

# Shire of Shark Bay

## Minutes of the Ordinary Council Meeting

30 September 2015



Shark Bay - Whales



30 SEPTEMBER 2015



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## MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

The minutes of the Ordinary meeting of the Shark Bay Shire Council held in the Council Chamber at the Shark Bay Recreation Centre, Francis Street, Denham on 30 September 2015 commencing at 3.05 pm.

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**1. DECLARATION OF OPENING**

The President declared the Ordinary Council meeting open at 3.05 pm.

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

ATTENDANCES

Cr C Cowell	President
Cr K Capewell	Deputy President
Cr L Bellottie	
Cr K Laundry	
Cr M Prior	

Mr P Anderson	Chief Executive Officer
Mrs G McBride	Executive Manager Community Development
Mrs R Mettam	Executive Assistant

APOLOGIES

Cr G Ridgley	Leave of Absence approved item 5.1
Cr B Wake	Leave of Absence approved item 5.2

VISITORS

4 Guests in the Gallery

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

There was no Previous Public Questions on Notice.

**4. PUBLIC QUESTION TIME**

The President opened Public Question Time at 3.06 pm

Mr Leon Deschamp and Mr Shayne Thompson requested Council consider an opportunity to purchase a "Collection" of 16 Zuytdorp Coins to display in the Shark Bay World Heritage Discovery and Visitor Centre. The coins have "Certificate of Authenticity" from the WA Museum.

The President closed Public Question Time at 3.14pm

**5. APPLICATIONS FOR LEAVE**

**5.1 APPLICATION FOR LEAVE OF ABSENCE – COUNCILLOR RIDGLEY  
GV00008**

Author

Executive Assistant

Disclosure of Any Interest

Nil

Moved            Cr Prior  
Seconded       Cr Bellottie

**Council Resolution**

**Councillor Ridgley is granted leave of absence in accordance with Section 2.25 of the *Local Government Act 1995* for the Ordinary meeting of Council scheduled to be held on 30 September 2015.**

**5/0 CARRIED**

Background

Councillor Ridgley has applied for leave of absence from the ordinary meeting of Council scheduled for 30 September 2015. The Council in accordance with Section 2.25 of the *Local Government Act 1995* as amended may by resolution grant leave of absence to a member.

Comment

Councillor Ridgley has advised the Chief Executive Officer due to work commitments he will be unable to attend the Ordinary meeting of Council scheduled to be held on 30 September 2015 and has requested leave of absence be granted by Council for this meeting.

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

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

Legal Implications

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

- (1) A council may, by resolution grant leave of absence to a member.
- (2) Leave is not to be granted to a member in respect of more than 6 consecutive ordinary meetings of the council without the approval of the minister.
- (3) The granting of leave, or refusal to grant leave and reasons for that refusal, is to be recorded in the minutes for the meeting.

## MINUTES ORDINARY COUNCIL MEETING

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

### Policy Implications

There are no Policy implications associated with this report

### Financial Implications

There are no financial implications associated with this report

### Strategic Implications

There are no Strategic implications associated with this report

### Voting Requirements

Simple Majority Required

### Signatures

Chief Executive Officer      *P Anderson*

Date of Report                      29 September 2015

30 SEPTEMBER 2015

5.2 APPLICATION FOR LEAVE OF ABSENCE – COUNCILLOR WAKE  
GV00008

Author  
Executive Assistant

Disclosure of Any Interest

Nil

Moved            Cr Prior  
Seconded       Cr Laundry

**Council Resolution**

**Councillor Wake is granted leave of absence in accordance with Section 2.25 of the *Local Government Act 1995* for the Ordinary meeting of Council scheduled to be held on 30 September 2015.**

**5/0 CARRIED**

Background

Councillor Wake has applied for leave of absence from the ordinary meeting of Council scheduled for 30 September 2015. The Council in accordance with Section 2.25 of the ***Local Government Act 1995*** as amended may by resolution grant leave of absence to a member.

Comment

Councillor Wake has advised the Chief Executive Officer due to work commitments he will be unable to attend the Ordinary meeting of Council scheduled to be held on 30 September 2015 and has requested leave of absence be granted by Council for this meeting.

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

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

Legal Implications

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

- (1) A council may, by resolution grant leave of absence to a member.
- (2) Leave is not to be granted to a member in respect of more than 6 consecutive ordinary meetings of the council without the approval of the minister.
- (3) The granting of leave, or refusal to grant leave and reasons for that refusal, is to be recorded in the minutes for the meeting.
- (4) A member who is absent, ***without first obtaining leave of the council***, throughout 3 consecutive ordinary meetings of the council is disqualified from continuing his or her membership of the council.
- (5) The non-attendance of a member at the time and place appointed for an ordinary meeting of the council does not constitute absence from an ordinary meeting of the council –

## MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

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- a) If no meeting of the council at which a quorum is present is actually held on that day; or
- b) If the non attendance occurs while –
  - i) the member has ceased to act as a member after written notice has been given to the member under section 2.27(3) and before written notice has been given to the member under section 2.27(5)
  - ii) while proceedings in connection with the disqualification of the member have been commenced or are pending; or
  - iii) while the election of the member is disputed and proceedings relating to the disputed election have been commenced and are pending

### Policy Implications

There are no Policy implications associated with this report

### Financial Implications

There are no financial implications associated with this report

### Strategic Implications

There are no Strategic implications associated with this report

### Voting Requirements

Simple Majority Required

### Signatures

Chief Executive Officer      *P Anderson*

Date of Report                      29 September 2015

MINUTES ORDINARY COUNCIL MEETING

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6. **PETITIONS**

No petitions were presented to the Ordinary Council meeting.

7. **CONFIRMATION OF MINUTES**

7.1 **CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 26 AUGUST 2015**

Moved Cr Laundry  
Seconded Cr Capewell

**Council Resolution**

**That the minutes of the Ordinary Council meeting held on 26 August 2015, as circulated to all Councillors, be confirmed as a true and accurate record.**

**5/0 CARRIED**

7.2 **CONFIRMATION OF THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 9 SEPTEMBER 2015**

Moved Cr Bellottie  
Seconded Cr Capewell

**Council Resolution**

**That the minutes of the Special Council meeting held on 9 September 2015, as circulated to all Councillors, be confirmed as a true and accurate record.**

**5/0 CARRIED**

8. **ANNOUNCEMENTS BY THE CHAIR**

There were no Announcements by the Chair.

9. **PRESIDENT'S REPORT**

GV00002

**Council Committee Membership**

Member	Audit Committee
Member	Gascoyne Zone of Western Australian Local Government Association
Member	Western Australian Local Government Association Country Zone – Gascoyne Region
Member	Development Assessment Panel
Member (Chair)	Shark Bay 2016 Commemoration Advisory Committee
Deputy Delegate	Shark Bay Marine Facilities Management Committee
Deputy Delegate	Works Committee
Deputy Delegate	Gascoyne Regional Road Group
Deputy Delegate	Gascoyne Regional Collaboration Group

**Other Committee Membership**

Member	Gascoyne Development Commission Board
Member	Gascoyne Development Commission Audit Sub-Committee

## MINUTES ORDINARY COUNCIL MEETING

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Member	Ningaloo-Shark Bay National Landscapes Steering Committee
Member (Chair)	Local Emergency Management Committee
Member	Gascoyne Regional Tourism Strategy steering committee
Deputy Delegate	Western Australian Local Government Association – State Council Committee

### Meeting Attendance

29 August	Bush Heritage Australia Meet the Board function – Hamelin
11 September	Australian National Landscapes teleconference
14 Sept	Gascoyne Tourism Board teleconference
	Denham Foreshore workshop for councillors and Shire staff (2.30pm)
	Denham Foreshore workshop for community members (5.30pm)
19	Shark Bay Art Awards exhibition opening
25	2016 Dirk Hartog Commemoration Advisory Committee meeting

### Signatures

Councillor	<i>Councillor Cowell</i>
Date of Report	22 September 2015

Moved	Cr Prior
Seconded	Cr Capewell

### Council Resolution

**That the President's activity report for September 2015 be received.**

**5/0 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

### Meeting Attendance

9 September 2015	Attended the Special Council meeting
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### Signatures

Councillor	<i>Councillor Wake</i>
Date of Report	21 September 2015

Moved	Cr Capewell
Seconded	Cr Prior

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

**Council Resolution**

**That Councillor Wake's September 2015 report on activities as Council representative be received.**

**5/0 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

Meeting Attendance

9 September 2015	Attended the Special Council Meeting
11 September	Meeting with Hon K Baston Minister for Fisheries

Signatures

Councillor	<i>Councillor Capewell</i>
Date of Report	16 September 2015

Moved	Cr Prior
Seconded	Cr Laundry

**Council Resolution**

**That Councillor Capewell's September 2015 report on activities as Council representative be received.**

**5/0 CARRIED**

10.3 Cr Laundry

GV00013

Committee Membership

Member	Audit Committee
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Meeting Attendance

14 September 2015	Attended the Foreshore and Main Street Revitalisation workshop
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Signatures

Councillor	<i>Councillor Laundry</i>
Date of Report	21 September 2015

Moved	Cr Prior
Seconded	Cr Bellottie

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

**Council Resolution**

**That Councillor Laundry's September 2015 report on activities as Council representative be received.**

**5/0 CARRIED**

10.4 Cr Bellottie  
GV00010

**Committee Membership**

Member	Audit Committee
Member	Works Committee
Member	St John's Ambulance – Shark Bay Sub Centre

**Meeting Attendance**

9 September 2015	Attended the Special Council meeting
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**Signatures**

Councillor	<i>Councillor Bellottie</i>
Date of Report	21 September 2015

Moved	Cr Cowell
Seconded	Cr Capewell

**Council Resolution**

**That Councillor Bellottie's September 2015 report on activities as Council representative be received.**

**5/0 CARRIED**

10.5 Cr Ridgley  
GV00008

**Committee Membership**

Member	Works Committee
Member	Audit Committee
Member	Shark Bay Marine Facilities Management Committee
Member	Shark Bay 2016 Commemoration Advisory Committee
Member	Regional Collaboration Group – Gascoyne
Member	Shark Bay Health Advisory Board
Member	Shark Bay Community Resource Centre Committee

**Meeting Attendance**

9 September 2015	Attended the Special Council meeting
14	Councillor Workshop – Foreshore Revitalisation Plan

**Signatures**

Councillor	<i>Councillor Ridgley</i>
Date of Report	21 September 2015

Moved	Cr Prior
Seconded	Cr Laundry

**Council Resolution**

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

**That Councillor Ridgley's September 2015 report on activities as Council representative be received.**

**5/0 CARRIED**

10.6 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 <sup>nd</sup> Deputy for Works Committee

Meeting Attendance

26 August	15	Audit Committee meeting Ordinary Council Meeting
29		Bush Heritage function at Hamelin Station
1 September		Shark Bay Commerce and Tourism Committee meeting
7		Shark Bay Arts Council meeting
9		Special Council Meeting
10		Workshop for community groups re 2016 Celebrations Workshop for Shark Bay Tourism Assoc re 2016 Celebrations
11		Public Workshop re 2016 Celebrations
14		Workshop for Councillors regarding Foreshore Revitalisation Public Workshop regarding Foreshore Revitalisation
19		Opening of Shark Bay Art Awards
21-23		WA Tourism Conference

Signatures

Councillor	<i>Councillor Prior</i>
Date of Report	16 September 2015

Moved	Cr Capewell
Seconded	Cr Bellottie

Council Resolution

**That Councillor Prior's September 2015 report on activities as Council representative be received.**

**5/0 CARRIED**

30 SEPTEMBER 2015

**11. ADMINISTRATION REPORT**

**11.1 APPLICATION FOR USE OF PORTION OF RESERVE 49809 - COMMON RES49809**

Author

Chief Executive Officer

Disclosure of Any Interest

Nil

Officers Recommendation

Option 1

That a licence to occupy an area of 2.52 Hectares of the Reserve 49809 - Common as depicted on map attached and in line with the configuration submitted by Mrs M Hargreaves be further considered by Council at the October 2015 meeting of Council and subject to the submission of a valid Public Liability Policy to the value of \$10 million.

Or

Option 2

Note: Council to indicate the period of approval i.e. up to 5 years maximum.

That a licence to occupy an area of 2.52 Hectares of the Reserve 49809 - Common as depicted on map attached and in line with the configuration submitted by Mrs M Hargreaves be consented to and submitted to the Minister of Lands for final approval for a period of (1-5 years) expiring on 31 July 2020 and ongoing occupation be conditional on the following:

1. Ongoing compliance with the guidelines of the Shire's Management Statement for Reserve 49809 - Common.
2. The allocated area being suitably fenced and maintained to ensure stock is contained within the approved area.
3. The submission of valid public liability insurance policy to the value of \$10 million on annual basis.

Moved Cr Capewell

Seconded Cr Laundry

Councillor Recommendation

That a licence to occupy an area of 2.52 Hectares of the Reserve 49809 - Common as depicted on map attached and in line with the configuration submitted by Mrs M Hargreaves be consented to and submitted to the Minister of Lands for final approval for a period of 5 years expiring on 31 July 2020 and ongoing occupation be conditional on the following:

4. Ongoing compliance with the guidelines of the Shire's Management Statement for Reserve 49809 - Common.
5. The allocated area being suitably fenced and maintained to ensure stock is contained within the approved area.
6. The submission of valid public liability insurance policy to the value of \$10 million on annual basis.

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0/5 LOST

Moved Cr Capewell  
Seconded Cr Laundry

**Council Resolution**

**That a licence to occupy an area of 2.52 Hectares of the Reserve 49809 - Common as depicted on map attached and in line with the configuration submitted by Mrs M Hargreaves be further considered by Council at the October 2015 meeting of Council and subject to the submission of a valid Public Liability Policy to the value of \$10 million.**

**5/0 CARRIED**

**Background**

The Shire of Shark Bay has a Management Order on Reserve 49809 which has a current purpose classified as Common. The area of the reserve is 1,139.223 hectares.

The management order authorises Council to issue licenses for designated area for a maximum period of 5 years with the approval of the Minister. The Council also has a management statement for the occupation of the common that applies to the license holders. The licence allows for an applicant to apply for a term of up to five (5) years.

The following licences have been issued by Council and approved by the Minister for use of the common:

Mrs Alison McLean  
Licence number: 1/2013  
Licence issued 1 June 2013 and expires 31 May 2018  
Area 4.2 Hectares  
Stock – 4 horses

Ms T Weiss  
Licence number 1/2014  
Licence issued 1 September 2014 and expires 31 August 2019  
Area 609 m<sup>2</sup>  
Stock – three horses, one goat

Mr H Hoult & Mr G Desmond  
Licence number: 1/2015  
Licence issued 4 June 2015 and expires 30 April 2020  
Area 34.113 ha  
Stock – 8 horses

Mr H Van Eek  
Licence Number 2/2015  
Licence issued 1 July 2015 and expires 30 June 2020

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### Comment

A request for an area of the Reserve 49809 - Common has been submitted by Mrs M Hargreaves (attached at end of this report) for a five year period.

The application is for the maximum five year period and council has no obligation to grant a license of this duration and can consider any period from one to five years.

Mrs Hargreaves was originally approved by Council in July 2010, subject to conditions, to occupy an area of the common, this application also required the approval of the Minister which due to an administration error was not sought.

As council is aware there has been some concern expressed by Mr T Hargreaves and resistance by Mrs Hargreaves regarding the requirement to apply for license approval.

This matter was addressed in a report to council at the ordinary meeting in August 2015

The area originally applied for and considered by Council in May 2010 was for 2,250 square metres. The conditions of licence required the approved area to be suitably fenced to contain the applicants stock.

The Works Manager has verified the licenses issued by council and has indicated that the fenced area occupied by Mrs Hargreaves is currently 2.52 hectares.

The council resolved in April 2015 to instigate a progressive program to remove any fences, grids and gates on reserve 49809 not associated with areas that are subject to valid licenses issued in accordance with council management order.

This action has required all occupiers of the reserve to ensure their fences are in a condition that prevents their stock wandering in areas not approved by license or wandering beyond the boundaries of the reserve.

This enables the use of the reserve by the general public and does not interfere with the other users of the reserve while the animals are under the care and control of the owner with the owner present.

The requirement of a public liability policy for approval also provides a degree protection for the shire in the unfortunate incidence that there is an accident due to the negligence of the occupier in maintaining the area allocated in accordance with the approval.

Mrs Hargreaves has been contacted regarding the requirement to have a public liability policy as a condition of approval. At the time of writing this report no evidence of a public liability insurance policy has been submitted to council.

This area occupied has been verified by the administration and is adequately fenced and maintained to contain the large stock in accordance with Council's Management Statement.

The fencing however would not appear adequate to contain the old goat or poultry as indicated on the application.

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The location of the area allocated on Reserve 49809 is indicated in Green on the attached map titled – Map occupied areas and is Lease # 003/2015.

There is also some other facilities on the section of reserve being applied for (sea container and old caravan) that are being utilised for equipment and food storage.

These could be considered as being ancillary to the application, but are required to facilitate the wellbeing of the animal, while the facilities are kept in good condition and the area in a tidy condition, in the opinion of the shire, there would appear to be no immediate concern to them remaining in place.

### Legal Implications

The Council has a Management Order for Reserve 49809 in accordance with the Land Administration Act. The management order enables Council to issue licences for a term not exceeding five years with the final approval of the Minister for areas of the reserve.

The council has also recently introduced the requirement for applicants to provide details of a public liability insurance to the value of \$10 million dollars.

### Policy Implications

There are no policy implications applicable to this report.

### Financial Implications

In accordance with Council resolution an annual fee of \$100 will be applied in the first year.

### Strategic Implications

There are no Strategic Implications associated with this item.

### Risk Management

It has been assessed that there is a minimal risk associated with this application.

### Voting Requirements

Simple Majority Required

### Signatures

Chief Executive Officer

*P Anderson*

Date of Report

9 September 2015

Management Statement for the Occupation and use of Reserve 49809 Common

- a) The shire is to maintain a register of all occupiers of the common along with the following base data;
1. The area and location of land being utilised along with the specific infrastructure thereon.
  2. The number of stock being grazed.
  3. Other activities that are being undertaken. E.g., sand extraction, trail bike riding etc.
- b) Occupiers of Reserve 49809 Common
1. All occupiers of the common will require a license to be granted for the designated purpose of occupation of the town common for a term not exceeding (5) years and be subject to the approval in writing from the minister for lands.  
  
The approved licence will specify all current activities undertaken pursuant to the licence and detail any conditions of approval relative to that occupation.
- c) Reporting Requirements
1. A report will be provided to council on an annual basis detailing current occupiers of the Common that includes their infrastructure, stock details, cubic metres of sand removed and other details of change that may have occurred.
- d) General Management Statement for Occupiers
- 1) All occupiers of the town common will observe basic requirements for its occupation.
  - 2) Activities are to be controlled and maintained to ensure long term environmental sustainability and ultimate re-instatement of its land use.
  - 3) Due respect is to be observed to other occupiers of the town common with regard to mutual required services and infrastructure.
  - 4) Activity infrastructure will be required to be set back a specified distance from the access road as determined by the shire.
  - 5) An area stock control device will be required to access the town common.
  - 6) Speed limits will be specified on the access road within the town common.
  - 7) Occupiers of the town common are required to address issues of concern directly to the shire and not to other occupiers.
- B) That “General Management Statement for occupiers” includes licensed occupiers of the common are to ensure that all activities conform to any relevant legislation/statutory requirements.



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FAX NUMBER:

**Reserve 49809-Common, Use**

**Please provide a short description of the activities that you wish to undertake at Reserve 49809 - Common. Eg: Stock tenure.**

keeping & exercising 1 pony

**List the vehicles which will be used to access to Common?**

S.B 3

S.B 7777

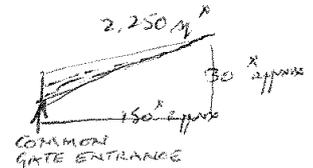
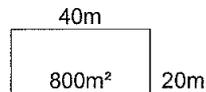
**What infrastructure or stock control devices will be utilised?**

**Please tick appropriate box.**

Shed  Caravan  Shade structure  Internal fences  Gates

Location and Area in m<sup>2</sup> to be fenced

Example:



Or None of the above

**Length of time you wish to utilize the Common within a period of 5 years?**

5 YEARS

2

Shire of Shark Bay

Application for Use of portion of Reserve 49809 - Common

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

**Stock Application**

I hereby apply for permission to occupy a portion of the Shire of Shark Bay Reserve 49809 Common for the following stock:-

- ( / ) horse/s
- ( ) cattle 1 YOUNG GOAT AND POULTRY, HAVE DISAPPEARED SINCE GATE REMOVAL, BY SHIRE
- ( ) sheep
- ( ) camels
- ( ) chickens
- 1 OLD GOAT ( APPROX 20? YEARS)

Other considerations that may be applicable? Eg: Special Circumstances.

On receipt of your application it will be placed in the Agenda for the upcoming Council meeting for approval of your licence. Once approved by the Shire of Shark Bay Council the licence will then be referred to the Minister of Land pursuant to the provisions of Section 20 of the *Land Administration Act 1997*. I accept that Annual fees will apply to this licence in accordance with Council's Fees and Charges.

I have read and understood all parts of the application for use of porting of Reserve 49809 - Common and am fully aware of all that is required of me as a lessee. I agree to abide by the Licence to Occupy once approved by the Minister of Lands. I have attached a copy of my Public Liability Insurance certificate. **NO PUBLIC LIABILITY.**

Signed By Lessee

Print full name: MARGARET HARGREAVES  
Signed: M. Hargreaves - main address Date: 22nd / 08 / 15

**➤ How to lodge this application**

- BY POST;**  
**Address the application to:** The Chief Executive Officer  
Shire of Shark Bay  
PO Box 126  
Denham WA 6537
- Courier or personal Delivery:** Shire Offices  
65 Knight Terrace  
Denham WA 6537
- Electronically:** [admin@sharkbay.wa.gov.au](mailto:admin@sharkbay.wa.gov.au)
- Contact the Shire offices on:**  
**Phone:** 08) 9948 1218  
**Fax:** 08) 9948 1237  
**E-mail:** [admin@sharkbay.wa.gov.au](mailto:admin@sharkbay.wa.gov.au)  
**Web:** [www.sharkbay.wa.gov.au](http://www.sharkbay.wa.gov.au)

3  
Shire of Shark Bay  
Application for Use of portion of Reserve 49809 - Common

# MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

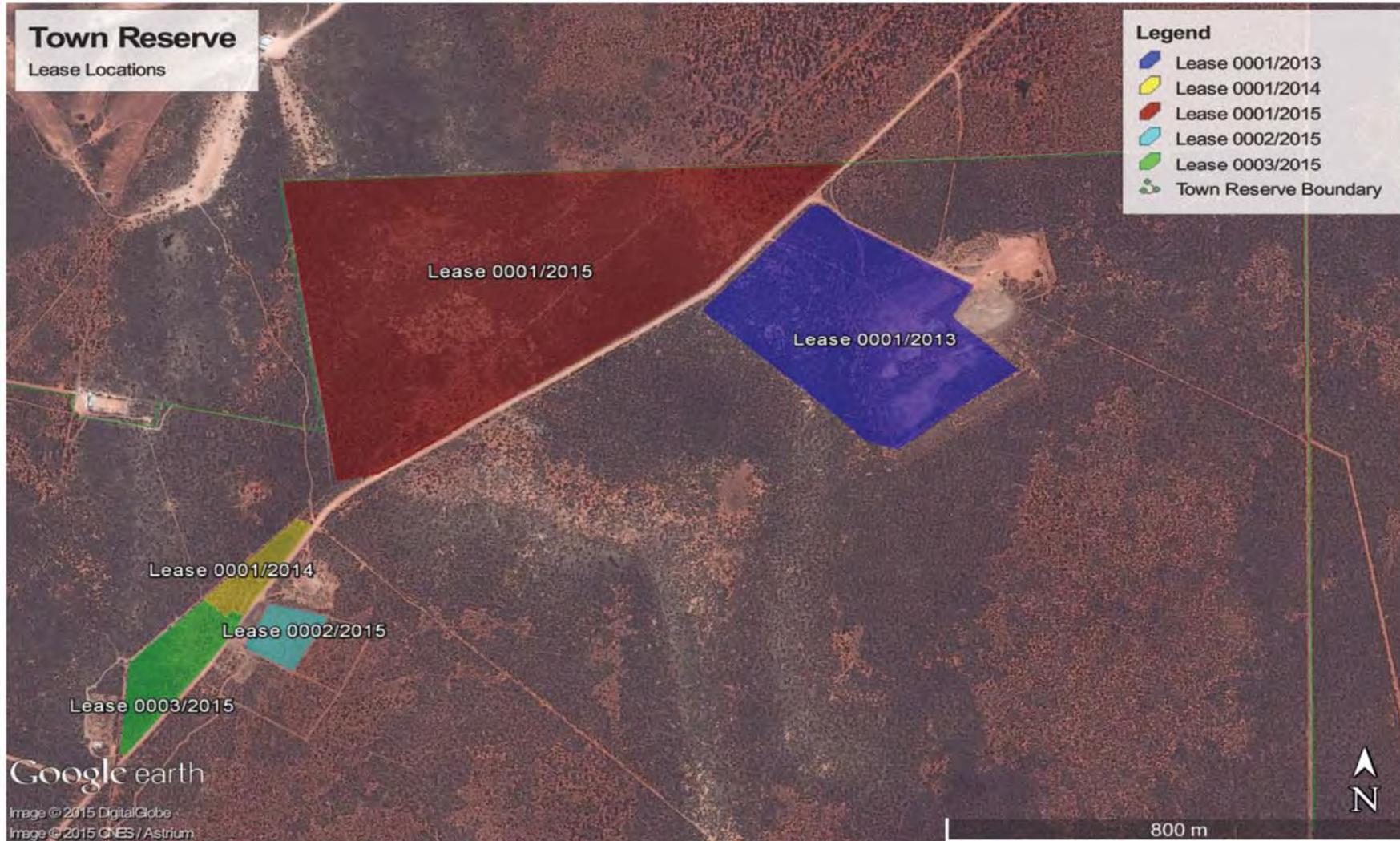
## **Licence is subject to General Policy Statement upon and for the duration of occupation-**

- *All occupiers of the Common will observe basic requirements for its occupation.*
- *All occupiers of the Common will ensure that all of their activities conform to any relevant legislation or other statutory requirement.*
- *Illegal activities of any nature are not to take place at the Common.*
- *The Shire of Shark Bay, its officials, employees and agents shall not be held responsible for personal injuries or damages sustained or property or stock lost or stolen on the Common.*
- *Activities are to be controlled and maintained to ensure long term environmental sustainability and ultimate re-instatement of its land use.*
- *Occupiers are to be responsible for any damages caused to the Common other than general deterioration of the site.*
- *The Common will be left clean and tidy; all rubbish etc is to be removed.*
- *Due respect is to be observed to other occupiers of the Common with regard to mutual required services and infrastructure.*
- *Occupiers are asked to contribute to a positive relationship with other Common users.*
- *The area utilized must have a stock control measure in place to secure their stock.*
- *Stock numbers must be maintained within the license approval. Any additional stock must be approved by Council.*
- *Activity infrastructure will be required to be set back a specified distance from the access road as determined by the Shire.*
- *Speed limits will be observed on the access and external road within the Common.*
- *Occupiers of the Common are required to address issues of concern directly to the Shire and not to other occupiers.*
- *Proof of current Public Liability Insurance to \$10,000,000.*

Failure to comply with these provisions may result in the cancellation of the licence to occupy.

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015



MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

**12. FINANCE REPORT**

**12.1 SCHEDULE OF ACCOUNTS PAID TO BE RECEIVED**  
CM00017

Author

Finance Officer / Accounts Payable

Disclosure of any interest

Nil

Moved Cr Laundry

Seconded Cr Prior

**Council Resolution**

**That the cheques and electronic payments as per the attached schedules of accounts for payment totalling \$520,279.80 be accepted.**

**5/0 CARRIED**

Comment

The schedules of accounts for payment covering - Municipal fund account cheque numbers 26775 to 26779 totalling \$19,239.42

Municipal fund account electronic payment numbers MUNI EFT 18055 to 18209 totalling \$351,937.11

Municipal fund Direct Debits to Council account for August 2015 totalling \$19,616.77

Municipal fund account for August 2015 payroll totalling \$106,224.00

Trust fund account cheque numbers 1061 totalling \$50.00

Trust fund Police Licensing for August 2015 cheque # 151602 totalling \$22,189.50 and

Trust fund account electronic payment numbers 18110 to 18208 totalling \$1,023.00

The schedule of accounts submitted to each member of Council on 24 September 2015 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.

