

Shire of Shark Bay

Minutes of the Ordinary Council meeting held on

18 December 2013



Low Tide Decemer 2013





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The Shire of Shark Bay advises that no action should be taken on any application or item discussed at a Council meeting and should only rely on **WRITTEN ADVICE** of the outcome and any conditions attaching to the decision made by the Shire of Shark Bay.

The Ordinary meeting of the Shark Bay Shire Council held in the Council Chamber at the Shark Bay Recreation Centre, Francis Street, Denham on 18 December 2013 commencing at 3.00 pm.

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1. DECLARATION OF OPENING

The President declared the meeting open at 3.04 pm.

2. RECORD OF ATTENDANCES / APOLOGIES / LEAVE OF ABSENCE GRANTED

ATTENDANCES

Cr C Cowell	President
Cr J Hanscombe	Deputy President
Cr K Capewell	
Cr M Prior	
Cr G Ridgley	
Cr B Wake	
Vacant	Denham Ward
Mr P Anderson	Chief Executive Officer
Ms S Burvill	Executive Manager Community, Tourism and Economic Development
Mr B Galvin	Works Manager
Mrs R Mettam	Executive Assistant

APOLOGIES

VISITORS

2

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS ON NOTICE

Nil

4. PUBLIC QUESTION TIME

President opened Public Question Time at 3.05 pm.

Mr Ray Moulton asked a question on Nanga Bay resort road.

Answered by the Chief Executive Officer:

Advised new road as described in the item will be clarified by planner.

As there were no more questions from the gallery, the President closed Public Question Time at 3.06 pm.

5. APPLICATIONS FOR LEAVE

NIL

6. PETITIONS

Nil

7. CONFIRMATION OF MINUTES

7.1 CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 NOVEMBER 2013

Moved Cr Ridgley
 Seconded Cr Capewell

Council Resolution

That the minutes of the ordinary council meeting held on 27 November 2013, as circulated to all councillors, be confirmed as a true and accurate record.

6/0 CARRIED

8. ANNOUNCEMENTS BY THE CHAIR

The winners of the Christmas Lights competition will be announced and invited to attend Council meeting at 6.00 pm for the presentation.

9. PRESIDENT'S REPORT

GV00002

Committee Membership

Delegate	Gascoyne Development Commission Board
Member	Gascoyne Revitalisation Steering Committee
Member (President)	Dirk Hartog Commemoration Committee
Member (Deputy Chair)	Regional Collaboration Group – Gascoyne
Member	Development Assessment Panel
Member/Community Affairs Rep	Gascoyne Regional Planning Committee
Member	Denham Maritime Facilities Infrastructure Working Group
Deputy Member	Shark Bay Marine Facilities Management Committee

Activity Report

27	November	Hames Sharley – Foreshore Development workshop
		November Council meeting
28		Gascoyne Regional Road Group – Gascoyne Junction
		Western Australian Local Government Association Gascoyne Country Zone meeting –Gascoyne Junction
29		Presentation to Community Development Forum
3	December	Emergency Services precinct meeting – St John's Ambulance representatives
10		Ningaloo-Shark Bay National Landscapes meeting- Denham
		Gascoyne Workforce Development Plan Alliance – Carnarvon
		Shire of Carnarvon town and project tour - Carnarvon
		Gascoyne Development Commission board annual dinner – Carnarvon
11		Gascoyne Development Commission board meeting
12		Denham Townsite Structure Plan workshop
13		Shire of Shark Bay annual function
14		Shire Community Concert
16		Met with Vince Catania, Parliamentary Secretary
		Shark Bay School presentations
17		Useless Loop School presentations
18		December Council meeting
	Date of Report	18 December 2013

Moved Cr Ridgley
Seconded Cr Hanscombe

Council Resolution

That the President's activity report for December 2013 be received.

6/0 CARRIED

10. COUNCILLORS' REPORTS

10.1 Cr Wake
GV00007

Committee Membership

Member	Works Committee
Member	Audit Committee
Member	Gascoyne Regional Road Group
Member	Development Assessment Panel
Deputy Delegate	Gascoyne Zone of Western Australian Local Government Association

Attendance

27 November	Attended the Ordinary Council meeting
28	Attended the Carnarvon Biosecurity Director meeting at the Overlander Hall
18 December	Attended the Ordinary Council meeting

General Matters

9-10 December –	Shire of Shark Bay pastoral baiting
14-18 December	Burning west of Nerren-Nerren homestead. Managed by the Department of Parks and Wildlife

Some areas of the Woodleigh-Byro Road require attention

Moved Cr Hanscombe
Seconded Cr Prior

Council Resolution

That Councillor Wake's December 2013 report on activities as Council representative is received.

6/0 CARRIED

10.2 Cr Capewell
GV00005

Committee Membership

Member	Works Committee
Member	Audit Committee
Member	Shark Bay Marine Facilities Management Committee
Deputy Delegate	For Cr Wake on the Development Assessment Panel

Attendance

6 December	Attended Thank A Volunteer event
12	Attended the Town Planning Structure Plan workshop
13	Attended the Shire's Christmas function
16	Attended the Shark Bay School concert

Moved Cr Ridgley
Seconded Cr Hanscombe

Council Resolution

That Councillor Capewell's December 2013 report on activities as Council representative is received.

6/0 CARRIED

10.3 Cr Hanscombe
GV00003

Committee Membership

Member	Works Committee
Member	Audit Committee
Member	Shark Bay Health Advisory Committee
Member	St John Ambulance Shark Bay Sub Centre
Deputy Delegate	For Cr Cowell for the Development Assessment Panel

Meeting Attendance

3 December 2013	Attended the Shark Bay School morning tea
6 December 2013	Attended Thank a Volunteer event
12 December 2013	Attended the Town Planning – Denham Townsite Structure Plan workshop
13 December 2013	Attended Council Christmas function
Date of Report	10 December 2013

Moved Cr Ridgley
Seconded Cr Wake

Council Resolution

That Councillor Hanscombe's December 2013 report on activities as Council representative is received.

6/0 CARRIED

10.4 Cr Ridgley
GV00008

Meeting Attendance

6 December 2013	Attended Thank a Volunteer event
12 December 2013	Attended the Town Planning – Denham Townsite Structure Plan workshop
13 December 2013	Attended Council Christmas function
Date of Report	18 December 2013

Moved Cr Wake
Seconded Cr Prior

Council Resolution

That Councillor Ridgley's December 2013 report on activities as Council representative is received.

6/0 CARRIED

10.5 Cr Prior
GV00006

Committee Membership

Member	Audit Committee
Member	Shark Bay Commerce and Tourism Committee
Member	Shark Bay Arts Council Inc
Member	The Aviation Community Consultation Group
Deputy Member	2 nd Deputy for Works Committee

Meeting Attendance

27 Nov	Public consultation meeting Foreshore refurbishment
28 Nov	Gascoyne Regional Road Group meeting – Gascoyne Junction Western Australian Local Government Association Gascoyne Country Zone meeting – Gascoyne Junction
12 Dec	Denham Townsite Structure Plan workshop
13 Dec	Shark Bay Shire Christmas Party
14 Dec	Shire Community Concert

Date of Report 9 December 2013

Moved Cr Ridgley
Seconded Cr Wake

Council Resolution

That Councillor Prior's December 2013 report on activities as Council representative is received.

6/0 CARRIED

11. ADMINISTRATION REPORT

Nil

12. FINANCE REPORT

12.1 SCHEDULE OF ACCOUNTS PAID TO BE RECEIVED

Author

Finance Officer / Accounts Payable

Disclosure of any interest

Nil

Moved Cr Ridgley

Seconded Cr Cowell

Council Resolution

That the cheques and electronic payments as per the attached schedules of accounts for payment totalling \$831,260.56 be accepted.

6/0 CARRIED

Comment

The schedules of accounts for payment covering - Municipal fund account cheque numbers 26531 to 26543 totalling \$12,344.21

Municipal fund account electronic payment numbers MUNI EFT 14566 to EFT 14708 totalling \$734,316.20

Municipal fund account for payroll periods beginning 18/11/13 ending 1/12/2013 totalling \$47,425.00

Trust fund account cheque numbers 981 to 982 totalling \$40.00

Trust fund account electronic payment numbers EFT 148566 to EFT 14708 totalling \$23,175.00 and

Trust fund Police Licensing for November 2013 totalling \$13,960.15

The schedule of accounts submitted to each member of Council on 13 December 2013 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 9 December 2013

18 DECEMBER 2013

**SHIRE OF SHARK BAY
ORDINARY COUNCIL MEETING 18 DECEMBER 2013
MUNI CHQS 26531-26543**

EFT	DATE	NAME	DESCRIPTION	AMOUNT
26531	20/11/2013	AMP SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-334.42
26532	20/11/2013	AMP SUPERLEADER	SUPERANNUATION CONTRIBUTIONS	-317.54
26533	20/11/2013	ASTERON SUPER	SUPERANNUATION CONTRIBUTIONS	-358.82
26534	20/11/2013	AXA AUSTRALIA	SUPERANNUATION CONTRIBUTIONS	-365.03
26535	20/11/2013	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	-377.51
26536	20/11/2013	MLC NOMINEES	SUPERANNUATION CONTRIBUTIONS	-332.08
26537	20/11/2013	WESTPAC SECURITIES ADMINISTRATION	SUPERANNUATION CONTRIBUTIONS	-352.82
26538	20/11/2013	SHIRE OF SHARK BAY	PAYROLL DEDUCTIONS	-580.00
26539	25/11/2013	HORIZON POWER	DISCONNECTION KNIGHT TCE STREETLIGHTS FOR EXCAVATION HMAS SYDNEY	-257.00
26540	25/11/2013	VAL PITTENDRIGH	RATES REFUND FOR PENSIONER REBATE PAID	-413.40
26541	06/12/2013	THOMAS ANTHONY STANDRING	RATES REFUND FOR PENSIONER REBATE PAID	-393.50
26542	06/12/2013	WATER CORPORATION	BI MONTHLY ACCOUNT SHIRE PROPERTIES	-5508.32
26543	06/12/2013	HORIZON POWER	STREET LIGHTING – MONTHLY ACCOUNT	-2753.77
TOTAL				\$12,344.21

18 DECEMBER 2013

**SHIRE OF SHARK BAY
ORDINARY COUNCIL MEETING 18 DECEMBER 2013
MUNI EFTS 14566-14708**

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT14569	19/11/2013	AUSCOINSWEST	SBDC MERCHANDISE	-606.10
EFT14570	19/11/2013	BLUE OFFICE PRODUCTIONS	SBDC MERCHANDISE	-440.00
EFT14571	19/11/2013	RUSSELL TODD CHAMBERLAIN	RENT - 39 DURLACHER STREET	-1157.30
EFT14572	19/11/2013	DURACK INSTITUTE OF TECHNOLOGY	EXCEL & WORD TRAINING	-8030.00
EFT14573	19/11/2013	HITACHI CONSTRUCTION MACHINERY	HYDROLIC CONTROL VALVE FOR GRADER	-1282.82
EFT14574	19/11/2013	TOLL IPEC	FREIGHT	-46.59
EFT14575	19/11/2013	JJ HAWKINS	TRANSPORT FOR SYDNEY MEMORIAL	-3498.00
EFT14576	19/11/2013	MCLEODS BARRISTERS AND SOLICITORS	MONKEY MIA INTERPRETATION OF LEASE	-8568.61
EFT14577	19/11/2013	OAKLEY EARTHWORKS	HUGHES ST FOOTPATH	-39964.94
EFT14578	19/11/2013	G & J ROBINS	REIMBURSE J ROBINS SENIORS EVENT	-23.16
EFT14579	19/11/2013	RICHARD CLAUDE MORONEY	MAINTENANCE MONTHLY ACCOUNT SBDC	-30.00
EFT14580	19/11/2013	SKIPPERS AVIATION	FLIGHTS CHRIS LIVERSAGE	-612.00
EFT14581	19/11/2013	SHARK BAY CLEANING SERVICE	MONTHLY CLEANING ACCOUNT	-5346.00
EFT14582	19/11/2013	SHARK BAY SKIPS	MONTHLY SKIP BIN ACCOUNT	-3540.00
EFT14583	19/11/2013	VISITOR CENTRE ASSOCIATION OF WA	VISITORS CENTRE ASSOCIATION MEMBERSHIP	-770.00
EFT14584	20/11/2013	PRIME SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-740.72
EFT14585	20/11/2013	AUSTSAFE SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-114.06
EFT14586	20/11/2013	MTAA SUPER FUND	SUPERANNUATION CONTRIBUTIONS	-728.00
EFT14587	20/11/2013	HOSTPLUS	SUPERANNUATION CONTRIBUTIONS	-744.39
EFT14588	20/11/2013	ONE STEP SUPER	SUPERANNUATION CONTRIBUTIONS	-344.74
EFT14589	20/11/2013	WA LOCAL GOV SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	-6810.95
EFT14590	20/11/2013	REST	SUPERANNUATION CONTRIBUTIONS	-781.86
EFT14591	20/11/2013	SMA SUPER PTY LTD	SUPERANNUATION CONTRIBUTIONS	-293.08
EFT14592	20/11/2013	AUSTRALIANSUPER	SUPERANNUATION CONTRIBUTIONS	-747.53
EFT14593	25/11/2013	KF & PD BURKETT	REIMBURSABLE FIRE BREAKS	-16995.00
EFT14594	25/11/2013	CUTBACK PLUMBING & GAS	REPAIRS/TAP REPLACEMENT PENSIONER UNIT 12	-1724.80
EFT14595	25/11/2013	DATA #3	MICROSOFT LICENSING	-6512.11
EFT14596	25/11/2013	UHY HAINES NORTON	COMPLETION OF ANNUAL REPORT	-15570.50
EFT14597	25/11/2013	THE LUSCOMBE SYNDICATE	CHRISTMAS FUNCTION CATERING	-373.85

MINUTES OF THE ORDINARY COUNCIL MEETING

18 DECEMBER 2013

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT14598	25/11/2013	PRESTIGE INSTALLATIONS	SUPPLY AND INSTALL AIRCONS TO DIGITAL TV ELECTRONICS ROOM, REPAIR OFFICE, REGAS IVECO AND REPAIR ROLLER AIRCONDITIONERS	-4678.30
EFT14599	25/11/2013	PROFESSIONAL PC SUPPORT	IRONPORT MAILBOX FILTERING RENEWAL	-1650.00
EFT14600	25/11/2013	PAPER PLUS OFFICE NATIONAL	STATIONERY	-26.37
EFT14601	25/11/2013	PAULS TYRES	RATES INCENTIVE PRIZE 2013	-220.00
EFT14602	25/11/2013	REECE	CHANGE OUTLET FOR VALVE MONKEY MIA BORE	-131.17
EFT14603	25/11/2013	THOMSON COACH LINES	BUS HIRE FOR SHARK BAY COMMUNITY CONCERT CHOIR	-4600.00
EFT14604	25/11/2013	TRADEWINDS SEAFRONT APARTMENTS	CONTRACTORS ACCOMMODATION	-2280.00
EFT14605	25/11/2013	TOTAL UNIFORMS	UNIFORMS FOR NEW EMPLOYEE CINDY SBDC	-88.20
EFT14606	26/11/2013	BRIAN JOHN GALVIN	HORIZON POWER REIMBURSEMENT	-323.52
EFT14607	26/11/2013	CUTBACK PLUMBING & GAS	MINI DIGGER HIRE ARIAL FOOTING AND REC CENTRE RETAINING WALL	-1496.00
EFT14608	26/11/2013	CDH ELECTRICAL	OSH INSPECTION & REPAIRS FOR ALL ELECTRICAL EQUIPMENT	-537.35
EFT14609	26/11/2013	THE FLOWER POT	WREATH FOR REMEMBERANCE DAY	-80.00
EFT14610	26/11/2013	HITACHI CONSTRUCTION MACHINERY	INJECTORS FOR GRADER	-3694.46
EFT14611	26/11/2013	RHONDA JOY METTAM	REIMBURSEMENT FOR STATIONARY	-19.00
EFT14612	26/11/2013	SKIPPERS AVIATION	FLIGHTS FOR C MURPHY AND A KELDERMAN	-1224.00
EFT14613	26/11/2013	TELSTRA CORPORATION LIMITED	MOBILE PHONE ACCOUNT MONTHLY ACCOUNT	-299.87
EFT14614	26/11/2013	WURTH AUSTRALIA	WALL HAND WASH DISPENSER AND HAND WASH DEPOT	-89.16
EFT14616	27/11/2013	P.G & S. J WOOD	INSTALL & TEST "MUSIC ON HOLD" ON TELEPHONE SYSTEM	-100.00
EFT14617	27/11/2013	DEPARTMENT OF PARKS AND WILDLIFE	MM RESERVE TICKETS FOR RESALE	-10080.00
EFT14618	27/11/2013	KEN LAWSON	REIMBURSEMENT OF FUEL STAR GAZING EVENT	-120.00
EFT14619	27/11/2013	PAPER PLUS OFFICE NATIONAL	STATIONARY	-124.60
EFT14620	27/11/2013	SUNPRINTS CLOTHING COMPANY	SBDC MERCHANDISE	-440.39
EFT14621	27/11/2013	TELSTRA CORPORATION LIMITED	MONTHLY LANDLINE ACCOUNT	-1297.93
EFT14622	27/11/2013	W & K PAINTING	6 SINGLE SIDED CHRISTMAS BANNERS 2 SINGLE SIDED SHIRE OF SHARK BAY BANNERS 2 SINGLE SIDED INFORMATION BANNERS	-3470.00
EFT14623	29/11/2013	SHARK BAY SCHOOL	DONATION BOOK AWARD 2013	-75.73

MINUTES OF THE ORDINARY COUNCIL MEETING

18 DECEMBER 2013

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT14624	29/11/2013	DENHAM PAPER AND CHEMICAL SUPPLIES	TOILET PAPER & HAND TOWELS FOR OFFICE	-108.10
EFT14625	29/11/2013	GHD	DENHAM TOWNSITE STRUCTURE PLAN	-1938.20
EFT14626	29/11/2013	GERALDTON INDUSTRIAL SUPPLIES	FUEL DELIVERY HOSE AND NOZZLE, AND DRINK COOLERS FOR WORKS DEPARTMENT	-1000.74
EFT14627	29/11/2013	HERITAGE RESORT SHARK BAY	REFRESHMENTS FOR SEPTEMBER AND NOVEMBER COUNCIL MEETINGS AND COUCILLOR WAKE ACCOMODATION FOR COUNCIL MEETING	-721.99
EFT14628	29/11/2013	KOMATSU AUSTRALIA	NEW KOMATSU LOADER	-164866.45
EFT14629	29/11/2013	OAKLEY EARTHWORKS	CONCRETE FOR DIGITAL TV TOWER FOOTINGS AND TERRACED FOOTPATH AT RECREATION CENTRE	-18606.28
EFT14630	29/11/2013	CHERYL COWELL	MEETING ATTENDANCE	-1706.00
EFT14631	29/11/2013	JOHN JOSEPH HANSCOMBE	MEETING ATTENDANCE	-717.00
EFT14632	29/11/2013	KEITH MICHAEL CAPEWELL	MEETING ATTENDANCE	-520.00
EFT14633	29/11/2013	MARGARET PRIOR	MEETING ATTENDANCE	-520.00
EFT14634	29/11/2013	GREGORY LEON RIDGLEY	MEETING ATTENDANCE	-520.00
EFT14635	29/11/2013	BRIAN WAKE	MEETING ATTENDANCE AND TRAVEL FOR OCTOBER AND NOVEMBER	-916.04
EFT14636	02/12/2013	FESA	13/14 BILLING ADJUSTMENT ESL INCOME	-1035.47
EFT14637	02/12/2013	HERITAGE RESORT SHARK BAY	REFRESHMENTS COMMUNITY DEVELOPMENT FORUM	-149.94
EFT14638	02/12/2013	TOLL IPEC	FREIGHT	-263.64
EFT14639	02/12/2013	SHARK BAY AIR CHARTER	RETURN FLIGHT TO WALGA ZONE MEETING GASCOYNE JUNCTION -CR COWELL MR ANDERSON AND MR GALVIN	-1100.00
EFT14640	02/12/2013	TELSTRA CORPORATION LIMITED	ANTENNA - TRANSMITTER MONTHLY ACCOUNT	-595.73
EFT14657	02/12/2013	JAMES SNR POLAND	ARTIST FEE JIMMY POLAND PROJECT	-3000.00
EFT14658	02/12/2013	CONWAY HIGHBURY	REVIEW OF LOCAL LAWS AND POLICIES	-5940.00
EFT14659	02/12/2013	DENHAM VILLAS	ACCOMMODATION FOR CONSULTANT CHRIS LIVERSAGE	-390.00
EFT14660	02/12/2013	GEARING BUTCHER'S	SUPPLIES FOR OUTSIDE CREW	-259.68
EFT14661	02/12/2013	MCLEODS BARRISTERS AND SOLICITORS	BRIKLAY BUILDERS	-2513.83
EFT14662	02/12/2013	OPUS	ROMAN II DATA ENTRY	-924.00
EFT14663	02/12/2013	SKIPPERS AVIATION	FLIGHT FOR MR DEAN PETRIE FROM	-612.00

MINUTES OF THE ORDINARY COUNCIL MEETING

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EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT14664	02/12/2013	SHARK BAY TAXI SERVICE	SHIRE/OVERLANDER RUN MONTHLY ACCOUNT	-1452.00
EFT14665	02/12/2013	SHARK BAY CLEANING SERVICE	MONTHLY CLEANING ACCOUNT	-11522.80
EFT14666	02/12/2013	SHARK BAY SKIPS	MONTHLY SKIP BIN ACCOUNT	-2832.00
EFT14667	02/12/2013	MCKELL FAMILY TRUST	MONTHLY RUBBISH COLLECTION AND STREET SWEEPING	-9288.97
EFT14668	02/12/2013	TELSTRA CORPORATION LIMITED	MONTHLY ACCOUNT SMS MESSAGES TO COMMUNITY	-351.65
EFT14669	02/12/2013	WULA GUDA NYINDA (CAPES)	MUSIC WORK ON PIECES OF GUTHARRAGUDA PROJECT	-2200.00
EFT14679	03/12/2013	AUSTRALIAN TAXATION OFFICE	BAS NOV 2013	-68610.00
EFT14680	06/12/2013	MCGRATH HOMES	CONSTRUCTION OF EMERGENCY SERVICES BUILDING	-194669.46
EFT14681	06/12/2013	ABSOLUTE MBA OFFICE NATIONAL	DONATION SHARK BAY RSL PURCHASE OF LECTERN	-1585.00
EFT14682	06/12/2013	AUSTRALIA POST	POSTAGE	-271.67
EFT14683	06/12/2013	BAJA DATA & ELECTRICAL SERVICES	INSTALLATION OF POWER TO DIGITAL TV TOWER ROOM AND HMAS MEMORIAL, REPAIR LIGHT IN OFFICE KITCHEN	-3821.22
EFT14684	06/12/2013	BORNEO EXHIBITION GROUP INC	SANDAKAN STUDENT SCHOLARSHIP	-3740.00
EFT14685	06/12/2013	BOLTS R US	NUTS AND BOLTS FOR ROAD SIGNS	-379.48
EFT14686	06/12/2013	CUMMINS SOUTH PACIFIC PTY LTD	FILTERS FOR WORKS EQUIPMENT	-1085.85
EFT14687	06/12/2013	CONWAY Highbury	REVIEW OF LOCAL LAWS AND POLICIES	-2475.00
EFT14688	06/12/2013	THE DOG TIDY COMPANY	DOG TIDY BAGS	-319.00
EFT14689	06/12/2013	SHARK BAY FUEL & SERVICE CENTRE	MONTHLY ACCOUNT	-704.50
EFT14690	06/12/2013	GRIVS CATERING SERVICE	CATERING FOR CHRISTMAS FUNCTION	-150.00
EFT14691	06/12/2013	GERALDTON INDUSTRIAL SUPPLIES	OSH EQUIPMENT DEPOT	-617.67
EFT14692	06/12/2013	HAMES SHARLEY PLANNING & URBAN DESIGN	FORESHORE AND MAIN STREET REVITALISATION PLAN	-24222.00
EFT14693	06/12/2013	LANDGATE	GRV VALUATION	-110.75
EFT14694	06/12/2013	MITRE 10 SHARK BAY MARINE & HARDWARE	MONTHLY HARDWARE ACCOUNT	-4332.08
EFT14695	06/12/2013	MONKEYMIA WILDSIGHTS	SUNSET CRUISE COMMUNITY DEVELOPMENT FORUM	-1017.90
EFT14696	06/12/2013	NORDIC HOMES	DESIGN, MANUFACTURE & INSTALL STAFF HOUSING	-16363.32

