ultimately a 3D look. Their silvery grey surfaces will imitate the actual colour of the mammals.

The anodized aluminium signage boldly announces to the viewer that they have arrived at their destination. Its vertical orientation allows the lettering to be larger than it would on a horizontal format. After hours of travelling through a horizontal landscape this work has been designed to stand out like a beacon and could be seen from several kilometres as it silhouettes against the skyline.

For the entry statement to have a visual impact at night, solar lights will be installed. After the design has been selected the position of the lights will need to be negotiated with the Council Engineer to determine the most appropriate location and direction, with vertical up-lighting being the preference.

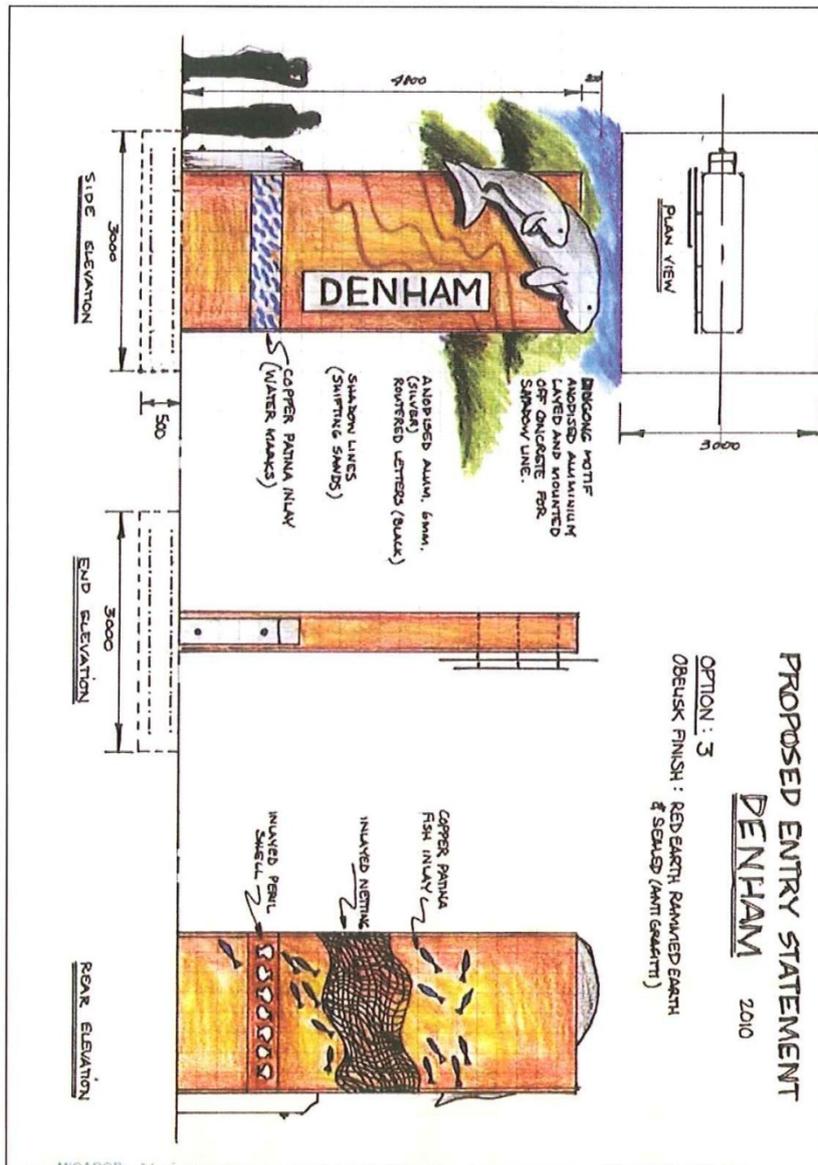
Durability and Vandalism:

This work has been designed to maximize its durability by the selection of materials in construction. The concrete is reinforced with galvanized deform bar and its surface coated in anti-graffiti film. The signage is inlayed into the concrete so it cannot be pried off. The sign is anodized aluminium and cannot corrode. The lettering is routed into a depth of three millimetres and cannot be pried off. The Dugongs are both anodized aluminium and cannot corrode. Being fastened high on the obelisk they cannot be tampered with.



Proposed Denham Entry Statement, 2011

Illustration: Design Option 2



Proposed Denham Entry Statement, 2011

DESIGN OPTION 3: Horizontal Format (Turtle)

This Entry Statement is designed to create a visual impact for the visitors to the town via vehicle in a more subtle manner. The scale of the work is consummate with the large open landscape. Its horizontal axis reflects the surrounding flat landscape. Its imposing rammed earth form is designed to complement the red earth surrounding it and juxtapose the texture of the natural vegetation. These design qualities are selected to create a harmonious focal point.

The elements that have been selected for this work include a long rammed earth wall constructed from the soil that surrounds the location. Several different soil colours could be blended to create subtle layers of colour that reflect the change of soil colour as you move closer to the ocean.