Voting Requirements

Simple Majority Required

Signature

Author

*C Wood*

Chief Executive Officer

*P Anderson*

Date of Report

9 September 2015

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

**SHIRE OF SHARK BAY – MUNI CHEQUES AUGUST 2015**

CHQS	DATE	NAME	DESCRIPTION	AMOUNT
26775	04/08/2015	SHIRE OF SHARK BAY	INCREASE PETTY CASH SBDC	-100.00
26776	07/08/2015	WATER CORPORATION - OSBORNE PARK	PENSIONER UNITS WATER USAGE	-6857.97
26777	18/08/2015	ELGAS LIMITED	GAS BOTTLE 51 DURLACHER ST	-161.00
26778	18/08/2015	HORIZON POWER-MAIN USAGE	ELECTRICITY AUG 15	-8060.62
26779	18/08/2015	WATER CORPORATION - OSBORNE PARK	JETTY AT KNIGHT TCE DESAL USAGE	-4059.83
<b>TOTAL</b>				<b>\$19,239.42</b>

**SHIRE OF SHARK BAY –MUNI EFT AUGUST 2015**

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT18085	07/08/2015	ALLELECTRIX PTY LTD	CHECK AND REPAIR LIGHTS TO MEETING ROOM AND BACK VERANDAH	-840.40
EFT18086	07/08/2015	BOOLBARDIE COUNTRY CLUB	ROUND 1 2015/2016 DONATIONS AND FINANCIAL ASSISTANCE GRANT	-2250.00
EFT18087	07/08/2015	BATTERY MART	2 X BATTERIES	-607.20
EFT18088	07/08/2015	BULLIVANTS HANDLING SAFETY	30T TOW STRAP	-906.40
EFT18089	07/08/2015	CONPLANT AUSTRALIA	GASKET	-179.58

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT18090	07/08/2015	DAVID GRAY & CO PTY LTD	20LT GLYPHOSATE	-147.60
EFT18091	07/08/2015	CDH ELECTRICAL	REPAIR LIGHT IN RECEPTION AREA	-149.82
EFT18092	07/08/2015	SHIRE OF EXMOUTH	RECYLING BAGS	-1474.00
EFT18093	07/08/2015	TOLL IPEC PTY LTD	FREIGHT	-361.92
EFT18094	07/08/2015	ITVISION	SYNERGY SOFT LICENCE TO 30/06/2016	-34945.90
EFT18095	07/08/2015	JASON SIGNSMAKERS	NO VEHICLE ACCESS SIGNS	-237.60
EFT18096	07/08/2015	MITRE 10 SHARK BAY MARINE & HARDWARE	REBUILD SHEDS AT SUNTER STAFF HOUSING	-3140.00
EFT18097	07/08/2015	MAX MARINE	ROPE (32MM) FOR BOLLARDS AT TOWN HALL	-1485.00
EFT18098	07/08/2015	SANDY MCGINNS MOTORCYCLES	HONDA GX390 STATIONARY ENGINE	-1054.50
EFT18099	07/08/2015	OUTBACK COAST AUTOMOTIVES	1X REPLACEMENT OF WINDSCREEN AND SEAL	-1030.00
EFT18100	07/08/2015	ROBBRO WA PTY LTD	DRY HIRE - GRADER - PRIME MOVER - ROLLER	-14349.50
EFT18101	07/08/2015	SHARK BAY HOTEL MOTEL	JIMMY POLAND LAUNCH - FUNCTION	-1050.00
EFT18102	07/08/2015	SHARK BAY CLEANING SERVICE	CLEANING CONTRACT JULY	-20566.81
EFT18103	07/08/2015	SHARK BAY FREIGHTLINES	FREIGHT JULY	-1354.20
EFT18104	07/08/2015	SHARK BAY SKIPS	MAIN ROADS PICK UP SKIP BINS JUNE 2015	-8827.50
EFT18105	07/08/2015	MCKELL FAMILY TRUST	RUBBISH CONTRACT FOR JULY 2015	-11011.34
EFT18106	07/08/2015	STATE LAW PUBLISHER	GOVERNMENT GAZETTE FOR WARD BOUNDARY CHANGES	-402.60
EFT18107	07/08/2015	TELSTRA CORPORATION LIMITED	PHONE BILL FOR JULY	-2216.99
EFT18108	07/08/2015	WALGA	CONNECT SUBSCRIPTION	-7947.50
EFT18109	07/08/2015	BRIAN WAKE	TRAVEL REIMBURSEMENT OCM JULY 2015	-377.20
EFT18115	11/08/2015	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	-230.58
EFT18116	11/08/2015	BATTERY MART	2 X BATTERIES	-303.60
EFT18117	11/08/2015	CORAL COAST PLUMBING	UNBLOCK DISABLED TOILET	-516.47
EFT18118	11/08/2015	DENHAM IGA X-PRESS	COUNTRY CREW SUPPLIES	-685.52
EFT18119	11/08/2015	SHARK BAY FUEL & SERVICE CENTRE	REPAIRS - LOCTITE	-162.55
EFT18120	11/08/2015	GEARING BUTCHER'S	SUPPLIES FOR OUTSIDE CREW	-345.86
EFT18121	11/08/2015	HITS RADIO PTY LTD	ADVERTISING ON RADIO FOR SHARK BAY	-508.20

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT18122	11/08/2015	IT VISION	UPGRADE TO LATEST VERSION OF SYNERGYSOFT	-865.70
EFT18123	11/08/2015	LANDGATE	RURAL UV INTERIM VALUATION SHARED	-116.50
EFT18124	11/08/2015	ROSHER E & MJ	TYRES	-385.00
EFT18125	11/08/2015	SHARK BAY HOTEL MOTEL	CATERING OCM WEDNESDAY 29 JULY 2015	-182.50
EFT18126	11/08/2015	SHARK BAY CAR HIRE	TRANSPORT DOCTOR FROM AIRPORT TO SILVER CHAIN AND RETURN	-495.00
EFT18127	11/08/2015	TELSTRA CORPORATION LIMITED	SBDC 1300 NUMBER	-30.73
EFT18128	11/08/2015	WALGA	LG ACT SUBSCRIPTION 2015/16	-330.00
EFT18132	14/08/2015	M & B SALES	TIMBER SUPPLIES FOR BORE FENCE	-4085.66
EFT18133	14/08/2015	BRIAN JOHN GALVIN	REIMB IINET APR - AUG	-567.48
EFT18134	14/08/2015	MARITIME CONSTRUCTIONS	MONKEY MIA JETTY DESIGN AND CONSTRUCTION	-46021.80
EFT18136	17/08/2015	AUSTRALIAN TAXATION OFFICE	PAYROLL DEDUCTIONS	-22511.00
EFT18137	18/08/2015	AUSTRALIA POST	LOCAL POST	-593.57
EFT18138	18/08/2015	BOOKEASY AUSTRALIA PTY LTD	BOOKEASY	-885.34
EFT18139	18/08/2015	BOC LIMITED	GAS CONTAINER SERVICE	-56.53
EFT18140	18/08/2015	DEPARTMENT OF PARKS AND WILDLIFE	CONCESSION DAY PASSES	-7699.50
EFT18141	18/08/2015	CONWAY Highbury	REVIEW OF LOCAL LAW-MONKEY MIA JETTY	-2981.00
EFT18142	18/08/2015	FIRE & EMERGENCY SERVICES AUTHORITY	DFES ANNUAL MONITORING 15/16	-1728.71
EFT18143	18/08/2015	DENHAM PAPER AND CHEMICAL SUPPLIES	HAND TOWELS AND TOILET ROLLS	-137.14
EFT18144	18/08/2015	SHARK BAY SUPERMARKET	COUNTRY CREW SUPPLIES	-922.34
EFT18146	18/08/2015	ATOM-GERALDTON INDUSTRIAL SUPPLIES	ADHESIVES FOR SIGNS	-761.15
EFT18147	18/08/2015	GRAY & LEWIS LAND USE PLANNERS	PLANNING ADVICE - GENERAL	-12373.52
EFT18148	18/08/2015	GERALDTON TV & RADIO SERVICES	2 WAY HAND PIECE	-179.00
EFT18149	18/08/2015	HAMES SHARLEY PLANNING AND URBAN DESIGN	PROJECT MANAGEMENT FOR FORESHORE RE-DEVELOPMENT	-13266.11
EFT18150	18/08/2015	IMPART MEDIA PTY LTD	BOOKEASY GADGETS FOR THE NEW SHARKBAYVISIT.COM	-3300.00

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT18151	18/08/2015	TOLL IPEC PTY LTD	FREIGHT	-103.54
EFT18152	18/08/2015	INSTANT WEIGHING	CALIBRATION TESTING	-2035.00
EFT18153	18/08/2015	JASON SIGNMAKERS	BUNTING	-247.50
EFT18154	18/08/2015	JOHN TAYLOR ARCHITECT	VALUATION OF CAPE INSCRIPTION LIGHTHOUSE KEEPERS COTTAGE	-2970.00
EFT18155	18/08/2015	LANDGATE	GRV VALUATION	-164.35
EFT18156	18/08/2015	LANDMARK OPERATIONS	STAR PICKETS	-260.65
EFT18157	18/08/2015	MCLEODS BARRISTERS AND SOLICITORS	LEGAL COSTS TO THE 30 JUNE 2016	-1639.15
EFT18158	18/08/2015	MITRE 10 SHARK BAY MARINE & HARDWARE	MONTHLY ACCOUNT	-1880.40
EFT18160	18/08/2015	MP ROGERS & ASSOCIATES	REVIEW PRECAST SLAB DESIGN	-5418.93
EFT18161	18/08/2015	MRS V COOPER	MERCHANDISE SBDC	-1335.00
EFT18162	18/08/2015	RICHARD CLAUDE MORONEY	MONTHLY CLEAN UP AROUND SBDC	-32.00
EFT18163	18/08/2015	SKIPPERS AVIATION	FLIGHTS	-628.00
EFT18164	18/08/2015	SHARK BAY TAXI SERVICE	SHIRE/OVERLANDER RUN JULY 2015	-1166.00
EFT18165	18/08/2015	SHARK BAY CLEANING SERVICE	LITTLE LAGOON GAS FOR BBQS	-188.38
EFT18166	18/08/2015	SHARK BAY FREIGHTLINES	FREIGHT	-1494.69
EFT18168	18/08/2015	TOURISM COUNCIL	TOURISM COUNCIL MEMBERSHIP	-1298.00
EFT18170	18/08/2015	WEST-OZ WEB SERVICES	WA HOLIDAY GUIDE - MARKETING FEE	-49.50
EFT18171	18/08/2015	WURTH AUSTRALIA PTY LTD	SPRAY BOTTLES	-301.57
EFT18172	20/08/2015	HARTOG COTTAGES	COMM FOR JULY GOLD MEMBERS	-135.15
EFT18173	20/08/2015	HERITAGE RESORT SHARK BAY	COMM FOR JULY GOLD MEMBERS	-39.90
EFT18174	20/08/2015	ASPEN MONKEY MIA PTY LTD	COMM FOR JULY GOLD MEMBERS	-27.36
EFT18175	20/08/2015	MONKEYMIA WILDSIGHTS	COMM FOR JULY GOLD MEMBERS	-10.62
EFT18176	20/08/2015	OCEANSIDE VILLAGE	COMM FOR JULY GOLD MEMBERS	-19.20
EFT18177	20/08/2015	TRADEWINDS SEAFRONT APARTMENTS	COMM FOR JULY GOLD MEMBERS	-4.35
EFT18178	21/08/2015	ART GECKO GRAPHIC DESIGN	RECREATION CENTRE TEARDROP FLAG BANNER	-604.00
EFT18179	21/08/2015	BOLTS R US	OVAL FENCE BOLTS AND SCREWS	-2501.00
EFT18180	21/08/2015	S.A.BURTON	PENSIONER UNITS	-1204.78

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT	
EFT18181	21/08/2015	DEPARTMENT OF PARKS AND WILDLIFE	PASSES SBDC	-1188.00	
EFT18182	21/08/2015	CONPLANT AUSTRALIA	CONTROL UNIT	-3447.57	
EFT18183	21/08/2015	EMU POINT SHIPWRIGHTS	VALUATION ON VELSHEDA AND GALLA CURCI	-88.00	
EFT18184	21/08/2015	FLEET HYDRAILICS	SEAL KIT AND HYD UNIONS	-80.45	
EFT18186	21/08/2015	GERALDTON MOWER & REPAIRS SPECIALISTS	DRIVE SPROCKET	-66.00	
EFT18187	21/08/2015	HARE & FORBES PYT LTD	DRILL CLAMP	-204.60	
EFT18188	21/08/2015	TOLL IPEC PTY LTD	FREIGHT	-83.35	
EFT18189	21/08/2015	JOHN FAMLONGA	SUPPLY ROOFING – OLD JAIL AND STABLE	-3432.00	
EFT18190	21/08/2015	JASON SIGNMAKERS	FLOODWAY SIGNS	-85.80	
EFT18191	21/08/2015	KOMATSU AUSTRALIA	SIDE MIRROR	-104.21	
EFT18192	21/08/2015	LOCAL HEALTH AUTH ANALYTICAL COMM	ANALYTICAL SERVICES ANNUAL FEE	-385.00	
EFT18193	21/08/2015	BRADLEY JOHN MCVINISH	REIMB OF CROSSOVER COST	-603.00	
EFT18194	21/08/2015	MAIN ROADS WA	REFUND FOR RRG CLAIM 1 2015/2016	-26400.00	
EFT18195	21/08/2015	OUTBACK COAST AUTOMOTIVES	WHEEL ALIGNMENT	-176.00	
EFT18196	21/08/2015	PEST-A-KILL	MICE MONITORING & BAITING	-275.00	
EFT18197	21/08/2015	PAPER PLUS OFFICE NATIONAL	VARIOUS STATIONERY	-1463.36	
EFT18198	21/08/2015	QUASH	SOUNDPROOFING - RECREATION CENTRE	-20978.00	
EFT18199	21/08/2015	ROBBRO WA PTY LTD	HIRE OF SCANIA AND ROLLER	-12069.75	
EFT18200	21/08/2015	SHARK BAY COMMUNITY RESOURCE CENTRE	REC CENTRE MANAGEMENT JULY	-11784.00	
EFT18201	21/08/2015	GET STITCHED	SHADE FOR PIONEER WAGON	-825.00	
EFT18202	21/08/2015	TOTAL UNIFORMS	UNIFORMS	-209.80	
EFT18203	21/08/2015	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	REGISTRATION WALGA CONVENTION	-1653.00	
EFT18204	21/08/2015	YADGALAH ABORIGINAL CORP	HIRE OF DIGGER	-105.00	
EFT18209	31/08/2015	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	-230.58	
				<b>TOTAL</b>	<b>\$351,937.11</b>
<b>TRUST EFT</b>					
EFT18110-	EFT18114				
EFT18129-	EFT18131				

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT18205-	EFT18208			

**SHIRE OF SHARK BAY – DIRECT DEBITS AUGUST 2015**

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
DD12417.1	05/08/2015	BANKWEST CORPORATE MASTERCARD		-2039.15
DD12421.1	09/08/2015	WA LOCAL GOV SUPERANNUATION PLAN	PAYROLL DEDUCTIONS	-4480.30
DD12421.2	09/08/2015	PRIME SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-208.54
DD12421.3	09/08/2015	AMP SUPERANNUATION	PAYROLL DEDUCTIONS	-378.34
DD12421.4	09/08/2015	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	-230.59
DD12421.5	09/08/2015	SUN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-183.09
DD12421.6	09/08/2015	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	-366.18
DD12421.7	09/08/2015	ONE STEP SUPER	SUPERANNUATION CONTRIBUTIONS	-198.90
DD12421.8	09/08/2015	JOHN AND GAYNA SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	-529.88
DD12421.9	09/08/2015	REST	SUPERANNUATION CONTRIBUTIONS	-625.88
DD12435.1	21/08/2015	VIVA ENERGY AUSTRALIA	DIESEL FUEL	-197.94
DD12443.1	23/08/2015	WA LOCAL GOV SUPERANNUATION PLAN	PAYROLL DEDUCTIONS	-4547.27
DD12443.2	23/08/2015	PRIME SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-230.62
DD12443.3	23/08/2015	AMP SUPERANNUATION	PAYROLL DEDUCTIONS	-378.34
DD12443.4	23/08/2015	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	-135.59
DD12443.5	23/08/2015	SUN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-183.09
DD12443.6	23/08/2015	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	-366.18
DD12443.7	23/08/2015	ONE STEP SUPER	SUPERANNUATION CONTRIBUTIONS	-198.90
DD12443.8	23/08/2015	JOHN AND GAYNA SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	-529.88
DD12443.9	23/08/2015	REST	SUPERANNUATION CONTRIBUTIONS	-607.97

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
DD12421.10	09/08/2015	HOSTPLUS PTY LTD	SUPERANNUATION CONTRIBUTIONS	-527.78
DD12421.11	09/08/2015	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	-163.67
DD12421.12	09/08/2015	AMP SUPERLEADER	SUPERANNUATION CONTRIBUTIONS	-180.42
DD12421.13	09/08/2015	WESTPAC SECURITIES ADMINISTRATION LTD	SUPERANNUATION CONTRIBUTIONS	-193.21
DD12421.14	09/08/2015	MACQUARIE SUPER ACCUMULATOR	SUPERANNUATION CONTRIBUTIONS	-199.71
DD12421.15	09/08/2015	MTAA SUPER FUND	SUPERANNUATION CONTRIBUTIONS	-206.96
DD12443.10	23/08/2015	HOSTPLUS PTY LTD	SUPERANNUATION CONTRIBUTIONS	-577.36
DD12443.11	23/08/2015	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	-169.91
DD12443.12	23/08/2015	AMP SUPERLEADER	SUPERANNUATION CONTRIBUTIONS	-194.49
DD12443.13	23/08/2015	WESTPAC SECURITIES ADMINISTRATION LTD	SUPERANNUATION CONTRIBUTIONS	-193.21
DD12443.14	23/08/2015	MACQUARIE SUPER ACCUMULATOR	SUPERANNUATION CONTRIBUTIONS	-186.46
DD12443.15	23/08/2015	MTAA SUPER FUND	SUPERANNUATION CONTRIBUTIONS	-206.96
<b>TOTAL</b>				<b>\$19,616.77</b>

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

**SHIRE OF SHARK BAY – TRUST CHEQUES – AUGUST 2015**

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
1061	25/08/2015	TR & M TOMASINI	LIBRARY REFUND	-50.00
151602	31/08/2015	COMMISSIONER OF POLICE	POLICE LICENSING AUG 2015	-22189.50
<b>TOTAL</b>				<b>\$22,239.50</b>

**SHIRE OF SHARK BAY – TRUST EFT PAYMENT AUGUST 2015**

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT18110	11/08/2015	EVELYN BRAND	LIBRARY REFUND	-50.00
EFT18111	11/08/2015	RALF JAEHRLING	GYM CARD REFUND	-20.00
EFT18112	11/08/2015	KATHERINE OLSEN	GYN CARD REFUND	-20.00
EFT18113	11/08/2015	SUSAN ROLFE	LIBRARY REFUND	-50.00
EFT18114	11/08/2015	ELAINE WILLIAMS	LIBRARY REFUND	-50.00
EFT18129	13/08/2015	RON GORDON	GYM CARD RETURN	-20.00
EFT18130	13/08/2015	MAHER JARROUJ	GYM CARD REFUND	-20.00
EFT18131	13/08/2015	MITRE 10 SHARK BAY MARINE & HARDWARE	OVERPAYMENT OF BCITF	-3.00
EFT18205	25/08/2015	ANNA TAYLOR	LIBRARY REFUND	-50.00
EFT18206	25/08/2015	YADGALAH ABORIGINAL CORP	MARQUEE REFUND	-700.00
EFT18207	26/08/2015	STEPHEN PAUL LOW	GYM CARD RETURN	-20.00
EFT18208	26/08/2015	ANNA TAYLOR	GYM CARD RETURN	-20.00
<b>TOTAL</b>				<b>\$1,023.00</b>



30 SEPTEMBER 2015

<b>SHIRE OF SHARK BAY</b>					
<b>MONTHLY FINANCIAL REPORT</b>					
<b>For the Period Ended 31 August 2015</b>					
<b>LOCAL GOVERNMENT ACT 1995</b>					
<b>LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996</b>					
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MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

SHIRE OF SHARK BAY							
STATEMENT OF FINANCIAL ACTIVITY							
(Statutory Reporting Program)							
For the Period Ended 31 August 2015							
	Note	Original Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
<b>Operating Revenues</b>							
Governance		12,605	0	3,755	3,755	0.00%	▲
General Purpose Funding - Rates	9	1,214,780	1,243,700	1,179,858	(63,842)	(5.1%)	▼
General Purpose Funding - Other		1,961,795	479,125	246,827	(232,298)	(48.5%)	▼
Law, Order and Public Safety		93,350	56,425	4,494	(51,931)	(92%)	▲
Health		750	750	751	1	0.13%	▲
Housing		88,660	21,204	17,800	(3,404)	(16.1%)	▲
Community Amenities		272,000	210,251	212,465	2,214	1.05%	▲
Recreation and Culture		307,900	54,374	63,118	8,744	16.1%	▲
Transport		454,556	120,154	114,773	(5,381)	(4.5%)	▲
Economic Services		730,107	165,047	15,046	(150,001)	(90.9%)	▼
Other Property and Services		25,000	6,250	5,827	(423)	0.00%	▲
<b>Total Operating Revenue</b>		<b>5,161,503</b>	<b>2,357,280</b>	<b>1,864,713</b>	<b>(492,567)</b>	<b>(20.90%)</b>	<b>▼</b>
<b>Operating Expense</b>							
Governance		(304,825)	(80,659)	(86,638)	(5,979)	7.4%	▼
General Purpose Funding		(122,096)	(32,648)	(22,296)	10,352	(31.7%)	▲
Law, Order and Public Safety		(334,324)	(125,722)	(60,178)	65,544	(52.1%)	▼
Health		(55,358)	(3,679)	(8,534)	(4,855)	132.0%	▼
Housing		(174,917)	(46,209)	(21,040)	25,169	(54.5%)	▲
Community Amenities		(639,881)	(174,132)	(86,426)	87,706	(50.4%)	▲
Recreation and Culture		(1,932,180)	(513,965)	(207,130)	306,835	(59.7%)	▲
Transport		(2,028,899)	(506,010)	(247,415)	258,595	(51.1%)	▲
Economic Services		(1,210,314)	(300,503)	(126,890)	173,613	(57.8%)	▲
Other Property and Services		(25,000)	(11,489)	48,056	59,545	(518.3%)	▲
<b>Total Operating Expenditure</b>		<b>(6,827,793)</b>	<b>(1,795,016)</b>	<b>(818,492)</b>	<b>976,524</b>	<b>(54.4%)</b>	
<b>Funding Balance Adjustments</b>							
Add back Depreciation		2,355,680	165,354	0	(165,354)		
Adjust (Profit)/Loss on Asset Disposal	8	(543)	0		0		
Adjust Provisions and Accruals		0	0	(116,250)	0		
<b>Net Cash from Operations</b>		<b>688,846</b>	<b>727,618</b>	<b>929,971</b>	<b>318,603</b>		
<b>Capital Revenues</b>							
Grants, Subsidies and Contributions	11	7,582,260	0	80,942	80,942	0.0%	
Proceeds from Disposal of Assets	8	206,000	0	0	0	0.0%	
<b>Total Capital Revenues</b>		<b>7,788,260</b>	<b>0</b>	<b>80,942</b>	<b>80,942</b>		
<b>Capital Expenses</b>							
Land Held for Resale							
Land and Buildings	13	(102,675)	0	(46,544)	(46,544)	0.00%	▼
Infrastructure - Roads	13	(1,106,349)	(69,753)	(6,739)	63,014	90.3%	▲
Infrastructure - Public Facilities	13	(7,615,580)	(95,601)	(147,756)	(52,155)	(54.6%)	▼
Infrastructure - Streetscapes	13	(50,000)	0	0	0	0.0%	
Infrastructure - Footpaths	13	(50,000)	0	(2,161)	(2,161)	0.0%	▼
Infrastructure - Drainage	13	(40,000)	0	(16,280)	(16,280)	0.0%	▼
Heritage Assets	13	(10,000)	0	(3,642)	(3,642)	0.0%	▼
Plant and Equipment	13	(869,000)	0	0	0	0.0%	
Furniture and Equipment	13	(22,000)	0	(1,839)	(1,839)	0.0%	▼
<b>Total Capital Expenditure</b>		<b>(9,865,604)</b>	<b>(165,354)</b>	<b>(224,962)</b>	<b>(59,608)</b>	<b>(36.0%)</b>	
<b>Net Cash from Capital Activities</b>		<b>(2,077,344)</b>	<b>(165,354)</b>	<b>(144,020)</b>	<b>21,334</b>	<b>12.90%</b>	
<b>Financing</b>							
Proceeds from New Debentures		0	0	0	0		
Transfer from Reserves	7	1,361,289	0	0	0		
Repayment of Debentures	10	(111,745)	(34,915)	(34,332)	583	1.7%	▲
Transfer to Reserves	7	(519,027)	0	(19,165)	(19,165)	0.0%	
<b>Net Cash from Financing Activities</b>		<b>730,517</b>	<b>(34,915)</b>	<b>(53,497)</b>	<b>(18,582)</b>	<b>(53.22%)</b>	
<b>Net Operations, Capital and Financing</b>		<b>(657,981)</b>	<b>527,349</b>	<b>732,454</b>	<b>321,355</b>	<b>(38.89%)</b>	<b>▲</b>
<b>Opening Funding Surplus(Deficit)</b>	3	<b>657,981</b>	<b>657,981</b>	<b>2,432,569</b>	<b>1,774,588</b>		
<b>Closing Funding Surplus(Deficit)</b>	3	<b>0</b>	<b>1,185,330</b>	<b>3,165,023</b>	<b>2,095,943</b>	<b>(167.02%)</b>	<b>▲</b>

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.  
Refer to Note 2 for an explanation of the reasons for the variance.

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

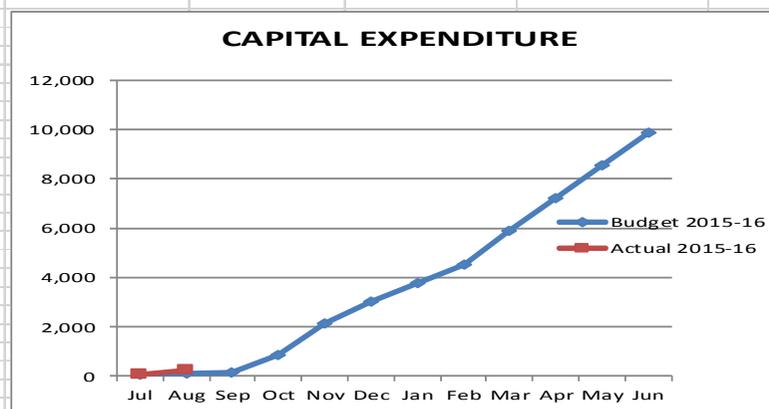
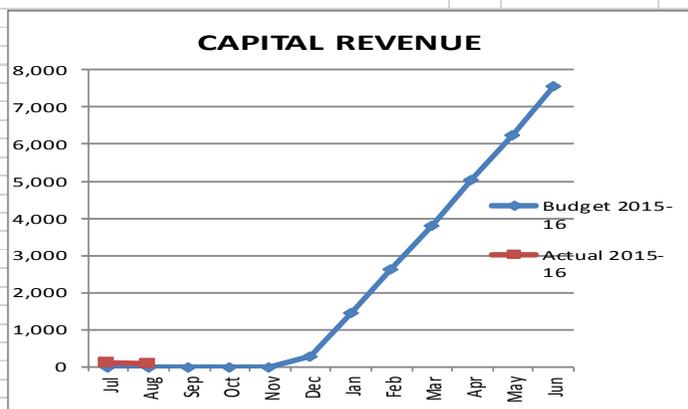
SHIRE OF SHARK BAY				
STATEMENT OF FINANCIAL ACTIVITY				
(By Nature or Type)				
For the Period Ended 31 August 2015				
			YTD Budget (a)	YTD Actual (b)
	Note	Original Budget		
<b>Operating Revenues</b>				
Rates	9	\$ 1,206,380	\$ 1,241,452	\$ 1,175,951
Operating Grants, Subsidies and Contributions	11	2,382,428	583,752	321,158
Fees and Charges		1,231,425	437,305	323,078
Interest Earnings		75,694	8,499	15,634
Other Revenue		237,175	67,266	28,893
Profit on Disposal of Assets	8	28,401	19,006	0
<b>Total Operating Revenue</b>		<b>5,161,503</b>	<b>2,357,280</b>	<b>1,864,713</b>
<b>Operating Expense</b>				
Employee Costs		(1,938,330)	(469,488)	(299,349)
Materials and Contracts		(2,026,612)	(559,691)	(356,869)
Utility Charges		(158,750)	(39,726)	(16,243)
Depreciation on Non-Current Assets		(2,355,680)	(588,912)	0
Interest Expenses		(20,432)	0	3,468
Insurance Expenses		(129,668)	(64,835)	(89,353)
Other Expenditure		(170,462)	(72,364)	(60,147)
Loss on Disposal of Assets	8	(27,858)	0	0
<b>Total Operating Expenditure</b>		<b>(6,827,793)</b>	<b>(1,795,016)</b>	<b>(818,493)</b>
<b>Funding Balance Adjustments</b>				
Add back Depreciation		2,355,680	588,912	0
Adjust (Profit)/Loss on Asset Disposal	8	(543)	0	0
Adjust Provisions and Accruals		0	0	(116,250)
<b>Net Cash from Operations</b>		<b>688,846</b>	<b>1,151,176</b>	<b>929,971</b>
<b>Capital Revenues</b>				
Grants, Subsidies and Contributions	11	7,582,260	0	80,942
Proceeds from Disposal of Assets	8	206,000	0	0
<b>Total Capital Revenues</b>		<b>7,788,260</b>	<b>0</b>	<b>80,942</b>
<b>Capital Expenses</b>				
Land Held for Resale		0	0	0
Land and Buildings	13	(102,675)	0	(46,544)
Infrastructure - Roads	13	(1,106,349)	(69,753)	(6,739)
Infrastructure - Public Facilities	13	(7,615,580)	(95,601)	(147,756)
Infrastructure - Streetscapes	13	(50,000)	0	0
Infrastructure - Footpaths	13	(50,000)	0	(2,161)
Infrastructure - Drainage	13	(40,000)	0	(16,280)
Heritage Assets	13	(10,000)	0	(3,642)
Plant and Equipment	13	(869,000)	0	0
Furniture and Equipment	13	(22,000)	0	(1,839)
<b>Total Capital Expenditure</b>		<b>(9,865,604)</b>	<b>(165,354)</b>	<b>(224,962)</b>
<b>Net Cash from Capital Activities</b>		<b>(2,077,344)</b>	<b>(165,354)</b>	<b>(144,020)</b>
<b>Financing</b>				
Proceeds from New Debentures		0	0	0
Transfer from Reserves	7	1,361,289	0	0
Repayment of Debentures	10	(111,745)	(34,915)	(34,332)
Transfer to Reserves	7	(519,027)	0	(19,165)
<b>Net Cash from Financing Activities</b>		<b>730,517</b>	<b>(34,915)</b>	<b>(53,497)</b>
<b>Net Operations, Capital and Financing</b>		<b>(657,981)</b>	<b>950,907</b>	<b>732,454</b>
<b>Opening Funding Surplus(Deficit)</b>	3	<b>657,981</b>	<b>657,981</b>	<b>2,432,569</b>
<b>Closing Funding Surplus(Deficit)</b>	3	<b>0</b>	<b>1,608,888</b>	<b>3,165,023</b>

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

SHIRE OF SHARK BAY  
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING  
For the Period Ended 31 August 2015

Capital Acquisitions	Note	YTD Actual New /Upgrade (a)	YTD Actual (Renewal Expenditure) (b)	YTD Actual Total (c) = (a)+(b)	YTD Budget (d)	Original Budget	Variance (d) - (c)
Land and Buildings	13	\$ 0	\$ 46,544	\$ 46,544	\$ 0	\$ 102,675	\$ (46,544)
Infrastructure Assets - Roads	13	0	6,739	6,739	69,753	1,106,349	63,014
Infrastructure Assets - Public Facilities	13	43,638	104,118	147,756	95,601	7,615,580	(52,155)
Infrastructure Assets - Footpaths	13	2,161	0	2,161	0	50,000	(2,161)
Infrastructure Assets - Drainage	13	0	16,280	16,280	0	40,000	(16,280)
Infrastructure Assets - Streetscapes	13	0	0	0	0	50,000	0
Heritage Assets	13	0	3,642	3,642	0	10,000	(3,642)
Plant and Equipment	13	0	0	0	0	869,000	0
Furniture and Equipment	13	0	1,839	1,839	0	22,000	(1,839)
<b>Capital Expenditure Totals</b>		<b>45,799</b>	<b>179,163</b>	<b>224,962</b>	<b>165,354</b>	<b>9,865,604</b>	<b>(59,608)</b>



MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

SHIRE OF SHARK BAY	
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY	
For the Period Ended 31 August 2015	
<b>1.</b>	<b>SIGNIFICANT ACCOUNTING POLICIES</b>
<b>(a)</b>	<b>Basis of Preparation</b>
	This report has been prepared in accordance with applicable Australian Accounting Standards (as they apply to local government and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this budget are presented below and have been consistently applied unless stated otherwise.
	Except for cash flow and rate setting information, the report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.
	<b>The Local Government Reporting Entity</b>
	All Funds through which the Council controls resources to carry on its functions have been included in the financial statements forming part of this budget.
	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 financial statements. A separate statement of those monies appears at Note 16 to this budget document.
<b>(b)</b>	<b>Rounding Off Figures</b>
	All figures shown in this report, other than a rate in the dollar, are rounded to the nearest dollar.
<b>©</b>	<b>Rates, Grants, Donations and Other Contributions</b>
	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.
<b>(d)</b>	<b>Goods and Services Tax (GST)</b>
	Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).
	Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.
	Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.
<b>€</b>	<b>Superannuation</b>
	The Council contributes to a number of Superannuation Funds on behalf of employees
	All funds to which the Council contributes are defined contribution plans.
SHIRE OF SHARK BAY	

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

SHIRE OF SHARK BAY				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 30 September 2015				
<b>1.</b>	<b>SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>			
	<b>(f) Cash and Cash Equivalents</b>			
	Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks, other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts.			
	Bank overdrafts are shown as short term borrowings in current liabilities in the statement of financial position.			
	<b>(g) Trade and Other Receivables</b>			
	Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.			
	Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.			
	Collectability of trade and other 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.			
	<b>(h) Inventories</b>			
	<b>General</b>			
	Inventories are measured 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 necessary to make the sale.			
	<b>Land Held for Resale</b>			
	Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed.			
	Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point.			
	Land held for sale is classified as current except where it is held as non-current based on Council's intentions to release for sale.			
	<b>(i) Fixed Assets</b>			
	Each class of fixed assets within either property, plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.			
	<b>Mandatory Requirement to Revalue Non-Current Assets</b>			
	Effective from 1 July 2012, the Local Government (Financial Management) Regulations were amended and the measurement of non-current assets at Fair Value became mandatory.			