MINUTES OF THE ORDINARY COUNCIL MEETING

18 DECEMBER 2013

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT14697	06/12/2013	PHONOGRAPHIC PERFORMANCE CO AUST	LICENCE FOR DENHAM HALL	-81.95
EFT14698	06/12/2013	RAY WHITE REAL ESTATE SHARK BAY	RENT ON 34 HUGHES STREET	-1127.00
EFT14699	06/12/2013	SKIPPERS AVIATION	REIMBURSABLE FLIGHTS FOR TRISH MILBURN	-612.00
EFT14700	06/12/2013	SHARK BAY COMMUNITY RESOURCE CENTRE	PHOTOCOPYING FOR SENIORS AND INSCRIPTION POSTS	-58.80
EFT14701	06/12/2013	SHARK BAY CLEANING SERVICE	GAS FOR SHIRE BBQS	-274.00
EFT14702	06/12/2013	SHARK BAY CAR HIRE	DOCTOR CAR HIRE MONTHLY ACCOUNTS	-495.00
EFT14703	06/12/2013	S-TECH LED TECHNOLOGY	SLIMLINER LEDS FOR DIGIGLASS HMAS MEMORIAL	-1833.00
EFT14704	06/12/2013	TELSTRA CORPORATION LIMITED	1300 PHONE SBDC MONTHLY ACCOUNT	-29.89
EFT14705	06/12/2013	FEDERAL TINWARE MANUFACTURING	STEEL LITTER BINS	-3036.00
EFT14706	06/12/2013	DENHAM IGA X-PRESS	MONTHLY ACCOUNT	-1313.97
EFT14707	06/12/2013	SHARK BAY SUPERMARKET	MONTHLY ACCOUNT	-589.02
EFT14708	06/12/2013	GERALDTON INDUSTRIAL SUPPLIES	OSH EQUIPMENT DEPOT	-275.00
TOTAL				\$734,316.20

**SHIRE OF SHARK BAY
ORDINARY COUNCIL MEETING 18 DECEMBER 2013
TRUST CHQS 981-982**

CHQ	DATE	NAME	DESCRIPTION	AMOUNT
981	26/11/2013	KELLY ODQUIN	GYM CARD DEPOSIT REFUND	-20.00
982	26/11/2013	CLAIR OVERSBY	GYM CARD DEPOSIT REFUND	-20.00
TOTAL				\$40.00

MINUTES OF THE ORDINARY COUNCIL MEETING

18 DECEMBER 2013

SHIRE OF SHARK BAY ORDINARY COUNCIL MEETING 18 DECEMBER 2013
TRUST EFTS 14566-14708

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT14566	18/11/2013	DANIEL PENDLEBURY	GYM CARD DEPOSIT REFUND	-20.00
EFT14567	18/11/2013	TOBI MYRIAM	GYM CARD DEPOSIT REFUND	-20.00
EFT14568	18/11/2013	VINCENT HELL	GYM CARD DEPOSIT REFUND	-20.00
EFT14615	26/11/2013	DAMIEN MAGEE	GYM CARD DEPOSIT REFUND	-20.00
EFT14641	02/12/2013	BAY LODGE MIDWEST OASIS	BOOKEASY NOVEMBER 2013	-1408.45
EFT14642	02/12/2013	DENHAM SEASIDE TOURIST VILLAGE	BOOKEASY NOVEMBER 2013	-136.00
EFT14643	02/12/2013	EXMOUTH ESCAPE RESORT	BOOKEASY NOVEMBER 2013	-739.50
EFT14644	02/12/2013	HARTOG COTTAGES	BOOKEASY NOVEMBER 2013	-246.50
EFT14645	02/12/2013	HAMELIN POOL CARAVAN PARK	BOOKEASY NOVEMBER 2013	-229.50
EFT14646	02/12/2013	HERITAGE RESORT SHARK BAY	BOOKEASY NOVEMBER 2013	-170.00
EFT14647	02/12/2013	HAMELIN STATION STAY	BOOKEASY NOVEMBER 2013	-147.90
EFT14648	02/12/2013	ASPEN MONKEY MIA PTY LTD	BOOKEASY NOVEMBER 2013	-29.75
EFT14649	02/12/2013	MONKEYMIA WILDSIGHTS	BOOKEASY NOVEMBER 2013	-378.25
EFT14650	02/12/2013	NINGALOO REEF RESORT	BOOKEASY NOVEMBER 2013	-775.20
EFT14651	02/12/2013	NANGA BAY RESORT	BOOKEASY NOVEMBER 2013	-76.50
EFT14652	02/12/2013	OCEANSIDE VILLAGE	BOOKEASY NOVEMBER 2013	-289.00
EFT14653	02/12/2013	SHARK BAY HOTEL MOTEL	BOOKEASY NOVEMBER 2013	-374.00
EFT14654	02/12/2013	SHIRE OF SHARK BAY	BOOKEASY COMMISSION NOVEMBER 2013	-1036.95
EFT14655	02/12/2013	TRADEWINDS SEAFRONT APARTMENTS	BOOKEASY NOVEMBER 2013	-875.50
EFT14670	03/12/2013	PRIORITY SHARK BAY PTY LTD	TOURS NOVEMBER 2013	-1769.58
EFT14671	03/12/2013	BLUE LAGOON PEARLS	TOURS NOVEMBER 2013	-156.60
EFT14672	03/12/2013	SHARK BAY COASTAL TOURS	TOURS NOVEMBER 2013	-2953.65
EFT14673	03/12/2013	MONKEY MIA YACHT CHARTERS	TOURS NOVEMBER 2013	-2992.80
EFT14674	03/12/2013	MONKEYMIA WILDSIGHTS	TOURS NOVEMBER 2013	-5331.36
EFT14675	03/12/2013	SHARK BAY COACHES	TOURS NOVEMBER 2013	-295.80
EFT14676	03/12/2013	SHIRE OF SHARK BAY	TOURS COMMISSION NOVEMBER 2013	-2103.66
EFT14677	03/12/2013	SHARK BAY SCENIC QUAD BIKE TOURS	TOURS NOVEMBER 2013	-143.55
EFT14678	03/12/2013	UNREAL FISHING CHARTERS	TOURS NOVEMBER 2013	-435.00
TOTAL				\$23,175.00

MINUTES OF THE ORDINARY COUNCIL MEETING
18 DECEMBER 2013

Shire of Shark Bay							
STATEMENT OF FINANCIAL ACTIVITY							
(Statutory Reporting Program)							
For the Period Ended 30th November 2013							
	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Operating Revenues							
Governance		14,060	8,117	4,706	(3,411)	(42.02%)	
General Purpose Funding		1,164,046	529,387	569,685	40,298	7.61%	▲
Law, Order and Public Safety		36,260	18,157	18,490	333	1.84%	
Health		1,950	805	977	172	21.37%	
Housing		86,810	35,814	36,564	750	2.09%	
Community Amenities		753,306	197,886	205,274	7,388	3.73%	
Recreation and Culture		240,300	129,304	121,707	(7,597)	(5.88%)	▼
Transport		507,391	247,098	112,904	(134,194)	(54.31%)	▼
Economic Services		844,470	189,745	86,775	(102,970)	(54.27%)	▼
Other Property and Services		10,000	14,437	5,528	(8,909)	(61.71%)	▼
Total (Ex. Rates)		3,658,593	1,370,750	1,162,610	(208,140)		
Operating Expense							
Governance		(342,988)	(150,523)	(149,132)	1,391	0.92%	
General Purpose Funding		(102,278)	(42,605)	(42,150)	455	1.07%	
Law, Order and Public Safety		(218,156)	(99,269)	(127,210)	(27,941)	(28.15%)	▼
Health		(63,029)	(26,265)	(15,500)	10,765	40.98%	▲
Education and Welfare		0	0	0	0		
Housing		(118,378)	(64,181)	(43,930)	20,251	31.55%	▲
Community Amenities		(1,480,045)	(615,567)	(285,104)	330,463	53.68%	▲
Recreation and Culture		(1,644,299)	(715,216)	(636,285)	78,931	11.04%	▲
Transport		(1,831,614)	(769,725)	(680,429)	89,296	11.60%	▲
Economic Services		(1,109,685)	(456,985)	(244,221)	212,764	46.56%	▲
Other Property and Services		(30,000)	(67,227)	(105,691)	(38,464)	(57.22%)	▼
Total		(6,940,472)	(3,007,563)	(2,329,652)	677,911		
Funding Balance Adjustment							
Add back Depreciation		1,988,668	828,605	810,589	(18,016)	(2.17%)	
Adjust (Profit)/Loss on Asset Disposal	8	(22,000)	(6,767)	68,140	74,907	(1106.95%)	
Adjust Provisions and Accruals		0	0		0		
Net Operating (Ex. Rates)		(1,315,211)	(814,975)	(288,313)	526,663		
Capital Revenues							
Grants, Subsidies and Contributions	11	8,498,418	2,331,207	1,628,758	(702,449)	(30.13%)	▼
Proceeds from Disposal of Assets	8	284,000	0	74,000	74,000		▲
Transfer from Reserves	7	373,000	0	0	0		
Total		9,155,418	2,331,207	1,702,758	(628,449)		
Capital Expenses							
Land and Buildings	8	(2,580,182)	(421,425)	(262,587)	158,838	37.69%	▲
Infrastructure - Roads	8	(1,145,682)	(206,093)	(389,630)	(183,537)	(89.06%)	▼
Infrastructure - Public Facilities	8	(6,197,251)	(863,936)	(214,058)	649,878	75.22%	▲
Infrastructure - Footpaths	8	(100,000)	(70,830)	(38,993)	31,837	44.95%	▲
Infrastructure - Drainage	8	(60,000)	0	0	0		
Heritage Assets	8	(25,000)	(1,667)	(20,141)	(18,474)	(1108.46%)	▼
Plant and Equipment	8	(813,500)	(14,250)	(226,671)	(212,421)	(1490.67%)	▼
Furniture and Equipment	8	(38,000)	(28,090)	(1,211)	26,879	95.69%	▲
Loan Principal	10	(99,264)	(42,859)	(48,897)	(6,038)	(14.09%)	▼
Transfer to Reserves	7	(306,147)	0	0	0		
Total		(11,365,026)	(1,649,150)	(1,202,187)	446,963		
Net Capital		(2,209,608)	682,057	500,571	(181,486)		
Total Net Operating + Capital		(3,524,819)	(132,918)	212,259	345,177		
Opening Funding Surplus(Deficit)	3	2,434,615	2,434,615	2,623,870	189,255	7.77%	▲
Rate Revenue	9	1,090,204	1,090,204	1,084,619	(5,585)	(0.51%)	
Closing Funding Surplus(Deficit)	3	0	3,391,901	3,920,748	528,847		

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.

Shire of Shark Bay											
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY											
For the Period Ended 30th November 2013											
1. SIGNIFICANT ACCOUNTING POLICIES											
The significant accounting policies which have been adopted in the preparation of this statement of financial activity are:											
(a) Basis of Accounting											
This statement is a special purpose financial report, prepared in accordance with applicable Australian Accounting Standards, other mandatory professional reporting requirements and the Local Government Act 1995 (as amended) and accompanying regulations (as amended).											
(b) The Local Government Reporting Entity											
All Funds through which the Council controls resources to carry on its functions have been included in this statement.											
In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated.											
All monies held in the Trust Fund are excluded from the statement, but a separate statement of those monies appears at Note 12.											
(c) Rounding Off Figures											
All figures shown in this statement are rounded to the nearest dollar.											
(d) Rates, Grants, Donations and Other Contributions											
Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.											
(e) Goods and Services Tax											
In accordance with recommended practice, revenues, expenses and assets capitalised are stated net of any GST recoverable. Receivables and payables are stated inclusive of applicable GST.											
(f) Cash and Cash Equivalents											
Cash and cash equivalents comprise cash at bank and in hand and short-term deposits that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.											
For the purposes of the Cash Flow Statement, cash and cash equivalents consist of cash and cash equivalents as defined above, net of outstanding bank overdrafts. Bank overdrafts are included as short-term borrowings in current liabilities.											
(g) Trade and Other Receivables											
Trade receivables, which generally have 30 - 90 day terms, are recognised initially at fair value and subsequently measured at amortised cost using the effective interest rate method, less any allowance for uncollectible amounts.											
Collectability of trade receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.											

Shire of Shark Bay	
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY	
For the Period Ended 30th November 2013	
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)	
(h) Inventories	
<i>General</i>	
Inventories are valued at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs of necessary to make the sale.	
Inventories held from trading are classified as current even if not expected to be realised in the next 12 months.	
<i>Land Held for Resale</i>	
Land purchased for development and/or resale is valued at the lower of the cost and net realisable value. Cost includes the cost of acquisition, development and interest incurred on the financing of that land during its development. Interest and holding charges incurred after development is complete are recognised as expenses.	
Revenue arising from the sale of property is recognised in the operating statement as at the time of signing a binding contract of sale.	
Land held for resale is classified as current except where it is held as non-current based on Council's intentions to release for sale.	
(i) Fixed Assets	
All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead.	
Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.	
(j) Depreciation of Non-Current Assets	
All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets.	
Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation rates and periods are:	
Buildings	25 to 50 years
Construction other than Buildings (Public Facilities)	5 to 50 years
Furniture and Equipment	4 to 10 years
Plant and Equipment	5 to 15 years
Heritage Assets	25 to 50 years
Roads	25 years
Footpaths	50 years
Sewerage Piping	75 years
Water Supply Piping and Drainage Systems	75 years

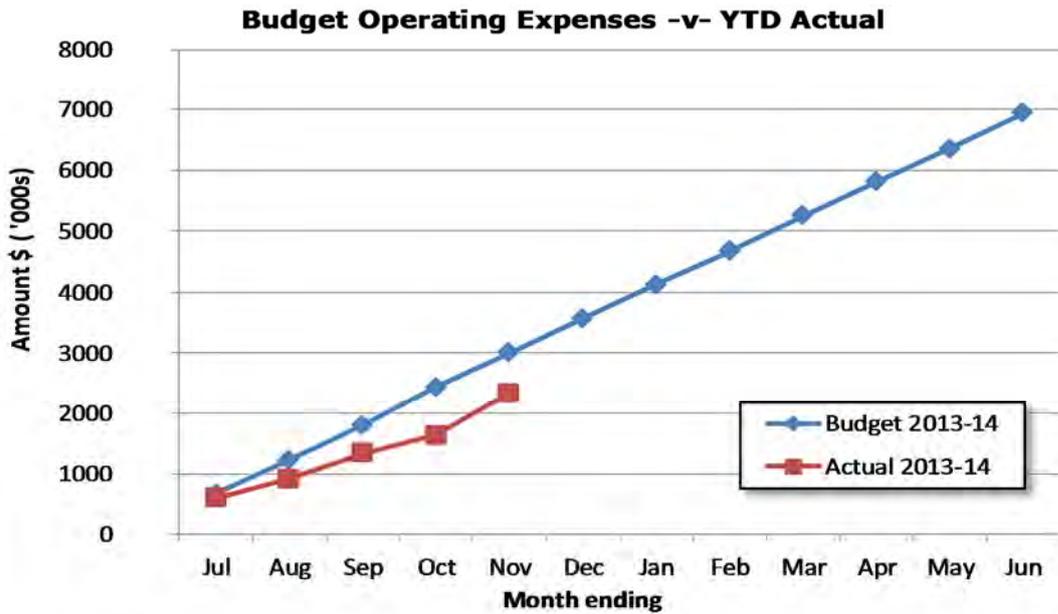
Shire of Shark Bay	
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY	
For the Period Ended 30th November 2013	
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)	
(k) Trade and Other Payables	Trade and other payables are carried at amortised cost. They represent liabilities for goods and services provided to the local government prior to the end of the financial year that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured and are usually paid within 30 days of recognition.
(l) Employee Benefits	The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:
(i) Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)	The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the Shire has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the Shire expects to pay and includes related on-costs.
(ii) Annual Leave and Long Service Leave (Long-term Benefits)	The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the project unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where the Shire does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.
(m) Interest-bearing Loans and Borrowings	All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings. Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date. Borrowing Costs Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.
(n) Provisions	Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses. Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one of item included in the same class of obligations may be small.
(o) Current and Non-Current Classification	In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for resale where it is held as non current based on Council's intentions to release for sale.

Shire of Shark Bay	
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY	
For the Period Ended 30th November 2013	
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)	
(p) Nature or Type Classifications	
Rates	All rates levied under the Local Government Act 1995. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts offered. Exclude administration fees, interest on instalments, interest on arrears and service charges.
Operating Grants, Subsidies and Contributions	Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.
Non-Operating Grants, Subsidies and Contributions	Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.
Profit on Asset Disposal	Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under the expenditure classifications.
Fees and Charges	Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.
Service Charges	Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996 identifies the These are television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.
Interest Earnings	Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.
Other Revenue / Income	Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.
Employee Costs	All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.
Materials and Contracts	All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.
Utilities (Gas, Electricity, Water, etc.)	Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

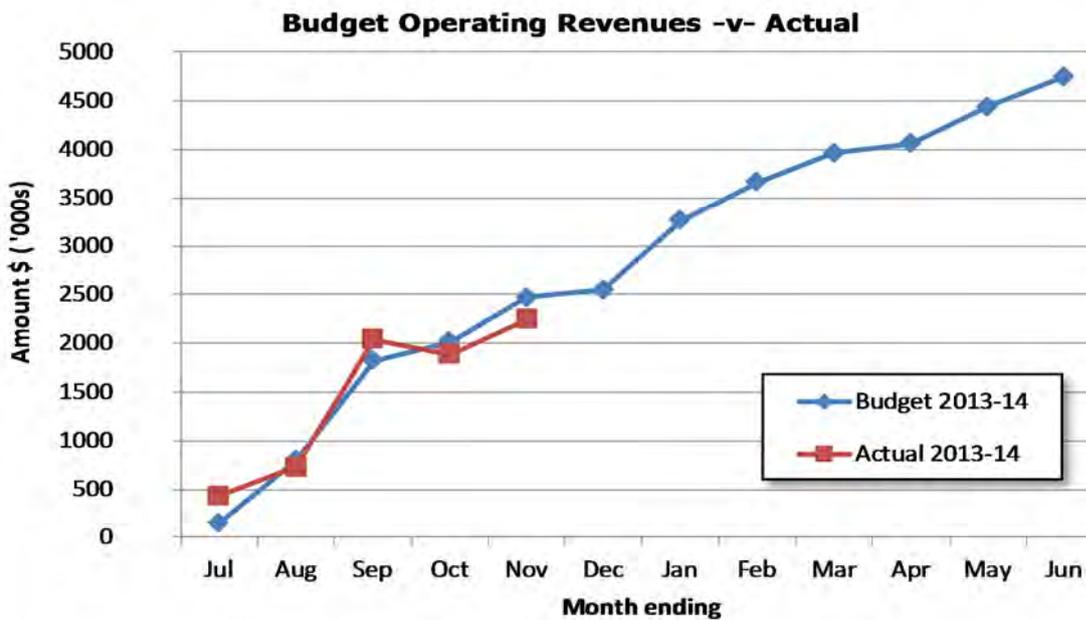
Shire of Shark Bay	
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY	
For the Period Ended 30th November 2013	
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)	
(q) Nature or Type Classifications (Continued)	
	Insurance
	All insurance other than worker's compensation and health benefit insurance included as a cost of employment.
	Loss on asset disposal
	Loss on the disposal of fixed assets.
	Depreciation on non-current assets
	Depreciation expense raised on all classes of assets.
	Interest expenses
	Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.
	Other expenditure
	Statutory fees, taxes, provision for bad debts, member's fees or levies including WA Fire Brigade Levy and State taxes. Donations and subsidies made to community groups.
(r) Statement of Objectives	
	In order to discharge its responsibilities to the community, the Council has developed a set of operational and financial objectives. These objectives have been established both on an overall basis and for each of its broad activities/programs.
	Council operations as disclosed in this statement encompass the following service orientated activities/programs:
	GOVERNANCE
	Expenses associated with provision of services to members of council and elections. Also included are costs associated with computer operations, corporate accounting, corporate records and asset management. Costs reported as administrative expenses are redistributed in accordance with the principle of activity based costing (ABC).
	GENERAL PURPOSE FUNDING
	Rates and associated revenues, general purpose government grants, interest revenue and other miscellaneous revenues such as commission on Police Licensing. The costs associated with raising the above mentioned revenues, eg. Valuation expenses, debt collection and overheads.
	LAW, ORDER, PUBLIC SAFETY
	Enforcement of Local Laws, fire prevention, animal control and provision of ranger services.
	HEALTH
	Health inspection services, food quality control, mosquito control and contributions towards provision of medical health services.
	HOUSING
	Provision and maintenance of rented housing accommodation for pensioners and employees.
	COMMUNITY AMENITIES
	Sanitation, sewerage, stormwater drainage, protection of the environment, public conveniences, cemeteries and town planning.
	RECREATION AND CULTURE
	Parks, gardens and recreation reserves, library services, television and radio re-broadcasting, swimming facilities, walk trails, youth recreation, Shark Bay World Heritage Discovery and Visitor Centre, boat ramps, foreshore, public halls and Shark Bay Recreation Centre.
	TRANSPORT
	Construction and maintenance of roads, footpaths, drainage works, parking facilities, traffic control, depot operations, plant purchase, marine facilities and cleaning of streets.
	ECONOMIC SERVICES
	Tourism, community development, pest control, building services, caravan parks and private works.
	OTHER PROPERTY & SERVICES
	Plant works, plant overheads and stock of materials.

