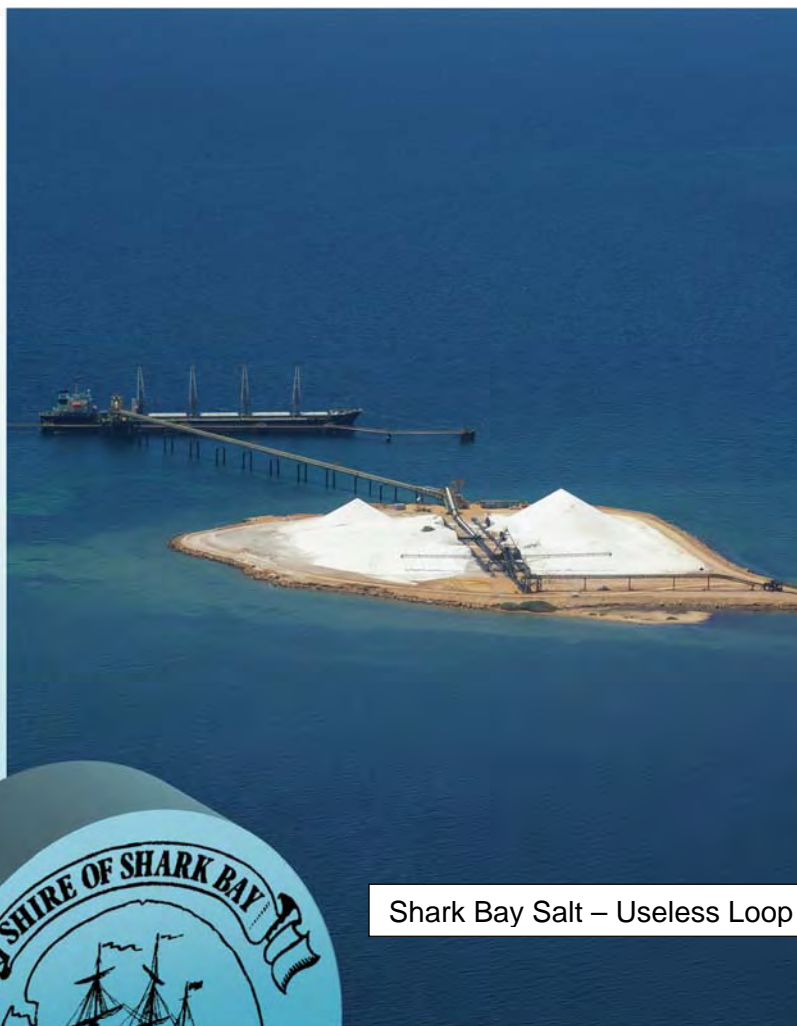


# Shire of Shark Bay

## Minutes of the Ordinary Council meeting held on the 26 August 2015



Shark Bay Salt – Useless Loop







## DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Shark Bay for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with Council members or staff.

The Shire of Shark Bay disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by a member or officer of the Shire of Shark Bay during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Shark Bay.

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

The minutes of the Ordinary meeting of the Shark Bay Shire Council held in the Useless Loop Conference Rooms, Useless Loop, Via Denham on 26 August 2015 commencing at 9.45 am.

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**1. DECLARATION OF OPENING**

The President declared the meeting open at 9.45am.

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

**ATTENDANCES**

Cr C Cowell	President
Cr K Capewell	Deputy President
Cr M Prior	
Cr G Ridgley	
Cr B Wake	
Cr L Bellottie	

Mr P Anderson	Chief Executive Officer
Ms C Wood	Executive Manager Finance and Administration
Mrs G McBride	Executive Manager Community Development
Mr B Galvin	Works Manager
Mrs R Mettam	Executive Assistant

**APOLOGIES**

Cr K Laundry	Leave of Absence approved Ordinary Council meeting held on 29 July 2015 Item 5.1.
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**VISITORS**

Mr Greg Godwin	UHY Haines Norton/ Moore Stephens – Council Auditor
Mr Brian Veitch	
Ms Marita Henry	

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

There were no previous public questions on notice.

**4. PUBLIC QUESTION TIME**

The President opened Public Question Time at 9.46am and as there were no questions the President closed Public Question Time at 9.46am

**5. APPLICATIONS FOR LEAVE**

NIL

**6. PETITIONS**

NIL

**7. CONFIRMATION OF MINUTES**

**7.1 CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 29 JULY 2015**

Moved Cr Ridgley  
Seconded Cr Capewell

**Officer Recommendation**

**That the minutes of the Ordinary Council meeting held on 29 July 2015, as circulated to all Councillors, be confirmed as a true and accurate record.**

**AMENDMENT TO COUNCIL RESOLUTION**

**Reason:** Cr Wake asked to have an amendment to the Ordinary Council meeting minutes held on the 29 July 2015 to include the following included as part of the resolution on item 20.6 page 166 “and the president report back to council.”

Moved Cr Wake  
Seconded Cr Capewell

**Council Resolution**

**That the minutes of the Ordinary Council meeting held on 29 July 2015, as circulated to all Councillors, be confirmed as a true and accurate record with the following amendments;**

**Resolution item 20.6 page 166 have the words “and the President to report back to Council” to be inserted after the word parameters.**

**Resolution Item 13.5 page 174 note 3 have the words “Pool telegraph” inserted after the word Hamelin in the first instance.**

**5/1 CARRIED**

**7.2 CONFIRMATION OF THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 31 JULY 2015**

Moved Cr Capewell  
Seconded Cr Cowell

**Council Resolution**

**That the minutes of the special council meeting held on 31 July 2015, for Tender TE2015/2016-01 – Dirk Hartog Commemorative Festival – Creative and Production Management, as circulated to all councillors, be confirmed as a true and accurate record.**

**6/0 CARRIED**

Ms Marita Henry - Principal Useless Loop School – addressed Council

**8. ANNOUNCEMENTS BY THE CHAIR**

Cr Wake has invited Mr Brian Veitch from Tamala Station and Ms Marita Henry Principle Useless Loop School, as guest to the August Ordinary Council meeting.

The President will arrange for the drawing of the Rate Incentive Prize to be drawn at the Australian Citizenship Ceremony to be held Friday 28 August 2015.

**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
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

31 July	Special Council meeting – Dirk Hartog 2016 Event contract
11 Aug	Gascoyne Development Commission Board Audit and Risk Committee – Gascoyne Junction
11/12	Gascoyne Development Commission Board meeting – Gascoyne Junction
13	Local Laws Workshop
21	Western Australian Local Government Association - Gascoyne Zone teleconference
26	Ordinary Council meeting – Useless Loop

Signatures

Councillor *Councillor Cowell*  
 Date of Report 14 August 2015

Moved Cr Prior  
Seconded Cr Ridgley

**Council Resolution**

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

**6/0 CARRIED**

**10. COUNCILLORS' REPORTS**

10.1 Cr Wake  
GV00007

Committee Membership

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

Meeting Attendance

31 July 2015	Special Council meeting – Tender Dirk Hartog Event Contract
26 August	Ordinary Council meeting at Useless Loop

General

The Shire has experienced a winter growing season. The first in approximately 10 years.

Tourism operators report they have been busy.

Heavy haulage movements on the highway have declined reflecting the decline in the mining industry and declining state revenue.

Reflected in towns like Geraldton where house prices are declining and unemployment is increasing.

Signatures

Councillor	<i>Councillor Wake</i>
Date of Report	26 August 2015

Moved Cr Bellottie  
Seconded Cr Prior

**Council Resolution**

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

**6/0 CARRIED**



10.2 Cr Capewell  
GV00005

Committee Membership

Member Works Committee  
Member Audit Committee  
Member Shark Bay Marine Facilities Management Committee

Meeting Attendance

13 August Local Laws Workshop  
31 July Special Council meeting – Tender Dirk Hartog Event Contract

Signatures

Councillor *Councillor Capewell*  
Date of Report 14 August 2015

Moved Cr Prior  
Seconded Cr Wake

Council Resolution

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

**6/0 CARRIED**

10.3 Cr Laundry  
GV00013

NIL

10.4 Cr Bellottie

GV00010

Committee Membership

Member Audit Committee  
Member Works Committee  
Member St John's Ambulance – Shark Bay Sub Centre  
Deputy Member For Cr Cowell – Development Assessment Panel

Meeting Attendance

31 July 2015 Special Council meeting – Tender Dirk Hartog Event Contract  
5-7 August Attended the Western Australian Local Government Association Annual Conference (Local Government Week)  
11/12 Gascoyne Development Commission Board meeting – Gascoyne Junction  
13 August Local Laws Workshop

Signatures

Councillor

*Councillor Bellottie*

Date of Report

14 August 2015

Moved            Cr Prior  
Seconded       Cr Wake

**Council Resolution**

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

**6/0 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

31 July 2015            Special Council meeting – Tender Dirk Hartog Event Contract

Signatures

Councillor

*Councillor Ridgley*

Date of Report

26 August 2015

Moved            Cr Capewell  
Seconded       Cr Prior

**Council Resolution**

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

**6/0 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

3 Aug 2015	Shark Bay Arts Council meeting
4	Shark Bay Commerce and Tourism Committee meeting

Signatures

Councillor	<i>Councillor Prior</i>
Date of Report	11 August 2015

Moved	Cr Capewell
Seconded	Cr Ridgley

Council Resolution

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

**6/0 CARRIED**

The President adjourned the Ordinary Council Meeting for morning tea at 10.28am

The President resumed the Ordinary Council Meeting at 10.56am

**11. ADMINISTRATION REPORT**

**11.1 ANNUAL REVIEW OF REGISTER OF DELEGATIONS**

CM00039

Author

Executive Assistant

Disclosure of Any Interest

Nil

Moved Cr Ridgley

Seconded Cr Prior

**Council Resolution**

**That Council adopt the Delegations to the Chief Executive Officer as reviewed in this report in accordance with the *Local Government Act 1995*.**

**6/0 CARRIED**

Background

Section 5.42 of the ***Local Government Act 1995*** (the Act) provides that a Council may delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act other than those referred to in Section 5.43. Any decision to make, amend or revoke a delegation is to be by an absolute majority - see Section 5.45(1) (b) below.

***5.45. Other matters relevant to delegations under this Division***

**(1) Without limiting the application of sections 58 and 59 of the *Interpretation Act 1984* –**

**(b) Any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.**

The Register of Delegations is required to be reviewed once every financial year, as required by Section 5.46(2) of the Act. The Register of Delegations was last reviewed in full at the Ordinary Council meeting held on 29 October 2014.

Comment

The purpose of the review is to consider the operational effectiveness of the current delegations, whether each delegation is necessary, whether each delegation is appropriate and whether legislative amendments necessitate any changes.

All delegations have been reviewed to ensure format consistency with other Shire documents (such as Policies) and with a view to ensuring consistency with references to statutory references and any changes to relevant legislation that describes the power or duty being delegated.

Legal Implications

Section 5.46 of the **Local Government Act 1995** states that -

- (1) *The Chief Executive Officer is to keep a register of the delegation made under this Division to the Chief Executive Officer and to the employees.*
- (2) *At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*
- (3) *A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.*

Policy Implications

The Current Policy Manual adopted by Council at the Ordinary Council meeting held on the 27 August 2014, item 1.7 Instrument of Delegation (2) States: "When powers and duties are delegated by the Council to the Chief Executive Officer the Instrument of Delegation be signed by the President or the person presiding".

Financial Implications

This delegation will save Council the cost of gazetted staff to Ranger positions and Registration Officers for the receipting of dog and cat licencing.

Strategic Implications

There are not Strategic Implications related to this report.

Voting Requirements

Absolute Majority Required

Signatures

Chief Executive Officer

*P Anderson*

Date of Report

7 August 2015

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Section / Regulation	RELEVANT EXERCISABLE POWER or DISCHARGEABLE DUTY OF LOCAL GOVERNMENT	To the Chief Executive Officer	Scope, conditions or Limitations
<b>Part 2 - Constitution of local government</b>			
2.8 (1)(f)	Representing the Shire - President liaises with the CEO on the local government's affairs and the performance of its functions	✓	The President and Chief Executive Officer may decide suitable functions for Council to meet and show hospitality to official visitors
2.8	Representing the Shire - use of Shire logo	✓	Chief Executive Officer may approve applications from all groups for the use of the Shire logo on promotional material, provided that the words "Shire of" must not be included for commercial use or products.
<b>Part 3 - Functions of local government</b>			
3.22(1)	A local government that causes damage through the performance of its function must pay compensation to the owner or occupier	✓	
3.25(1)	A local government may give an occupier a notice requiring them to do something to the land if it is specified in Schedule 3.1. The local government must also inform the owner if the occupier is not the owner	✓	
3.26(2)	In order to make a person comply with a notice, a local government may do anything it considers necessary to achieve the purpose for which the notice was given	✓	
3.26(3)	A local government may continue to undertake works that are not carried out by the owner or occupier and recover the costs as a debt	✓	
3.27(1)	A local government may go onto private land in the circumstances prescribed in Schedule 3.2 and carry out works, even if it does not have the consent of the owner	✓	
3.31(2)	After a local government has given notice, it may authorise a person to enter land, premises or thing without consent, unless the owner or occupier has objected to the entry	✓	
3.34(1)	A local government may enter land in an emergency without notice or consent	✓	
3.40A(1)	Local government may authorise a person to remove and impound an abandoned vehicle wreck	✓	
3.40A(4)	Local government may declare that a vehicle is an abandoned vehicle wreck	✓	
3.47(1)	The local government may sell or otherwise dispose of any goods that have been ordered to be confiscated under section 3.43	✓	
3.47(2)	The local government may sell or otherwise dispose of any vehicle that has not been collected within 2 months of a notice having been given under section 3.40(3) or 7 days of a declaration being made that a vehicle is an abandoned vehicle wreck	✓	

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<b>3.47(2a)</b>	The local government may sell or otherwise dispose of impounded goods that have not been collected within the period specified in section 3.47(2b) of the date a notice is given under sections 3.42(1)(b) or 3.44	✓	
<b>3.47A(1)</b>	If an impounded animal is ill or injured to such an extent that treating it is not practicable, the local government may humanely destroy the animal and dispose of the carcass	✓	
<b>3.48</b>	If goods are removed or impounded under section 3.39 and the offender is convicted, the local government may recover any expenses incurred in removing and impounding the goods	✓	
<b>3.50(1)</b>	A local government may close a thoroughfare to vehicles, wholly or partially, for a period not exceeding 4 weeks	✓	
<b>3.50(1a) and 3.50(4)</b>	A local government may, after providing public notice of its intention and reasons, inviting submissions and then considering submissions, order a thoroughfare to be wholly or partially closed to vehicles for a period exceeding 4 weeks	✓	
<b>3.50A</b>	A local government may partially and temporarily close a thoroughfare, without giving local public notice, if the closure is for the purpose of carrying out repairs or maintenance and is unlikely to have a significant adverse effect on users of the thoroughfare	✓	
<b>Functions &amp; General Reg 6(3)</b>	A local government may, by local public notice, revoke an order under regulation 6(1) that closed a thoroughfare or alter it to make it less restrictive	✓	
<b>3.51(3)</b>	Before fixing, altering or realigning a public thoroughfare or draining water onto adjoining land, the local government must give notice of its proposal, invite submissions and consider those submissions	✓	
<b>3.53(3)</b>	If an unvested facility lies within 2 or more districts, the local governments concerned can agree on its control and management	✓	
<b>3.54(1)</b>	A local government may do anything it could do under the Parks and Reserves Act 1895 if it were a Board appointed under that Act, to control and manage any land reserved under the Land Act 1933 and vested in or placed under the control and management of the local government	✓	
<b>3.57(1)</b>	A local government must invite tenders before it enters into a contract for goods or services with a value of \$100,000 or more (Functions and General Reg 11)	✓	
<b>Functions &amp; General Reg 14 (2a)</b>	Where a local government is inviting tenders, the local government must determine in writing the criteria for accepted tenders	✓	
<b>Functions &amp; General Reg 18 (4) &amp; (5)</b>	A local government must consider any tender that has not been rejected and decide which one to accept. It may decline to accept any tender	✓	

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<b>Functions &amp; General Reg 20</b>	A local government may, with the approval of the tenderer, make a minor variation in a contract for goods or services before it enters the contract with the successful tenderer	✓	
<b>Functions &amp; General Reg 20 (2)</b>	If the successful tenderer does not want to accept the contract with the variation or the local government and the tenderer cannot reach agreement, the local government can select the next most appropriate tenderer	✓	
<b>Functions &amp; General Reg 21 (1)</b>	A local government may seek expressions of interest before entering the tender process	✓	
<b>Functions &amp; General Reg 23 (3)</b>	A local government must consider any submissions of interest that have not been rejected and decide which ones could satisfactorily supply the goods or services	✓	
<b>Functions &amp; General Reg 24E(1)</b>	Where a local government intends to give a regional price preference the local government is to prepare a regional price preference policy	✓	
<b>Functions &amp; General Reg 24E(4)</b>	A local government cannot adopt a regional price policy until the local government has considered submissions received	✓	
<b>Nil</b>	To make variation in the goods or services required, after it has entered into a contract for the supply of the goods or services required subject to such variations in the contract as may be agreed with the contractor.	✓	Approval of variations necessary to achieve the outcome of the scope of the project and within the adopted budget of the project
<b>3.58(2)</b>	A local government can only dispose of property to the highest bidder at public auction or the most suitable public tender	✓	
<b>3.58(3)</b>	A local government can dispose of property by private treaty but must follow the process set out in section 3.58(3)	✓	
<b>Part 4 - Elections and other polls</b>			
<b>Part 5 – Administration</b>			
<b>5.18</b>	A local government must review all delegations made to a committee	✓	
<b>5.27(2)</b>	General meeting of electors to be held on a day selected by a local government but not more than 56 days after the local government accepts the annual report for the previous financial year	✓	
<b>5.37(1)</b>	A local government may designate any employee to be a senior employee	✓	
<b>Admin Reg 18(D)</b>	A local government is to consider, accept or reject a review of the CEO's performance	✓	
		✓	



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5.50(1)	A local government must prepare a policy for employees whose employment is finishing, setting out the circumstances in which the local government would pay a gratuity and how that gratuity would be assessed, and give local public notice of the policy	✓	
5.50(2)	A local government may make a payment to an employee whose employment is finishing, that is in addition to the amount set out in its policy, provided that local public notice of the payment is given	✓	
5.53(1)	A local government must prepare an annual report for each financial year	✓	
5.56	A local government is to prepare a plan for the future	✓	
Admin Reg 19C(4)	A local government is to review its current plan for the future every 2 years	✓	
Admin Reg 29A(2)	Information prescribed as confidential but that, under 5.95(7), may be available for inspection if a local government so resolves	✓	
5.98(2)(b)	A local government may approve expenses which are to be reimbursed to its councillors, provided that the expenses are of the kind prescribed as those which the local government can approve for reimbursement [subject to section 5.98(3)]	✓	
5.98(4)	A local government may approve the reimbursement to a council member of an approved expense, either generally or in a particular case	✓	
5.100(2)	A local government may decide to reimburse expenses to committee members who are not council members or employees	✓	
5.103(2)	A local government must review its code of conduct within 12 months of every ordinary elections day	✓	
<b>Part 6 – Financial Management</b>			
Financial M'gment Reg 19(1)	A local government must establish and document internal control procedures to ensure control over investments	✓	
6.7(2) Financial M'gment Reg 12(1)	To make payments from the municipal fund or the trust fund for the performance of functions and exercise of powers	✓	(i) Payment of salaries up to the amount required to meet the Council's employee entitlements obligations; (ii) All other payments not to exceed \$100,000; (iii) In accordance with Council policies and adopted budget; and (iv) Payment within the scope of Budgeted project and within the adopted budget of the project.

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<b>6.9(4)</b>	A local government may transfer money held in trust for 10 years to its municipal fund, but must repay it to a person who establishes a right to the repayment, together with any interest earned on the investment	✓	
<b>6.12(1)(b)</b>	A local government may waive or grant concessions in relation to any amount of money or write off any amount of money that it is owed to the local government [subject to section 6.12(2)]	✓	
<b>6.12(3)</b>	The local government may determine what conditions apply to the granting of a concession	✓	
<b>6.14(1)</b>	A local government may invest money in its municipal or trust funds that is not being used, in accordance with Part III of the Trustees Act 1962	✓	
<b>6.49</b>	A local government may make an agreement with a person to pay their rates and service charges	✓	
<b>6.50(1) and 6.50(2)</b>	A local government may determine the due date that rates and charges become due, but which date cannot be sooner than 35 days after the date noted on the rate notice	✓	
<b>6.56(1)</b>	A local government may recover an unpaid rate or service charge and the cost of proceedings in court of competent jurisdiction	✓	
<b>6.60(2)</b>	A local government may give notice (to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the local government in satisfaction of the rate or service charge)	✓	
<b>6.60(3)</b>	If a local government gives notice to a lessee, under section 6.60(2), the local government must give a copy of the notice to the lessor	✓	
<b>6.60(4)</b>	If a local government gives notice to a lessee, under section 6.60(2), and the lessee fails to pay rent to the local government, the local government may recover the rate or service charge as a debt from the lessee	✓	
<b>6.64(1)</b>	If any rates or service charges have remained unpaid for at least 3 years, a local government may take possession of the land and hold the land against a person having an estate or interest in the land, and may lease or sell the land or subject to transfer it to the Crown or itself 5.43(d)	✓ subject to 5.43 (d)	
<b>6.64(3)</b>	A local government may lodge a caveat in respect of any land for which rates and service charges are outstanding	✓	
<b>6.71(1)</b>	If a local government is unable to sell land under Part 6 Division 6 Subdivision 6 within 12 months, it may transfer the land to the Crown or itself subject to	✓ subject to 5.43 (d)	
<b>6.74(1)</b>	A local government may apply in the prescribed form to the Minister to have land revested in the Crown if it is rateable vacant land and rates or service charges in respect of it have remained unpaid for at least 3 years	✓	
<b>Financial M'gmt Reg 77(3)</b>	Financial A local government must consider any objections it receives in relation to a reinvestment under regulation 77	✓	

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6.76(5)	The local government must consider any objections to the rates record and may disallow or allow the objection either wholly or in part	✓	
6.76(6)	The local government is to provide the person with notice of its decision	✓	
7.12A(3)	A local government is to examine the auditor's report, under section 7.9(1) and any report under section 7.9(3), and must determine if any matters raised by the report require action and ensure that appropriate action is taken Audit	✓	
7.12A(4)	A local government must prepare a report on any action taken in response to an auditor's or section 7.9(3) report, and provide it to the Minister Audit	✓	
<b>Part 8 – Scrutiny of the affairs of local governments</b>			
8.14(3)	A local government must give the Minister advice of what things it has done or will do to comply with an enquiry report from the Minister or a person authorised by the Minister, within 35 days of receiving the report	✓	
8.23(4)	A local government must give the Minister advice of what things it has done, or will do, to comply with an Inquiry Panel's report within 35 days of receiving the report, or give its comment on a recommendation to dismiss the council	✓	
<b>Part 9 – Miscellaneous provisions</b>			
9.6(5)	The local government must give the person who made the objection notice of how it was disposed of and reasons why	✓	
9.10(1) & (2)	The local government may appoint persons or classes of persons to be authorised to perform certain functions and must issue them with a certificate stating they are authorised	✓	
9.60(4)	A local government is to administer any regulation made under section 9.60 as if it were a local law	✓	
9.56	Certain persons protected from liability for wrongdoing - legal costs indemnification	✓	Where there is a need for the provision of urgent legal services before an application can be considered by Council, the Chief Executive Officer may give an a authorisation to the value of \$5,000 provided that: (1) where it is the Chief Executive Officer who is seeking urgent financial support for legal services, the Council shall deal with the application; and (2) subject to any other conditions Council may set in its policy regarding costs indemnification for legal representation.
9.63(1)	If a dispute has arisen between 2 or more local governments, a local government may refer the matter to the Minister to resolve	✓	
9.68(5)	A local government may recover accruing rates from a principal or agent who has failed to give a notice to the local government in accordance with section 9.68	✓	

ORDINARY COUNCIL MINUTES

26 AUGUST 2015

<b>Schedule 2.1 – Provisions about creating, changing the boundaries of, and abolishing districts</b>			
<b>11(2)</b>	Any local governments affected by an order made under clause 2.1 are to negotiate any adjustment or transfer between them of property, rights and liabilities	✓	
<b>Schedule 2.2 – Provisions about wards and representation</b>			
<b>8</b>	The council must have regard to community of interests, physical and topographical features, demographic trends, economic factors and the ratio of councillors to electors in respect of considerations about wards	✓	
<b>9</b>	When a ward review is complete, the local government must prepare a report for the Advisory Board and may propose the making of an order under clauses 2.2(1), 2.3(3) or 2.18(3)	✓	
<b>Schedule 6.1 – Provisions relating to the phasing – in of valuation</b>			
<b>Schedule 6.2 – Provisions relating to lease of land where rates or service charges unpaid</b>			
<b>1(1)</b>	A local government may lease the land with any conditions for a term that does not exceed 7 years	✓ subject to 5.43 (d)	
<b>Schedule 6.3 - Provisions relating to the sale or transfer of land where rates or service charges are unpaid</b>			
<b>1(4)</b>	The local government must appoint a time at which the land may be offered for sale by public auction, not less than 3 months and not more that 12 months from the service of the notice under clauses 1(1) or 1(2)	✓	
<b>2(3)</b>	The local government must give the Registrar of Titles or the Registrar of Deeds a memorial of the Statewide notice	✓	
<b>4(1)</b>	A local government may transfer or convey to the purchaser of the land an indefeasible estate in fee simple	✓ subject to 5.43 (d)	
<b>Town Planning Scheme No. 3</b>			
<b>TPS3 CLAUSE 11.3.1</b>	That Council grant delegated authority to the Chief Executive Officer to issue deemed refusal letters for applications where an application is deemed refused in accordance with 10.9.1 or 10.9.2 of the Scheme	✓	

ORDINARY COUNCIL MINUTES

26 AUGUST 2015

<b>TPS3 CLAUSE 11.3.1</b>	That Council grant delegated authority to the Chief Executive Officer to determine an application for planning approval where it is established prior to, or at, an Ordinary Council meeting that the minimum number of Councillors needed for a quorum will not be available to vote on an application at a scheduled Council meeting (due to absence or planned declaration of interest).		<ol style="list-style-type: none"><li>1. The use is a 'P' or 'D' use under the Shire of Shark Bay Local Planning Scheme no. 3 ('the Scheme'); or</li><li>2. The proposed use or development is ancillary to existing development; or</li><li>3. For residential development, the application complies with the 'deemed to comply' requirements of the Residential Design Codes or satisfies the 'Design Criteria' of the Residential Design Codes ; and</li><li>4. The application generally complies with the Scheme with no major variations to setback, site coverage or car parking requirements; and</li><li>5. The use or development complies with any relevant Local Planning Policy.</li></ol> <p>This delegation must not be exercised the Delegated officer where:</p> <ol style="list-style-type: none"><li>a) The development entails a variation to the Scheme or Residential Design Codes that is considered by the Delegate to be significant;</li><li>b) The Delegate considers the development will have the potential to negatively impact on the amenity of the locality;</li><li>c) The height of the development exceeds two storeys;</li></ol>
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ORDINARY COUNCIL MINUTES

26 AUGUST 2015

<b>TPS3 CLAUSE 11.3.1</b>	Conditions Continued		<p>d) A written objection has been lodged during a formal advertising period;</p> <p>e) The Delegate considers an application should be advertised for public comment and no advertising has been conducted;</p> <p>f) Development proposals are considered by the Delegate to have a strategic impact and as a result involve issues in which Council has a direct interest;</p> <p>g) The estimated cost of development exceeds \$500,000.00;</p> <p>h) The development is located in a Special Use zone; and</p> <p>i) The Delegate considers the proposal has potential to negatively impact on World Heritage values.</p>
<b>Dog Act 1976</b>		✓	
<b>10AA (1)</b>	A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, delegate to its Chief Executive Officer any power or duty of the local government under another provision of this Act	✓	
<b>10AA (2)</b>	The delegation must be in writing	✓	
<b>10AA (3)</b>	The delegation may expressly authorise the delegate to further delegate the power or duty	✓	
<b>10AA (4)</b>	A local government's chief executive officer who is exercising or performing a power or duty that has been delegated as authorised under this section, is to be taken to do so in accordance with the terms or the delegation unless the contrary is shown	✓	
<b>10AA (5)</b>	Nothing in the section limits the ability of a local government's chief executive officer to perform a function through an officer or agent	✓	
<b>10AB (1)</b>	The Chief Executive Officer of a local government is to keep a register of: (a) delegations made under section 10AA(1); and (b) further delegations made under the authority of a delegation made under section 10AA(1).	✓	
<b>10AB (2)</b>	At least once every financial year - (a) delegations made under section 10AA(1); and (b) further delegations made under the authority of a delegation made under section 10AA(1), are to be reviewed by the delegator.	✓	

ORDINARY COUNCIL MINUTES

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Cat Act 2011			
<b>Section 3</b>	A local government may approve in writing an operator of a cat management facility	✓	
<b>Section 9</b>	A local government may grant, renew or refuse an application for cat registration	✓	
<b>Section 9(5)</b>	A local government may require an applicant to give documents or information relating to registration, within a specified time of not more than 21 days and may require information to be verified by statutory declaration	✓	
<b>Section 10</b>	A local government may cancel the registration of a cat	✓	
<b>Section 11</b>	A local government is to issue a registration number, certificate and tag, including a replacement certificate or tag	✓	
<b>Section 12</b>	A local government must keep a cat register	✓	
<b>Section 13</b>	A local government must notify the owner of cat the outcome of a decision	✓	
<b>Section 26</b>	A local government may issue a cat control notice	✓	
<b>Section 37</b>	A local government may grant, renew or refuse an approval to breed application	✓	
<b>Section 37(3)</b>	A local government may require an applicant to give document or information relating to a breeder application, within a specified time of not more than 21 days and may require information to be verified by statutory declaration	✓	
<b>Section 38</b>	A local government may cancel an approval to breed	✓	
<b>Section 39</b>	A local government must issue a certificate to an approved breeder	✓	
<b>Section 40</b>	A local government must notify the person affected by the decision in writing of the outcome	✓	
<b>Section 42</b>	A local government is to administer local laws	✓	
<b>Section 47</b>	A CEO needs to keep a register of delegations	✓	
<b>Section 48</b>	A local government may appoint, in writing, authorised persons	✓	
<b>Section 49</b>	A local government may recover the costs of having to destroy a cat	✓	
<b>Section 37, reg 22</b>	A local government may refuse an application to breed if the applicant has had an infringement in the past 12 months	✓	

11.2 RESERVE 49809 - COMMON  
RES49809

AUTHOR  
CHIEF EXECUTIVE OFFICER

DISCLOSURE OF ANY INTEREST  
NIL

Officer Recommendation  
That Council:

1. Note the administrations correspondence to Mrs Hargreaves in regard to ongoing occupation of Reserve 49809 and from Mr Hargreaves in relation to Reserve 49809.