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

SHIRE OF SHARK BAY						
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY						
For the Period Ended 31 August 2015						
<b>1. SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>						
<b>(j) Fixed Assets (Continued)</b>						
<b><i>Land Under Control</i></b>						
In accordance with Local Government (Financial Management) Regulation 16(a), the Council was required to include as an asset (by 30 June 2013), Crown Land operated by the local government as a golf course, showground, racecourse or other sporting or recreational facility of state or regional significance.						
Upon initial recognition, these assets were recorded at cost in accordance with AASB 116. They were then classified as Land and revalued along with other land in accordance with the other policies detailed in this Note.						
Whilst they were initially recorded at cost (being fair value at the date of acquisition (deemed cost) as per AASB 116) they were revalued along with other items of Land and Buildings at 30 June 2014.						
<b><i>Initial Recognition and Measurement between Mandatory Revaluation Dates</i></b>						
All assets are initially recognised at cost and subsequently revalued in accordance with the mandatory measurement framework detailed above.						
In relation to this initial measurement, 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 Council includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.						
Individual assets acquired between initial recognition and the next revaluation of the asset class in accordance with the mandatory measurement framework detailed above, are carried at cost less accumulated depreciation as management believes this approximates fair value. They will be subject to subsequent revaluation of the next anniversary date in accordance with the mandatory measurement framework.						

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

<b>SHIRE OF SHARK BAY</b>	
<b>NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY</b>	
<b>For the Period Ended 31 August 2015</b>	
<b>1. SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>	
<b>(j) Fixed Assets (Continued)</b>	
<b>Revaluation</b>	
Increases in the carrying amount arising on revaluation of assets are credited to a revaluation surplus in equity. Decreases that offset previous increases of the same asset are recognised against revaluation surplus directly in equity. All other decreases are recognised in profit or loss.	
<b>Transitional Arrangement</b>	
During the time it takes to transition the carrying value of non-current assets from the cost approach to the fair value approach, the Council may still be utilising both methods across differing asset classes.	
Those assets carried at cost will be carried in accordance with the policy detailed in the <b>Initial Recognition</b> section as detailed above.	
Those assets carried at fair value will be carried in accordance with the <b>Revaluation Methodology</b> section as detailed above.	
<b>Land Under Roads</b>	
In Western Australia, all land under roads is Crown land, the responsibility for managing which, is vested in the local government.	
Effective as at 1 July 2008, Council elected not to recognise any value for land under roads acquired on or before 30 June 2008. This accords with the treatment available in Australian Accounting Standard AASB 1051 Land Under Roads and the fact Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.	
In respect of land under roads acquired on or after 1 July 2008, as detailed above, Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.	
Whilst such treatment is inconsistent with the requirements of AASB 1051, Local Government (Financial Management) Regulation 4(2) provides, in the event of such an inconsistency, the Local Government (Financial Management) Regulations prevail.	
Consequently, any land under roads acquired on or after 1 July 2008 is not included as an asset of the Council.	
<b>Depreciation</b>	
The depreciable amount of all fixed assets including buildings but excluding freehold land, are depreciated on a straight-line basis over the individual asset's useful life from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful life of the improvements.	

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

<b>SHIRE OF SHARK BAY</b>	
<b>NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY</b>	
<b>For the Period Ended 31 August 2015</b>	
<b>1. SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>	
<b>(j) Fixed Assets (Continued)</b>	
Major depreciation periods used for each class of depreciable asset are:	
Buildings	25 to 50 years
Construction other than buildings (Public Facilities)	5 to 50 years
Plant and Equipment	5 to 15 years
Furniture and Equipment	4 to 10 years
Heritage	25 to 50 years
Roads	25 years
Footpaths	50 years
Sewerage piping	75 years
Water supply piping & drainage systems	75 years
The assets residual values and useful lives are reviewed, and adjusted if appropriate, at the end of each reporting period.	
An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.	
Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in profit or loss in the period which they arise.	
When revalued assets are sold, amounts included in the revaluation surplus relating to that asset are transferred to retained surplus.	
<b>Capitalisation Threshold</b>	
Expenditure on items of equipment under \$5,000 is not capitalised. Rather, it is recorded on an asset inventory listing.	
<b>(k) Fair Value of Assets and Liabilities</b>	
When performing a revaluation, the Council uses a mix of both independent and management valuations using the following as a guide:	
Fair Value is the price that Council would receive to sell the asset or would have to pay to transfer a liability, in an orderly (i.e. unforced) transaction between independent, knowledgeable and willing market participants at the measurement date.	

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

SHIRE OF SHARK BAY	
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY	
For the Period Ended 31 August 2015	
<b>1. SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>	
<b>(k) Fair Value of Assets and Liabilities (Continued)</b>	
	As fair value is a market-based measure, the closest equivalent observable market pricing information is used to determine fair value. Adjustments to market values may be made having regard to the characteristics of the specific asset. The fair values of assets that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data.
	To the extent possible, market information is extracted from either the principal market for the asset (i.e. the market with the greatest volume and level of activity for the asset or, in the absence of such a market, the most advantageous market available to the entity at the end of the reporting period (ie the market that maximises the receipts from the sale of the asset after taking into account transaction costs and transport costs).
	For non-financial assets, the fair value measurement also takes into account a market participant's ability to use the asset in its highest and best use or to sell it to another market participant that would use the asset in its highest and best use.
	<b>Fair Value Hierarchy</b>
	AASB 13 requires the disclosure of fair value information by level of the fair value hierarchy, which categorises fair value measurement into one of three possible levels based on the lowest level that an input that is significant to the measurement can be categorised into as follows:
	<b>Level 1</b>
	Measurements based on quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date.
	<b>Level 2</b>
	Measurements based on inputs other than quoted prices included in Level 1 that are observable for the asset or liability, either directly or indirectly.
	<b>Level 3</b>
	Measurements based on unobservable inputs for the asset or liability.
	The fair values of assets and liabilities that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data. If all significant inputs required to measure fair value are observable, the asset or liability is included in Level 2. If one or more significant inputs are not based on observable market data, the asset or liability is included in Level 3.
	<b>Valuation techniques</b>
	The Council selects a valuation technique that is appropriate in the circumstances and for which sufficient data is available to measure fair value. The availability of sufficient and relevant data primarily depends on the specific characteristics of the asset or liability being measured. The valuation techniques selected by the Council are consistent with one or more of the following valuation approaches:
	<b>Market approach</b>
	Valuation techniques that use prices and other relevant information generated by market transactions for identical or similar assets or liabilities.

MINUTES ORDINARY COUNCIL MEETING

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SHIRE OF SHARK BAY	
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY	
For the Period Ended 31 August 2015	
<b>1. SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>	
<b>(k) Fair Value of Assets and Liabilities (Continued)</b>	
<b>Income approach</b>	
Valuation techniques that convert estimated future cash flows or income and expenses into a single discounted present value.	
<b>Cost approach</b>	
Valuation techniques that reflect the current replacement cost of an asset at its current service capacity.	
Each valuation technique requires inputs that reflect the assumptions that buyers and sellers would use when pricing the asset or liability, including assumptions about risks. When selecting a valuation technique, the Council gives priority to those techniques that maximise the use of observable inputs and minimise the use of unobservable inputs. Inputs that are developed using market data (such as publicly available information on actual transactions) and reflect the assumptions that buyers and sellers would generally use when pricing the asset or liability and considered observable, whereas inputs for which market data is not available and therefore are developed using the best information available about such assumptions are considered unobservable.	
As detailed above, the mandatory measurement framework imposed by the Local Government (Financial Management) Regulations requires, as a minimum, all assets carried at a revalued amount to be revalued at least every 3 years.	
<b>(l) Financial Instruments</b>	
<b>Initial Recognition and Measurement</b>	
Financial assets and financial liabilities are recognised when the Council becomes a party to the contractual provisions to the instrument. For financial assets, this is equivalent to the date that the Council commits itself to either the purchase or sale of the asset (ie trade date accounting is adopted).	
Financial instruments are initially measured at fair value plus transaction costs, except where the instrument is classified 'at fair value through profit or loss', in which case transaction costs are expensed to profit or loss immediately.	
<b>Classification and Subsequent Measurement</b>	
Financial instruments are subsequently measured at fair value, amortised cost using the effective interest rate method, or cost.	
Amortised cost is calculated as:	
(a) the amount in which the financial asset or financial liability is measured at initial recognition;	
(b) less principal repayments and any reduction for impairment; and	
(c) plus or minus the cumulative amortisation of the difference, if any, between the amount initially recognised and the maturity amount calculated using the effective interest rate method.	

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SHIRE OF SHARK BAY	
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY	
For the Period Ended 31 August 2015	
<b>1. SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>	
<b>(l) Financial Instruments (Continued)</b>	
	The effective interest method is used to allocate interest income or interest expense over the relevant period and is equivalent to the rate that discounts estimated future cash payments or receipts (including fees, transaction costs and other premiums or discounts) through the expected life (or when this cannot be reliably predicted, the contractual term) of the financial instrument to the net carrying amount of the financial asset or financial liability. Revisions to expected future net cash flows will necessitate an adjustment to the carrying value with a consequential recognition of an income or expense in profit or loss.
	<i>(i) Financial assets at fair value through profit and loss</i>
	Financial assets are classified at "fair value through profit or loss" when they are held for trading for the purpose of short term profit taking. Assets in this category are classified as current assets. Such assets are subsequently measured at fair value with changes in carrying amount being included in profit or loss.
	<i>(ii) Loans and receivables</i>
	Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.
	Loans and receivables are included in current assets where they are expected to mature within 12 months after the end of the reporting period.
	<i>(iii) Held-to-maturity investments</i>
	Held-to-maturity investments are non-derivative financial assets with fixed maturities and fixed or determinable payments that the Council's management has the positive intention and ability to hold to maturity. They are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.
	Held-to-maturity investments are included in current assets where they are expected to mature within 12 months after the end of the reporting period. All other investments are classified as non-current.
	<i>(iv) Available-for-sale financial assets</i>
	Available-for-sale financial assets are non-derivative financial assets that are either not suitable to be classified into other categories of financial assets due to their nature, or they are designated as such by management. They comprise investments in the equity of other entities where there is neither a fixed maturity nor fixed or determinable payments.
	They are subsequently measured at fair value with changes in such fair value (i.e. gains or losses) recognised in other comprehensive income (except for impairment losses). When the financial asset is derecognised, the cumulative gain or loss pertaining to that asset previously recognised in other comprehensive income is reclassified into profit or loss.
	Available-for-sale financial assets are included in current assets, where they are expected to be sold within 12 months after the end of the reporting period. All other available for sale financial assets are classified as non-current.
	<i>(v) Financial liabilities</i>
	Non-derivative financial liabilities (excl. financial guarantees) are subsequently measured at amortised cost. Gains or losses are recognised in the profit or loss.

MINUTES ORDINARY COUNCIL MEETING

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SHIRE OF SHARK BAY			
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY			
For the Period Ended 31 August 2015			
<b>1.</b>	<b>SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>		
	<b>(l) Financial Instruments (Continued)</b>		
	<b><i>Impairment</i></b>		
	A financial asset is deemed to be impaired if, and only if, there is objective evidence of impairment as a result of one or more events (a "loss event") having occurred, which has an impact on the estimated future cash flows of the financial asset(s).		
	In the case of available-for-sale financial assets, a significant or prolonged decline in the market value of the instrument is considered a loss event. Impairment losses are recognised in profit or loss immediately. Also, any cumulative decline in fair value previously recognised in other comprehensive income is reclassified to profit or loss at this point.		
	In the case of financial assets carried at amortised cost, loss events may include: indications that the debtors or a group of debtors are experiencing significant financial difficulty, default or delinquency in interest or principal payments; indications that they will enter bankruptcy or other financial reorganisation; and changes in arrears or economic conditions that correlate with defaults.		
	For financial assets carried at amortised cost (including loans and receivables), a separate allowance account is used to reduce the carrying amount of financial assets impaired by credit losses. After having taken all possible measures of recovery, if management establishes that the carrying amount cannot be recovered by any means, at that point the written-off amounts are charged to the allowance account or the carrying amount of impaired financial assets is reduced directly if no impairment amount was previously recognised in the allowance account.		
	<b><i>Derecognition</i></b>		
	Financial assets are derecognised where the contractual rights for receipt of cash flows expire or the asset is transferred to another party, whereby the Council no longer has any significant continual involvement in the risks and benefits associated with the asset.		
	Financial liabilities are derecognised where the related obligations are discharged, cancelled or expired. The difference between the carrying amount of the financial liability extinguished or transferred to another party and the fair value of the consideration paid, including the transfer of non-cash assets or liabilities assumed, is recognised in profit or loss.		
	<b>(m) Impairment of Assets</b>		
	In accordance with Australian Accounting Standards the Council's assets, other than inventories, are assessed at each reporting date to determine whether there is any indication they may be impaired.		
	Where such an indication exists, an impairment test is carried out on the asset by comparing the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, to the asset's carrying amount.		
	Any excess of the asset's carrying amount over its recoverable amount is recognised immediately in profit or loss, unless the asset is carried at a revalued amount in accordance with another standard (e.g. AASB 116) whereby any impairment loss of a revaluation decrease in accordance with that other standard.		

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

SHIRE OF SHARK BAY	
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY	
For the Period Ended 31 August 2015	
<b>1.</b>	<b>SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>
<b>(m)</b>	<b>Impairment of Assets (Continued)</b>
	For non-cash generating assets such as roads, drains, public buildings and the like, value in use is represented by the depreciated replacement cost of the asset.
<b>(n)</b>	<b>Trade and Other Payables</b>
	Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.
<b>(o)</b>	<b>Employee Benefits</b>
	<b>Short-Term Employee Benefits</b>
	Provision is made for the Council's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.
	The Council's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the statement of financial position. The Council's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.
	<b>Other Long-Term Employee Benefits</b>
	Provision is made for employees' long service leave and annual leave entitlements not expected to be settled wholly within 12 months after the end of the annual reporting period in which the employees render the related service. Other long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations or service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur.
	The Council's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Council does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 31 August 2015					
<b>1. SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>					
<b>(p) Borrowing Costs</b>					
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 until such time as the asset is substantially ready for its intended use or sale.					
<b>(q) Provisions</b>					
Provisions are recognised when the Council has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.					
Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.					
<b>(r) Current and Non-Current Classification</b>					
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 the 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 sale where it is held as non-current based on the Council's intentions to release for sale.					

MINUTES ORDINARY COUNCIL MEETING

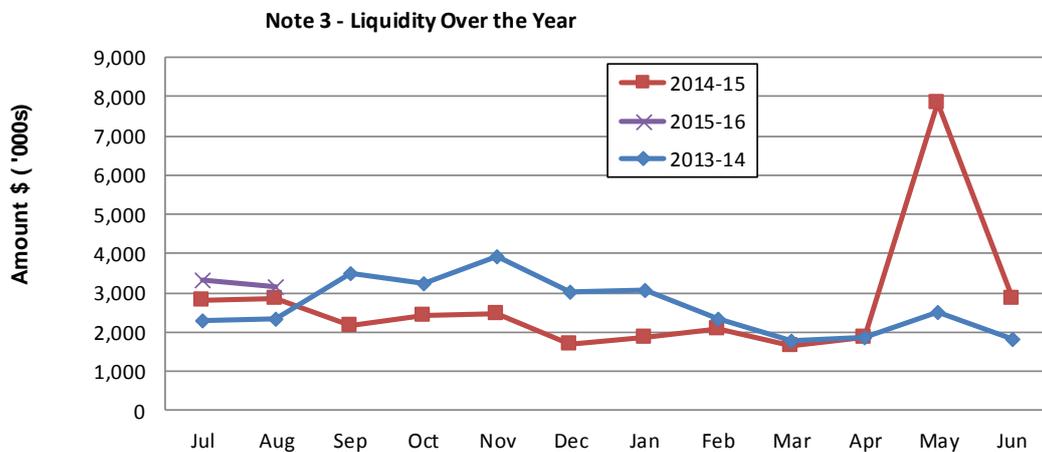
30 SEPTEMBER 2015

Shire of Shark Bay					
EXPLANATION OF MATERIAL VARIANCES					
For the Period Ended 31 August 2015					
Note 2: EXPLANATION OF MATERIAL VARIANCES					
Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
<b>Operating Revenues</b>	\$	%			
Governance	3,755	0	▲	Permanent	No reportable variance
General Purpose Funding - Rates	(63,842)	(5.13%)	▼	Permanent	Variance is due to Rates paid in advance being applied to this area.
General Purpose Funding - Other	(232,298)	(48.48%)	▼	Permanent	Variance is due to the prepayment of half of the 15-16 FAG being made in June.
Law, Order and Public Safety	(51,931)	(92.04%)	▲	Timing	Reimbursements from SES and St Johns Ambulance for utilities at Emergency Services Precinct - YTD budget incorrect
Health	1	0.13%	▲	Permanent	No reportable variance
Housing	(3,404)	(16.06%)	▲	Timing	Pensioner Units rents invoiced in advance
Community Amenities	2,214	1.05%	▲	Permanent	Planning applications and Refuse site fees higher than expected.
Recreation and Culture	8,744	16.08%	▲	Permanent	Increase sales at Shark Bay Discovery Centre and annual Gym fees raised
Transport	(5,381)	(4.48%)	▲	Timing	Pen and berthing annual accounts raised
Economic Services	(150,001)	(90.88%)	▼	Timing	Income from Monkey Mia Road and Shark Bay Road yet to be raised
Other Property and Services	(423)	0.0%	▲	Permanent	YTD budget incorrect
<b>Operating Expense</b>					
Governance	(5,979)	7.41%	▼	Timing	YTD budget did not take into account annual charges which are paid in July.
General Purpose Funding	10,352	(31.71%)	▲	Permanent	No reportable variance
Law, Order and Public Safety	65,544	(52.13%)	▼	Permanent	Annual insurance costs and Cyclone expenses are impacting on this program
Health	(4,855)	131.96%	▼	Timing	Health expenses allocation less than expected
Housing	25,169	(54.47%)	▲	Permanent	No depreciation charged this year
Community Amenities	87,706	(50.37%)	▲	Timing	Planning Scheme costs less than expected at this time
Recreation and Culture	306,835	(59.70%)	▲	Timing	No depreciation charged this year
Transport	258,595	(51.10%)	▲	Timing	No depreciation charged this year
Economic Services	173,613	(57.77%)	▲	Timing	No depreciation charged this year and Main Roads expenses less than expected
Other Property and Services	59,545	(518.28%)	▲	Timing	Less expenditure in Public Works overheads than expected.
<b>Capital Revenues</b>					
Grants, Subsidies and Contributions	80,942	0.00%	‡	Timing	Awaiting Capital Grants for Foreshore and R2R.
Proceeds from Disposal of Assets	0	0.0%	‡	Permanent	No reportable variance
<b>Capital Expenses</b>					
Land and Buildings	(46,544)	0.0%	▼	Timing	YTD budget incorrect
Infrastructure - Roads	63,014	90.34%	▲	Timing	Road projects yet to be commenced
Infrastructure - Public Facilities	(52,155)	(54.56%)	▼	Timing	Carried Forward project expenditure impacting on this activity
Infrastructure - Footpaths	(2,161)	0.0%	▼	Permanent	No reportable variance
Infrastructure - Drainage	(16,280)	0.0%	▼	Timing	YTD budget incorrect
Heritage Assets	(3,642)	0.0%	▼	Timing	No reportable variance
Plant and Equipment	0	0.0%	‡	Timing	No reportable variance
Furniture and Equipment	(1,839)	0.0%	▼	Permanent	No reportable variance
<b>Financing</b>					
Loan Principal	583	1.67%	▼	Timing	No reportable variance

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

Shire of Shark Bay				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 31 August 2015				
<b>Note 3: NET CURRENT FUNDING POSITION</b>				
		Positive=Surplus (Negative=Deficit)		
	Note	YTD 31 Aug 2015	30th June 2015	YTD 31 Aug 2014
		\$	\$	\$
<b>Current Assets</b>				
Cash Unrestricted	4	8,621,234	2,225,145	1,741,117
Cash Restricted	4	2,054,669	7,744,335	1,994,965
Receivables - Rates	6	548,060	12,610	979,978
Receivables -Other	6	60,406	505,672	256,952
Interest / ATO Receivable/Trust		5,522	5,522	5,242
Inventories		110,379	110,379	146,545
		11,400,270	10,603,663	5,124,799
<b>Less: Current Liabilities</b>				
Payables		(253,634)	(208,647)	(79,784)
Provisions		(226,944)	(226,944)	(249,152)
		(5,700,000)	(5,700,000)	0
		(6,180,578)	(6,135,591)	(328,936)
Less: Cash Reserves	7	(2,054,669)	(2,035,504)	(1,994,965)
<b>Net Current Funding Position</b>		<b>3,165,023</b>	<b>2,432,569</b>	<b>2,800,898</b>



<b>Comments - Net Current Funding Position</b>				
Higher liquidity due to advance payment of Financial Assistance Grants in June				

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

Shire of Shark Bay							
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY							
For the Period Ended 31 August 2015							
<b>Note 4: CASH AND INVESTMENTS</b>							
	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Total Amount \$	Institution	Maturity Date
(a) <b>Cash Deposits</b>							
Municipal Bank Account	0.10%	86,526			86,526	Bankwest	At Call
Reserve Bank Account	0.00%		4,669		4,669	Bankwest	At Call
Telenet Saver	1.90%	1,815,622			1,815,622	Bankwest	At Call
Trust Bank Account	0.00%			12,112	12,112	Bankwest	At Call
Cash On Hand		800			800		On Hand
(b) <b>Term Deposits</b>							
WATC Grant Funding	1.95%	5,718,286			5,718,286	WATC	At Call
Muni Term Deposit	3.00%	1,000,000			1,000,000	Bankwest	Nov 2015
Trust	3.25%			92,320	92,320	Bankwest	Sept 2015
Reserve Investment Account	2.70%		1,015,000		1,015,000	Bankwest	Dec 2015
Reserve Investment Account	3.00%		1,035,000		1,035,000	Bankwest	Nov 2015
<b>Total</b>		8,621,234	2,054,669	104,432	10,780,335		
<b>Comments/Notes - Investments</b>							
Surplus funds invested for terms conducive to cashflow requirements							

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

Shire of Shark Bay

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

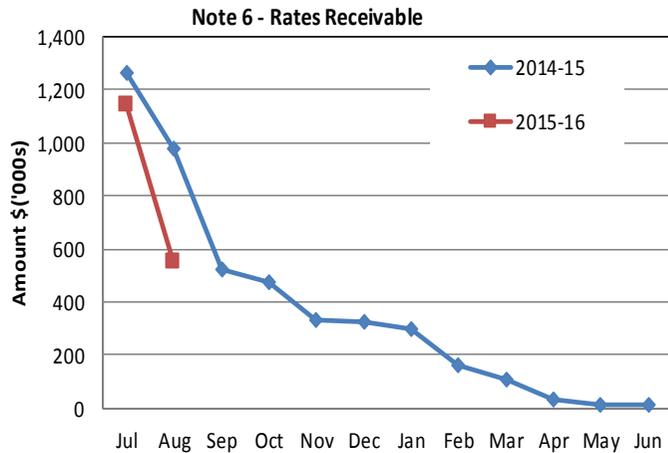
For the Period Ended 31 August 2015

**Note 6: RECEIVABLES**

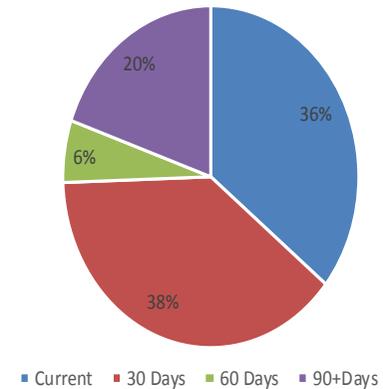
Receivables - Rates Receivable	YTD 31 Aug 2015	30 June 2015
	\$	\$
Opening Arrears Previous Years	5,744	6,217
Levied this year	1,175,951	1,119,537
Less Collections to date	(630,778)	(1,120,010)
Equals Current Outstanding	550,917	5,744
<b>Net Rates Collectable</b>	<b>550,917</b>	<b>5,744</b>
% Collected	53.38%	99.49%

Receivables - General	Current	30 Days	60 Days	90+Days
	\$	\$	\$	\$
Receivables - General	17,617	18,995	2,897	9,668
	0			
<b>Total Receivables General Outstanding</b>				<b>49,177</b>

Amounts shown above include GST (where applicable)



Receivables - General



**Comments/Notes - Receivables Rates**

Rates collection level is appropriate for this time of year

**Comments/Notes - Receivables General**

Debtors are at an acceptable level - no major debtors.

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

Shire of Shark Bay

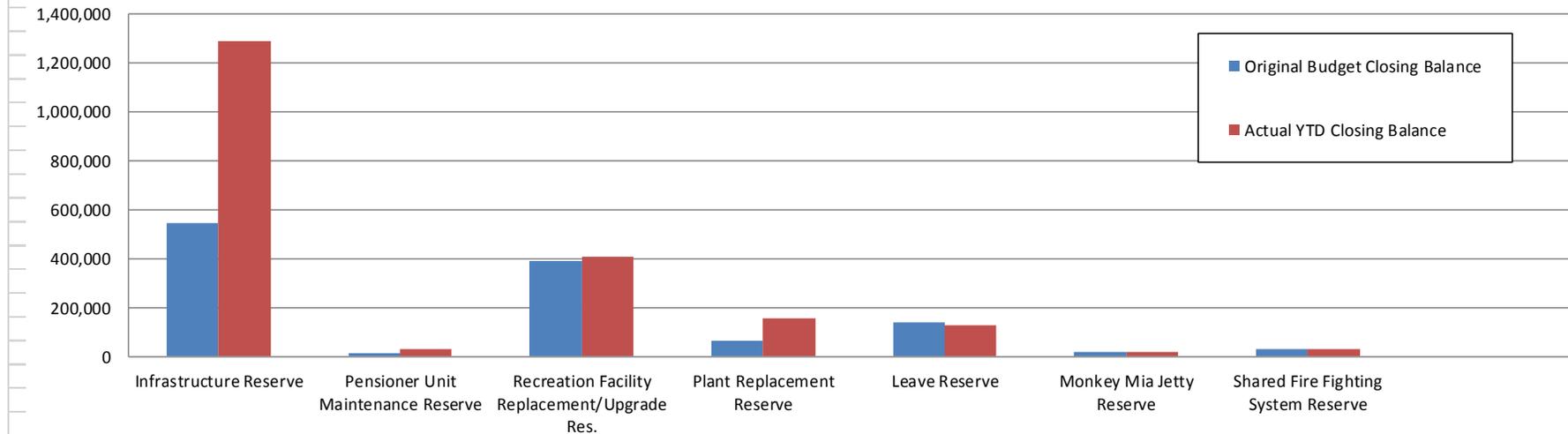
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ended 31 August 2015

**Note 7: Cash Backed Reserve**

2015-16		Original Budget Interest Earned	Actual Interest Earned	Original Budget Transfers In (+)	Actual Transfers In (+)	Original Budget Transfers Out (-)	Actual Transfers Out (-)	Transfer out Reference	Original Budget Closing Balance	Actual YTD Closing Balance
Name	Opening Balance									
	\$	\$	\$	\$	\$	\$	\$		\$	\$
Infrastructure Reserve	1,279,923	23,880	9,321	57,781	0	(819,614)	0		541,970	1,289,244
Pensioner Unit Maintenance Reserve	28,049	709	358	10,000	0	(28,675)	0		10,083	28,407
Recreation Facility Replacement/Upgrade Res.	401,657	8,505	5,144	0	0	(20,000)	0		390,162	406,801
Plant Replacement Reserve	152,853	3,824	2,131	400,000	0	(493,000)	0		63,677	154,984
Leave Reserve	126,569	3,163	1,617	10,000	0	0	0		139,732	128,186
Monkey Mia Jetty Reserve	19,866	498	254	0	0	0	0		20,364	20,120
Shared Fire Fighting System Reserve	26,587	667	340	0	0	0	0		27,254	26,927
	<b>2,035,504</b>	<b>41,246</b>	<b>19,165</b>	<b>477,781</b>	<b>0</b>	<b>(1,361,289)</b>	<b>0</b>		<b>1,193,242</b>	<b>2,054,669</b>

Note 7 - Year To Date Reserve Balance to End of Year Estimate



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Shire of Shark Bay

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ended 31 August 2015

Note 8 CAPITAL DISPOSALS

Actual YTD Profit/(Loss) of Asset Disposal					Original Budget YTD 31 08 2015			Comments
Cost	Accum Depr	Proceeds	Profit (Loss)		Original Annual Budget Profit/(Loss)	Actual Profit/(Loss)	Variance	
\$	\$	\$	\$	<b>Plant and Equipment</b>	\$	\$	\$	
				<b>Governance</b>				
				CEO Vehicle	974		(974)	
				EMFA Vehicle	5,381		(5,381)	
				<b>Transport</b>				
				Ute - Ranger	7,318		(7,318)	
				Ute - Country Supervisor	(5,666)		5,666	
				5 Tonne Tip Truck	(1,621)		1,621	
				Truck - Gardeners	(16,843)		16,843	
				Case Tractor	(2,480)		2,480	
				Slasher	(1,248)		1,248	
				Road Broom	0			
				Front end Loader	11,688		(11,688)	
				<b>Economic Services</b>				
				EMCD Vehicle	3,040		(3,040)	
0	0	0	0		543	0	(543)	

Comments - Capital Disposal/Replacements

Plant Replacement Program has yet to commence financially.

