

SHIRE OF SHARK BAY MINUTES

27 February 2019

ORDINARY COUNCIL MEETING



27 FEBRUARY 2019



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MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

The minutes of the Ordinary meeting of the Shark Bay Shire Council held in the Council Chamber at the Shark Bay Recreation Centre, Francis Street, Denham on 27 February 2019 commencing at 3.01 pm.

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1.0 DECLARATION OF OPENING

The President declared the Ordinary Council meeting open at 3.01pm.

2.0 RECORD OF ATTENDANCES / APOLOGIES / LEAVE OF ABSENCE GRANTED

ATTENDANCES

Cr C Cowell	President
Cr K Laundry	Deputy President
Cr L Bellottie	
Cr J Burton	
Cr E Fenny	
Cr G Ridgley	

Mr P Anderson	Chief Executive Officer
Ms A Pears	Executive Manager Finance and Administration
Ms L Butterly	Executive Manager Community Development
Mr B Galvin	Works Manager
Mrs R Mettam	Executive Assistant

APOLOGIES

Cr K Capewell	Approved Leave of Absence Item 5.2
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VISITORS

8 visitor in the Gallery.

3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS ON NOTICE

There are no previous public questions on notice.

4.0 PUBLIC QUESTION TIME

The President opened public question time at 3.02pm.

Question: Mr Raven asked with regard to the agenda item 11.1 Local Government Property Local Law, regarding the provision for extension of time to use the jetty, asks the Shire Councillors to consider the following:

As we believe that none of the options before you provide a simple, workable, timely solution and in view of the short notice provided to consider this issue, we ask Councillors delay any implementation to enable the matter to be fully considered and properly consulted by all parties and that in the interim, to assist with apparent administrative constraints, no extensions of time be granted.

Answer: The President replied that this will be up to the Council to lay the item on the table when the item comes up during the meeting.

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Question: Mr Raven - Will the Shire Councillors consider the following solutions for implementation in the Local Laws Part 7 Monkey Mia Jetty.

That Draft 1 be adopted with the following amendments:

That the current status for time period alongside the jetty be maintained as per Draft 1 para 7.3 with the exception of (note that all the sub para numbering is incorrect so we refer to the numbering as it appears in the draft):

7.3(g)(vii) should be deleted as there is nothing apparent that should prohibit any vessel from berthing during the night.

7.3(g)(viii) needs further consultation as fishing vessel operators state they could typically need longer than 2 hours

As jetty users we particularly ask that the continued use of the northern face of the jetty as a simple and convenient berthing space be maintained.

With regard to Draft 2, para 7.3(5), (note that all the sub para numbering is incorrect so we refer to the numbering as it appears in the draft) We see no valid reason for it to be curtailed as set out, on the contrary the limitation or elimination of its use from the present status has the very real likelihood of creating significant inconvenience particularly when both sides of the jetty are occupied or the eastern side becomes untenable due to strong winds with an easterly content.

As it seems the present local laws intend ease of management for the Shire then the continued use of the end of the jetty will have no effect on the ease of management due to the definition of obstruction and the implementation of deeming as proposed in Para 7.5. In both Drafts 1 & 2.

For jetty users the implementation of deeming as presently proposed in Para 7.5 creates inconvenience in unnecessary movement of vessels which although defined as obstructing under the Local Laws are actually not considered an obstruction by jetty users.

Rather than an automatic offence under the local law being triggered when a vessel is berthed as a defined obstruction" to another vessel under the Local Laws, the simple solution is to make a deemed obstruction offence automatically effective only upon a complaint of obstruction being made by a vessel which was intending to berth or depart.

Draft 2, Para 7.6(4) contains the more succinct and therefore preferred wording regarding vehicles servicing fishing vessels.

Draft 1 para 7.8 (Draft 2 para 7.9) requires a definition of attended".

Answer: The Chief Executive Officer advised that it depends on which draft is adopted by Council but either will need to be put out for public comment for consideration, before coming back to Council for adoption of the Local Law amendments.