Option 1

Instruct the administration to further assist Mrs Hargreaves in preparing an application to occupy a section of Reserve 49809 to be submitted to Council at the Ordinary meeting to be held on 30 September 2015 for consideration.

OR

Option 2

Instruct the administration to issue an infringement to Mrs Hargreaves under Section 3.13(i) (o) of the Shire of Shark Bay Local Government Property Local Law and commence subsequent action in accordance with Councils Local Laws section 10 enforcement.

Moved: Cr Ridgley  
Seconded: Cr Wake

Council Resolution  
That Council:

**Note the administrations correspondence to Mrs Hargreaves in regard to ongoing occupation of Reserve 49809 and from Mr Hargreaves in relation to Reserve 49809.**

**Instruct the administration to further assist Mrs Hargreaves in preparing an application to occupy a section of Reserve 49809 to be submitted to Council at the Ordinary meeting to be held on 30 September 2015 for consideration.**

**6/0 CARRIED**

BACKGROUND

The Shire has a Management Order for Reserve 49809 with a current purpose classified as common. The area of the reserve is 1,139.223 hectares. The classification of current purpose as "common" appears to be based on a historical use.



The definition of common in the Australian concise oxford dictionary is:  
*belonging to, open to or affecting the whole community or the public (common land).*

The Council in 2008 advised the Department of Lands that the use of the reserve referred to as the common would as follows;

*Predominately the common will be only be for de-pasturing of animals under "license to occupy" however a small portion of the common has been used for material extraction by the Shire for Local Government requirements*

Subsequently the Shire in July 2008 received a Management Order with the following conditions:

To be used for its designated purpose of "Common "only  
Power to licence for the designated purpose is granted for the whole or any portion thereof for any term not exceeding five (5) years from the date of license subject to the approval in writing of the Minister of lands being first obtained to each and every licence pursuant also to the provisions of section 19 of the *Land administration Act 1997*.

The Council in 2009 to ensure there was a consistent approach to the use and controls of the common considered a policy and advertised the policy for comment.

It is unclear if the policy was formally adopted, however the principles of the policy appeared to have been put into place and it is now referred to as a Management Statement.

The following conditions are contained within the licences that are granted by Council

*All occupiers of the town 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 town 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 town 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 Town 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 town common with regard to mutual required services and infrastructure.*

*Occupiers are asked to contribute to a positive relationship with other town 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 town common.*

*Occupiers of the town common are required to address issues of concern directly to the shire and not to other occupiers.*

The following is the Management Statement that was reviewed by the Council.

Management Statement for the Occupation and use of the Common

The shire is to maintain a register of all occupiers of the common along with the following base data;

The area and location of land being utilised along with the specific infrastructure thereon.

The number of stock being grazed.

Other activities that are being undertaken. E.g., sand extraction, trail bike riding etc.

Occupiers of the town common

All occupiers of the common will require a licence to be granted for the designated purpose of occupation of the 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.

Reporting Requirements

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.

General Management Statement for Occupiers

All occupiers of the common will observe basic requirements for its occupation.

Activities are to be controlled and maintained to ensure long term environmental sustainability and ultimate re-instatement of its land use.

Due respect is to be observed to other occupiers of the common with regard to mutual required services and infrastructure.

Activity infrastructure will be required to be set back a specified distance from the access road as determined by the shire.

An area stock control device will be required to access the common.

Speed limits will be specified on the access road within the common.

Occupiers of the common are required to address issues of concern directly to the shire and not to other occupiers.

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.

Given the area is Reserve vested in the Council, the Council Property Local Laws can also be applied to this area.

The following licenses have been issued and approved by the Minister for use of an area of the common:

Mrs Alison McLean

Licence issued 1 June 2013 expires 31 May 2018

Area 4.2 Hectares

Ms Tracey Weiss  
Licence issued 01 September 2014 expires 31 August 2019  
Area approx. 1.5 Hectares

Mr Gary Desmond and Mr Harold Hoult  
Licence approved by council May 2015 expiring June 2019  
Area 15 Hectares

These licences have been finalised and have the approval of the Minister.

Mr Henk Van Eek  
Licence conditionally approved by council July 2010 expiring June 2015  
Area 5 Hectares

This licence has been conditionally approved by Council at the July 2015 meeting and has been forwarded to the Minister for consideration.

There is only one other occupant of the common at present being:

Mrs Margaret Hargreaves  
Licence conditional approved by council July 2010 expired June 2015  
Area 1,500m<sup>2</sup>

The process that was applied to these licences has been reviewed due to some recent issues and the fact that these licences are approaching their end date of 30 June 2015.

Correspondence (attached) has been sent to Mrs Hargreaves on the following dates 18 August 2014, 16 January 2015, 2 June 2015, 3 July 2015 and 27 July 2015 advising that the licence to occupy a section of Reserve 49809 was expiring on 30 June 2015 and the process that was required to submit an application for consideration.

There has been one response from Mrs Hargreaves received on the 27 July 2015, however no application has been submitted from Mrs Hargreaves in response to the correspondence previously sent by the administration.

#### COMMENT

Mrs Hargreaves has been advised on 18 August 2014, 16 January 2015, 2 June 2015, 3 July 2015 and 27 July 2015 in regard to the expiry of the current licence to occupy a section of Reserve 49809 and the correct procedures to apply to the Council for consideration to occupy a section of Reserve 49809.

There has been a response from Mrs Hargreaves on the 27 July 2015 and an email from Mr Hargreaves (attached) on 14 April 2014, however there has been no application received in the correct format for Council to consider.

Council is aware that Mr Hargreaves has expressed an opinion on the Reserve and provided information regarding the history of the common and Reserve 49809. Mr Hargreaves has requested further information to prepare a submission which has not yet been received.

Given the opinions and the stance that has previously been taken in regard to this matter the administration has deferred to Council before taking any action which may result in ongoing legal action.

The Council may consider the following options:

instruct the administration to further assist Mrs Hargreaves in preparing an application to occupy a section of Reserve 49809 which can then be submitted to Council at the Ordinary meeting to be held on 30 September 2015 for consideration.

Instruct the administration to issue an infringement to Mrs Hargreaves under section 3.13(i) (o) of the Shire of Shark Bay Local Government Property Local Law and commence subsequent action to in accordance with Councils Local Laws section 10 enforcement.

Option 1 would be in recognition of the ongoing occupation of an area of the Reserve 49809 and given the administration would be assisting it may be assumed by Mrs Hargreaves that Council would then approve the application.

This may create an incorrect expectation that assistance from the administration with the application would ensure approval from the Council.

The Council has the statutory ability to delegate authority for the issuing of permits and licences to the Chief Executive Officer, it has been the Chief Executive Officer's practise to refer matters of this nature to the Council for consideration.

The majority of the compliance issues previously experienced with the utilisation of Reserve 49809 by approved occupiers have been addressed with the removal of the gate, grid and fencing and erection of signage to access the reserve.

The gate, grid and fencing had previously been used by occupiers as a means to not comply with the Council's management regulation that required the licenced occupiers to maintain stock control measures in the area allocated that kept their stock contained within the area.

There is also a number of structures that have been erected on the area that is occupied by Mrs Hargreaves that were not noted on the original application.

Option 2 would be in acknowledgement that Mrs Hargreaves has refused to comply with numerous requests to apply for a licence to occupy a section of Reserve 49809 and taking into consideration Mr and Mrs Hargreaves previous stance that he has conveyed to Councillors via email on this matter.

This option may result in extensive ongoing action in accordance with Council's Local Laws section 10 enforcement or result in the submission in an application for a section of the common following the issuing of an infringement.

#### LEGAL IMPLICATIONS

The Council has a Management Order for Reserve 49809 in accordance with the *Land Administration Act 1997*.

The conditions of the Management Order

To be used for its designated purpose of "Common "only

Power to license for the designated purpose is granted for the whole or any portion thereof for any term not exceeding five (5) years from the date of license subject to the approval in writing of the Minister of lands being first obtained to each and every licence pursuant also to the provisions of section 19 of the *Land administration Act 1997*.

The Management Order enables the Council to grant individual licences and impose conditions in regard to the licence, which are then reviewed and ratified or amended by the Minister or their delegated officer.

The Shire of Shark Bay Local Government Property Local Law in part states:

2.1 Determinations as to Use of Local Government Property

- (1) The Local Government may make a determination in accordance with Clause 2.2 - setting aside specified Local Government property for the pursuit of all or any of the activities referred to in Clause 2.7,

The council has made the following determination:

Animals on local government property

Unless authorised by a written law, or by a permit or a determination, a person must not tether any animal to a tree, shrub, tree guard, wall or fence or permit any animal to enter on or into any local government property.

This clause does not apply to a guide dog used for the assistance of visually impaired persons.

Pursuant to clause 3.13(1)(o) of the local law, subject to the person in charge of the animals concerned obtaining a permit beforehand and compliance with any conditions listed in the permit or this determination, the following areas of local government property may be used to de-pasture, take on to, or allow to enter or remain upon, any animal as permitted:

Reserve 49809, known as the Denham Common.

3.1 Application of Part

This Part does not apply to a person who uses or occupies Local Government property under a written agreement with the Local Government to do so.

3.2 Application for Permit

- (1) Where a person is required to obtain a permit under this Local Law, that person shall apply for the permit in accordance with subclause (2).

- (2) An application for a permit under this Local Law shall -

- (a) be in the form determined by the Local Government,
- (b) be signed by the applicant,
- (c) provide the information required by the form, and
- (d) be forwarded to the Chief Executive Officer together with any fee imposed and determined by the Local Government under and in accordance with Sections 6.16 to 6.19 of the Act.

- (3) The Local Government may require an applicant to provide additional information reasonably related to an application before determining an application for a permit.
- (4) The Local Government may require an applicant to give local public notice of the application for a permit.
- (5) The Local Government may refuse to consider an application for a permit which is not in accordance with subclause (2).

### 3.3 Decision on Application for Permit

- (1) The Local Government may -
  - (a) approve an application for a permit unconditionally or subject to any conditions, or
  - (b) refuse to approve an application for a permit.
- (2) If the Local Government approves an application for a permit, it is to issue to the applicant, a permit in the form determined by the Local Government.
- (3) If the Local Government refuses to approve an application for a permit, it is to give written notice of that refusal to the applicant.

### 3.4 Conditions which may be Imposed on a Permit

- (1) Without limiting the generality of Clause 3.3(1) (a), the Local Government may approve an application for a permit subject to conditions relating to -
  - (a) the payment of a fee,
  - (b) compliance with a standard or a Policy of the Local Government adopted by the Local Government,
  - (c) the duration and commencement of the permit,
  - (d) the commencement of the permit being contingent on the happening of an event,
  - (e) the rectification, remedying or restoration of a situation or circumstance reasonably related to the application,
  - (f) the approval of another application for a permit which may be required by the Local Government under any written law,
  - (g) the area of the district to which the permit applies,
  - (h) where a permit is issued for an activity which will or may cause damage to Local Government property, the payment of a deposit or bond against such damage, and
  - (i) the obtaining of public risk insurance in an amount and on terms reasonably required by the Local Government.
- (2) Without limiting Clause 3.3(a) and subclause (1), the following paragraphs indicate the type and content of the conditions on which a permit to hire Local Government property may be issued -
  - (a) when fees and charges are to be paid,
  - (b) payment of a bond against possible damage or cleaning expenses or both,
  - (c) restrictions on the erection of material or external decorations,
  - (d) rules about the use of furniture, plant and effects,

- (e) limitations on the number of persons who may attend any function in or on Local Government property,
- (f) the duration of the hire,
- (g) the right of the Local Government to cancel a booking during the course of an annual or seasonal booking, if the Local Government sees fit,
- (h) a prohibition on the sale, supply or consumption of liquor unless a liquor licence is first obtained for that purpose under the *Liquor Licensing Act 1988*,
- (i) whether or not the hire is for the exclusive use of the Local Government property,
- (j) the obtaining of a policy of insurance in the names of both the Local Government and the hirer, indemnifying the Local Government in respect of any injury to any person or any damage to any property which may occur in connection with the hire of the Local Government property by the hirer, and
- (k) the provision of an indemnity from the hirer, indemnifying the Local Government in respect of any injury to any person or any damage to any property which may occur in connection with the hire of the Local Government property by the hirer.

3.13 Activities Needing a Permit

- (1) A person shall not without a permit -

- (m) make any excavation on or erect or remove any fence on Local Government property,
- (o) de-pasture, take on to, or allow to enter or remain upon Local Government property, any horse, sheep, cattle, goat, camel, ass or mule, unless the Local Government has made a determination under Clause 2.1(1) of this Local Law, in which event the provisions of the determination shall prevail

The penalty for not complying with clause 3.13(i) (o) of the Local Law is currently \$100.00.

In the event that an individual does not comply with the local law and continues the offence part 10 enforcement section of the local law can be applied

10.1 Offence to Fail to Comply with Notice

Whenever the Local Government gives a notice under this Local Law requiring a person to do any-thing, if a person fails to comply with the notice, that person commits an offence.

10.2 Local Government May Undertake Requirements of Notice

Where a person fails to comply with a notice referred to in Clause 10.1, the Local Government may do the thing specified in the notice and recover from the person to whom the notice was given, as a debt, the costs incurred in so doing.

10.3 Offences and General Penalty

- (1) Any person who fails to do anything required or directed to be done under this Local Law, or who does anything which under this Local Law that person is prohibited from doing, commits an offence.



- (2) Any person who commits an offence under this Local Law is liable, upon conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

FINANCIAL IMPLICATIONS

The Council recently imposed a fee of \$100 per annum for an approved licence for a section of the Reserve 49809.

In relation to the occupation of Reserve 49809 without the necessary approvals the initial action would be to issue a \$100 infringement.

In the event that the infringement is not paid and complied with there would be costs associated with any ongoing court action.

It is difficult to estimate the cost of any court action or action required to remove any structures in place on Council reserve that do not have the required approvals.

The court costs may be in the vicinity of \$7,500 - \$10,000 and some of these costs may be recoverable.

The costs to remove any structures would be incorporated into the operation costs associated with the management of Council reserves and in accordance with the Local Laws would be recoverable from the person on whom the notice was given.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this report

RISK MANAGEMENT

There are a number of risk factors associated with the licencing of areas of reserve to individuals for the keeping of animals.

This includes the environmental degradation of the licenced area, however given that the confinement of any animal will cause degradation of the environment, the licenced area could be viewed as the sacrificial site.

The issue of free roaming stock is also a risk factor, however Council would be mitigated due to the requirements of the policy and conditions of licence. The responsibility for wandering stock outside of the designated licence is a breach of Council Local Laws and would be the responsibility of the owner of the stock.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Chief Executive Officer  
Date of Report

*P Anderson*  
10 August 2015



RES49809 / O-CR-13748  
Paul Anderson  
18 August 2014

MARGARET HARGREAVES  
14 DURLACHER STREET  
DENHAM 6537

Dear Mrs Hargreaves

**TOWN COMMON LICENCE**

I refer to your conditional approval subject to conditions to occupy the Town Common resolved by Council on 28 July 2010.

Correspondence forwarded to you dated 30 July 2010 stated:

***That Council advise the proponent Mrs M.A. Hargreaves that it is prepared to grant conditional approval to occupy the Town Common subject to the following conditions;***

- A) *Compliance with the requirements and conditions for occupancy of the common which requires;***
- 1) *Removal of the existing Caravan within three (3) months of this notice and as previously required.***
  - 2) *Activity infrastructure is to be set-back 6.000 metres from the access road. In this regard the sea container will be permitted to remain, but when it is replaced it must be placed 6.000m from the road verge as per the policy.***
  - 3) *The approval of the Minister for Lands.***

While I appreciate you have been in occupation of the site prior to and following the date of the conditional approval was issued your license has not received final approval.

Given that your conditional approval has never been finalised and was based on the maximum five year approval condition only has 9 months to run, it would be prudent to submit a further application including evidence that you have complied with the conditions previously imposed.

These conditions included but were not limited to the following:

Fenced area to be consistent with application and not to be altered without approval.  
The area utilised must have a stock control measures in place to secure the stock.

Once this application has been received it can be progressed in the correct manner.

I have attached a copy of your initial application and the Shires Management Statement for the occupation and use of the Town Common.

I look forward to progressing this issue with you.

If you have any further queries in relation to the above matter, please contact Paul Anderson, Chief Executive Officer on 08 99481 218 or email [ceo@sharkbay.wa.gov.au](mailto:ceo@sharkbay.wa.gov.au) .

Yours sincerely  
Paul Anderson  
**CHIEF EXECUTIVE OFFICER**

26 AUGUST 2015

RES49809 / O-CR-14276  
Paul Anderson

16 January 2015

MARGARET HARGREAVES  
14 DURLACHER STREET  
DENHAM 6537

Dear Margaret

**TOWN COMMON LICENCE TO OCCUPY**

Please refer to Council's correspondence dated the 18 August 2014 requesting you to commence a new application for a licence to occupy the Town Common. A copy of the correspondence is attached for your information.

It would be appreciated if you would now complete the application form to occupy the Town Common.

A copy of your original application has been attached for your information. Also enclosed is a new application form for you to complete and return to the Shire office so that the licence may be progressed in terms with Council's Management Order on the Town Common.

The process, after Council approval has been given and all conditions complied with, is to then seek the Minister for Lands approval for the tenancy.

At present your tenancy on the Town Common is not compliant and you should rectify this with a new application as soon as possible.

Your urgent attention is now required to finalise this matter.

Yours sincerely

Paul Anderson  
**CHIEF EXECUTIVE OFFICER**

26 AUGUST 2015

From: Sharkbay Herald [<mailto:sharkbayherald@westnet.com.au>]  
Sent: Tuesday, 14 April 2015 5:53 AM  
To: Rhonda Mettam  
Cc: Cowell, Cheryl; Keith Capewell; Greg Ridgley; [deben8@bigpond.com](mailto:deben8@bigpond.com);  
[twintub1@bigpond.com](mailto:twintub1@bigpond.com); Hamelin Pool Station; Paul Anderson  
Subject: Commonage

Administration  
Shire of Shark Bay

### Commonage

I have been asked to make a formal submission by the C.E.O. to the Shire Council on the subject of the Common.

To do a proper job I want to get certain facts clearly established from the Shire records. Thus can you please advise me of the following dates & allied (condensed preferably) details –

Date the Common was first formally designated as such and the lines of demarcation and approx. area

The date the approx. one quarter of this designated Common was allocated to a member of the Hoult family and the accompanying details of boundary lines, acreage, datum post, copies of Public Notices advertising intent re-zoning of land etc.

Records of any fees levied for Administration costs or annual charges for the use of the livestock/grazing purposes.

Fees levied & (fees paid) by the current users of the Common proper

e.g. Mr. Garry Desmond,

Mrs. Allison McLean

Mr. Henk van Eek (Camel Safaris)

Mrs Margaret Hargreaves

The date & datum, size of area allocated & proposed fence lines for the one Commercial operation – the Shark Bay Camel Safaris.

In case of need I have previously submitted fairly lengthy submissions in reply to letters from the Shire & have addressed three Council meetings of recent years but have not received replies.

To facilitate matters I conclude this communication with one such letter dated the 27<sup>th</sup> August 2014

Thank you – Tim Hargreaves

Submission by Mr & Mrs Hargreaves on the subject of the keeping of horses at the Commonage.

### Background

In the 1980's the then Shire Council invited my wife & I to apply for land for the purposes of horse grazing in the locality which runs from the back of the Industrial area to Stella Rowley Drive and including the land where this building now stands.

It would have comprised about 100 acres. With the assistance of the Shire and a few *busy bees* water was piped from the Oval & fencing undertaken where required. We were invited to make such application in large measure because the then Shire Clerk, Brett Pollock, had a wife who had two horses & it was evident that such a facility would be of Community benefit to would-be horse owners in the future. Stabling was minimal, essentially for storage of feed

& tackle, as, in keeping with normal Conservation policies of the day, a free range grazing policy ensured that no one area would be eaten out.

With the development of the town we were subsequently asked to shift to where the present tip is. There was several thousand acres adjoining that locality. Different horse owners came & went and it was essentially my wife & myself identified with the matter of horses here. Again we fenced where necessary and again it was free range grazing as by now we were part of the World heritage conservation policies. The water itself was free being part of a supply line that ran up to what I recall was referred to as No.1 Bore.

A number of years later when the decision to shift the tip to where it now is, we were again asked to re-locate to the present locality referred to as the Common. That was about 15 years ago.

The area is about 2,000 (?) acres to my knowledge. The immediate fencing put in place was required of by Monkey Mia who controlled the Airport, being necessary to prevent kangaroos, emus, goats etc. from wandering onto the Airstrip.

The then Shire Council & Administration (Mark Hook) was again very co-operative with enabling a grid and gate at the entrance to this 'Common' and we again fenced off at our own cost a small holding paddock and arranged with Speedway to share costs of maintaining the water line that runs out to the Airport. (Water was always free from the Oval bore but the costs of maintaining the line that runs as far as to the Airport has – from the Speedway Club onwards – been borne essentially by my wife & myself. Excluding a part ownership in the Oval pump, the last bill was \$800 for new pipe. The Shark Bay Camel Safaris, Pistol Club, Golf Club, Harold Hault, Garry Desmond and Airport declined to contribute & have undertaken to cart themselves.)

Over the years it has generally worked well with most horse owners being responsible types & proving co-operative.

The first major problems arose - and are ongoing – with the arrival of a commercial venture in the form of the Shark Bay Camel Safaris. I think most Councillors are aware of the problems associated with this business venture there.

#### Present situation.

With the advent of a Commercial operation on what was basically an informal horse-owners pursuit, the last Council & Administration were somewhat *forced* into establishing some sort of rules. It became something of a Pandora's Box of complex & questionable legalities: supposed ancient rights of Commonage, the carting of gravel, the opening or otherwise of gates, a supposed gazetted road, the hitherto safe free ranging of horses, delinquent quad bike riders etc. Coupled with this the then Building/Health Inspector (to use the old title) Mr. McKechnie came to certain 'arrangements' with various people, the details of which we were not advised of.

Of these 'arrangements' one involved the land at the far end of what had been designated as Commonage for the community. This was fenced off by a member of the Hault family and a gate placed across the supposedly gazetted road. As much by hearsay as anything, we understood the deal involved the Golf Club and vacant Crown Land but that's about all we have gleaned, there being no evidence in the Shire Minutes of the process nor public consultation with other users of the Common.

The other 'arrangements' made by Mr. McKechnie were with Mr. van Eek involving some imaginary line(s) running from where the Camels are housed back to the main gate but stretching to where, we have no idea.

No doubt there are some sort of compass bearings & fence lines on record somewhere but in my 40 odd years of varied work including the Main Roads, the building industry & station fencing, I have yet to hear of a 'fence line where there are no markers or signs of where that fence line runs.

I don't know of the circumstances in which Mr. McKechnie & the Shire parted company somewhat abruptly but I do know as a Councillor I made some serious allegations to the

current CEO (Mr. Anderson) & to the present Shire President (Cnr. Cowell) concerning improprieties involving selective application of the law.

Hoped-for outcome

For our part we want to be left alone without being subjected to new licencing arrangements, fees, ever changing set back rules, etc.

We agree with the other users of the Commonage that the gate should have a padlock but have no problem with the carting of gravel by the Shire or private enterprise or of friends of other horse owners having access to this locality.

A grid is a good idea but to be frank they readily fill in with either sand blown in or borne by water from down the track.

Councillors, my wife & I are in our mid-seventies. We were instrumental in this community amenity coming into being and find the original concepts & ground rules being changed latterly without our knowledge or consent & to our detriment.

If the other horse owners want large paddocks then we have no problem with that (as long as within reason) but as people having lived here for over 40 years we strongly advise against over grazing any one piece of land. With our low rainfall it takes too long for the land to recover. With the low rain fall and resultant fire hazard, free range cropping cuts down on that risk as has been proven at horrendous costs *afterwards* elsewhere in Australia.

We came into Shark Bay when it was a dirt road & have played our part in the establishment & continuity of all manner of organisations - particularly the Emergency Services.

Other groups can have their particular hobby or pleasure type 'clubs' with even Shire financial support. Is it too much to ask that we be afforded like treatment?

Thank you for hearing us out. It goes without saying we will be glad to answer any questions.

**Tim & Maggie Hargreaves**

In the Shire Chambers 27<sup>th</sup> August 2014

From: Paul Anderson

Sent: Thursday, 23 April 2015 4:59 PM

To: 'Sharkbay Herald'

Cc: Cowell, Cheryl; Keith Capewell; Greg Ridgley; [deben8@bigpond.com](mailto:deben8@bigpond.com); [twintub1@bigpond.com](mailto:twintub1@bigpond.com); Hamelin Pool Station; Bobby Hoult; Brian Galvin; Cheryl Wood; Margaret Prior

Subject: RE: Commonage

Dear Mr Hargreaves

I refer to your email received 14 April 2015 and can advise as follows

In regard to your queries I have endeavoured to provide the information that is readily available in council minutes and I trust that it will assist your understanding.

Date the Common was first formally designated as such and

Reserve 49809 with a current purpose of Common was vested with a management order to the Shire of Shark Bay on 01/08/2008

the lines of demarcation and approx. area

refer attached town planning map reserve 49809

approx. area 1,139 hectares

The date the approx. one quarter of this designated Common was allocated to a member of the Hoult family and the accompanying details of boundary lines, acreage, datum post, copies of Public Notices advertising intent re-zoning of land etc.

I am unaware of any date to support your assertion. One quarter of reserve 49809 would equate to approx. 284 hectares.

See attached license application presented to council.

It is unclear of what rezoning of what you refer to

Records of any fees levied for Administration costs or annual charges for the use of the livestock/grazing purposes.

No fees or charges have been levied for a license to occupy the reserve

Fees levied & (fees paid) by the current users of the Common proper

e.g. Mr.Garry Desmond,

Mrs.Allison McLean

Mr.Henk van Eek (Camel Safaris)

Mrs Margaret Hargreaves

No fees or charges have been levied for a licence to occupy the reserve.

The date & datum, size of area allocated & proposed fence lines for the one Commercial operation – the Shark Bay Camel Safaris.

License date issued July 2010

Area 5 hectares

I have attached the applications received by Council in 2010 for the following occupiers for your information

Mr Garry Desmond

Mr Henk Van Eek

Mrs Margaret Hargreaves

The additional information you have requested was not provided by the applicants in 2010 which will be required for new applications and will be available in the council minutes.

I refer to my correspondence sent to Mrs Hargreaves dated 18 august 2014 as the occupier of Reserve 49809 (the common) and again advise that the council has the authority with the final approval of the Minister to issue licenses to occupy the common for a maximum five year period.

The license that Mrs Hargreaves applied for in July 2010 had an expiry date of 30 June 2015 and again I would again advise Mrs Hargreaves to submit a new application for a license to occupy a section of reserve 49809 that can then be considered by council.

I can advise that the datum's of the occupiers prior to 2011 are not at hand but will be required for any future applications.

The administration is proposing to council at the April 2015 meeting of council that a project to map and record all areas of the common be undertaken to ensure all occupation areas are

in accordance with license and to ensure proper controls and future allocations are correctly allotted and recorded.

The report to council will also discuss other issues associated with the common, including the ongoing requirement for fencing and gates to access the reserve and to assist councillors in their deliberations I will attach your latest email correspondence.

As I have indicated to Mrs Hargreaves in correspondence dated 18 august 2014 and subsequent correspondence these applications did not receive final approval from the Minister, however the accepted expiry date is 30 June 2015 and a new application is required to be submitted. The correspondence of 18 august 2014 also advised that there were conditions that were required to be complied with, for your assistance I can advise that the condition was as follows

*Fenced area to be consistent with application and not to be altered without approval. The area utilised must have a stock control measures in place to secure the stock.*

I look forward to a new application to occupy an area of Reserve 49809 or your advice that the area currently occupied is no longer required after the 30 June 2015 .

Regards

Paul Anderson  
Chief Executive Officer  
*Shire of Shark Bay*



a: PO Box 126, Denham WA 6537  
ph: 08 9948 1218 | fax: 08 9948 1237 | mob: 0427 948 925  
w: <http://www.sharkbay.wa.gov.au/>



Please consider the environment before printing this e-mail

*This message (including attachments) is confidential and may be privileged. If you received it in error you may not disclose or use it - please notify us then delete it.*

26 AUGUST 2015

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RES49809 / O-CR-14878  
Paul Anderson

2 June 2015

MARGARET HARGREAVES  
14 DURLACHER STREET  
DENHAM 6537

Dear Margaret

LICENCE TO OCCUPY RESERVE 49809 - COMMON

Please refer to Council's correspondence dated the 16 January 2015 and 18 August 2014, requesting you to commence a new application for a licence to occupy part of Reserve 49809 – Common.

Please find attached a new application form which will require evidence of Public Liability Insurance. An annual fee will also be applied to this licence as of 1 July 2015.

As previously advised your current licence will end on the 30 June 2015. In the event that you do not have a valid licence to occupy in accordance with Council's Management Order you may be required to vacate Reserve 49809.