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Shire of Shark Bay											
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY											
For the Period Ended 31 August 2015											
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 \$	
<b>Note 9: RATING INFORMATION</b>											
<b>RATE TYPE</b>											
<b>Differential General Rate</b>											
GRV Rateable Property	8.8769	276	3,270,517	273,135		273,135	290,321	1,000		291,321	
GRV Vacant	8.8769	22	605,530	53,752		53,752	53,752			53,752	
GRV - Commercial	8.8769	43	2,088,443	181,182		181,182	185,389			185,389	
GRV - Industrial/Residential	8.8769	44	673,769	55,579		55,579	59,810			59,810	
GRV Industrial /Residential Vacant	8.8769	1	12,150	1,079		1,079	1,079			1,079	
GRV Rural Commercial	8.8769	5	316,160	28,065		28,065	28,065			28,065	
GRV Resort	8.8769	2	1,220,800	108,369		108,369	108,369			108,369	
UV General	19.5858	5	691,348	135,406		135,406	135,406	1,000		136,406	
UV Mining	19.5858	1	21,362	4,185		4,185	4,184			4,184	
UV Pastoral	12.5412	12	654,760	82,115		82,115	82,115			82,115	
UV Exploration	19.5858	10	650,624	139,593		139,593	142,399			142,398	
<b>Sub-Totals</b>		421	10,205,463	1,062,460	0	0	1,062,460	1,090,889	2,000	0	1,092,888
<b>Minimum Payment</b>											
GRV Rateable Property	800.00	91	709,717	72,800		72,800	72,800			72,800	
GRV Vacant	800.00	82	308,670	64,800		64,800	65,600			65,600	
GRV - Commercial	800.00	26	177,274	20,800		20,800	20,800			20,800	
GRV - Industrial/Residential	800.00	4	31,263	3,200		3,200	3,200			3,200	
GRV Industrial /Residential Vacant	800.00	1	7,850	800		800	800			800	
Rural Commercial	800.00		0	0		0	0			0	
GRV Resort	800.00		0	0		0	0			0	
UV General	800.00	5	7,858	4,000		4,000	4,000			4,000	
UV Mining	800.00	3	3,063	2,400		2,400	2,400			2,400	
UV Pastoral	800.00		0	0		0	0			0	
UV Exploration		0	0	800		800	0			0	
<b>Sub-Totals</b>		212	1,245,695	7,200	0	0	169,600	169,600			169,600
Concessions						(94,577)				(94,577)	
<b>Amount from General Rates</b>						<b>1,137,483</b>				<b>1,167,911</b>	
Specified Area Rates						38,468				38,468	
<b>Totals</b>						<b>1,175,951</b>				<b>1,206,379</b>	
<b>Comments - Rating Information</b>											
The variance between the budget and the actual amounts is due to the transfer of rates paid in advance in 2014/15 being applied to 2014/15 and reversed in 2015/16. Should the same trend of excess payments continue in 2015/16 then the level of rates received should reach the budgeted amount.											

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

Shire of Shark Bay								
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY								
For the Period Ended 31 August 2015								
10. INFORMATION ON BORROWINGS								
(a) Debenture Repayments								
Particulars	Principal 1-Jul-15	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual \$	Original Budget \$	Actual \$	Original Budget \$	Actual \$	Original Budget \$
Loan 48 - McCleary Property	27,749	0	13,639	27,749	14,110	0	0	2,373
Loan 48 - Shire Office	23,638	0	11,618	23,638	12,020	0	0	2,021
Loan 53 - Staff Housing	81,389	0	9,075	18,444	72,314	62,945	86	5,559
Loan 56 - Staff Housing	94,377	0	0	14,962	94,377	79,415	(722)	6,292
Loan 57 - Monkey Mia Bore	249,239	0	0	26,952	249,239	222,287	(2,832)	10,788
	476,392	0	34,332	111,745	442,060	364,647	(3,468)	27,033

All debenture repayments are financed by general purpose revenue except Loan 57 which is funded through a Specified Area Rate.  
Loan 48 will finish this financial year.

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

Shire of Shark Bay  
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
For the Period Ended 31 August 2015

**Note 11: GRANTS AND CONTRIBUTIONS**

Program/Details	Grant Provider	Approval	2015-16 Original Budget	Variations Additions (Deletions)	Operating	Capital	Recoup Status	
							Received	Not Received
		(Y/N)	\$	\$	\$	\$	\$	\$
<b>GENERAL PURPOSE FUNDING</b>								
Grants Commission - General	WALGGC	Y	1,456,000	0	1,456,000	0	180,238	1,275,762
Grants Commission - Roads	WALGGC	Y	418,501	0	418,501	0	48,182	370,319
<b>LAW, ORDER, PUBLIC SAFETY</b>								
FESA Grant - Operating Bush Fire Brigade	Dept. of Fire & Emergency Serv.	Y	7,000	0	7,000	0	0	7,000
Grant FESA - SES	Dept. of Fire & Emergency Serv.	Y	35,000	0	35,000	0	838	34,162
FESA SES Capital Grants	Dept. of Fire & Emergency Serv.	Y	50,000	0		50,000	0	50,000
<b>RECREATION AND CULTURE</b>								
Foreshore Revitalisation	Royalties for Regions	Y	6,450,000	0	0	6,450,000	0	6,450,000
Community Bus	Lotterywest	N	120,000	0	0	120,000	0	120,000
<b>TRANSPORT</b>								
Road Preservation Grant	State Initiative	Y	91,900	0	91,900	0	91,900	0
Useless Loop Road - Mtce	Main Roads WA	Y	300,000	0	300,000	0	0	300,000
Contributions - Road Projects	Pipeline	N	8,500	0	8,500	0	0	8,500
Roads To Recovery Grant - Cap	Roads to Recovery	Y	599,630	0	0	599,630	0	599,630
RRG Grants - Capital Projects	Regional Road Group	Y	246,005	0	0	246,005	80,942	165,063
Denham Recreational Boat Ramp	Recreational Boating Facilities Scheme	Y	116,625	0	0	116,625	0	116,625
<b>ECONOMIC SERVICES</b>								
Contributions-Seniors Projects	Council of the Aged WA	N	800	0	800	0	0	800
Grants - Community Activities	Dept. of Communities	N	2,000	0	2,000	0	0	2,000
Contribution - Monkey Mia	Dept. of Parks and Wildlife	Y	50,000	0	50,000	0	0	50,000
Contribution - Signage	Gascoyne Development Commission	N	12,727	0	12,727	0	0	12,727
<b>TOTALS</b>			<b>9,964,688</b>	<b>0</b>	<b>2,382,428</b>	<b>7,582,260</b>	<b>402,100</b>	<b>9,562,588</b>
			Operating		2,382,428		321,158	
			Non-operating		7,582,260		80,942	
					9,964,688		402,100	
<b>Comments - Operating and Non Operating Grants</b>								
The Shire received an advance payment of its total allocation (\$948,945) for 2015/16 at the end of 2014/15. Therefore the amount which will be reflected in this report for the year will be \$913,679 being the balance of the Shire's allocation. There was also a prepayment of the SES grant for 2015/16 received in 2014/15. This totalled \$10,657.50 and represents a quarter of the annual allocation.								

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**

**For the Period Ended 31 August 2015**

**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 15	Amount Received	Amount Paid	Closing Balance 31-Aug-15
	\$	\$	\$	\$
BCITF Levy Income	0	347	(3)	344
Library Card Bond	200	250	(300)	150
Kerb/Footpath Deposit	4,200	1,000	(1,700)	3,500
Bond Key	2,310	300	(480)	2,130
Police Licensing	2,386	65,001	(61,878)	5,509
Marquee Deposit	700	0	(700)	0
Building Licence Levy	41	438	0	479
Sunter Place - Recreation Reserve	92,320	0	0	92,320
Bookeasy Sales	0	102,789	(102,789)	0
	<b>102,157</b>	<b>169,778</b>	<b>(167,846)</b>	<b>104,089</b>

MINUTES ORDINARY COUNCIL MEETING

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CAPITAL WORKS PROGRAM 2015/16								
Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Original Annual Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
<b>Land and Buildings</b>								
<b>Governance</b>								
Admin Office Carpark	3.7.1	WKM	(30,000)	0	(2,187)	2,187	2,187	
<b>Governance Total</b>			<b>(30,000)</b>	<b>0</b>	<b>(2,187)</b>	<b>2,187</b>		
<b>Buildings</b>								
<b>Health</b>								
Demolition of Ambulance Building	3.7.1	WKM	(10,000)	0	0	0		
<b>Health Total</b>			<b>(10,000)</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<b>Housing</b>								
Staff housing Capital Works								
Staff Housing - 5 Spaven Way	1.2.4	CEO	(3,500)	0	0	0	0	
Staff Housing - 65 Brockman St	1.2.4	EMCD	(3,500)	0	0	0	0	
Staff Housing - 51 Durlacher St	1.2.4	EMFA	(3,500)	0	0	0	0	
Staff Housing - 80 Durlacher St	1.2.4	EMCD	(3,500)	0	0	0	0	
Pensioner Units Capital	3.7.1	EMCD	(28,675)	0	(1,284)	1,284	1,284	
<b>Housing Total</b>			<b>(42,675)</b>	<b>0</b>	<b>(1,284)</b>	<b>1,284</b>		
<b>Recreation and Culture</b>								
Denham Town Hall - c/fwd	3.7.1	EMCD	0	0	0	0	0	\$10,000 carry forward from 14/15
Denham Town Hall	3.7.1	EMCD	(20,000)	0	(2,416)	2,416	2,416	
Overlander Hall - c/fwd			0	0	(355)	355	355	
Recreation Centre - Sound Proofing - c/fwd	3.7.1	EMCD	0	0	(40,302)	40,302	40,302	\$50,000 carry forward from 14/15
			<b>(20,000)</b>	<b>0</b>	<b>(43,073)</b>	<b>43,073</b>		
<b>Land and Buildings Total</b>			<b>(102,675)</b>	<b>0</b>	<b>(46,544)</b>	<b>46,544</b>		
<b>Drainage/Culverts</b>								
<b>Transport</b>								
Drainage upgrades	3.7.1	WKM	(40,000)	0	(16,280)	16,280	16,280	
<b>Transport Total</b>			<b>(40,000)</b>	<b>0</b>	<b>(16,280)</b>	<b>16,280</b>		
<b>Drainage/Culverts Total</b>			<b>(40,000)</b>	<b>0</b>	<b>(16,280)</b>	<b>16,280</b>		
<b>Footpaths</b>								
<b>Transport</b>								
Footpath Construction	3.7.1	WKM	(50,000)	0	(2,161)	2,161		
<b>Transport Total</b>			<b>(50,000)</b>	<b>0</b>	<b>(2,161)</b>	<b>2,161</b>		
<b>Footpaths Total</b>			<b>(50,000)</b>	<b>0</b>	<b>(2,161)</b>	<b>2,161</b>		

MINUTES ORDINARY COUNCIL MEETING

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Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
<b>Furniture &amp; Office Equip.</b>								
<b>Governance</b>								
Council Chambers - Speaker System	1.2.1	EMFA	(12,000)	0	0	0		
<b>Governance Total</b>			<b>(12,000)</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<b>Recreation And Culture</b>								
Discovery Centre - Furniture & Equipment	2.4.1	EMCD	(10,000)	0	(1,839)	1,839	1,839	
<b>Recreation And Culture Total</b>			<b>(10,000)</b>	<b>0</b>	<b>(1,839)</b>	<b>1,839</b>		
<b>Furniture &amp; Office Equip. Total</b>			<b>(22,000)</b>	<b>0</b>	<b>(1,839)</b>	<b>1,839</b>		
<b>Heritage Assets</b>								
<b>Recreation And Culture</b>								
Shade over Velsheda	2.2.2	WKM	(10,000)	0	0	0	0	
Refurbishment of Old Jail and Stables - c/fwd	2.2.2	WKM	0	0	(3,642)	3,642	3,642	\$50,000 carry forward from 14/15
<b>Recreation And Culture Total</b>			<b>(10,000)</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<b>Heritage Assets Total</b>			<b>(10,000)</b>	<b>0</b>	<b>(3,642)</b>	<b>0</b>		
<b>Plant , Equipment and Vehicles</b>								
<b>Law, Order And Public Safety</b>								
SES Equipment	3.7.1	EMFA	(50,000)	0	0	0	0	
Vehicle - Ranger	3.7.1	WKM	(45,000)	0	0	0	0	
<b>Law, Order And Public Safety Total</b>			<b>(95,000)</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<b>Recreation and Culture</b>								
Community Bus	1.1.6	WKM	(120,000)	0	0	0	0	
<b>Recreation and Culture</b>			<b>(120,000)</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<b>Transport</b>								
CEO Vehicle	1.1.6	WKM	(71,000)	0	0	0	0	
EMFA Vehicle	1.1.6	WKM	(45,000)	0	0	0	0	
EMCD Vehicle	1.1.6	WKM	(45,000)	0	0	0	0	
5 Tonne Truck	1.1.6	WKM	(90,000)	0	0	0	0	
3 Tonne Truck	1.1.6	WKM	(45,000)	0	0	0	0	
Major Plant Items	1.1.6	WKM	(20,000)	0	0	0	0	
Bobcat and Trailer	1.1.6	WKM	(110,000)	0	0	0	0	
Refuse Site Loader	1.1.6	WKM	(180,000)	0	0	0	0	
Utility - Country	1.1.6	WKM	(48,000)	0	0	0	0	
<b>Transport Total</b>			<b>(654,000)</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<b>Plant , Equipment and Vehicles Total</b>			<b>(869,000)</b>	<b>0</b>	<b>0</b>	<b>0</b>		

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Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
<b>Public Facilities</b>								
<b>Community Amenities</b>								
Town Oval Bore - c/fwd	3.7.1	WKM	0	0	0	0	0	\$27,500 carried forward from 14/15
Town Oval Bore	3.7.1	WKM	(30,000)	(23,600)	(4,224)	(19,376)	4,224	
Refuse Tip and Recycling	2.4.2	WKM	(378,341)	0	0	0		
<b>Community Amenities Total</b>			<b>(408,341)</b>	<b>(23,600)</b>	<b>(4,224)</b>	<b>(19,376)</b>		
<b>Recreation And Culture</b>								
Recreation Grounds	1.6.7	WKM	(55,000)	(12,000)	(2,162)	(9,838)	2,162	
Denham Recreational Boat Ramp	3.7.1	WKM	(145,781)	0	(3,126)	3,126	3,126	
Foreshore Revitalisation	3.7.1	CEO	(6,966,458)	(50,001)	(66,915)	16,914	66,915	
Western Foreshore Gazebo Reroofing	3.7.1	WKM	(10,000)	(10,000)	0	(10,000)	0	
Replacement Gazebo - Nettas c/fwd			0	0	(2,234)	2,234	2,234	
Replace Shade shelters - Eastern Foreshore	3.7.1	WKM	(20,000)	0	(1,581)	1,581	1,581	
Childcare Centre Softfall	3.7.1	WKM	(10,000)	0	0	0	0	
Charlie Sappie Park - c/fwd	3.7.1	WKM	0	0	(22,988)	22,988	22,988	\$10,000 carried forward from 14/15
<b>Recreation And Culture Total</b>			<b>(7,207,239)</b>	<b>(72,001)</b>	<b>(99,007)</b>	<b>27,006</b>		
<b>Transport</b>								
Monkey Mia Jetty - c/fwd	1.6.5	WKM	0	0	(43,638)	43,638	0	
Monkey Mia Boat Ramp Carpark - c/fwd	1.6.5	WKM	0	0	(888)	888	888	
<b>Transport Total</b>			<b>0</b>	<b>0</b>	<b>(44,526)</b>	<b>44,526</b>		
<b>Public Facilities Total</b>			<b>(7,615,580)</b>	<b>(95,601)</b>	<b>(147,756)</b>	<b>52,155</b>		

MINUTES ORDINARY COUNCIL MEETING

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Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
<b>Roads (Non Town)</b>								
<b>Transport</b>								
Woodleigh-Bryo Floodway RRG	1.1.6	WKM	(137,712)	0	(78)	78	78	
Useless Loop Road - RRG 14/15	1.1.6	WKM	0	0	(6,661)	6,661	6,661	\$75,800 carried forward from 14/15
Useless Loop Road - RRG 15/16	1.1.6	WKM	(279,007)	(69,753)	0	(69,753)	0	
Hamelin Pool - Repair seal, shoulders etc	1.1.6	WKM	(90,000)	0	0	0	0	
Road Projects R2R 14/15	1.1.6	WKM	(199,877)	0	0	0	0	
Road Projects R2R 15/16	1.1.6	WKM	(399,753)	0	0	0	0	
<b>Transport Total</b>			<b>(1,106,349)</b>	<b>(69,753)</b>	<b>(6,739)</b>	<b>(63,014)</b>		
<b>Roads (Non Town) Total</b>			<b>(1,106,349)</b>	<b>(69,753)</b>	<b>(6,739)</b>	<b>(63,014)</b>	<b>0</b>	
<b>Streetscapes</b>								
<b>Economic Services</b>								
Tourism and Information Bay Signage	2.1.3	EMCD	(50,000)	0	0	0	0	
<b>Economic Services Total</b>			<b>(50,000)</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<b>Streetscapes Total</b>			<b>(50,000)</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<b>Capital Expenditure Total</b>			<b>(9,865,604)</b>	<b>(165,354)</b>	<b>(224,962)</b>	<b>55,966</b>		

30 SEPTEMBER 2015

12.3 CONCESSIONS ON COMMERCIAL/INDUSTRIAL PROPERTIES OCCUPIED BY PENSIONERS/SENIORS  
FM00003

Author

Executive Manager Finance and Administration

Disclosure of Any Interest

Nil

Moved           Cr Capewell  
Seconded       Cr Prior

**Council Resolution**

**That Council not apply concessional arrangements to commercial / industrial properties occupied by pensioners/seniors.**

**5/0 CARRIED**

Background

The *Rates and Charges (Rebates and Deferments) Act 1992* (the Act) provides for the administration of the pensioner concession scheme. There are rules associated with the receipt of concessions such as ownership of land, eligibility and occupation of the land as the principal place of residence.

Generally, the concessional arrangements are targeted at pensioner owned and occupied residential property. Therefore, it follows that commercial properties do not qualify for the Act's concessional arrangements.

Comment

Commercial property is generally excluded from the concessional arrangements because:

- Rate charges are tax deductible for commercial operations;
- The rating value reflects the non-residential use of the property;
- In respect to farm properties, the annual and volumetric charge, in the case of water, is levied at a discount to that which would apply to a residential land; and
- The owner/occupier of a commercial property may receive a double benefit if a pensioner rates concession is made available in addition to the above.

Notwithstanding the general exclusion of commercial property from the concessional arrangements, section 28(2) of the Act provides that:

*“where although land is used as the ordinary place of residence of the applicant or registered person and it is not the sole use of that land, the administrative authority may apportion the prescribed charge, and any rebate allowable, according to:*

- a. the extent to which the land is so used as a place of residence; and*
- b. any other use,*

## MINUTES ORDINARY COUNCIL MEETING

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*on a basis proportionate to the respective uses.”*

This provision enables Council to allow a concession, in an equitable way, to that part of the rates account relating to the residential use of a commercial property.

There are five concession options available to Council with regard to providing a concession to these properties.

1. No concession;
2. A proportionate rebate, based on the area used for residential purposes against that used for commercial or farm (income generating) purposes;
3. A proportionate rebate, by applying an arbitrary curtilage of 2 ha in respect to the residential component of the rated property;
4. A minimum rate or valuation based rate, for example, in the case of hobby farms or where the residence is situated on a distinct identifiable parcel of land that has no commercial use, irrespective of the property size; or
5. A concession based on the total rates levied against the property, notwithstanding that all or part of the property may have some commercial/farm use.

Currently, there are five pensioners who are receiving concessions while occupying commercial properties.

It is recommended that Council not apply any concession to commercial properties occupied by pensioners/seniors due to the reasons stated previously including the use of these properties for commercial purposes.

### Legal Implications

Section 28 (2) of the Rates and Charges (Rebates and Deferments) Act 1992 applies to this report.

### Policy Implications

There is currently no policy associated with this item.

### Financial Implications

There are no financial implications to Council associated with this item.

### Strategic Implications

There is no strategic reference for this item.

### Risk Management

There is a low risk to Council in accepting this recommendation.

### Voting Requirements

Simple Majority Required

### Signatures

Executive Manager Finance & Administration  
Chief Executive Officer  
Date of Report

*C Wood*  
*P Anderson*  
4 September 2015

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12.4 ANNUAL REPORT 2014/2015  
FM00009

Author

Chief Executive Officer

Disclosure of Any Interest

Nil

Moved           Cr Prior  
Seconded       Cr Capewell

**Council Resolution**

**That Council –**

- 1. Adopts the Shire of Shark Bay 2014/2015 Annual Report.**
- 2. Adopts the Shire of Shark Bay 2014/2015 audited annual financial statements.**
- 3. Adopts the Audit Report for 2014/2015 from the auditors Moore Stephens.**
- 4. Receives the Management Report for 2014/2015 from the Shire's auditors Moore Stephens.**
- 5. Require the Chief Executive Officer to make the Annual Report available and give public notice (14 days) of an Annual Electors' Meeting to be held in the Council Chambers at the Shark Bay Recreation Centre on 27 October 2015 (before 25 November 2015) commencing at 6.00pm, in accordance with section 5.27(2) of the *Local Government Act 1995*.**

**5/0 CARRIED BY ABSOLUTE MAJORITY**

Background

The 2014/2015 Annual Report, which includes the annual financial statements and auditor's report, has been prepared in accordance with section 5.53 of the Local Government Act and is attached under separate cover.

The Annual Report highlights the Shire's achievements in 2014/2015 under the outcomes in the Strategic Community Plan.

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. This means that the last day that the Council can hold an electors' meeting is 25 November 2015.

Comment

The annual financial statements are included in the Annual Report and reflect an unqualified audit report.

The audit management report comments on the financial ratios which local government is now required to report on in the annual financial statements. The ratios particularly identified by the auditor include the asset sustainability ratio, debt service cover ratio, and the operating service ratio.

MINUTES ORDINARY COUNCIL MEETING

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The auditor's comments follow:

**COMMENT ON RATIOS**

Ratios provide useful information when compared to industry and internal benchmarks and assist in identifying trends. Whilst not conclusive in themselves, understanding ratios, their trends and how they interact is beneficial for the allocation of scarce resources and planning for the future. Information relating to these ratios is summarised in the table below and commentary provided on the following pages.

	Target Ratio <sup>1</sup>	Council's Actual Ratios				Council's 4 Year Trend <sup>2</sup>	3 Year Average <sup>3</sup>	
		2015	2014	2013	2012		Regional	State
Current Ratio	≥ 1	4.88	2.91	3.27	2.78	↑	1.88	2.17
Asset Sustainability Ratio	≥ 1.1	0.77	0.76	1.20	1.16	↓	1.78	1.29
Debt Service Cover Ratio	≥ 15	15.95	-0.15	19.23	16.66	↑	17.54	14.53
Operating Surplus Ratio	≥ 0.15	-0.05	-0.67	0.05	-0.01	↑	-0.49	0.04
Own Source Revenue Coverage Ratio	≥ 0.9	0.45	0.46	0.46	0.47	↓	0.55	0.69
Asset Consumption Ratio	≥ 0.75	0.99	0.82	0.77	0.70	↑	0.79	0.68
Asset Renewal Funding Ratio	≥ 1.05	0.87	N/A	N/A	N/A	↔	1.09	0.88

<sup>1</sup> Target ratios per Department of Local Government Guidelines except the Debt Service Ratio which is a target devised by Moore Stephens (and based on experience).

<sup>2</sup> The 4 year trend compares the 2015 ratio to the average of the last 4 years (except for the Asset Consumption and Asset Renewal Funding Ratios which are the 3 year trend).

<sup>3</sup> The average in relation to the Regional and State comparisons is only a 3 year average of 2012, 2013 and 2014 as information in relation to 2015 is not yet available.

**COMMENT ON RATIOS (CONTINUED)**

Whilst at first glance it appears three ratios are below target levels, some further analysis is warranted due to specific circumstances relating to your Shire for the year ended 30 June 2015.

**Operating Surplus Ratio**

This ratio is below target levels but is trending upwards.

The Operating Surplus Ratio measures the Shire's financial sustainability having regard to asset management and the community's service level needs.

A negative ratio indicates the local government is experiencing an operating deficit. A sustained period of deficits will erode Council's ability to service debt and maintain both its operational service level and asset base over the longer term whilst a positive ratio which is consistently above 0.15 provides the Shire with greater flexibility in meeting operational service levels and asset management requirements.

The Shire's Statement of Comprehensive Income indicates the main reason for the upward trend to be an increase in operating grants, subsidies and contributions which includes a pre-payment of 50% of the 2015/16 Financial Assistance Grants (FAGs) amounting to \$948,945.

If the FAGs revenue mentioned above was excluded from the operating surplus ratio calculation, the adjusted ratio would be -0.36, resulting in a marginally downward trend.

Notwithstanding this, it has improved on the prior year and both Council and management need to be conscious of continuing an upward trend into the future.

**Asset Sustainability Ratio**

This ratio is below target levels and is trending downwards.

This ratio measures the extent to which assets are being renewed/replaced compared to the amount consumed (depreciation).

A ratio less than 0.90 indicates the local government is having difficulty undertaking a sustained capital investment program sufficient to renew/replace assets while also negating the effect of inflation on purchasing power over time.

The 2015 ratio (0.77) shows a slight improvement from the 2014 ratio (0.76) although it is still below the acceptable banding provided in DLG guidelines. In addition the four year average is trending downwards.

When this ratio is below 0.90, it should prompt a review of depreciation rates and asset valuations to ensure they are reasonable and are generating reliable representative depreciation expenditure.

Depending on the outcome of the depreciation and asset valuation reviews, it may also prompt a review of operations with a view to assessing the revenue raising capacity necessary to support the ongoing asset base.

Interpretation of this ratio should be considered together with the Asset Consumption Ratio (ACR) (above target at 0.99) and the Asset Renewal Funding Ratio (ARF) (within acceptable banding at 0.87).

The ACR and the ARF for the year suggest the Council is currently replacing or renewing its existing assets at about the same rate they are wearing out. Notwithstanding this, the Council should consider reviewing the Shire's long term capital investment program to help ensure asset renewal is maintained at an appropriate level with sufficient funding support in the future.

Nonetheless, Council and management should continue to monitor this ratio in the future as it attempts to fully understand the trend.

### Summary

Whilst the above mentioned ratios are below the accepted industry benchmark, given the relative strength of the other ratios and the Shire's balance sheet, lower ratios may be expected and acceptable in the short term, provided other measures/strategies are maximised.

As an example, to help alleviate the continued erosion of the operating surplus ratio over time, both Council and management will need to consider ways to improve the operating position. This is either via increasing own source revenue or by decreasing expenditure (or a combination of both).

This is dependent upon the Council and management understanding the circumstances and the interaction own source revenue has on other ratios and operations in general.

In addition, one off assessments of ratios at a particular point in time can only provide a snapshot of the financial position and operating situation of the Shire.

As is the case with all ratios and indicators, their interpretation is much improved if they are calculated as an average over time with the relevant trends being considered.

We will continue to monitor the financial position and ratios in future financial years and suggest it is prudent for Council and management to do so also as they strive to manage the scarce resources of the Shire.

The comment by the auditor in regard to the asset sustainability ratios indicated that a review of the depreciation rates should be undertaken. A review has commenced in recognition of the fair value principles that have been adopted and the results will be reflected in future asset ratios.

The auditor also commented that Council and management will need to consider ways to improve the operating position either by increasing own source revenue or by decreasing expenditure.

The budgets presented over the past have indicated the reliance upon external funding, escalating operational costs due to new assets and the importance of establishing whole of life costs when considering the procurement of additional assets.

It is important that the Council and management review all areas of service delivery in each budget and ensure all new asset proposals have the ongoing operational requirements fully assessed against the community's willingness to fund the ongoing expense.

### Legal Implications

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

## MINUTES ORDINARY COUNCIL MEETING

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30 SEPTEMBER 2015

### Policy Implications

There are no policy implications associated with this report.

### Financial Implications

The annual report includes the Shire's audited annual financial statements, which present the Shire's financial position as at 30 June 2015 and is a useful tool for evaluating the Shire's operations.

### Strategic Implications

Outcome 1.2 To improve fiscal management practices and procedures and maximise operating revenue and social capital.

### Voting Requirements

Absolute Majority Required

### Signatures

Chief Executive Officer

*P Anderson*

Date of Report

17 September 2015

30 SEPTEMBER 2015

**13. TOWN PLANNING REPORT**

**13.1 HIRE BUSINESS ALONG DENHAM FORESHORE  
RES39569**

AUTHOR  
CHIEF EXECUTIVE OFFICER

DISCLOSURE OF ANY INTEREST  
Declaration of Interest: Cr Prior  
Nature of Interest: Proximity Interest as has an office adjoining the foreshore

Cr Prior left Council Chamber at 3.57 pm and asked to return for the discussion.

Moved            Cr Laundry  
Seconded       Cr Bellottie

**Council Resolution**

**That Cr Prior be allowed to return to the Council Chamber for the discussion only.**

**4/0 CARRIED**

Cr Prior returned to the Council Chamber at 3.58 pm

Moved            Cr Cowell  
Seconded       Cr Capewell

**Council Resolution**

**That Council suspend Standing Orders, clause 9.5 Limitation on number speeches to be suspended at 3.59 pm for open discussion on the Hire Business along Denham Foreshore Item.**

**5/0 CARRIED**

Cr Prior left the Council Chamber at 4.17 pm.

Moved            Cr Capewell  
Seconded       Cr Laundry

**Council Resolution**

**That Council resume standing orders at 4.18 pm.**

**4/0 CARRIED**

Moved            Cr Capewell  
Seconded       Cr Laundry

**Council Resolution**

**That Council:**

- 1. Pursue Option 1 as outlined in this report for a trial period of 12 months following issue of the first licence to operate within the allocated area.**

30 SEPTEMBER 2015

2. **Note that any revised plan as outlined in Option 2 or 3 will be advertised for public comment. Following advertising a further report will be referred to a future Council meeting.**
3. **Resolve to advise Mr Chamberlain of the Council decision and that the Shire does not support construction of any permanent structures within the Denham foreshore reserve for the following reasons:**
  - (i) **The foreshore is a public area for recreation of the general public and support for permanent structures will impede access to areas of the foreshore when businesses are not in operation.**
  - (ii) **Support will set an undesirable precedent for other Permit holders to also apply for permanent structures so there is potential for cumulative visual impact.**
  - (iii) **There are examples of other similar businesses that successfully operate with portable and removable structures which reduce any potential impact on the amenity of the foreshore area.**

**4/0 CARRIED**

Cr Prior returned to Council Chamber at 4.21 pm

BACKGROUND

The Council at the Ordinary Meeting held on the 29 July 2015 resolved as follows:

***'That Council:***

1. ***Authorise the Chief Executive Officer to sign a planning application form for private recreation (water based hire activities) in Reserve 39569 and in accordance with Area A on the plan included as Attachment 5.***
2. ***Delegate authority to the Chief Executive Officer in accordance with Clause 11.3.1 of the Shire of Shark Bay Local Planning Scheme No 3 to determine the formal planning application for private recreation (water based hire activities) in Reserve 39569. The approval shall be to the Shire of Shark Bay so that use of the reserve can be controlled through the separate permit process in accordance with relevant Local Laws.***
3. ***Determine as the owner of Reserve 39565 to allow for a maximum of 3 Permit areas each 20 metres in length situated in the area at a safe distance east of the Knight Terrace/Denham road roundabout for a total distance of 60 Metres.***
4. ***Advise all three proponents that:***
  - (i) ***The Shire has issued planning approval for the eastern foreshore area to be used for hire businesses (shown as Area A on the plan included as Attachment 5).***
  - (ii) ***Individual applications can be lodged to the Shire for a Permit to operate a hire business within one of the designated areas shown on the plan included as Attachment 6. A Permit is required under the Shire of Shark Bay Local Government Local Property Local Law.***

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- (iii) **Formal applications for a Permit are requested to be lodged as soon as possible as there is interest from 3 different proponents in water based hire businesses. An application fee of \$ 2,538.00 must be lodged with each proposal.**
  - (iv) **Permit applications need to include a copy of current public liability insurance cover for no less than 10 million (2015/2016), and a risk management plan.**
  - (v) **The parking of any trailers related to commercial businesses on any residential property also requires separate planning approval by the Shire.**
5. **Note that an information sheet and application form has been compiled for general administrative use, and authorise the Chief Executive Officer to provide this information to each proponent (Attachment 7).**
6. **Note that all Permit Applications will be referred to Council for determination.**

Following the July Council meeting, a formal planning approval was issued for 3 hire businesses on Denham foreshore on the 12 August 2015 – refer planning approval at the end of this report.