Shire of Shark Bay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30th November 2013

Note 2 - Graphical Representation - Source Statement of Financial Activity



Comments/Notes - Operating Expenses

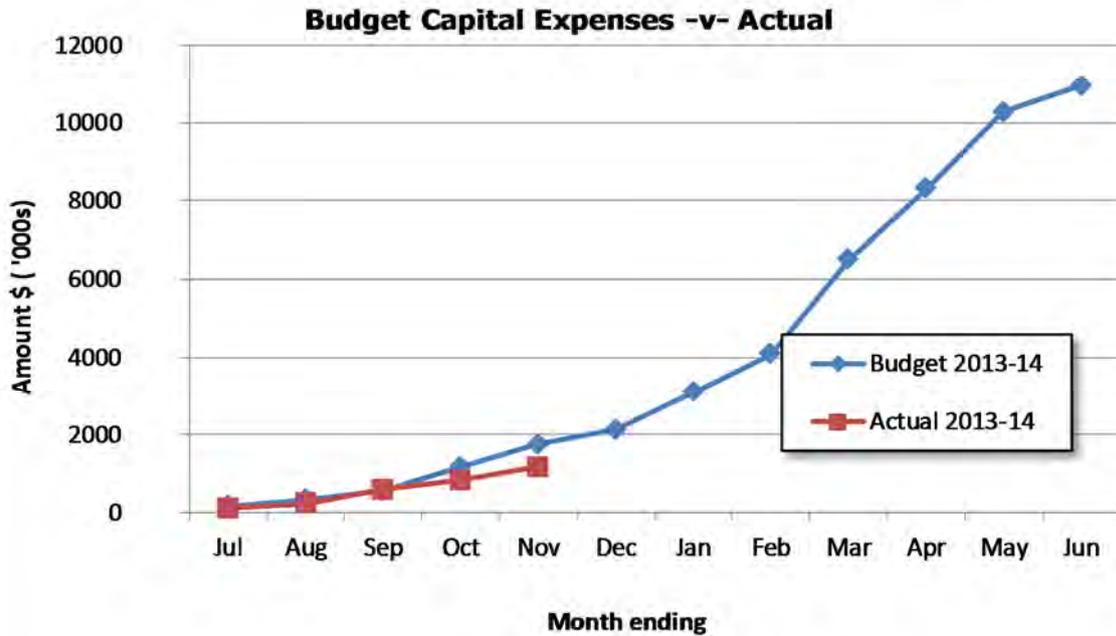


Comments/Notes - Operating Revenues

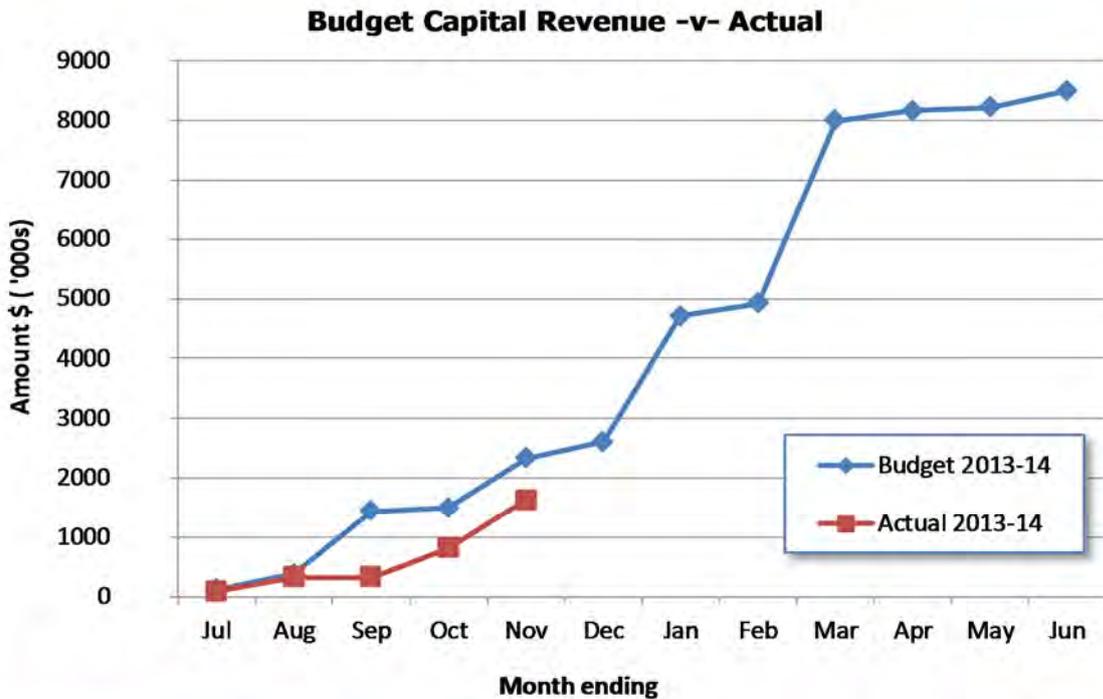
The Actual Operating Revenue decreased in October due to a Credit Note being posted for Useless Loop funding income.

Shire of Shark Bay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30th November 2013

Note 2 - Graphical Representation - Source Statement of Financial Activity



Comments/Notes - Capital Expenses

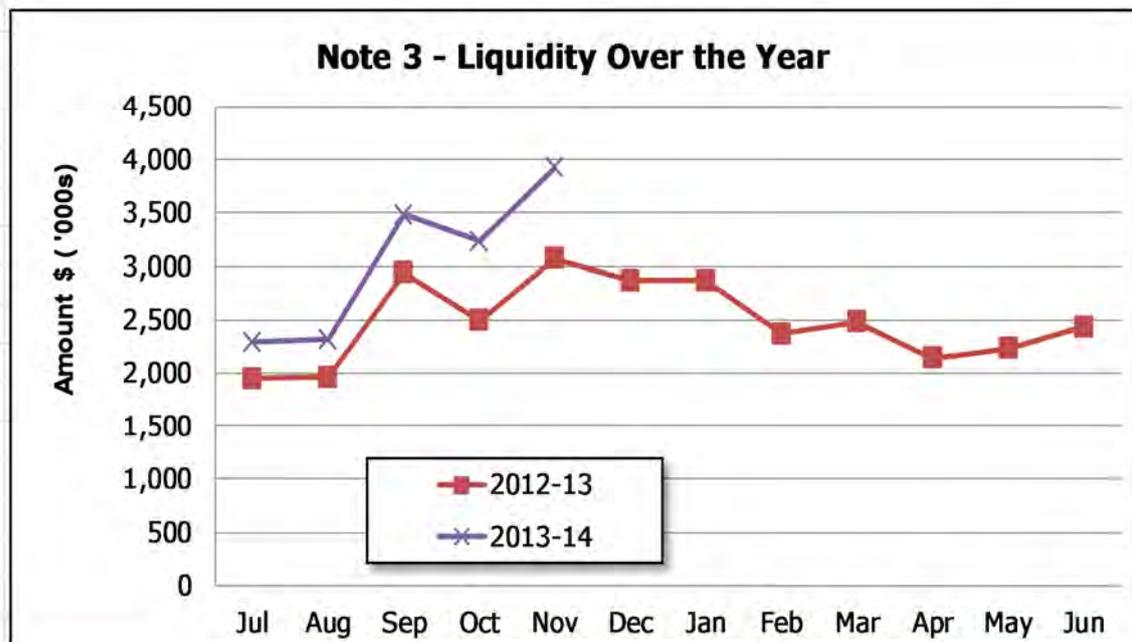


Comments/Notes - Capital Revenues

Shire of Shark Bay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30th November 2013

Note 3: NET CURRENT FUNDING POSITION

	Note	Positive=Surplus (Negative=Deficit)		
		YTD 30 Nov 2013	30th June 2013	YTD 30 Nov 2012
		\$	\$	\$
Current Assets				
Cash Unrestricted	4	3,305,247	1,371,960	2,646,567
Cash Restricted	4	1,873,668	3,201,625	1,897,607
Receivables - Rates	6	463,110	6,217	192,061
Receivables -Other	6	223,509	366,815	497,374
Interest / ATO Receivable		72,165	26,229	0
Inventories		139,424	139,424	132,355
		6,077,123	5,112,270	5,365,964
Less: Current Liabilities				
Payables		(55,401)	(387,426)	(397,556)
Provisions		(227,306)	(227,306)	0
		(282,707)	(614,732)	(397,556)
Less: Cash Reserves	7	(1,873,668)	(1,873,668)	(1,897,607)
Net Current Funding Position		3,920,748	2,623,870	3,070,801



Comments - Net Current Funding Position

Shire of Shark Bay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30th November 2013

Note 6: RECEIVABLES

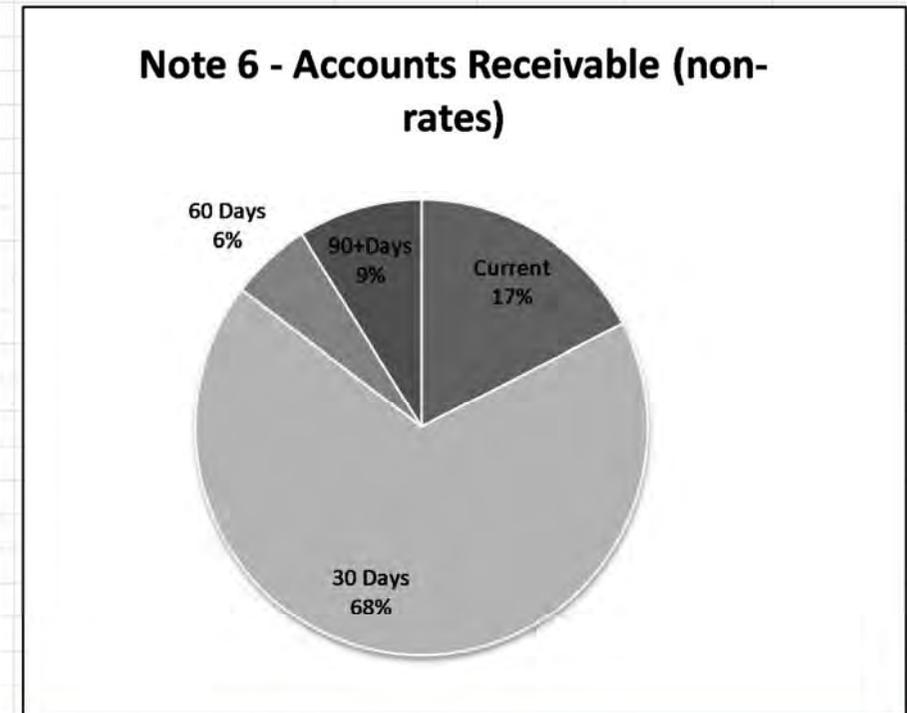
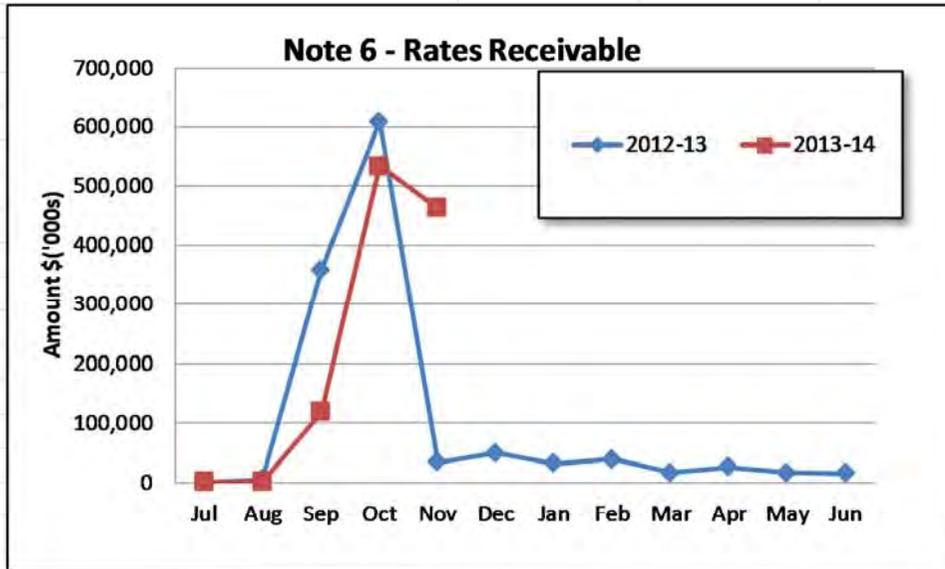
Receivables - Rates Receivable

	YTD 30 Nov 2013	YTD 30th June 2013
	\$	\$
Opening Arrears Previous Years	6,217	12,873
Levied this year	1,121,587	1,010,102
Less Collections to date	(664,694)	(1,016,758)
Equals Current Outstanding	463,110	6,217
Net Rates Collectable	463,110	6,217
% Collected	58.94%	99.39%

Receivables - General

	Current	30 Days	60 Days	90+Days
	\$	\$	\$	\$
Receivables - General	39,035	151,734	12,875	19,865
Total Receivables General Outstanding				223,509

Amounts shown above include GST (where applicable)



Comments/Notes - Receivables Rates

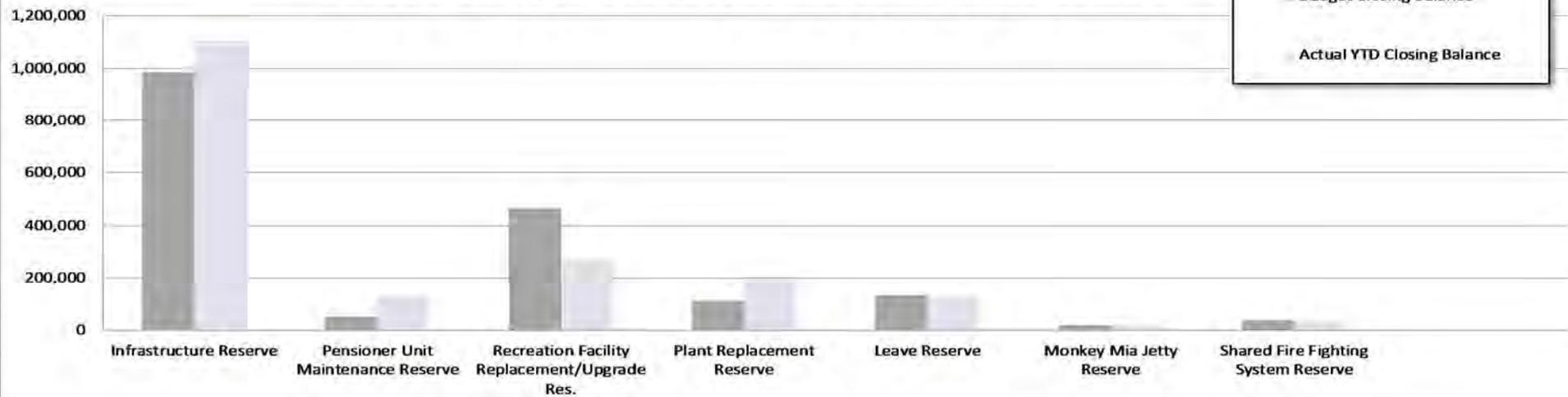
Comments/Notes - Receivables General

Shire of Shark Bay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30th November 2013

Note 7: Cash Backed Reserve

2013-14 Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Transfer out Reference	Budget Closing Balance	Actual YTD Closing Balance
Infrastructure Reserve	\$ 1,106,067	\$ 0	\$ 0	\$ 80,532	\$ 0	\$ (200,000)	\$ 0		\$ 986,599	\$ 1,106,067
Pensioner Unit Maintenance Reserve	127,230	0	0	7,614	0	(83,000)	0		51,844	127,230
Recreation Facility Replacement/Upgrade Res.	266,106	0	0	200,648	0	0	0		466,754	266,106
Plant Replacement Reserve	194,803	0	0	8,340	0	(90,000)	0		113,143	194,803
Leave Reserve	125,335	0	0	6,696	0	0	0		132,031	125,335
Monkey Mia Jetty Reserve	18,466	0	0	790	0	0	0		19,256	18,466
Shared Fire Fighting System Reserve	35,661	0	0	1,527	0	0	0		37,188	35,661
	1,873,668	0	0	306,147	0	(373,000)	0		1,806,815	1,873,668

Note 9 - Year To Date Reserve Balance to End of Year Estimate



Shire of Shark Bay

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ended 30th November 2013

Note 8: CAPITAL DISPOSALS AND ACQUISITIONS

Actual YTD Profit/(Loss) of Asset Disposal				Disposals	Current Budget YTD 30 Nov		
Cost	Accum Depr	Proceeds	Profit (Loss)		Annual Budget Profit/(Loss)	Actual Profit/(Loss)	Variance
\$	\$	\$	\$		\$	\$	\$
				Plant and Equipment			
			0	CEO Vehicle	(4,000)	0	4,000
			0	EMFA Vehicle	(8,000)	0	8,000
			0	EMTED Vehicle	(10,000)	0	10,000
			0	Water Tanker	0	0	0
150,000	(7,860)	74,000	(68,140)	Front End Loader	20,000	(68,140)	(88,140)
			0	Community Bus	10,000	0	(10,000)
			0	Country Ute	2,000	0	(2,000)
			0	Town Ute	12,000	0	(12,000)
150,000	(7,860)	74,000	(68,140)		22,000	(68,140)	(90,140)

Comments - Capital Disposal/Replacements

MINUTES OF THE ORDINARY COUNCIL MEETING

18 DECEMBER 2013

Comments	Summary Acquisitions	Current Budget		
		YTD 30 Nov		
		Annual Budget	Actual	Variance
		\$	\$	\$
	Land and Buildings	2,580,182	262,587	(2,317,595)
	Infrastructure Assets - Roads	1,145,682	389,630	(756,052)
	Infrastructure Assets - Public Facilities	6,197,251	214,058	(5,983,193)
	Infrastructure Assets - Footpaths	100,000	38,993	(61,007)
	Infrastructure Assets - Drainage	60,000	0	(60,000)
	Heritage Assets	25,000	20,141	(4,859)
	Plant and Equipment	813,500	226,671	(586,829)
	Furniture and Equipment	38,000	1,211	(36,789)
	Capital Totals	10,959,615	1,153,290	(9,806,325)
Comments - Capital Acquisitions				

MINUTES OF THE ORDINARY COUNCIL MEETING

18 DECEMBER 2013

Comments	Land and Buildings	Current Budget		
		YTD 30 Nov		
		Budget	Actual	Variance
		\$	\$	\$
	Shire Office Carpark Capital Works	50,000	0	(50,000)
	Emergency Services Building Site Works	100,000	2,435	(97,565)
	Emergency Services Building Constructio	1,229,000	210,002	(1,018,998)
	Capital Works 5 Spaven Way	5,000	0	(5,000)
	Capital Works 65 Brockman St	5,000	0	(5,000)
	Capital Works 80 Durlacher St	10,000	0	(10,000)
	Capital Works 51 Durlacher St	5,000	0	(5,000)
	Construction Staff Housing Sunter Place	806,682	0	(806,682)
	Pensioner Units Capital Maint	15,000	15,642	642
	Pensioner Units Fencing	30,000	0	(30,000)
	Pensioner Units Exterior Painting	18,000	0	(18,000)
	Pensioner Units Capital Plumbing	10,000	0	(10,000)
	Pensioner Units Landscaping	10,000	0	(10,000)
	Denham Town Hall Capital Works	25,000	0	(25,000)
	Crc Landscaping And Car Park	20,000	34,492	14,492
	Crc Fencing	25,000	0	(25,000)
	Crc - Old Jail Restoration Plan	16,500	0	(16,500)
	Foreshore Public Toilets	100,000	0	(100,000)
	Public Conveniences Town Oval - Capital	30,000	0	(30,000)
	Sport and Recreation Centre Capital Wor	50,000	0	(50,000)
	Recreation Centre Construction		16	16
	Depot Shed Resheeting	20,000	0	(20,000)
	Capital Totals	2,580,182	262,587	(2,317,595)

MINUTES OF THE ORDINARY COUNCIL MEETING

18 DECEMBER 2013

Comments	Infrastructure Assets - Roads	Current Budget		
		YTD 30 Nov		
		Budget	Actual	Variance (Under)Over
		\$	\$	\$
	Ocean Park Road - Country Roads	17,328	1,287	(16,041)
	Useless Loop Road Rrg	324,923	3,152	(321,771)
	Stella Rowley Drive Rrg	90,000	0	(90,000)
	Woodleigh/Byro Road-Rrg-(Cap)	193,066	211,177	18,111
	Little Lagoon Road (Seal) R2R	60,000	0	(60,000)
	Hughes Street-Reseals(Capital) R2R	40,308	52,904	12,596
	Durlacher Street-Reseals (Cap) R2R	182,415	0	(182,415)
	Barnard Street - Seal R2R	102,642	115,847	13,205
	Knight Terrace- Capital Works	5,000	2,109	(2,891)
	Francis Street - Capital Works	110,000	0	(110,000)
	Welcome Signage	20,000	3,155	(16,845)
	Capital Totals	1,145,682	389,630	(756,052)

MINUTES OF THE ORDINARY COUNCIL MEETING

18 DECEMBER 2013

Comments	Infrastructure Assets - Public Facilities	Current Budget		
		YTD 30 Nov		
		Budget	Actual	Variance (Under)Over
			\$	\$
	Refuse Site Shed	87,000	0	(87,000)
	Refuse Site Recycling Initiatives	291,341	0	(291,341)
	Refuse Site Capital Maintenance	30,000	0	(30,000)
	Swimming Pontoon Capital	80,000	0	(80,000)
	Foreshore Bbq Facilities	8,600	0	(8,600)
	Foreshore Gazebo Re-Roofing	9,500	0	(9,500)
	Foreshore - Playground Equipment Capital	100,000	0	(100,000)
	Rock Wall - Capital Works	10,000	0	(10,000)
	Knight Terrace Boat Ramp	0	125	125
	Denham Recreation Jetty Replacement	2,200,000	0	(2,200,000)
	Fencing - Multi Purpose Courts	30,000	0	(30,000)
	Sb Recreation Centre Grounds	720,000	110,535	(609,465)
	Charlie Sappie Park Capital Works	15,000	0	(15,000)
	Town Oval Shade Shelter Upgrade	6,500	6,415	(85)
	Town Oval Bore Capital	10,000	64	(9,936)
	Interpretive Signage Parks & Gardens	0	0	0
	Digital TV Upgrade	300,000	23,114	(276,886)
	HMAS Sydney II Memorials	70,000	55,466	(14,534)
	Monkey Mia Boat Car Park Plan	9,310	6,529	(2,781)
	Monkey Mia Jetty Capital Works	2,200,000	0	(2,200,000)
	Denham Commercial Jetty Capital Works	5,000	0	(5,000)
	Winch House and Jinker Capital Works	15,000	0	(15,000)
	Monkey Mia Boat Ramp Capital		1,780	1,780
	Marina Development Planning		1,981	1,981
	Monkey Mia Bore Replacement		8,049	8,049
	Capital Totals	6,197,251	214,058	(5,983,193)