The horizontal copper patina inlay that moves across the wall once again makes a visual reference to the aqua coloured sea which laps on the shoreline at Denham. This in turn creates a focal point through the contrast in colour and texture of the wall. Denham's net fishing and pearling history will also be represented on the back of the wall using an inlay as in design option 1.

The two primary focal points on the wall are the highly contrasting sculptural form of the turtle and the contrasting surface and tone of the aluminium sign. The three dimensional turtle is constructed of bisalloy steel and is fixed away from the wall so as to create a shadow line. Its dark oxide finish and the shadow line suggest a sense of dynamic movement which catches the viewer's eye. In contrast the lightly coloured anodized aluminium sign with its smooth, reflective surface creates a dynamic contrast of tone and texture to the rammed earth and the dark turtle. The subtle curve on the top of the wall makes reference to wave actions and a visual connection with the sea.

For this entry statement to also have a visual impact at night, solar lights will be installed. After the design has been selected the position of the lights will need to be negotiated with the Council Engineer to determine the most appropriate location and direction, with vertical up-lighting being the preference.

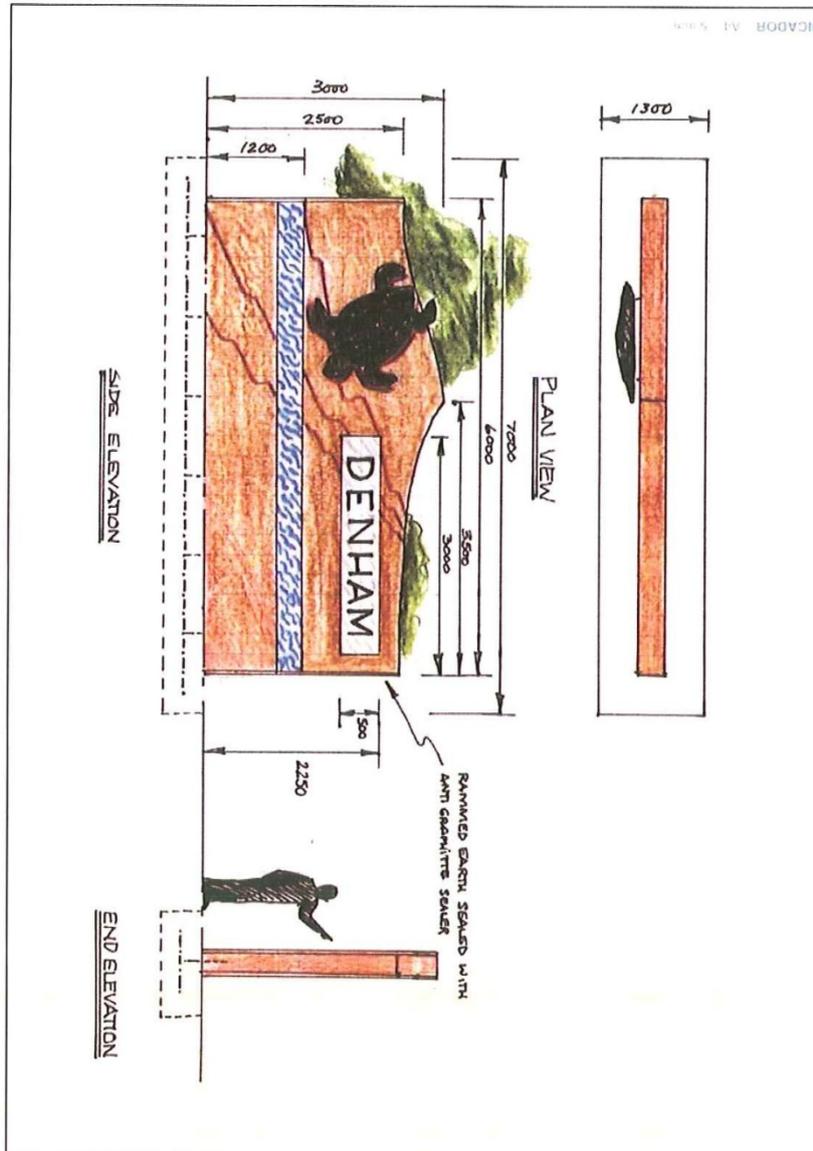
Durability and Vandalism:

This work has been designed to maximize its durability by the selection of materials in construction. The rammed earth wall is constructed with 10% cement and a waterproof additive is included to ensure stability and durability. The surface is then coated with an anti-graffiti sealant to prevent vandalism. The turtle is made from bisalloy steel which is very tough and resists corrosion better than mild steel. The natural oxide finish provides an unstable surface for paint adhesion. The inlaid copper patina water line and anodized aluminium make it extremely difficult for vandals to pry off these treatments. The lettering is routed into the aluminium surface so letters cannot be removed.