Mr Garth Chamberlain has formally requested that the Council reconsider their position based upon the information he has provided in a new submission as follows:

*"I am writing to you in regards to council's decision to allocate three sites, side by side on the foreshore adjacent to the roundabout at the IGA on Knight Terrace for the provision of water based hire businesses.*

*Whilst the Shire is allocating only a small parcel of land for these businesses to operate, we must consider the possible implications from the Department of Transport, Marine Division on the risk involved in having a possible three similar businesses so close together sharing the same area of water. I would like to know if the Shire has contacted the Department of Transport for their opinion on the implications on having three operators so close together and if this would impact on the businesses chances of gaining a Certificate of Operation to use the waters surrounding this area.*

*I believe that there is only the need for 2 operations of this nature on the foreshore, as one has already been provided and approved at Little Lagoon, bringing the total number of sites available within the township of Denham to three. Please find attached an aerial photo of what I believe may be better positions for businesses of this nature.*

*With the current decision on the allocation of the land for this type of operation I do not believe it would be viable for me or any other person to consider investing in this type of business, as it will only add more pressure on the businesses, on top of already heavy constraints put on it by the Department of Transport and natural influences such as the weather conditions and tide.*

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*I believe that with careful consideration, understanding and co-operation from the Shire Council this could be very beneficial the local tourism industry and local residents. I would like to highlight that the need for a venture of this nature has been outlined in the Local Tourism Planning Strategy pages 23-25 figure 17 under,*

- *Activities/Opportunities*
- *Attractions /Opportunities*
- *Amenities/ Opportunities*

*I would also like to know the councils position on the possibility of a permanent structure such as a small office/storage building with adjoining shade shelter to be erected on the sites at the operator's expense, with the design being in line with the Shires Foreshore Revitalization Plan.*

*I look forward to your views on this matter and I hope that the council will give this some careful consideration. I will endeavour to contact each council member over the next few weeks leading up to the next council meeting to explain in more detail what I feel the requirements of a business like this may be and will also make myself available at the next council meeting to address any questions and concerns."*

#### COMMENT

Mr Chamberlain has raised a number of issues that he considers relevant for the operations of a hire business utilising the foreshore.

The Council has approved three sites on the Denham foreshore and two at Little Lagoon for commercial business.

The Council in assessing the use of areas under their care and control that the general public has historically utilised for recreation should take into consideration the wider community opinion and the impact the allocation of areas for private business would have upon the amenity, use and quiet enjoyment of the community assets by the public.

Mr Chamberlain has made a number of statements which I will endeavour to address for Councillors consideration.

#### **Submission Statement 1**

*I am requesting that the Shire of Shark Bay reconsider this decision, as I believe that having a possible three operator's side by side would cause conflict with the operator's, pose a greater public safety risk and cause conflict with local residents as you may already have discovered.*

#### **Chief Executive Officer's Comment 1**

Council can reconsider their position however a recession motion will require the support of one third of the number of offices of Council prior to any.

Further it is recommended that any variation to the current resolution be subject to wider community consultation.

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The issues that Mr Chamberlain raises in his opinion as concerns primarily of the business operations.

There has been no indication what the public safety risk Mr Chamberlain has identified relates to and the Council would require that all operators have adequate public liability risk insurance to operate the business.

The issue with conflict with public residents alluded to by Mr Chamberlain will occur with any variation due to a change in use of a public facility.

Any additional variation to the existing allocation of areas should be subject to wider community consultation to gauge the community's opinion of areas on the beach for private business.

### **Submission Statement 2**

*Whilst the Shire is allocating only a small parcel of land for these businesses to operate, we must consider the possible implications from the Department of Transport, Marine Division on the risk involved in having a possible three similar businesses so close together sharing the same area of water. I would like to know if the Shire has contacted the Department of Transport for their opinion on the implications on having three operators so close together and if this would impact on the businesses chances of gaining a Certificate of Operation to use the waters surrounding this area.*

### **Chief Executive Officer's Comment 2**

The Shire's Planning Consultant liaised with the Department of Transport when 3 hire proposals were received between May to July 2015. The Department of Transport supported hire businesses being located at the eastern end of Knight Terrace away from the main jetty areas.

The issue of gaining a separate Certificate of Operation is predominately an operational issue for the business to consider if the area allocated by the Council on the beach in the first instance would suit their proposals.

The Council does not have jurisdiction regarding the operation of vessels on the water and any commercial operator is responsible for the safe operation of their vessel in accordance with approvals from the Department of Transport and the Australian Maritime Safety Authority.

The issue of the operators gaining a certificate of approval is a business decision and requires the owner of the vessel to apply to the Australian Maritime Safety authority.

The existing approval is only a planning consent and each operator still needs to lodge a separate Permit Application to be determined by Council. The Council may limit the type of operations that can be undertaken in the approved areas, and is not obligated to approve any permits they do not consider suitable for the location.

The Council may request the administration to further investigate the requirements of specific businesses utilising the Council Reserve 39569, however any business proposal by a private individual should undertake due diligence and subsequent Council consideration should require the operator obtaining all relevant approvals to operate the business.

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If Council considers the areas previously allocated for private business are not suitable and should be separated due to the matters brought forward by Mr Chamberlain, then there is opportunity for the Council to consider issuing a new planning approval for a revised planning application and site plan.

**Submission Statement No 3**

*I believe that there is only the need for 2 operations of this nature on the foreshore, as one has already been provided and approved at Little Lagoon, bringing the total number of sites available within the township of Denham to three. Please find attached an aerial photo of what I believe may be better positions for businesses of this nature.*

**Chief Executive Officer's Comment No 3**

Council has approved three areas for business operations on the Denham foreshore and two areas at Little Lagoon.

The allocation of three areas on the foreshore was based upon receipt of three separate applications, and was aimed at allowing flexibility for a number of different operators to strategically set up in this area, and to provide for a range of activities to service tourists, visitors, and local residents.

The submitter has simply expressed a view that the number of operators should be limited to two, however Council has opportunity to plan for multiple operators and plan strategically for a number of Permit areas.

The map (attached at the end of this report) submitted by Mr Chamberlain indicates two areas approximately 20 metres each for business separated by an overlapping section approximately 160 metres in length.

The section closest to the roundabout has access to off-street parking while the area towards Netta's beach would rely on the current on street parking.

Council has a number of viable options including and not limited to:

- **Option 1** – Uphold the existing planning approval in accordance with the decision of Council already made in July 2015 which maintains 3 areas with 20 metres each utilising 60 metres of the beach area. (Current allocation).

The retention of 3 operating areas is supported by the Shires Planning Consultant as it strategically caters for a range of water based businesses in the short to medium term. The recent interest in operating these types of businesses in Denham has increased and maintaining 3 areas maximises business opportunities and flexibility for future Permit applications.

- **Option 2** - Reduce the allocated areas to two with the separation as suggested by Mr Chamberlain.

If Council considers that the submission has merit it can reduce the areas allocated, however this will reduce opportunities for other types of water based business to set up in this area (eg paddle boats).

## MINUTES ORDINARY COUNCIL MEETING

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If Option 2 is pursued it is recommend that a revised site plan be advertised widely to gain broader community views.

- **Option 3** - Maintain three areas with 50 metre separation.

Introducing some separation between hire businesses may have some merit as it allows each operator to clearly demark their area, and may assist customers to easier identify that each business is separate.

If Council is prepared to consider Option 3 it is recommend that a revised site plan be advertised widely to gain broader community views.

These options are not exhaustive and the Council can consider any options that it considers appropriate.

### Consultation

Letters were sent to landowners on Knight Terrace in regard to the proposals discussed at the July 2015 meeting of Council and one submission of support was received.

If Council is prepared to consider a variation to the current approved locations it is recommended that any revised plan undergo a wider community consultation process to establish the community's opinion in regard to the establishment of areas at separate locations on the foreshore for the utilisation of private business.

### Submission No 4

Mr Chamberlain has enquired about erecting a permanent structure within the Denham foreshore as follows:

*'I would also like to know the councils position on the possibility of a permanent structure such as a small office/storage building with adjoining shade shelter to be erected on the sites at the operator's expense, with the design being in line with the Shires Foreshore Revitalization Plan.'*

### Chief Executive Officer's Comment No 4

This option has not previously been considered by Council as all three previous applicants indicated they would utilise temporary facilities that could be removed when the business is not operating. The use of temporary facilities is generally supported at an Officer level as it allows the foreshore to be fully available to the general public when businesses are not operating.

Any privately erected permanent structure would need to comply with the provisions of the Town Planning Scheme, including compliance with the requirement to fill (to meet minimum Finished Floor Levels) and seeking comment from affected parties.

In regard to an application to erect a permanent structure on Council reserve for a private business it would also be strongly recommended to seek widespread

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community input, as a permanent structure on the beach would impact upon the visual amenity and the whole community's quiet enjoyment and utilisation of the area.

If Council is prepared to consider permanent structures within Denham foreshore for private businesses, it is strongly recommended that Mr Chamberlain be requested to provide more detailed information on the type, scale, materials and form of any structure.

If Council considers that a permanent structure is not in keeping with the amenity of the area, it can simply advise Mr Chamberlain that no permanent structures for private business would be considered on the areas allocated for businesses on Reserve 39569.

The Shire's consultant planner has expressed a view that any structures within the Denham foreshore should be removable to minimise the potential visual impact, for safety (due to potential for storm inundation and cyclones) and to avoid setting a precedent for a variety of permanent buildings (for private businesses) to establish along the foreshore which is a public space.

If the Council supports a permanent structure for Mr Chamberlain's business then it will set a precedent for other businesses to also have permanent structures (such as the existing quad bike hire). There will be a cumulative effect of multiple permanent structures within the public foreshore area.

### LEGAL IMPLICATIONS

Shire of Shark Bay Local Planning Scheme No 3 - Under Clause 3.2.1 of the Scheme a person may not use a reserve or carry out development in a reserve without first having obtained planning approval.

In determine any application, Council is to have regard for general planning matters (set out under Clause 10.2) and the ultimate purpose intended for the reserve.

There is no specific landuse definition in the Scheme for water based hire activities. The closest definition is 'private recreation' defined as '*means premises used for indoor or outdoor leisure, recreation or sport which are not usually open to the public without charge*'.

Council has broad discretion to consider any landuse in a local reserve.

### POLICY IMPLICATIONS

There are no policy implications relative to this report

### FINANCIAL IMPLICATIONS

The Council can consider what fees for a permit approval would be appropriate for the utilisation of property under its care and control. This can take into consideration the location of the area allocated and the community interests in the utilisation of the land by a permit holder.

## MINUTES ORDINARY COUNCIL MEETING

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At present the fee in accordance with the Local Government Property Local Laws has been set at \$2,538.00 per annum in the Councils 2015/2016 Fees and Charges.

### STRATEGIC IMPLICATIONS

The proposed landuses have potential to increase interest and activity along the foreshore, and may have local economic benefits.

Permanent structures within the Denham foreshore have potential to have a cumulative visual impact and reduce the area available to permanently to the general public.

### RISK MANAGEMENT

Potential conflict with public use of the foreshore for swimming activities. This risk may be reduced if the Shire advertises any proposed designated Permit area to the broader community. Even if planning approval is issued, the Shire may advertise Permit Applications.

Risk can also be reduced by requiring risk management plans as part of permit applications

### VOTING REQUIREMENTS

Simple Majority Required

### SIGNATURES

Author

*P Anderson*

(in consultation with Liz Bushby , Gray & Lewis)

Chief Executive Officer

*P Anderson*

Date of Report

10 September 2015

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

**SHIRE OF SHARK BAY**

65 Knight Terrace  
Denham WA 6537  
PO Box 126 Denham WA 6537



Telephone (08) 9948 1218  
Facsimile (08) 9948 1237  
Email: admin@sharkbay.wa.gov.au  
All correspondence to the  
Chief Executive Officer

Your Ref O-AP-15093/RES39569  
Our Ref Paul Anderson  
Enquiries

**NOTICE OF DETERMINATION ON APPLICATION FOR  
PLANNING APPROVAL  
(Clause 10.4.1)**

Planning and Development Act 2005  
Shire of Shark Bay  
Determination on Application for Planning Approval

Location: DENHAM FORESHORE	
Lot: 348 KNIGHT TERRACE	Plan/Diagram:
Volume No: LR3110	Folio No: 876
Application Date: 29 JULY 2015	Received on: 29 JULY 2015
Description of proposed development: PRIVATE RECREATION (HIRE BUSINESSES)	
The application for planning approval is:	
<input checked="" type="checkbox"/>	Granted subject to the following conditions:
Conditions / reasons for refusal (as applicable):	
<ol style="list-style-type: none"> <li>The plans lodged with this application dated 10 August 2015 shall form part of this planning approval. All development shall be contained within the approved areas marked in red on the approved plans.</li> <li>This planning approval is specifically for Private Recreation landuses (inclusive of hire businesses).</li> <li>If the development the subject of this approval is not substantially commenced within a period of 2 years, the approval shall lapse and be of no further effect.</li> </ol>	
Footnotes/ Advice to the applicant:	
This planning consent does not constitute approval under the Shire of Shark Bay Local Laws. Proponents seeking to operate a business from the Denham Foreshore will need to lodge a separate Permit application in accordance with the Shire of Shark Bay Local Government Property Local Law. Any permit application will be referred to Council for determination.	
Note 1:	If the development subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.
Note 2:	Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.
Note 3:	If an applicant is aggrieved by this determination there is a right of review under Part 14 of the Planning and Development Act 2005. An application for review must be lodged within 28 days of the determination.
Signed:	 Paul Anderson Chief Executive Officer
Dated:	12 AUGUST 2015
For and on behalf of the Shire of Shark Bay	

MINUTES ORDINARY COUNCIL MEETING

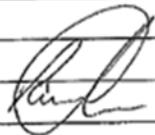
30 SEPTEMBER 2015

**SCHEDULE 6: FORM OF APPLICATION FOR PLANNING APPROVAL [CL. 9.1.1]**

Application for Planning Approval

OWNER DETAILS			
Name:	Shire of Shark Bay		
Address:	65 Knight Terrace		
	Denham	Postcode:	6537
Phone: (home)		Fax:	9948 1237
(work)	9948 1218	Mobile:	
E-mail:	ceo@sharkbay.wa.gov.au Shire of Shark Bay		
Contact Person:	Paul Anderson, Chief Executive Officer		
Signature:		Date:	
Signature:		Date:	
<p><i>The signature of the owner(s) is required on all applications. This application will not proceed without that signature.</i></p>			

Note: Council authorised the CEO to sign this planning application - refer item 13.3 Council minutes 29 July 2015

APPLICANT DETAILS			
Name:	Shire of Shark Bay		
Address:	As per owners details - see above		
		Postcode:	
Phone: (home)		Fax:	
(work)		Mobile:	
E-mail:			
Contact Person:			
Signature:		Date:	12/8/15
Signature:		Date:	

MINUTES ORDINARY COUNCIL MEETING

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PROPERTY DETAILS		
Lot No: 348	House/Street No: 70	Location No:
Diagram or Plan No: Plan No 219928	Certificate of Title Vol. No: LR3110	Folio: 876
Diagram or Plan No:	Certificate of Title Vol. No:	Folio:
Title encumbrances (e.g. easements, restrictive covenants):		
Street name: Knight Terrace		Suburb: Denham
Nearest street intersection: Knight Terrace / Denham Hamelin Road		
Existing building/land use: Foreshore area - recreation		
Description of proposed development and/or use: Private recreation (hire businesses)		
Nature of any existing buildings and/or use: Foreshore area - recreation		
Approximate cost of proposed development: N/A		
Estimated time of completion: N/A - subject to separate Permit Applications by individuals		

OFFICE USE ONLY			
Acceptance Officer's Initials:		Date Received:	
Local government reference no:			

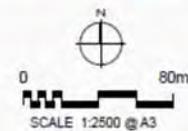
MINUTES ORDINARY COUNCIL MEETING

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SHIRE OF SHARK BAY  
DENHAM FORESHORE  
APPROVED PERMIT AREAS

-  DESIGNATED PERMIT AREA FOR WATER BASED HIRE ACTIVITIES  
3 AREAS (20 METRES LONG)
-  DESIGNATED PERMIT AREA FOR QUAD BIKE HIRE



  
GRAY & LEWIS  
LAND USE PLANNERS

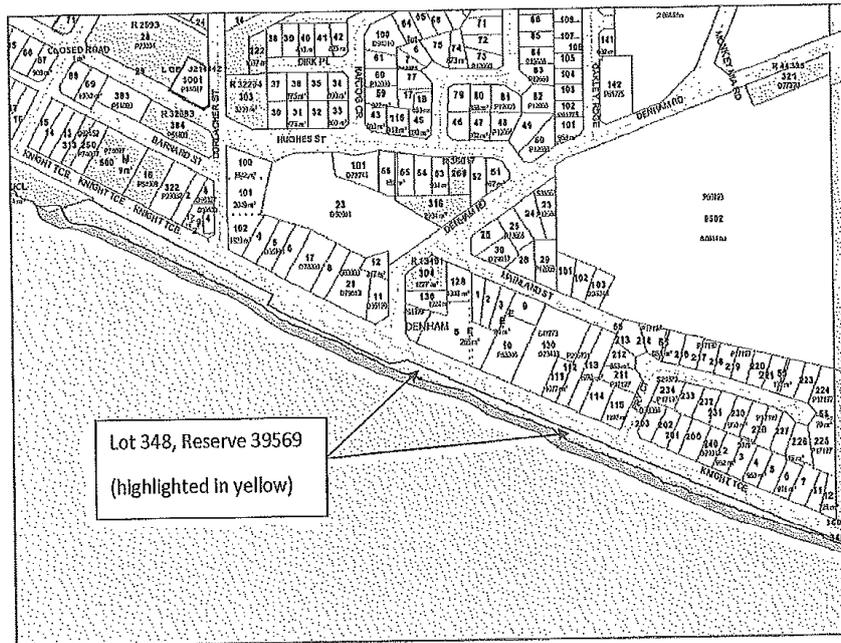
Suite 5, 2 Hardy Street  
South Perth, WA 6151  
T (08) 9474 1722  
F (08) 9474 1172  
perth@graylewis.com.au

JOB REFERENCE: 100840 DATE: 18th AUGUST 2015  
THE DOCUMENT MAY ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED AND IN ACCORDANCE WITH THE TERMS OF ENGAGEMENT FOR THE COMMISSION. UNAUTHORISED USE OF THIS DOCUMENT IN ANY FORM WHATSOEVER IS PROHIBITED.

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

LOCATION PLAN – LOT 348, RESERVE 39569



10 August 2015

30 SEPTEMBER 2015

13.2 PROPOSED VERANDAH, RETAINING WALL AND FENCING – LOT 85 (43) HARTOG CRESCENT, DENHAM  
P1146

AUTHOR

LIZ BUSHBY, GRAY & LEWIS

DISCLOSURE OF ANY INTEREST

Disclosure of Interest: Gray & Lewis

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire,  
– Section 5.60A and Section 5.70 of the *Local Government Act 1995*

Disclosure of Interest: Cr Laundry

Nature of Interest: Financial Interest as Draftsman

Cr Laundry left the Council Chamber at 4.22 pm.

Moved Cr Capewell

Seconded Cr Prior

Council Resolution

That Council:

1. **Approve the planning application lodged for a retaining wall on Lot 85 Hartog Crescent Denham subject to the following conditions:**
  - (i) **The amended plans lodged with this application shall form part of this planning approval. All retaining walls shall be in accordance with the approved plans and not exceed a height of 800mm.**
  - (ii) **Engineering certification for the proposed retaining wall shall be submitted prior to the issue of a separate Building Permit.**
  - (iii) **All stormwater shall be collected and disposed of on-site and any associated drains and soak wells shall be maintained in a clean and clear condition. All drainage to be fully contained within the property boundaries with no water discharge into adjacent land or road reserve unless otherwise approved in writing by the Chief Executive Officer.**
  - (iv) **This planning approval is for retaining walls only.**
  - (v) **If the development the subject of this approval is not substantially commenced within a period of 2 years, the approval shall lapse and be of no further effect.**
2. **Advise the owner as follows (via footnotes on the planning approval);**
  - (a) **The proposed rear verandah and front fence comply with the 'deemed to comply' requirements of the Residential Design Codes and therefore do not require planning approval. Despite this, please be advised that you need to lodge a separate application for a Building Permit for the proposed retaining wall and verandah. The Building Permit application will be assessed by the Shires'**

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Building Surveyor in accordance with the Building Code of Australia.

- (b) Compliance of the front fence in accordance with the Residential Design Codes has been determined based on the plans showing that no portion of the front fence will exceed 1.2 metres.
- (c) Please be advised the proposed dividing fence is a civil matter between neighbours and is controlled through the Dividing Fences Act. Under the Dividing Fences Act neighbours are to agree on the colours, materials and form of any dividing fence.  
**4/0 CARRIED**

BACKGROUND

Lot 85 has an approximate area of 885m<sup>2</sup> and has been developed with an existing single dwelling.



Lot 85 is zoned 'Residential R12.5/R30' under the Shire of Shark Bay Local Planning Scheme No 3 ('the Scheme'). The application has been assessed in accordance with the R12.5 density code.

COMMENT

30 SEPTEMBER 2015

The application is for a proposed retaining wall, fencing within the front setback area, and a new rear verandah. Each aspect of the proposed development is discussed individually below.

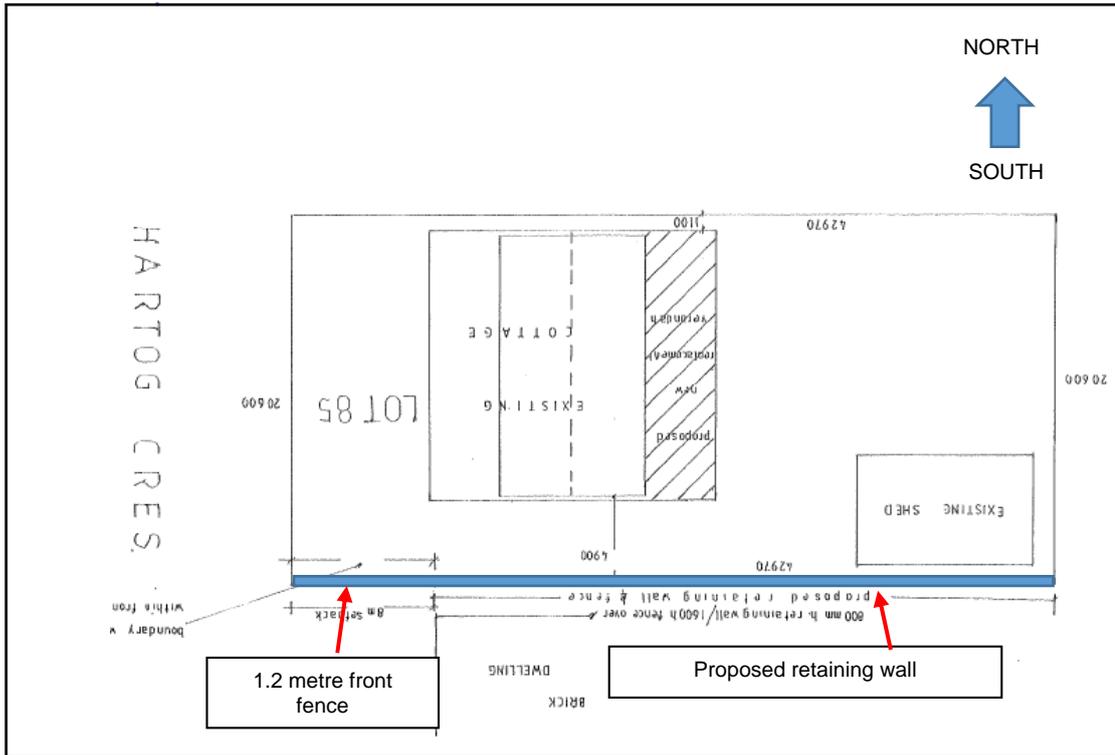
- **Proposed Retaining Wall**

No natural ground levels in Australian Height Datum (AHD) have been provided on the site or elevation plans submitted. Despite this, it is evident that the dwelling Finished Floor Levels and natural ground levels of Lot 85 are higher than those on adjacent Lot 84 to the south.



A 0.8 metre high retaining wall is proposed along the southern boundary of Lot 85, to retain the difference in ground levels (with adjacent Lot 84). The retaining wall has no privacy implications as the levels are pre-existing.

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The retaining wall requires planning approval as it is proposed along a common boundary, is more than 0.5 metres high, and is not setback in accordance with the 'deemed to comply' requirements of the Residential Design Codes ('the Codes'). The Codes require retaining walls to be setback from lot boundaries as if they were a wall to a dwelling.

Council is to determine whether the proposed retaining meets the alternative Design Principle of the Codes which is *'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'*.

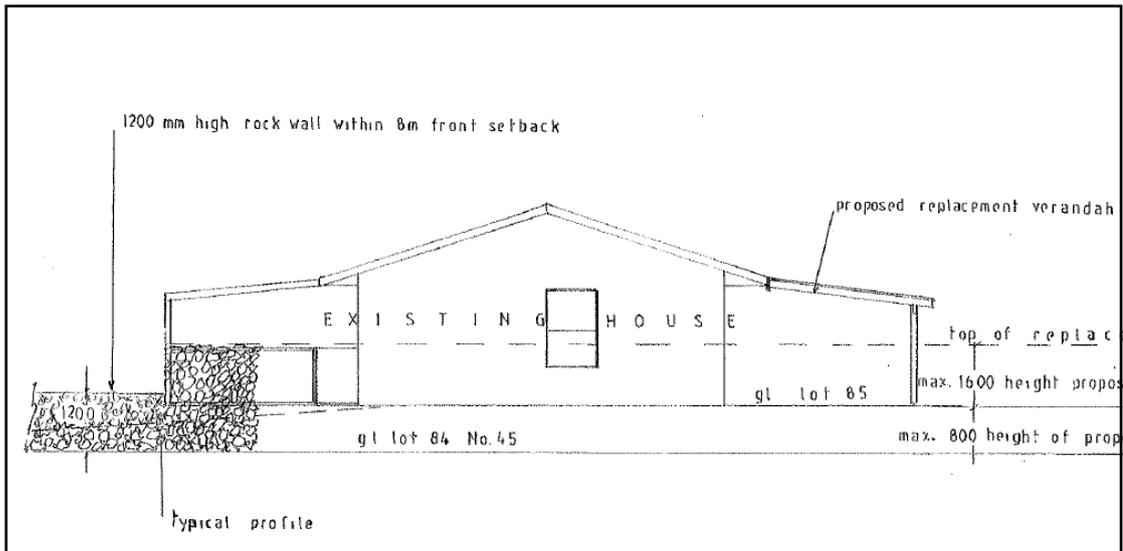
The proposed retaining wall is simply proposed to effectively treat the existing difference in lot levels, and will maximise useable space on the lot. The location does not allow for effective landscaping as it is adjacent to a driveway, however engineering certification for the retaining wall can be a condition of any planning approval and will be required as part of a separate Building Permit application.

- **Proposed Fencing**

The applicant proposes to install a new 1.6 metre fence above the retaining wall along the southern boundary of Lot 85.

The portion of dividing fence behind the front setback line is not controlled through the Codes, and is an issue between landowners (in accordance with the Dividing Fences Act 1961).

The Residential Design Codes control fencing forward of the front setback (ie in front of the house). The applicant proposes a front fence along a portion of the southern boundary which does not exceed 1.2 metres high.



The proposed front fence complies with the 'deemed to comply' requirements of the Codes which states '*front fences within the primary street setback area that are visually permeable above 1.2 natural ground level, measured from the primary street side of the front fence*'.

The front fence does not require planning in accordance with Clause 8.2 (b) of the Scheme as it complies with the Codes.

• **Proposed Verandah**

The proposed verandah to the rear is ancillary to the existing dwelling and complies with the setback requirements of the Codes as follows:

Setback requirement (R12.5)	Required	Provided
Rear	6 metres	8 metres
Sides	1 metre	1.1 to 4.9 metres

The verandah does not need planning approval in accordance with Clause 8.2 (b) of the Scheme as it does not propose any variations to the Codes. Essentially the verandah is 'deemed to comply' with the Codes so does not entail the exercise of any discretion by the Shire.

The applicant has advised the old rear verandah was damaged in the cyclone so they propose to replace it.

• **Consultation**

The Shire sent a letter to the adjacent owner of Lot 84 Hartog Crescent, and advertising closed on the 18 September 2015. No submissions were received at the time of writing this report.

LEGAL IMPLICATIONS

Shire of Shark Bay Local Planning Scheme No 3 – explained in the body of this report.

Planning and Development (Local Planning Schemes) Regulations 2015 – new Regulations were gazetted on the 25 August 2015 however they do not take effect until

## MINUTES ORDINARY COUNCIL MEETING

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the 19 October 2015. Future applications will be assessed in accordance with the new Regulations and the Shire's Local Planning Scheme No 3. Some sections of the new Regulations will override provisions of the Shire's Scheme.

### POLICY IMPLICATIONS

There are no policy implications relative to this report.

### FINANCIAL IMPLICATIONS

There are no financial implications relative to this report.

### STRATEGIC IMPLICATIONS

There are no strategic implications relative to this report.

### RISK MANAGEMENT

This is a low risk report.

### VOTING REQUIREMENTS

Simple Majority Required

### SIGNATURES

Author

*L Bushby*

Chief Executive Officer

*P Anderson*

Date of Report

18 September 2015

30 SEPTEMBER 2015

13.3 PROPOSED BUILDING (BAR/KITCHEN AND THEATRE ROOM) AND SEPARATE OUTBUILDING  
- LOT 33 (23) BROCKMAN STREET, DENHAM  
P1214

AUTHOR  
LIZ BUSHBY

DISCLOSURE OF ANY INTEREST

Disclosure of Interest: Gray & Lewis

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire –  
Section 5.60A and Section 5.70 of the *Local Government Act 1995*

Disclosure of Interest: Cr Laundry

Nature of Interest: Financial Interest as Draftsman

Moved            Cr Bellottie  
Seconded       Cr Prior

**Council Resolution**

**That Council:**

1. **Approve the application for an ancillary building and outbuilding on Lot 33 (23) Brockman Street, Denham subject to the following conditions:**
  - (i) **The plans lodged with this application received on the 26 August 2015 shall form part of this planning approval. All development shall be in accordance with the approved plans and the roof of both buildings shall be constructed out of non reflective colourbond materials (tea green) to the satisfaction of the Chief Executive Officer.**
  - (ii) **All stormwater from roofed and paved areas shall be collected and disposed of on-site and any associated drains and soak wells shall be maintained in a clean and clear condition. All drainage to be fully contained within the property boundaries with no water discharge into adjacent land or road reserve unless otherwise approved in writing by the Chief Executive Officer.**
  - (iii) **The outbuilding shall not be used for habitation at any time to the satisfaction of the Chief Executive Officer.**
  - (iv) **The building including the theatre, kitchen and bar has been approved as being ancillary to the existing single house on site. No approval has been given for the building to be used as an ancillary dwelling or holiday home.**
  - (v) **If the development the subject of this approval is not substantially commenced within a period of 2 years, the approval shall lapse and be of no further effect.**
2. **Advise the applicant of the following via footnotes on the planning approval:**

30 SEPTEMBER 2015

- (a) **Planning consent is not an approval to commence construction. A separate Building Permit must be obtained for all work. Please lodge any application for a Building Permit to the Shire directly. The application will be assessed by the Shire’s Building Surveyor.**
- (b) **The applicant is advised of the need to ensure adequate dust mitigation measures are undertaken during all phases of construction to ensure neighbors are not affected by dust nuisance. It is the owners responsibility to take measures to prevent wind erosion or sand drift as a result of any works.**

**Section 3.25 of the Local Government Act allows the Shire of Shark Bay to serve notices on land owners to take measures to prevent wind erosion or sand drift.**

**4/0 CARRIED**

Cr Laundry returned to Council Chamber at 4.33 pm

BACKGROUND

Lot 33 is zoned ‘Residential R12.5/30’ under the Shire of Shark Bay Local Planning Scheme No 3 (‘the Scheme’). The lot has an awkward shape and an approximate area of 1474m<sup>2</sup>.