MINUTES OF THE ORDINARY COUNCIL MEETING

18 DECEMBER 2013

Comments				Infrastructure Assets - Footpaths	Current Budget		
					YTD 30 Nov		
					Budget	Actual	Variance (Under)Over
					\$	\$	\$
				Hughes St Footpath Construction	50,000	28,801	(21,199)
				Footpath Construction (As Per Denham F	50,000	10,192	(39,808)
				Capital Totals	100,000	38,993	(61,007)
Comments				Infrastructure Assets - Drainage	Current Budget		
					YTD 30 Nov		
					Budget	Actual	Variance (Under)Over
					\$	\$	\$
				Drainage/Sump Construction	30,000	0	(30,000)
				Foreshore Drainage Capital Works	30,000	0	(30,000)
				Capital Totals	60,000	0	(60,000)
Comments				Heritage Assets	Current Budget)		
					YTD 30 Nov		
					Budget	Actual	Variance (Under)Over
					\$	\$	\$
				Day Care Centre Capital Works	5,000	4,630	(370)
				Velsheda / Galla - Capital Works	5,000	0	(5,000)
				Cape Inscription Restoration Capital	15,000	15,511	511
				Capital Totals	25,000	20,141	(4,859)

MINUTES OF THE ORDINARY COUNCIL MEETING

18 DECEMBER 2013

Comments	Plant and Equipment	Current Budget		
		YTD 30 Nov		
		Budget	Actual	Variance (Under)Over
		\$	\$	\$
	CEO Vehicle Replacement	68,000	0	(68,000)
	EMFA Vehicle Replacement	48,000	0	(48,000)
	EMTED Vehicle Replacement	45,000	0	(45,000)
	DFES -SES Capital Expenditure	0	0	0
	Loop Ses Personnel Carrier	76,000	0	(76,000)
	Loop Ses Rescue Equipment	4,500	0	(4,500)
	Community Bus	110,000	0	(110,000)
	Depot Tools and Major Plant	15,000	2,792	(12,208)
	Country Ute Replacement	45,000	0	(45,000)
	Town Ute Replacement	44,000	0	(44,000)
	Semi Water Tanker	120,000	0	(120,000)
	Water Tanker/Trailer - Evanco 2000L	8,000	0	(8,000)
	Front-End Loader	230,000	223,879	(6,121)
	Capital Totals	813,500	226,671	(586,829)
Comments	Furniture and Equipment	Current Budget		
		YTD 30 Nov		
		Budget	Actual	Variance (Under)Over
		\$	\$	\$
	Computer Hardware Upgrade/New	5,000	0	(5,000)
	Computer Software Upgrade/New	5,000	600	(4,400)
	Office Furniture & Equipment	5,000	0	(5,000)
	Council Chambers Furniture and Equipment	2,000	0	(2,000)
	SBDC - Furniture & Equipment	16,000	0	(16,000)
	Communications Upgrade	5,000	611	(4,389)
	Capital Totals	38,000	1,211	(36,789)

MINUTES OF THE ORDINARY COUNCIL MEETING

18 DECEMBER 2013

Shire of Shark Bay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30th November 2013

Note 9: RATING INFORMATION												
	Rate in \$	Number of Properties	Rateable Value \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	Total Revenue \$	Budget Rate Revenue \$	Budget Interim Rate \$	Budget Back Rate \$	Budget Total Revenue \$	
RATE TYPE												
Differential General Rate												
GRV	8.1923	303	3,996,587	327,412	(350)	0	327,062	327,912	0	0	327,912	
GRV - Commercial	8.1923	54	3,762,267	327,118	0	0	327,118	308,216	0	0	308,216	
GRV - Industrial	8.1923	39	548,945	49,579	0	0	49,579	45,217	0	0	45,217	
UV	18.4012	4	654,884	123,543	(3,735)	0	119,808	124,507	0	0	124,507	
UV Mining	18.4012	12	597,632	113,606	0	0	113,606	109,971	0	0	109,971	
UV Pastoral	10.1643	12	757,960	77,041	0	0	77,041	77,041	0	0	77,041	
Sub-Totals		424	10,318,275	1,018,299	(4,085)	0	1,014,214	992,864	0	0	992,864	
Minimum Rates	Minimum \$											
GRV	727.00	169	962,409	122,863	0	0	122,863	122,863	0	0	122,863	
GRV - Commercial	727.00	26	177,274	3,635	0	0	3,635	18,902	0	0	18,902	
GRV - Industrial	727.00	6	46,233	0	0	0	0	4,362	0	0	4,362	
UV	727.00	5	7,193	0	0	0	0	3,635	0	0	3,635	
UV Mining		5	134	0	0	0	0	3,635	0	0	3,635	
Sub-Totals		211	1,193,243	126,498	0	0	126,498	153,397	0	0	153,397	
UV Pastoral Concession							1,140,712				1,146,261	
Concession							(53,057)				(53,057)	
Amount from General Rates							1,084,619				1,090,204	
Ex-Gratia Rates							0				6,886	
Specified Area Rates							36,968				36,968	
Totals							1,121,587				1,134,058	

Comments - Rating Information

All land except exempt land in the Shire of Shark Bay is rated according to its Gross Rental Value (GRV) in town sites or Unimproved Value (UV) in the remainder of the Shire.

The differential rates detailed above for the 2013/14 financial year have been determined by Council on the basis of raising the revenue required to meet the deficiency between the total estimated expenditure proposed in the budget and the estimated revenue to be received from all sources other than rates and also bearing considering the extent of any increase in rating over the level adopted in the previous year.

The minimum rates have been determined by Council on the basis that all ratepayers must make a reasonable contribution to the cost of the Local Government services/facilities.

Shire of Shark Bay

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ended 30th November 2013

10. INFORMATION ON BORROWINGS

(a) Debenture Repayments

Particulars	Principal 1-Jul-13	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual \$	Budget \$	Actual \$	Budget \$	Actual \$	Budget \$
Loan 48 - McCleary Property	100,532		10,142	20,636	90,390	79,896	(399)	3,522
Loan 48 - McCleary Property - Shire Office	85,638		11,906	24,224	73,732	61,414	399	4,135
Loan 53 - Staff Housing	130,161		7,988	16,236	122,173	113,925	0	6,663
Loan 56 - Staff Housing	134,313		6,550	13,297	127,763	121,016	2,779	7,001
Loan 57 - Monkey Mia Bore	300,000		12,310	24,871	287,690	275,129	2,742	11,591
	750,644	0	48,897	99,264	701,747	651,380	5,521	32,912

All debenture repayments were financed by general purpose revenue.

(b) New Debentures

No new debentures were raised during the reporting period.

MINUTES OF THE ORDINARY COUNCIL MEETING

18 DECEMBER 2013

Shire of Shark Bay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30th November 2013

Note 11: GRANTS AND CONTRIBUTIONS

Program/Details GL	Grant Provider	Approval	2013-14 Budget	Variations Additions (Deletions)	Operating	Capital	Recoup Status	
							Received	Not Received
		(Y/N)	\$	\$	\$	\$	\$	\$
GENERAL PURPOSE FUNDING								
Grants Commission - General	WALGGC	Y	753,968	0	753,968	0	367,253	386,715
Grants Commission - Roads	WALGGC	Y	194,564	0	194,564	0	96,752	97,813
LAW, ORDER, PUBLIC SAFETY								
FESA Grant - Operating Bush Fire Brigades	Dept. of Fire & Emergency Serv.	Y	7,160	0	7,160	0	3,580	3,580
Grant FESA - SES	Dept. of Fire & Emergency Serv.	\$480K Y	23,000	0	23,000	0	9,456	13,544
FESA SES Capital Grants	Dept. of Fire & Emergency Serv.	Y	560,500	0	0	560,500	1,125	559,375
Grants - Other Law, Order and Public Safety	LotteryWest & GDC \$100K	\$249K Y	349,000	0	0	349,000	0	349,000
Contribution - SES / St John's Ambulance			300,000	0	0	300,000	0	300,000
HOUSING								
Grants - Staff Housing	Regional Development & Lands	Y	378,341	0	0	378,341	378,341	0
COMMUNITY AMENITIES								
Grants - Waste Disposal	Country Local Govt. Fund	Y	378,341	0	0	378,341	0	378,341
Grants - Town Planning and Regional Development	Dept. Regional Development	N	500,000	0	500,000	0	0	500,000
RECREATION AND CULTURE								
Denham Hall Hire - Contra	Shire of Shark Bay		4,000	0	4,000	0	0	4,000
Grants - Public Facilities	Country Local Govt. Fund	Y	154,832	0	0	154,832	54,832	100,000
Grants - Recreation and Culture	LotteryWest	Y	556,500	0	0	556,500	250,000	306,500
Grant - Recreation Jetty Replacement	Dept. Regional Development	N	2,200,000	0	0	2,200,000	0	2,200,000
Walk Trail Grant Funding	LotteryWest	N	1,500	0	1,500	0	0	1,500
Contributions & Donations Sport and Recreation	LotteryWest	Y	500,000	0	0	500,000	0	500,000
Grants - Youth Activities	Dept. of Communities	Y	1,000	0	1,000	0	0	1,000

MINUTES OF THE ORDINARY COUNCIL MEETING

18 DECEMBER 2013

TRANSPORT									
Road Preservation Grant	State Initiative	Y	77,741			77,741	0	77,741	0
Useless Loop Road - Mtce	Main Roads WA	Y	314,000	0		314,000		0	314,000
Contributions - Road Projects	Ocean Park	Y	0	0		0	0	7,000	
Roads To Recovery Grant - Cap	Roads to Recovery	Y	252,071	0		0	252,071	20,293	231,778
RRG Grants - Capital Projects	Regional Road Group	Y	335,115	0		0	335,115	295,449	39,666
Grants - Road Projects	Country Local Govt. Fund	Y	110,000	0		0	110,000	0	110,000
Grant - RBFS MM Boat Ramp Facilities	Dept. of Transport	Y	123,718	0		0	123,718	78,718	45,000
Grant - R4R Monkey Mia Jetty	Dept. of Regional Development	Y	2,000,000	0		0	2,000,000	250,000	1,750,000
ECONOMIC SERVICES									
Contributions-Seniors Projects	Council of the Aged WA	Y	500	500		500	0	1,000	0
Contribution - Monkey Mia Res			48,500	0		48,500	0	0	48,500
Festivals / Events - Other Grants	Various		0	0		0	0	4,000	
Grants - Tourism and Area Promotion	Royalties for Regions	Y	300,000	0		0	300,000	300,000	0
TOTALS			10,424,351	500		1,925,933	8,498,418	2,195,540	8,228,811
Operating	Operating		1,925,933					566,782	
Non-Operating	Non-operating		8,498,418					1,628,758	
			<u>10,424,351</u>					<u>2,195,540</u>	

Shire of Shark Bay				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 30th November 2013				
Note 12: TRUST FUND				
Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:				
Description	Opening Balance 1-Jul-13	Amount Received	Amount Paid	Closing Balance 30-Nov-13
	\$	\$	\$	\$
Shark Bay Aerobics Group	141	0	0	141
Hall Bond - Expense	0	270	(270)	0
Election Deposits	0	320	(160)	160
BCITF Levy	0	2,602	(1,862)	740
Library Card Bond	200	250	(450)	0
Bond Marina Facilities	4,306	0	0	4,306
Kerb/Footpath Deposit	2,700	1,500	0	4,200
Building Completion Bond	71,955	0	0	71,955
Denham Youth Group	1,378	0	(1,378)	0
Bond Key	2,350	840	(1,120)	2,070
Man in the Biosphere	701	0	0	701
Police Licensing	5,531	118,956	(123,518)	969
Public Open Space	0	0	0	0
Clearing Account	2,364	148	(2,512)	(0)
Len Thompson Trust	800	0	0	800
Community Bus	2,100	600	(1,800)	900
Policeman's Ball	751	0	(751)	0
Community Chest	6,750	0	0	6,750
Building License Levy	0	1,234	(959)	275
Fundraising Collection	170	0	0	170
Marquee Deposit	700	1,400	(2,100)	0
Public Open Space Trust Reserve	0	0	0	0
Hillside Residential Dual Use Path	0	0	0	0
Tour Sales	0	117,568	(117,741)	(173)
Bookeasy Sales	0	52,121	(52,121)	0
Unspecified Trust Items	0	23,095	0	23,095
	102,897	320,904	(306,741)	117,059

12.3 WRITE OFF OF MR LEN DUFFY – MARINE CHARGES / RUBBISH CHARGES
SU 110

Author

Debtors Clerk

Disclosure of Any Interest

Nil

Moved Cr Ridgley
Seconded Cr Capewell

Council Resolution

That Council write-off the following amount in relation to marine charges.

<u>Billing period</u>	<u>Debtor</u>	<u>Amount</u>
2012/13	LEN DUFFY	\$2,570.00
		6/0 CARRIED

Background

This outstanding account for Mr Len Duffy is for 2012/2013 financial year. Originally this account was for two different vessels, one of which was partnered by Mr Glen Okely. Mr Okely paid the fees for his boat in the amount of \$3,868, leaving \$2,570 outstanding, being the debt for Mr Len Duffy, which was placed with Dun & Bradstreet.

Comment

While all due diligence was made by the debtors clerk and Dun & Bradstreets attempts to contact Mr Duffy, neither have had any success. Correspondence recently received from Dun & Bradstreet stating that they have been unable to locate the whereabouts of "Mr Len Duffy" and can only suggest that the account be treated as unrecoverable.

Legal Implications

Nil

Policy Implications

Nil

Financial Implications

The amounts outstanding relate to 2012/2013, the total amount outstanding of \$2,570 needs to be written off as bad debt. Allocating the amount to the bad debts account will avoid distorting this year's charges.

Strategic Implications

Nil

Voting Requirements

Simple Majority Required

Date of Report

7 November 2013

13. TOWN PLANNING REPORT

13.1 REVIEW OF SHIRE OF SHARK BAY LOCAL PLANNING SCHEME – RESOLUTION TO PREPARE A NEW SCHEME

Author

Liz Bushby, Gray & Lewis Landuse Planners

Disclosure of Any Interest

Nil

Moved Cr Ridgley
Seconded Cr Prior

Council Resolution

That Council:

1. In accordance with the *Planning and Development Act 2005* formally adopt a 'Resolution Deciding to Prepare a Town Planning Scheme' for Lands Wholly within the District of the Local Government to prepare the Shire of Shark Bay Local Planning Scheme No. 4 ('Scheme 4')
2. In pursuance of Part 5 of the *Planning and Development Act 2005*, prepare the above Town Planning Scheme with reference to an area situated wholly within the Shire of Shark Bay and enclosed within the inner edge of the red border on a plan now produced to the Council of the local government as the 'Scheme Area Map' included as Attachment 1.
3. Authorise the Chief Executive Officer to:
 - (i) Execute the 'Scheme Area Map' – Attachment 1.
 - (ii) Advise the Western Australian Planning Commission within 28 days of the Council meeting of the Council resolution in order to comply with Regulation (1) and (3) of the Town Planning Regulations 1967.
 - (iii) Provide a Statement to the Western Australian Planning Commission advising that the purposes of the new Scheme 4 are to -
 - (a) *set out the local government's planning aims and intentions for the Scheme area;*
 - (b) *set aside land as reserves for public purposes;*
 - (c) *zone land within the Scheme area for the purposes defined in the Scheme;*
 - (d) *control and guide land use and development;*
 - (e) *set out procedures for the assessment and determination of planning applications;*
 - (f) *make provision for the administration and enforcement of the Scheme; and*
 - (g) *address other matters set out in Schedule Seven of the Planning and Development Act.*
 - (iv) Provide a Statement to the Western Australian Planning Commission advising that the objects of the new Scheme 4 are -

- (a) to safeguard and enhance the character and amenity of the built and natural environment of the Denham townsite and surrounds;
 - (b) to provide for housing choice and variety in neighbourhoods with a community identity and high levels of amenity;
 - (c) to ensure that existing and future residents enjoy a range of attractive living environments and have access to the widest possible range of services and amenities;
 - (d) to ensure there is a sufficient supply of serviced and suitable land for housing, employment, tourism, commercial activities, community facilities, recreation and open space;
 - (e) to assist employment and economic growth by facilitating the timely provision of suitable land for retail, commercial, industrial, entertainment and tourist developments, as well as providing opportunities for home-based employment;
 - (f) to impose special conditions for development of land within Denham to mitigate the adverse affects of land subject to inundation and other physical constraints;
 - (g) to set policies for the preservation of sites of historic and heritage value;
 - (h) to protect and enhance the environmental values and natural resources of the Shire and to promote ecologically sustainable land use and development;
 - (i) to implement policies for the use of land in compliance with the objectives of the World Heritage listing of the region; and
 - (j) to provide development policies and controls for the purpose of maintaining the orderly and properly planned use and development of land within the Scheme Area.
- (v) Confirm to the Western Australian Planning Commission that the format of draft Local Planning Scheme No. 4 will consist of the Scheme Text and Scheme Map(s), as a Local Planning Strategy has already been approved. An informal explanatory document will also be provided by the Shire's Consultant Planner.

6/0 CARRIED

Précis

The Shire has engaged Gray & Lewis to review the existing Shire of Shark Bay Local Planning Scheme No 3 and compile a new Shire of Shark Bay Local Planning Scheme No 4.

The purpose of this report is to obtain a formal Council resolution to undertake a new Scheme as required by the Town Planning Regulations 1967.

Background

The Shire has progressed strategic planning and adopted a Local Planning Strategy, which has also been approved by the Western Australian Planning Commission.

Comment

The Town Planning Regulations 1967 require a formal Shire resolution to prepare a new Scheme.

The resolution has to be forwarded to the Western Australian Planning Commission along with:

- A. A Scheme Area Map signed by the Chief Executive Officer;
- B. A statement setting out the objects and intentions of the Scheme;
- C. A statement setting out the anticipated format of the Scheme.

These matters are individually detailed below:

A. A Scheme Area Map signed by the Chief Executive Officer

The Department of Planning has prepared a Scheme Area Map for the Shire – Attachment 1.

B. A statement setting out the objects and intentions of the Scheme

The intentions or purposes of the existing Shire of Shark Bay Local Planning Scheme No 3 are outlined in Clause 1.5. The existing Scheme No 3 provisions are proposed to be repeated verbatim in any new Scheme No 4 as they are consistent with the Model Scheme Text as follows:

“The purposes of the Scheme are to -

- (a) set out the local government’s planning aims and intentions for the Scheme area;*
- (b) set aside land as reserves for public purposes;*
- (c) zone land within the Scheme area for the purposes defined in the Scheme;*
- (d) control and guide land use and development;*
- (e) set out procedures for the assessment and determination of planning applications;*
- (f) make provision for the administration and enforcement of the Scheme; and*
- (g) address other matters set out in Schedule Seven of the Planning and Development Act.”*

There are ‘aims of Scheme’ under Clause 1.6 of the existing Shire of Shark Bay Local Planning Scheme No 3 – Attachment 2. Gray & Lewis has used the existing Scheme ‘aims’ as a base and revised them to better explain the Object of Draft Scheme No 4 as follows:

- (a) to safeguard and enhance the character and amenity of the built and natural environment of the Denham townsite and surrounds;
- (b) to provide for housing choice and variety in neighbourhoods with a community identity and high levels of amenity;
- (c) to ensure that existing and future residents enjoy a range of attractive living environments and have access to the widest possible range of services and amenities;
- (d) to ensure there is a sufficient supply of serviced and suitable land for housing, employment, tourism, commercial activities, community facilities, recreation and open space;
- (e) to assist employment and economic growth by facilitating the timely provision of suitable land for retail, commercial, industrial, entertainment and tourist developments, as well as providing opportunities for home-based employment;

- (e) to impose special conditions for development of land within Denham to mitigate the adverse affects of land subject to inundation and other physical constraints;
- (f) to set policies for the preservation of sites of historic and heritage value;
- (g) to protect and enhance the environmental values and natural resources of the Shire and to promote ecologically sustainable land use and development;
- (h) to implement policies for the use of land in compliance with the objectives of the World Heritage listing of the region; and
- (i) to provide development policies and controls for the purpose of maintaining the orderly and properly planned use and development of land within the Scheme Area.

The purpose of this resolution is to comply with statutory requirements. Council will have future opportunities to have input into draft Scheme provisions as the project develops.

Council can amend, modify or expand on the suggested objects and purposes of the Draft Scheme included in this report.

C. A statement setting out the anticipated format of the Scheme.

In achieving the desired intention and objectives, the format of draft Local Planning Scheme No. 4 will consist of the Scheme Text and Scheme Map(s).

Legal Implications

Planning and Development Act 2005

Town Planning Regulations 1967 – The main requirements are summarised in this report. The officer recommendation has been worded to comply with the format dictated by Form No 1 in Appendix A of the Regulations.

Policy Implications

Nil

Financial Implications

There are costs associated with a Scheme Review however the Shire has obtained funding for the Local Scheme Capture Project.

Strategic Implications

A new Local Planning Scheme will implement the recommendations of the Shire of Shark Bay Local Planning Strategy.