Proposed Denham Entry Statement, 2011

Illustration: Design Option 3



Proposed Denham Entry Statement, 2011

SCHEDULE OF WORK

The schedule of work needs to be agreed upon by both parties and will need to be negotiated after a decision is made by Council on the proposed Denham entry statement.

1. Proposed design options submitted 10 Feb, 2011
2. Council selection of option / notification of selection
3. Council to draw up Purchase Order No.
4. Art Gecko Graphic Design to submit Progress Payment schedule
5. Site preparation and earthworks for footings
6. Concrete footing poured
7. Wall installed
8. Signage, sculpture and inlays installed
9. Solar lighting installed
10. Completion and handover

Proposed Denham Entry Statement, 2011

COSTING: Design Option 1 and 2

Concrete Footings	\$ 4,000
Concrete Obelisk & inlays	\$ 8,000
Steel shutter for obelisk	\$ 6,500
Sculpture element	\$12,000
Signage	\$ 2,000
Freight/transport	\$ 3,000
Plant hire (crane)	\$ 1,500
Travel	\$ 3,200
Solar lighting	\$ 900
Fasteners	\$ 400
Insurance	\$ 500
Consumables	\$ 1,200
Contingencies @ 10%	\$ 9,000
Installation labour	\$ 3,200
Engineer's Fee	\$ 950
Design and Management Fee	\$12,775
Artist's Fee	\$12,775
SUB TOTAL	\$81,900
GST	\$ 8,190
TOTAL	\$90,090

Proposed Denham Entry Statement, 2011

COSTING: Design Option 3	
Concrete Footings	\$ 4,000
Rammed Earth wall & inlays	\$13,000
Sculpture element	\$12,000
Signage	\$ 2,000
Freight/transport	\$ 3,000
Plant hire (crane)	\$ 1,500
Travel	\$ 4,800
Solar Lighting	\$ 900
Fasteners	\$ 200
Insurance	\$ 500
Consumables	\$ 1,000
Contingencies @ 10%	\$ 9,000
Installation labour	\$ 3,500
Engineer's Fee	\$ 950
Design and Management Fee	\$12,775
Artist's Fee	\$12,775
SUB TOTAL	\$81,900
GST	\$ 8,198
TOTAL	\$90,090