The lot has been developed with a single house and swimming pool. The lot slopes towards Brockman Street from 1.62 ground level to 0.9 ground level (as shown on the site plan). There is an existing retaining wall between Lot 33 and Lot 22.



30 SEPTEMBER 2015

COMMENT

The applicant proposes to construct a stand along building to the north of the existing pool to use for entertainment (bar/ kitchen/ theatre and bathroom).

An outbuilding is also proposed in the north west portion of the lot.



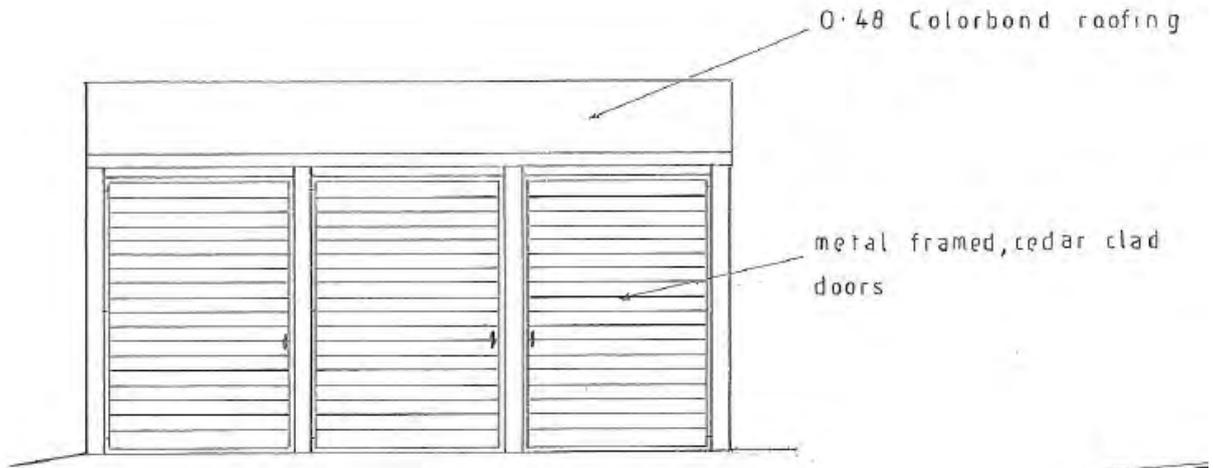
Both buildings entail variations to the 'deemed to comply' requirements of the Residential Design Codes so have been referred to the owners of adjoining Lots 22 and 77 Brockman Street for comment. Advertising closes on the 21 September 2015. At the time of writing this report no submissions had been received.

An assessment of each building is included below.

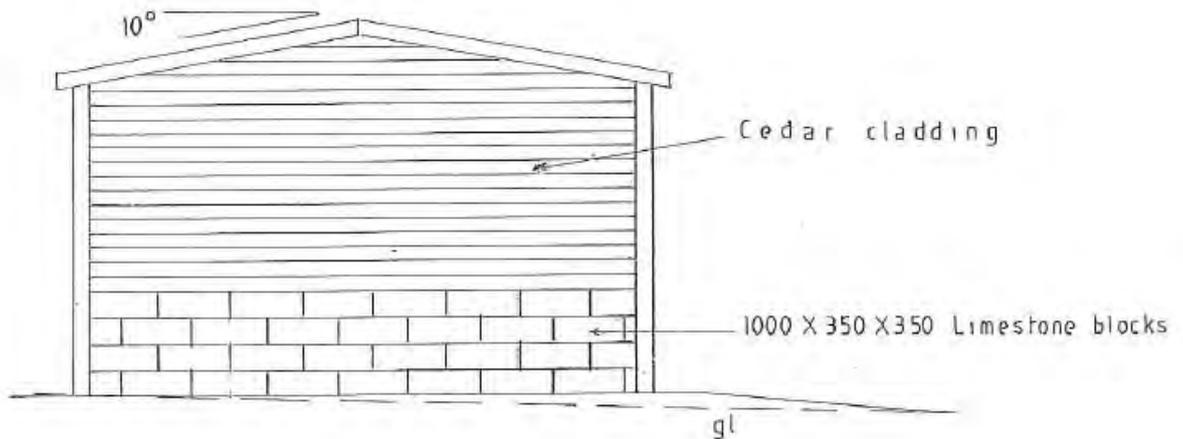
- **Proposed Outbuilding**

The outbuilding floor area is proposed to measure 8 metres by 9 metres, with a total of 72m<sup>2</sup>. The external walls are proposed to be constructed out of limestone blocks with cedar cladding. The roof is proposed to be built out of colorbond (tea green).

The applicant has advised the outbuilding will be used for vehicle storage and a workshop.



**EAST ELEVATION 1: 100**



**SOUTH ELEVATION 1:100**

The Outbuilding has been assessed in accordance with the Residential Design Codes which has two separate options for the assessment of development including 'Deemed to Comply' criteria and 'Design Principles'.

Where an application proposes a variation to the 'Deemed to Comply' criteria of the Codes, then planning approval is required for the development, and a more detailed assessment has to be made based on 'Design Principles' in the Codes.

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Under the Codes there are specific 'deemed to comply' requirements for outbuildings as summarised in the table below.

Clause 5.4.3 C3 'deemed to comply' criteria / Outbuildings that:	Officer Comment (Gray & Lewis)
(i) are not attached to the building	Complies.
(ii) are non habitable	Complies.
(iii) collectively do not exceed 60sqm in area or 10 percent in aggregate of the site area, whichever is the lesser	Variation. 72m <sup>2</sup> proposed.
(iv) do not exceed a wall height of 2.4 metres	Variation. A wall height of 4.3 metres is proposed.
(v) do not exceed a ridge height of 4.2 metres	Variation. The roof peak height is proposed at 5.4 metres.
(vi) are not within the primary street setback area;	Complies.
vi) do not reduce the open space required in table 1; and	Complies. There is still adequate site open space as per Table 1 of the Codes.
vii) comply with the siting and design requirements for the dwelling, but do not need to meet the rear setbacks requirements of table 1.	Minor Variation. A 1.1 metre side setback is required and a 0.9 metre setback is proposed. Note: Setback confirmed by owner 17.9.2015).

The application proposes variations to the 'Deemed to Comply' requirements therefore Council has to determine if the development complies with the design principle which is:

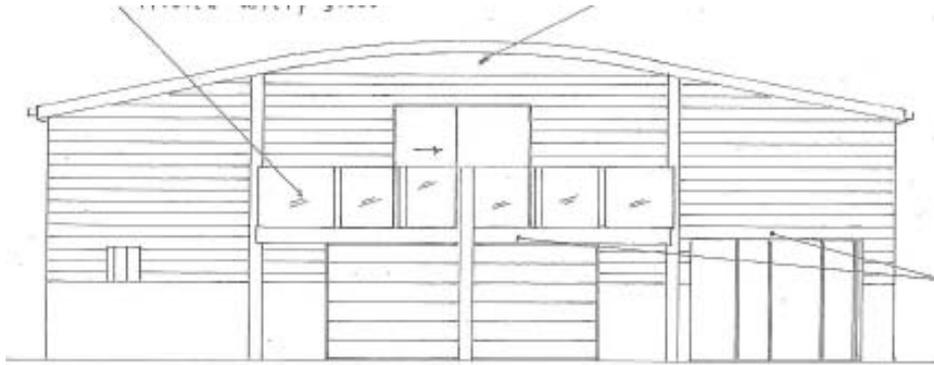
*"Outbuildings that do not detract from the streetscape or the visual amenity of residents of neighbouring properties".*

Gray & Lewis is of the view that the outbuilding complies with the abovementioned Design Principle as it is proposed to the rear of the lot, and is well setback from the street and dwelling on adjacent Lot 77 to the north.

**- Proposed Building**

The theatre / bar room is proposed with a floor area of 67.3m<sup>2</sup> and has an upper storey landing to access a balcony. The balcony does cause any overlooking issues as it's location limits sightlines to the south west so they are fully contained within Lot 33.

30 SEPTEMBER 2015



South elevation – facing pool



East elevation – balcony facing internal pool area within Lot 33  
(existing retaining wall)

The proposed building complies with the site requirements of the Residential Design Codes with the exception of the side boundary. The applicant proposes a 0.7m setback to adjacent Lot 22 in lieu of 1.5 metres.

Council is to determine if the side setback (north east) meets the alternative Design Principle 5.3.1 (P3.1) which is:

*'Buildings setback from lot boundaries so as to:*

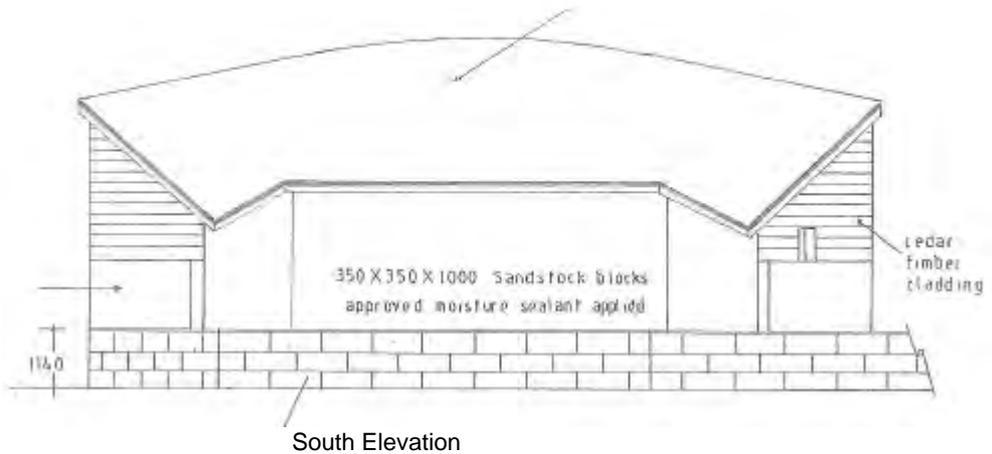
- *Reduce impacts of building bulk on adjoining properties;*
- *Provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and*
- *Minimise the extent of overlooking and resultant loss of privacy on adjoining properties.'*

There are no overlooking issues with the proposed development as all retaining walls are existing, and the balcony does not overlook neighbouring lots. The location of the building does not cause any overshadowing of adjacent lots, and does not have any negative impact on streetscape.

The owners of Lot 22 will be looking at the north elevation (below). The portion closest to the lot boundary has a single storey appearance with the roof height increasing to the south.

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LEGAL IMPLICATIONS

Shire of Shark Bay Local Planning Scheme No 3 -

- Clause 5.3.2 requires development for any residential purposes dealt with by the Residential Design Codes to conform with the provisions of those Codes.
- Under Clause 8.2 (a) ancillary residential development that complies with the Residential Design Codes is exempt from Planning Approval. Planning approval is generally only required where there is a variation to the 'deemed to comply' requirements of the Residential Design Codes.

POLICY IMPLICATIONS

The Residential Design Codes are a State Planning Policy (No 3.1).

FINANCIAL IMPLICATIONS

The Shire pays planning fees to Gray & Lewis for planning advice.

STRATEGIC IMPLICATIONS

There are no strategic implications relative to this report.

RISK MANAGEMENT

There is a low risk associated with this report.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

*L Bushby*

Chief Executive Officer

*P Anderson*

Date of Report

21 September 2015

30 SEPTEMBER 2015

13.4 PROPOSED OUTLINE DEVELOPMENT PLAN - LOT 350-351 HAMELIN POOL TELEGRAPH STATION, VIA DENHAM  
P2002

Author

Liz Bushby, Gray & Lewis

Disclosure of Any Interest

Disclosure of Interest: Gray & Lewis

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.60A and Section 5.70 of the *Local Government Act 1995*

Moved            Cr Prior  
Seconded       Cr Capewell

**Council Resolution**

**That Council:**

1. **Adopt the Outline Development Plan as shown at the end of this report as being suitable to guide future development for Special Use Zone No 8 (Hamelin Pool Telegraph Station).**
2. **Authorise the Chief Executive Officer to formally refer the Outline Development Plan to the Western Australian Planning Commission seeking endorsement. The referral is to include advice on advertising conducted, a copy of each submission and relevant Council minutes.**
3. **Note the submissions as summarised at the end of this report.**
4. **Authorise the Chief Executive Officer to write to the owner (Ms Patricia Cox) and advise of the Council decision. The owner should note that Council's support provides no guarantee that the Outline Development Plan will be endorsed by the Western Australian Planning Commission.**

**5/0 CARRIED**

Background

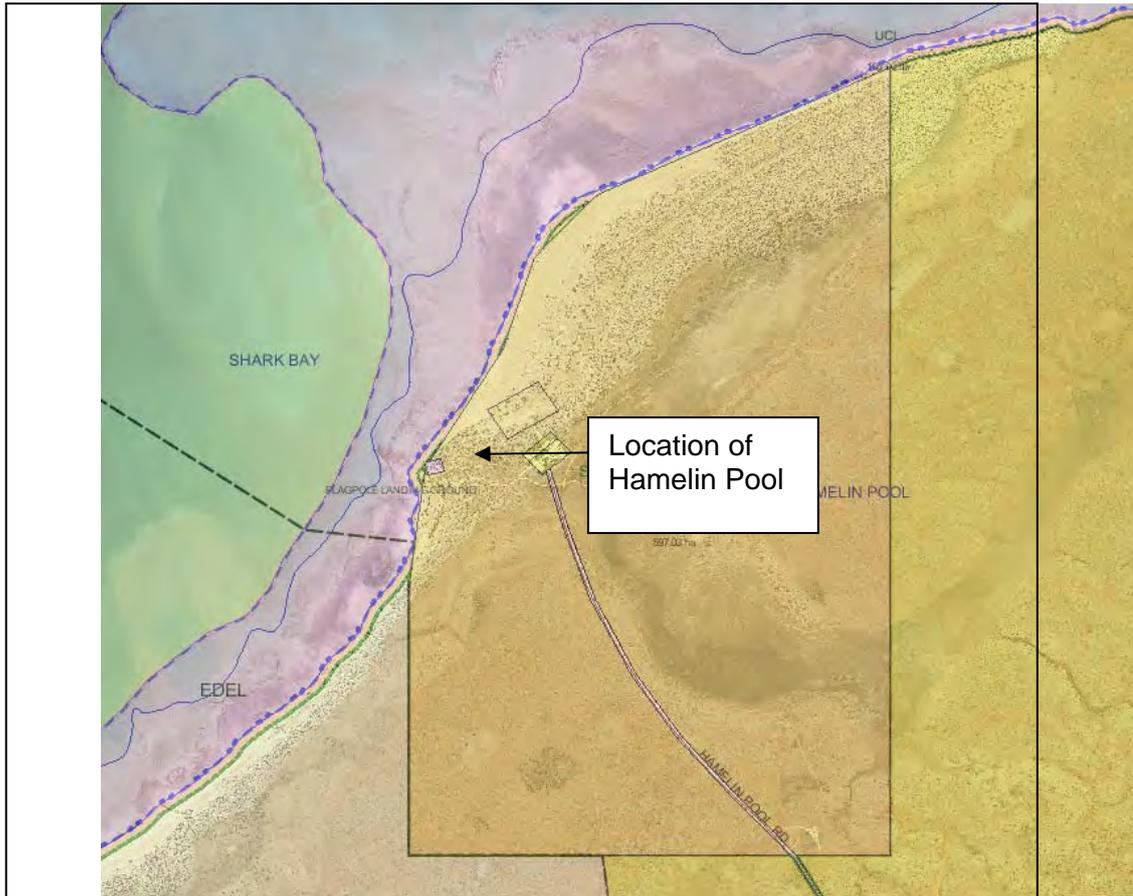
Council is to consider adoption of an Outline Development Plan for Hamelin Pool Telegraph Station.

• ***Existing Development***

Lots 350 and 351 ('the subject lots') have been developed with a shop, sheds, a museum, tea rooms and camping grounds, including ablution amenities. It also contains a historic Telegraph Station.

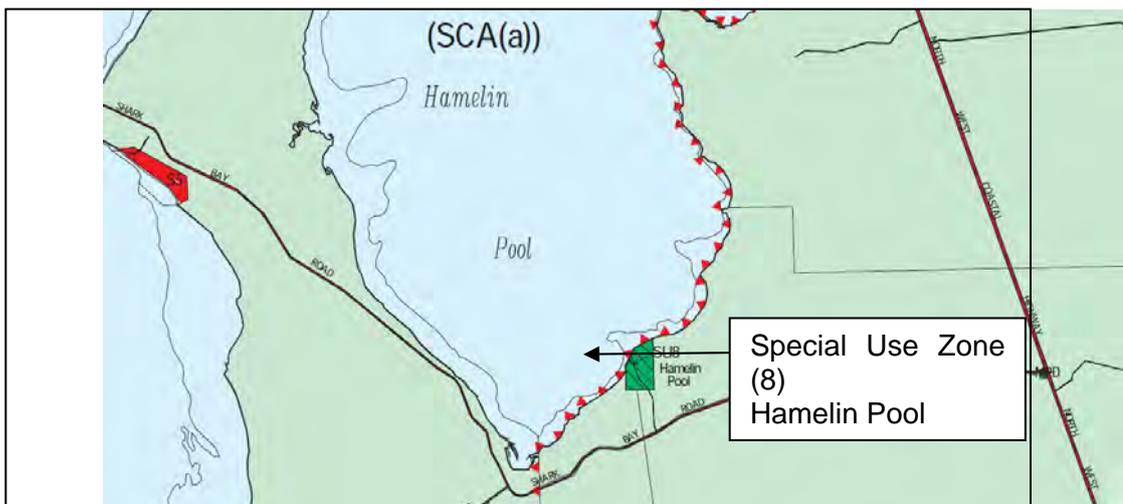
The subject lots are surrounded by Reserve 658 which is vested to the Shire as 'common'.

30 SEPTEMBER 2015



- **Zoning and relevant Scheme Requirements**

Lots 350 & 351 are zoned 'Special Use' under the Shire of Shark Bay Local Planning Scheme No 3 ('the Scheme') and are notated as 'SU8' on the Scheme map.



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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 8' including 'short term accommodation' however it is subject to a specific condition also listed in Schedule 4 as follows:

*"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'.*

• **Relevant Council decision (Interim Outline Development Plan)**

Council refused a development application for short term accommodation and associated facilities on Lots 350-351 Hamelin Pool at the Ordinary Council meeting held on the 24 September 2014. The application was refused as Council has no discretion to approve any development in the absence of an Outline Development Plan (Item 13.4 Ordinary Council meeting 24.9.2014).

Council also resolved to adopt the applicants site plan as an Interim Outline Development Plan at the September 2014 meeting for the purpose of advertising. The Interim Outline Development Plan was for the laundry and toilet block only.

In the September Report Gray & Lewis advised the Shire that:

*'An Outline Development Plan would have to be more comprehensive than the information provided by the applicant. It would need to address matters such as coastal setbacks, waste management, colours and materials sympathetic to the landscape, parking, and include clear physical demarcation between the lot boundaries and adjacent foreshore areas.'*

Council approved an Interim Development Plan for Hamelin Pool to facilitate amenity buildings in November 2014 (Item 13.3 Ordinary Council meeting 24.11.2014).

The Interim Outline Development Plan was endorsed by the Western Australian Planning Commission on the 16 March 2015.

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The Western Australian Planning Commission advised that the Shire that *'this endorsement is only for the proposed toilet block and proposed utility room, and any additional development will be considered in accordance with a comprehensive Outline Development Plan as provided or under the Shire of Shark Bay Local Planning Scheme No 3'*.

#### Comment

Council resolved to adopt the Outline Development Plan for the purpose of conducting public advertising at the Ordinary Meeting held on the 29 July 2015. A copy of the Outline Development Plan is included at the end of this report.

Advertising has been conducted and only 4 non objections were received as summarized at the end of this report.

Gray & Lewis is not supportive of the Outline Development Plan for the following reasons:

- a) It is of a poor quality and the level of detail is not substantially more than what was provided for the Interim Outline Development Plan.
- b) It does not address the requirements of Clause 5.9 of the Shire of Shark Bay Local Planning Scheme No 3 (which outlines Outline Development Plan requirements).
- c) It does not address the conditions for the Special Use zone such as coastal setbacks.
- d) Support for the Outline Development Plan will set a precedent for the quality and form of Outline Development Plan's for other coastal sites such as Monkey Mia and Nanga.

Notwithstanding the above, it is recognized that options were outlined in the June report to Council, and as the decision making authority Council clearly supports progression of an Outline Development Plan to facilitate future development at Hamelin Pool Telegraph Station.

It is therefore recommended that Council continue to progress the Outline Development Plan so that the final determination can be made by the Western Australian Planning Commission.

#### Legal Implications

*Shire of Shark Bay Local Planning Scheme No 3* - The Scheme provisions are similar to those that apply to other special use zones such as Monkey Mia and Nanga.

*Planning and Development (Local Planning Schemes) Regulations* – New Planning Regulations have been gazetted however they do not become operative until the 19 October 2015. Under the new Regulations a more flexible approach is taken to development occurring in the absence of a Structure Plan. Gray & Lewis is seeking clarification on some aspects of the Regulations from the Department of Planning in relation to specific clauses in the Shire's Scheme.

#### Policy Implications

There are no policy implications relative to this report.

#### Financial Implications

The Shire pays planning fees to Gray & Lewis.

## MINUTES ORDINARY COUNCIL MEETING

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### Strategic Implications

An Outline Development Plan needs to be developed for Hamelin Pool Telegraph Station to guide future development as outlined in the current Shire of Shark Bay Local Planning Scheme No 2, the Shire's Local Planning Strategy and Draft Local Planning Scheme No 4.

Increased flexibility for limited small scale development to occur within Special Use zones is being examined as part of the Scheme review, however is subject to assessment by the Western Australian Planning Commission. Currently the Scheme is awaiting Western Australian Planning Commission assessment and consent to advertise.

### Risk Management

There is a low risk associated with this report

### Voting Requirements

Simple Majority Required

### Signatures

Author

*L Bushby*

Chief Executive Officer

*P Anderson*

Date of Report

18 September 2015

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

OVERALL DEVELOPMENT PLAN  
HAMELIN POOL CARAVAN PARK  
FOR  
TRISHA COX

RECEIVED

3 JUN 2015

SHIRE OF SHARK BAY

PLANNING REPORT



Prepared by  
Geraldton Independent Planners  
P.O. Box 7177  
GERALDTON  
W.A. 6531  
May 2015

## INTRODUCTION

Following recent proposed additions to the toilet facilities on the existing caravan park located at the Hamelin Pool Caravan Park it was discovered that the provisions of the Shire of Shark Bay's Local Planning Scheme has a requirement that an Overall Development Plan needs to be prepared and endorsed by both the Shire and the WA Planning Commission prior to any further development being permitted on the land.

The requirement for details contained within that plan are taken from Clause 5.9 of the Shire's Local Planning Scheme which are specifically designed to deal with residential areas and the potential for them to be further subdivided and developed. Hence many of the requirements do not apply to this specific application in this instance however the relevant requirements have been adhered to in this attached plan.

The shire has dealt with an interim Overall Development Plan to seek some approval by the owners to develop a toilet block and laundry on this site. This has been given a recent approval thus allowing that development to take place. However it has been pointed out that despite a future review of the Shire's Scheme which may remove the need for such an overall development plan to be prepared the current Scheme contains a requirement that such an Overall Development Plan is required prior to any further development being undertaken onsite.

This report supports the attached overall development plan and is submitted to the Shire for its approval and the subsequent approval of the W.A. Planning Commission for this plan to allow the owners to undertake some future expansion and upgrades in order to continue to provide a valuable tourist facility within the Shire.

## PLANNING CONSIDERATIONS

As mentioned above the requirement and information that is to be provided within an overall development plan is taken from Clause 5.9 of the Shire of Shark Bay's Local Planning Scheme. It is intended to compare the requirements of that Clause as they apply to this particular application as follows:

*Clause 5.9.2 The Outline Development Plan shall show:*

- (a) the topography of the area, soil type, vegetation, heritage values and landscape values;*
- (b) any potential contamination and amenity issues;*
- (c) the existing road system;*
- (d) location and standards of any future roads;*
- (e) location of shopping, community amenities and recreation areas;*
- (f) proposed residential densities;*
- (g) potential environmental impacts;*
- (h) existing and proposed services (including management of services to protect environmental values);*
- (i) staging of development; and*
- (j) any other information as shall be required by the local government.*

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Comments in relation to these subclauses are submitted for consideration as follows:

- (a) The existing site is relatively flat throughout the area that has been developed for many years and there is no intention in altering the levels on the land in any substantial way. The plan attached indicates the existing RL levels across the site and as can be seen the land to the north west corner of the land is the high point being 1.54metres higher than the remainder of the site.
- (b) The existing site is presently served successfully with septic tanks and leach drains as approved by the Health Department and whilst this system has been used for many years and some expansion of that system would be required if the total development as shown on this plan was undertaken there is no potential contamination and amenity issues in this location from this system.
- (c) The existing roads are shown on the attached plan and no alteration is envisaged to these roads. The roads shown on the plan are the main entrance off the Hamelin Pool Road and through to the Stromatolites at the waters edge.
- (d) No future roads are envisaged within or through this site.
- (e) Existing shop facilities that presently service tenants of this site will remain and it is not envisaged to expand this facility as it is adequate for the temporary tenants of the site.
- (f) This section is not relevant as it is not a residential development. However additional units as indicated upon the attached plan will be introduced onsite in the locations as indicated.
- (g) As the development is proposed to be contained within the already developed area of the site there will be minimal earthworks required to achieve the additional facilities as shown on the plan. Hence there is considered to be no environmental impacts as a result of the additional facilities and developments as shown on the attached plan.
- (h) The site is self contained with its own water and power and it is envisaged that this will still be the case with the additional developments on site. There are proposals to include one or possibly two desalination plants on site if they are required to cater for the water requirements of the tenants.
- (i) There is no specific staging of the additional developments on site but they are envisaged to be required as the demand for additional accommodation options arise in the future.

### CONCLUSION

It is important to the economic viability of the Shire to allow the future expansion of tourist facilities within the Shire as the demand dictates. This attached overall development plan is the possible future requirements for expansion as perceived by the current owner of this facility in order to attract tourists to stay at this location for an extended period and encourage them to explore the attractions in this location viz the stromatolites before being encouraged to other facilities within the Shire.

Whilst the requirement of an overall development plan is considered somewhat onerous in this location it is understood that the requirement may in fact be removed

## MINUTES ORDINARY COUNCIL MEETING

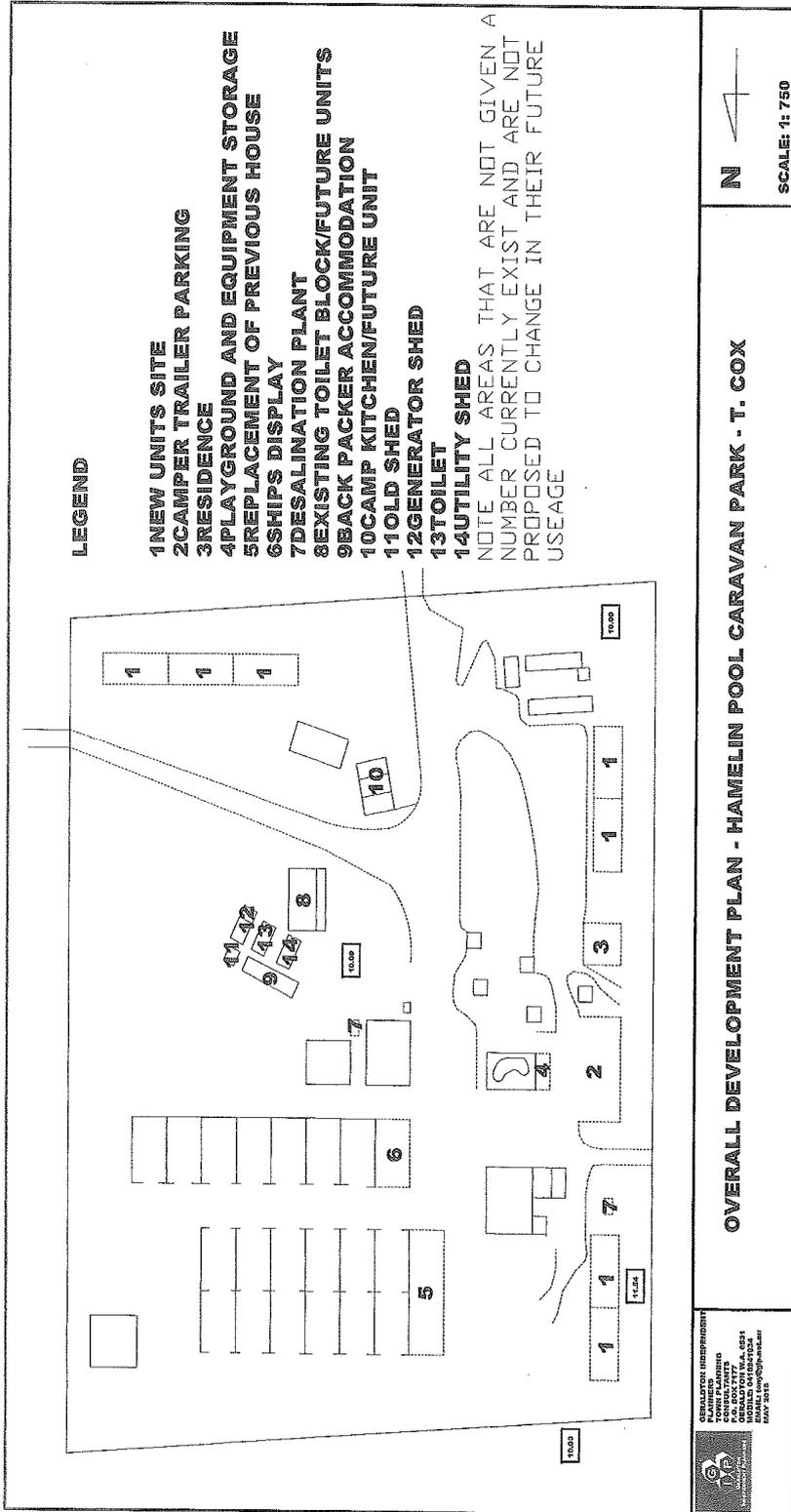
30 SEPTEMBER 2015

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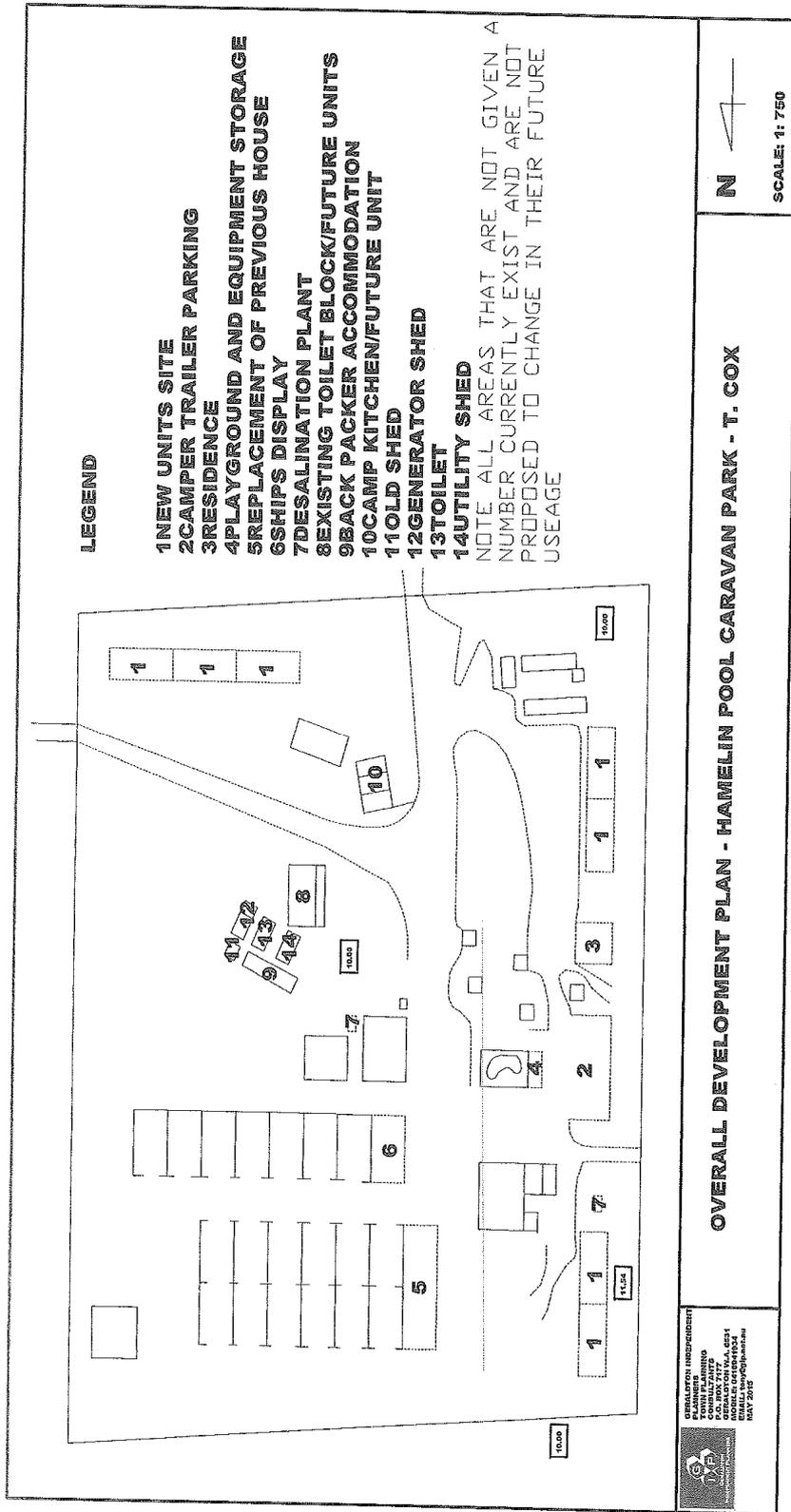
from any future scheme review that is to be undertaken of the local governments existing scheme. However in the meantime it is a requirement of the Scheme and this is recognised hence the attached plan has been prepared to facilitate the Scheme requirements and allow future expansions of the facility to be undertaken in a more expedient manner for the owners as the need arises..