If you have any further queries in relation to the above matter, please contact Paul Anderson, Chief Executive Officer on 08 99481 218 or email [ceo@sharkbay.wa.gov.au](mailto:ceo@sharkbay.wa.gov.au) .

Yours sincerely

Paul Anderson  
CHIEF EXECUTIVE OFFICER



26 AUGUST 2015

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RES49809 / O-CR-14991  
Paul Anderson

3 July 2015

MARGARET HARGREAVES  
14 DURLACHER STREET  
DENHAM 6537

Dear Mrs Hargreaves

EXPIRED LICENCE TO OCCUPY RESERVE 49809 - COMMON

I refer to Council's correspondence dated the 2 June 2015, 16 January 2015 and 18 August 2014, regarding a licence to occupy part of Reserve 49809 – Common.

I now advise that your licence issued by Council to occupy a portion of Reserve 49809 has now expired.

Can you advise in writing on the application forms that have been previously sent if you wish to apply for a licence to occupy, or advise in writing if you do not intend to apply to renew your licence to occupy.

I would also advise that a response in writing must be received by the 31 July 2015, either applying for a licence to occupy or that you do not intend to apply.

If you have any further queries in relation to the above matter, please contact Paul Anderson, Chief Executive Officer on 08 99481 218 or email [ceo@sharkbay.wa.gov.au](mailto:ceo@sharkbay.wa.gov.au) .

Yours sincerely

Paul Anderson  
CHIEF EXECUTIVE OFFICER

26 AUGUST 2015

To – The Shire of Shark Bay  
Denham,  
W.A. 6537

Your ref. RES 4809/O – CR 14261 & 14991  
Of 13 Jan 2015 & 3 July 2015

RECEIVED

27 JUL 2015

SHIRE OF SHARK BAY

**Town Common - Application for a Licence**

Please note I have been out of the country for the past two months & have only just got round to dealing with all my mail.

This confirms - under duress – I have paid in the appropriate fee for the continued stabling of my horse out at the Common which with my husband I established some 10 years ago.

I notice the cattle grid & gate installed at the entry point to the Common by the Shire of that day for reasons of safety of the Public and of the horses have been removed by orders of the present CEO/ Council.

I also notice there is only one other horse owner occupying land out there - Mrs. McLean.

Miss Weiss has abandoned her paddock, Mr. Desmond having shifted his horse(s) into the fenced off & padlocked gated area allocated - without Public notice - to a member of the Hout family. This area comprises approx. 1/3<sup>rd</sup> of the some 2,000 acres originally allocated for Town Common purposes to which public access is now denied.

Yours sincerely  
Mrs. Hargreaves  
27<sup>th</sup> July 2015

*M. Hargreaves*

R49809 / O-CR-15038  
Paul Anderson

27 July 2015

MARGARET HARGREAVES  
14 DURLACHER STREET  
DENHAM 6537

Dear Mrs Hargreaves

APPLICATION FOR A LICENCE TO OCCUPY PART RESERVE 49809 - COMMON

Thank you for your letter dated 27 July 2015 advising of payment for the annual fee for Reserve 49809 – Common.

I have attached correspondence that was sent relative to this matter and have attached copies for your reference.

3 July 2015 – O-CR-14991  
2 June 2015 – O-CR-14878  
16 January 2015 – O-CR-14276  
18 August 2014 – O-CR-13748

Please be advised that the application form still needs to be filled out and for Council to consider the application, if Council resolves to support the application it is then forwarded to the Minister for Lands for his authorisation as per the Management Order of the Reserve.

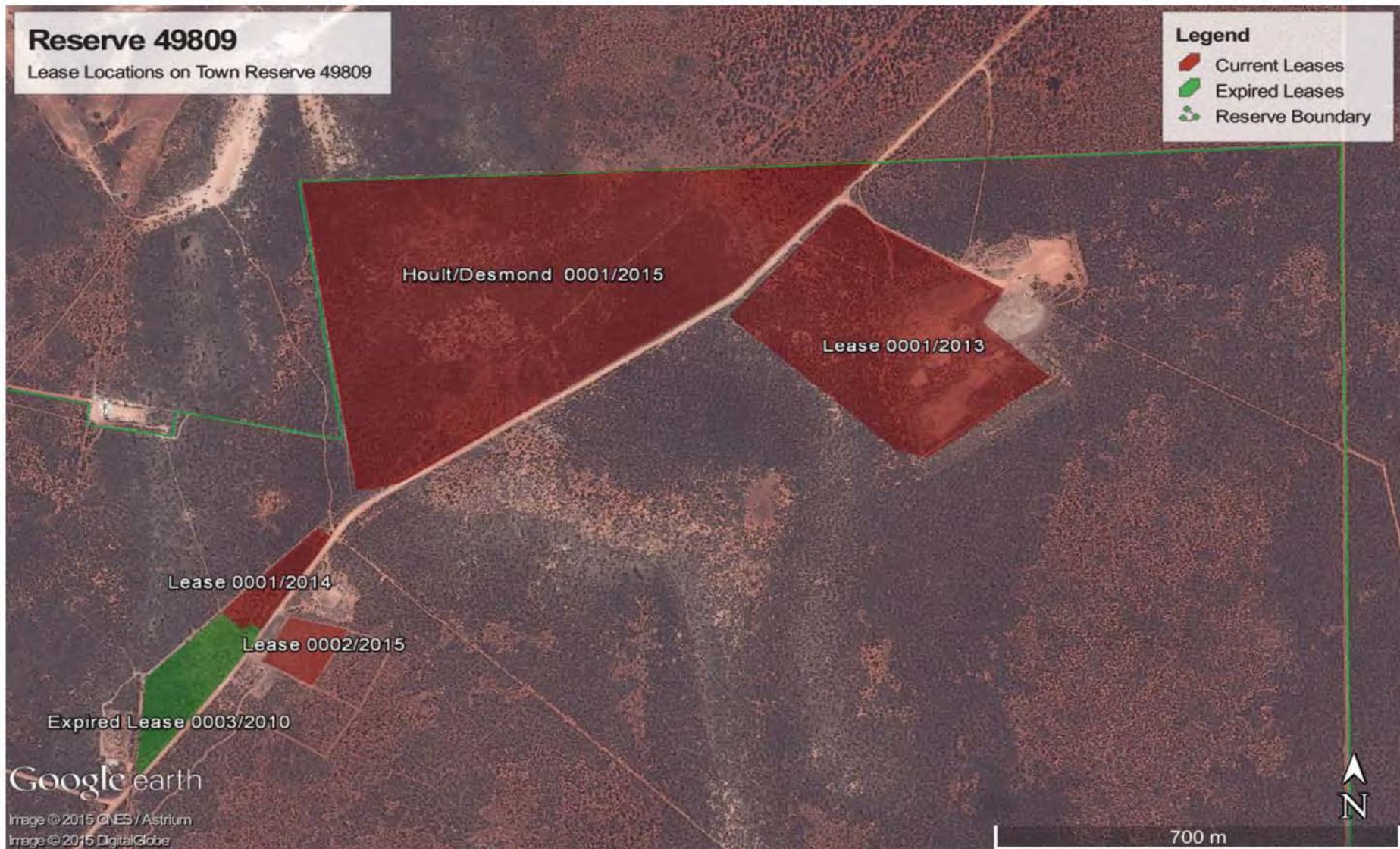
Please find attached a copy of the Application to Occupy Part of Reserve 49809 – Common and ask that it be filled out and returned to the administration office so that the Council can consider your application.

I can advise that without the licence to occupy the Council Reserve, you will be in breach of council's Local Government Property Law section 3.13 (1)(O).

If you have any further queries in relation to the above matter, please contact Paul Anderson, Chief Executive Officer on 08 99481 218 or email [ceo@sharkbay.wa.gov.au](mailto:ceo@sharkbay.wa.gov.au) .

Yours sincerely

Paul Anderson  
CHIEF EXECUTIVE OFFICE





**SHIRE OF SHARK BAY**

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

RES11667



RECEIVED  
17 JUL 2015  
Shire of Shark Bay

Res 11667  
1-AP-6089

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

**APPLICATION FOR USE OF TOWN COMMON**

*As a condition of the license approval for the use of Town Common, the Applicant acknowledges and agrees that:*

- Occupation of the common will require that all activities conform with any relevant legislation or other statutory requirements, including the Town Common Policy;
- License approval will be granted with the acknowledgment and agreement that 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 Town Common;
- The Shire of Shark Bay reserves the right to refuse the issue of a license for an activity that is not considered appropriate to the Town Common.

(Electronic: please fill out grey areas, save and return via email)

**SIGNATURE:**

**DATE:**

**PLEASE PRINT FULL NAME:**

**TELEPHONE NUMBER:**

**ADDRESS:**

\* The person signing this application on behalf of an organization must have the authority to sign on behalf of said group or organization, and by signing this certifying that he/she has such authority.\*

**CONTACT DETAILS**

FIRST NAME:	MARGARET
LAST NAME:	HARGREAVES
BUINESS/ORGANISATION NAME:	NOSE BAG PONY CLUB
POSTAL ADDRESS:	Box 50, SHARK BAY P.O.
HOME PHONE NUMBER:	08. 99. 481. 338
WORK PHONE NUMBER:	PER 0429. 481. 338
FAX NUMBER:	08. 99. 481. 338

1  
Shire of Shark Bay  
Application for Use of Town Common

**Town Common Use**

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

AS HAS BEEN IN PRACTICE FOR THE LAST 15 (?) YEARS I.E. THE STABLING OF EITHER ONE OR TWO HORSES WITH A HOLDING Paddock (DIMENSIONS BELOW) + RIDING OF SAID HORSE(S) OVER THE COMMONAGE.

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

EITHER MY UTILITY OR MY HUSBANDS UTILITY

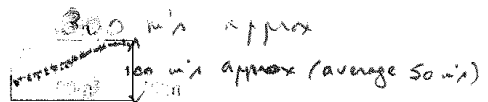
**What infrastructure or stock control devices will be utilised?**

Please tick appropriate box.

Shed  Caravan  Shade structure  Internal fences  Gates

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

Example:



Or None of the above

1,500 Sq. m's approx

Length of time you wish to utilize the Common ~~within a period of 5 yrs?~~ <sup>ON GOING</sup>

**Stock Application**

I hereby apply for permission to occupy the Shire of Shark Bay Town Common for the following stock:-

- ( 1 ) horse/s
- ( ) cattle
- ( - ) sheep OCCASIONAL SHEEP - ONE OF
- ( ) camels
- ( - ) chickens (OCCASIONAL ROOSTER)

Other considerations that may be applicable? Eg: Special Circumstances. OCCASIONALLY WE HAVE A CREATURE SUCH AS A GOAT OR SHEEP BROUGHT TO US FOR SAFE-KEEPING/RECOVERY.

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 have read and understood all parts of the application for use of the common and am <sup>NOT</sup> 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. (NEED TO SEE THE CONDITIONS OF OCCUPANCY FIRST)

Signed By Lessee

Print full name: MARGARET ANNE HAYGREAVES (CURRENTLY OISENS)

Signed: [Signature] Date: 17 JULY '09

**➤ How to lodge this application**

**BY POST;**

**Address the application to:** The Chief Executive Officer  
Shire of Shark Bay  
PO Box 164  
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)

11.3 LOCAL GOVERNMENT PROPERTY LOCAL LAW – PART 7

LE00011

AUTHOR

NEIL MITCHELL, CONSULTANT

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Cr Ridgley

Nature of Interest: Financial Interest as runs business from the Monkey Mia Jetty

Cr Ridgley left Council Chambers 11.04am and asked to be allowed to return to the Council Chamber for the discussion.

Moved Cr Prior  
Second Cr Cowell

**Council Resolution**

**To allow Cr Ridgley to be allowed back in to Council Chambers to address Council.**

**5/0 CARRIED**

Cr Ridgley returned to Cr Chambers 11.06am

Cr Ridgley left Council Chambers at 11.12am

Officer Recommendation

1. That Council note the draft revision of the Shire of Shark Bay Local Government Property Local Law – Part 7 Monkey Mia Jetty.
2. The Chief Executive Officer compile comments from elected members and relevant staff for further modification of the draft.
3. A final draft be submitted by the Chief Executive Officer to Council at the September Ordinary Council meeting for commencement of the statutory processes required by the Local Government Act s.3.12.

**AMENDMENT TO OFFICERS RECOMMENDATION**

**Reason:** That Council considered that no amendments were required to the Draft Local Law at this point in time and amended the Recommendation to reflect this.

Moved Cr Bellottie  
Seconded Cr Capewell

**Council Resolution**

**That Council note and endorse the draft revision of the Shire of Shark Bay Local Government Property Local Law – Part 7 Monkey Mia Jetty and commence the statutory process required in accordance with the Local Government Act s.3.12**

**Purpose**

**The purpose of the Local Law is the revision of the Part 7 Monkey Mia Jetty of the Shire of Shark Bay Local Government Property Local Laws.**

**Effect**

**To improve the method of controls and management of the Jetties and Boat ramps situated at Monkey Mia.**

**5/0 CARRIED**

Cr Ridgley entered Council Chamber at 11.36am.

BACKGROUND

At the May 2015 Ordinary Council Meeting at Item 11.2 relating to Monkey Mia Jetty, it was resolved in part –



2. *That Council request the Administration to commence proceedings to review the Shire of Shark Bay Local Government Property Local Law Part 7 Monkey Mia Jetty*

Conway Highbury were engaged to undertake the review of Part 7 of the Local Law and prepare a draft re-write for Council's consideration. A workshop was also conducted on Thursday, 13 August 2015, attended by Cr Cowell, Cr Capewell, Cr Bellottie, the Chief Executive Officer and the Works Manager.

Mr Harvey Raven and Mr Quinn Raven also participated in the workshop for a short period.

COMMENT

This report presents a draft revision of Part 7 for Council's discussion and is not the commencement of the statutory process.

The proposed amendment to the local law is substantially different to the existing provisions, and the following matters are brought to Council's attend for particular notice.

Principles followed –

- a) That the revision must accommodate and be capable of being applied to additional commercial users of the jetty.
- b) The amendment needs to recognise all infrastructure at Monkey Mia that is controlled by Council. According to the Department of Transport records, Council has legal responsibility for 2 jetties and a boat ramp.
- c) As community owned facilities, management of the facilities is to be for the wider community benefit. The individual business operations and inter-business operations are neither Council's role nor responsibility.
- d) The provisions are as close as possible to yes/no, either/or, is/is not provisions, and only limited discretions have been included. The intention is that the revised Part 7 be as black and white as possible with minimal grey areas.

The following clauses are brought specifically to Council's attention –

7.1 – Definitions

The clause has been expanded with a significant change being the deletion of "boat" and use of "vessel" and subsequent definitions consistent with the Western Australian Maritime Act, although the definitions have been simplified from the Act.

Other definitions have been inserted as needed.

7.2 – Application

The part applies only to the two jetties and the boat ramp at Monkey Mia, and not to any other facility that may be under Council management.

7.3 – When vessels may be moored

One of two core clauses in the revision, this clause provides for four occasions when a vessel may be moored to the commercial jetty, and specifies the conditions applicable in each circumstance. It is intended that the response to each of the conditions be that the vessel either complies or does not. There is not intended to be any grey space, nor any discretion. The vessel either complies, or is liable to the issue of an infringement.

A fundamental change from the existing local law is a revision of time that a vessel may be moored. It has been reduced from a 2 hour maximum,

which appears to have originally been intended for fishing vessels, to 30 minutes.

A vessel reprovisioning or undergoing routine maintenance may moor for up to one hour, subject to no obstruction etc. The reprovisioning or maintenance is to be carried out as quickly as possible

No activity other than reprovisioning or maintenance is permitted on the vessel during this time.

7.4 – Berthing fees

To confirm Council's authority to make berthing fees and apply them under the Local Government Act.

7.5 – Obstruction

The second core clause, and again intended to be basic as possible – if a portion of the vessel extends beyond the limit, then it is deemed to be obstructing. The clause does not prohibit use of the end of the jetty, but requires a moored skipper to move forward or back for a vessel approaching or departing so as not to inhibit that vessel.

Any discussion of competency in this matter is inappropriate, and should be ignored as it is the responsibility of the Dept of Transport.

The onus is on the skipper of the moored vessel to ensure his craft is not obstructing. Refusal to move makes the person liable to an infringement.

The twin provisions of a maximum mooring time of 30 minutes and a minimum time of one hour between departure and return, means that there is no need at all for obstruction to occur.

7.8 – Suspension of use of jetty

This is new provision and concept, and is similar to the basis of demerit points for drivers licences. Once an accumulation reaches a pre-determined level, permission is automatically suspended, until the level is below that point for the previous 12 months. The 12 months period is rolling, being taken from whatever day the assessment is made.

The accumulation of infringements is completely at the discretion of the vessels, and it is their responsibility to ensure that the accumulation does not reach the point of automatic suspension.

Please note that this is a new concept of local laws, and legal advice on this clause as a minimum should be sought by Council.

7.16 – Obstruction on jetties or beach access

New provision to ensure the general public is not impeded

7.17 – Authorised person may order removal of vessel

Reinstatement of provision from the 1998 local law

7.22 – Fishing from jetty

Similar wording to the existing local law, except that a definition for fishing is to be inserted that includes crabbing. Refer also the definition of "fish".

7.23 – Swimming from jetty

A new, but important provision. Given the shallowness of the water and movement of vessels in the area, it is strongly advised that swimming be prohibited for the safety of those in the water, to avoid potential injury and for risk management of liability.

Schedule 1 – Prescribed Offences

All offences relating to Part 7 have been revised. Those considered to most likely be a "commercial type" offence have been increased to \$500 being the maximum permitted by the Local Government Act. Those most likely to be committed by a private individual are generally suggested at \$100. Some could be either, and are therefore suggested as \$300.

Please note that a new penalty for clause 9.1 where a person fails to comply with the direction of an authorised person, or hinders that person. This

new penalty applies to the whole of the local law, is not limited to Part 7, and does not require the prior issue of a notice.

The other clauses in the revision are similar to existing provisions or are self-explanatory.

There are no statutory requirements at this time, as the proposal is for preliminary review and comment prior to amendment and Council then resolving to proceed with the intention to adopt a local law. Once the review and comment is complete, the processes required by the Local Government Act section 3.12 will commence.

LEGAL IMPLICATIONS

Draft revision of Shire of Shark Bay Local Government Property Local Law – Part 7

POLICY IMPLICATIONS

There are no policy implications relative to this report.

FINANCIAL IMPLICATIONS

Cost to finalise the revision of Part 7, Statewide and local public notice, and publication in Government Gazette.

STRATEGIC IMPLICATIONS

There are no strategic implications relative to this report.

RISK MANAGEMENT

Several risks have been identified in the area, not covered by the existing local law, but addressed in the proposed revision.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author



Chief Executive Officer

*P Anderson*

Date of Report

20 August 2015

LOCAL GOVERNMENT ACT 1995

SHIRE OF SHARK BAY

**LOCAL GOVERNMENT PROPERTY AMENDMENT LOCAL LAW 2015**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Shark Bay resolved on \_\_\_\_\_ to make the following local law.

**1. Citation**

This local law may be cited as the *Shire of Shark Bay Local Government Property Amendment Local Law 2015*.

**2. Commencement**

This local law will come into operation 14 days after publication in the *Government Gazette*.

**3. Principal Local Law**

In this local law, the *Shire of Shark Bay Local Government Property Local Law* published in the *Government Gazette* on 24 July 2002, is referred to as the principal local law. The principal local law is amended.

**4. Part 7 amended**

Delete Part 7 and insert –

**PART 7 – JETTIES AND BOAT RAMP**

**Division 1 – Preliminary**

**7.1 Interpretation**

In this Part –

**boat ramp** means the place adjacent to Reserve 1686 where vehicles equipped with trailers launch and retrieve vessels;

**cargo** means bulk produce, such as grain, coal, oil or mineral ore, which is not packaged, and includes the catch of a fishing vessel;

**commercial jetty** means the western jetty, being a concrete and steel structure extending northwards for 55 metres, located adjacent to Reserve 1686, and includes the approaches to the jetty within 5 metres of built infrastructure;

**commercial vessel** means a vessel which is not used solely for pleasure or recreation and the use of which is in the course of any business or in connection with any commercial transaction, and includes any Government vessel other than one that belongs to an arm of the Defence Force;

**fish** means an aquatic organism of any species (whether alive or dead);

**fishing or fishing activity** means any of the following –

- (a) searching for fish;
- (b) attempting to take fish;
- (c) taking fish;
- (d) engaging in any other activity that can reasonably be expected to result in the taking of fish;

**fishing vessel** means a vessel used or intended to be used for catching fish for trading or manufacturing purposes;

**moor** means to secure a vessel in place by cables or by lines, and if the context permits, includes a stationary vessel alongside a jetty, but not secured to the jetty, and positioned so as to restrict approach to or departure from the jetty;

**pleasure vessel** a vessel held wholly for the purpose of recreational or sporting activities and not for hire or reward;

**recreational jetty** means the eastern jetty located adjacent to Reserve 1686 and utilised for launching and retrieval of vessels, and includes the approaches to the jetty within 5 metres of built infrastructure;

**sign** includes any notice, mark, structure or device on which may be shown words, numbers, expressions, colours or symbols;

**vessel** means any kind of vessel used or capable of being used in navigation by water.

## 7.2 Application of this Part

This Part applies to the commercial jetty, the recreational jetty and the boat ramp located adjacent to Reserve 1686.

### Division 2 - Commercial jetty

## 7.3 When vessels may be moored

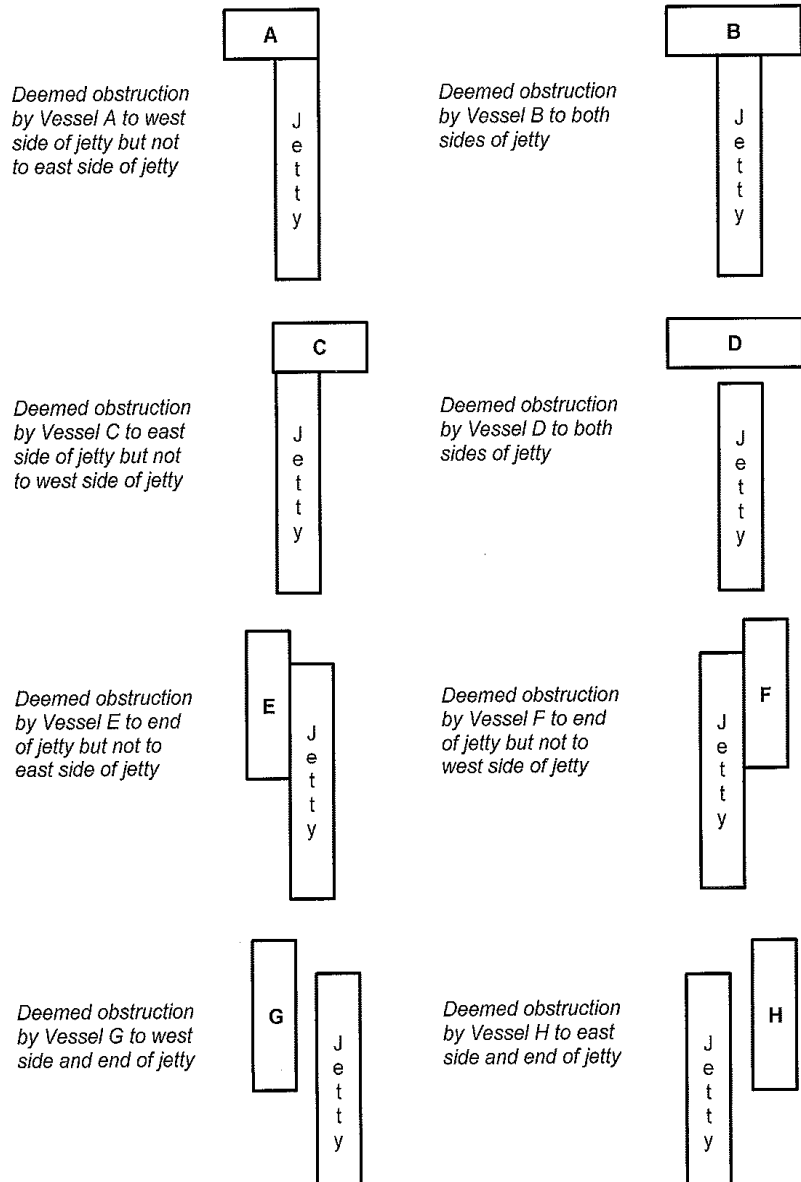
- (1) Without the prior written authorisation of the local government, a person in control of a vessel may moor the vessel to the commercial jetty if –
  - (a) the vessel is in distress, and then only –
    - (i) to effect the minimum repairs necessary to enable the vessel to be moved elsewhere;
    - (ii) the vessel is moored to the side of the jetty; and
    - (iii) is not deemed to be obstructing in accordance with clause 7.5;
  - (b) the vessel is not a commercial vessel, and –
    - (i) the embarking or disembarking of passengers is in progress;
    - (ii) is not deemed to be obstructing in accordance with clause 7.5;
    - (iii) the vessel is moored for no longer than 30 minutes; and
    - (iv) a period of more than one hour has passed since the vessel last departed the jetty;
  - (c) the vessel is a commercial vessel other than a fishing vessel, and –
    - (i) the person has made payment of berthing fees imposed in accordance with clause 7.4;
    - (ii) is not deemed to be obstructing in accordance with clause 7.5;
    - (iii) the vessel is moored for not more than 30 minutes; and
    - (iv) a period of more than one hour has passed since the boat last cast off from the jetty.
  - (d) the vessel is a fishing vessel, and –
    - (i) the person has made payment of berthing fees imposed in accordance with clause 7.4;
    - (ii) is not deemed to be obstructing in accordance with clause 7.5;
    - (iii) not between the hours of 6.00 pm to 6.00 am on the next day;
    - (iv) for not more than two hours; and
    - (v) a period of more than one hour has passed since the boat last cast off from the jetty.
  - (e) the vessel is not subject to suspension in accordance with clause 7.8.
- (2) Without the prior written authorisation of the local government, and subject to compliance with all other requirements of subclause (1)(c) or (d), a person in control of a commercial vessel may moor the vessel to the jetty for routine provisioning or maintenance between the hours of 6.00 am to 6.00 pm for a period not more than one hour.
- (3) Any person reprovisioning or carrying out routine maintenance shall complete the task in as soon as practicable, and no other activity on the vessel is permitted during this time.

**7.4 Berthing fees**

The local government may, in accordance with sections 6.16 to 6.19 of the Act, determine and impose fees for mooring at the commercial jetty.

**7.5 Deemed obstruction by vessels**

- (1) A vessel shall not be moored to the commercial jetty in such a manner as to obstruct another vessel approaching the commercial jetty intending to moor to the jetty, or departing the jetty.
- (2) A moored vessel will be deemed to obstruct a vessel approaching the commercial jetty intending to moor to the jetty, or departing the jetty if –
  - (a) when moored to the side of the jetty, a portion of the vessel extends beyond the end of the jetty; or
  - (b) when moored at the end of the jetty, a portion of the vessel extends beyond the side of the jetty.



*but not to east side  
of jetty*

*but not to west side  
of jetty*

**7.6 Vehicles on jetty**

- (1) A person shall not drive a vehicle of a gross vehicle mass exceeding five tonnes on to the commercial jetty or allow it to remain on the jetty.
- (2) Vehicles shall be prohibited from being on the commercial jetty within fifteen minutes of scheduled arrivals or departures of licensed charters other than vehicles of professional fishermen while loading or unloading.
- (3) Vehicles shall be removed from the commercial jetty immediately after completing loading or unloading of the vehicle.

**7.7 Cargo**

- (1) A person in control of a vessel shall not allow the boat to be moored to the commercial jetty for the purpose of loading or discharging cargo or other goods –
  - (a) until the cargo or other goods are ready to be loaded or discharged; and
  - (b) without the written authorisation of the Local Government –
    - (i) between the hours of 6.00 pm to 6.00 am on the next day;
    - (ii) for longer than two hours; and
    - (iii) unless a period of more than one hour has passed since the boat last cast off from the jetty.
- (2) A person in control of cargo or other goods intended for loading on to a boat shall –
  - (a) not allow the cargo to be stored or placed on the jetty unless and until the vessel is moored to the jetty; and
  - (b) load the cargo onto the boat as soon as practicable after the boat is moored to the jetty.
- (3) Any person unloading cargo or other goods from a boat on to the jetty shall remove the cargo, or cause it to be removed from the jetty as soon as practicable.

**7.8 Suspension of use of jetty**

- (1) Permission for the vessel to use the commercial jetty is automatically suspended should an accumulation of more than \$2,000 in infringement notices be issued in the 12 month period prior to the day notice is given of suspension.
- (2) Permission for the vessel to use the commercial jetty is automatically reinstated when the accumulation is less than \$2,000 in the 12 month period prior to the day notice is given lifting suspension.

**7.9 Vessel moored is to be attended**

A vessel moored to the commercial jetty is to be attended at all times by a person licenced and authorised by the owner to operate the vessel.

**Division 3 - Recreational Jetty**

**7.10 Use of recreational jetty**

Except with the prior written authorisation of the Local Government, use of the recreation jetty is limited to –

- (a) pleasure vessels;
- (b) launching and retrieving of vessels; or
- (c) a vessel in distress, and then only to effect the minimum repairs necessary to enable the boat to be moved elsewhere.

**7.11 Vehicles on recreational jetty**

A person shall not drive a vehicle on the recreational jetty.

**Division 4 - Boat Ramp**

**7.12 Obstruction**

The vehicle and boat trailer are permitted on the boat ramp for only such time as is required for the prompt launching or retrieval of a vessel.

**Division 5 - General**

**7.13 Method of mooring vessel**

A person in control of a vessel shall not moor the vessel to a jetty, or to any part of a jetty, except to such mooring piles, ring bolts or other fastenings as are provided.