With no further questions from the gallery the President closed public question time at 3.09pm.

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5.0 APPLICATIONS FOR LEAVE OF ABSENCE

**5.1 APPLICATION FOR LEAVE OF ABSENCE – COUNCILLOR LAUNDRY
GV00013**

Author

Executive Assistant

Disclosure of Any Interest

Nil

Moved Cr Laundry

Seconded Cr Ridgley

Council Resolution

Councillor Laundry is granted leave of absence in accordance with Section 2.25 of the *Local Government Act 1995* for the Ordinary meeting of Council scheduled to be held on the 27 March 2019.

6/0 CARRIED

Background

Councillor Laundry has applied for leave of absence from the ordinary meeting of Council scheduled for 27 March 2019. The Council in accordance with Section 2.25 of the *Local Government Act 1995* as amended may by resolution grant leave of absence to a member.

Comment

Councillor Laundry has advised the Chief Executive Officer due to personal reasons he will be unable to attend the Ordinary meeting of Council scheduled to be held on the 27 March 2019 and has requested leave of absence be granted by Council for this meeting.

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

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

Legal Implications

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

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

MINUTES OF THE ORDINARY COUNCIL MEETING

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

Policy Implications

There are no policy implications associated with this report.

Financial Implications

There are no financial implications associated with this report.

Strategic Implications

There are no strategic implications associated with this report.

Voting Requirements

Simple Majority Required

Signatures

Chief Executive Officer

P Anderson

Date of Report

30 January 2019

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5.2 APPLICATION FOR LEAVE OF ABSENCE – COUNCILLOR CAPEWELL
GV00005

Author

Executive Assistant

Disclosure of Any Interest

Nil

Moved Cr Ridgley

Seconded Cr Burton

Council Resolution

Councillor Capewell is granted leave of absence in accordance with Section 2.25 of the *Local Government Act 1995* for the Ordinary meetings of Council scheduled to be held on the 27 February 2019 and 27 March 2019.

6/0 CARRIED

Background

Councillor Capewell has applied for leave of absence from the ordinary meeting of Council scheduled for the 27 February 2019 and 27 March 2019. The Council in accordance with Section 2.25 of the ***Local Government Act 1995*** as amended may by resolution grant leave of absence to a member.

Comment

Councillor Capewell has advised the Chief Executive Officer due to personal commitments will be unable to attend the Ordinary meeting of Council scheduled to be held on 27 February 2019 and 27 March 2019 and has requested leave of absence be granted by Council for this meeting.

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

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

Legal Implications

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

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

MINUTES OF THE ORDINARY COUNCIL MEETING

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- 5) The non-attendance of a member at the time and place appointed for an ordinary meeting of the council does not constitute absence from an ordinary meeting of the council –
- a) If no meeting of the council at which a quorum is present is actually held on that day; or
 - b) If the non-attendance occurs while –
 - i. the member has ceased to act as a member after written notice has been given to the member under section 2.27(3) and before written notice has been given to the member under section 2.27(5)
 - ii. while proceedings in connection with the disqualification of the member have been commenced or are pending; or
 - iii. while the election of the member is disputed and proceedings relating to the disputed election have been commenced and are pending

Policy Implications

There are no policy implications relative to this report.

Financial Implications

There are no financial implications relative to this report.

Strategic Implications

There are no strategic implications relative to this report.

Voting Requirements

Simple Majority Required

Signatures

Chief Executive Officer *P Anderson*

Date of Report 18 February 2019

MINUTES OF THE ORDINARY COUNCIL MEETING

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6.0 PETITIONS

There were no petitions presented to the Ordinary Council meeting.

7.0 CONFIRMATION OF MINUTES

7.1 CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 19 DECEMBER 2018

Moved Cr Ridgely
Seconded Cr Laundry

Council Resolution

That the minutes of the Ordinary Council meeting held on 19 December 2018, as circulated to all Councillors, be confirmed as a true and accurate record.

6/0 CARRIED

8.0 ANNOUNCEMENTS BY THE CHAIR

The President thanked Mrs Mettam for her 30 years of service to the Shire of Shark Bay.