Proposed Denham Entry Statement, 2011

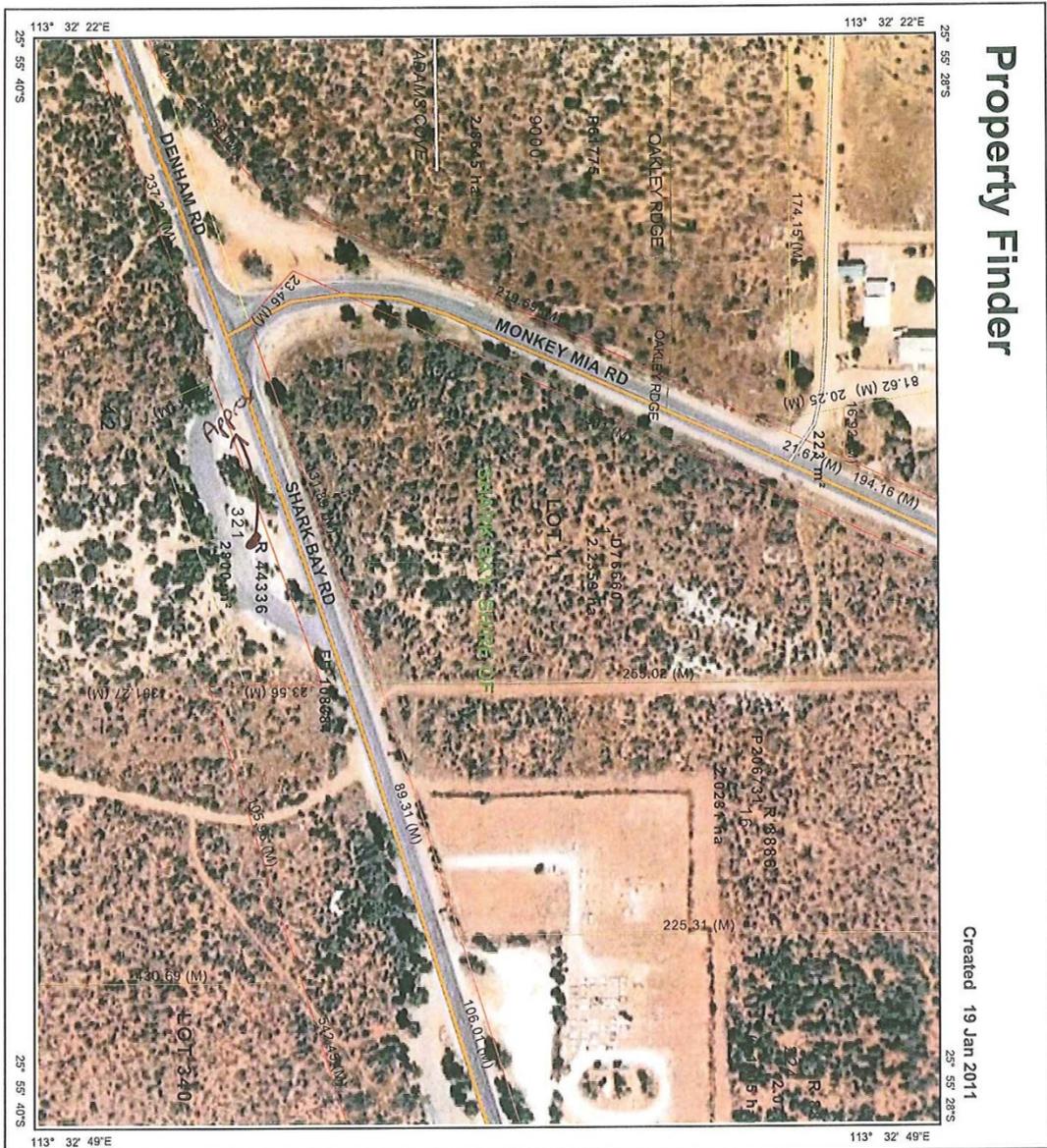
CONTACT INFORMATION

Proposal / Design:

Jessica Hadley
Art Gecko Graphic Design
Phone: (08) 9920 1005
Mobile: 0439 997 943
Email: art.gecko@bigpond.com

Construction / Installation:

Edmund Stewart
Red Crow Design & Fabrication
Phone: (08) 9926 1708
Mobile: 0427 643 359
Email: redcrow@wn.com.au



Scale: 1:2,000

Description

Map Projection: GDA 94 (Lat/Long)

Datum: Geocentric Datum of Australia 1994

1 Midland Square
Midland WA 6056
Tel: (08) 9273 7832
Email: SlipEnhancer@landgate.wa.gov.au
www.landgate.wa.gov.au

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Comment

After inspection of the proposed area for the entry statement we advised Ms Hadley that the placement of the entry statement would be best between the Information Bay Road and Shark Bay Highway (see plans provided in Background). This site has been selected is a safe place where tourist can park and have a photo taken with the entry statement and visitors will also have the opportunity to read the Tourist Information Bay. The Department of Main roads will need to give approval of the site as it is close to the main road, they will consider all matters including safety.

Ms Hadley's report show options of a Dugong, Manta Ray or a Turtle. They also give an option of a vertical or more horizontal feature.

It is proposed to establish the entry statement the commencement of a theme of artistic items which could be based around Marine life and/or the history of the area.

This would commence at the information bay with additional sculptures and incorporate the refurbishment and lighting of the information bay sign.

This would be used to draw visitors to the foreshore with a continuation of the mega fauna displays that are endemic to the Shire of Shark Bay. Incorporated in the displays would be information of the species and its significance to the area.

This idea is still in the conceptual stage and would require additional funding to be allocated over a number of budget years. If council is receptive of the concept a full scope can be prepared for budget consideration.

Legal Implications

Nil

Policy Implications

Nil

Financial Implications

Estimated cost of the project is \$90,000, which is within budget.

Strategic Implications

Promotion of Denham

Voting Requirements

Simple Majority Required

Date of Report

15 February 2011

16.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

17.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Moved Cr Pepworth
Seconded Cr Ridgley

Council Resolution

**That Council accept the tabling of the urgent business items 17.2 and 17.3.
5/0 CARRIED**

17.2 AVIATION SERVICES TO DENHAM**Author**

Chief Executive Officer

Disclosure of Any Interest

Nil

Moved Cr Ridgley
Seconded Cr Pepworth

Council Resolution

That the matter of aviation services to the Midwest Gascoyne Region be vigorously pursued with the Minister for Transport to ensure that the services and flights to the region are not diminished in any way.

5/0 CARRIED

Background

The following information has been circulated by the Carnarvon chamber of commerce and outlines a number of issues that can also be applied to the air service to Denham.

Correspondence has previously been forwarded to the local Member of Parliament advising of council concerns in regard to a possible reduction in the standard of service and the impact that would have on the economy of the area.

The information predominately relates to the Carnarvon scenario however a number of the matters raised are relevant to the Shire of Shark Bay.

The flights will be scheduled for one flight on Tuesday, Friday, Saturday and Sunday at this point direct from Perth to Denham.

I have invited the chief executive officer from skippers to address the council but have not been advised when he is available.

SOME KEY ISSUES & CONCERNS IDENTIFIED**TERMINAL FACILITIES****SkyWest**

SkyWest operates out of Terminal T3 (Virgin Blue/SkyWest) - it has a full range of facilities including retail outlets, food and beverage outlets, hire car operators and accommodation and tourist information boards. Taxis are always readily available and connect bus services are available for Perth city and Fremantle clients. Trans

Perth also operates a bus from this terminal. Virgin Blue and Qantas facilities are all within 100 meters of the arrival/baggage collection area (essential for passengers catching or arriving on a connecting flight). Access to the lounge facilities for passengers connecting (e.g. Qantas Club and Virgin Blue lounges)
Open 24 hours – allowing transit passengers to wait (and safely).