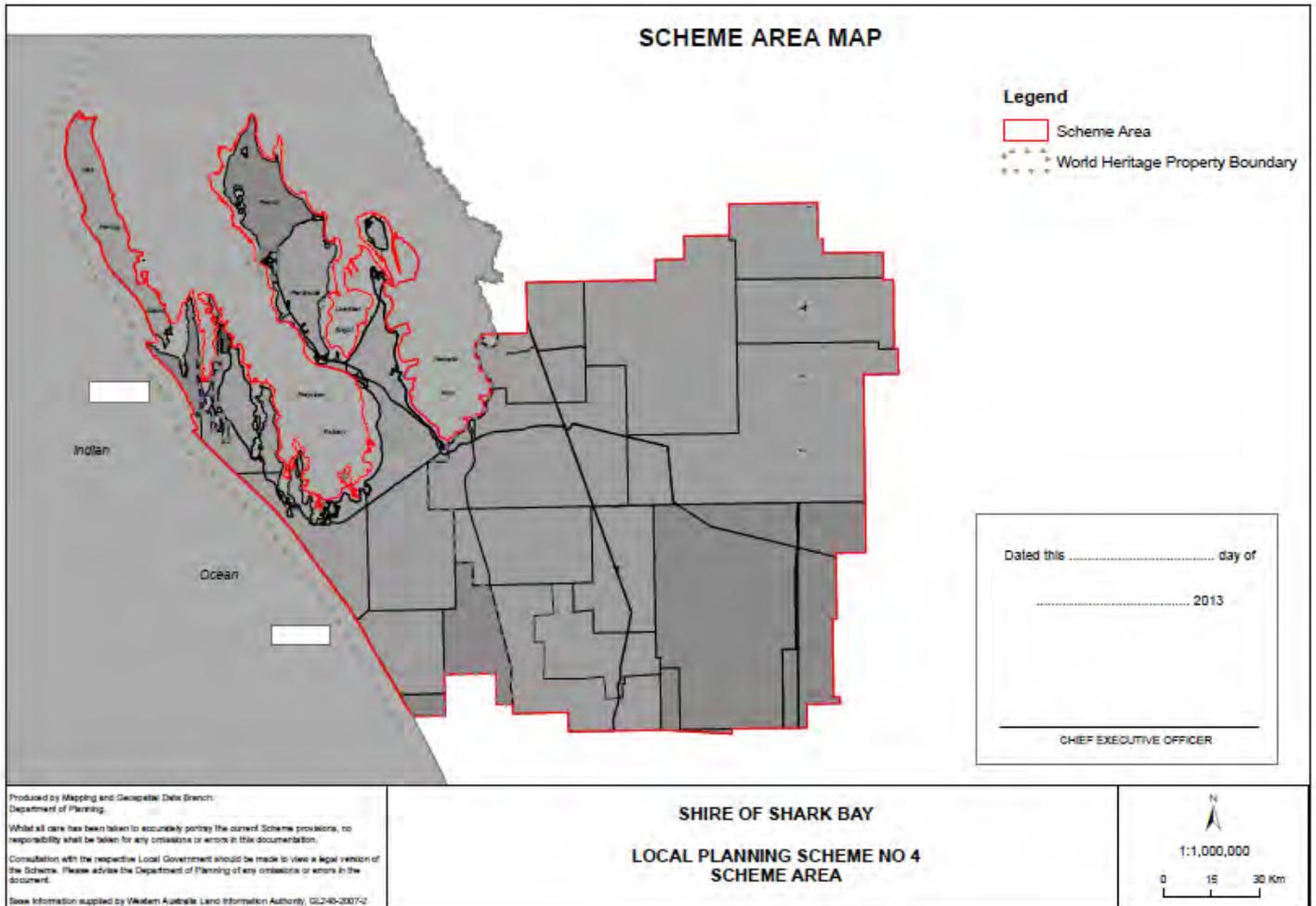
Voting Requirements

Simple Majority Required

Date of Report

4 December 2013

ATTACHMENT 1



ATTACHMENT 2

PART 1: PRELIMINARY

1.1 CITATION

1.1.1 The Shire of Shark Bay Local Planning Scheme No. 3 comes into operation on its Gazettal date.

1.1.2 The following Scheme is revoked:

Shire of Shark Bay Local Planning Scheme No. 2 - Gazetted 25th January 1995

1.2 RESPONSIBLE AUTHORITY

The Shire of Shark Bay is the responsible authority for implementing the Scheme.

1.3 SCHEME AREA

The Scheme applies to the Scheme area which covers all of the local government district of the Shire of Shark Bay as shown on the Scheme Map.

1.4 CONTENTS OF SCHEME

The Scheme comprises:

- a) the Scheme Text;
- b) the Scheme Map (sheets 1 to 8).

The Scheme is to be read in conjunction with the Scheme Report.

1.5 PURPOSES OF SCHEME

The purposes of the Scheme are to:

- a) set out the local government's planning aims and intentions for the Scheme area;
- b) set aside land as reserves for public purposes;
- c) zone land within the Scheme area for the purposes defined in the Scheme;
- d) control and guide land use and development;
- e) set out procedures for the assessment and determination of planning applications;
- f) make provision for the administration and enforcement of the Scheme; and
- g) address other matters set out in Schedule Seven of the Planning and Development Act.

1.6 THE AIMS OF THE SCHEME

The aims of the Scheme are:

- a) to retain the character of the townsite of Denham and to derive and implement Policy Statements to obtain this objective;
- b) to set aside land for the continued development of the town in areas appropriate for urban development;

- c) to impose special conditions for development of land within Denham to mitigate the adverse affects of land subject to inundation and other physical constraints;
- d) to set policies for the preservation of sites of historic and heritage value;
- e) to protect and enhance the environmental values and natural resources of the local government area and promote ecologically sustainable land use and development;
- f) to implement policies for the use of rural and other land in compliance with the objectives of the World Heritage listing of the region; and
- g) to provide development policies and controls for the purpose of maintaining the orderly and properly planned use and development of land within the Scheme Area.

1.7 DEFINITIONS

1.7.1 Unless the context otherwise requires, words and expressions used in the Scheme have the same meaning as they have:

- a) in the Planning and Development Act; or
- b) if they are not defined in that Act:
 - i) in the Dictionary of defined words and expressions in Schedule 1; or ii) in the Residential Design Codes.

1.7.2 If there is a conflict between the meaning of a word or expression in the Dictionary of defined words and expressions in Schedule 1 and the meaning of that word or expression in the Residential Design Codes:

- a) in the case of a residential development, the definition in the Residential Design Codes prevails; and
- b) in any other case the definition in the Dictionary prevails.

1.7.3 Notes, and instructions printed in italics, are not part of the Scheme.

1.8 RELATIONSHIP WITH LOCAL LAWS

Where a provision of the Scheme is inconsistent with a Local Law, the provision of the Scheme prevails.

1.9 RELATIONSHIP WITH OTHER SCHEMES

There are no other Schemes of the Shire of Shark Bay which apply to the Scheme Area.

1.10 RELATIONSHIP WITH THE REGION SCHEME

There is no statutory Region Scheme which applies to the Scheme Area.

13.2 PROPOSED SINGLE DWELLING – LOT 154 (7) SUNTER PLACE, DENHAM

P 1389

Author

Liz Bushby, Gray & Lewis Landuse Planners

Disclosure of Any Interest

Disclosure of Interest: Gray & Lewis

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 39.639 of *Local Government Act 1999*

Disclosure of Interest: Cr Cowell

Nature of Interest: Proximity Interest as dwelling over the road from Councillors residence.

Cr Cowell left the Council Chamber at 3.50 pm and Cr Hanscombe assumed the Chair.

Moved Cr Ridgley
Seconded Cr Capewell

Council Resolution

That Council:

- 1. Note that the building application for a single house on Lot 154 (7) Sunter Place, Denham complies with the Residential Design Codes.**
- 2. Note that the application is permitted development under Clause 8.2 (b) of the Shire of Shark Bay Local Planning Scheme No 3 ('the Scheme') and as such is exempt from planning approval.**

5/0 CARRIED

Cr Cowell returned to the Council Chamber at 3.53 pm and assumed the Chair.

Précis

The purpose of this report is to advise Council of a certified building permit lodged for a single house on Lot 154 (7) Sunter Place, Denham.

Background

The subject lot is vacant and is relatively level. The applicant has lodged a site feature survey demonstrating that the building pad area has contours between 22.63m to 22.66m.

Lot 230 is zoned 'Residential R12.5/30' under the Shire of Shark Bay Local Planning Scheme No 3 ('the Scheme').

A location plan is included overpage for ease of reference.



Comment

- *Proposed Development*

The applicant proposes to construct a two storey single house on the existing vacant lot.

- *Building Setbacks*

The application has been assessed in accordance with the Residential Design Codes ('the Codes') as applicable to an R12.5 density. The setbacks under the Codes are minimum setbacks.

Description	Required (metres)	Provided (metres)	Comment
Front	7.5 average	7.5 average	Complies
Rear	6	Over 20.284m	Complies
Side (north)	1.5	1.5	Complies
Side (south)	1.5	Over 6.446	Complies

The application complies with all setback requirements.

- *Privacy and Overlooking (Setbacks)*

The Residential Design Codes have 'deemed to comply' requirements for Privacy and Overlooking. The development complies with the 'deemed to comply' criteria.

Under the 'deemed to comply' requirements there are minimum setback distances for the upper storey windows/balconies to the boundary as follows;

- 4.5 metres for bedrooms and studies
- 6.0 metres for habitable rooms other than bedrooms and studies
- 7.5 metres for unenclosed outdoor active habitable spaces (such as balconies, decks, verandas etc)

The privacy setbacks do not apply to highlight windows or where screening is provided.

Privacy setbacks are measured at 90 degrees to the boundary using a 'cone of vision' sightline. Privacy has been assessed and is summarised below:

Description of upper storey areas	Required setback	Officer comment	Code reference
North Elevation			
Gamesroom	N/A – highlight window	Complies as window is 1.6m above the floor level	Complies with 'deemed to comply' criteria – Clause 5.4.1 C1.2
Bedroom 1	N/A – highlight window	Complies as window is 1.6m above the floor level	Complies with 'deemed to comply' criteria – Clause 5.4.1 C1.2
South Elevation			
Gamesroom	N/A – highlight window	Complies as window is 1.6m above the floor level	Complies with 'deemed to comply' criteria – Clause 5.4.1 C1.2
West Elevation			
Gamesroom	7.5m	Complies with 7.5m cone of vision	Complies with 'deemed to comply' criteria – Clause 5.4.1 C1.1 (i)
Balcony	7.5m	Complies with 7.5 cone of vision to west and south. Screen proposed along north balustrade of balcony	Complies with 'deemed to comply' criteria – Clause 5.4.1 C1.1 (i) and (ii)

- *Carparking, site open space, building height*

The application complies with carparking, building height and site open space requirements of the Codes.

- *Relevant Scheme provisions*

Under Clause 8.1 of the Scheme all development on land zoned and reserved under the Scheme requires the prior approval of the local government.

The Scheme then outlines cases where planning approval is not required for 'Permitted Development'.

Permitted Development under Clause 8.2 b) includes '*the erection on a lot of single house including any extension, ancillary outbuildings with areas less than 60m² and swimming pools except where (i) the proposal requires the exercise of a discretion by the local government under the Scheme to vary the provision of the Residential Design Codes...*'

As the application complies with the 'deemed to comply' requirements of the Residential Design Codes which are quantifiable and measurable, it does not require planning approval.

Legal Implications

The Shire of Shark Bay Local Planning Scheme No 3 is a legal document and has the same statutory power as an Act passed by parliament.

The relevant Scheme requirements are outlined in the body of this report.

Policy Implications

There are no planning policy implications.

Financial Implications

Nil

Strategic Implications

The Western Australian Planning Commission and Minister for Planning have a general view that each lot should be capable of being developed with a single house. Hence, if a house complies with the 'deemed to comply' requirements of the Codes it only requires a Building Permit, and this is common in a lot of metropolitan town planning schemes.

Planning approval is required where a variation to the 'deemed to comply' requirements of the Codes is sought by an applicant, as then the assessment is more subjective and it entails Council exercising a discretion.

As part of the Scheme review, it is recommended that Council consider introducing new provisions to require planning approval for two storey dwellings (as privacy has to be assessed). This would enable conditions to be placed on any planning consent to ensure privacy continues to be addressed in the long term.

It is not anticipated that the Western Australian Planning Commission would support a blanket requirement for all single dwellings to require planning approval as it is contrary to the Model Scheme text.

Voting Requirements

Simple Majority Required

Date of Report

5 December 2013

13.3 BILLBOARD SIGN – CORNER MONKEY MIA ROAD / STELLA ROWLEY DRIVE, DENHAM

Author

Liz Bushby, Gray & Lewis Landuse Planners

Disclosure of Any Interest

Disclosure of Interest: Gray & Lewis

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire,
– Section 5.65 of *Local Government Act 1995*

Moved Cr Prior
Seconded Cr Capewell

Council Resolution

That Council:

- 1. Authorise the Chief Executive Officer to sign the planning application form.**
- 2. Approve the application for a billboard sign located in road reserve on the corner of Monkey Mia Road and Stella Rowley Drive subject to the following conditions:**
 - (i) The plans lodged with this application shall form part of this planning approval. All development shall be in accordance with the approved plans unless otherwise approved in writing by the Shire Chief Executive Officer.**
 - (ii) This approval shall be valid for a maximum period of 15 months.**
 - (iii) The road reserve shall be reinstated to pre-development condition and the entire sign structure and supporting poles to be removed on expiry of this approval to the satisfaction of the Chief Executive Officer.**

6/0 CARRIED

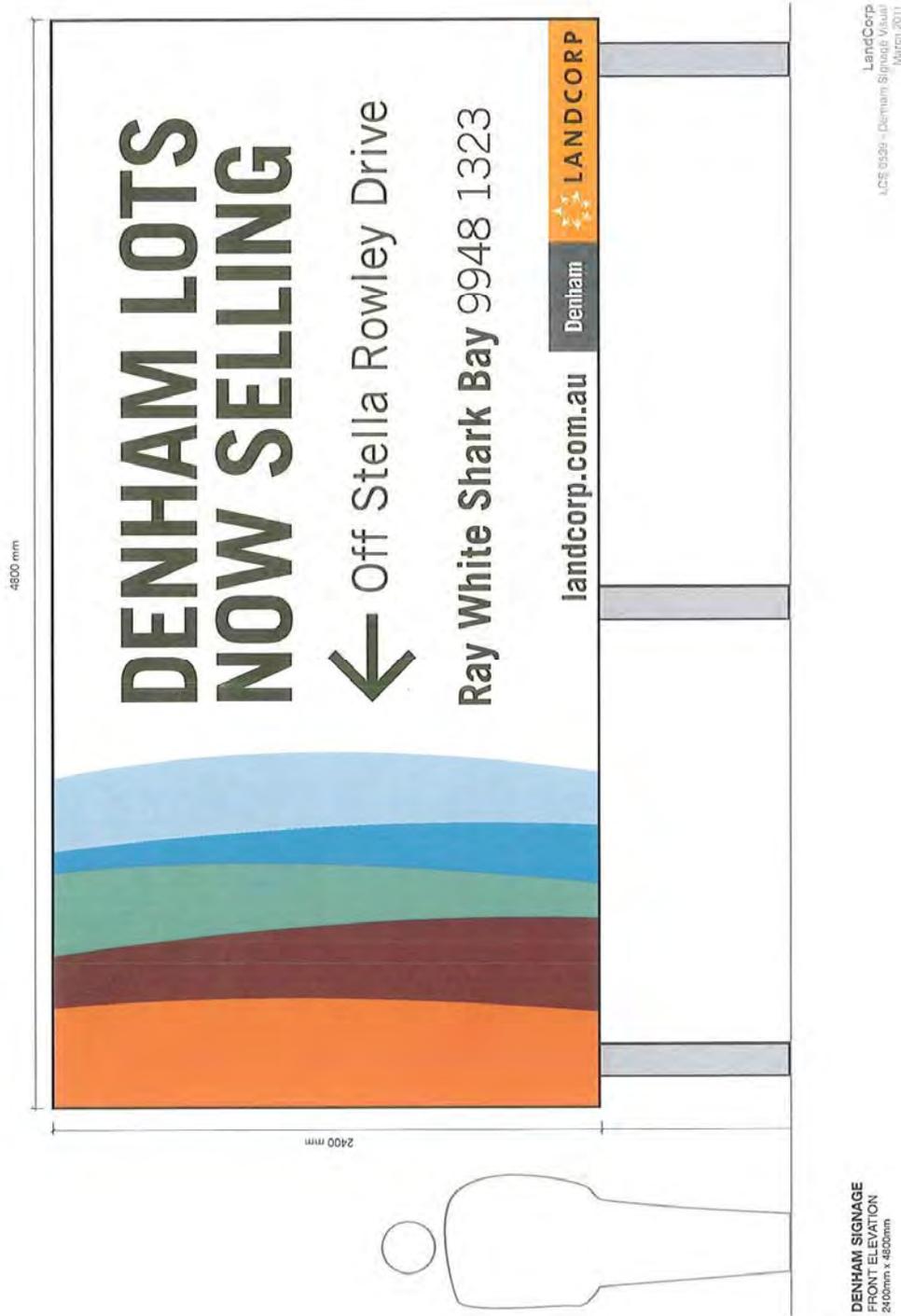
Précis

Council is to consider an application for the existing billboard sign located on the corner of Monkey Mia Road and Stella Rowley Road, Denham.

Background

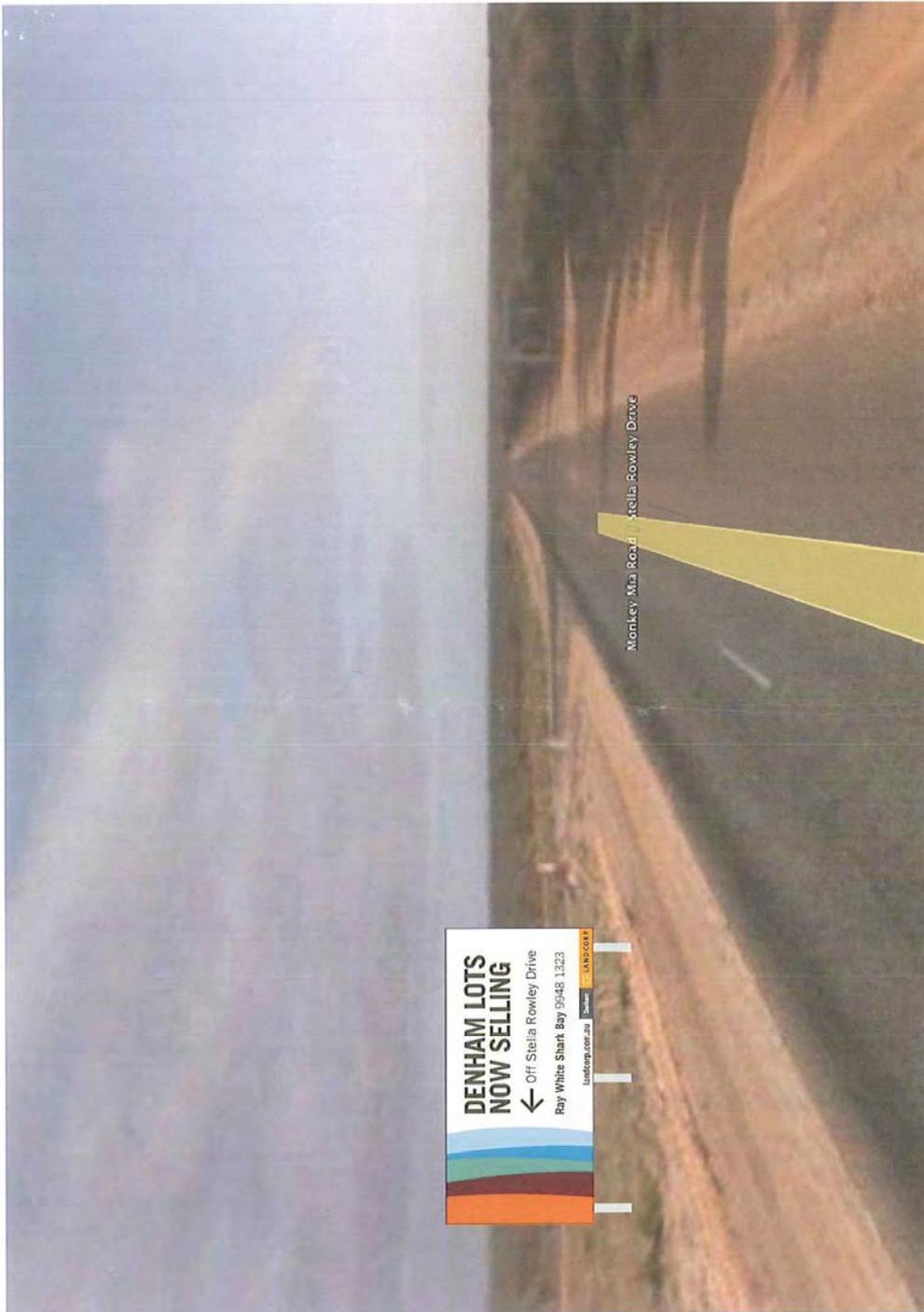
Council granted conditional planning approval for a billboard sign on the corner of Monkey Mia Road and Stella Rowley Road at the meeting held on the 27 July 2011.

The approval was only for a two year period so expired on the 27 July 2013.



MINUTES OF THE ORDINARY COUNCIL MEETING
18 DECEMBER 2013





Comment

The sign advertises lots selling in the residential subdivision developed by Landcorp near Stella Rowley Drive.

The sign is located within road reserve therefore the application requires Shire endorsement as both a landowner and decision making body.

The applicant has sought approval to retain the sign for a 15 month period. The sign face measures 4.8 metres width by 2.4 metres high.

Having regard that the sign size has previously been approved by Council, that the sign is required for continued property transaction advertising, and the applicant is only seeking a new temporary approval, Gray & Lewis recommends support for the application.

Legal Implications

Not Applicable

Policy Implications

Not Applicable

Financial Implications

Not Applicable

Strategic Implications

Not Applicable

Voting Requirements

Simple Majority Required

Date of Report

4 December 2013

13.4 PROPOSED RETAINING WALLS – LOT 224(SL1) (35A) FRY COURT, DENHAM
P 1442

Author

Liz Bushby, Gray & Lewis Landuse Planners

Disclosure of Any Interest

Disclosure of Interest: Gray & Lewis

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 39.639 of *Local Government Act 1999*

Moved Cr Capewell

Seconded Cr Prior

Council Resolution

That Council:

A. Approve the application lodged by Elizabeth Manning for retaining walls (and ancillary site works) on Lot 224 (Strata Lot 1) (35A) Fry Court, Denham subject to the following conditions:

- 1. The owner/ applicant to lodge engineering certification for the proposed retaining walls prior to the issue of building permit.**
- 2. All retaining walls to be fully located within the strata lot 1 boundaries and shall not encroach into any common property.**
- 3. The plans lodged with this application shall form part of this planning approval. All development shall be in accordance with the approved plans unless otherwise approved in writing by the Shire Chief Executive Officer.**

B. Advise the applicant as a footnote to the planning approval that ‘This approval is not an approval to commence any construction or works. A separate building permit is also required prior to commencement.’

6/0 CARRIED

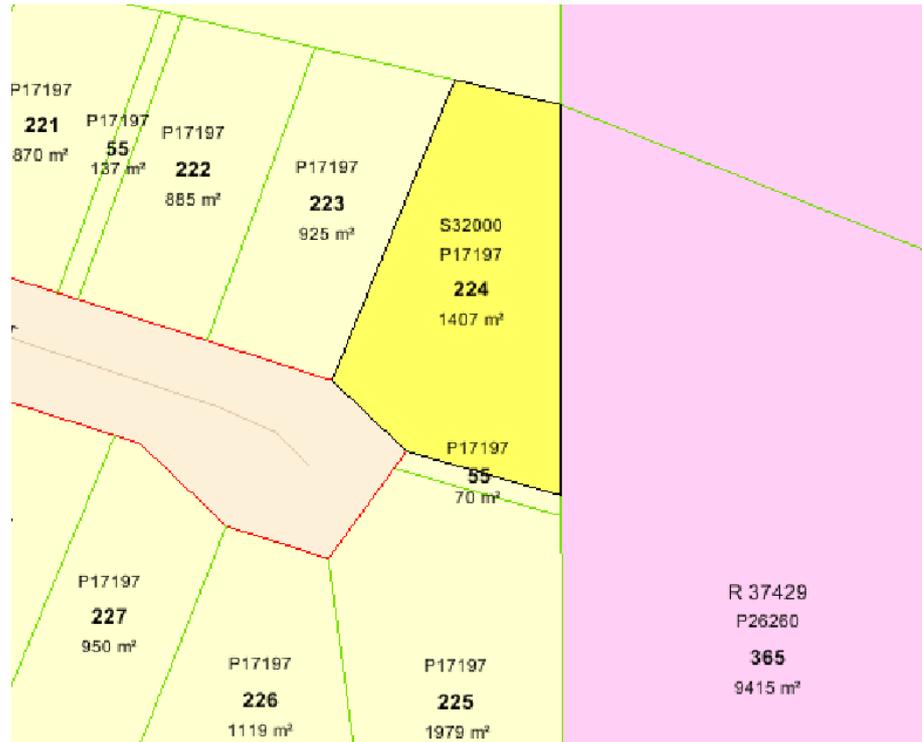
Précis

Council is to consider an application for retaining walls to accommodate existing levels on Lot 224 (Strata Lot 1), (35A) Fry Court, Denham.