Therefore in conclusion it is requested that this overall development plan be allowed to proceed through the required advertising process as outlined within the Scheme and be supported to allow future developments as shown on the plan to proceed as the need arises to either improve or increase the means of accommodating tourists to this region.

30 SEPTEMBER 2015



30 SEPTEMBER 2015



MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

Name/Address of Submitter	Summary of Submission – Hamelin Pool Outline Development Plan	(Consultant) Officer Comment
<p>1. Main Roads WA PO Box 165 GERALDTON WA 6531</p>	<p>It is considered that the proposed development plan involving the construction of a toilet block and utility room would have no additional impact to traffic in the area and the Main Roads network. Accordingly, Main Roads has no objection or comments to the proposed Interim Outline Development Plan.</p>	<p>Noted.</p>
<p>2. Telstra Locked Bag 2525 Perth WA 6001</p>	<p>Thank you for the above advice. At present, Telstra Corporation Limited has no objection.</p> <p>Please be advised that developers are now responsible for telecommunications infrastructure on all developments, i.e. conduits, pits and the cost of the cable installation by Telstra or other carrier. Telstra can provide a quote for the pit and pipe and/or cable. This is explained on the Telstra Smart Community website. The owner/developer will have to submit an application before construction is due to start to NBN Co. (for greater than 100 lots or living units in a 3 year period) or Telstra (less than 100 lots or living units).</p>	<p>Noted.</p>
<p>3. Department of Mines and Petroleum Mineral House 100 Plain Street East Perth WA 6004</p>	<p>The Geological Survey of Western Australia has assessed this proposal on behalf of the Department of Mines and Petroleum (DMP) with respect to access to mineral and petroleum resources, geothermal energy and basic raw materials.</p> <p>The Geological Survey of Western Australia has no concerns with the proposed development plan.</p>	<p>Noted.</p>

Name/Address of Submitter	Summary of Submission – Hamelin Pool Outline Development Plan	(Consultant) Officer Comment
<p>4. Department of Parks and Wildlife Midwest region PO Box 72 Geraldton WA 6530</p>	<p>Parks and Wildlife made comment on a previous similar application on the 15 October 2015. Those comments are still supported.</p> <p>The previous Department of Parks and Wildlife submission supported a proposal for ablutions subject to no waste water or effluent outflow to the Hamelin Pool Marine Nature Reserve or any adverse impacts on the stromatolites. Department of Parks and Wildlife considered that any potential environmental impacts could be appropriately addressed through the existing planning framework.</p>	<p>Noted.</p>

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

- 13.5 PLANNING APPLICATION – PROPOSED RETAINING WALL AND AMENDED PLAN FOR FRONT FENCING – LOT 173 (16) MEAD STREET DENHAM P1299

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 5.60A and Section 5.70 of the *Local Government Act 1995*

Disclosure of Interest: Cr Laundry

Nature of Interest: Financial Interest as Draft person

Cr Laundry left the Council Chamber at 4.38 pm

Moved Cr Capewell

Seconded Cr Prior

Council Resolution

**That Council:**

1. **Approve the application lodged by Brad McVinish for a proposed retaining wall on Lot 173 (16) Mead Street, Denham 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 and the retaining wall shall not exceed a height of 1.2 metres.**
  - (ii) **This planning approval is for a retaining wall only.**
  - (iii) **The portion of retaining wall along the western boundary shall be rendered to the satisfaction of the Chief Executive Officer.**
  - (iv) **If the development the subject of this approval is not substantially commenced within a period of 2 years, the approval shall lapse and be of no further effect.**
2. **Include the following advice notes on the planning approval:**
  - (a) **Planning consent is not an approval to commence construction. A Building Permit must be obtained for all work.**
  - (b) **The applicant is advised of the need to ensure adequate dust mitigation measures are undertaken during all phases of construction to ensure neighbours are not affected by dust nuisance. It is the owners responsibility to take measures to prevent wind erosion or sand drift as a result of any works.**

30 SEPTEMBER 2015

- (c) ***Any future front fencing is to comply with the provisions of the Residential Design Codes, which require front wall and fences to be visually permeable above 1.2 metres.***
  - (d) **The gaps between the horizontal panels of the proposed fence need to be a minimum of 50mm to comply with the Codes definitions of 'visually permeable'.**
3. **Note the amended plan received on the 21 September 2015 for proposed fencing as attached at the end of this report and advise the applicant as follows:**
- (a) **The Shire considers that the Breezeway colorbond fencing with horizontal 300 metre section generally complies with Clause 5.2.4 C4 of the Residential Design Codes. The gaps of the top section of fence need to be a minimum of 50mm to meet the Code requirements.**
  - (b) **As the proposed front fence meets the 'deemed to comply' requirement of the Codes, you may proceed to erect the fence as it does not require planning approval.**
  - (c.) **Fencing on common boundaries is controlled by the Dividing Fences Act and is a civil matter between the affected neighbours.**

**4/0 CARRIED**

Cr Laundry returned to the Council Chamber at 4.40 pm

#### BACKGROUND

Lot 173 is located on the corner of Mead Street and Durlacher Street in Denham. The lot contains an existing house and outbuilding fronting onto Mead Street.

The lot is serviced by two crossovers from each street frontage – refer aerial below.

30 SEPTEMBER 2015



The existing outbuilding has an area of approximately 36m<sup>2</sup> and was issued with a Building Licence in 1990.

- **Zoning**

The property is zoned Residential R10/20 under the Shire of Shark Bay Local Planning Scheme No 3 ('the Scheme').

The lot has an area of 799m<sup>2</sup> therefore the existing development most closely aligns with an R10 density.

- **Public Consultation / Commencement of works**

The application was referred to surrounding landowners for comment, and advertising closed on the 17 July 2015. At the time of writing this report one submission had been received.

The owner of Lot 172 Mead Street raised concern over the retaining wall as follows:

- The footing for the retaining wall has already been poured hard up against the existing dividing fence. The concrete will fix to the fence and the fence forms part of the form work.
- Some of the existing fence has been damaged and the works will make it impossible for any damaged fence panels to be easily replaced.
- The boundary line is not straight and some concrete has flowed into our property.

## MINUTES ORDINARY COUNCIL MEETING

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- The concrete is as high as 0.5 metres.
- The applicant previously advised that the footings would not touch the boundary fence. They have not taken care to retain the works in their own property.

The owner started constructing the retaining wall on the 14 July 2015 without planning approval or a Building Permit.

Since advertising, the applicant has liaised with the owner of adjacent Lot 172 and come to an agreement for removal of the existing fence, and rendering of the retaining wall.

- **Relevant Council decision**

A report on the matter was referred to the July 2015 Council meeting. Council resolved as follows:

1. *Defer determination of the planning application lodged by Bradley and Rosalee McVinish for a retaining wall, outbuilding, carport and front fencing on Lot 173 (No 16) Mead Street, Denham and request the applicant provide the following information:*
  - (i) *Certification of the footings and proposed retaining wall by a suitable qualified structural engineer that includes a site inspection, detailed report on the existing footings, photographs of the existing footings and any recommended changes to rectify the works already undertaken (without any approval of the Shire of Shark Bay).*
  - (ii) *Written advice and intentions of the applicant for resolution of the valid concerns raised by the owner of Lot 172 Mead Street in relation to unauthorised works damaging the existing dividing fence. Whilst Dividing Fencing is a civil matter the Shire seeks resolution as the fencing should not have been incorporated into the form work for the footings of the proposed retaining wall.*
  - (iii) *Confirmation of the maximum retaining wall height of 1.2 metres along the western boundary.*
2. *Advise the applicant that the Shire has become aware that works on site have proceeded in contravention of the Shire of Shark Bay Local Planning Scheme No 3. The lodgement of a planning application for the proposed retaining wall does not prevent the Shire from issuing a Written Direction under Section 214 of the Planning and Development Act 2005 (in future) should the current situation remain unresolved. A Written Direction can require removal of unauthorised development. The Shire therefore encourages the applicant to resolve the existing situation in consultation with the owner of adjacent Lot 172 Mead Street Denham. '*

### COMMENT

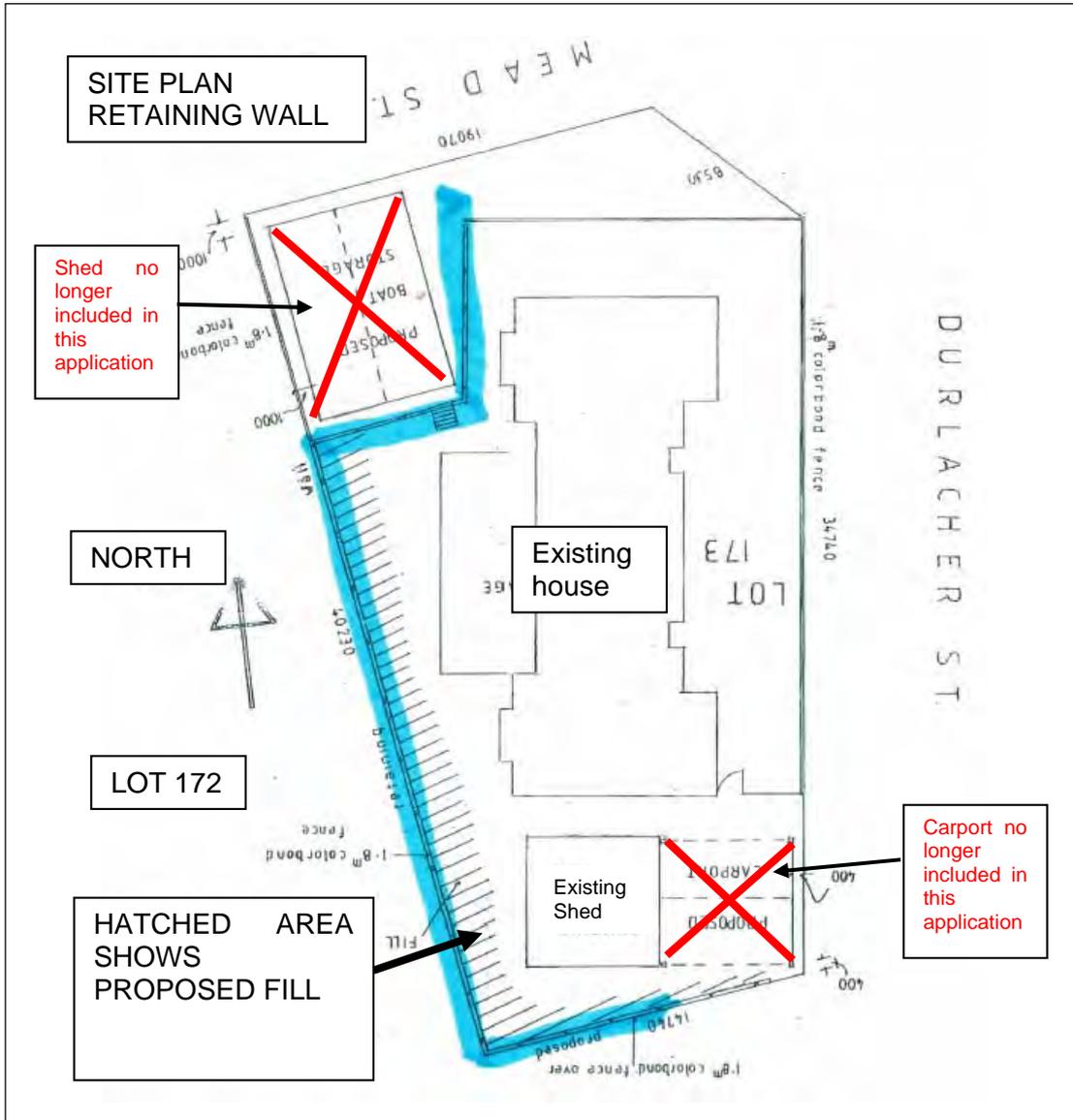
The applicant has submitted a revised plan that proposes a retaining wall and fencing. The applicant has confirmed in writing that a shed and carport is no longer included in this application.

- **Proposed Retaining Wall**

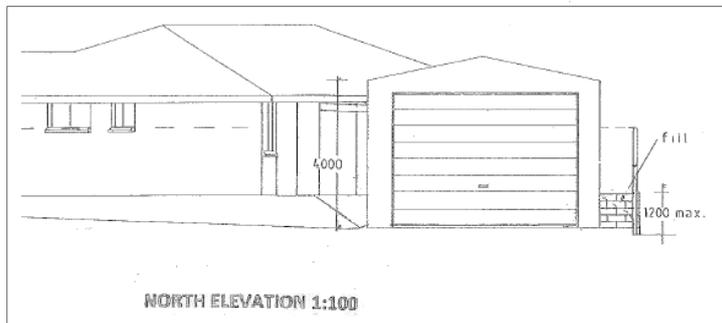
MINUTES ORDINARY COUNCIL MEETING

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The proposed retaining wall location is shown in blue – refer plan below.



The retaining wall is proposed along the west boundary, a portion of the south boundary, and to the north west of the existing house. The plans show a maximum retaining wall height of 1.2 metres.



Photographs showing the difference in levels are included below.

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Under the 'deemed to comply' requirements of the Residential Design Codes ('the Codes') retaining walls are required to be setback from boundaries (similar to walls). The setback is calculated using a height of 2.4 metres plus the height of the retaining wall.

Based on Table 1 of the Codes, the retaining wall would have to be setback 5 metres from the west boundary to meet the 'deemed to comply' requirements of the Codes.

The applicant seeks approval of the retaining wall under the alternative Design Principles of the Codes as follows:

*'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 having due regard to clauses 5.3.7 and 5.4.1.'*

The applicant has lodged additional information as follows:

## MINUTES ORDINARY COUNCIL MEETING

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1. Engineering Certification – the Shire’s Building Surveyor recommends that the certification be accepted as an engineer has provided certified drawings and a signed cover sheet. The retaining walls have not be inspected by the engineer.
2. An email agreement with the adjacent owner of Lot 172 that the existing dividing fence will be removed, and the retaining wall will be rendered.

It is recommended that the retaining wall be supported.

- ***Proposed Fence***

A letter has been received from the applicant’s draftsman – as attached at the end of this report. The written advice has been superceded by amended plans received on the 21 September 2015 – as attached at the end of this report.

The applicant has lodged an amended fence plan (Attachment 1) proposing:

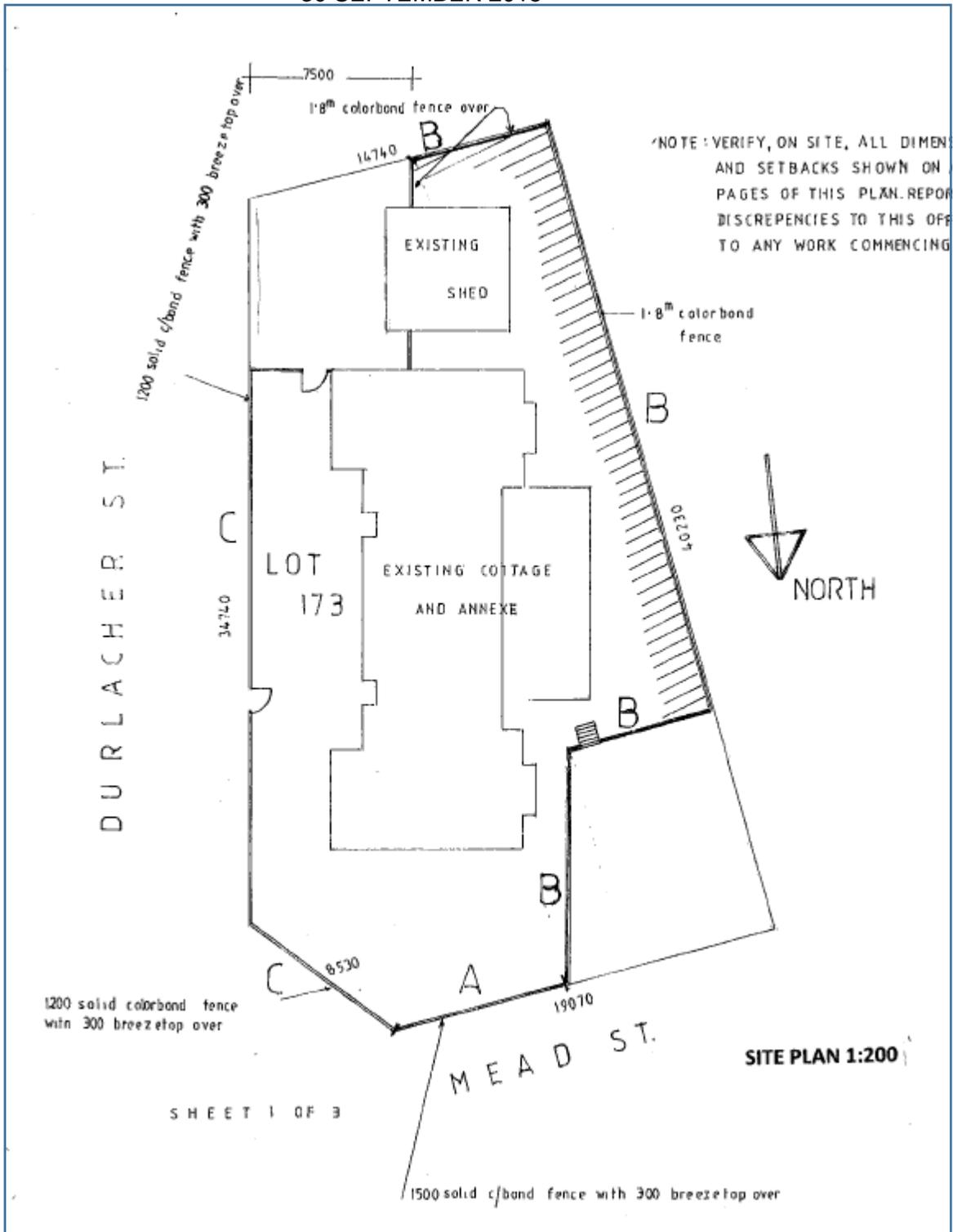
- A. A 1.5 metre solid fence to Mead Street with 300mm panels above, behind the front setback line.
- B. A 1.8 metre solid colorbond fence behind the front setback line.
- C. A 1.2 metre solid fence with 300mm horizontal panels above, within the front setback area.

The proposed fencing shown as ‘A’ and ‘B’ on the site plan are behind the front setback area and not controlled by the Residential Design Codes. Dividing Fencing (along the west and south boundary) is controlled by the Dividing Fences Act and is a civil matter between the affected neighbours.

The Residential Design Codes control any fences in the primary street setback area. Durlacher Street is the ‘primary’ street for assessing fencing for Lot 173 as it is the principal road that provides access to the major entry (front door).

The site plan is replicated in this report for ease of reference.

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The fencing in the front setback area is proposed to be a slate grey 'Breezeway' colorbond fence. The 300mm section above the 1.2 metre solid portion is horizontal panels.

The following diagram is from a colorbond brochure (supplied by Gray & Lewis).

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## COLOURSMART BREEZEWAY Panel



Council has to determine if the front fence complies with the 'deemed to comply' criteria for fencing which state:

*'Front fences within the primary street setback area that are visually permeable above 1.2 metres of natural ground level, measured from the primary street side of the front fence'.*

The Codes stipulate that the minimum gaps of the horizontal panels should be 50mm for a fence to be 'visually permeable'. Gray & Lewis recommends that the front fence be supported as being compliant with the Codes, as long the gaps between the horizontal panels are a minimum of 50mm.

If the fence is designed to comply with the 'deemed to comply' requirements of the Codes, then it does not need planning approval.

### LEGAL IMPLICATIONS

#### Shire of Shark Bay Local Planning Scheme No 3:

- Clause 5.3.2 requires development for any residential purposes dealt with by the Residential Design Codes to conform with the provisions of those Codes.
- Under Clause 11.4 a person must not contravene or fail to comply with the provisions of the Scheme.

#### Planning and Development Act 2005:

- Under Section 218 any person who contravenes or fails to comply with a Town planning Scheme is guilty of an offence.
- A Written Direction to remove or pull down development can be issued in accordance with Section 214 (3).

### POLICY IMPLICATIONS

## MINUTES ORDINARY COUNCIL MEETING

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The Residential Design Codes are a State Planning Policy (No 3.1).

### FINANCIAL IMPLICATIONS

The Shire pays planning fees to Gray & Lewis for planning advice. If the Shire decides in future to issue a Written Direction then there will be solicitors fees involved.

### STRATEGIC IMPLICATIONS

Fencing is an important component of streetscapes and solid fencing has potential to negatively impact on the amenity of an area. Any approval of solid fencing would set a precedent for other residential lots throughout Denham townsite.

### RISK MANAGEMENT

This has a low risk on Council

### VOTING REQUIREMENTS

Simple Majority Required

### SIGNATURES

Author

*A Bushby*

Chief Executive Officer

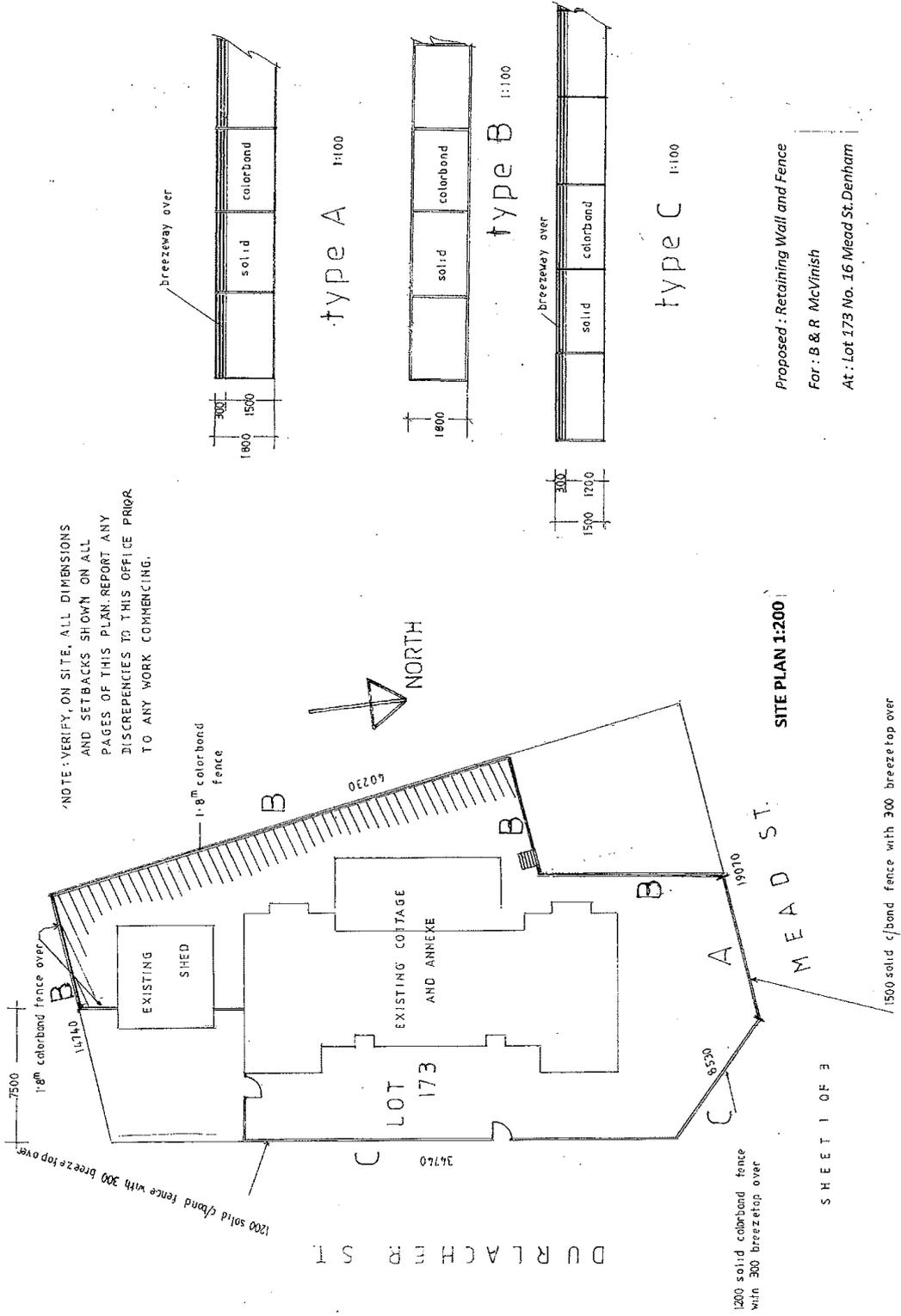
*P Anderson*

Date of Report

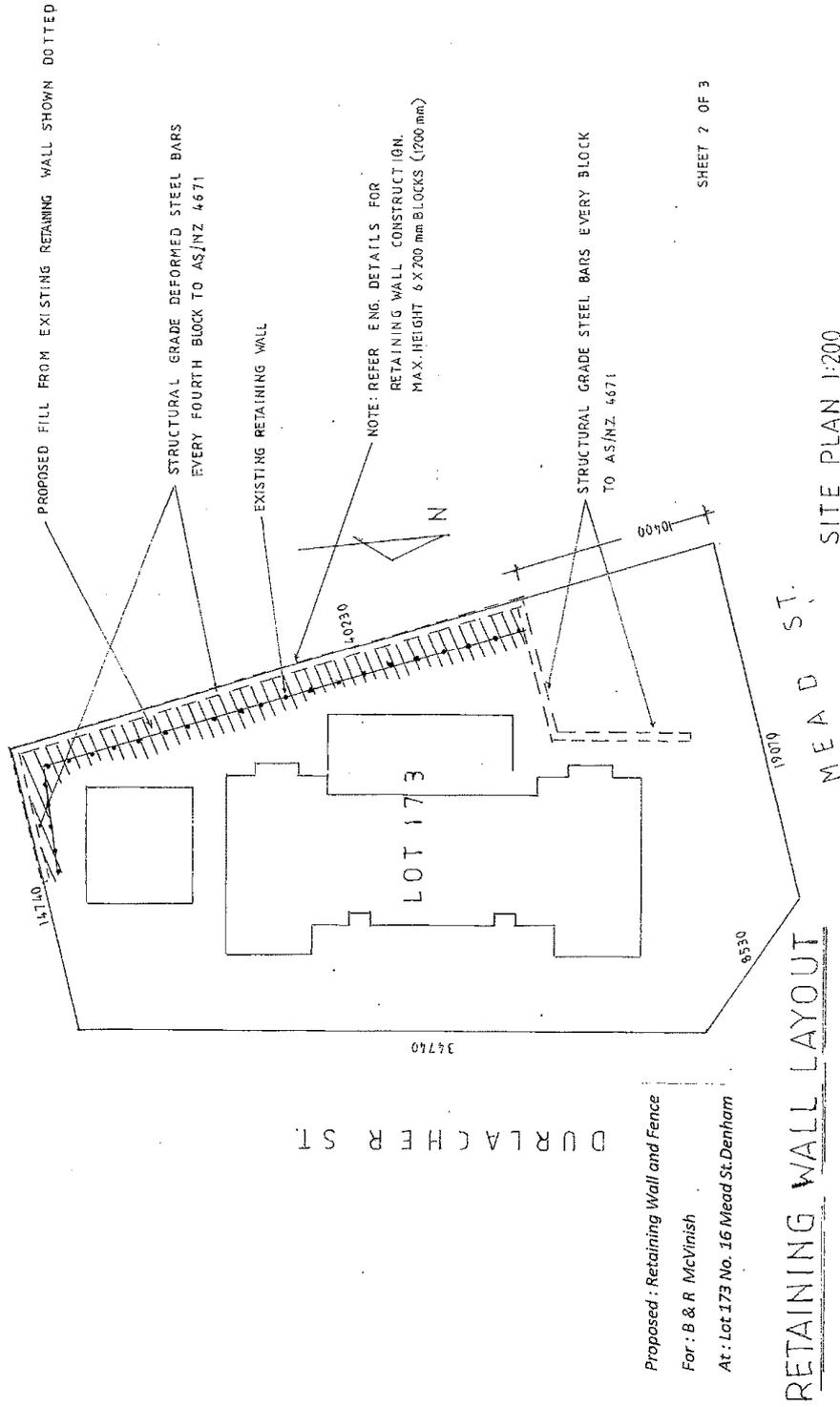
Revised 24 September 2015

AMENDED PLANS - RECEIVED 21 SEPTEMBER 2015

NOTE: VERIFY, ON SITE, ALL DIMENSIONS AND SETBACKS SHOWN ON ALL PAGES OF THIS PLAN. REPORT ANY DISCREPANCIES TO THIS OFFICE PRIOR TO ANY WORK COMMENCING.