Skippers

Skippers have their own terminal located approximately 1 km from the T2 Qantas terminal and T3 Virgin Blue/SkyWest terminal - the only facilities available are via vending machines.

Open only when flights are arriving and leaving

The options of moving between the terminals (Skippers and T2/T3) is to walk approx one kilometre on busy roads with no footpaths, catching a taxi, if you can get one to take a \$10 fare or catching the airport connect bus if it operates a service from this terminal at a cost of approx \$5.50 to \$8 per person (baggage will need to be taken with passengers – no baggage transfer). It appears that a shuttle bus currently operates to the Long Term Car Park.

It has been indicated that Skippers may provide a transport service from their terminal to T2/T3 terminals, however what the cost will be, regularity and if this will actually happen is not known. There will be difficulties in coordinating this type of service with passengers arriving from the eastern states or into the international terminal and needing to make their way to the Skippers terminal.

AIRCRAFT TYPE

SkyWest

Fokker F50 - Capacity of 46 – 48 seats, large baggage/freight capability. Capable of flying CVQ-PER (Carnarvon to Perth) vice versa with full passenger and baggage/freight load.

Larger planes on **all** flights – capacity for more passengers and more freight to be transported (including animals)

Wheelchair access on all flights

Skippers

Dash 8 -300 – (approx 3 flights per week). Capacity of 50 seats, large baggage/freight capability. Capable of flying CVQ-PER vice versa with full passenger and baggage/freight load.

The smaller Brasilia Emb 120 - Capacity of 30 seats, limited baggage/freight capability. Full passenger load would limit baggage and freight capabilities and increase the chances of needing to refuel in Geraldton en-route. Less (if any other than baggage) freight is able to be carried (eg on behalf of Australian Air Freight Services)

NO Wheelchair access – currently.

FLIGHTS

Skywest

Currently 5 flights per week to and from Carnarvon and Geraldton – caters for the PATS (hospital patients), businesses and tourism travel and children travelling direct to boarding school

Flexibility – eg two flights per day on Race days to cater for the availability of jockeys (essential for the races to operate)

Skippers

Propose to introduce 4 flights per week flights per week direct from perth to denham – some smaller planes, children may need to travel to Perth, relocate from Skippers terminal (1km away) with their baggage to the main terminal and check in with Skywest to return to Geraldton (if there is a connecting flight available)
Less seat availability over a 12 month period based on current schedules

AIRFARES**Skywest**

Has one way fares from as low as \$149 up to \$455.
Loyalty program (frequent flyer points etc) – available
Group Sales discounts - available

Skippers

Have agreed to offer the same air fares, (from \$150 one way up to \$455) however with 16 less seats on the majority of their flights the number of cheap seats that will be available may not be comparable.
NO loyalty program available

RESERVATIONS/BOOKINGS**Skywest**

Operate a reservations office 6:00am – 7:00pm (AWST), 7 days a week
Global Distribution system, interline arrangements (exposes and promotes to travel agents worldwide) Allows travellers nationally and worldwide to book airline travel to our region.

Skippers

Operate a reservations office 8:30 am – 5:00 pm, Mon – Fri (AWST)
Call waiting times – no prompt to tell how long you will be waiting
No Global Distribution System, interline arrangements – Carnarvon may not appear to exist and is hard to find (eg Travel agents)
Need to complete of a Medical Form when booking online (before the booking can be completed)

Both offer internet booking and seat sales through Travel Agents (ie for those who know of Skippers – very unlikely for agents outside of WA or Australia i.e No Global Distribution System)

BAGGAGE

Skywest – 20-23kg checked baggage, hand baggage 7kg

Skippers – 23kg (increased from 15kgs), hand baggage to be advised

BAGGAGE TRANSFER BETWEEN AIRLINES

Skywest - currently has in place an interline agreement with Qantas allowing through baggage check in and final destination seat allocation
Minimum connecting time in Perth between Skywest and Skywest, and Qantas/Virgin Blue is 60-90 minutes.

Skippers - currently have NO interline agreements available with any airline.
Passengers need to collect their baggage at the Skippers terminal and then take it to Qantas/Virgin Blue terminals (1 Kilometre away) to check in with their baggage and have their seat allocated.

TRANSITION

People who have booked specials on Skywest and planned holidays around these bookings may now need to re-book on Skippers and depending on availability, may need to pay a higher fare, or incur additional costs due to Skippers not being able to connect to other flights.