Background

Lot 224 has been developed with 3 dwellings and the western boundary abuts Reserve 37429 which falls under the care and control of the Water Corporation for water supply. The southern boundary abuts Lot 55 which is only 70m² and is owned by the State of WA.

A location plan is included over page for ease of reference.



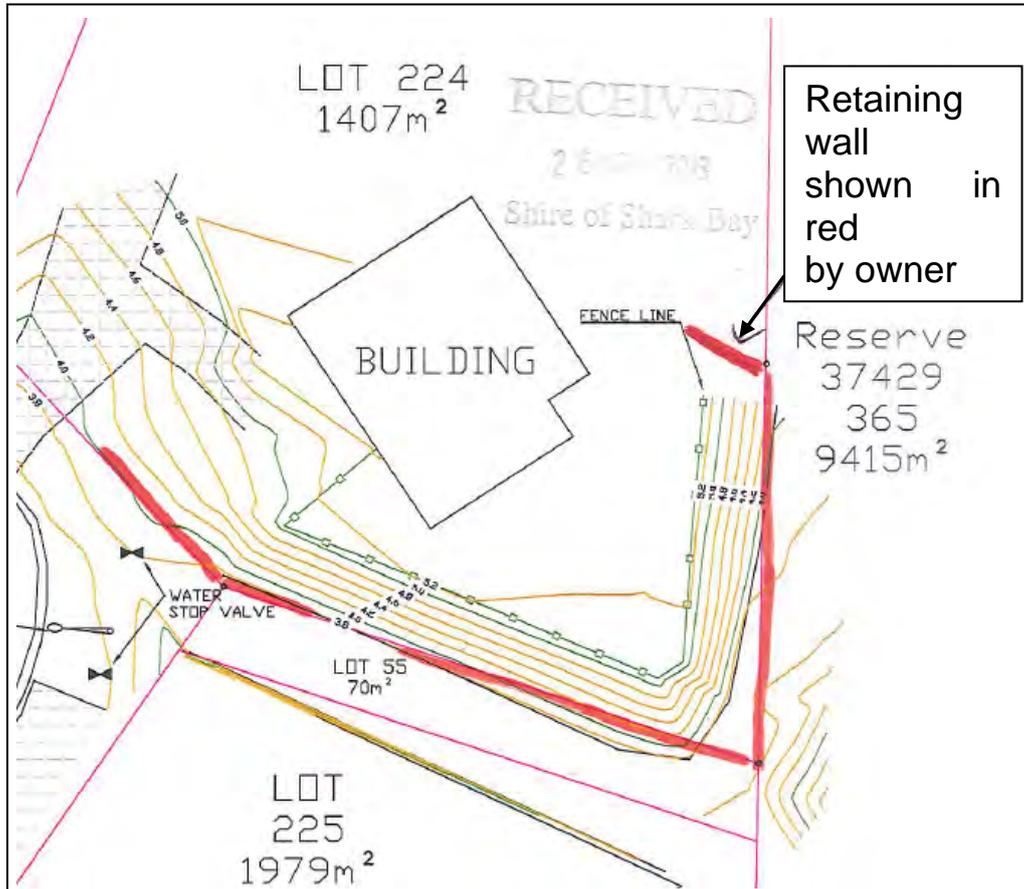
Comment

Lot 244 has higher ground levels than adjacent Reserve 37429. The owner has submitted a photograph showing the difference in levels between Lot 224 and adjacent Reserve 37429.



Gray & Lewis has notated the contour levels of the survey plan onto the photograph in this report.

The survey plan lodged by the applicant shows that a fence has been setback approximately 2 metres from the south boundary and 3 metres from the west boundary of the lot. The battered slope is therefore within the boundary of Lot 224, based on the plan submitted.



The owner of Strata Lot 1 (front dwelling) would like to install Terraforce block retaining walls along the south and west strata lot boundary effectively to the same height as established for the majority of the existing front strata lot ground level (5.2m contour).

The retaining wall along the southern boundary would be approximately 1.4 metres however abuts State owned land, being Lot 55. The retaining wall along the west boundary would be approximately 1.2 metres however abuts Water Corporation reserve. A small portion of the west retaining wall will return into strata Lot 1.

The application proposes variations to the 'deemed to comply' requirements of the Residential Design Codes ('the Codes') as the proposed walls exceed 0.5m in height and will not be setback from lot boundaries.

Council has discretion to approve the retaining walls if satisfied they meet the Design Criteria 5.3.8 P8 of the Codes which state '*Retaining walls that result in land which can be effectively used for the benefit of residents and do not detrimentally affect adjoining properties and are designed, engineered and landscaped.*'.

Gray & Lewis recommends support of the retaining walls as they effectively are required to cater for existing levels established on Lot 224 within strata lot 1, and the retaining walls only abut land owned by the State and a Water Corporation reserve.

It is impractical to require the area to be landscaped as suggested in the Codes performance criteria. In any event there is established vegetation in Lot 55 which will partially screen the retaining walls from the nearest private landowner to the south.



The applicant has lodged a separate building application and engineering certification will be required prior to the issue of any building permit.

Council has discretion to require lodgement of engineering certification 'up front' to comply with the Codes performance criteria. Gray & Lewis has recommended it be conditioned in this case to expedite processing of the application as the next Council meeting is not scheduled until February 2014.

Legal Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority Required

Date of Report

5 December 2013

13.5 PROPOSED STAGE 1 REDEVELOPMENT WORKS (SHORT TERM ACCOMMODATION AND ASSOCIATED FACILITIES) – LOT 4 NANGA ROAD NANGA

P 2016

AUTHOR

Liz Bushby, Gray & Lewis Landuse Planners

DISCLOSURE OF ANY INTEREST

Disclosure of Interest: Gray & Lewis

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.65 of *Local Government Act 1995*

Declaration of Interest: Cr Wake

Nature of Interest: Proximity interest as neighbouring property

Cr Wake left the Council Chamber at 4.06 pm

Moved Cr Ridgley

Seconded Cr Prior

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

The Public and staff left the Council Chamber at 4.23pm

Moved Cr Ridgley

Seconded Cr Capewell

Council Resolution

That the meeting be reopened to the members of the public.

5/0 CARRIED

The Public and staff returned to the Council Chamber at 4.40 pm

The President announced that the matter will lay on the table until further advise from Council's Town Planner.

Cr Wake returned to the Council Chamber at 4.40 pm

This item was addressed after Item 19.1 page 79 of the minutes

14. BUILDING REPORT

Nil

15. HEALTH REPORT

15.1 HEALTH ANNUAL REPORT FOR 2013

Author

Chief Executive Officer

Disclosure of Any Interest

Nil

Moved Cr Hanscombe
Seconded Cr Prior

Council Resolution

That the Health report compiled by Council's Health Surveyor be noted and endorsed.

6/0 CARRIED

Background

SHARK BAY ENVIRONMENTAL HEALTH SERVICES 2013

This information note is to advise Council on the work carried out throughout the year by the Environmental Health Service.

Pools:

There are now seven pools approved by the Department of Health for use by patrons of various holiday accommodation properties and also the pool at the work site at Useless Loop.

One of these pools, Oceanside Villas, was just approved this month. As the pool was unapproved but in use the owner was requested to submit an application to the Department of Health which in turn requested the Shire Environmental Health Officer to carry out a pool audit to ensure compliance with the relevant code of practice. This was carried out and on the basis of the information provided by the Shire, the pool was issued with the Department of Health approval in December.

A pool has been installed at the Hamelin Pool Caravan Park and the owner has applied to the Department of Health for approval and in due course the Shire will be requested to audit it for compliance.

It is a requirement that all pools are sampled on a monthly basis to check that the chemical parameters and the bacteriological standards are within the guidelines set in the Code of Practice. It is not possible to sample monthly but it is done as often as is practical.

In total 23 pool samples were submitted for bacteriological analyses and of these the vast majority were satisfactory. There was one instance of Thermophilic Amoebae

being detected at a pool. On receipt of the result the operator was contacted and put into place the Department of Health guidelines to resolve the problem.

At the same time as these samples are taken pool side tests are made to check the chlorine and pH values. If these are out with the guidelines then this is brought to the attention of the pool operator to implement the required adjustments. Here again the majority of samples were satisfactory. Also when sampling if any issues which need attention such as pool gates and fences are discussed with the operators. The pool at Useless Loop, because of its location, has Department of Health approval to make its own sampling arrangement. The Shire is informed of the results and they have all been satisfactory to date.

The detection of Thermophilic Amoebae in a pool serves as a reminder that all pools have the potential to harbour harmful bacteria with the subsequent risk to health of bathers. It highlights the necessity to maintain high standards to provide a safe aquatic environment for patrons. The prime issue is, of course, public health. However, any illness associated with a particular pool does have an extremely detrimental effect on the business involved.

Food Safety.

A total of 27 food safety inspections were carried out throughout the Shire. It is pleasing to note that the initial improvement in the premises brought about when the initial inspections were carried out in previous years has been maintained and standards are improving. Inspections will continue to be carried out to check compliance.

The business owners have been cooperative and recognise the need to adhere to the regulations which reduces the risk of food borne illness. During the inspections the operators of the business are advised of the free food safety training which is available on the Shire of Northampton website. This is useful for any new staff member and also as a reminder of basic food hygiene standards for existing staff. It is essential that all food handlers have the knowledge commensurate with their duties. It is the aim of the Environmental Health Service to ensure compliance with the legislation by informal methods such as discussing the issues and working together to resolve the matter.

However, if this does not prove successful or there is an immediate serious risk to health then formal action is instigated. To date no formal action has been required due to the cooperation of the businesses. This is indicative of the routine inspection program being effective.

It is a requirement under the *Food Act 2008* that the Shire submits an annual report on its activities under the legislation. The annual report for the financial year 2012/13 is attached for your information at the end of this report.

Waste Water.

Environmental Health is responsible for approving septic tanks and waste water systems. During the year three applications to install septic tanks and leach drain systems were received, reviewed and approved. In addition a waste water treatment plant to service five properties at Useless Loop was approved by the Department of Health. Due to the size of the waste water treatment plant the Department of Health issues the approval after consultation with the Shire.

Management of Asbestos.

The Shire owns several properties in which there is asbestos containing material and it has a duty to manage Asbestos Containing Material in accordance with the *Code of*

Practice for the Management and control of Asbestos in Workplaces[NOHSC: 2018 (2005)]

Generally, asbestos containing materials do not pose a risk to health if they are left undisturbed in buildings. However there is a serious risk of exposure to asbestos fibres during the disturbance or removal of Asbestos Containing Material unless the appropriate safety precautions are followed. Asbestos poses a risk to health by inhalation whenever asbestos fibres become airborne and people are exposed to these fibres.

To meet its obligations under the Code of Practice the Shire has to keep an Asbestos Register. This register has to contain details of Shire owned properties which contain Asbestos Containing Material. It is sometimes difficult to tell from only a visual inspection if a material contains asbestos and if there is any doubt if material is Asbestos Containing Material it should be treated as presumed asbestos containing material PACA. The register contains details of where the Asbestos Containing Material or PACM is and its state of repair. The purpose of this is to enable any worker engaged to carry out repairs, maintenance etc on a property to be aware of the potential hazards and take the necessary safety precautions.

The asbestos register is presently being compiled and will be completed by the end of the year. Once the register is completed then an asbestos management plan is required. This plan is to prioritise the replacement of asbestos containing material according to the state of repair and potential risk. The plan should set out what is going to be done, when it's going to be done and how it is going to be done. The plan must also contain the management options (i.e. to maintain the Asbestos Containing Material or replace with non –asbestos alternatives) There should be clear lines of responsibility, with each person involved understanding their roles and responsibilities.

The Environmental health service has also responded to noise complaints and dealt with numerous general enquiries within the above range of activities.

Legal Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

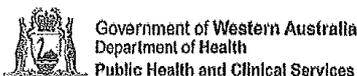
Nil

Voting Requirements

Simple Majority Required

Date of Report

11 December 2013



Food Act Report Submission Form

Information from *Food Act 2008* (Food Act) enforcement agencies for the period 1 July 2012 to 30 June 2013 as required under Section 121 of the Food Act

Enforcement Agency: **Shire of Shark Bay**

Part A The information gathered in this section relates to your core functions as a Food Act enforcement agency

Authorised officers

1.	Who has the delegated authority to appoint authorised officers?			
	Council <input type="checkbox"/>	CEO <input checked="" type="checkbox"/>	PEHO <input type="checkbox"/>	Other (please specify)
2.	What is the number of full time equivalent (FTE) ¹ Food Act authorised officers?			Food safety contracted to Shire of Northampton.
3.	What is the number of full time equivalent (FTE) ¹ persons that assist with the discharge of duties of Food Act authorised officers? ²			
4.	What are the qualifications of Food Act authorised officers (please specify the number of authorised officers with the following qualifications) ²			
	Environmental Health degree		Audit competencies	
	Other (number)	2	(please specify qualifications)	EHO'S appointed under the Health Act 1911
5.	Has the enforcement agency experienced recruiting difficulties during the reporting period?			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Registration and assessment of food businesses

6.	What is the total number of food businesses in the enforcement agency's jurisdiction ³ ?	21
7.	How many onsite assessments ⁴ were conducted during this reporting period?	28

¹ An authorised officer working in food regulation one day a week is considered to be 0.2FTE.

² The response to this question should be in line with the guidelines on the appointment of authorised officers issued by the CEO of the Department of Health.

³ Include all food businesses that are registered with the enforcement agency and those exempt from registration (notified only). Do not include temporary and mobile food businesses from other jurisdictions.

⁴ The process of reviewing a food business onsite in order to confirm compliance with the Food Act, *Food Regulations 2009* or the *Australia New Zealand Food Standards Code*.

Food Act Report Submission Form

8.	What is the number of food businesses by risk rating?					
	High		Medium	21	Low	
	Very low/exempt		Not determined		Other	
9.	What is the number of food businesses by principal type of activity?					
Manufacturer/producer		1	Hotel/motel/guesthouse		1	
Retailer		6	Pub/tavern		1	
Food service			Canteen/kitchen			
Distributor/importer			Hospital/nursing home			
Packer			Childcare centre			
Storage			Home delivery			
Transport			Mobile food operator			
Restaurant/café		11	Market Stall			
Snack bar/takeaway		1	Charitable/community organisation			
Caterer			Temporary food premises			
Meals-on-wheels			Primary processor ⁵			
Primary producer ⁵			Not determined			

Compliance and enforcement activities

10.	Does the enforcement agency have a compliance and enforcement policy in place?				Yes	<input checked="" type="checkbox"/>
					No	<input type="checkbox"/>
11.	Number of prosecutions	0	number of successful prosecutions	N/A		
12.	Number of seizures taken	0				
13.	Number of improvement notices served		0			
	Number: complied with	N/A	not complied with	N/A		
14.	Number of infringement notices served		0			
	Number: paid	N/A	referred to court	N/A	withdrawn	N/A
15.	Number of prohibition orders served		0			
	Number: complied with	N/A	not complied with	N/A	withdrawn	N/A

Regulatory food safety auditing

16.	What is the total number of food businesses captured under Standard 3.3.1?	0
17.	In relation to question 16, what is the total number of food safety programs that have been verified ⁶ as of 30 June 2013? ⁷	

⁵ Primary producers and processor that are captured under Chapter 4 of the Food Standards Code

⁶ Leading to the setting of priority classification and audit frequency as per Food Act Section 100

⁷ Since commencement of Part 8 of the Food Act on 23 October 2010

Food Act Report Submission Form

18.	In relation to question 17, how many of these businesses have had at least their first regulatory food safety audit as of 30 June 2013? ⁷	
19.	How many regulatory food safety audits have lead to compliance and enforcement action as of 30 June 2013? ⁷	

Part B

The Food Act has given enforcement agencies greater autonomy to implement food related public health initiatives in addition to their core Food Act functions. This section provides you with the opportunity to share these initiatives and to suggest future policy considerations.

20.	Does the enforcement agency provide food safety education or training?	Yes	<input type="checkbox"/>
		No	<input checked="" type="checkbox"/>
	If yes please specify:		
21.	Key highlights of the last 12 months In addition to any highlights related to Food Act functions, please provide details of any food safety or nutrition related public health initiatives you have implemented, for example food business recognition programs, projects with subsectors of the community, point of sale nutrition information or surveys you have undertaken.		

Signed declaration by enforcement agency

Enforcement Agency:	Shire of Shark Bay		
Authorised by enforcement agency Chief Executive Officer:			
Signature:		Date:	12/19/13

This report should be submitted to the Department of Health by 31 August 2013	
Please submit reports by:	
Email to: foodunit@health.wa.gov.au	Fax to: (08) 9382 8119

Food Act Report Submission Form

Post to:	Food Unit, Environmental Health Directorate, Department of Health, PO Box 8172, Perth Business Centre WA 6849
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16. WORKS REPORT

Nil

17. TOURISM, RECREATION AND CULTURE REPORT

17.1 SHARK BAY 2016 COMMEMORATION ADVISORY COMMITTEE

RC00006

Author

Executive Manager
Tourism Community and Economic Development

Disclosure of Any Interest

Nil

Officer Recommendation

1) That a Shark Bay 2016 Commemoration Advisory Committee convene with the two Council representatives and one community member and continue to attempt to recruit other members:

Or

2) That the Committee remain inactive until suitable candidates have been put forward:

Or

3) That the Committee be disbanded.

Moved Cr Capewell

Seconded Cr Ridgley

Council Resolution

That a Shark Bay 2016 Commemoration Advisory Committee convene with the two Council representatives, two tourism association representatives, one community member and one Gascoyne Development Commission representative.

6/0 CARRIED

Background

At the September 2013 Council meeting, Council resolved to form a Shark Bay 2016 Commemoration Advisory Committee consisting of two Shire Councillors, two members of the Tourism Association and two members of the community. Councillors Cowell and Ridgley were nominated as the Shire representatives.

Comment

Despite advertising and verbal requests, only one application has been received from Mr Kieran Wardle from Dirk Hartog Island as a community member.

Legal Implications

The committee was formed under the *Local Government Act 1995* and has no delegated authority.

Policy Implications

Nil

Financial Implications

The 2013/2014 Budget has allocated \$25,000 to the Dirk Hartog Celebrations 2016.

Strategic Implications

Strategic Objective 1.1 – Promote the Dirk Hartog Celebrations, involve the community and build on the exposure of the event.

Voting Requirements

Simple Majority Required

Date of Report

9 December 2013

**SHARK BAY 2016
COMMEMORATION
ADVISORY COMMITTEE

TERMS OF REFERENCE**

PURPOSE

The role of the Shark Bay 2016 Commemoration Advisory Committee is to collaboratively consider the activities that may form part of the 2016 celebrations of the 400 year anniversary of the landing of Dirk Hartog on Australian Soil and

:

Develop and recommend events to the Council for support and/or funding;
prioritise submissions in order of local importance and impact;
provide local input and report to Council on the status of projects;
provide collective leadership and strategic direction to the Shark Bay Community.

MEMBERSHIP

The Shark Bay Commemoration Advisory Committee will comprise of the following:

Shire of Shark Bay – President and 1 Councillor
Shark Bay Tourism Association – 2 Members
Shark Bay Community – 2 Members

CHAIR

The role of the Chair of the Shark Bay Commemoration Advisory Committee will be undertaken by the President of the Shire of Shark Bay.

SECRETARIAT

The secretariat will be undertaken by the Shire of Shark Bay. The secretariat's role is to: provide administrative support including organising meetings, coordinating input from relevant members, and follow through of action matters; and prepare reports and briefing material as required.

MEETING PROTOCOLS

Frequency of Meetings

Bi-monthly at first with frequency to be reviewed as 2016 approaches.

Location of Meetings

The meetings will be held at the Shark Bay Recreation Centre, Francis Street Denham.

Agenda

The Secretariat will email all members and call for agenda items 5 working days before each meeting. The Secretariat will email the finalised Agenda to all members 3 working days prior to each meeting.

Minutes

Minutes and action items of meetings will be distributed to all members within 10 working days of the meeting being held.

Decision Making

The Shark Bay Commemoration Advisory Committee is an advisory and consultative committee which will from time to time make recommendations to Government in line with the Shark Bay Commemoration Advisory Committee's stated purpose. Recommendations will be determined by a consensus vote of the group on the day, however, any objections will be noted and shown in the minutes of the meeting.

Declaration of Interests

At the start of each meeting, the Chair will ask all members to declare any interests in relation to any of the agenda items to be discussed at the meeting.

18. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

NIL

19. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Moved Cr Capewell

Seconded Cr Ridgley

Council Resolution

That Council accept the tabling of urgent business items

19.1 Annual Report 2012/2013 – if receive financials from UHY Haines Norton

19.2 Dog Beach Local Law – attached to agenda

19.3 Foreshore and Main Street Revitalisation Plan – attached to agenda

19.4 HMAS Sydney II Directional Plaque

20.3 Reseal Stella Rowley Drive. – to be circulated at meeting

20.4 Emergency Services Complex Sheds

6/0 CARRIED

19.1 ANNUAL REPORT 2012/2013

Author

Chief Executive Officer

Disclosure of Any Interest

Nil

Moved Cr Hanscombe

Seconded Cr Ridgley

Council Resolution

That Council accepts –

- 1. The Shire of Shark Bay's 2012/2013 Annual Report.**
- 2. The Shire of Shark Bay's 2012/2013 audited Annual Financial Statements.**
- 3. The Audit Report for 2012/2013 from the Shire's auditors UHY Haines Norton.**
- 4. The Management Report for 2012/2013 from the Shire's auditors UHY Haines Norton.**
- 5. That the Annual Electors Meeting is to be held in the Council Chambers at the Denham Town Hall on Thursday 6 February 2014 commencing at 7.00 pm and is advertised in accordance with section 5.29 of the *Local Government Act 1995*.**

6/0 CARRIED

Background

The 2012/2013 Annual Report, which includes the annual financial statements and auditor's report, has been completed and attached under separate cover to Councillors.

The Audit Report stipulates the Shire of Shark Bay has received the following unqualified audit report.

Following the acceptance of the Annual Report the Council must have a meeting of electors not more than 56 days after the acceptance of the Annual Report for the previous financial year.