The President advised that the Minister for Local Government would be visiting Shark Bay on the 6 March 2019.

The President advised that prior to the March meeting there would be presentations commencing at 12.30pm before the meeting at 3.00pm.

9.0 PRESIDENT'S REPORT

GV00002

Council Committee Membership

Member	Audit Committee
Member	Western Australian Local Government Association Country Zone – Gascoyne Region
Member	Development Assessment Panel
Member (Chair)	Local Emergency Management Advisory Committee
Deputy Delegate	Gascoyne Regional Road Group
Deputy Delegate	The Aviation Community Consultation Group

Meeting Attendance

26 January 2019	Australia Day Celebrations event
30	Silver Chain/Western Australian Country Health representatives meeting
13 February	Annual Electors meeting (Annual Report endorsement)
19	Rural Health Seminar
20	Special Meeting – Western Australian Local Government State Council
21	Local Emergency Management Committee Meeting and Risk Management Workshop
27	February Shire Council meeting

MINUTES OF THE ORDINARY COUNCIL MEETING

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Signatures

Councillor *Councillor Cowell*
Date of Report 18 February 2019

Moved Cr Laundry
Seconded Cr Burton

Council Resolution

That the President's activity report for February 2019 be received.

6/0 CARRIED

10.0 COUNCILLORS' REPORTS

10.1 CR BURTON
GV00018

Committee Membership

Member Audit Committee
Member Shark Bay Arts Council

Meeting Attendance

26 January 2019 Attended Australia Day Local Award Presentation
13 February Attended the Annual Electors Meeting

Signatures

Councillor *Councillor Burton*
Date of Report 14 February 2019

Moved Cr Ridgley
Seconded Cr Bellottie

Council Resolution

That Councillor Burton's February 2019 report on activities as Council representative be received.

6/0 CARRIED

10.2 CR RIDGLEY
GV00008

Committee Membership

Member Audit Committee
Member Shark Bay Tourism Committee

Meeting Attendance

13 February 2019 Attended the Annual Electors Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

Signatures

Councillor *Councillor Ridgley*
Date of Report 14 February 2019

Moved Cr Fenny
Seconded Cr Burton

Council Resolution

That Councillor Ridgley's February 2019 report on activities as Council representative be received.

6/0 CARRIED

10.3 CR LAUNDRY
GV00013

Committee Membership

Member Audit Committee
Member Shark Bay Community Resource Centre Committee
Member Shark Bay Bowling Club Inc Committee
Proxy Member For Cr Cowell on the Development Assessment Panel

Meeting Attendance

Active in Community Men's Shed projects, activities and administration

Signatures

Councillor *Councillor Laundry*
Date of Report 13 February 2019

Moved Cr Ridgley
Seconded Cr Bellottie

Council Resolution

That Councillor Laundry's February 2019 report on activities as Council representative be received.

6/0 CARRIED

10.4 CR BELLOTTIE
GV00010

Committee Membership

Member Audit Committee
Member Development Assessment Panel

Meeting Attendance

26 January 2019 Attended Australia Day Local Award Presentation
13 February Attended the Annual Electors Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING

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Signatures

Councillor *Councillor Bellottie*
Date of Report 14 February 2019

Moved Cr Burton
Seconded Cr Fenny

Council Resolution

That Councillor Bellottie's February 2019 report on activities as Council representative be received.

6/0 CARRIED

10.5 CR FENNY
GV00017

Committee Membership

Member Audit Committee
Member The Aviation Community Consultation Group
Proxy Member for Cr Bellottie on Development Assessment Panel

Meeting Attendance

13 February 2019 Attended the Annual Electors Meeting

Signatures

Councillor *Councillor Fenny*
Date of Report 18 February 2019

Moved Cr Burton
Seconded Cr Laundry

Council Resolution

That Councillor Fenny's February 2019 report on activities as Council representative be received.

6/0 CARRIED

10.6 CR CAPEWELL
GV00005

Nil report for the February 2019 Ordinary Council meeting.