MARKETING – TOURISM**SkyWest**

Virgin Blue have announced code sharing with SkyWest – longer term benefits are immanent

Located in the main Terminal with significant signage and location

Promotion of SkyWest through sponsorship and advertising

Travel agents – easily able to find SkyWest information (including packages offered) via the GDS (worldwide)

Marketing Department and budget specialising in Tourism (including winning tourism awards)

Global Distribution System, code shares with Qantas and Virgin Blue – this ensures region is “visible” to travel agents worldwide and allows them to research, rate shop and book flights and hire cars (interstate and international)

In-flight magazine/website – opportunity to promote the town and region. Skywest has 16 destinations on WA/NT (many are tourism routes).

Not being in the Skywest magazine or website will also diminish the destination choices within the north of the state.

Ability to work with wholesaler providers

Skippers

Profile

Limited to charter locations as Skippers specialise in mine transfers

Not currently located in the main terminal – 1 km away

Promotion and advertising limited (ie not a well known brand outside of the charter industry)

Travel agents – limited knowledge of the company and no GDS

No Marketing Department specialising in tourism (specialise in mine transfers)

No Global Distribution System, no code share

No ability to work with wholesaler providers

Inflight magazine – yet to be seen. Potentially only markets to mining destinations (Wiluna, Leinster, Leonora etc) – limited destinations and not tourist locations.

Severely impacts the Shire - it is removed from tourism routes as a WA destination
Australia Coral Coast (ACC) - reduces the marketing impact of the northern section of the ACC removing linkages between towns and making the overall package less attractive.

REQUEST FOR PROPOSALS TO TENDER PROCESS

NO consultation in content for the Request For Proposals (RFP)

Potentially flawed process – the content of the Request For Proposals (RFP) to Tender document.

It appears that some of the “minimum requirements” of the Regular Passenger Transport (RPT) air line service to be provided, (so that the RPT was of the same standard as Skywest or better) were not included.

For example when Skywest won the contract for Carnarvon in 2006, it included the requirement to be based at the main domestic terminal and the requirement to have a Global Distribution System.

Interim Outcome proposed to ensure Coastal Air Service levels are maintained for the Gascoyne region

We believe very strongly that given it seems, the due diligence and research undertaken by the DoT was poor, the “Request For Proposal” process was flawed, Tourism issues totally misunderstood, the time frame for the transition period (6 weeks) was unrealistic (6 – 12 months is more realistic), together with the downgraded level of service to be imposed on the Shire of Shark Bay as a result of the flawed process, that the State Government should delay the Skippers agreement.

This would allow Skywest to continue to provide the ‘Status Quo’ level of service until both a review of the recommendations from DoT is undertaken, and resolutions are identified and implemented for the serious impact issues raised by the CCCI and ASPEN Parks in Monkey Mia. A proper informed decision could then be made by the Minister and an appropriate tender document or RFP (containing the current equivalent of the Skywest offering) could then be put back out to the market place, allowing extensive key stake holder consultation and in turn the air service providers to be fully informed of their requirements and expectations.

Comment

As indicated the research undertaken by the Carnarvon Chamber of Commerce has relevance to the Shire of Shark Bay. The interconnection between the regions has been diminished with the Skippers option only operating from Perth to Denham. This may be a disadvantage as there is no ability to utilise the service to travel around the Coral Coast area.

The pursuit of this issue in line with the Carnarvon Chamber of Commerce should be continued to ensure that the local community and potential visitors do not have a reduced number of options to take advantage of.

Legal Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority Required

Date of Report

13 February 2011

17.3 APPOINTMENT OF AUDITORS AND SCOPE OF AUDIT FOR 2010/11, 2011/12 AND 2012/13

AU 101.02

Author

Deputy Chief Executive Officer

Disclosure of Any Interest

Nil

Moved Cr Pepworth

Seconded Cr Ridgley

Council Resolution

1. Mr G Godwin and Mr D J Tomasi, of UHY Haines Norton be appointed as the Shire of Shark Bay's auditors for the 2010/11, 2011/12 and 2012/13 financial years.

2. AUDIT SPECIFICATION

Parties to the Agreement Local government - Shire of Shark Bay 1 "Council"
Person(s) appointed as auditor by the local government "Auditor"

Objectives of the Audit

To provide an independent audit opinion of the accounts and the annual financial reports of the Council for each financial year covered by the term of the audit appointment.

Term of Audit Appointment

For the financial years commencing 1 July 2010 through to 30 June 2013

Scope of the Audit

The auditor is to carry out such work as is necessary to form an opinion as to whether – the accounts

- (i) are prepared in accordance with the financial records, and
- (ii) represents fairly the results of the operations of the local government and the financial position of the local government at 30 June in accordance with the Australian Accounting Standards, the Local Government Act 1995 (as amended), the Local Government (Financial Management) Regulations 1996 (as amended) and other mandatory professional reporting requirements; and