AMENDED PLANS - RECEIVED 21 SEPTEMBER 2015





MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

The Manager,  
Shark Bay Shire Council,  
Knight Terrace ,Denham

29-07 2015

Re : Item 20.2 of the Agenda for the Council meeting 29-07-2015

Boundary fence proposal Development Application for Lot 173  
{ 16 }

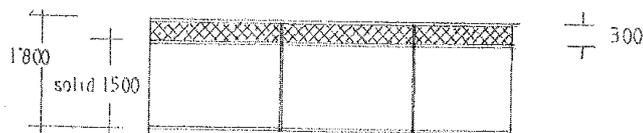
Cnr. Durlacher and Mead streets,Denham by B & R McVinish.

As the draftsman who prepared the plans for the proposal I need to clarify

the design of the proposed boundary fence. The fence ,although 1800 mm

in height, will have a solid height of only 1500 mm and the remainder of the height will be of colorbond lattice which will allow vision thru' and provide airflow.

I have provided a sketch below as this ,I admit, was not fully apparent on the original application. This allows the proposed fence to meet the guidelines of the Design Code.



Thanking You,

  
KEVIN LAUNDRY

1

30 SEPTEMBER 2015

**14. BUILDING REPORT**

There are no building reports.

**15. HEALTH REPORT**

There are no health reports.

**16. WORKS REPORT**

**16.1 DEDICATED CROSSWALK ON KNIGHT TERRACE  
RD00015**

AUTHOR

WORKS MANAGER

DISCLOSURE OF ANY INTEREST

NIL

Moved            Cr Prior  
Seconded       Cr Cowell

**Council Resolution**

**That Council approve the installation of a dedicated crosswalk at the intersection of Durlacher Street and Knight Terrace.**

**5/0 CARRIED**

BACKGROUND

Council endorsed the installation of a swale drain at the intersection of Durlacher Street and Knight Terrace at the Ordinary Council meeting held on the 26 November 2014 - Item 19.2: Durlacher Street / Knight Terrace Intersection.

COMMENT

This project was started and completed early in 2015. The project was designed to accomplish 3 major objectives.

- 1        Guide stormwater across Knight Terrace away from the Heritage Resort into a natural gross pollutant trap, decreasing the impact of debris entering the environment.
- 2        Provide safer pedestrian access across Knight Terrace whilst increasing disability access within the area.
- 3        Provide a traffic calming device to encourage motorists to traverse along Knight Terrace at a sedate speed providing increased safety for pedestrians and other users within the area.

The swale drain has been monitored to assess the overall performance of the project and to ascertain if all the objectives have been delivered. Overall the objectives have

## MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

been met however administration believes that with some minor works, the performance of the project can be enhanced.

The main concern at this stage is the sight vision for both vehicles and pedestrians on the southern side (ocean side) of Knight Terrace and to a lesser extent the ability to see the swale drain from a driver's perspective.

The proposal put forward is to install a nib on the eastern side of the swale drain in line with the parking lane and to paint zebra crossing lines across Knight Terrace. This will have the anticipated effect of,

- 1 Delineating the end of the parking lane encouraging pedestrians to stand on the edge of the trafficable lane,
- 2 Protect pedestrians standing on the edge of the trafficable lane,
- 3 Improve sight vision for both vehicles and pedestrians,
- 4 Improve the visibility of the swale drain encouraging drivers to slow down and
- 5 Create a narrow point also encouraging drivers to slow down.

The negative impact of this proposal is the installation of extra signage in this area potentially creating a confusing environment for road users. This project requires the installation of six extra new signs.

There is already a considerable amount of competing signage in the immediate vicinity of the swale drain, i.e. Dip, Dip Ahead, 20Km, Street Banners, Street and Advertising finger blades, Quad Bike Tours and the Heritage Resort to name a few.

### LEGAL IMPLICATIONS

All works undertaken will be in alignment with Main Roads Western Australia's guidelines.

### POLICY IMPLICATIONS

There are no policy implications associated with this report

### FINANCIAL IMPLICATIONS

There is no budget associated with this proposal and therefore a budget amendment will need to be endorsed by Council.

The expected cost to Council will be;

Labour	\$4 320.00
Signs	\$600.00
Materials	\$100.00
Plant	\$120.00
Total	\$5 140.00

### STRATEGIC IMPLICATIONS

Objective 2 Protecting our precious natural environment

Outcome 2.2.1 Improve the appearance, attractiveness and diversity of uses to add to Town Centre vibrancy. (Provide safer environment for pedestrian and vehicles.)

### RISK MANAGEMENT

There is a high chance of creating a confusing intersection with the installation of additional signage. Extra signage may be perceived as visual pollution.

### VOTING REQUIREMENTS

Simple Majority Required

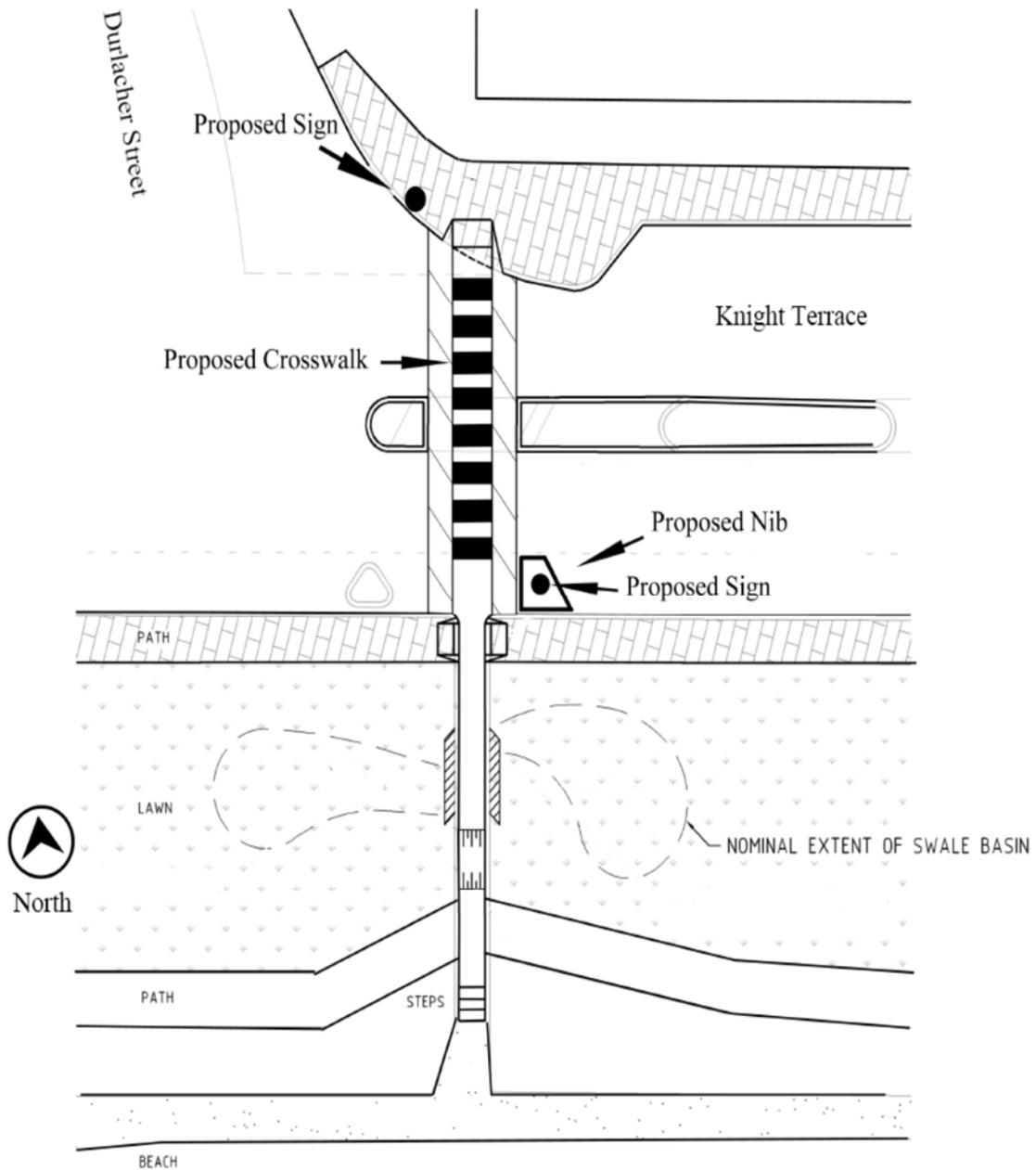
MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

SIGNATURES

Author  
Chief Executive Officer  
Date of Report

*B Galvin*  
*P Anderson*  
18 September 2015



30 SEPTEMBER 2015

17. **TOURISM, RECREATION AND CULTURE REPORT**

Refer to Item 19.1 of these minutes

18. **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

There are no motions of which previous notice has been given.

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

Moved            Cr Prior  
Seconded       Cr Bellottie

**Council Resolution**

**That Council accept the tabling of urgent business items as follows:**

**19.1 Shark Bay 2016 Commemoration Advisory Committee – Brand.**

**19.2 Cr Laundry’s conference report – Western Australian Local Government Association Conference – August 2015**

**19.3 Cr Prior’s conference report – 2015 WA Tourism**

**5/0 CARRIED**

19.1 **SHARK BAY 2016 COMMEMORATION ADVISORY COMMITTEE - RECOMMENDATIONS FROM THE MEETING OF 25 SEPTEMBER 2015**  
RC00007

**Author**

EXECUTIVE MANAGER COMMUNITY DEVELOPMENT

**DISCLOSURE OF ANY INTEREST**

NIL

Moved            Cr Prior  
Seconded       Cr Cowell

**Council Resolution**

**That Council consider rescinding part of the resolution made at the Ordinary Council meeting held on the 27 May 2015, Item 19.2 Shark Bay 2016 Commemoration Advisory Committee – Recommendations From the Meeting of 21 May 2015, section five (5).**

**5/0 CARRIED**

30 SEPTEMBER 2015

Moved Cr Prior  
Seconded Cr Cowell

**Council Resolution**

That Council rescind the following resolution made at the Ordinary Council meeting held on the 27 May 2015, Item 19.2 Shark Bay 2016 Commemoration Advisory Committee – Recommendations from the meeting of 21 May 2015 as follows:

5. Endorse the Logo Concept 3 as below:

LOGO OPTION 3:

MOCK UP TEXT EXAMPLE WITH PLACE:



5/0 CARRIED

Moved Cr Prior  
Seconded Cr Laundry

**Council Resolution**

That Council endorse the Logo Concept 1 as below:



5/0 CARRIED

**BACKGROUND**

## MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

Council have appointed Strut and Fret Production House to deliver the Dirk Hartog Commemorative Event to be held in October 2016.

### COMMENT

#### 1. **Event Logo**

Strut and Fret Production House have delivered an event logo for the committee endorsement.

Logo Concept 1:



Logo Concept 2:



### LEGAL IMPLICATIONS

There is currently a contract for services in place with Strut and Fret Production House for the event.

### POLICY IMPLICATIONS

There are no policy obligations.

### FINANCIAL IMPLICATIONS

The Council has the following funding allocated to this project (to date):

Dirk Hartog Event	
Department of Premier & Cabinet	\$ 75,000
Gascoyne Development Commission	\$100,000
Council Contribution (Budgeted)	\$150,000

MINUTES ORDINARY COUNCIL MEETING

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30 SEPTEMBER 2015

**Total \$325,000**

First Quarterly Payment to Strut and Fret has been made being \$81,250.

STRATEGIC IMPLICATIONS

Strategic Action 1.1.1 Promote the Shire's Dirk Hartog celebrations, involve the community and build on exposure of the event.

Strategic Action 1.1.4 Ensure there is adequate funding in the budget for the Dirk Hartog event.

Strategic Action 1.1.5 Raise the education profile and awareness of Dirk Hartog's landing.

RISK MANAGEMENT

Low Risk Item

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author  
Chief Executive Officer  
Date of Report

*G McBride*  
*P Anderson*  
17 September 2015

30 SEPTEMBER 2015

19.2 MEETING REPORT – CR LAUNDRY – WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION CONFERENCE – AUGUST 2015  
GV00006

Author

Councillor Laundry

Disclosure of Any Interest

Nil

Moved            Cr Prior  
Seconded       Cr Bellottie

**Council Resolution**

**That Council note the report from Councillor Laundry from the Western Australian Local Government Association Conference held in Perth in August 2015.**

**5/0 CARRIED**

Background

MEETING:        WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION CONFERENCE  
                         – AUGUST 2015

MEETING DATE:        AUGUST 2015

COUNCILLOR:        CR LAUNDRY

OTHER SHARK BAY COUNCILLORS/STAFF ATTENDING: COUNCILLOR BELLOTTIE AND MR PAUL ANDERSON, CHIEF EXECUTIVE OFFICER

Comment

I fully support Cr Bellottie's report on our attendance as delegates to the Western Australian Local Government Association conference in Perth in August and wholeheartedly agree with Cr Bellottie that the experience was extremely enlightening and entertaining. We were also exposed to new and exciting products, services and displays at the Trade Exhibition Hall.

Representing Shark Bay Shire as a delegate to the Annual General Meeting was a time to absorb Local Government procedure at the State level and hear some very interesting points of view in the debates of the day.

The opening address from Chess Grand Master Garry Kasparov was extraordinary, highlighting his research into the battle between humans and computers over many years using logical, strategic thinking for his success.

Justin Langer was, as expected, entertaining and humorous fore fronting his experiences with his team mates on and off the cricket field. It was an honour to be able to attend this breakfast.

## MINUTES ORDINARY COUNCIL MEETING

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Probably the most energetic, hyper and bubbly presenter of them all was Dr. Helen Popovic bounding and bouncing across the stage occasionally stopping to tell us about your brain and staying switched on, speaking about how the brain can change its own structure and function in response to the way we think behave and act. A bit late for me though, but, I suppose there's always hope. This lady was a time bomb waiting to go off.

Other speakers such as Michael Scott from Deloitte Australia talking about consumer awareness and technological update of smartphones and HoloLens to improve customer service and productivity and Dr Bruce Weinstein, the Ethics guy who reminded us of our ethical responsibilities of fairness, respect of others and compassion etc, all contributed to a highly enlightening and entertaining experience for me.

I'd like to thank Cr Bellottie and the Chief Executive Officer, Paul Anderson for their convivial and rewarding company over the four days.

### Legal Implications

There are no legal implications relative to this report

### Policy Implications

There are no policy implications relative to this report

### Financial Implications

The costs for this conference was budgeted for in the 2015/2016 financial year.

### Strategic Implications

4.2.2 Implement effective training programs for administration and councillors

### Risk Management

Low risk association with this report

### Voting Requirements

Simple Majority Required

### Signatures

Councillor

*Cr K Laundry*

Date of Report

30 September 2015

MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

19.3 MEETING REPORT – CR PRIOR – 2015 WA TOURISM CONFERENCE  
GV00006

Author

Cr M Prior

Disclosure of Any Interest

Nil

Moved Cr Capewell

Seconded Cr Cowell

**Council Resolution**

**That Council note the report from Councillor Prior from the 2015 WA Tourism Conference.**

**5/0 CARRIED**

Background

MEETING: 2015 WA TOURISM CONFERENCE

MEETING DATE: 21 TO 23 SEPTEMBER 2015

COUNCILLOR: CR PRIOR

OTHER SHARK BAY COUNCILLORS/STAFF ATTENDING: MRS GAYNA MCBRIDE –  
EXECUTIVE MANAGER COMMUNITY DEVELOPMENT

Comment

A number of training workshops were conducted on Monday 21 September while the conference proper commenced with a cocktail function that evening, with events following over Tuesday and Wednesday.

In summary: The entire conference was extremely Perth-centric, with some acknowledgement that visitors may wish to travel to Margaret River. Speaker after speaker emphasised that the destination impressed upon all visitors should be Perth, not parts of Western Australia. The argument was that Perth is the only gateway to WA and thus all visitors, particularly those from overseas, must travel through the capital. It was acknowledged that many international airlines are now entering Australia through Perth and that a stopover there should be encouraged rather than at the former Asian hubs such as Singapore. The impression gained was that this was an attempt to deal with the flood of new hotel rooms that will be coming onto the market along with increased availability of existing ones due to the downturn in the resource industry. In addition, many speakers eulogised the new Perth Stadium which will open in 2018 and the availability of 10,000 seats on 365 days per year that are to be utilised as part of package deals to attract visitors to Perth with anticipated feeding out into the regions. This latter bit seemed a rather grudging afterthought to appear to be working for the whole state.

Mention of Dirk Hartog 2016 occurred just twice: A question to Hon T Redman and a mention by the Minister for the Environment. In both cases it went something along the lines of “yes, 2016 will be the quadricentenary of Dirk Hartog’s landing. The

## MINUTES ORDINARY COUNCIL MEETING

30 SEPTEMBER 2015

visitation by the Dutch such as with the *Batavia* story is sufficient to give one goose-bumps. It is great that the Abrolhos Islands are being developed for tourism”!

The above comments may seem harsh, but that is the general impression obtained. Nevertheless, there were a great many very good speakers who imparted a lot of wisdom which can be applied more widely. Below is a lengthy summary, mostly in dot point form, giving more details of the presentations.

I attended the Overseas Marketing training session as it was the only one I could get into, the others being fully booked.

Inbound tour operator: Mark Abbercroby

- Inbound tourism is an ‘export’ because it is selling Australia
- Tourism is second only to coal in the size of Australia’s exports (\$32.5 billion).
- 500,000 people are employed in Tourism in Australia.
- Inbound tourism operators are intermediaries between sellers and buyers
- The Australian Tourism Export Council (ATEC) is endeavouring to get international tourism sales by ATEC accredited members to be tax free as are other exports.
- Buyers of tourism products are also members of ATEC as well as sellers.
- Members have access to market sectors via a database.
- A company should be well established in the domestic market before taking the extra step into international marketing.
- Domestic travel agents choose bits and pieces, while international agents want a whole package.
- Australia is up against every other country.
- It is a destination that is the hook, not a particular town or an individual hotel.
- Only 5% of the Chinese who come to Australia come to WA.
- The highest number of visitors to Australia are from New Zealand but the highest yield is from the Chinese.
- Different countries have a different elapsed time between when a customer books and when they travel. For instance, Europeans book from October to March for travel the following October to March, while Japanese book less than two months before they travel.

Inbound tour operator: Meng

- It needs to be easy to sell, easy to book, receive no complaints, and make money.
- Travel agents are usually poorly educated so want everything to be easy for them.
- The product must be reliable. The clients and agents are not interested in your problems.
- It is very important to have a contact of the same culture. No just an Asian, for instance. It must be someone from the actual same culture, e.g. North and south China do not get on very well together.

The Conference proper:

Address by the Premier Colin Barnett

## MINUTES ORDINARY COUNCIL MEETING

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- Perth is the fastest-growing capital city
- It is important to get an increase in wage rates in hospitality but reduce penalty rates
- The new stadium will be a huge asset to tourism

### Stephanie Buckland, Tourism WA CEO

- There needs to be a strategic approach to promoting WA
- It is necessary to get the conditions right. It has until recently been mostly corporate travel and local WA tourists. It is now necessary to diversify
- Intrastate travel in WA is as big as Interstate and International combined
- The four largest groups of international tourists are UK, China including Hong Kong, Malaysia and Singapore
- There needs to be a WA representative in Indonesia
- We need to be smarter than other countries
- Know the market
- Form partnerships with airlines
- The predominant tourist is a Dedicated Discoverer or an Experience Seeker
- What tourists are looking for are beaches, food and wildlife

### Karen Priest, Principal, Smart Talent facilitated a panel discussion on packaging

- Work with what you've got
- Need to have the right product for the package
- Can incorporate small products that a customer particularly wants
- Have unique packages to cater for particular interests
- There needs to be a central "hook" for the package
- There is considerable lead time between placing the package, its inclusion in overseas brochures and when the travellers will come
- The further the distance between consumer and product the greater the value of the package needs to be
- Businesses should realise that package business is a top up to their normal business
- Within a package the price of any individual element is not known to the consumer
- Different markets differ as to whether packages or self-guided touring is preferred
- Packaging enables advertising costs to be more effective by focusing ads to targets.

### Address by John O'Sullivan – Tourism Australia Managing Director

Travel objectives of visitors

which are up by 10% are: Food and Wine Aquatic and Coastal

With subsets of: Indigenous Events Business Events Luxury

Television programs which have showcased Australia internationally include:

"Jimmy Doherty's Food Adventures" which aired to 1 million in the UK

"Savour Australia" with an audience of 4.7 million in the United States of America

Beaches are down 10%

Important hooks: Place Product People

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Important advertising of Aboriginal Australia is under the slogan "Our Country is waiting for you."

Digital marketing was presented by a number of speakers:

Jesse Desjardins, Global Manager, Social & Content, Tourism Australia

Of the top tourism photos on Instagram 197 are of Australia

Key ingredients needed:

Trust, Alignment and Advocacy

Authenticity – agents etc who say they have experienced the product

Move people to the next step

Products should be able to be done over and over again

There is a clear value exchange (value creation)/(value capturing)

James Connolly, Industry Partnerships Manager, Australian Tourism Data Warehouse (ATDW)

- Australian Tourism Data Warehouse is a digital database and distribution
- Government owned, commercially operated
- It has 164 distributors

Jessica Quinlan, Senior Sales Executive – Australia, New Zealand and South Pacific, Trip Advisor

- Mobile ready websites will soon overtake traditional websites. It is now 50/50 but will increase. Already 45% of searches for restaurants are on mobiles and 37% for things to do.
- The impact of Trip Advisor reviews is significant. 85% of travellers say they were influenced by Trip advisor reviews.
- Good reviews influence 48% of travellers
- Management response to criticisms influences 30%
- Photos influence 73%
- Make sure you update info on Trip Advisor
- WiFi access is most important

The keynote speaker was Dr Ric Charlesworth AM

- He had always found a guiding principle to be "What might seem impossible and unlikely but would make a big difference if we did it?"
- Excellence comes from what you do every day.
- Another favourite adage is, "Trouble the comfort and comfort the trouble."
- Teamwork is conscious interlocking individuality.

A second panel discussion on digital marketing was facilitated by

Kirsty Bailey, Managing Director, One Eighty Marketing

- If you are not happy with social media then outsource it, but the outsource must be close to the business. Nobody understands your business better than you.
- The attention span of the average internet user is now 6 seconds. However, once they have found what interests them they spend an average of 13.5 minutes on it.

Address by Gwyn Dolphin, Executive Director Events, Tourism WA

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- Event tourism gives a specific reason for travel and a particular date.
  - The new Perth Stadium will have 10,000 seats every day which it must include in a tourism package.

A session entitled "Regional Tourism" which might be expected to be the most relevant to us was so uninteresting that I took no notes.

Wednesday began with an address by Minister for Regional Development; Lands, Hon Terry Redman MLA

- There should be alignment of Regional Tourism Offices with Development Commissions
- Access to Royalties for Regions funding is through Development Commissions
- It is hoped to increase R for R funding from \$3.8bn to \$4.75bn

Address by Minister for Environment; Heritage  
Hon. Albert Jacob MLA

- Parks for People is the aim
  - Upgrades to camping sites in a number of National Parks will be undertaken, including Big Lagoon

The remainder of the conference split into three streams. I had chosen the 'Tourism' stream.

A panel discussion "Customer Insights and Interstate Marketing" was facilitated by Karen Priest, Principal, Smart Talent

- It is important to understand your target market. Who are they? How do they think?
- Most now want to 'see it', 'learn it', 'do it' and visit new places
- They want to be out and about on long trips rather than day trips and to stay in a region
- They are 'dedicated discoverers'
- Impact of media
- Impact of technology
- Consumers' attention span is about 12 seconds so must stand out to get attention
- Knowledge – familiarity – confidence – comfort
- Motivation (incentive, social norms) + ease (ability, opportunity) = behaviour change

The "Battle for the Skies" panel discussion was facilitated by Evan Hall, CEO, Tourism Council WA

- Airlines need a range of incentives to include and advertise a destination
- They can quite easily move their infrastructure to new routes
- The number of outbound passengers must balance with those inbound

Evan Hall, Chief Executive Officer, Tourism Council WA also facilitated a panel discussion on "Destination Perth"

In Australia:

- Resources are being replaced by services
- The exchange rate for the dollar is providing a 30% discount

## MINUTES ORDINARY COUNCIL MEETING

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- Asian incomes are rising
- There are subdued costs pressures due to the downturn in resources sector
- Transition from business travel to leisure and events travel
- State and Territory governments are increasing investment in Tourism except Western Australia

In Western Australia:

- There are more rooms in Perth
- Perth has more precincts and attractions; e.g. Elizabeth Quay and the new Stadium
- Expanding aviation both international and within WA
- WA gains a spinoff through better value
- We have capacity
- Better value than other destinations
- The lynchpin is marketing and events

Destination Market

Short term, fixed purpose, tied budget

There will be a 36% cut in government grants for tourism marketing over next 3 years

Tourism funding is unpredictable

Advocacy:

Need consistent predictable annual fund

At least \$75M for marketing and events

Long term growth PCB, RTOs and airlines

Major events:

Perth Stadium

70,000 visitors per year will bring in \$290M

Events will drive interest in regional tourism

The Stadium will have a major event calendar

Pre/post event regional tourism will be enhanced including by packages

Long term:

WA has the lowest State investment in Tourism, only 0.029% of gross state product

The final panel discussion, "Food and Wine" was facilitated by Emma Page, Industry Development Manager, Tourism Council WA

- Important factors are 'localness', 'uniqueness' and 'surroundings'
- The best place to promote food and wine is at food and wine events
- 54% of tourists do not seek food and wine experiences but are pleased if they stumble across them
  - 18% actively seek food and wine experiences
  - 7% base their destinations on food and wine experiences
- However, promotion needs to be to whole market, not just the 7%

The Chairman of the *Dufken* committee advocated that it is possible to charge top dollar for a unique experience or surroundings

Another panellist spoke of an event some years ago where a celebrity chef led a group who each manufactured a bowl into which the chef served the food.

## MINUTES ORDINARY COUNCIL MEETING

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### Legal Implications

There are no legal implications relative to this report

### Policy Implications

There are no policy implications relative to this report

### Financial Implications

The costs for this conference for Councillors was budgeted for in the 2015/2016 financial year. This conference costing was \$2,435.00 for a Councillor to attend.

### Strategic Implications

4.2.2 Implement effective training programs for administration and councillors

### Risk Management

Low risk association with this report

### Voting Requirements

Simple Majority Required

### Signatures

Councillor *Cr M Prior*

Date of Report 30 September 2015

Moved Cr Capewell

Seconded Cr Cowell

### Council Resolution

30 SEPTEMBER 2015

**That Council suspend Standing Orders, clause 9.5 Limitation on number speeches to be suspended at 5.10 pm to discuss a recreational net fishing issue.**

**5/0 CARRIED**

Moved            Cr Prior  
Seconded       Cr Bellottie

**Council Resolution**

**That Council reinstate Standing Orders at 5.17 pm.**

**5/0 CARRIED**

Moved            Cr Capewell  
Seconded       Cr Laundry

**Council Resolution**

**That Council write to the Minister for Fisheries asking to monitor recreational net fishing within the marine park exclusion zone adjacent to the Denham Foreshore.**

**That Council support the proposed minimum size reduction from 500mm to 410mm size for Pink Snapper to align with the state wide regulation.**

**5/0 CARRIED**

30 SEPTEMBER 2015

**20. MATTERS BEHIND CLOSED DOORS**

Members of the public left Council Chamber at 5.20 pm.

Moved            Cr Prior  
Seconded       Cr Bellottie

**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**

**20.1 UNAUTHORISED DEVELOPMENT: LOT 190 (19) SPAVEN WAY, DENHAM**

P1257

**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 5.60A and Section 5.70 of the *Local Government Act 1995*

Moved            Cr Prior  
Seconded       Cr Bellottie

**Council Resolution**

**That Council note that:**

- A. The owner has modified the front fence on Lot 190 (19) Spaven Way Denham so that it is visually permeable above 1.2 metres in accordance with the 'deemed to comply' requirements of the Residential Design Codes.**
- B. As the modified fence complies with the Residential Design Codes it does not require planning approval under the Scheme (as no variation is proposed).**
- C. The owner liaised with Gray & Lewis prior to modifying the fence to ensure it would comply with the intent of the Residential Design Codes.**

**5/0 CARRIED**

30 SEPTEMBER 2015

20.2 TAMALA STATION (CAMPING ACTIVITIES) – PROPOSED LICENCE FROM DEPARTMENT OF LANDS

P2014

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 5.60A and Section 5.70 of the *Local Government Act 1995*

Disclosure of Interest: Cr Cowell

Nature of Interest: Impartiality Interest as Executive Office of Shark Bay World Heritage Advisory Committee and drafted response on committee's behalf to the Department of Lands and an employee of Parks and Wildlife

Disclosure of Interest: Cr Capewell

Nature of Interest: Impartiality Interest as a member of the Shark Bay World Heritage Advisory Committee

Disclosure of Interest: Cr Bellottie

Nature of Interest: Impartiality Interest as a member of the Shark Bay World Heritage Advisory Committee

Moved            Cr Prior  
Seconded       Cr Laundry

**Council Resolution**

**That Council:**

1. **Authorise the Chief Executive Officer to advise the Department of Lands that the Section 91 Camping Licence for 23 sites adjacent to Tamala Station is generally supported however it should be noted that:**
  - (i) **The proposed landuse will require separate planning consent from the Shire of Shark Bay. Support for the licence is not a guarantee that a planning consent will be issued, and any application form needs to be signed by the Department of Lands.**
  - (ii) **A separate licence is also required in accordance with the Caravan Park and Camping Regulations 1997.**
  - (iii) **As the land is located within the World Heritage Area the proposal should be referred to the Shark Bay World Heritage Advisory Committee and Department of Parks and Wildlife.**
  - (iv) **The Shire requests that conditions be placed on any licence requiring the proponent to obtain all necessary local government approvals.**
2. **Note that Gray & Lewis has informally referred the Department of Lands correspondence to the Department of Parks and Wildlife, and Shark Bay World Heritage Advisory Committee for information.**

**5/0 CARRIED**

MINUTES ORDINARY COUNCIL MEETING

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Moved Cr Capewell  
Seconded Cr Prior

**Council Resolution**

**That Council seek advice from the WA Museum in regard to the museums estimate in value of the coin collection currently held by Mr Shayne Thompson.**

**That Council support in principal the concept of fundraising to purchase the coins from Mr Thompson with a view for the coins to be displayed in the Shark Bay World Heritage Discovery and Visitor Centre.**

**5/0 CARRIED**

Moved Cr Prior  
Seconded Cr Capewell

**Council Resolution**

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

**5/0 CARRIED**

Visitors returned to the Council Chamber at 6.07 pm.

**At 6.07 pm the President read aloud the Council decision that had been taken during the time the meeting was closed to the public in accordance with Council's Local Laws relating to Standing Orders clause 12.7(3)(a)(b)(c)(d)(e).**

**21. DATE AND TIME OF NEXT MEETING**

The next Ordinary meeting of the Shark Bay Shire Council will be held on the 28 October 2015 commencing at 3.00 pm.

**22. CLOSURE OF MEETING**

The President closed the Ordinary Council meeting at 6.08 pm.