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11.0 ADMINISTRATION REPORT

**11.1 LOCAL GOVERNMENT PROPERTY LOCAL LAW
LE00011**

AUTHOR
CHIEF EXECUTIVE OFFICER

DISCLOSURE OF ANY INTEREST
Declaration of Interest: Cr Ridgley
Nature of Interest: Financial Interest as operates from the Monkey Mia Jetty

Cr Ridgley left Council Chamber at 3.17pm

Officer Recommendation

That Council consider the application of the Shire of Shark Bay Local Government Property Local Law part 7 Monkey Mia Jetty clause 7.3 when Vessels may be moored and

Option1

Instruct the administration not to consider any applications for mooring at the Monkey Mia jetty in excess of the two hour limit.

OR

Option 2

Require all applications for authorisation to moor in excess of the two hour limit to be submitted for Council consideration 14 days prior to the scheduled Council meeting with sufficient time (7 days) following the Council meeting to enable written advice of the Council resolution to be provided to the applicant.

OR

Option 3

Instruct the administration to only consider applications for extended mooring periods that are received a specified number of days in advance of the period requested i.e. (14 day or 21 days) for a defined time limit (3 hours) and number of authorisations within a defined period without limiting the ability for the administration to not authorise a request.

AMENDMENT TO OFFICERS RECOMMENDATION

Reason: To allow more time to consider the item and further options.

Moved Cr Fenny
Seconded Cr Laundry

Councillor Recommendation

That the matter lay on the table to consider further options.

2/3 Motion Lost

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Moved Cr Burton
Seconded Cr Bellottie

Councillor Recommendation

That Council consider the application of the Shire of Shark Bay Local Government Property Local Law part 7 Monkey Mia Jetty clause 7.3 when Vessels may be moored and

Instruct the administration to only consider applications for extended mooring periods that are received a specified number of days in advance of the period requested i.e. (14 day or 21 days) for a defined time limit (3 hours) and number of authorisations within a defined period without limiting the ability for the administration to not authorise a request.

2/3 Motion Lost

Moved Cr Cowell
Seconded Cr Laundry

Council Resolution

That Council consider the application of the Shire of Shark Bay Local Government Property Local Law part 7 Monkey Mia Jetty clause 7.3 when Vessels may be moored and instruct the administration not to consider any applications for mooring at the Monkey Mia jetty in excess of the two hour limit and that any disputed infringements issued for mooring over this limit are to be presented to Council for consideration.

4/1 CARRIED

BACKGROUND

The Shire of Shark bay Government Property Local Law Part 7 – Monkey Mia Jetty clause 7.3(1) allows for when vessels may be moored at the Monkey Mia jetty.

The local law allows for a commercial vessel to moor for not more than two hours. Any period in excess of the two hour period must have the prior written authorisation of the Local Government.

Due to concerns raised by users in email correspondence (attached) of the Monkey Mia jetty and the interpretation of the Local Law the Chief Executive Officer is seeking Council direction as to the administration of the approval process for an extended stay at the Monkey Mia jetty.

COMMENT

The Chief Executive Officer when requested, in writing by vessel operators has authorised extensions to the period of berthing in excess of the maximum 2 hours to undertake maintenance and repairs.

The Local Law is silent on what can be undertaken, duration or number of times approval is given for an extended approved period. The approval or otherwise is therefore at the discretion of the Local Government and should only be exercised in extenuating and/or unusual circumstances. .

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The wording at clause 7.3 only allows for approval and does not require the Council or Chief Executive Officer to give any reason if approval is not granted.

The use of the approval delegation by the Chief Executive Officer is by goodwill to facilitate the ongoing operations of the vessel operators, there is no requirement by the Chief Executive Officer to exercise this delegation and all requests could be referred to Council for consideration.

The use of the goodwill by the Chief Executive Officer in approving requests appears to have created an expectation that all requests will be approved, which is in conflict with the original intent of the Council when the Local Law was to limit vessels to a two hour period.

A variation to the approval or refusal by the Chief Executive Officer may be subject to significant adverse and unsubstantiated comment.