Audit Methodology and Approach

- (a) The auditor is required to comply with the requirements of Section 7.9 of the Local Government Act 1995 and the Local Government (Audit) Regulations 1996.
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- (b) An audit is to be carried out in accordance with "Auditing Standards" and "Auditing Guidance Statements" adopted from time to time by the Australian Society of Certified Practising Accountants and the Institute of Chartered Accountants in Australia.
- (c) The auditor is to provide the Audit Committee with a general outline of his/her methodology.
- (d) The auditor is to provide the Audit Committee with a proposed timetable for the audit including
- timing of entrance interview,
 - final audit visit (within 30 days of being advised that the audit statements are available for audit), and
 - timing of exit interview.
- (e) The auditor is required to produce an audit report as required by Section 7.9 of the Local Government Act 1995 and, if considered appropriate by the auditor, a management report, that addresses all of the following areas –
- Critical Audit Areas**
 - (i) **Revenue**
 - Rates revenue
 - Government grants
 - User pays revenue
 - Profit on sale of non-current assets
 - Other income
 - (ii) **Expenditure**
 - Salary and wage costs
 - Depreciation
 - Materials and contract expenditure
 - Loss on sale of non-current assets
 - Insurances
 - Bad debts
 - Other expenditure
 - (iii) **Current Assets**
 - Bank and short term investments
 - Receivables and depreciation
 - Inventory
 - (iv) **Non-Current Assets**
 - Property, plant, furniture and equipment
 - Infrastructure and depreciation
 - Other receivables
 - (v) **Liabilities (Current and Non-Current)**
 - Creditors and accruals
 - Loan borrowings including new loans raised
 - Provision for annual and long service leave entitlements
 - (vi) **Reserve Funds**
 - (vii) **Contingent Liabilities**
 - (viii) **Capital Commitments**
 - (ix) **Accounting Policies and Notes to the Financial Statements**
 - (x) **Cash Flow Statement**
Hours, Fees and Expenditure

The auditor is to provide -

- Estimate of the time to be spend on the audit.
- Fees for completing the audit in accordance with this specification.
- Nominated auditor(s) and registered company audit number(s).
- Experience of the nominated auditors in completing local government audits.

If the auditor is requested by Council to perform any separate audits in addition to the audit function as defined in Clause 5, the fee for these assignments shall be on the basis of either a quoted fee of actual time incurred at the normal professional hourly rate for that level of work.

7 Terms

Audit Reports and Management Report

The auditor shall forward to the Audit Committee and the Chief Executive Officer the Audit Report and Management Report within 14 days of the exit interview.

Termination of Appointment

The appointment as auditor is terminated if -

- (a) The auditor ceases to be a registered company auditor.
- (b) The auditor ceases to be an approved auditor under Section 7.5 of the Local Government Act 1995.
- (c) The auditor is a disqualified person under Section 7.4(2) of the Local Government Act 1995.
- (d) The auditor resigns by notice in writing to Audit Committee.
- (e) The Audit Committee serves notice in writing to the auditor terminating the appointment.

General Conditions

The auditor shall not sub contract to a third party. The auditor shall not, and has no right to, assign the audit contract to third parties. The auditor confirms that he or she has, and will maintain during the duration of the audit term, professional indemnity insurance covering the legal liability arising out of any neglect, default, error or omission. The value of the indemnity will be that required by the professional accounting bodies for the holding of a practising certificate. Notices or other communication between Audit Committee and the auditor may be given by delivery, or sent prepaid post, to each of their respective postal addresses. Postal address may be altered by service of notice in accordance with this Clause. Notices or other communication sent by post shall, in the absence of proof to the contrary, be deemed to have been received by the address 96 hours after it was posted.

5/0 CARRIED

Background

The Shire of Shark Bay's current auditors contract expired once the audit for the year ended 30 June 2010 was completed. The Council now has the responsibility of appointing an Auditor for up to five year period. The Shire previously appointed auditors by requesting expressions of interest from various Local Government Auditors to perform the Shire's audit for a three year period.

At the 15 December 2010 audit meeting it was resolved to appoint UHY Haines Norton for a three year term. The shires purchasing policy states that for procurement of goods and services purchased between \$40,000 and \$99,999 that when possible at least two written quotes must be received.

The shire has received two quotations a third quotation was requested but declined they declined because of their commitments to other shires.

Quotation 1

UHY Haines Norton, based in Perth WA

General Audit, year ending,	
30/6/2011,	\$16,000
30/6/2012,	\$17,000
30/6/2013,	\$18,000

Total for three years, \$51,000

plus travel and related expenses,

Acquittals,	\$500 - \$1,000,
Additional work, Partner,	\$400 - \$500 per hour
Manager,	\$250 per hour
Senior,	\$180 per hour
Intermediate	\$150 per hour
Graduate,	\$100 per hour

All GST Exclusive

Quotation 2

AMD Chartered Accountants, Based in Bunbury with offices in Geraldton

General Audit, year ending,	
30/6/2011,	\$13,800
30/6/2012,	\$14,300
30/6/2013,	\$14,900

Total for three years, \$43,000

plus travel and related expenses,

Acquittals,		Hourly Rate
Additional work, Partner,	\$335 per hour	
Audit Associate,	\$280 per hour	
Audit Supervisor,	\$160 per hour	
Auditor	\$125 to 160 per hour	
Assistant to Auditor,	\$110 per hour	

All GST Exclusive

UHY Haines Norton have been the shire auditors for the past 6 years and I am unaware of any major problems with them. They are experienced and have the appropriate qualifications. They have indicated that there will be a different representative who actually conducts the on-site audit.