**7.14 No private fixtures**

- (1) A person shall not affix any private fenders, structure or item to a jetty.
- (2) Where private fixtures have been attached, the Local Government may give notice requiring the removal of the private fixtures within a specified period.
- (3) Should the private fixtures not be removed within the required period, the local government may undertake the work and recover the cost as a debt.

**7.15 Jetty may be closed**

Unless the prior written authorisation of the Local Government has been obtained, a person shall not moor, use or go on to any part of a jetty which is –

- (a) under construction or repair; or
- (b) closed.

**7.16 Obstruction on jetties or beach access to jetties**

- (1) A person shall not place any object, sign, cargo or item of any nature or behave in such a manner as to cause any obstruction or impede the free passage of other persons –
  - (a) on a jetty; or
  - (b) within 5 metres of the approach to the built infrastructure of a jetty.
- (2) A vehicle shall not be parked with in a manner that obstructs access to or from the jetty.

**7.17 Authorised person may order removal of a vessel**

Notwithstanding anything to the contrary in this local law, a person shall immediately remove a vessel moored to or standing alongside a jetty, upon being directed to do so by an authorised person.

**7.18 Authorised person may direct removal of obstruction**

An authorised person may direct a person who, in the opinion of the authorised person is in charge of cargo or other goods, or item which remains on a jetty contrary to any provision of this Part or creates an obstruction in any way, to remove the goods or items from the jetty.

**7.19 Bicycles on jetties**

A person shall not ride or have a bicycle on a jetty.

**7.20 Rubbish from jetty**

- (1) A person shall not throw or cause to be thrown any glass, stone or other missile, or any filth, dirt, rubbish or other matter of a similar nature from a jetty.



(2) A person shall not deposit any commercial rubbish from charter boats or offal into any rubbish bin located on a jetty.

**7.21 Liquor on boats**

A person shall not sell alcoholic beverages from a boat while moored to, or alongside a jetty.

**7.22 Fishing from jetty**

Fishing from a jetty is prohibited.

**7.23 Swimming from a jetty**

Swimming, including diving, jumping and the like, from a jetty is prohibited.

**7.24 Explosives on jetties**

Except with the prior written authorisation of the Local Government, a person shall not land, place or handle on a jetty any explosives as defined in Section 4 of the *Explosives and Dangerous Goods Act 1961*.

**5. Schedule 1 amended**

Delete Schedule 1 and insert –

Schedule 1  
PRESCRIBED OFFENCES

CLAUSE	DESCRIPTION	MODIFIED PENALTY \$
2.4	Failure to comply with determination	100
3.6	Failure to comply with conditions of permit	100
3.13(1)	Failure to obtain a permit	100
3.14(3)	Failure to obtain a permit to camp outside a facility	100
3.15(1)	Failure to obtain a permit for liquor	100
3.16	Failure of permit holder to comply with responsibilities	100
4.2(1)	Behaviour detrimental to property	100
4.4	Under influence of liquor or prohibited drug	100
4.6(2)	Failure to comply with sign on Local Government property	100
5.3	Failure to comply with sign or direction on beach	100
5.4	Unauthorised entry to fenced or closed Local Government property	100
5.5	Gender not specified using entry of toilet block or change room	100
5.6(1)	Unauthorised presence of animal on airport	300
5.6(2)	Animal wandering at large on airport - person in charge	300
5.6(3)	Animal wandering at large on airport - owner	300
5.7(1)	Unlawful entry of Reserve No 1686	100
6.1(1)	Unauthorised entry to function on Local Government property	100
7.3(1)	Unauthorised mooring of vessel	500
7.3(2)	Failure to comply with requirements for mooring for reprovisioning or routine maintenance	500
7.3(3)	Unauthorised activities on a vessel during reprovisioning or routine maintenance	500

ORDINARY COUNCIL MINUTES

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CLAUSE	DESCRIPTION	MODIFIED PENALTY \$
7.4	Failure to pay berthing fees	500
7.5	Obstruction by a vessel	500
7.6(1)	Overweight vehicle on commercial jetty	300
7.6(2) & 7.6(3)	Vehicle on jetty during time prohibited	300
7.7(1)	Mooring when not ready to load or discharge cargo, at times not permitted on or for longer than permitted	500
7.7(2)	Cargo on jetty when not ready to load	500
7.7(3)	Failure to remove cargo as soon as practical	300
7.7(4)	Unauthorised storing of cargo on jetty	500
7.9	Moored vessel not attended by a licenced and authorised representative of owner	500
7.10	Unauthorised use of recreational jetty	500
7.11	Unauthorised vehicle on recreational jetty	500
7.12	Obstruction of boat ramp	300
7.13	Improper mooring of vessel to a jetty	300
7.14(1)	Unauthorised fixtures to a jetty	500
7.15	Unauthorised use of any part of Jetty which is closed or under repair or construction	500
7.16	Causing obstruction or impeding free passage on or to a jetty	300
7.17	Failure to comply with direction of authorised person to remove vessel	500
7.18	Failure to comply with direction of authorised person to remove obstruction	300
7.19	Use of bicycle on a jetty	100
7.20(1)	Polluting area surrounding a jetty	300
7.20(2)	Unlawful deposit of rubbish into bin on a jetty	300
7.21	Selling alcohol from a vessel	500
7.22	Fishing from a jetty	100
7.23	Swimming from a jetty	100
7.24	Unauthorised presence of explosives on a jetty	500
9.1	Failure to comply with direction of an authorised person or hindering an authorised person	500
10.1	Failure to comply with notice	200

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2015

The Common Seal of the Shire of Shark Bay was affixed by authority of a resolution of Council in the presence of –

CHERYL COWELL, President.

PAUL ANDERSON, Chief Executive Officer.

**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 Capewell

Seconded Cr Bellottie

**Council Resolution**

**That the cheques and electronic payments as per the attached schedules of accounts for payment totalling \$673,935.07 be accepted.**

**6/0 CARRIED**

Comment

The schedules of accounts for payment covering –

Municipal fund account cheque numbers 26767 to 26774 totalling \$11,666.85

Municipal fund account electronic payment numbers MUNI EFT 17923 to 18043 totalling \$443,182.62

Municipal fund account for July 2015 payroll totalling \$110,114.00

Direct Debits to Council account for July 2015 totalling \$20,554.10

Trust fund account cheque numbers 1056 to 1060 totalling \$324.00

Trust fund account electronic payment numbers 17922 to 18084 totalling \$48,405.10 and

Trust fund Police Licensing for July 2015 cheque # 151601 totalling \$39,688.40

The schedule of accounts submitted to each member of Council on 21 August 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

10 August 2015

**SHIRE OF SHARK BAY MUNICIPAL FUND CHEQUES 26767 TO 26774 FROM 1 JULY 2015 TO 31 JULY 2015**

Chq/EFT	Date	Name	Description	Amount
26767	01/07/2015	SHIRE OF SHARK BAY	ANNUAL REGO PLANT & VEHICLES	-5892.10
26768	13/07/2015	HORIZON POWER-STREET LIGHTING	STREET LIGHTS 1 JUNE TO 30 JUNE15	-3088.28
26769	13/07/2015	HORIZON POWER-MAIN USAGE	ELECTRICITY	-1308.79
26770	17/07/2015	HORIZON POWER-MAIN USAGE	U6/34 HUGHES STREET	-112.05
26771	20/07/2015	BURNETT	50% REFUND CROSSOVER\HOULT ST	-482.40
26772	22/07/2015	ELGAS LIMITED	YEARLY SERVICE CHARGE	-326.70
26773	22/07/2015	WATER CORPORATION	KNIGHT TCE FISH CLEANING FACILITIES SERVICE CHARGE	-55.61
26774	29/07/2015	HORIZON POWER-MAIN USAGE	ELECTRICITY – SES	-400.92
<b>TOTAL MUNI CHEQUES</b>				<b>\$11,666.85</b>

**SHIRE OF SHARK BAY MUNICIPAL FUND EFT'S 17923 TO 18043 FROM 1 JULY 2015 TO 31 JULY 2015**

EFT	Date	Name	Description	Amount
EFT17923	08/07/2015	SOLOMONS FLOORING CANNINGTON	REPLACEMENT OF FLOORING IN SB PHARMACY DUE TO WATER DAMAGE FROM CYCLONE	-6400.00
EFT17924	08/07/2015	DENHAM IGA X-PRESS	COUNTRY CREW MESS	-1017.47
EFT17925	08/07/2015	SHARK BAY SUPERMARKET	COUNTRY CREW MESS	-2057.65
EFT17926	08/07/2015	SHARK BAY FUEL & SERVICE CENTRE	REPAIRS - MACHINERY	-415.89
EFT17927	08/07/2015	GEARING BUTCHER'S	SUPPLIES FOR OUTSIDE CREW	-595.86
EFT17928	08/07/2015	GRAY & LEWIS LAND USE PLANNERS	GENERAL PLANNING	-4207.50
EFT17929	08/07/2015	HITS RADIO PTY LTD	RADIO ADVERTISING FROM MARCH TO AUGUST 2015	-520.30

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EFT	Date	Name	Description	Amount
EFT17930	08/07/2015	LANDGATE (WA LAND INFO AUTH)	GRV VALUATION	-62.35
EFT17931	08/07/2015	MCLEODS BARRISTERS AND SOLICITORS	LEGAL COSTS MONKEY MIA EXTENSION OF RESERVE	-1387.77
EFT17932	08/07/2015	ASPEN MONKEY MIA PTY LTD	CLEARING OF M/MIA BOAT RAMP	-250.00
EFT17933	08/07/2015	ROBBRO WA PTY LTD	LOOP ROAD MAINT GRADE	-76510.50
EFT17934	08/07/2015	REECE PTY LTD	PLASTIC DRAINAGE FOR CARPARK	-5946.60
EFT17935	08/07/2015	SHARK BAY TAXI SERVICE	OVERLANDER RUBBISH JUNE 2015	-1166.00
EFT17936	08/07/2015	SHARK BAY CLEANING SERVICE	CLEANING – ALL PROPERTIES	-11682.23
EFT17937	08/07/2015	STATEWIDE STEEL	ROOF SHEETS AND FLASHING	-630.60
EFT17938	08/07/2015	TRUCKLINE PARTS CENTRE	MIRROR FOR TRUCK	-151.31
EFT17939	08/07/2015	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	-230.58
EFT17941	09/07/2015	LAURENCE J M BELLOTTIE	MEETING FEES JULY - SEPT 2015	-1931.25
EFT17942	09/07/2015	CHERYL LORRAINE COWELL	PRESIDENT ALLOW. JULY - SEPT 2015	-6370.68
EFT17943	09/07/2015	CHUBB FIRE & SECURITY LTD	SECURITY MONITOR JUL-SEPT 2015	-139.67
EFT17944	09/07/2015	KEITH MICHAEL CAPEWELL	MEETING FEES JULY - SEPT 2015	-2671.28
EFT17945	09/07/2015	LGIS INSURANCE BROKING	LIABILITY INSURANCE	-126741.72
EFT17946	09/07/2015	KEVIN LAUNDRY	MEETING FEES JULY - SEPT 2015	-1931.25
EFT17947	09/07/2015	MARKETFORCE PRODUCTIONS	TENDER ADVERTISEMENT - EVENT MANAGER - DIRK HARTOG FESTIVAL WEST AUSTRALIAN - 4 JULY 2015	-844.43
EFT17948	09/07/2015	JANINE OXENHAM	JIMMY POLAND LAUNCH	-615.00
EFT17949	09/07/2015	MARGARET PRIOR	MEETING FEES JULY - SEPT 2015	-1931.25
EFT17950	09/07/2015	GREGORY LEON RIDGLEY	MEETING FEES JULY - SEPT 2015	-1931.25
EFT17951	09/07/2015	SKIPPERS AVIATION	RETURN FLIGHTS TO MONKEY MIA - 24/07 - 25/07 MICHAEL FLETCHER AND DARREN MCGAGH – JIMMY POLAND EVENT	-5321.00
EFT17952	09/07/2015	SES SHARK BAY INC	LGGS ESL HALF YEAR 2015-16	-18975.00
EFT17953	09/07/2015	SHIRE OF SHARK BAY	PENSIONER UNITS RUBBISH CHARGES	-8520.00
EFT17954	09/07/2015	WESTERN AUSTRALIAN TREASURY	GUARANTEE FEE	-126.63
EFT17955	09/07/2015	BRIAN WAKE	MEETING FEES JULY - SEPT 2015	-1931.25
EFT17956	09/07/2015	RAY WHITE REAL ESTATE SHARK BAY	RENT ON 34 HUGHES ST JULY 15	-1127.00
EFT17957	13/07/2015	ART GECKO GRAPHIC DESIGN	BANNER - JIMMY POLAND LAUNCH EVENT DESIGN, PRINTING/POSTAGE	-1178.00
EFT17958	13/07/2015	SHIRE OF NORTHAMPTON	HEALTH/BUILDING APRIL – JUNE 2015	-8637.75

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EFT	Date	Name	Description	Amount
EFT17959	13/07/2015	AUSTRALIA POST	LOCAL POST	-174.21
EFT17960	13/07/2015	BOOKEASY AUSTRALIA PTY LTD	BOOKEASY	-245.82
EFT17961	13/07/2015	BOC LIMITED	CONTAINER RENTAL JUNE	-74.43
EFT17962	13/07/2015	GERALDTON FUEL COMPANY	BULK FUEL TANKER	-41214.33
EFT17963	13/07/2015	GRAY & LEWIS LAND USE PLANNERS	REVIEW TOWN PLANNING SCHEME	-2194.67
EFT17964	13/07/2015	TOLL IPEC PTY LTD	FREIGHT	-32.90
EFT17965	13/07/2015	MCLEODS BARRISTERS AND SOLICITORS	LEGAL FEES TO 30 JUNE 2015 L150 (55) DURACHER STREET RETAINING WALL	-754.88
EFT17966	13/07/2015	MITRE 10 SB MARINE & HARDWARE	PAINT	-1189.80
EFT17967	13/07/2015	NORTHERN GUARDIAN	ADVERTISING DIFFERENTIAL RATES 2015/2016	-425.80
EFT17968	13/07/2015	MP ROGERS & ASSOCIATES	MISCELLANEOUS ADVICE ASSOCIATED WITH THE MONKEY MIA JETTY	-1463.28
EFT17969	15/07/2015	TELSTRA CORPORATION LIMITED	TELEPHONE SERVICE FOR SMS TO PUBLIC WITH COMMUNITY MESSAGES	-62.10
EFT17974	17/07/2015	UHY HAINES NORTON	UPDATE LONG TERM FINANCIAL PLAN	-3080.00
EFT17975	17/07/2015	TOLL IPEC PTY LTD	FREIGHT- BOOKS	-116.43
EFT17976	17/07/2015	SHARK BAY PHARMACY	INFLUENZA VACCINATIONS FOR STAFF	-95.70
EFT17977	17/07/2015	QUEENSBERRY INFORMATION TECHNOLOGY	ANNUAL SECURE PAY FEE FROM 1/9/14 TO 31/8/15 SBIC	-495.00
EFT17978	17/07/2015	SHARK BAY RESOURCES PTY LTD	STAFF ACCOMMODATION	-3120.00
EFT17980	20/07/2015	AUSTRALIAN TAXATION OFFICE	PAYROLL DEDUCTIONS	-30027.00
EFT17981	22/07/2015	ART GECKO GRAPHIC DESIGN	PROMOTIONAL EVENT BANNERS X 3	-1208.00
EFT17982	22/07/2015	AUTO ONE	FUEL FILTER	-71.80
EFT17983	22/07/2015	ACTION SPORTS PROMOTIONS	FREESTYLE MOTO CROSS DEMO. WINTER FESTIVAL MARKETS JULY 2015	-8228.00
EFT17984	22/07/2015	BATTERY MART	2 X BATTERIES	-272.80
EFT17985	22/07/2015	CUMMINS ENGINE COMPANY PTY LTD	SERVICE FILTERS	-256.94
EFT17987	22/07/2015	GEARING BUTCHER'S	SUPPLIES FOR OUTSIDE CREW	-116.59
EFT17988	22/07/2015	HERITAGE RESORT SHARK BAY	ACCOM. FOR BUILDING CONTRACTOR	-720.00
EFT17989	22/07/2015	JOHNNY G ENTERPRISES	ASBESTOS FENCE REMOVAL	-2950.00
EFT17990	22/07/2015	KOMATSU AUSTRALIA	1 X FUEL FILTER	-88.81
EFT17991	22/07/2015	LOCAL GOVERNMENT MANAGERS AUSTRALIA	2015/2016 MEMBERSHIP SUBS	-505.00

## ORDINARY COUNCIL MINUTES

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EFT	Date	Name	Description	Amount
EFT17992	22/07/2015	ASPEN MONKEY MIA PTY LTD	1 X G OXY BOTTLE 1 X E2 ARGON	-991.62
EFT17993	22/07/2015	PROFESSIONAL PC SUPPORT	REMOTE SERVER MAINTENANCE	-140.00
EFT17994	22/07/2015	PAPER PLUS OFFICE NATIONAL	VARIOUS STATIONERY	-1177.73
EFT17995	22/07/2015	SKIPPERS AVIATION	RETURN FLIGHTS JULY 2015 D COLLINS & D FIRNS – FORESHORE PROJECT	-1256.00
EFT17996	22/07/2015	SHARK BAY BOWLING CLUB INC.	ROUND 1 15/16 GRANT MONIES	-5500.00
EFT17997	22/07/2015	TRUCKLINE PARTS CENTRE	2 X SUZI COILS	-130.00
EFT17998	22/07/2015	WA LOCAL GOV ASSOCIATION	EMPLOYEE RELATIONS SUBS 15/16	-2893.00
EFT18000	22/07/2015	WURTH AUSTRALIA PTY LTD	RECIP BLADES	-218.08
EFT18029	29/07/2015	BEST WESTERN HOSPITALITY INN CARNARVON	ACCOM. STAFF POLICE LIC TRAINING	-346.00
EFT18030	29/07/2015	CUMMINS ENGINE COMPANY PTY LTD	INNER AND OUTER AIR FILTERS	-159.51
EFT18031	29/07/2015	CHERYL DAWN WOOD	POSTAGE ON PHONE	-16.45
EFT18032	29/07/2015	ATOM-GERALDTON INDUSTRIAL SUPPLIES	GREASE GUN EXTENSIONS	-136.49
EFT18033	29/07/2015	GUARDIAN PRINT	DL WINDOW FACED ENVELOPES	-495.00
EFT18034	29/07/2015	HERITAGE RESORT SHARK BAY	JIMMY POLAND LAUNCH - BEVERAGES	-1238.28
EFT18035	29/07/2015	TOLL IPEC PTY LTD	FREIGHT-DPAW SIGNS SAPPY PARK	-366.38
EFT18036	29/07/2015	JANINE ANN STANDEN	GYM CARD DUPLICATE RETURNED	-20.00
EFT18037	29/07/2015	MITCHELL & BROWN, GERALDTON TECHNOLOGY C	1 X 150883 TELSTRA TOUGH3 PHONE FOR BUSH SUPERVISOR	-240.00
EFT18038	29/07/2015	MARKET CREATIONS	TRAINING FOR COUNCIL WEBSITE	-2124.35
EFT18039	29/07/2015	SOUND AUDIO VISUAL INTEGRATION SYSTEMS	PROJECTOR MOUNT	-366.00
EFT18040	29/07/2015	TELSTRA CORPORATION LIMITED	EMCD & CDO - MOBILE PHONES - STAFF	-1682.28
EFT18041	29/07/2015	TALIS	SEALED ROAD ASSESSMENTS AND ROMAN UPDATE FOR 2014/2015	-6160.00
EFT18042	29/07/2015	WA LOCAL GOV. ASSOCIATION	ANNUAL SUBSCRIPTION 2015/2016	-13966.45
EFT18043	29/07/2015	WA HINO	WIPER CONTROL STALK	-217.69
			<b>TOTAL EFT'S</b>	<b>\$443,182.62</b>



**SHIRE OF SHARK BAY MUNICIPAL FUND DIRECT DEBITS FROM 1 JULY 2015 TO 31 JULY 2015**

DIRECT DEBIT	DATE	NAME	DESCRIPTION	AMOUNT
DD12351.1	06/07/2015	BANKWEST CORPORATE MASTERCARD	MISCELLANEOUS PURCHASES	-2753.59
DD12370.1	12/07/2015	WA LOCAL GOV SUPERANN. PLAN PTY LTD	PAYROLL DEDUCTIONS	-4576.35
DD12370.2	12/07/2015	JOHN AND GAYNA SUPERANNUATION FUND	PAYROLL DEDUCTIONS	-529.88
DD12370.3	12/07/2015	PRIME SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-227.81
DD12370.4	12/07/2015	AMP SUPERANNUATION	PAYROLL DEDUCTIONS	-359.68
DD12370.5	12/07/2015	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	-230.59
DD12370.6	12/07/2015	SUN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-183.09
DD12370.7	12/07/2015	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	-429.94
DD12370.8	12/07/2015	ONE STEP SUPER	SUPERANNUATION CONTRIBUTIONS	-193.21
DD12370.9	12/07/2015	REST	SUPERANNUATION CONTRIBUTIONS	-655.89
DD12400.1	26/07/2015	WA LOCAL GOV SUPERANN. PLAN PTY LTD	PAYROLL DEDUCTIONS	-4449.31
DD12400.2	26/07/2015	PRIME SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-233.41
DD12400.3	26/07/2015	AMP SUPERANNUATION	PAYROLL DEDUCTIONS	-397.97
DD12400.4	26/07/2015	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	-183.09
DD12400.5	26/07/2015	SUN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-183.09
DD12400.6	26/07/2015	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	-442.66
DD12400.7	26/07/2015	ONE STEP SUPER	SUPERANNUATION CONTRIBUTIONS	-204.90
DD12400.8	26/07/2015	JOHN AND GAYNA SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	-529.88
DD12400.9	26/07/2015	REST	SUPERANNUATION CONTRIBUTIONS	-651.41
DD12370.10	12/07/2015	HOSTPLUS PTY LTD	SUPERANNUATION CONTRIBUTIONS	-499.18
DD12370.11	12/07/2015	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	-161.52
DD12370.12	12/07/2015	AMP SUPERLEADER	SUPERANNUATION CONTRIBUTIONS	-179.10
DD12370.13	12/07/2015	SMA SUPER PTY LTD	SUPERANNUATION CONTRIBUTIONS	-154.76
DD12370.14	12/07/2015	WESTPAC SECURITIES ADMINISTRATION LTD	SUPERANNUATION CONTRIBUTIONS	-193.21
DD12370.15	12/07/2015	MACQUARIE SUPER ACCUMULATOR	SUPERANNUATION CONTRIBUTIONS	-190.55
DD12370.16	12/07/2015	MTAA SUPER FUND	SUPERANNUATION CONTRIBUTIONS	-206.96
DD12400.10	26/07/2015	HOSTPLUS PTY LTD	SUPERANNUATION CONTRIBUTIONS	-553.53
DD12400.11	26/07/2015	MTAA SUPER FUND	SUPERANNUATION CONTRIBUTIONS	-254.46
DD12400.12	26/07/2015	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	-165.81
DD12400.13	26/07/2015	AMP SUPERLEADER	SUPERANNUATION CONTRIBUTIONS	-188.24



ORDINARY COUNCIL MINUTES

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6DD12400.14	26/07/2015	WESTPAC SECURITIES ADMINISTRATION LTD	SUPERANNUATION CONTRIBUTIONS	-193.21
DD12400.15	26/07/2015	MACQUARIE SUPER ACCUMULATOR	SUPERANNUATION CONTRIBUTIONS	-197.82
<b>TOTAL DIRECT DEBITS - MUNICIPAL</b>				<b>\$20,554.10</b>

**SHIRE OF SHARK BAY TRUST CHEQUES 1056 TO 1060 - FROM 1 JULY 2015 TO 1060 TO 31 JULY 2015**

Chq	Date	Name	Description	Amount
1056	16/07/2015	KATHLEEN MARION GIBBS	GYM CARD REFUND	-20.00
1057	27/07/2015	A & A BROOKES	KERB REFUND – 22 FRY COURT	-200.00
1058	27/07/2015	MARTY JAMES	GYM CARD REFUND	-20.00
1059	27/07/2015	DR MJ SHEPHERD	GYM CARD REFUND	-20.00
1060	31/07/2015	PATRICA ANDREW	ART SALES JULY 2015	-64.00
<b>TOTAL TRUST CHEQUES</b>				<b>\$324.00</b>

**SHIRE OF SHARK BAY TRUST EFT 17922 TO 18084 FROM 1 JULY 2015 TO 31 JULY 2015**

EFT	Date	Name	Description	Amount
EFT17922	06/07/2015	EMELIA SCAGLIONE	GYM CARD REFUND	-20.00
EFT17970	16/07/2015	HOWARD COCK	GYM CARD REFUND	-20.00
EFT17971	16/07/2015	SABRINA KING	GYM CARD REFUND	-20.00
EFT17972	16/07/2015	MEEGAN GOOCH	GYM CARD REFUND	-20.00
EFT18015	27/07/2015	BOBBIE ARMSTRONG	GYM CARD REFUND	-20.00
EFT18016	27/07/2015	AK HOMES CONSTRUCTION PTY LTD	KERB REFUND – 7 SUNTER PLACE	-1000.00

## ORDINARY COUNCIL MINUTES

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EFT	Date	Name	Description	Amount
EFT18017	27/07/2015	ROBERT JOHN ARCHIBALD	KERB REFUND -36D DENHAM ROAD	-500.00
EFT18018	27/07/2015	JAYDA BEALES	GYM REFUND	-20.00
EFT18019	27/07/2015	S.A.BURTON	GYM REFUND	-20.00
EFT18020	27/07/2015	CATHERINE CONNOR	GYM REFUND	-20.00
EFT18021	27/07/2015	MALCOLM DAVID DAIR	GYM CARD REFUND	-20.00
EFT18022	27/07/2015	CINDY FARMER	GYM CARD REFUND	-20.00
EFT18023	27/07/2015	LEIGH HOCKING	LIBRARY REFUND	-50.00
EFT18025	27/07/2015	PATRICK MARSCHNER	GYM CARD REFUND	-20.00
EFT18026	27/07/2015	ROBERT MARIU	GYM CARD REFUND	-20.00
EFT18027	27/07/2015	NICK J WARDLE	GYM CARD REFUND	-20.00
EFT18028	29/07/2015	REBECCA KEVILL	GYM CARD REFUND	-40.00
EFT18044	31/07/2015	JAMES SNR POLAND	ART SALES JULY 2015	-56.00
EFT18045	31/07/2015	MAC ATTACK FISHING CHARTERS	TOUR SALES JULY 2015	-947.75
EFT18046	31/07/2015	BLUE DOLPHIN CARAVAN PARK	ACCOMMODATION SALES JULY 2015	-289.00
EFT18047	31/07/2015	BUSH HERITAGE HAMELIN STATION STAY	ACCOMMODATION SALES JULY 2015	-44.20
EFT18048	31/07/2015	BAY LODGE MIDWEST OASIS	ACCOMMODATION SALES JULY 2015	-2788.00
EFT18049	31/07/2015	BLUE LAGOON PEARLS	TOUR SALES JULY 2015	-561.00
EFT18050	31/07/2015	CARNARVON CARAVAN PARK	ACCOMMODATION SALES JULY 2015	-289.00
EFT18051	31/07/2015	CARNARVON SEA CHANGE APARTMENTS	ACCOMMODATION SALES JULY 2015	-255.00
EFT18052	31/07/2015	SHARK BAY COASTAL TOURS	TOUR SALES JULY 2015	-3343.05
EFT18053	31/07/2015	DENHAM SEASIDE CARAVAN PARK	ACCOMMODATION SALES JULY 2015	-278.80
EFT18054	31/07/2015	EMILY ELIZABETH WARD	ART SALES JULY 2015	-44.48
EFT18055	31/07/2015	HARTOG COTTAGES	ACCOMMODATION SALES JULY 2015	-1509.25
EFT18056	31/07/2015	HAMELIN POOL CARAVAN PARK AND TOURIST CENTRE	ACCOMMODATION SALES	-51.00
EFT18057	31/07/2015	HERITAGE RESORT SHARK BAY	ACCOMMODATION SALES JULY 2015	-1130.50
EFT18058	31/07/2015	INTEGRITY COACH LINES (AUST) PTY LTD	TOUR SALES JULY 2015	-137.60
EFT18059	31/07/2015	KALBARRI EDGE RESORT	ACCOMMODATION SALES JULY 2015	-113.05
EFT18060	31/07/2015	KALBARRI BEACH RESORT	ACCOMMODATION SALES JULY 2015	-161.50
EFT18061	31/07/2015	KALBARRI MOTOR HOTEL	ACCOMMODATION SALES JULY 2015	-102.00
EFT18062	31/07/2015	KALBARRI PALM RESORT	ACCOMMODATION SALES JULY 2015	-107.10

## ORDINARY COUNCIL MINUTES

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EFT	Date	Name	Description	Amount
EFT18063	31/07/2015	MONKEY MIA YACHT CHARTERS (ARISTOCAT)	TOUR SALES JULY 2015	-8210.15
EFT18064	31/07/2015	ASPEN MONKEY MIA PTY LTD	ACCOMMODATION SALES JULY 2015	-1404.40
EFT18065	31/07/2015	MONKEYMIA WILDSIGHTS	SHOTOVER SALES JULY 2015	-4587.02
EFT18066	31/07/2015	NINGALOO REEF RESORT	ACCOMMODATION SALES JULY 2015	-856.80
EFT18067	31/07/2015	NANGA BAY RESORT	ACCOMMODATION SALES JULY 2015	-174.25
EFT18068	31/07/2015	OUTBACK OASIS CARAVAN PARK	ACCOMODATION SALES JULY 2015	-246.50
EFT18069	31/07/2015	OCEANSIDE VILLAGE	ACCOMMODATION SALES JULY 2015	-544.00
EFT18070	31/07/2015	PELICANS NEST	ACCOMMODATION SALES JULY 2015	-293.25
EFT18071	31/07/2015	SHARK BAY HOTEL MOTEL	ACCOMMODATION SALES JULY 2015	-1309.00
EFT18072	31/07/2015	SHARK BAY HOLIDAY COTTAGES	ACCOMMODATION SALES JULY 2015	-1143.25
EFT18073	31/07/2015	SHARK BAY AIR CHARTER	TOUR SALES JULY 2015	-1447.55
EFT18074	31/07/2015	SHARKBAY CARAVAN PARK	ACCOMMODATION SALES JULY 2015	-712.25
EFT18075	31/07/2015	PRAGUE HOLDINGS PTY LTD	TOUR SALES JULY 2015	-3694.43
EFT18076	31/07/2015	SIETSKE HUNN	ART SALES JULY 2015	-8.00
EFT18077	31/07/2015	SHIRE OF SHARK BAY	SALES COMMISSIONS JULY 2015	-6681.07
EFT18078	31/07/2015	SHARK BAY SCENIC QUAD BIKE TOURS	TOUR SALES JULY 2015	-1164.50
EFT18079	31/07/2015	THREE ISLANDS WHALE SHARK DIVE	TOUR SALES JUL Y 2015	-385.00
EFT18080	31/07/2015	TRISH MILBURN ART & PHOTOGRAPHY	ART SALES JULY 2015	-20.00
EFT18081	31/07/2015	TRADEWINDS SEAFRONT APARTMENTS	ACCOMMODATION JULY 2015	-123.25
EFT18082	31/07/2015	UNREAL FISHING CHARTERS	TOURS JULY 2015	-212.50
EFT18083	31/07/2015	WULA GUDA NYINDA (CAPES)	TOUR BOOKINGS JULY 2015	-994.50
EFT18084	31/07/2015	WINTERSUN CARAVAN & TOURIST PARK	ACCOMMODATION JULY 2015	-135.15
			<b>TOTAL TRUST EFT</b>	<b>\$48,405.10</b>

12.2 FINANCIAL REPORTS TO 31 JULY 2015

CM00017

Author

Executive Manager Finance and Administration

Disclosure of Any Interest

Nil

Moved           Cr Cowell  
Seconded       Cr Prior

**Council Resolution**

**That the monthly financial report to 31 July 2015 as attached be received.**

**6/0 CARRIED**

Comment

As per the requirements of Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government Accounting (Financial Management) Regulations 1996*, the following monthly financial reports to 31 July 2015 are attached.