Audit Opinion

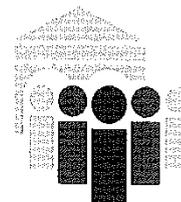


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17 December 2013

The Shire President
Shire of Shark Bay
PO Box 126
DENHAM WA 6537

Dear Cr Cowell



MANAGEMENT REPORT FOR THE YEAR ENDED 30TH JUNE 2013

We advise that we have completed our audit procedures for the year ended 30th June 2013 and enclose our Audit Report.

We are required under the Local Government Audit Regulations to report certain compliance matters in our audit report. Other matters which arise during the course of our audit that we wish to bring to Council's attention are raised in this management report.

It should be appreciated that our audit procedures are designed primarily to enable us to form an opinion on the financial statements and therefore may not bring to light all weaknesses in systems and procedures, or all audit matters of interest to Council, which may exist. However, we aim to use our knowledge of the Shire's organisation gained during our work to make comments and suggestions, which, we hope, will be useful to you.

COMMENT ON RATIOS

Due to legislative changes, this year saw the introduction of six new ratios in the financial report. Seven of the eight reported in previous years were removed with only the Current Ratio remaining.

Whilst we accept it may take some time for the implication of these newer ratios to be fully understood, we thought we would take this opportunity to make some comments in relation to them.

Current Ratio
Asset Sustainability Ratio
Debt Service Cover Ratio
Operating Surplus Ratio
Asset Consumption Ratio

All of these ratios appear to be above industry benchmark levels or operating within acceptable limits.

One of the ratios is currently outside industry benchmark levels and one ratio was not calculated. We comment on them as follows:

Own Source Revenue Coverage Ratio

This ratio measures the Shire's ability to cover operating expenses from own source revenue. The higher the ratio, the more self-reliant the Shire is and allows greater flexibility as less external funds required for operational purposes.

An association of independent firms in Australia and New Zealand and a member of UHY International, a network of independent accounting and consulting firms
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*Powerful insights
Astute advice*



COMMENT ON RATIOS (CONTINUED)

Own Source Revenue Coverage Ratio (Continued)

The own source revenue coverage ratio for the year ended 30 June 2013 is 0.46 [2012: 0.47, 2011: 0.48].

Whilst the ratio has remained at substantially the same level for the last 3 years, it is below the industry benchmark of 0.60. Council should examine the level of its own source revenue in the context of the current levels of operating expenses together with its population, size, geographical location and continued access to current levels of grant funding.

A ratio below the industry benchmark of 0.60 may be acceptable given the unique nature of the Shire. This is dependent upon Council and management understanding the circumstances and the interaction own source revenue has on other ratios and operations in general.

Asset Renewal Funding Ratio

The Asset Renewal Funding Ratio was not able to be calculated as the Shire's asset management plan does not include the required capital expenditure for all major asset classes over the next 10 years.

To help identify gaps between planned and required capital expenditure the Shire's asset management plan should be updated as soon as is practicable.

We noted no other matters we wish to draw to Council's attention.

UNCORRECTED MISSTATEMENTS

We advise there were no uncorrected misstatements noted by us during the course of our audit.

We take this opportunity to thank the Chief Executive Officer and all staff for the assistance provided during the audit.

Should you wish to discuss any matter relating to the audit or any other matter, please do not hesitate to contact us.

Yours faithfully


GREG GODWIN
PARTNER

Comment

The annual report has been prepared by UHY Haines Norton and complies with the requirements of section 5.53 of the *Local Government Act 1995*.

The management report identifies the issue with own source revenue which has previously identified by the Council. This needs to be addressed in future budgets as the reliance on possible unsustainable revenue streams will severely limit the ability of the Council to operate existing assets and renew assets.

The asset management plan should be updated on an annual basis and include the 10 year projections to enable the Council to make informed decisions. It is proposed to incorporate in the duties of the Executive Manager Finance and Administration the ongoing updating of all Council asset renewal plans.

Legal Implications

Sections 5.53, 5.54 and 5.55 of the *Local Government Act 1995* cover acceptance of the annual report.

Regulations 10 (4) of the *Local Government (Audit Regulations) 1996*.

Policy Implications

Nil

Financial Implications

The annual report includes the Shire's audited annual financial statements, which present the Shire's financial position as at 30 June 2013 and is a useful tool for evaluating the Shire's operations.

Strategic Implications

The financial position of the Shire at the end of each year has an impact on the Shire's strategic plans.

Voting Requirements

Absolute Majority Required

Date of Report

18 December 2013

Continues Item 13.5 from page 63 of the minutes.

13.5 PROPOSED STAGE 1 REDEVELOPMENT WORKS (SHORT TERM ACCOMMODATION AND ASSOCIATED FACILITIES) – LOT 4 NANGA ROAD NANGA

P 2016

AUTHOR

Liz Bushby, Gray & Lewis Landuse Planners

DISCLOSURE OF ANY INTEREST

Disclosure of Interest: Gray & Lewis

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.65 of *Local Government Act 1995*

Declaration of Interest: Cr Wake

Nature of Interest: Proximity interest as neighbouring property

Officers Recommendation

That Council:

1. Note that an application has been lodged for short term accommodation and associated facilities on Lot 4 Nanga Road, Nanga and is being advertised for public comment.
2. Authorise the Chief Executive Officer to:
 - (a) Write to McLeods Barristers and Solicitors to obtain a legal opinion on Council discretion to approve any development in the absence of an Outline Development Plan approved by the Western Australian Planning Commission for Special Use zone 5.
 - (b) Write to the applicant and request a complete copy of the MP Rogers & Associates Physical Processes Setback Report (2010), confirmation that the State Planning Policy 2.6 requirement to accommodate a 0.9m Sea Level Rise is addressed and lodgement of a site plan showing the coastal setback in relation to proposed development.
3. Note that a further report will be referred to a future Council meeting for consideration at the close of advertising and on receipt of formal advice from the Environmental Protection Authority.
4. Note that Gray & Lewis Landuse planners may need to undertake further consultation with the Department of Transport and Department of Planning on coastal setbacks once additional information is provided by the applicant.

Cr Wake Left the Council Chamber at 5.38 pm

COUNCIL AMENDMENT TO RECOMMENDATION

Reason: Council recognised that in accordance with the Town Planning Scheme they did not have the ability to approve the application and amended the resolution to suit.

Moved Cr Prior

Seconded Cr Capewell

Council Resolution

That Council

1. **Accept and note the advice provided by Gray & Lewis Landuse Planners that Council has no discretion under the Shire of Shark Bay Local Planning Scheme No. 3 to approve development at Nanga as there is no Outline Development Plan endorsed by the Western Australian Planning Commission**

2. **Refuse the application that has been lodged for short term accommodation and associated facilities on Lot 4 Nanga Road, Nanga as Council has no discretion to support the development within the “Special Use 5” zone as there is no Outline Development Plan endorsed by the Western Australian Planning Commission and the application does not comply with the conditions listed under Schedule 4 of the Shire of Shark Bay Local Planning Scheme No. 3.**
3. **Encourages the applicant to finalise the Outline Development Plan required for the development proposal to proceed with the Western Australian Planning Commission endorsement.**

4/1 CARRIED

Cr Wake returned to the Council Chamber at 5.47 pm.

Background

- *Zoning and relevant Scheme Requirements*

Lot 4 is zoned ‘Special Use’ under the Shire of Shark Bay Local Planning Scheme No 3 (‘the Scheme’) and is demarked as ‘SU5’ on the Scheme map.

Clause 4.7.2 of the Scheme states that:

‘a person must not use any land, or any structure or buildings on land, in a Special Use zone except for the purpose set out against that land in Schedule 4 and subject to compliance with any conditions set out in Schedule 4 with respect to that land’.

Schedule 4 in the Scheme outlines permissible uses for ‘Special Use 5’ including ‘short term accommodation’ however it is subject to a specific condition also listed in Schedule 4 – refer below.

SCHEDULE 4: SPECIAL USE ZONE [CL. 4.7.1] (Cont'd)

No.	Description of Land	Special Use	Conditions
			<p>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 floorspace within Special Use 4 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>
5.	Part Edel Loc 17 Nanga	Tavern, Caravan Park, Service Station, Shop, Arts and Crafts Centre. Short Term Accommodation including Edel Loc Caravan Park, Exhibition Centre and Staff Accommodation.	Development of the site shall be in accordance with an approved Outline Development Plan, which has generally been prepared in accordance with the requirements of Clause 5.9 and endorsed by the Western Australian Planning Commission. The Outline Development Plan should demonstrate that:
5.	Part Edel Loc 17 Nanga (Cont'd)	Tavern, Caravan Park, Service Station, Shop, Arts and Crafts Centre. Short Term Accommodation including Edel Loc Caravan Park, Exhibition Centre and Staff Accommodation.	<ul style="list-style-type: none"> • the proposed development is sympathetic to the location, taking into account the topography and landscape character of the surrounding area; and • the interface with the foreshore is generally in accordance with Statement of Planning Policy 2.6 - State Coastal Planning Policy. This includes clear demarcation between the development site and the foreshore reserve and definition of the setback for development from the permanent vegetation line.
6.	Overlander Lot 174 North West	Service Station, Bulk Fuel, Shop, Restaurant, Transport Depot,	As required by the local government.

Specific to Nanga the Scheme states that:

“Development of the site shall be in accordance with an approved Outline Development Plan, which has generally been prepared in accordance with the requirements of Clause 5.9 and endorsed by the Western Australian Planning Commission.

The Outline Development Plan should demonstrate that:

- *the proposed development is sympathetic to the location, taking into account the topography and landscape character of the surrounding area; and*
 - *the interface with the foreshore is generally in accordance with Statement of Planning Policy 2.6 – State Coastal Planning Policy. This includes clear demarcation between the development site and the foreshore reserve and definition of the setback for development from the permanent vegetation line’.*
- *History of Outline Development Plan*

The Shire adopted an Outline Development Plan to guide future development at Nanga on the 25 February 2009.

Council resolved to ‘*advise Gentra Sustainability Development Consultants on behalf of Sun-Aus-Bel Pty Ltd (Cecillia Wee) that the Outline Development Plan for the further development of the Nanga Bay Eco Resort has been approved and subject to the endorsement by the Department of Planning, the proponent be invited to prepare a development application for Council’s consideration’.*

The Shire referred the Outline Development Plan to the Western Australian Planning Commission on the 10 March 2009.

Gray & Lewis has limited information on the Western Australian Planning Commission assessment of the Outline Development Plan however is able to advise that:

- (i) The Department of Planning requested that the applicant provide additional information in correspondence dated 14 August 2009.
- (ii) Department of Planning requested that the applicant provide more detailed plans on aerial photography, address coastal setbacks, and provide a visual landscape assessment.
- (iii) Department of Planning also raised concern over the need for the applicant to comply with the Environmental Protection and Biodiversity Conservation Act 1999, and Environmental Protection Authority Guidance Statement No 49.
- (iv) Gray & Lewis is aware that a coastal setback report was completed by the applicant however it is not known whether the applicant fully complied with the Department of Planning request.
- (v) Liz Bushby of Gray & Lewis has met recently with officers at the Department of Planning and they verbally confirmed that the Western Australian Planning Commission has not approved the Outline Development Plan and there was outstanding information required.

The Draft Outline Development Plan proposed 30 two to three bedroom chalets, 80 powered caravan sites, an 88 room 3.5 star hotel, a 144 room 5 star hotel, 52 two storey grouped chalets (up to 8 rooms) and staff accommodation.

The Draft Outline Development Plan was divided into seven precincts. The western portion of Lot 4 was designated as Precinct 1 containing the existing motel, and 30 two to three bedroom chalets.

A copy of the site plan from the original Outline Development Plan report is included below for information.



Due to the vast differences in accommodation types it has been vital to take into account the varying needs of each precinct and to define each area without creating physical boundaries between them. A series of "communities" are created with a central core linking common precincts. This ensures that the amenities and servicing for similar precincts are self contained without having to rely on other areas. It is of great importance that this world heritage site is made accessible to all people through the provision of a large range of accommodation options, from camping and caravans to 5 star resort accommodation.

The plans may have been subject to further changes as a result of liaison by the applicant with Western Australian Planning Commission.

Comment

- *Description of Proposed development*

The current application proposes:

- a) Twenty four prefabricated short term accommodation buildings in the north portion of Lot 4. The buildings are referred to as 'Ozshacks' in the application.
- b) The Ozshack accommodation buildings have internal floor areas ranging from approximately 6.6 m² to 9.37m². The floor plan is a rectangular shaped and the building elevations arch to a central roof peak. The applicant has provided some example photographs – included below.





- c) The Ozshack accommodation buildings are small scale and have a maximum building height of 2.5 metres.
- d) A prefabricated camp kitchen in the same Ozshack architectural style.
- e) Two new pre-fabricated ablution blocks and associated septic tanks. The building is proposed to have 'classic cream' wall and roof colours.
- f) Construction of internal access roads, and slight reconfiguration of existing landscaping, vehicle accessways, parking and camping areas as required to accommodate the new development.

A copy of the applicants submission is included below.

A full copy of the report is available to Councillors on request.



25 November 2013

Chief Executive Officer
Shire of Shark Bay
PO Box 126
DENHAM WA 6537

Dear Sir / Madam

**APPLICATION FOR PLANNING APPROVAL
PROPOSED TOURIST ACCOMMODATION & ASSOCIATED FACILITY UPGRADES (STAGE 1)
LOT 4 NANGA ROAD, NANGA**

Urban & Rural Perspectives, on behalf of the current landowner Sin-Aus-Nanga Bay Pty Ltd, hereby submit an Application for Planning Approval to progress Stage 1 of the proposed redevelopment of a portion of Nanga Bay Resort, a unique and well established tourism facility located approximately 50 kilometres south of the Denham townsite in the Shark Bay World Heritage Area.

Please find enclosed the following information to assist the Shire's consideration and processing of the application:

- Completed and signed Application for Planning Approval form;
- Remittance of \$1,854.20 being the application fee payable in this instance; and
- Two (2) copies of all documentation and plans prepared in support of the proposal as well as a compact disc containing a copy of the application documentation and plans in PDF format.

In assessing the application it is requested that the Shire give due consideration to the following key points:

1. Nanga Bay Resort is a well established coastal tourist resort offering visitors a variety of affordable and mid-range holiday accommodation options including motel units, self contained beach front villas, backpacker rooms and powered and un-powered caravan and camping sites.
2. The landowner is planning a significant investment in the resort in the short term future to help create a more environmentally, socially and financially sustainable tourism facility that continues to be accessible to all forms and classes of tourism.
3. This application represents Stage 1 of the project which is proposed to be implemented during the 2013/2014 financial year.
4. Lot 4 is an irregular shaped lot located on the north-eastern shore of Henri Freycinet Harbour. The property covers a total area of 24.9035 hectares and can generally be described as gently undulating throughout (see Appendix 2 – Plans 1 to 4).
5. The land comprises gently undulating coastal dunes and limestone ridges

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covered in low lying coastal heath. These undulations form a sheltered, protected area in the northern part of the property which has been extensively cleared and developed over a number of years for tourist accommodation purposes.

6. The developed northern portion of the land is characterised by an ad hoc arrangement of building and facilities in poor condition that do not respond to the natural visual or climatic characteristics of the area. This area has the lowest visual landscape value for the entire landholding and where redevelopment has the greatest potential for significant worthwhile improvements to current levels of visual amenity.
7. All buildings on the land are one (1) storey in height and in various states of repair. Much of the accommodation and associated facilities currently available on-site are in poor condition and in need of significant upgrading or replacement.
8. Access to Lot 4 is derived from Nanga Road, a sealed and drained local road constructed immediately adjacent to the land's northern boundary. Access to the existing buildings and facilities on Lot 4 is facilitated by an internal network of well compacted, unsealed roads and pedestrian pathways.
9. Lot 4 is not served by State owned power or water supply infrastructure. As such all power and water is generated and supplied on-site using diesel generators and a combination of rainwater tanks, a desalination plant and artesian bore.
10. The land is not served by reticulated sewerage disposal infrastructure. As such all effluent disposal is undertaken and managed on-site using septic tanks and leach drains.
11. The land contains an existing Telstra exchange building located along its northern boundary near the main entrance which provides all essential telecommunications infrastructure.
12. Under the terms of the Shire of Shark Bay Local Planning Scheme No.3 (LPS No.3) Lot 4 is classified 'Special Use' zone within which the following uses are permitted to be established on the land subject to Council's formal planning approval and compliance with a number of conditions prescribed in Schedule 4 of LPS No.3:
 - Tavern
 - Caravan Park
 - Service Station
 - Shop
 - Arts & Crafts Centre
 - Short Term Accommodation
 - Exhibition Centre
 - Staff Accommodation
13. Schedule 4 of LPS No.3 as this applies specifically to Lot 4 states that all future development of the land must be in accordance with an approved Outline Development Plan prepared in accordance with the requirements of clause 5.9 of LPS No.3 and endorsed by the Western Australian Planning Commission.

Unit 8 / 16 Kent Way MALAGA, W.A. 6090

■ Tel: 08 9248 8777 ■ Fax: 08 9248 4040 ■ Email: enquiries@urp.com.au ■ Website: www.urp.com.au

All correspondence to: PO Box 2507 MALAGA, W.A. 6944. ASN: 27 653 527 435



It is understood that Council considered and approved an Outline Development Plan for Lot 4 at its Ordinary Meeting held on 25 February 2009 and subsequently referred that plan to the Western Australian Planning Commission for final endorsement (see Appendix 3). Recent advice received from the Department of Planning has confirmed that the Commission has not yet formally considered and endorsed the Outline Development Plan and is unlikely to do so in the near term future despite having had the document for more than four (4) years.

Given the Commission's failure to consider and endorse the Outline Development Plan within a reasonable timeframe and the fact that the proposed redevelopment works the subject of this application are both minor in nature and generally consistent with Stage 1 of the Outline Development Plan, it is requested that Council consider this application favorably and grant the planning approval required to enable the proposed works to be undertaken during the 2013/2014 financial year as planned.

14. Under the terms of the plans prepared and submitted in support of the application (see Appendix 4 - Plans 5 to 7 & Appendix 5 - Building Floorplans & Elevation Details) the following improvements and upgrades are proposed in Stage 1:
- i) The erection of twenty four (24) new prefabricated accommodation buildings (i.e. Ozshacks) in the northern portion of Lot 4 which has historically been developed and used for camping purposes;
 - ii) Construction of a new six (6) metre wide internal access road in the northern portion of Lot 4 to provide vehicle access to the twenty four (24) new prefabricated accommodation buildings referred to in point i) above;
 - iii) The erection of one (1) new prefabricated Ozshacks style camp kitchen in the northern portion of Lot 4 immediately adjacent to the existing spa and seating areas including connections to existing wastewater disposal infrastructure (i.e. septic tanks & leach drain);
 - iv) The placement of two (2) new prefabricated ablution buildings (i.e. male & female) and associated wastewater disposal infrastructure (i.e. septic tanks & leach drain) centrally in the northern portion of Lot 4 which has also historically been developed and used for camping purposes; and
 - v) The slight reconfiguration of existing landscaping, vehicle accessways, parking and camping areas as required to accommodate the various improvements referred to in points i) to iv) above.
15. The twenty four (24) new prefabricated accommodation buildings (i.e. Ozshacks) to be erected in the northern portion of Lot 4 will:
- replace thirty six (36) existing powered and unpowered camp sites in this location;
 - be sited to ensure the protection of all existing vegetation and minimise disturbance to the natural landform, landscape character and existing power and water supply infrastructure;
 - be orientated to take advantage of partially obstructed views to the coastal foreshore reserve and ocean;
 - be one (1) storey in height, fully insulated and constructed using timber

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framing, hand crafted Western Red Cedar and complimentary grey coloured shingle-style pressed steel roof tiles; and

- each comprise a building footprint of approximately 16m² and internal floor area of approximately 12m² (see Appendix 5 - Building Floorplans / Elevation Details - Ozshacks 'Family Plus' option & Appendix 6 - Ozshack Product Images).
16. The new six (6) metre wide internal access road referred to in point 14 above will comprise a total length of approximately 155 metres and be constructed in an area that is well compacted as result of its historical development and use for camping purposes. In order to ensure this new access road ties / blends into the existing internal road network it will not be sealed as part of this first stage of development.
17. The new prefabricated Ozshacks style camp kitchen to be erected in the northern portion of Lot 4 just south of the new six (6) metre wide internal access road referred to in points 14 and 16 above and centrally between the existing spa and seating areas will:
- be sited to ensure the protection of all existing vegetation and minimise disturbance to the natural landform, landscape character and existing power and water supply infrastructure;
 - be orientated to take advantage of partially obstructed views to the coastal foreshore reserve and ocean;
 - be one (1) storey in height, fully insulated and constructed using timber framing, hand crafted Western Red Cedar and complimentary grey coloured shingle-style pressed steel roof tiles;
 - comprise a building footprint of approximately 22m² and internal floor area of approximately 18m² (see Appendix 5 - Building Floorplans / Elevation Details - Ozshacks 'Camp Kitchen' & Appendix 6 - Ozshack Product Images); and
 - be connected to existing wastewater disposal infrastructure (i.e. septic tanks & leach drain) located in the immediate vicinity.
18. The two (2) new prefabricated ablution buildings (i.e. male & female) to be placed centrally in the northern portion of Lot 4 will:
- replace one (1) existing powered campsite in this location constructed on sandy soils typically found in this part of the property where current on-site effluent disposal methods (i.e. septic tanks & leach drains) have proven to be efficient and effective;
 - be sited to ensure the protection of all existing vegetation and minimise disturbance to the natural landform, landscape character and existing power and water supply infrastructure;
 - be one (1) storey in height, fully insulated and constructed using steel framing, 'Classic Cream' coloured 'Maxirib' wall cladding and 'Classic Cream' coloured 'Superdek' roof sheeting;
 - comprise a building footprint of approximately 22m² and internal floor area of approximately 18m² (see Appendix 5 - Building Floorplans / Elevation Details - ATCO Ablution Facilities);

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- be connected to new wastewater disposal infrastructure (i.e. septic tanks & leach drain) to be installed centrally between the two buildings; and
- replace two (2) existing ablution buildings (i.e. male & female) located west of the main office, shop and restaurant and immediately adjacent to the existing backpackers accommodation. As these ablution buildings have been identified by the Shire as being sub-standard and in need of replacement, they are proposed to be removed as part of the Stage 2 redevelopment works.

19. In 2010 the landowner commissioned specialist coastal and port engineers MP Rogers & Associates to undertake a Physical Processes Study of the land in accordance with the specific requirements of State Planning Policy No.2.6 entitled 'State Coastal Planning' for the specific purpose of:

- i) estimating an appropriate setback buffer (i.e. the 'Physical Processes Setback') to ensure all future development on the land has an adequate level of protection from physical coastal processes over the next 100 years; and
- ii) calculating an appropriate habitable floor level for all future built form development on the land to account for extreme flood levels and climate change.