A number of requests for approval for extended mooring are often received on the day requested and within hours of the extended time requested.

This appears to have also created an expectation that the approval will be dealt with immediately, which is often not the case due to a number of factors, including, but not limited to the example of business operations outside of normal Shire hours in the attached correspondence.

Vessels berthing at the jetty on the assumption or expectation that a request will be approved could exceed the time limits imposed if no prior written approval is granted and could be issued an infringement for a breach of the Local Law.

The Chief Executive Officer has been accepting requests after hours on the stipulation that they are received prior to the period that is requested for the extension.

Monkey Mia Wildsights have previously been advised of the risk of retrospective requests in correspondence of 18 December 2018 as follows;

I would reiterate my advice of 13 September and 4 October 2018, that applications for extended stays in excess of the two hour limit on the Monkey Mia jetty require prior authorisation.

The majority of the requests have been retrospective, if this continues the risk of a request being denied is significant, unless mitigating circumstances are in evidence.

The reasoning for a request for an extended time frame has also been difficult to quantify, with unspecified maintenance being the main reasoning. A concerted effort by the administration staff has resulted in some greater detail.

The waters surrounding the jetty are part of the marine park and the Parks and Wildlife Service have advised that vessels are restricted as to the degree of maintenance that can be undertaken by a vessel in the Marine Park.

The Shire by considering authorisation for extended time limits for vessels to be moored at the jetty without sufficient information of what is being undertaken during

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this period may inadvertently enabling an activity that is prohibited under the Marine Park legislation.

There has also been a significant increase in the number and duration of requests for extended berthing periods, which is in conflict with the intent of the two hour limit imposed in the Local Law, a list of the requests received is attached for Council information.

The following conditions are also currently applied to all approved extensions:

1. *Your vessel is berthed in a manner that does not obstruct other vessels*
2. *All other users are advised that the repairs are being undertaken*
3. *The vessel is berthed on the eastern side of the jetty*

This approval does not negate the requirement to comply with all other Local Government Property Local Law.

The Chief Executive Officer is now seeking Council direction as to the continued application of the prior written authorisation clause within the Local Law and council could consider the following options:

Option 1

Instruct the administration not to consider any applications for mooring at the Monkey Mia jetty in excess of the two hour limit.

OR

Option 2

Require all applications for authorisation to moor in excess of the two hour limit to be submitted for Council consideration 14 days prior to the scheduled Council meeting with sufficient time (7 days) following the Council meeting to enable written advice of the Council resolution to be provided to the applicant.

OR

Option 3

Instruct the administration to only consider applications for extended mooring periods that are received a specified number of days in advance of the period requested i.e. (14 day or 21 days) for a defined time limit (3 hours) and number of authorisations within a defined period without limiting the ability for the administration to not authorise a request.

The Council if it grants approval can impose conditions it considers appropriate and could be guided by the information provided in the request.

The Council could include any instruction to the administration additional conditions of approval i.e. a time limit and/or limit the number of approvals per week/month/year. Any addition conditions will require resources to ensure that they are complied with and may be onerous on the applicant.

LEGAL IMPLICATIONS

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The Shire of Shark Bay Local Government Property Local Law part 7 Monkey Mia jetty clause is as follows:

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 30 minutes 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 two hours; 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) for not more than two hours; and
 - (iv) a period of more than one hour has passed since the boat last cast off from the jetty.
- (2) Any person provisioning 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.

The report has implications as to the ongoing application of the Local Law, which may result in a variation to the Local Law or legal action being instigated.

If a vessel does not have prior written authorisation an infringement will be issued and the as has previously be

POLICY IMPLICATIONS

There are no policy implications relative to this report.

FINANCIAL IMPLICATIONS

There are no financial implications relative to this report

STRATEGIC IMPLICATIONS

There are no strategic implications relative to this report.