Voting Requirements

Simple Majority Required

Signature

Author	<i>C Wood</i>
Chief Executive Officer	<i>P Anderson</i>
Date of Report	20 August 2015

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

26 AUGUST 2015

SHIRE OF SHARK BAY							
STATEMENT OF FINANCIAL ACTIVITY							
(Statutory Reporting Program)							
For the Period Ended 31 July 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	0	0		
General Purpose Funding - Rates	9	1,214,780	1,249,886	1,176,787	(73,099)	(5.8%)	▼
General Purpose Funding - Other		1,961,795	3,500	2,801	(699)	(20.0%)	▼
Law, Order and Public Safety		93,350	100	3,261	3,161	3161%	▲
Health		750	750	751	1	0.13%	▲
Housing		88,660	7,068	10,230	3,162	44.7%	▲
Community Amenities		272,000	196,667	204,766	8,099	4.12%	▲
Recreation and Culture		307,900	18,258	36,974	18,716	102.5%	▲
Transport		454,556	1,875	109,963	108,088	5764.7%	▲
Economic Services		730,107	49,410	9,495	(39,915)	(80.8%)	▼
Other Property and Services		25,000	0	4,423	4,423	0.00%	▲
<b>Total Operating Revenue</b>		<b>5,161,503</b>	<b>1,527,514</b>	<b>1,559,451</b>	<b>31,937</b>	<b>2.09%</b>	
<b>Operating Expense</b>							
Governance		(304,825)	21,354	(75,778)	(97,132)	(454.9%)	▼
General Purpose Funding		(122,096)	(13,216)	(14,953)	(1,737)	13.1%	▼
Law, Order and Public Safety		(334,324)	(34,527)	(39,726)	(5,199)	15.1%	▼
Health		(55,358)	(1,143)	(4,632)	(3,489)	305.2%	▼
Housing		(174,917)	(13,396)	(14,407)	(1,011)	7.5%	▼
Community Amenities		(639,881)	(48,911)	(52,800)	(3,889)	8.0%	▼
Recreation and Culture		(1,932,180)	(165,668)	(121,672)	43,996	(26.6%)	▲
Transport		(2,028,899)	(165,157)	(140,621)	24,536	(14.9%)	▲
Economic Services		(1,210,314)	(96,192)	(67,727)	28,465	(29.6%)	▲
Other Property and Services		(25,000)	5,699	(11,948)	(17,647)	(309.7%)	▲
<b>Total Operating Expenditure</b>		<b>(6,827,793)</b>	<b>(511,157)</b>	<b>(544,264)</b>	<b>(33,107)</b>	<b>6.5%</b>	
<b>Funding Balance Adjustments</b>							
Add back Depreciation		2,355,680	196,304	0	(196,304)		
Adjust (Profit)/Loss on Asset Disposal	8	(543)	0	0	0		
Adjust Provisions and Accruals							
<b>Net Cash from Operations</b>		<b>688,846</b>	<b>1,212,661</b>	<b>1,015,187</b>	<b>(197,474)</b>		
<b>Capital Revenues</b>							
Grants, Subsidies and Contributions	11	7,582,260	3,023,281	(127,558)	(3,150,839)	(104.2%)	▼
Proceeds from Disposal of Assets	8	206,000	0	0	0	0.0%	
<b>Total Capital Revenues</b>		<b>7,788,260</b>	<b>3,023,281</b>	<b>(127,558)</b>	<b>(3,150,839)</b>	<b>(104.2%)</b>	
<b>Capital Expenses</b>							
Land Held for Resale							
Land and Buildings	13	(102,675)	0	(1,015)	(1,015)		▼
Infrastructure - Roads	13	(1,106,349)	(23,251)	(6,662)	16,589	71.3%	▲
Infrastructure - Public Facilities	13	(7,615,580)	(20,667)	(25,112)	(4,445)	(21.5%)	▼
Infrastructure - Streetscapes	13	(50,000)	0	0	0	0.0%	▲
Infrastructure - Footpaths	13	(50,000)	0	(1,803)	(1,803)	0.0%	▼
Infrastructure - Drainage	13	(40,000)	0	(14,463)	(14,463)	0.0%	▼
Heritage Assets	13	(10,000)	0	0	0	0.0%	
Plant and Equipment	13	(869,000)	0	0	0	0.0%	
Furniture and Equipment	13	(22,000)	0	(423)	(423)	0.0%	▼
<b>Total Capital Expenditure</b>		<b>(9,865,604)</b>	<b>(43,918)</b>	<b>(49,478)</b>	<b>(5,560)</b>	<b>(12.7%)</b>	
<b>Net Cash from Capital Activities</b>		<b>(2,077,344)</b>	<b>2,979,363</b>	<b>(177,036)</b>	<b>(3,156,399)</b>	<b>105.94%</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)	(16,120)	(34,332)	(18,212)	(113.0%)	▼
Transfer to Reserves	7	(519,027)	0	(17,356)	(17,356)	0.0%	
<b>Net Cash from Financing Activities</b>		<b>730,517</b>	<b>(16,120)</b>	<b>(51,688)</b>	<b>(35,568)</b>	<b>(220.64%)</b>	
<b>Net Operations, Capital and Financing</b>		<b>(657,981)</b>	<b>4,175,904</b>	<b>786,463</b>	<b>(3,389,441)</b>	<b>81.17%</b>	<b>▲</b>
<b>Opening Funding Surplus(Deficit)</b>	3	<b>657,981</b>	<b>657,981</b>	<b>2,548,819</b>	<b>1,890,838</b>		
<b>Closing Funding Surplus(Deficit)</b>	3	<b>0</b>	<b>4,833,885</b>	<b>3,335,282</b>	<b>(1,498,603)</b>	<b>31.00%</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.

ORDINARY COUNCIL MINUTES

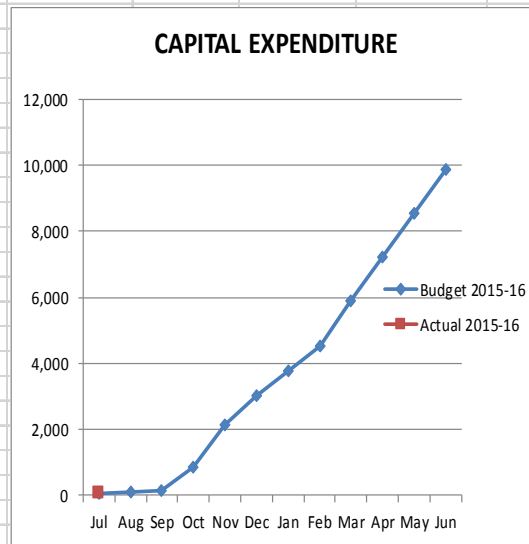
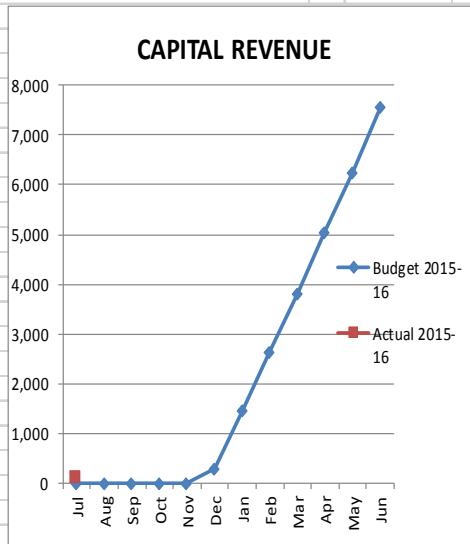
26 AUGUST 2015

<b>SHIRE OF SHARK BAY</b>				
<b>STATEMENT OF FINANCIAL ACTIVITY</b>				
<b>(By Nature or Type)</b>				
<b>For the Period Ended 31 July 2015</b>				
	Note	Original Budget	YTD Budget (a)	YTD Actual (b)
<b>Operating Revenues</b>				
Rates	9	\$ 1,206,380	\$ 1,249,470	\$ 1,175,951
Operating Grants, Subsidies and Contributions	11	2,382,428	0	86,900
Fees and Charges		1,231,425	270,655	276,592
Interest Earnings		75,694	2,833	1,378
Other Revenue		237,175	4,556	13,630
Profit on Disposal of Assets	8	28,401	0	0
<b>Total Operating Revenue</b>		<b>5,161,503</b>	<b>1,527,514</b>	<b>1,554,451</b>
<b>Operating Expense</b>				
Employee Costs		(1,938,330)	(146,471)	(168,440)
Materials and Contracts		(2,026,612)	(138,059)	(228,763)
Utility Charges		(158,750)	(13,717)	(8,374)
Depreciation on Non-Current Assets		(2,355,680)	(196,304)	0
Interest Expenses		(20,432)	0	3,468
Insurance Expenses		(129,668)	0	(89,353)
Other Expenditure		(170,462)	(16,606)	(47,802)
Loss on Disposal of Assets	8	(27,858)	0	0
<b>Total Operating Expenditure</b>		<b>(6,827,793)</b>	<b>(511,157)</b>	<b>(539,264)</b>
<b>Funding Balance Adjustments</b>				
Add back Depreciation		2,355,680	196,304	0
Adjust (Profit)/Loss on Asset Disposal	8	(543)	0	0
Adjust Provisions and Accruals				
<b>Net Cash from Operations</b>		<b>688,846</b>	<b>1,212,662</b>	<b>1,015,187</b>
<b>Capital Revenues</b>				
Grants, Subsidies and Contributions	11	7,582,260	0	(127,558)
Proceeds from Disposal of Assets	8	206,000	0	0
<b>Total Capital Revenues</b>		<b>7,788,260</b>	<b>0</b>	<b>(127,558)</b>
<b>Capital Expenses</b>				
Land Held for Resale		0	0	0
Land and Buildings	13	(102,675)	0	(1,015)
Infrastructure - Roads	13	(1,106,349)	(23,251)	(6,662)
Infrastructure - Public Facilities	13	(7,615,580)	(20,667)	(25,112)
Infrastructure - Streetscapes	13	(50,000)	0	0
Infrastructure - Footpaths	13	(50,000)	0	(1,803)
Infrastructure - Drainage	13	(40,000)	0	(14,463)
Heritage Assets	13	(10,000)	0	0
Plant and Equipment	13	(869,000)	0	0
Furniture and Equipment	13	(22,000)	0	(423)
<b>Total Capital Expenditure</b>		<b>(9,865,604)</b>	<b>(43,918)</b>	<b>(49,478)</b>
<b>Net Cash from Capital Activities</b>		<b>(2,077,344)</b>	<b>(43,918)</b>	<b>(177,036)</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)	(16,120)	(34,332)
Transfer to Reserves	7	(519,027)	0	(17,356)
<b>Net Cash from Financing Activities</b>		<b>730,517</b>	<b>(16,120)</b>	<b>(51,688)</b>
<b>Net Operations, Capital and Financing</b>		<b>(657,981)</b>	<b>1,152,624</b>	<b>786,463</b>
<b>Opening Funding Surplus(Deficit)</b>	3	<b>657,981</b>	<b>657,981</b>	<b>2,548,819</b>
<b>Closing Funding Surplus(Deficit)</b>	3	<b>0</b>	<b>1,810,605</b>	<b>3,335,282</b>

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SHIRE OF SHARK BAY							
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING							
For the Period Ended 31 July 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	1,015	1,015	0	102,675	(1,015)
Infrastructure Assets - Roads	13	0	6,662	6,662	23,251	1,106,349	16,589
Infrastructure Assets - Public Facilities	13	1,800	23,312	25,112	20,667	7,615,580	(4,445)
Infrastructure Assets - Footpaths	13	1,803	0	1,803	0	50,000	(1,803)
Infrastructure Assets - Drainage	13	0	14,463	14,463	0	40,000	(14,463)
Infrastructure Assets - Streetscapes	13	0	0	0	0	50,000	0
Heritage Assets	13	0	0	0	0	10,000	0
Plant and Equipment	13	0	0	0	0	869,000	0
Furniture and Equipment	13	0	423	423	0	22,000	(423)
<b>Capital Expenditure Totals</b>		<b>3,603</b>	<b>45,875</b>	<b>49,478</b>	<b>43,918</b>	<b>9,865,604</b>	<b>(5,560)</b>





<b>SHIRE OF SHARK BAY</b>	
<b>NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY</b>	
<b>For the Period Ended 31 July 2015</b>	
<b>1. SIGNIFICANT ACCOUNTING POLICIES</b>	
<b>(a) 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) Rounding Off Figures</b>	
	All figures shown in this report, other than a rate in the dollar, are rounded to the nearest dollar.
<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) 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>€ 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.

<b>SHIRE OF SHARK BAY</b>				
<b>NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY</b>				
<b>For the Period Ended 31 July 2015</b>				
<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.			

<b>SHIRE OF SHARK BAY</b>				
<b>NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY</b>				
<b>For the Period Ended 31 July 2015</b>				
<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.				

<b>SHIRE OF SHARK BAY</b>					
<b>NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY</b>					
<b>For the Period Ended 31 July 2015</b>					
<b>1.</b>	<b>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.				

<b>SHIRE OF SHARK BAY</b>					
<b>NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY</b>					
<b>For the Period Ended 31 July 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.					

<b>SHIRE OF SHARK BAY</b>				
<b>NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY</b>				
<b>For the Period Ended 31 July 2015</b>				
<b>1.</b>	<b>SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>			
<b>(k)</b>	<b>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><i>Fair Value Hierarchy</i></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><i>Valuation techniques</i></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.			

<b>SHIRE OF SHARK BAY</b>					
<b>NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY</b>					
<b>For the Period Ended 31 July 2015</b>					
<b>1.</b>	<b>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.				

<b>SHIRE OF SHARK BAY</b>	
<b>NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY</b>	
<b>For the Period Ended 31 July 2015</b>	
<b>1. SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>	
<b>(I) 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.



<b>SHIRE OF SHARK BAY</b>				
<b>NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY</b>				
<b>For the Period Ended 31 July 2015</b>				
<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.			

<b>SHIRE OF SHARK BAY</b>					
<b>NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY</b>					
<b>For the Period Ended 31 July 2015</b>					
<b>1. SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>					
<b>(m) 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) 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) 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.				

<b>SHIRE OF SHARK BAY</b>					
<b>NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY</b>					
<b>For the Period Ended 31 July 2015</b>					
<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.					

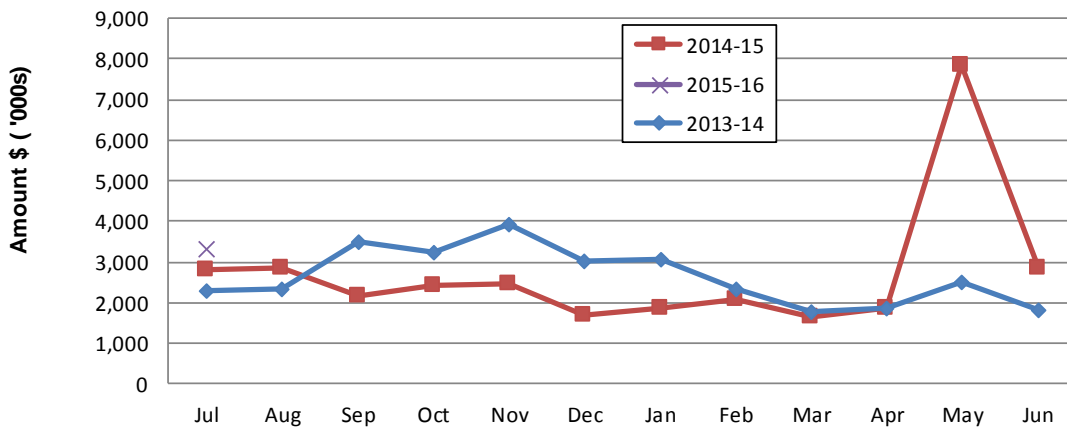
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Shire of Shark Bay					
EXPLANATION OF MATERIAL VARIANCES					
For the Period Ended 31 July 2015					
<b>Note 2: EXPLANATION OF MATERIAL VARIANCES</b>					
Reporting Program	Var. \$	Var. %	Var.	Timing/ Perman	Explanation of Variance
<b>Operating Revenues</b>	\$	%			
Governance	0	0	‡	Permanent	No reportable variance
General Purpose Funding - Rates	(73,099)	(5.85%)	▼	Permanent	Interim Rates to be raised
General Purpose Funding - Other	(699)	(19.97%)	▼	Permanent	Interest on Reserves to be actioned on maturity of Term Deposit
Law, Order and Public Safety	3,161	3161.00%	▲	Timing	Reimbursements from SES and St Johns Ambulance for utilities at Emergency Services
Health	1	0.13%	▲	Permanent	No reportable variance
Housing	3,162	44.74%	▲	Timing	Pensioner Units rents invoiced in advance
Community Amenities	8,099	4.12%	▲	Permanent	Planning applications and Refuse site fees higher than expected.
Recreation and Culture	18,716	102.51%	▲	Permanent	Increase sales at Shark Bay Discovery Centre and annual Gym fees raised
Transport	108,088	5764.69%	▲	Timing	Awaiting receipt of RRG grants
Economic Services	(39,915)	(80.78%)	▼	Timing	Income from Monkey Mia Road and Shark Bay Road yet to be raised
Other Property and Services	4,423	0.0%	▲	Permanent	No reportable variance
<b>Operating Expense</b>					
Governance	(97,132)	(454.87%)	▼	Timing	YTD budget did not take into account annual charges which are paid in July.
General Purpose Funding	(1,737)	13.14%	▼	Timing	Allocation of governance overheads higher
Law, Order and Public Safety	(5,199)	15.06%	▼	Permanent	Annual insurance costs and governance overhead impacting on this program
Health	(3,489)	305.25%	▼	Timing	Health expenses allocation less than expected
Housing	(1,011)	7.55%	▼	Permanent	Insurance on Pensioner Units without corresponding budget for July
Community Amenities	(3,889)	7.95%	▼	Timing	Planning and Development costs less than
Recreation and Culture	43,996	(26.56%)	▲	Timing	Lower expenditure across all areas of this
Transport	24,536	(14.86%)	▲	Timing	Country road maintenance under expended at this time.
Economic Services	28,465	(29.59%)	▲	Timing	Monkey Mia and Denham Road expenditure lower than expected
Other Property and Services	(17,647)	(309.65%)	▲	Timing	Less expenditure in Public Works overheads than expected.
<b>Capital Revenues</b>					
Grants, Subsidies and Contributions	(3,150,839)	(104.22%)	▼	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	(1,015)	0.0%	▼	Timing	No reportable variance
Infrastructure - Roads	16,589	71.35%	▲	Timing	Road projects yet to be commenced
Infrastructure - Public Facilities	(4,445)	(21.51%)	▼	Timing	Carried Forward project expenditure impacting on this activity
Infrastructure - Footpaths	(1,803)	0.0%	▼	Permanent	No reportable variance
Infrastructure - Drainage	(14,463)	0.0%	▼	Timing	YTD budget not correct for July
Heritage Assets	0	0.0%	‡	Timing	No reportable variance
Plant and Equipment	0	0.0%	‡	Timing	No reportable variance
Furniture and Equipment	(423)	0.0%	▼	Permanent	No reportable variance
<b>Financing</b>					
Loan Principal	(18,212)	(112.98%)	▼	Timing	YTD Budget incorrect for July

Shire of Shark Bay				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 31 July 2015				
<b>Note 3: NET CURRENT FUNDING POSITION</b>				
		Positive=Surplus (Negative=Deficit)		
	Note	YTD 31 Jul 2015	30th June 2015	YTD 31 Jul 2014
		\$	\$	\$
<b>Current Assets</b>				
Cash Unrestricted	4	8,246,752	2,225,145	1,239,177
Cash Restricted	4	2,052,860	7,744,335	1,994,965
Receivables - Rates	6	1,134,473	12,610	1,390,922
Receivables -Other	6	70,983	621,924	464,434
Interest / ATO Receivable/Trust		14,760	5,522	0
Inventories		110,379	110,379	146,545
		11,630,207	10,719,915	5,236,043
<b>Less: Current Liabilities</b>				
Payables		(315,120)	(208,647)	(207,070)
Provisions		(226,945)	(226,944)	(249,152)
		(5,700,000)	(5,700,000)	0
		(6,242,065)	(6,135,591)	(456,222)
Less: Cash Reserves	7	(2,052,860)	(2,035,504)	(1,994,965)
<b>Net Current Funding Position</b>		<b>3,335,282</b>	<b>2,548,821</b>	<b>2,784,856</b>

Note 3 - Liquidity Over the Year



**Comments - Net Current Funding Position**

Higher liquidity due to advance payment of Financial Assistance Grants in June.

ORDINARY COUNCIL MINUTES

26 AUGUST 2015

Shire of Shark Bay							
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY							
For the Period Ended 31 July 2015							
<b>Note 4: CASH AND INVESTMENTS</b>							
	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Total Amount \$	Institution	Maturity Date
<b>(a) Cash Deposits</b>							
Municipal Bank Account	0.10%	223,408			223,408	Bankwest	At Call
Reserve Bank Account	0.00%		17,860		17,860	Bankwest	At Call
Telenet Saver	1.90%	1,313,813			1,313,813	Bankwest	At Call
Trust Bank Account	0.00%			6,968	6,968	Bankwest	At Call
Cash On Hand		700			700		On Hand
<b>(b) Term Deposits</b>							
WATC Grant Funding	1.95%	5,708,831			5,708,831	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	2.00%		1,000,000		1,000,000	Bankwest	Aug 2015
Reserve Investment Account	3.00%		1,035,000		1,035,000	Bankwest	Nov 2015
<b>Total</b>		<b>8,246,752</b>	<b>2,052,860</b>	<b>99,288</b>	<b>10,398,900</b>		
<b>Comments/Notes - Investments</b>							
Surplus funds invested for terms conducive to cashflow requirements							

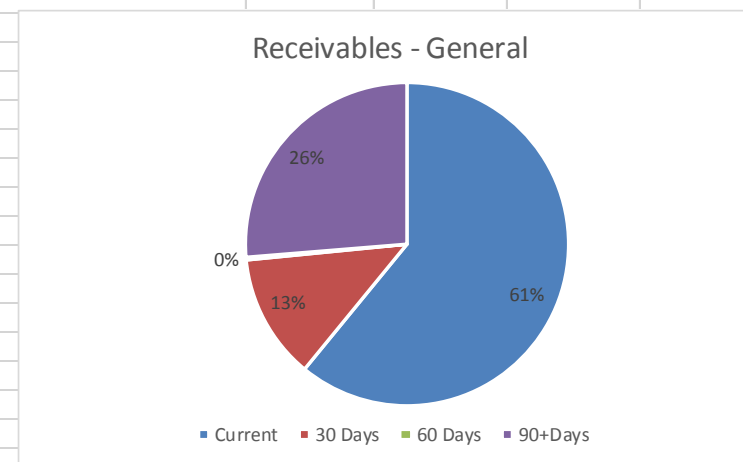
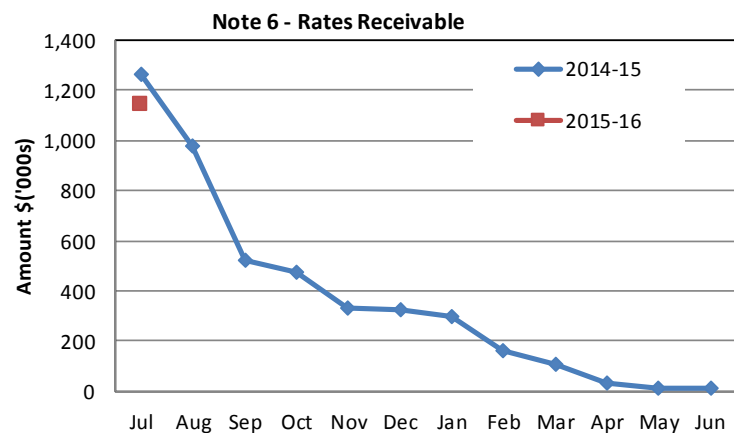
**Shire of Shark Bay  
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
For the Period Ended 31 July 2015**

**Note 6: RECEIVABLES**

Receivables - Rates Receivable	YTD 31 Jul 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	(43,250)	(1,120,010)
Equals Current Outstanding	<b>1,138,445</b>	<b>5,744</b>
<b>Net Rates Collectable</b>	<b>1,138,445</b>	<b>5,744</b>
% Collected	3.66%	99.49%

Receivables - General	Current	30 Days	60 Days	90+Days
	\$	\$	\$	\$
Receivables - General	41,675	8,551	184	17,980
<b>Total Receivables General Outstanding</b>				<b>68,390</b>

**Amounts shown above include GST (where applicable)**



**Comments/Notes - Receivables Rates**

Rates due date is 17 August so only a few collections to the end of July.

**Comments/Notes - Receivables General**

Debtors are at an acceptable level - no major debtors.

ORDINARY COUNCIL MINUTES

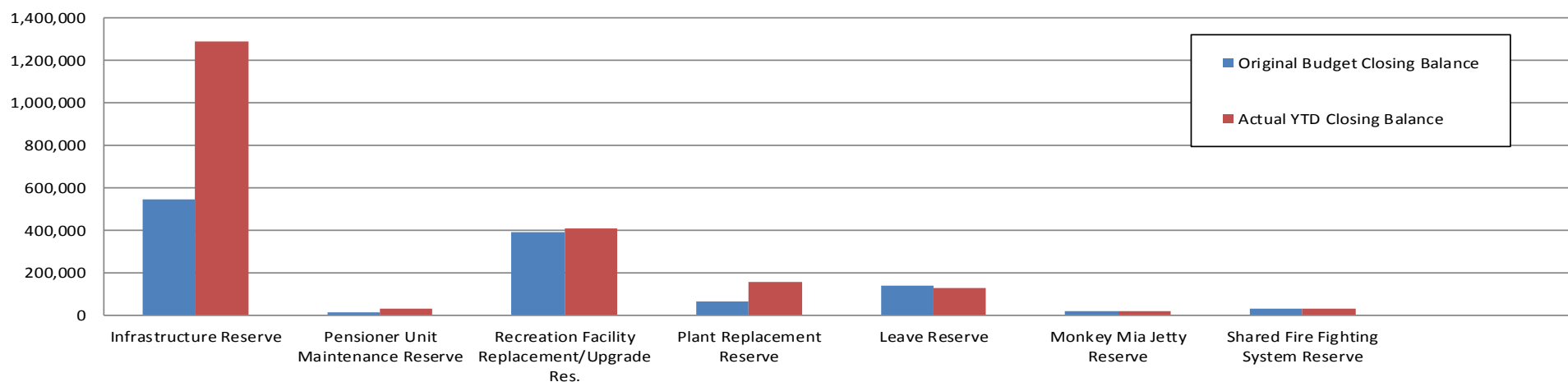
26 AUGUST 2015

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

**Note 7: Cash Backed Reserve**

2015-16 Name	Opening Balance	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
Infrastructure Reserve	\$ 1,279,923	\$ 23,880	\$ 8,186	\$ 57,781	\$ 0	\$ (819,614)	\$ 0		\$ 541,970	\$ 1,288,109
Pensioner Unit Maintenance Reserve	28,049	709	333	10,000	0	(28,675)	0		10,083	28,382
Recreation Facility Replacement/Upgrade Res.	401,657	8,505	4,786	0	0	(20,000)	0		390,162	406,443
Plant Replacement Reserve	152,853	3,824	1,995	400,000	0	(493,000)	0		63,677	154,848
Leave Reserve	126,569	3,163	1,504	10,000	0	0	0		139,732	128,073
Monkey Mia Jetty Reserve	19,866	498	236	0	0	0	0		20,364	20,102
Shared Fire Fighting System Reserve	26,587	667	316	0	0	0	0		27,254	26,903
	<b>2,035,504</b>	<b>41,246</b>	<b>17,356</b>	<b>477,781</b>	<b>0</b>	<b>(1,361,289)</b>	<b>0</b>		<b>1,193,242</b>	<b>2,052,860</b>

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





ORDINARY COUNCIL MINUTES

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Shire of Shark Bay								
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY								
For the Period Ended 31 July 2015								
Note 8 CAPITAL DISPOSALS								
Actual YTD Profit/(Loss) of Asset Disposal					Original Budget			Comments
Cost	Accum Depr	Proceeds	Profit (Loss)		YTD 31 07 2015			
				Original Annual Budget Profit/(Loss)	Actual Profit/(Loss)	Variance		
\$	\$	\$	\$	Plant and Equipment	\$	\$	\$	
				<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)	
<b>Comments - Capital Disposal/Replacements</b>								
Plant Replacement Program has yet to commence financially.								