This study, which was undertaken in response to a specific directive from the Department of Planning following referral of the Shire approved Outline Development Plan to the Western Australian Planning Commission for final endorsement, recommended that:

- a) the 'Physical Processes Setback' (i.e. PPS) for any future development on the land based upon the guidance provided by State Planning Policy No.2.6 for sites with sandy shorelines should be 117 to 132 metres behind the horizontal shoreline datum (HSD) or approximately 100 to 150 metres from the land's boundary with the adjoining coastal foreshore reserve (see Appendix 7 – Figure 6.1 – Calculated PPS for Sandy Shoreline); and
- b) the habitable floor level for all future built form development on the land should be a minimum of +4.8 metres AHD based on an extreme water level of +3.5 metres AHD during extreme storm events, a climate change allowance of +0.9 metres to 2110 and a +0.4 metre safety factor.

Given that all improvements and upgrades proposed in Stage 1 of the project will be undertaken:

- i) in the northern portion of Lot 4 with a setback greater than 132 metres behind the horizontal shoreline datum (HSD) and more than 150 metres from the land's boundary with the adjoining coastal foreshore reserve; and
- ii) on portions of the site that range in elevation from +11 to +13.5 metres AHD (i.e. 6.2 metres to 8.7 metres above the minimum recommended habitable floor level for all future built form development on the land).

it is contended that they will have an adequate level of protection from physical coastal processes, extreme flood levels and climate change over the next 100 years and may therefore be supported by Council.

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20. Having regard for:

- i) the landowner's plans for further significant investment in the resort in the short term future to help create a more environmentally, socially and financially sustainable tourism facility that continues to be accessible to all forms and classes of tourism;
- ii) the intention to redevelop those areas of the resort with the lowest visual landscape value and where redevelopment has the greatest potential for significant worthwhile improvements to current levels of visual amenity;
- iii) the permissibility of the proposed development and use of the land under its current 'Special Use' zoning classification in the Shire of Shark Bay Local Planning Scheme No.3;
- iv) the Western Australian Planning Commission's failure to consider and endorse the Outline Development Plan for the land within a reasonable timeframe and the fact that the proposed redevelopment works the subject of this application are both minor in nature and generally consistent with Stage 1 of the Outline Development Plan; and
- v) the fact that all improvements and upgrades proposed in Stage 1 of the project will have an adequate level of protection from physical coastal processes, extreme flood levels and climate change over the next 100 years;

it is contended that the redevelopment proposal is highly beneficial, unlikely to have any negative impacts on the natural environmental or visual landscape character of the immediate locality and therefore worthy of Council's support and approval.

CONCLUSION

In light of the above information and justifications we respectfully request Council's favorable consideration and approval of the Application for Planning Approval to progress Stage 1 of the proposed redevelopment of a portion of Nanga Bay Resort in accordance with the information and plans submitted in support of the application.

Should you have any queries or require additional information please do not hesitate to contact the undersigned of this office on 9248 8777 or joe@urp.com.au.

Yours faithfully,



Joe Douglas
Managing Partner / Town Planner
Urban & Rural Perspectives

Encl. Completed & Signed Planning Application Form
Remittance of \$1,854.20 (Cheque)
Two (2) copies of the application documentation & plans (Hardcopies)
One (1) compact disc containing a complete copy of the application in PDF format

cc: Ms Cecilia Wee – Sin-Aus-Nanga Bay Pty Ltd

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- *Minimum Floor Levels*

Clause 5.8.2 of the Scheme requires a floor level not less than RL 3.2 metres AHD for any land 'subject to inundation'. The Scheme does not define the extent of the inundation area.

Ordinarily, minimum floor levels for coastal development would be recommended by a coastal engineer as part of the coastal setback report provided by the applicant. The applicant has lodged an extract of a coastal setback report by MP Rogers and Associates which recommends a minimum habitable floor level of + 4.8m AHD (Australian Height Datum).

- *Coastal Setbacks*

The applicant has submitted a three page extract of a Coastal Setback Report commissioned in 2010 and completed by MP Rogers and Associates.

The report was completed at the request of the Department of Planning to support the 2009 Outline Development Plan.

It is difficult to assess the report findings in the absence of a complete copy which sets out the rationale of the report. The application has been referred to the Department of Transport and Department of Planning for advice.

The MP Rodgers report ('2010 report') includes a figure showing a physical process setback that is approximately 100 to 150 metres behind the development boundary – as below.



Figure 6.1 – Calculated PPS for Sandy Shoreline

Gray & Lewis is unable to recommend that the Shire rely on the 2010 report findings to determine the adequacy of the coastal setback proposed due to the following:

- i. The total recommended setback to development is determined by a coastal engineer setback report in accordance with formula calculations outlined in State Planning Policy.
- ii. In simple terms, the total coastal setback is determined by combining three setback components known as S1 (allowance for current risk of storm erosion), S2 (allowance for historic shoreline movements) and S3 (erosion by future Sea Level Rise).
- iii. Historically State Planning Policy has promoted using a sea level rise of 38 metres for sandy shores (0.38m). It may be likely that the 2010 report used this figure in calculations.
- iv. The Western Australian Planning Commission has released a Draft State Planning Policy (SPP 2.6): State Coastal Planning Policy dated February 2012.
- v. Under the Draft Policy the measurement for Sea Level Rise has increased from 0.38m to 0.9m.
- vi. If the 2010 report relied on an 0.38m sea level rise measurement then the development setback will have to be increased to comply with current State Planning Policy requirements.

In the event that the Shire seeks to contemplate granting approval for this development, it will be vulnerable to future claims for compensation unless coastal setbacks are adequately addressed by the applicant and setbacks accommodate a 0.9m sea level rise.

The Shire may seek to gain advice from it's insurers in this regard.

- *Consultation*

The application has been referred to the following authorities:

- Environmental Protection Authority (formal referral)
- Shark Bay World Heritage Advisory Committee
- Department of Parks and Wildlife
- Health Department of WA
- Department of Transport
- Department of Planning (coastal and tourism)
- Tourism WA
- Heritage Council of WA

- *Council discretion*

The Scheme requires that development shall only be in accordance with an Outline Development Plan approved by the Shire and the Western Australian Planning Commission.

The Outline Development Plan that was pursued in 2009 has no status as it has not been approved by the Western Australian Planning Commission as required by the Scheme.

Whilst Gray & Lewis considers the proposed development to be small scale, there is concern that Council does not have any discretion to approve development at Nanga in the absence of an Outline Development Plan endorsed by the Western Australian Planning Commission.

It is recommended that the Shire refer the matter to McLeods Barristers and Solicitors for legal advice.

Legal Implications

If a third party is aggrieved and alleges that the Shire has not upheld the provisions of its Town Planning Scheme, they may lodge a complaint to the Minister for Planning, an Ombudsman or the Department of Local Government.

The Scheme provisions are similar to those that apply to other special use zones such as Monkey Mia.

Policy Implications

Nil

Financial Implications

Any legal advice will be at the Shire's costs.

Strategic Implications

An Outline Development Plan needs to be developed for Nanga to guide future development.

Voting Requirements

Simple Majority Required

Date of Report

4 December 2013

19.2 DOG BEACH LOCAL LAW

Author

Chief Executive Officer

Disclosure of Any Interest

Nil

Moved Cr Hanscombe
Seconded Cr Prior

Council Resolution

- 1. That Council note and consider the submissions received in regard to the adoption of the Shire of Shark Bay Dog Local Law at the November 2013 meeting of Council.**
- 2. Review the dog exercise areas in 12 months following the adoption and enactment of the Dog Local Law.**

5/1 CARRIED

Background

The Council at the ordinary meeting held in November 2013 discussed the adoption of the Shire of Shark Bay Dog Local Law 2013.

Further to the adoption of the Dog Local Law written comments have been received in regard to the amendment to the dog exercise areas.

These comments have been presented to Council for consideration

Comment

The comments (following) received via email relate specifically to the area of beach adjacent to Knight Terrace from the southern roundabout to Nettas beach.

Jane Garret

Just wanted to add my opinion to the discussions on should dogs be on a leash on the beach from IGA to Nettas; I think that this is a totally unnecessary rule and I oppose the changes. It is an area where many families swim with their dogs, including tourists, and, as well as being an unnecessary rule, it is potentially damaging to tourism. As you know we live in Fry Court and walk our dogs on this part of the beach, never have I seen a problem with dogs off a lead in this area and we see many locals and tourists enjoying this beach area with their dogs who run freely in and out of the water.

I do hope that this rule will never be implemented.

Robert Blennerhassett

The purpose of this mail is to oppose the changes to this area in which dog owners will be required to have their pets on a leash. As responsible dog owners ourselves we ensure that our pets are walked to the beach from our home on a lead, they are then made to sit and the leads are then removed and the dogs are free to run on the beach and in the water. From the IGA and through Town all dogs should be kept on a leash.

One suggestion that should be looked at is a speed limit be introduced along the section of Knight Terrace from IGA to Netta's Beach to stop the hoon's in cars and on motor bikes from using this section of the road as a drag strip.

Willie & Tara Hannibal

We are strongly opposed to the move by the shire to implement a law stating that all dogs must be on a lead on the beach from IGA to Nettas Beach.

This beach is mainly used by people walking their dogs, it is a safe beach for the dogs, as further down Nettas beach dogs are more likely to pick up baits.

We have had no complaints from any of our guests regarding dogs down in front of our villa's, and quite often our guests enjoy taking our Labrador Kai down to the beach for a swim. Some guests have told us this has been the highlight of their holiday, they would be unable to do this if this by law is implemented.

Not many people use this beach to sunbake on as most of the time it is covered in seagrass.

We see no reasonable reason to have this law implemented.

The period for submissions had concluded prior to the matter being considered by Council at the November meeting. There was one submission received which was in line with the Council resolution.

As has been evidenced in this matter comments on local laws are often received following the Councils adoption due to the implementation of the law and the effect on the individual.

Recent amendments to the Dog Act section 31 allow Local Governments to designate off leash areas by resolution of Council which negates the need to amend the local law.

This enables the Council by absolute majority to vary the dog exercise (off lead) areas at any time it considers necessary.

The Council can consider the comments relating to the Shark Bay Dog Local Law that is in the process of being adopted and consider the following action:

1. Rescind the resolution and recommence the advertising and local law making process
2. Note the comments
3. Resolve by absolute majority to vary the dog exercise area following the final adoption of the Dog Local Law.
4. Review the dog exercise areas in 12 months following the adoption and enactment of the Dog Local Law

Legal Implications

31. Control of dogs in certain public places

(1) A dog shall not be in a public place unless it is —

- (a) held by a person who is capable of controlling the dog; or
- (b) securely tethered for a temporary purpose,

by means of a chain, cord, leash or harness of sufficient strength and not exceeding the prescribed length.

(2A) Despite subsection (1), a dog shall not be in a public place —

- (a) at all if the place is specified under subsection (2B) as a place where dogs are prohibited at all times; or
- (b) at a time when the place is specified under subsection (2B) as a place where dogs are prohibited at that time.

(2B) A local government may, by absolute majority as defined in the *Local Government Act 1995* section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a place where dogs are prohibited —

- (a) at all times; or
- (b) at specified times.

(2) A dog is exempt from the requirements of subsection (1) if —

- (a) it is in a dog exercise area specified under subsection (3A); or
- (b) it is in a public place that is in an area of the State outside the metropolitan region or outside a townsite, and that is not a rural leashing area specified under subsection (3B); or
- (c) it is in or on a vehicle; or
- (d) it is being exhibited for show purposes; or
- (e) it is participating in an obedience trial or classes conducted under the auspices of the body known as the Canine Association of Western Australia (Inc.) or a body approved by the local government in whose district the obedience trial or classes are conducted; or
- (f) it is registered as being *bona fide* used in the droving or tending of stock and is being so used or is going to or returning from a place where it will be, or has been, so used; or
- (g) it is a foxhound in a pack *bona fide* engaged in hunting or hound exercise or in going to or returning from hunting or hound exercise; or
- (h) it is being used for retrieving, duck hunting or other customary sporting purposes.

(3A) A local government may, by absolute majority as defined in the *Local Government Act 1995* section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a dog exercise area.

(3B) A local government may, by absolute majority as defined in the *Local Government Act 1995* section 1.4, specify a public place that is under the care, control or management of the local government to be a rural leashing area.

(3C) At least 28 days before specifying a place to be —

- (a) a place where dogs are prohibited at all times or at a time specified under subsection (2B); or
- (b) a dog exercise area under subsection (3A); or
- (c) a rural leashing area under subsection (3B),

a local government must give local public notice as defined in the *Local Government Act 1995* section 1.7 of its intention to so specify.

(3) If a dog is at any time in any public place in contravention of subsection (1) or (2A), every person liable for the control of the dog at that time commits an offence unless the person establishes a defence under section 33B.

Penalty: a fine of \$5 000.

(4) This section does not apply to a dangerous dog.

(5) A local government must specify under subsection (3A) such dog exercise areas as are, in the opinion of the local government, sufficient in number, and suitable, for the exercising of dogs in the district.

Policy Implications

Nil

Financial Implications

Dependant on what council considers the most appropriate action to take the following financial implications

1. Recession of resolution will require readvertising and recommencement of the overall process - Estimated costs \$3,500
2. Noting comments - No cost
3. Resolution to amend Dog exercise areas by absolute majority Administration cost and advertising of change by local public notice
Estimated cost \$750
4. Review in twelve months' time - Administration cost and other costs dependent upon outcome of review

Strategic Implications

Nil

Voting Requirements

Simple Majority Required

Date of Report

12 December 2013

The President adjourned the Ordinary Council Meeting at 6.02 pm

The President announced the winners of the Christmas Lights competition and invited the winners to join Council in refreshments.

Residential Section

1st place Judy Britza

2nd place Kerry O'Neil

3rd place Belinda Russell

Business Section

1st: Shark Bay Super Market

2nd place Surfin Dolphin

3rd place Shark Bay Community Resource Centre

The President reconvened the Ordinary Council meeting at 6.53 pm

19.3 FORESHORE AND MAIN STREET REVITALISATION PLAN

Author

Chief Executive Officer

Disclosure of Any Interest

Nil

Moved Cr Prior
Seconded Cr Ridgley

Council Resolution

That Draft Foreshore and Main Street Revitalisation plan be considered and endorsed for public comment.

6/0 CARRIED

Background

The Foreshore and Main Street Revitalisation project being undertaken by Hames Sharley is progressing well with all community workshops being well attended and providing positive input.

The project is funded by a grant (\$75,000) from the Department of Planning to ensure proper planning process are in place and business cases to support the identified projects are developed.

The draft plans are now presented to the Council for further consideration and comment.

Comment

The comments and input from the public forums held in November and the presentation to Council have been taken into consideration by Hames Sharley and incorporated into the draft plan. (Circulated under separate cover)

Council now needs to consider the draft plan and if in agreement with the proposals approve the draft Revitalisation Plan for public forum/exhibition and display for further public comment.

This would be undertaken in December/January and a further draft compiled in February for presentation and endorsement by Council in March 2014.

The endorsed project and business case will then be submitted to the Department of Regional Development for access to the allocation of funds (\$5.7m) that has been earmarked for this project.

Given the overall preliminary costs identified in the draft plan other funding sources will also have to be identified and sourced to ensure the continuation of the project.

If the Council considers the draft plan submitted by Hames Sharley has taken into consideration and captured all the matters raised by the Council and community at this point, the Council can endorse the draft plan for further public forums/exhibitions and displays for public comment prior to possible adoption in March 2014.

Legal Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority Required

Date of Report

12 December 2013

19.4 HMAS SYDNEY II DIRECTIONAL PLAQUE
CR0005

Author

Executive Manager Tourism Community and Economic Development

Disclosure of Any Interest

Nil

Officers Recommendation

1) That \$12,000 be reallocated from the \$25,000 Dirk Hartog 2016 Celebrations 2013/2014 budget to produce a Directional Plaque showing significant points of interest, their direction and distance to be installed outside the Shark Bay World Heritage Discovery and Visitor Centre.

Or

2) That \$12,000 be reallocated from the \$20,000 Welcome Signage 2013/2014 budget to produce a Directional Plaque showing significant points of interest, their direction and distance to be installed outside the Shark Bay World Heritage Discovery and Visitor Centre.

Or

3) Allocate \$12,000 in the 2014/2015 to produce a Directional Plaque showing significant points of interest, their direction and distance to be installed outside the Shark Bay World Heritage Discovery and Visitor Centre.

Or

4) Not progress with this project.

Moved Cr Prior
Seconded Cr Ridgley

Council Resolution

That Council Allocate \$6,000 from the Dirk Hartog Celebrations and \$6,000 from the Welcome Signage to produce a Directional Plaque showing significant points of interest, their direction and distance to be installed outside the Shark Bay World Heritage Discovery and Visitor Centre.

6/0 CARRIED

Background

Following the successful installation of the HMAS Sydney II Memorial Wall there has been considerable interest from locals and visitors concerning where the wreck of the Sydney lies in relation to the town of Denham.

It has been suggested that a directional plaque installed outside the Shark Bay World Heritage Discovery and Visitor Centre could provide significant information concerning the whereabouts of the wreck as well as directions and distances to other important regional sites.

Comment

Charlie Smith, the artist commissioned to create the HMAS Sydney Memorial Wall has been involved in producing a directional plaque for the town of Onslow. (images attached). He has indicated that the Shire of Shark Bay could use the template for the plaque made for Onslow and produce a similar one for Denham. Correspondence with the Chief Executive Officer follows:

“Hope you can get a good idea of the Compass rose (directional plaque) we discussed from these images.

It is 2 metres across and is cast in Fine Art Silicon Bronze. The metal is very thick (up to 20mm in places) and all the detail and lettering is raised off the background. We would have to re-do the centre circle artwork with a map of Shark Bay. We would also mark the spot where the wreck lies.

Set in the ground it would actually improve over time as people walking on it. This would polish the upper surfaces of the detail while the background would remain dark. I am sure you have seen the effect of such in-ground plaques elsewhere?

It is a seriously weighty object and virtually indestructible. We would cast on heavy duty lugs on the back for fixing into a concrete base.

We estimate a cost to produce at \$12,000 ex. studio plus gst. We could get this up and running immediately if you decide to go ahead.”

Possible locations included on the plaque may include the following and other sites:

Sydney II wreck	234.87km
Steep Point	44.65km
Zytdorp wreck	81.45km
Stromatolites	81.45km
Shell Beach	39.88km
Monkey Mia	23.87km
Geraldton	332.67km
Carnarvon	116.49km
Perth	705.03km
Cape Inscription	75.39km
Cape Peron	46.99km

There is currently no allocation for this project in the current 2013/2014 budget. To progress this project in the current financial year funds could be re-allocated from other projects.

The current budget includes an amount of \$25,000 towards progressing the Dirk Hartog 2016 Celebrations. This amount was included as a notional amount with no specific items of expenditure identified and the full amount is currently unexpended. As a Directional Plaque would include references to Cape Inscription and other sites along the peninsula, spending \$12,000 of this budget on the plaque would seem appropriate.

In the current budget there is \$25,000 for welcome signage. This project is still being costed and could be postponed until the next financial year to facilitate the production of the Directional Rose.

If Council does not wish to re-allocate funds, \$12,000 could be included in the next financial year budget.

Legal Implications

Nil

Policy Implications

Nil

Financial Implications

The Directional Plaque project could begin immediately if funds are re-allocated from existing projects which have not progressed to date. The project could also be delayed until the 2014/2015 financial year and sufficient funds could be recommended to be included.

Strategic Implications

- 1.1 Develop infrastructure and investment that is sustainable and an ongoing legacy to the Shire.
- 2.2 To increase investment, improve attractiveness and the diversity of uses to add to the Town Centre vibrancy.

Voting Requirements

Simple Majority Required

Date of Report 16 December 2013

20. MATTERS BEHIND CLOSED DOORS

Moved Cr Hanscombe
Seconded Cr Wake

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.

6/0 CARRIED

20.1 2013 PREMIER'S AUSTRALIA DAY ACTIVE CITIZENSHIP AWARD – RETURNED

Author

Community Development Officer

Disclosure of Any Interest

Nil

Moved Cr Wake
Seconded Cr Prior

Council Resolution

- 1. The Council accept the returned award from Mr Joe McLaughlin**
- 2. The Council present Mr Joe McLaughlin with a Shire of Shark Bay Certificate of Appreciation at the 2014 Australia Day Event.**

6/0 CARRIED

20.2 PREMIER'S AUSTRALIA DAY ACTIVE CITIZENSHIP AWARDS 2014

CI 101

Author

Community Development Officer

Disclosure of Any Interest

Nil

Moved Cr Ridgley
Seconded Cr Prior

Cr Prior left the Council Chamber at 7.23 pm and returned to the Council Chamber at 7.24 pm.

Council Resolution

1. The Premier's Australia Day Active Citizenship Award for a person of 25 years or over is awarded to
2. The Premier's Australia Day Active Citizenship Award for a community group or event is awarded to
3. The Premier's Australia Day Active Citizenship Award for a person under 25 years is awarded to
4. That the publication of the Premier's Australia Day Active Citizenship Awards be embargoed until Sunday 26 January 2014.

6/0 CARRIED

20.3 RESEAL STELLA ROWLEY DRIVE

PS 2013/14-04

Author

Works Manager

Disclosure of Any Interest

Nil

Moved Cr Prior
Seconded Cr Ridgley

Council Resolution

The recommendation submitted by the Works Managers in the confidential evaluation report for Quote PS 2013/2014-04 Supply and Delivery of Bituminous Products as per the conditions of Quote be considered.

6/0 CARRIED

Moved Cr Ridgley
Seconded Cr Prior

Council Resolution

That Council appoint Bitumen Surfacing for the Supply and Delivery of Bituminous Products for the purchase price submitted of \$6.50 per square metre for 10mm reseal. Bitumen Surfacing has provided the most advantageous Quote and best value for money to the Shire of Shark Bay based on the assessment of the compliance criteria, qualitative criteria and pricing structures offered under Supply and Delivery of Bituminous Products.

6/0 CARRIED

20.4 EMERGENCY SERVICES COMPLEX SHEDS

Author

Chief Executive Officer

Disclosure of Any Interest

Disclosure of Interest: Cr Cowell

Nature of Interest: Impartiality Interest as a Volunteer and Secretary for St John's Ambulance

Disclosure of Interest: Cr Hanscombe

Nature of Interest: Impartiality Interest as a member of St John's Ambulance

Disclosure of Interest: Cr Ridgley

Nature of Interest: Impartiality Interest as a member of the Volunteer Marine Rescue

Moved Cr Ridgley

Seconded Cr Prior

Council Resolution

That the variation to the tendered price (\$13,500 GST Inclusive) for the construction of three sheds at the Emergency Services precinct submitted by Northwest Building Group be noted and accepted.

6/0 CARRIED

Moved Cr Prior

Seconded Cr Hanscombe

Council Resolution

That the meeting be reopened to the members of the public.

6/0 CARRIED

21. DATE AND TIME OF NEXT MEETING

The next Ordinary meeting of Council will be held on the 26 February 2014 in Council Chambers commencing at 3.00 pm.

22. CLOSURE OF MEETING

As there was no further business the President closed the Ordinary Council meeting at 7.55 pm