Regulation 7 of the Local Government Audit Regulations

An agreement between a local government and an auditor is to include —

- (a) the objectives of the audit;**
- (b) the scope of the audit;**
- (c) a plan for the audit;**
- (d) details of the remuneration and expenses to be paid to the auditor; and**
- (e) the method to be used by the local government to communicate with, and supply information to, the auditor.**

Comment

The Audit Committee needs to consider the specification for the audit and determine the audit period and forward their recommendations to Council for adoption.

The following specifications was adopted previously,

Due to the short time frame an Audit committee meeting could not be arranged, so a late item direct to the Ordinary Council Meeting has been prepared.

Legal Implications

Part 7, Division 2 of the *Local Government Act 1995*.

Regulation 7 of the *Local Government (Audit) Regulations 1996*.

7. Audit agreements

An agreement between a local government and an auditor is to include —

- (a) the objectives of the audit;
- (b) the scope of the audit;
- (c) a plan for the audit;
- (d) details of the remuneration and expenses to be paid to the auditor; and
- (e) the method to be used by the local government to communicate with, and supply information to, the auditor.

Policy Implications

Nil

Financial Implications

The amounts quoted for the provision of audit services plus the estimated cost of travel related expenses will be included in forthcoming annual budgets.

Strategic Implications

Nil

Voting Requirements

Simple Majority Required

Date of Report

22 February 2011

18.0 MATTERS BEHIND CLOSED DOORS

Moved Cr Hanscombe
Seconded Cr Pepworth

Council Resolution

That the meeting be closed to members of the public in accordance with section 5.23(2) of the *Local Government Act 1995* for council to discuss matters of a confidential nature.

5/0 CARRIED

Mr P Tiggemann, Mr B Galvin Mr J McKeachie and Mrs Mettam left the meeting at 3.30 pm.

Cr Hanscombe declared a proximity interest in item 18.1 and left the Council Chamber at 3.30 pm.

Cr Hanscombe returned at 3.45 along with Council staff members, Mr P Tiggemann, Mr B Galvin, Mr J McKeachie and Mrs R Mettam.

18.1 BARNARD STREET

RO106.02

Author

Chief Executive Officer

Disclosure of Any Interest

Disclosure of Interest: Cr Hanscombe

Nature of Interest: Proximity Interest as Lease part of property from Mr Moss

Moved Cr Cowell
Seconded Cr Ridgley

Council Resolution

That Chief Executive Officer's actions in accordance with the confidential Deed of Settlement resolving the matter of Moss vs the Shire of Shark Bay in the matter of Barnard Street Denham be endorsed.

In accordance with section 3.51 of the *Local Government Act 1995* persons having an interest in the proposed works to re-open Barnard Street between Durlacher and Brockman Streets (Proposed Works) resolved at the Council meeting of 28 April 2010 be given notice of the Proposed Works.

All submissions invited in accordance with section 3.51 of the *Local Government Act 1995* in the matter of the proposed works must be received by 4.00pm on Monday 28 March 2011 to be considered valid submissions.

4/0 CARRIED

18.2 TENDER 2010-11-02 – MULTIFUNCTION SPORTS / COMMUNITY CENTRE FRANCIS STREET, DENHAM

Author

Manager Regulatory Services

Disclosure of Any Interest

Nil

Moved Cr Ridgley
Seconded Cr Pepworth

Council Resolution

That Council consider the recommendation submitted by its architectural consultants Hodge Collard and Preston in the confidential evaluation report for Tender 2010/11/02 for the construction of a Multifunctional Sports/Community Centre at Francis Street, Denham,

Cr McLaughlin left the meeting at 3.51pm and returned to the meeting at 3.52pm

Cr McLaughlin left the meeting at 3.59pm and returned to the meeting at 4.00pm

Moved Cr Cowell
Seconded: Cr Ridgley

AMENDMENT TO RECOMMENDATION

Reason: The Council felt that more information on the selection process was required to support the recommendation and requested the administration to provide additional information.

Council Resolution

That the administration request further information from the architect consultants Hodge, Collard and Preston to be presented back to Council for further consideration.

5/0 CARRIED

Moved Cr Pepworth
Seconded Cr Hanscombe

Council Resolution

That the meeting be reopened to members of the public.

5/0 CARRIED

19.0 DATE AND TIME OF NEXT MEETING

Next Ordinary Council meeting will be held on Wednesday 30 March 2011 in Council Chamber commencing at 9.00am.

20.0 CLOSURE OF MEETING

The President closed the meeting at 4.30pm