ORDINARY COUNCIL MINUTES

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

Note 9: RATING INFORMATION	Rate in \$	Number of Properties	Rateable Value \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	Total Revenue \$	Budget Rate Revenue \$	Budget Interim Rate \$	Budget Back Rate \$	Budget Total Revenue \$
RATE TYPE											
<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>											
No comment											

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

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Shire of Shark Bay  
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
For the Period Ended 31 July 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	0	1,456,000 *
Grants Commission - Roads	WALGGC	Y	418,501	0	418,501	0	0	418,501 *
<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	0	35,000 *
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	104,942	141,063
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>196,842</b>	<b>9,767,846</b>
			Operating		2,382,428		91,900	
			Non-operating		7,582,260		104,942	
					9,964,688		196,842	

**Comments - Operating and Non Operating Grants**

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.

<b>Shire of Shark Bay</b>				
<b>NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY</b>				
<b>For the Period Ended 31 July 2015</b>				
<b>Note 12: TRUST FUND</b>				
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-Jul-15
	\$	\$	\$	\$
Library Card Bond	200	150	(50)	300
Kerb/Footpath Deposit	4,200	0	(1,700)	2,500
Bond Key	2,310	240	(360)	2,190
Police Licensing	2,386	38,478	(39,688)	1,176
Marquee Deposit	700	0	0	700
Building Licence Levy	41	62	0	103
Sunter Place - Recreation Reserve	92,320	0	0	92,320
Bookeasy Sales	0	46,619	(46,619)	0
	<b>102,157</b>	<b>85,549</b>	<b>(88,417)</b>	<b>99,289</b>

ORDINARY COUNCIL MINUTES

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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	(453)	453	453	
<b>Governance Total</b>			<b>(30,000)</b>	<b>0</b>	<b>(453)</b>	<b>453</b>		
<b>Buildings</b>								
<b>Health</b>								
Demolition of Ambulance Building	3.7.1	WKM	(10,000)	0	0	0	0	
<b>Health Total</b>			<b>(10,000)</b>	<b>0</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	(396)	396	396	
<b>Housing Total</b>			<b>(42,675)</b>	<b>0</b>	<b>(396)</b>	<b>396</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	(166)	166	166	
Recreation Centre - Sound Proofing - c/fwd	3.7.1	EMCD	0	0	0	0	0	\$50,000 carry forward from 14/15
			(20,000)	0	(166)	166		
<b>Land and Buildings Total</b>			<b>(102,675)</b>	<b>0</b>	<b>(1,015)</b>	<b>1,015</b>		
<b>Drainage/Culverts</b>								
<b>Transport</b>								
Drainage upgrades	3.7.1	WKM	(40,000)	0	(14,463)	14,463	14,463	
<b>Transport Total</b>			<b>(40,000)</b>	<b>0</b>	<b>(14,463)</b>	<b>14,463</b>		
<b>Drainage/Culverts Total</b>			<b>(40,000)</b>	<b>0</b>	<b>(14,463)</b>	<b>14,463</b>		
<b>Footpaths</b>								
<b>Transport</b>								
Footpath Construction	3.7.1	WKM	(50,000)	0	(1,803)	1,803		
<b>Transport Total</b>			<b>(50,000)</b>	<b>0</b>	<b>(1,803)</b>	<b>1,803</b>		
<b>Footpaths Total</b>			<b>(50,000)</b>	<b>0</b>	<b>(1,803)</b>	<b>1,803</b>		
<b>Furniture &amp; Office Equip.</b>								
<b>Governance</b>								
Council Chambers - Speaker System	1.2.1	EMFA	(12,000)	0	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	(423)	423	423	
<b>Recreation And Culture Total</b>			<b>(10,000)</b>	<b>0</b>	<b>(423)</b>	<b>423</b>		
<b>Furniture &amp; Office Equip. Total</b>			<b>(22,000)</b>	<b>0</b>	<b>(423)</b>	<b>423</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	0	0	0	\$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>0</b>	
<b>Heritage Assets Total</b>			<b>(10,000)</b>	<b>0</b>	<b>0</b>	<b>0</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>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>0</b>	
<b>Plant , Equipment and Vehicles Total</b>			<b>(869,000)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	

ORDINARY COUNCIL MINUTES

26 AUGUST 2015

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	(228)	228	228	\$27,500 carried forward from 14/15
Town Oval Bore	3.7.1	WKM	(30,000)	0	0	0	0	
Refuse Tip and Recycling	2.4.2	WKM	(378,341)	0	0	0	0	
<b>Community Amenities Total</b>			<b>(408,341)</b>	<b>0</b>	<b>(228)</b>	<b>228</b>		
<b>Recreation And Culture</b>								
Recreation Grounds	1.6.7	WKM	(55,000)	(4,000)	(1,755)	(2,245)	1,755	
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)	(16,667)	(13,530)	(3,137)	13,530	
Western Foreshore Gazebo Reroofing	3.7.1	WKM	(10,000)	0	0	0	0	
Replace Shade shelters - Eastern Foreshore	3.7.1	WKM	(20,000)	0	(106)	106	106	
Childcare Centre Softfall	3.7.1	WKM	(10,000)	0	0	0	0	
Charlie Sappie Park - c/fwd	3.7.1	WKM	0	0	(3,956)	3,956	3,956	\$10,000 carried forward from 14/15
<b>Recreation And Culture Total</b>			<b>(7,207,239)</b>	<b>(20,667)</b>	<b>(22,473)</b>	<b>1,806</b>		
<b>Transport</b>								
Monkey Mia Jetty - c/fwd	1.6.5	WKM	0	0	(1,800)	1,800		
Monkey Mia Boat Ramp Carpark - c/fwd	1.6.5	WKM	0	0	(611)	611	611	
<b>Transport Total</b>			<b>0</b>	<b>0</b>	<b>(2,411)</b>	<b>2,411</b>		
<b>Public Facilities Total</b>			<b>(7,615,580)</b>	<b>(20,667)</b>	<b>(25,112)</b>	<b>4,445</b>		
<b>Roads (Non Town)</b>								
<b>Transport</b>								
Woodleigh-Bryo Floodway RRG	1.1.6	WKM	(137,712)	0	0	0	0	
Useless Loop Road - RRG 14/15	1.1.6	WKM	0	0	(6,662)	6,662	6,662	\$75,800 carried forward from 14/15
Useless Loop Road - RRG 15/16	1.1.6	WKM	(279,007)	(23,251)	0	(23,251)	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>(23,251)</b>	<b>(6,662)</b>	<b>(16,589)</b>		
<b>Roads (Non Town) Total</b>			<b>(1,106,349)</b>	<b>(23,251)</b>	<b>(6,662)</b>	<b>(16,589)</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>(43,918)</b>	<b>(49,478)</b>	<b>5,560</b>		

**13. TOWN PLANNING REPORT**

**13.1 PROPOSED OUTBUILDING – LOT 239 (32) VLAMINGH CRESCENT, DENHAM  
P1315**

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 Ridgley

**Council Resolution**

**That Council:**

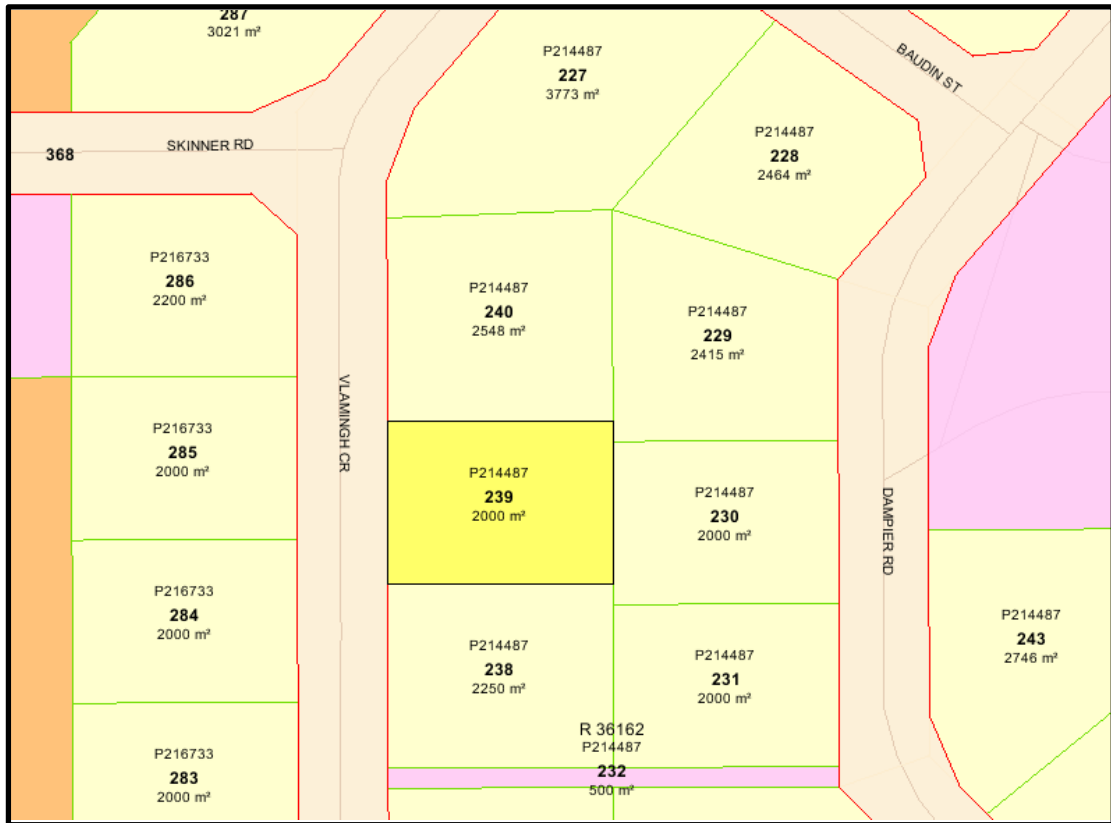
- A. Approve the application No 18/2015 lodged by Geoffrey Howse for a carport on Lot 239 (32) Vlamingh Crescent, Denham subject to the following conditions:**
- 1. The plans lodged with this application (received 29 July 2015) shall form part of this planning approval. All development shall be in accordance with the approved plans and the carport shall be constructed out of colourbond materials.**
  - 2. 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.**
  - 3. The development approved is to be substantially commenced within 2 years of the date of this approval. The approval lapses if the development has not substantially commenced before expiration of the 2 year period.**
- B. Include a footnote / advice note on any planning approval to advise the applicant that;**
- (a) Planning consent is not an approval to commence any site works or construction. A separate building permit must be obtained for all work.**

**6/0 CARRIED**



BACKGROUND

Lot 239 (32) has been developed with two existing industrial sheds. One shed is located in the front portion of the lot, and the second shed is located to the rear in the south east corner. A location plan is included over page for ease of reference.



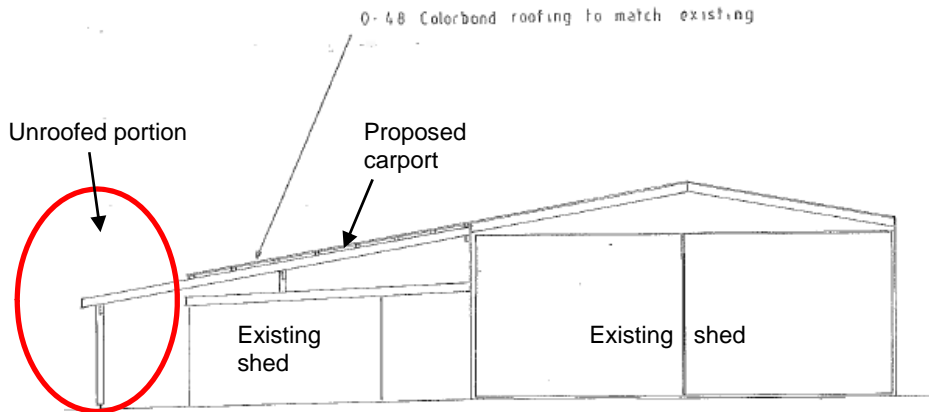
COMMENT

Zoning

The subject land is zoned 'Industrial' under the Shire of Shark Bay Local Planning Scheme No 3 ('the Scheme').

Description of Application

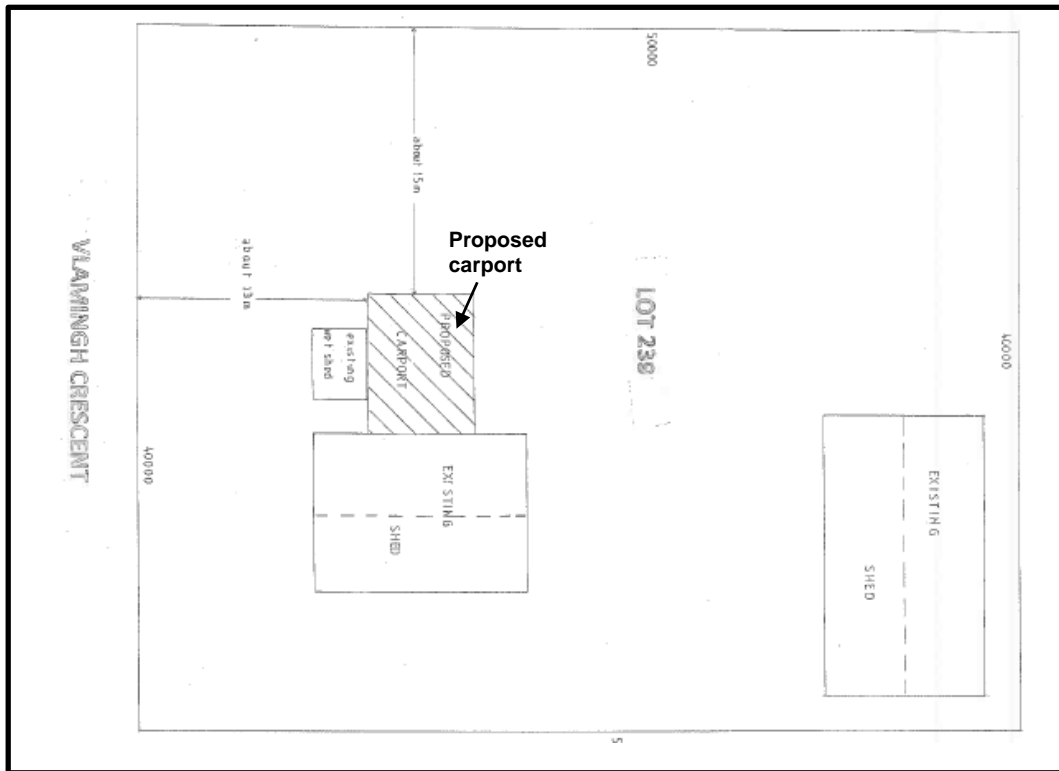
The application proposes a double carport to the north of an existing industrial shed. The carport footprint will be 8 metres by 6 metres (48m²) however the roof area only covers a portion of the structure (36m²).



West Elevation – View from Vlamingh Crescent

An aerial (compiled by Gray & Lewis) and the applicants site plan is included below.





### Site Requirements

A 15 metre front and 6 metre side and rear setback applies to the Industrial zone under the Scheme.

The applicant proposes to setback the carport 13 metres from Vlamingh Crescent and 15 metres from the north boundary.

The proposed front setback variation is supported as the existing shed is already setback less than 15 metres from the primary street. The side setbacks comply with the Scheme.

Council has discretion to vary the front setback requirement in accordance with Clause 5.6.1 and 5.6.3 of the Scheme.

### Parking Provision

The proposed development will not reduce the amount of land available for parking. It simply provides for some covered parking on site.

- *Landscaping*

Clause 5.11.4 of the Scheme includes landscaping requirements for the Industrial zone, and specifies landscaping should be provided in the front setback area within 6 months of completion or occupancy.

The Scheme does not specify the amount or width of landscaping required.

Council can require landscaping to be upgraded as a condition of any development.

LEGAL IMPLICATIONS

Shire of Shark Bay Local Planning Scheme No 3 – Council has discretion to vary setbacks as a ‘standard’ or ‘requirement’ of the Scheme under Clause 5.6.3 however has to be satisfied that:

- a) approval of the proposed development would be appropriate having regard to the criteria set out in clause 10.2; and
- b) the non-compliance will not have any adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

POLICY IMPLICATIONS

There are no policy implications relative to this report.

FINANCIAL IMPLICATIONS

The Shire pays consultancy 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 management factor to this report.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

*L Bushby*

Chief Executive Officer

*P Anderson*

Date of Report

18 August 2015

13.2 PROPOSED EXTENSION TO EXISTING BUILDING – LOT 290 (52) VLAMINGH CRESCENT, DENHAM

P1329

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 Capewell

**Council Resolution**

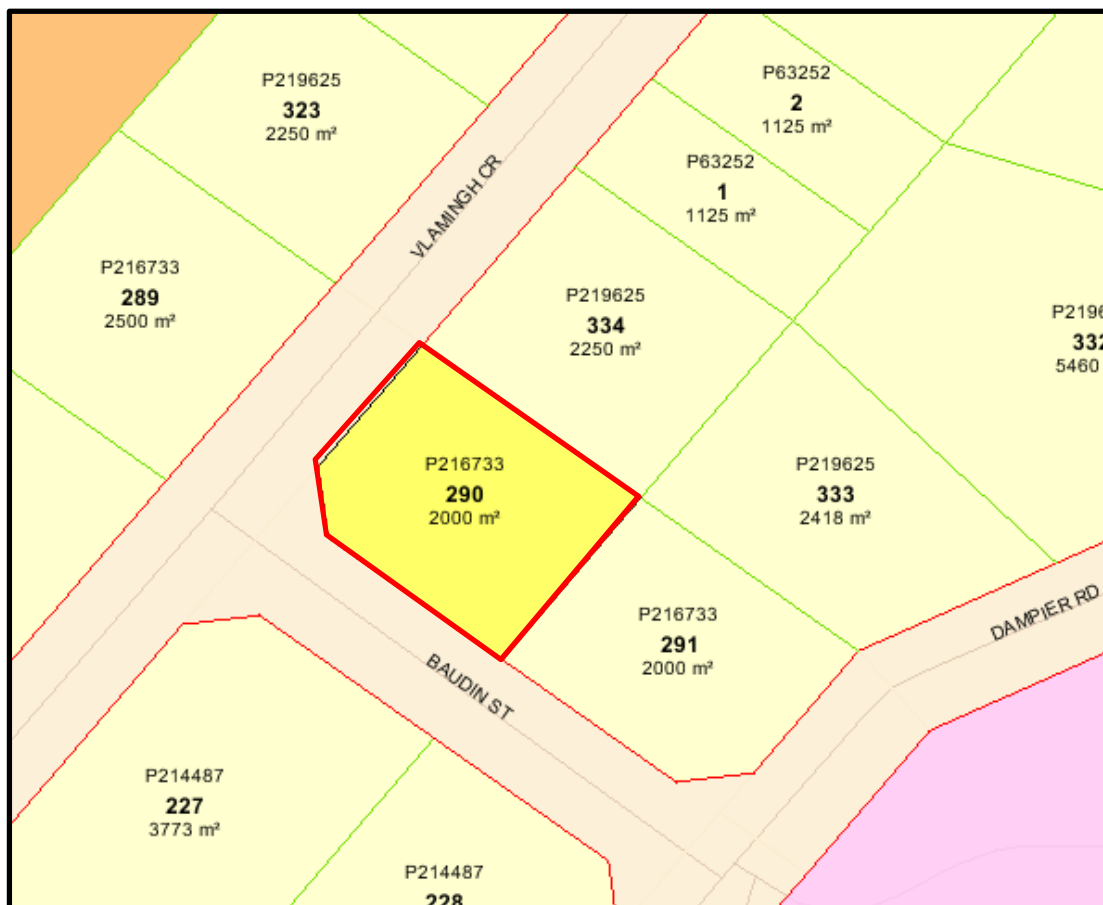
**That Council:**

- A. Approve the application No 17/2015 lodged by Mr Michael Ricetti for an addition to an existing building on Lot 290 (52) Vlamingh Crescent, Denham subject to the following conditions:**
- 1. The plans lodged with this application (received 27 July 2015) shall form part of this planning approval. All development shall be in accordance with the approved plans unless otherwise approved in writing by the Chief Executive officer.**
  - 2. 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.**
  - 3. The development approved is to be substantially commenced within 2 years of the date of this approval. The approval lapses if the development has not substantially commenced before expiration of the 2 year period.**
- B. Include a footnote / advice note on any planning approval to advise the applicant that;**
- (a) Planning consent is not an approval to commence any site works or construction. A separate building permit must be obtained for all work.**

**6/0 CARRIED**

BACKGROUND

Lot 290 (52) is located on the corner of Vlamingh Crescent and Baudin Street in Denham.



The lot has been developed with 2 industrial buildings and has an existing crossover from Vlamingh Crescent. The premises is occupied by a business known as 'Outback Coast Automotive and Radiators'.

COMMENTZoning

The subject land is zoned 'Industrial' under the Shire of Shark Bay Local Planning Scheme No 3 ('the Scheme').

Description of Application

The application proposes a minor addition to an existing mechanical repairs workshop on the southernmost portion of the lot.

The addition will measure 3 metres by 15 metres and will be setback 3.3 metres from Baudin Street.

The applicant has advised that the increased floor area of 45m<sup>2</sup> will be used for tool storage, and free up space within the workshop to make it a safer work area.



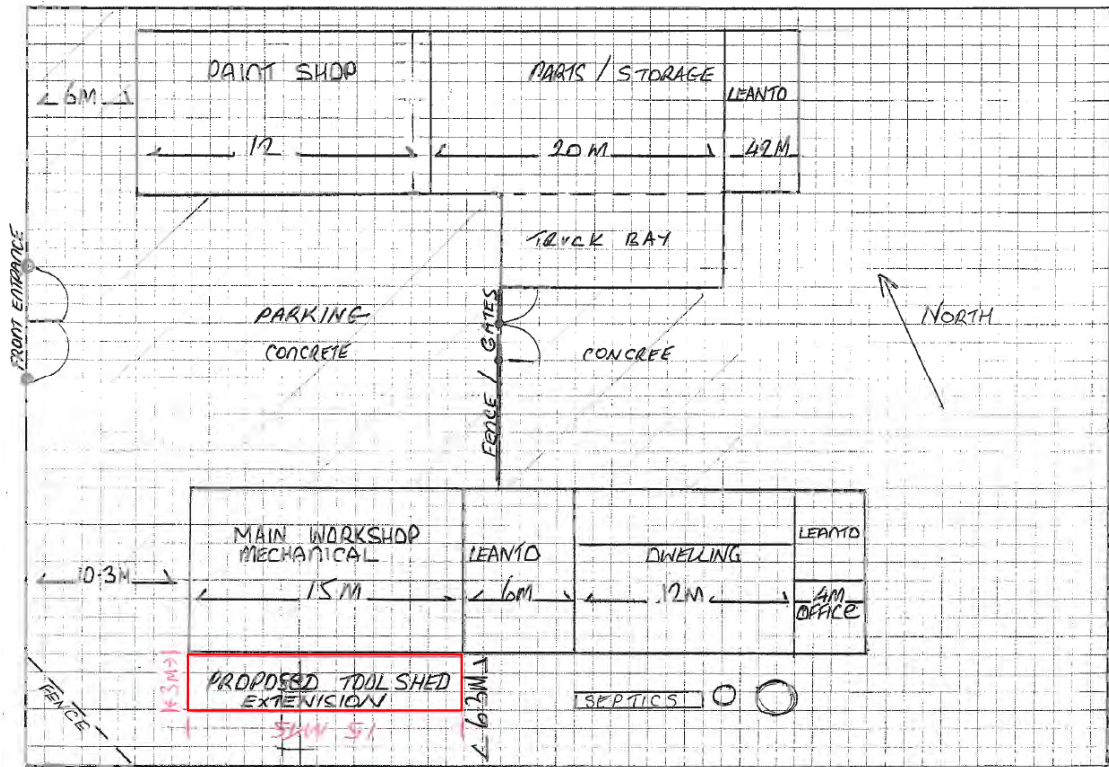
Site Requirements

A 15 metre front and 6 metre side and rear setback applies to the Industrial zone under the Scheme. The Scheme does not specify a setback for a secondary street.

The applicant proposes to setback the extension 10.3 metres from Vlamingh Crescent consistent with the existing workshop, and 3.3 metres from Baudin Street.

The extension location maximises retention of the existing central carparking area and avoids the septic system – refer site plan overpage.





The proposed front setback variation is supported as the existing workshop is already setback 10.3 metres from the primary street, being Vlamingh Crescent. The 3.3 metre secondary street setback is also supported as it will not have any detrimental impact.

Council has discretion to vary the setback requirement in accordance with Clause 5.6.1 and 5.6.3 of the Scheme.

Parking Provision and Assessment

Under Clause 5.14.4 of the Scheme, carparking is required to be provided, constructed and maintained in accordance with the provisions of the Scheme, and the number of bays is specified in 'Table 2 : Carparking'.

Table 2 under the Scheme specifies a carparking requirement for 'Motor Vehicle Repair Station' being '2 for very working bay & 1 for each employee'.

The extension is for tool storage only so is unlikely to significantly increase carparking for the existing business. The existing business is serviced by a central carparking area.

- *Landscaping*

Clause 5.11.4 of the Scheme includes landscaping requirements for the Industrial zone, and specifies landscaping should be provided in the front setback area within 6 months of completion or occupancy.

The Scheme does not specify the amount or width of landscaping required.

Council can require landscaping to be upgraded as a condition of any development.



LEGAL IMPLICATIONS

Shire of Shark Bay Local Planning Scheme No 3 – Council has discretion to vary setbacks as a ‘standard’ or ‘requirement’ of the Scheme under Clause 5.6.3 however has to be satisfied that:

- a) approval of the proposed development would be appropriate having regard to the criteria set out in clause 10.2; and
- b) the non-compliance will not have any adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

POLICY IMPLICATIONS

There are no policy implications relative to this report.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications relative to this report.

RISK MANAGEMENT

There is low risk management related to this report.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

*L Bushby*

Chief Executive Officer

*P Anderson*

Date of Report

18 August 2015

13.3 HIRE BUSINESS ON KNIGHT TERRACE, DENHAM  
RES39569

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 Prior

Nature of Interest: Proximity Interest due to Office being close to area discussed

Disclosure of Interest: Cr Ridgley

Nature of Interest: Proximity Interest as has an Office nearby

Cr Prior and Cr Ridgley left the Council Chamber at 11.55

Moved            Cr Capewell  
Seconded       Cr Wake

**Council Resolution**

**That Council:**

1. **Authorise the Chief Executive Officer to sign a planning application form for hire activities (including advertising sign) in Knight Terrace Road Reserve and in accordance with the general location marked as Area D on the plan included as Attachment 1 of this report.**
2. **Note that the exact configuration and area for hire activities is to be determined and quantified on site by Council Officers.**
3. **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 hire activities in Knight Terrace road reserve. 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.**
4. **Note that the Quad Bike tours have been operating since 2007 and that the current operator is Mr Laurie McKell.**
5. **Note that the planning approval will simply be for a designated hire area. It will cater for continuation of the existing quad bike hire business. In the event the existing business discontinues, alternative hire business could apply for a Permit in the Knight Terrace location (eg such as bicycle hire or scooter hire).**
6. **Delegate authority to the Chief Executive Officer in accordance with Section 5.42 of the Local Government Act 1995 to determine the existing request for a Transfer of the Permit, and future Renewal of a Permit under the Local Government Property Local Law for the quad bike hire business for the 2016/2017 period.**
7. **Request Administration to consider Renewal of Permits and Transfer of Permits under the Shire's Local Laws as part of any future review of the delegation register.**

**4/0 CARRIED**

Cr Prior and Cr Ridgley returned to Council Chamber at 12.04pm.

## BACKGROUND

- *Water based hire activities*

Last month, the Shire received three proposals from parties interested in establishing water based hire businesses along the Denham foreshore. On the 29 July 2015 Council resolved to support three permit areas on Denham foreshore which are reflected as Areas A, B and C in Attachment 1 (located at the end of this report).

- *Quad bike hire activities*

Quad bike tours have been operating in Denham since 2007. The operator obtains an annual permit from the Shire, pay annual fees and provides liability insurance (in accordance with relevant local laws). The last annual fee payment required was \$2538.00 for 2015/2016.



The quad hire business has changed hands and as of the 1 August 2015 has been taken over by Mr Laurie McKell. Mr McKell has provided new insurance details and the Shire has provided him with written advice that the operation has a permit.

## COMMENT

- *History*

The original quad bike hire proposal was lodged by Alan and Jenny Green in the form of a letter dated 12 June 2007. There was an agreement on the quad bike touring routes by the then Department of Environment and Conservation.

At the Ordinary Meeting held on the 25 July 2007, Council resolved to advise the proponents A & J Green, Shark Bay Coaches, that it is prepared to issue a permit to operate 4 wheel drive quad bike tours in the Shire of Shark Bay subject to a number of conditions. Conditions included the issue of a formal permit (on payment of fees), set up locations being defined, agreed tour routes and provision of public liability insurance.

Although the quad bike tours have been supported by the Shire there is no record of any formal planning approval for the set up and advertising area on Knights Terrace.



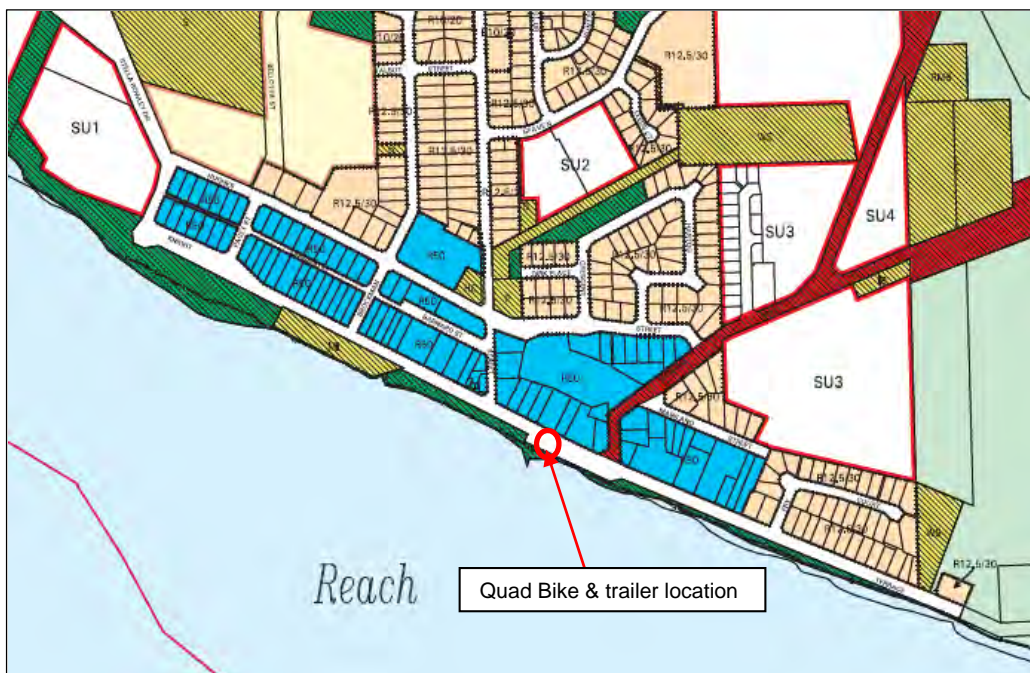
- **Current Operation**

Quad bikes and a trailer (with advertising signage) are parked and displayed in the Knight Terrace road reserve, opposite the service station – refer aerial below.

The trailer is unmanned and it is understood bookings can be made direct with the operator. On line bookings can be made through the Shark Bay Visitor Centre. Gray & Lewis is of the understanding that some of the tours start from the Knight Terrace location.



- **Shire of Shark Bay Local Planning Scheme No 3 ('the Scheme')**



Certain lands within the Scheme are classified as reserves. Knight Terrace is shown as a 'Local Road' reservation on the Scheme map.

Under Clause 3.2.1 of the Scheme, a person must not use a reserve without first having obtained planning approval.

• **Officer Comment**

The purpose of this report is to simply formalise a planning approval for a designated hire business area within the Knight Terrace road reserve. It is recognised that the existing quad bike hire business has been successfully operating in this location for some years.

It is recommended that any planning approval be granted directly to the Shire of Shark Bay for the landuse. The planning approval will not limit hire activities to quad bikes.

Irrespective of any planning consent, the operator will need to continue to apply for a separate annual Permit in accordance with the Shire of Shark Bay Local Government Property Local Law.

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.

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

Any delegation for determination of a planning application requires an Absolute Majority decision under Clause 11.3.1 and 11.3.3 of the Scheme.

Local Government Act 1995 – Section 5.42 allows for a local government to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act. All delegations made by the Council must be by Absolute Majority decision.

Local Government Property Local Law – Under Clause 3.9 applications for renewal of permits can be lodged. Under Clause 3.10 operators can apply for a Transfer of Permit. It is to the discretion of the local government as to whether to approve any Transfer or Renewal application.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The Shire pays fees to Gray & Lewis for planning advice. The Shire receives annual application fees for renewal of the existing Permit.

STRATEGIC IMPLICATIONS

The business may have local economic benefits as it provides activities for tourists.

RISK MANAGEMENT

As part of the separate Permit process, applicants have to provide public liability insurance. Risk can also be reduced by requiring risk management plans as part of permit applications.

VOTING REQUIREMENTS

Absolute Majority Required for delegation under Points 3 and 6 of the Officer Recommendation

SIGNATURES

Author

*L Bushby*

Chief Executive Officer

*P Anderson*



Date of Report

20 August 2015





**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



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.

**14. BUILDING REPORT**

There is no building report for this meeting.

**15. HEALTH REPORT**

There is no health report for this meeting.

**16. WORKS REPORT**

**16.1 FIVE YEAR FOOTPATH CAPITAL PROGRAM**

RD00015

AUTHOR

Works Manager

DISCLOSURE OF ANY INTEREST

NIL

Moved Cr Prior

Seconded Cr Capewell

**Council Resolution**

**That Council endorse the revised Five (5) Year Capital Plan 2015/2016 to 2019/2020 for new footpaths within the township of Denham**

**2015/2016 program**

**Miller Street – Hoult Street to Mead Street Estimated cost \$14,940.00**

**Stella Rowley Drive – School Gate to Freycinet Drive Estimated cost \$26,560.00**

**Additional Earthworks Estimated Cost \$7,470.00**

**Total budget estimated costs \$48,970.00**

**6/0 CARRIED**

BACKGROUND

Council amended the officer recommendation for the Five Year Footpath Plan at the Ordinary Council Meeting 29 June 2015 as described below:

Council Resolution: 24 June 2015, Item 16.1 Five Year Footpath Plan.



**AMENDMENT TO OFFICER RECOMMENDATION**

**Reason:** Council felt that the footpath along Stella Rowley Drive – School gate to Freycinet Drive was a higher priority and amended the recommendation to reflect this consideration.

Moved            Cr Prior  
Seconded       Cr Ridgley

**Council Resolution**

***That \$50,000 be included in the 2015/2016 Draft budget for the inclusion of the installation of new footpaths at the following locations in accordance with the Councils Five (5) Year Footpath Programme.***

<b><i>Miller Street – Hoult to Mead Street</i></b>	<b><i>est. cost \$14,940.00</i></b>
<b><i>Stella Rowley Drive – School Gate to Freycinet Drive</i></b>	<b><i>est. cost \$34,030.00</i></b>
<b><i>Total budget estimated costs</i></b>	<b><i>\$48,970.00</i></b>

***7/0 CARRIED***

Council also requested a revised plan to be submitted to Council. As requested the following is the revised Five Year Footpath Plan for 2015/2016 to 2019/2020.

**COMMENT**

The revised plan removes Mead Street footpath from the 2015/2016 Capital Footpath Program and inserts a footpath along Stella Rowley from the School gate to Freycinet Drive.

The new revised plan with the addition of the Stella Rowley Drive footpath is less expensive than the original plan with the Mead Street footpath. However, as advised at the ordinary council meeting 29 June 2015, to enable construction of a footpath along this section of Stella Rowley Drive there will be the necessity for additional earthworks and a possibility of retaining walls to be constructed. These extra costs have been taken into consideration and are reflected in the officer recommendation but not included in the accompanying spreadsheet.

As stated in the previous report this is a living document and will be reviewed annually to ensure that any changes in priorities or budgets are taken into account and accommodated within the program.

The location and alignment of the footpaths on the suggested roads can be modified, although any modification may affect associated costs.

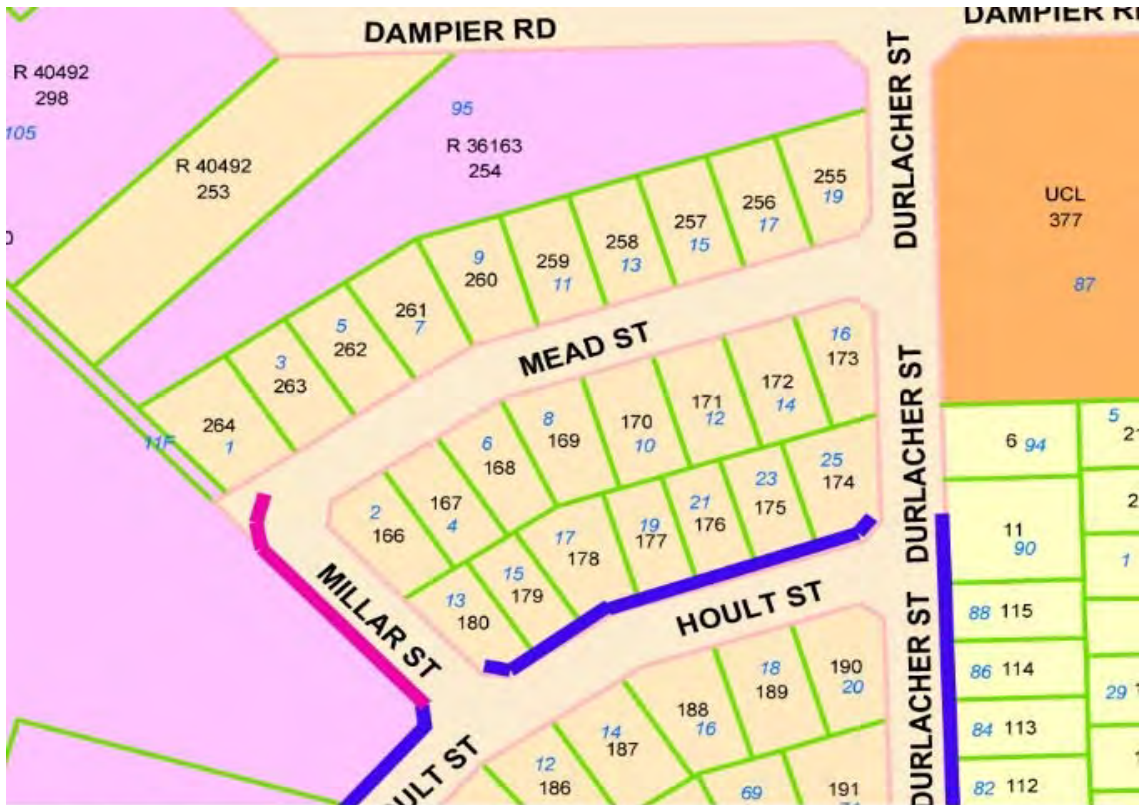
**Total budget estimated costs** **\$48,970.00**  
**Further information on the proposed programme follows;**

Shire of Shark Bay 5 Year Capital Footpath Plan 2015/16 to 2019/20													
Type	length	Type	2015/16		2016/17		2017/18		2018/19		2019/20		
			length	Cost \$ \$ per m2	length	Cost \$ \$ per m2	length	Cost \$ \$ per m2	length	Cost \$ \$ per m2	length	Cost \$ \$ per m2	
New													
Town Hall	39	Grey									39	\$ 95.00	\$ 7,410.00
Capewell (Spaven/Sunter)	113	Grey											
Sunter (Capewell/End)	112	Grey											
Hughes (Page/Stella Rowley)	200	Grey											
Knight (Fry/Netas Beach)	293	Grey			295	86	\$ 50,740.00						
Knight (Denham Rd/ Netas Beach (Beach))	642	Grey											
Capewell (Poland/Edwards)	263	Grey											
Capewell (Spaven to Sunter)	109	Grey											
Leeds (Spaven/End)	114	Grey											
Edwards (Capewell/Spaven)	175	Grey											
Spaven (Caravan Park/Edwards)	334	Grey											
Millar (Hour/Mead)	90	Grey	90	83	\$ 14,940.00								
Mead (Millar/Durlacher)	205	Grey									205	\$ 95.00	\$ 38,950.00
School (Stella/Francis "Along Fence")	75	Grey											
Francis (School/Freyinet)	75	Grey											
Freyinet (Stella/Carpark)	148	Grey											
Stella Rowley Drive (School Gate/Freyinet)	160	Grey	160	83	\$ 26,560.00								
Francis (School/Freyinet)	61	Grey											
Fry Court	300	Grey					270	\$ 89.00	\$ 48,060.00				
Brockman St													
Spaven (Caravan Park/Leeds)	120	Grey											
Durlacher (Hour/Dam pier)	185	Grey							185	\$ 92.00	\$ 34,040.00		
Hatog (Dirk/Hughes)	95	Grey							95	\$ 92.00	\$ 17,480.00		
Hughes (Pensioner units)	50	Grey											
<b>TOTAL</b>	<b>3,958</b>		<b>250</b>	<b>\$ 41,500.00</b>	<b>295</b>	<b>\$ 50,740.00</b>	<b>270</b>	<b>\$ 48,060.00</b>	<b>280</b>	<b>\$ 51,520.00</b>	<b>244</b>	<b>\$ 46,360.00</b>	

**Miller Street – 2015/2016**

A footpath from Hoult Street to Mead Street along Miller Street should be constructed in conjunction with the Mead Street footpath.

This footpath would be a continuation of the footpath already in place along Hoult Street from Francis Street to Durlacher Street. Total length of this footpath would be approximately 90 metres and expected to cost \$14,940.00.



Miller Street - Hoult Street to Mead Street. 2015/16

**Stella Rowley Drive – 2015/2016**

A footpath constructed from the school gate to Freycinet Drive along Stella Rowley Drive will provide continuity of service around the school present.

Total length of this footpath is 160 metres and expected to cost \$26,560.00.

To enable the construction of this section of footpath additional earthwork will need to be carried out with the possibility of some retaining wall construction required. A worst case scenario places the anticipated cost at approximately \$7,470.00.



Stella Rowley Drive - School Gate to Freycinet Drive 2015/16

***Knight Terrace - 2016/2017***

A footpath from Fry Court through to Netta's Beach along Knight Terrace could be constructed for a cost of about \$50,740.00. This would be a continuation of the existing footpath that ends at the intersection of Fry Court and Knight Terrace and would complete the footpath network along the eastern end of Knight Terrace. The over budget costs will need to be considered in the 2016/2017 budget allocations.



Knight Terrace - Fry Court to Nettas Beach 2016/17



**Fry Court – 2017/2018**

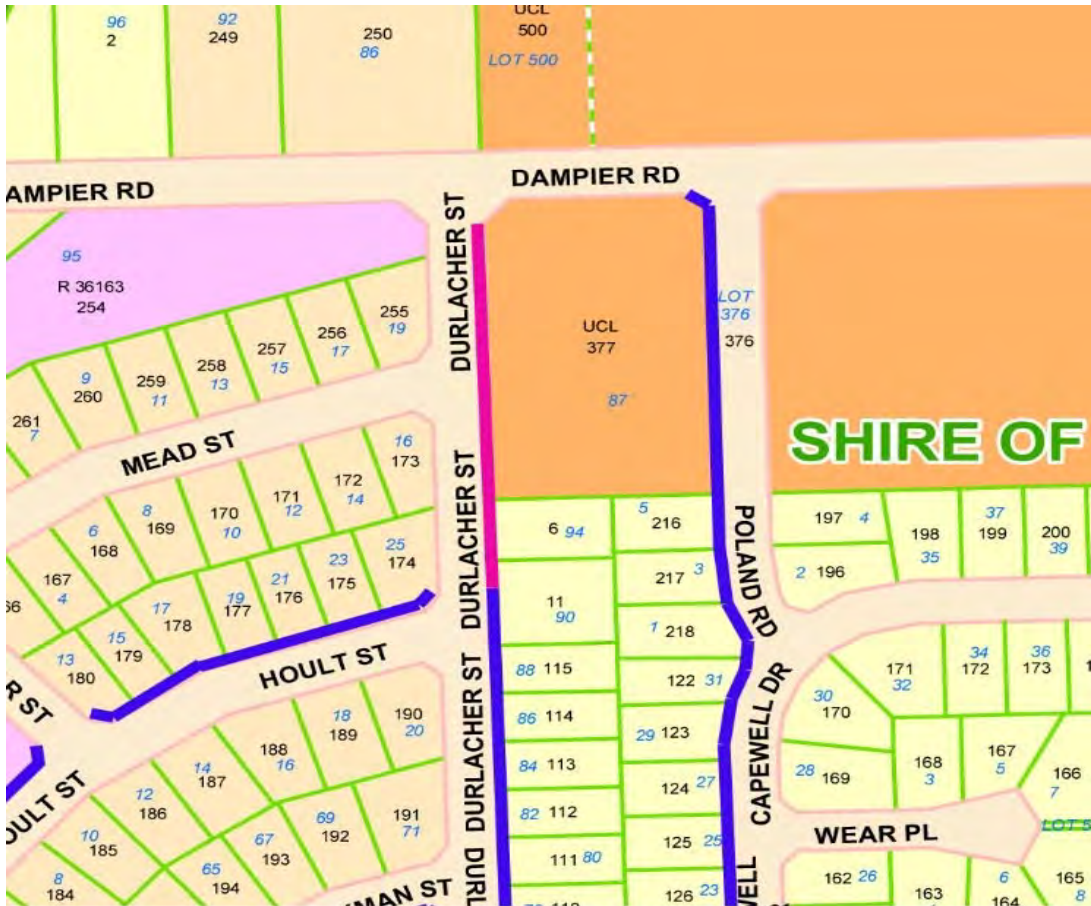
A footpath constructed from Knights Terrace along the eastern side of Fry Court terminating at the end of the cul-de-sac would almost complete the eastern side of the township leaving only Mainland Street left to do. The cost of this footpath would be approximately \$48,060.00 and within the expected budget for the 2017/2018 financial year.



Fry Court - Knight Terrace to Cul-de-sac 2017/18

**Durlacher Street – 2018/2019**

The footpath from Hoult Street to Dampier Road along Durlacher Street would be a continuation of the existing Durlacher Street footpath. Estimated costs associated with this footpath would be about \$32,040.00.



Durlacher Street - Hoult Street to Dampier Rd 2018/19

**Hartog Crescent – 2018/2019**

The final footpath for 2018/2019 will be the link between Hughes Street and Dirk Place along Hartog Crescent. At a length of 95 metres the finished cost is expected to be \$17,480.00.

Durlacher Street and Hartog Crescent footpaths will have a combined cost of \$51,520.00. This is \$1,520.00 over the anticipated \$50,000.00 allocation in the 2018/2019 budget and will need to be considered in the 2018/2019 budget allocations.

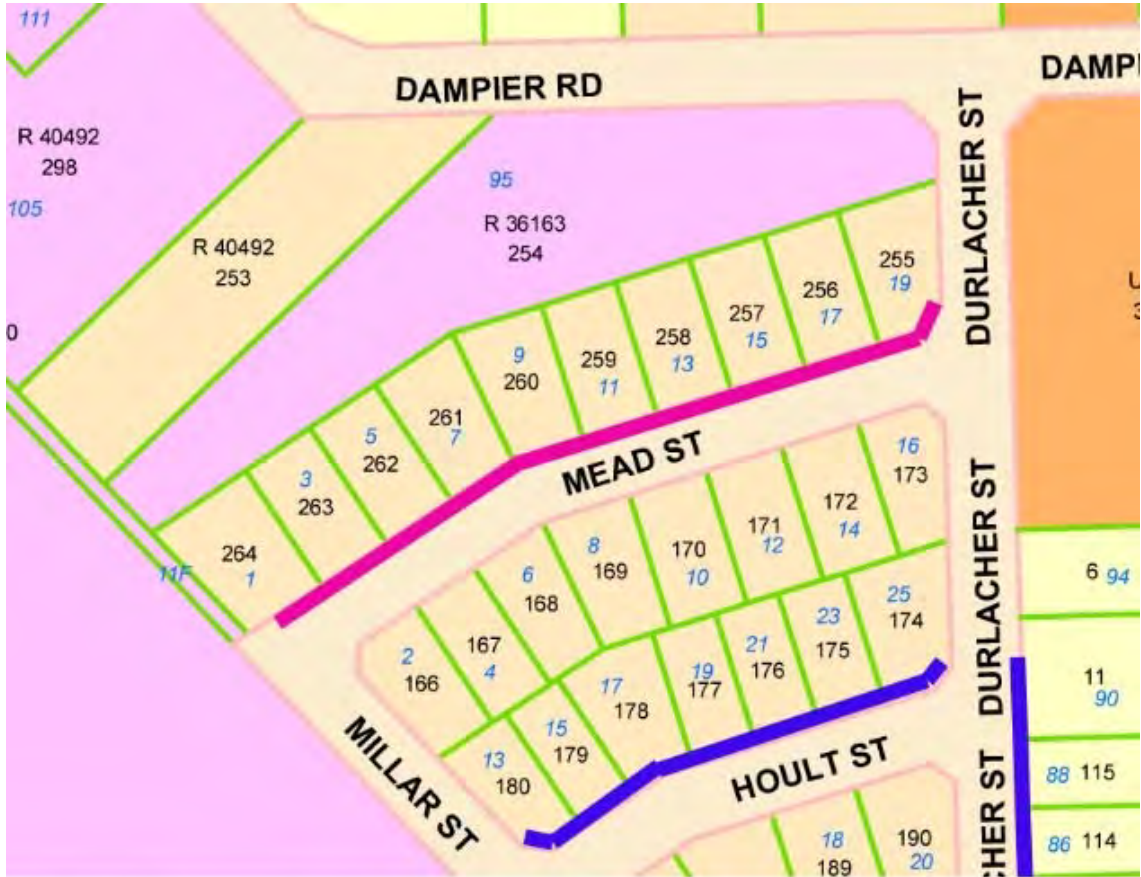


**Hartog Crescent - Dirk Place to Hughes Street  
2018/19**



**Mead Street – 2019/2020**

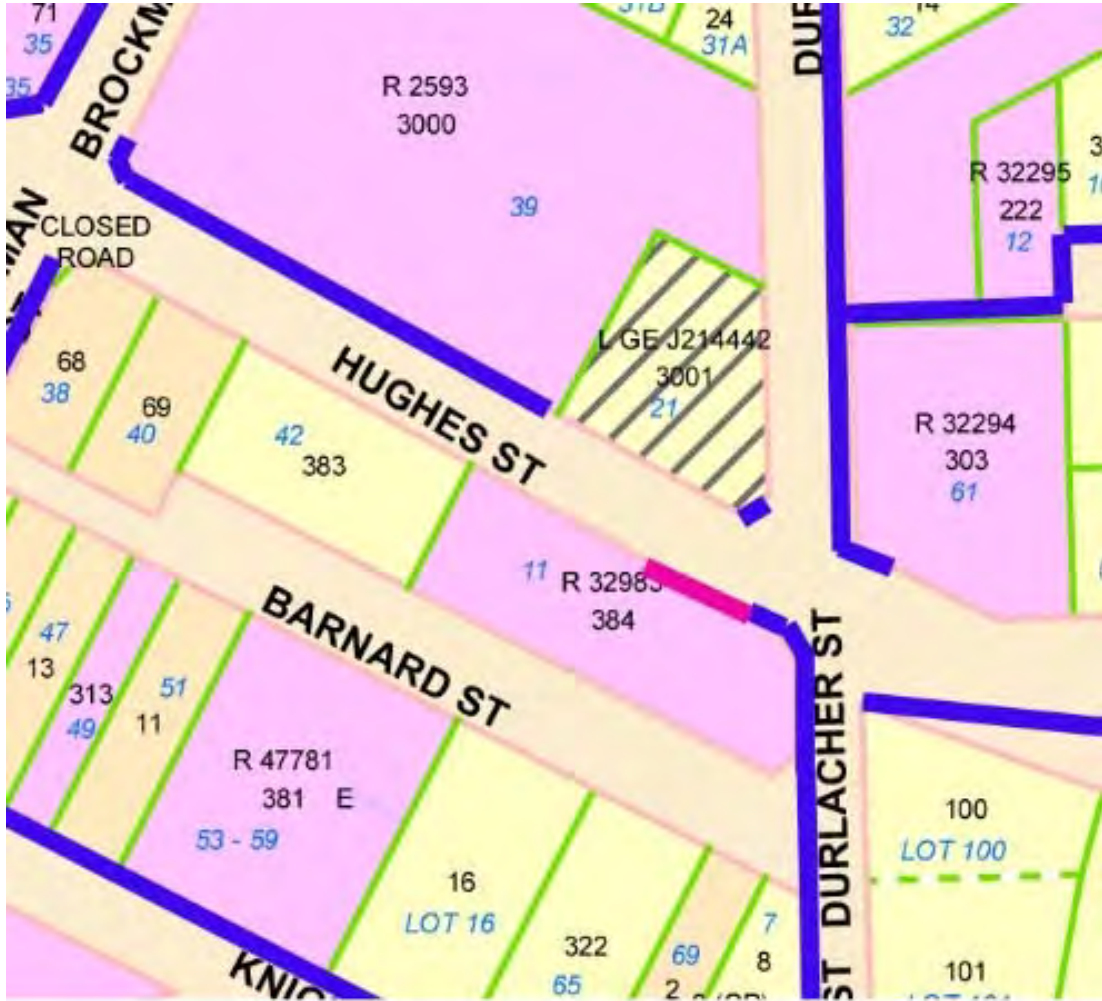
Mead Street footpath has been reprogrammed for the 2019/2020 financial year and is expected to cost \$38,950.00. The footpath would complete the north Western section of the residential area of the Denham town site.



Mead Street - Miller Street to Durlacher Street 2019/20

**Hughes Street – 2019/2020**

A footpath along Hughes Street from Durlacher Street to the Town Hall could be constructed with the remaining funding expected to be available for capital footpaths in the 2019/2020 financial year. Total cost of this project would be \$7,410.00.



**Hughes Street - Durlacher to Town Hall 2019/20**

LEGAL IMPLICATIONS

There are no legal implications associated with this report

POLICY IMPLICATIONS

There are no policy implications associated with this report

FINANCIAL IMPLICATIONS

Miller Street – Hoult Street to Mead Street	Estimated cost \$14,940.00
Stella Rowley Drive – School Gate to Freycinet Drive	Estimated cost \$26,560.00
Additional Earthworks	Estimated cost \$7,470.00

Total budget estimated costs \$ 48,970.00

All pricing and estimates contained within this report are based on an envisaged 3.5% CPI over the next 5 years. If real CPI is higher than estimated CPI then the estimated costs per square meter of concrete will likewise be higher and this increase will need to be reflected in future budgets.

Footpaths proposed to be constructed in 2016/2017 and 2018/2019 will be slightly over the anticipated budget allowances and will need to be considered in the relevant budgets.

STRATEGIC IMPLICATIONS

Outcome 1.1 - Develop Infrastructure and Investment that is sustainable and an ongoing legacy to the Shire

RISK MANAGEMENT

There are no risks associated with this report

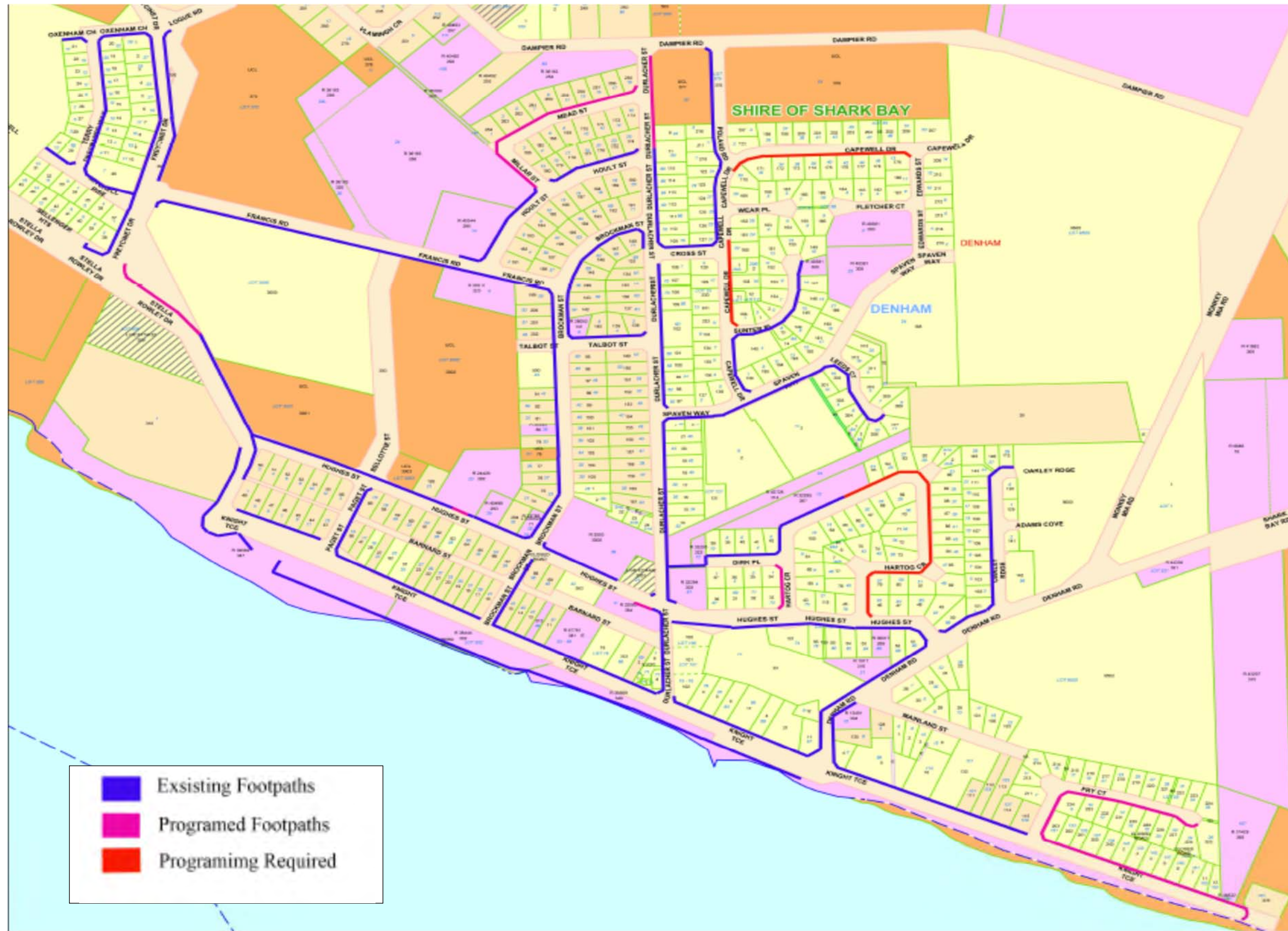
VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author	<i>B Galvin</i>
Chief Executive Officer	<i>P Anderson</i>
Date of Report	13 August 2015





**17 TOURISM, RECREATION AND CULTURE REPORT**

**17.1 WESTERN AUSTRALIAN TOURISM CONFERENCE - 2015**

Author

Executive Manager Community Development

Disclosure of Any Interest

Nil

Moved Cr Ridgley

Seconded Cr Wake

**Council Resolution**

**That the following Councillors be nominated to attend the 2015 Western Australian Tourism Annual Conference to be held in Perth from Monday 21 to Wednesday 23 September 2015.**

**Cr Prior**

**Cr Ridgley to attend if Cr Prior is unable to attend.**

**6/0 CARRIED**

Background

The Annual 2015 Western Australian Tourism Conference is to be held at the Crown Perth scheduled for 21 to 23 September 2015.

Comment

This year the Western Australian Tourism Conference is for the first time a combination of three tourism associations linked together to present a single, united tourism conference delivering insights and information on critical topics and issues for the entire industry. The program for the Conference contains several topics that have relevance to the Shire that may provide some opportunity for local benefit.

The conference this year will provide tourism industry training and workshops and on the final day break into three separate streams – Caravan Park Stream, Tourism Stream and Visitor Servicing Stream, over 50 speakers and panellists from across Australia, including Government Ministers, industry leaders and tourism experts.

Legal Implications

There are no legal implications relative to this report

Policy Implications

There are no policy implications relative to this report.

Financial Implications

Indicative costing for the conference is as follows:

All figures exclude GST.

1. Full Conference Delegate fee covers the three day conference program, lunches, refreshments and a ticket to both the Opening Reception and the Conference Dinner at a cost of \$525 per delegate;
2. Two Day Conference Delegate (excludes Dinner) \$385 per delegate;

3. Conference Dinner - partner cost of \$155 per delegate partner;
4. Accommodation costs (subsidized) at the Crown Promenade \$205; and Crown Metropol \$250.
5. Airfares at a cost of \$570 per delegate; and
6. Travel costs if travelling by private vehicle.

Costs for a Council Delegate attending the Conference, Gala dinner (without partner) and travelling by air, with five night's accommodation at the Crown Promenade the cost will be from \$2,120 (excl GST). *Note:* Costs do not include meals.

Strategic Implications

There are no strategic implications relative to this report.

Voting Requirements

Simple Majority Required

Signatures

Executive Manager Community Development      *G McBride*

Chief Executive Officer      *P Anderson*

Date of Report      11 August 2015



## PROGRAM\*

### MONDAY, SEPTEMBER 21

- 1.00pm Training Workshops
  - China Ready ^
  - International Marketing ^
  - Trip Advisor – how to maximise your listing ^
  - Bookeasy – Digital Workshop (VCAWA Members only)
- 5.00pm Conference Registrations Open, Crown Perth
- 5.00pm Tourism Council WA AGM (Burswood on Swan Function Centre)
- 6.00pm Welcome Cocktail Function (Burswood on Swan Function Centre)



\*Not included in conference registration. Please click the link to register.

### TUESDAY, SEPTEMBER 22, CROWN PERTH

#### Pre-conference events

- 7.00am The Future of VCAWA Managers' Forum (VCAWA Members only)

#### Tourism General Stream

- 8.00am Conference Registrations Open
- 9.00am Official opening by the Premier
- 9.20am Address by Tourism WA CEO Stephanie Buckland
- 9.50am Session One – Packaging. *Successful packaging can reap great rewards for operators and packagers – a panel of packaging experts share their tips on how to succeed.*
- 10.45am Morning Tea
- 11.15am Address by Tourism Australia Managing Director John O'Sullivan
- 11.45am Session Two – Digital Marketing Part One. *Presentations from digital marketing experts.*
- 12.30pm Lunch
- 1.30pm **Keynote Speaker Dr Ric Charlesworth**
- 2.30pm Session Three – Digital Marketing Part 2. *A panel of experts in the digital sphere share their wisdom on how to take your business to the next level through digital.*
- 3.30pm Afternoon Tea
- 4.00pm Address by Accor Hotels COO Simon McGrath
- 4.20pm Session Four – Regional Tourism. *A session focusing on the experience and strategies of different regional agencies when it comes to attracting visitors to places beyond our capital cities.*
- 6.00pm Close of day sessions



#### Conference Dinner

- 6.30pm Pre Dinner Drinks commence
- 7.30pm Conference dinner official opening
- Address by CEOs of Tourism Council WA and Caravan Industry Association WA and Chairman of Visitor Centre Association of WA
- Address by Tourism Minister Dr Kim Hames MLA
- GWN7 Top Tourism Town Awards
- Live entertainment by Perth Band **The Amplifiers**
- 10.30pm Conference dinner close



**WEDNESDAY, SEPTEMBER 23, CROWN PERTH**

- 9.00am Address by Minister for Regional Development, Terry Redman MLA
- 9.45am Address by Minister for Environment, Albert Jacob MLA
- 10.30am Morning Tea



The rest of the day will include three streams featuring sessions suited to each individual organisation. Please see the following breakdown for each organisation.

CARAVAN PARK STREAM	TOURISM STREAM	VISITOR SERVICING STREAM
11.00 am Address from CIAWA CEO Simon Glossop	11.00 am Address from TCWA CEO Evan Hall	11.00 am Visitor Centre Research Results and Regional Grant Funding Update
11.30 am Industry Question & Answer Session	11.15 am Interstate Marketing <i>The latest research and insights into interstate marketing strategies and outcomes.</i>	Tourism WA, in partnership with Tourism Research Australia, will provide results on WA visitor centre research, including an update on the Regional Visitor Centre Sustainability Grant Program.
12.00 pm Department of Local Government <i>Discussing the second part of the Caravan Park and Camping Ground Act Review</i>	12.00 pm Battles for the Skies <i>A panel of aviation heavyweights go head to head and discuss the future of the industry in Western Australia.</i>	11.40 am Marketing the i and the Value of Visitor Centres <i>Gain an insight into the research and initial concepts of marketing the i</i>
1.00 pm Lunch	1.00 pm Lunch	12.30 pm TripAdvisor for Destinations
2.00 pm Department of Commerce <i>Discussing the third part of the Residential Park (Long Stay Tenant) Act 2006 Review</i>	2.00 pm Keynote Speaker: Max Anderson, Five Star F*** Ups	1.00 pm Lunch
3.00 pm National Association <i>Caravan Industry Association Australia Discussing key industry issues</i>	2.45 pm Destination Perth <i>With new attractions, hotel rooms and infrastructure coming to Perth in the near future, representatives from several agencies discuss what's been happening and what will happen in the city.</i>	2.00 pm Events - What to consider when creating one. Shani Wood, Director, SWEvents.
4.00 pm Afternoon tea and AGM Registrations	3.30 pm Afternoon tea	2.40 pm Creating a lasting experience for the visitor through well designed merchandise. Featuring Amy Plant and Mollie Hewitt from FQRM
4.30 pm CIAWA Annual General Meeting	4.00 pm Food & Wine <i>As food and wine experiences become more and more popular, those in the know share their thoughts on why food and wine is such an attraction for so many.</i>	3.15 pm Scoop Travel Digital Network and destination promotion website for Visitor Centres
5.30 pm CIAWA Post-AGM Function	4.45 pm Event concludes	3.45 pm Afternoon Break
7.30 pm Event concludes		4.00 pm VCAWA Annual General Meeting
		5.00 pm VCAWA Post-AGM Function
		7.00 pm Event concludes



**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 Bellottie

Seconded Cr Wake

**Council Resolution**

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

**19.1 Meeting Report – Western Australian Local Government Association Conference Perth – Local Government Week – August 2015.**

**19.2 Denham Foreshore Revitalisation Plan Department of Transport Area Draft Concept.**

**6/0 CARRIED**

**19.1 MEETING REPORT – WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION CONFERENCE PERTH - LOCAL GOVERNMENT WEEK - AUGUST 2015**

GV00010

**Author**

Cr L Bellottie

**Disclosure of Any Interest**

Nil

Moved Cr Ridgley

Seconded Cr Prior

**Council Resolution**

**That Council note the report from Councillor Bellottie from the Western Australian Local Government Association Conference - Local Government Week August 2015.**

**CARRIED 6/0**

Background

MEETING: LOCAL GOVERNMENT WEEK

MEETING DATE: AUGUST 2015

COUNCILLOR: CR BELLOTTIE

OTHER SHARK BAY COUNCILLORS/STAFF ATTENDING: CR LAUNDRY AND MR P ANDERSON – CHIEF EXECUTIVE OFFICER

Local Government week is held annually for Councillors and Senior Council Staff.

Comment

I had conflicting thoughts of attending this conference, but I learned a lot and feel much better for the experience.

Thanks to Frankie and Rhonda for their efforts in setting everything up which made it so much easier for Cr Laundry and myself. I feel I have gained a lot of confidence from which will make things easier next time around.

Also thank you to Paul for his help and guidance over the days we were there.

**DAY 1 Wednesday 5 August 2015**

Western Australian Local Government Association – Annual General Meeting

This was a real educational experience for me on how Western Australian Local Government Association is structured and how they function on a State level, lots to learn and lots to take in.

Being involved in the voting process was a highlight and how the meeting functioned with so many people present.

**DAY 2 Thursday 6 August 2015**

This was the first day of keynote speakers.

Local Challenges and Global Values: - **Garry Kasparov.**

Chess Grand Master and Chairman of the Human Rights Foundation International Council.

World Chess Champion at the age of 22 Garry gave us a brief insight into what his life was like in Russia and what it took him to get out.

Garry also emphasized intuition's role in achieving ones full potential as an individual and achieving superior performance as a leader of a group or organisation.

As a master of strategy he would apply the insights and unique perspective from his extraordinary chess career to the issues of Leadership, Logical Thinking, Strategy and Success.

Switched on to Contemporary Country health Issues:

Belinda Bailey: - Rural Health West

Tim Shackleton: - Virtual Health

Tony Robins: - Western Australia Country Health Service

Learne Dorrington: - Western Australia Primary Health Alliance

I am really happy to have attended this session as nothing much has changed in Country Health Services and it all seems to be heading to Centralising Health Facilities to major country towns, which is making it really difficult for people in really remote areas to access these facilities because of the distance and cost they have to travel to get there.

At the end of the speaker's session they had a session of questions from the audience.

After hearing the difficulties other people are facing in other parts of our state I feel we here in Shark Bay have not very much to complain about with our service we receive here.

### **DAY 3 Friday 7 August 2015**

Breakfast with **Justin Langer**.

Best show I have ever been to so far.

Very enlightening and entertaining great story about an ordinary young man who did well both on and off the field and made me feel proud to be an Australian.

Dr Bruce Weinstein: - Is It Still Cheating If I Don't Get Caught.

Known as the ethics guy, his belief is that the key to success is having not just emotional intelligence but ethical intelligence as well.

Ethical Dilemmas arise every day, from getting back too much change at the supermarket to issues involving areas of Government, Business, Health Care and Law.

Bruce also showed how to apply the five principles of ethics that are found in every Religion and have been installed in children by their parents for generations.

1. Do Not Harm.
2. Make Things Better.
3. Respect Others.
4. Be Fair.
5. Be Compassionate.

**Michelle Bowden:** - Speak Up and Influence People

Michelle is by far the most enthusiastic and happy speaker I have seen and it is not hard to get carried along with her message and antics on stage.

Every day we are faced with opportunities to persuade those around us, whether that be at home, at work, playing sport, socially and in everyday life when you are communicating with other people.

Some are better at it than others but anyone can have the power to influence and the confidence to speak up at meetings one on one and even conferences.

Simply learn the 3 Ps of Persuasion and have the right attitude.

**Tony Mowbray:** - The Power of Commitment

In 1988 Tony and his crew competed in the Sydney to Hobart Yacht Race.

Encountering the worst race conditions in its 64 year history. Tony and his team fought a 15 hour epic battle of life and death. Tony's yacht "Solo Globe Challenger" surfed down the face of a 60 foot wave upside down after a monumental knock down.

Tragically six men died, but against the odds Tony survived but his dream of sailing around the world was shattered. His boat was all but destroyed, he was physically spent, mentally broken and severely traumatised.

Just 22 months later Tony rebuild his boat and re-ignited his spirit and set off on an epic nonstop journey around the world.

In December 2001 Tony and his team from the 1988 race quietly crossed the finish line of the Sydney to Hobart Race, finishing off what they started in 1988 and in memory of the friends and sailors they had lost.

Very powerful presentation and really shows the power of commitment that is needed to face these sorts of challenges.

Signatures

Councillor *Cr L Bellottie*

Date of Report 21 August 2015

19.2 DENHAM FORESHORE REVITALISATION PLAN DEPARTMENT OF TRANSPORT AREA DRAFT CONCEPT  
CM00045

AUTHOR

CHIEF EXECUTIVE OFFICER

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Cr Ridgley

Nature of Interest: Proximity Interest as has an office near by

Declaration of Interest: Cr Prior

Nature of Interest: Proximity Interest as office is close to areas of discussion

Cr Ridgley left Council Chambers at 12.22pm and asked to return to Council Chambers for the discussion.

Cr Prior left Council Chambers at 12.23pm and asked to return to Council Chambers for the discussion.

Moved            Cr Wake  
Seconded       Cr Capewell

**Council Resolution**

**That Cr Ridgley and Cr Prior be permitted to return to Council Chambers for discussion only.**

**4/0 CARRIED**

Cr Ridgley & Cr Prior both returned to Council Chambers at 12.25pm

Cr Ridgley left Council Chambers at 12.43pm

Cr Prior left Council Chambers at 12.43pm

Officer Recommendation

The Draft Concept plan and preliminary scope and cost estimates submitted by The Department of Transport for the Redevelopment of the Foreshore Option 2a be considered and endorsed by council

Or

With the following amendments be endorsed by Council

Moved            Cr Bellottie  
Seconded       Cr Cowell

**Council Resolution**

**The Draft Concept plan and preliminary scope and cost estimates submitted by The Department of Transport for the Redevelopment of the Foreshore Option 2a be considered and endorsed by Council.**

**4/0 CARRIED**

Cr Ridgley & Cr Prior returned to Council Chambers at 12.44pm

BACKGROUND

The Council has undertaken an extensive community consultation process in regard to the Foreshore and Main Street Revitalisation project which includes the Department of Transport area comprising of the commercial jetty and car parking.

The Department of Transport are managing the area under their care and control with funding allocated to the Shire being disbursed to Department of Transport in accordance with financial assistance agreement and a Memorandum of Understanding.

COMMENT

DoT have previously submitted a design scope to council which was considered and amended, these plans have now been reviewed in line with discussions with the councils appointed contractor for the adjoining council areas.

The preliminary discussions have identified some traffic and pedestrian flow issues and the plans have been amended for council consideration.

The demarcation of the reserve areas under the care and control of council and DoT in regard to the Foreshore Redevelopment plan overlap to some degree and it would be advisable to realign to boundaries in line with the designated areas identified in the finalised plans.

To maintain consistency of design UDLA have been asked to contribute to the overall planning of the DoT area.

The project estimated costs have also been revised in line with the council's priorities;

In consideration of the overall plan some variations have been proposed by DoT and are as follows;

1. inclusion of a scope for the reconstruction of the protective groyne;  
The reconstructed seawall/groyne would assist in preventing infiltration of sand into the dredged basin aiding in maintaining water depths and also provide a clear demarcation of the area to the east of the recreational jetty as a swimming area.
2. Inclusion of the scope for the procurement of a mobile jinker arrangement – this is envisaged to be partially funded by the Shire (\$100k contribution in kind based on FAA with DRD) and through the RfR funding component
3. Inclusion of the scope for upgrades to the existing service jetty sections such as providing new light poles, service pillars, kerbs, bollards and replacement of sections of the timber decking
4. Deletion of the scope for constructing of a jetty extension parallel to the seawall – this item is not deemed a priority and funds available should be allocated to priority items as listed above

There has also been a review of the car parking which has seen the inclusion of disabled parking and the relocation of the carpark closer to the recreational jetty. This would utilise the existing line of palms as a feature and synchronise with the improvements to the council area to the east.

There may be further amendments to further link the footpaths and pedestrian access however it is considered these variations will be minimal and tie in with the overall objective of the project.

The issue in regard to the ongoing access to the hardstand and utilisation of a jinker on the jinker has been further discussed with DoT and in consideration of the council contributing to the purchase and managing the jinker operations there may be scope to undertake minimal works on the redeveloped area.

This issue of vessels utilising the jinker on the hardstand for extended periods is still under discussion and will require further negotiations and additional demarcation of the area to comply with the relevant regulations.

LEGAL IMPLICATIONS

There are no legal implications relative to this report

POLICY IMPLICATIONS

There are no policy implications relative to this report

FINANCIAL IMPLICATIONS

Council also has approved the following sums for the Department of Transport area which will be subject to a separate approval process in conjunction with the Department of Transport and the Shire.

Department of Transport area	\$3,393,604 Royalties for Regions
	\$ 100,000 Council contribution
	\$ 750,000 Recreation Boating Fund Grant
	\$ 250,000 DoT/Recreation Boating Fund
Total	\$4,443,604

The Council allocation is from the Infrastructure Reserve and is contained within the 2015/16 budget.

The revised cost estimates indicate full utilisation of the funds available, however the full cost will only be identified once the tender process for the works has been undertaken by DoT.

The funding of the DoT area in the Foreshore revitalisation program will be managed by a memorandum of understanding with DoT undertaking the works on their assets and seeking reimbursement from the Shire.

STRATEGIC IMPLICATIONS

The Foreshore Revitalisation project addresses the objective of sustainable growth and progress and the outcome of developing infrastructure and investment that is sustainable and an ongoing legacy to the shire.

RISK MANAGEMENT

There are a number of risk components attached to a project of this magnitude. The Council has addressed a component through the extensive community consultation process that was undertaken in 2013/2014.

The ongoing community expectations will present a risk that will be managed through a consultative design process.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

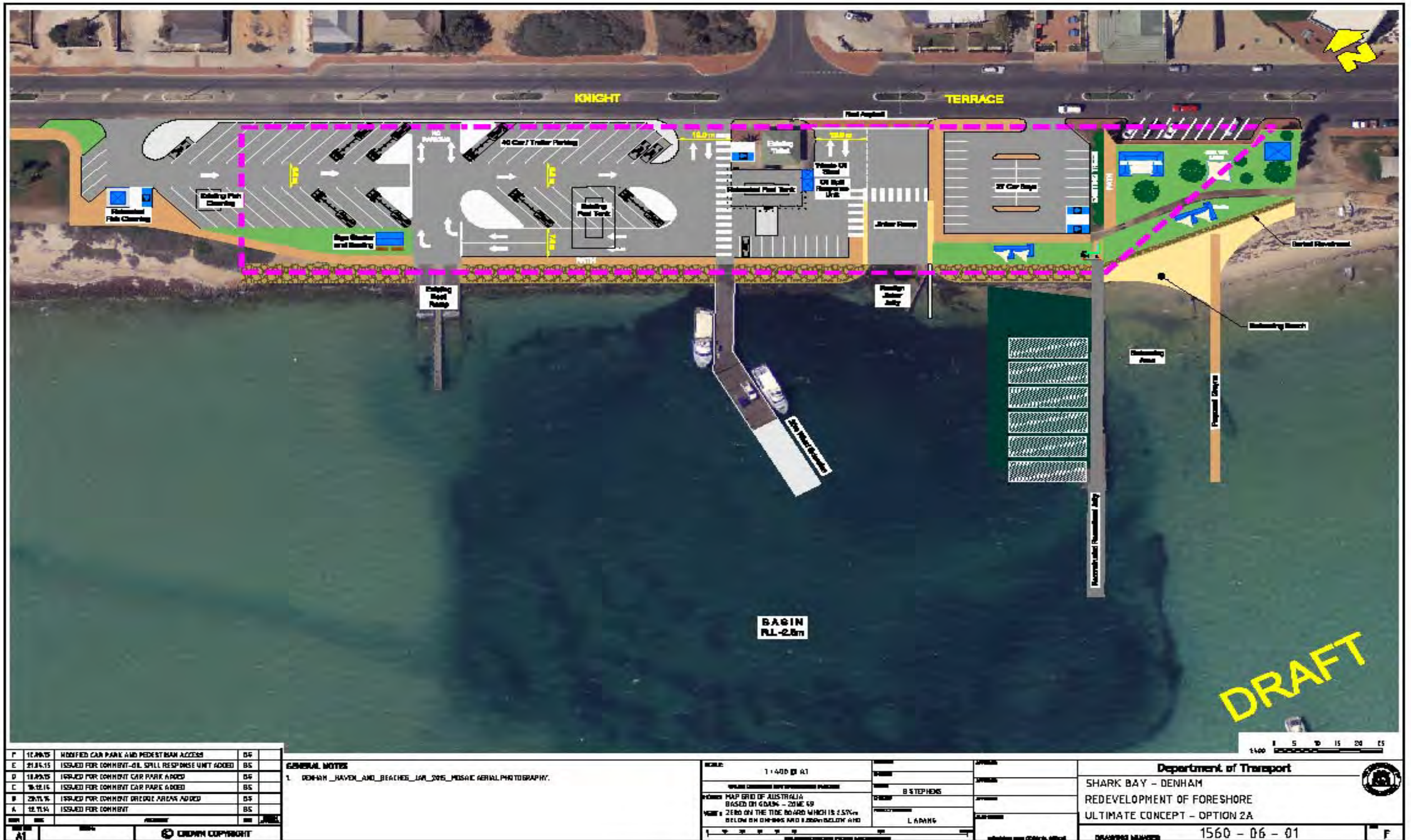
Chief Executive Officer

*P Anderson*

Date of Report

24 August 2015





F	17.09.15	MODIFIED CAR PARK AND PEDESTRIAN ACCESS	BS
E	21.04.15	ISSUED FOR COMMENT - OIL SPILL RESPONSE UNIT ADDED	BS
D	18.09.15	ISSUED FOR COMMENT - CAR PARK ADDED	BS
C	16.12.14	ISSUED FOR COMMENT - CAR PARK ADDED	BS
B	20.07.15	ISSUED FOR COMMENT - DREDGE AREAS ADDED	BS
A	12.11.14	ISSUED FOR COMMENT	BS
REV	DATE	DESCRIPTION	BY
A1			

**GENERAL NOTES**  
1. DENHAM\_HAVEN\_AND\_BEACHES\_IAR\_2015\_MOSAIC AERIAL PHOTOGRAPHY.

SCALE:	1:400 @ A1
PROJ:	UTM
MAP GRID:	MAP GRID OF AUSTRALIA BASED ON GDA84 - ZONE 59 MGRS = 28BD ON THE TIDE BOARD WHICH IS 2.57m BELOW DA DMBMS AND 0.200m BELOW AND

DESIGNED BY:	B STEPHENS
CHECKED BY:	L KANG

**Department of Transport**

SHARK BAY - DENHAM  
REDEVELOPMENT OF FORESHORE  
ULTIMATE CONCEPT - OPTION 2A

DRAWING NUMBER: 1560 - 06 - 01

F

ORDINARY COUNCIL MINUTES

26 AUGUST 2015

Denham Foreshore Revitalisation - DoT Stage 1A works - Scope and Cost Estimates

Date Prepared:

25/08/2015

Scope Description	Construction Cost	Remarks	Preliminaries	Contingencies	Design Fees and Construction Attendance	Project Management, Site Visits	Total (Construction plus add on costs)
			15%	10%	12.5%	5.0%	
<b>1 Marine works</b>							
Extension to service jetty (20m at end)	\$ 747,897.00	URS Estimates	\$ 112,184.55	\$ 74,789.70	\$ 93,487.13	\$ 37,394.85	\$ 1,065,753.23
Services to extended wharf	\$ 82,214.00	URS Estimates	\$ 12,332.10	\$ 8,221.40	\$ 10,276.75	\$ 4,110.70	\$ 117,154.95
							<b>Total Marine works \$ 1,182,908.18</b>
<b>2 Civil works including landscape, services and drainage</b>							
Land edge wharf parallel to seawall		\$761,400 in DCWC estimates					Exclude from scope
Surface Repair / Upgrade		\$133,650 in DCWC estimates					Include in Civil Works Contract below
Lighting to Car Park Standard		\$135,000 in DCWC estimates					Include in Civil Works Contract below
Kerbing and footpaths including new crossovers		\$135,000 in DCWC estimates					Include in Civil Works Contract below
Civil works including landscape, services and drainage, relocate waste oil station and spill kit station	\$ 842,985.00	URS Estimates \$1.2m, partially funded through RBFS and RIR	\$ 126,447.75	\$ 84,298.50	\$ 105,373.13	\$ 42,149.25	\$ 1,201,253.63
Remove winch house	\$ 7,149.00	URS Estimates	\$ 1,072.35	\$ 714.90	\$ 893.63	\$ 357.45	\$ 10,187.33
Relocate fish cleaning	\$ 3,000.00	Ballpark estimate only	\$ 450.00	\$ 300.00	\$ 375.00	\$ 150.00	\$ 4,275.00
Rehabilitate foreshore revetment	\$ 126,802.00	URS Estimates	\$ 19,020.30	\$ 12,680.20	\$ 15,850.25	\$ 6,340.10	\$ 180,692.85
Resurface jinker ramp	\$ 246,827.00	URS Estimates	\$ 37,024.05	\$ 24,682.70	\$ 30,853.38	\$ 12,341.35	\$ 351,728.48
							<b>Total, Civil Works and Associated \$ 1,748,137.28</b>
<b>3 RBFS components</b>							
Car / Trailer parking upgrade	\$ 360,000.00	URS Estimates \$1.2m, partially funded through RBFS and RIR	\$ 54,000.00	\$ 36,000.00	\$ 45,000.00		\$ 495,000.00
Relocate fuel facility	\$ 187,000.00	Estimates based on component costs supplied by Bailey's Marine Fuel Australia	\$ 28,050.00	\$ 18,700.00	\$ 23,375.00	\$ -	\$ 257,125.00
							<b>RBFS - civil construction \$ 752,125.00</b>
DoT contribution in kind - Services Detection	\$ -	Completed			\$ 10,000.00		\$ 10,000.00
DoT contribution in kind - Fuel Tank Relocation Specs Preparation	\$ -	In Progress			\$ 41,080.00		\$ 41,080.00
DoT project management	\$ -	Estimated - based on full time Project Manager, part time project admin, Superintendent staff required Includes site visits to Denham				\$ 80,000.00	\$ 80,000.00
Design fees related to RBFS component	\$ -	Estimated consultancy overall fee \$500000			\$ 100,000.00		\$ 100,000.00
Other	\$ -					\$ 19,000.00	\$ 19,000.00
							<b>RBFS - DoT contribution in kind \$ 250,080.00</b>
<b>4 Priority items to be reincluded</b>							
Marine - timber groyne at swimming beach	\$ 120,000.00	Refurbishment of existing timber groyne only - potentially adding a sheet pile type construction	\$ 18,000.00	\$ 12,000.00	\$ 15,000.00	\$ 6,000.00	\$ 171,000.00
Jinker - R4R contribution	\$ 100,000.00	Overall jinker cost estimated to be \$200,000					\$ 100,000.00
Jinker - Shire Contribution	\$ 100,000.00	Overall jinker cost estimated to be \$200,001					\$ 100,000.00
Service jetty upgrades (existing jetty) - replacement of percentage of timber deck panels, replacement of floodlight, replacement of service pillars, kerbs and bollards	\$ 132,000.00	Transfield condition assessment and cost estimate January 2015	\$ 19,800.00	\$ 13,200.00	\$ 16,500.00	\$ 6,600.00	\$ 188,100.00
Dredging	inc	Dredging done as part of DoT dredge maintenance program					inc
							<b>Total Priority Items \$ 559,100.00</b>

Estimated total construction cost	Preliminaries	Contingencies	Design Fees and Construction Attendance	Project management and site visits	Estimated Project Totals
\$ 3,055,874.00	\$ 428,381.10	\$ 285,587.40	\$ 508,064.25	\$ 214,443.70	\$ 4,492,350.45

RIR - Stage 1A	\$ 3,393,604.00
RIR - Shire Contribution to DoT Stage 1A	\$ 100,000.00
RBFS	\$ 1,000,000.00
<b>Project funding available</b>	<b>\$ 4,493,604.00</b>

Qualifications:

- Reference has been made to the cost estimates prepared by Donald Cant Watts Corke and URS Australia, where applicable
- Where cost estimates are not available, ball park figures have been included and based on information at hand. The estimates shall be taken
- Scope as defined above may require adjustment dependent on actual costs e.g. construction contract costs, consultancy costs etc



President Cowell adjourned the Ordinary Council meeting for Lunch at 12.44pm.  
Cr Ridgley and Cr Prior returned to Council Chambers at 12.45pm.

The President reconvened the Ordinary Council meeting at 1.24 pm.

**20. MATTERS BEHIND CLOSED DOORS**

Staff and public left Council Chambers at 1.26pm.

Moved            Cr Prior  
Seconded      Cr Capewell

**Officer Recommendation**

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

**6/0 CARRIED**

**Note:**

In accordance with the Council resolution 20.6 Chief Executive Officer Contract and Remuneration of the July 2015 meeting the President reported that negotiations with the Chief Executive Officer had resulted in an agreed 3% increase in the overall remuneration package.

Moved            Cr Prior  
Seconded      Cr Ridgley

**Officer Recommendation**

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

**6/0 CARRIED**

Staff and public returned to Council Chambers at 1.51pm

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

The next Ordinary meeting of Council will be held on the 30 September 2015 in Council Chambers commencing at 3.00 pm.

**22. CLOSURE OF MEETING**

As there was no further business the President closed the Ordinary Council meeting at 2.05 pm.