RISK MANAGEMENT

Addresses a number of risks identified in the use of the jetties and the area.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Chief Executive Officer

P Anderson

Date of Report

13 February 2019

MINUTES OF THE ORDINARY COUNCIL MEETING

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Rhonda Mettam

From: Paul Anderson
Sent: Monday, 4 February 2019 9:55 AM
To: Rhonda Mettam
Subject: O-CR-17532 - FW: FW: I-CR-25446 - Extended Stays at Monkey Mia Jetty
Attachments: image002.png; image003.png; image004.png; image001.jpg; image005.jpg; Jetty Extension Letter.pdf


For filing

Regards,

Paul Anderson
Chief Executive Officer

Mobile: 0427 948 925
Shire Office: 08 9948 1218
Address : 65 Knight Tce, Denham, WA 6537
Shire Depot: 08 9948 1013
Shark Bay World Heritage Discovery & Visitor Centre: 08 9948 1590
Visitors Centre Website: <http://www.sharkbayvisit.com.au/>
Shire Website: <http://www.sharkbay.wa.gov.au/>



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If you received it in error you may not disclose or use it - please notify us then delete it.

From: Cheryl Cowell <chezza@westnet.com.au>
Sent: Saturday, 2 February 2019 2:39 PM
To: info@wildsights.com.au
Cc: benjaminbellottle@gmail.com; ed@oceanpark.com.au; gregridg <gregridg@westnet.com.au>; jamieriegert@hotmail.com; capewell2 <capewell2@bigpond.com.au>; twintub1@bigpond.com
Subject: Fwd: FW: I-CR-25446 - Extended Stays at Monkey Mia Jetty

Hi Fran

Your email of 28 January 2019 to the Shire CEO has been circulated to all Councillors - as per below.

From the content of the email, it appears that you may have misunderstood the intent of the 'prior authorisation' clause of the Monkey Mia Jetty Local Laws relating to staying berthed on the jetty beyond the two hour limit.

Currently, you are able to berth your vessel on the jetty for a maximum of two (2) hours. This can include whilst undertaking repairs and/or maintenance on the vessel.

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

You have stated that the time required to effect any repairs may not be able to be determined until further investigation is undertaken following berthing the vessel at the jetty. In fact, there are up to two hours allotted during which this determination can take place.

Beyond the current two hour period - via application (copies of the appropriate form have previously been supplied) and PRIOR to the expiration of two hours - written authorisation must be sought to continue the stay. It is expected that during the two hour time frame there will be an investigation as to the nature of the problem and an estimated time for the repairs/maintenance to be undertaken.

Where repairs/maintenance are anticipated to take an extended period of time, it is preferable that the vessel be moved to a mooring in the interim, i.e whilst awaiting parts, mechanic, etc.

The retrospectivity of extension requests that the CEO has referred to in his letter relate to the frequent occasions on which the requests are not being made until the two hour period of berthing has lapsed - rather than within that time frame. There are numerous documented occasions where vessels have significantly overstayed the two hour period and simply cited 'repairs and/or maintenance'.

To ensure that the 'extended stay' conditions are not taken advantage of, the CEO has been requested to seek specific details of the reason for the extension request and the relevant 'extenuating circumstances' associated with it.

The requirement to obtain prior written authorisation for prolonged stays at the Monkey Mia Jetty has formed part of the Local Laws since 1998. It is not a new directive!

Your vilification of the CEO is unwarranted. The aim of Council is to strengthen the Monkey Mia Jetty Local Laws to ensure equity for ALL users of the facility. Enforcing this regulation should not be considered persecution of an individual operator.

Although I cannot recall stating the comment you have attributed to me, I do agree with it. It is not necessary for the CEO to include in his reports ALL copies of correspondence received in relation to items referred to Council. It is sufficient for their content to be paraphrased in his report. However, in the instance you have cited, I am assured that the CEO attached, in the meeting agenda papers, correspondence received in regard to the item.

I hope that this information answers your queries and addresses the accusations in your email. However, I'm happy to discuss further with you if required.

Cheers
Cheryl

----- Original Message -----

From:
"Paul Anderson" <paul@sharkbay.wa.gov.au>

To:
"Benny Bellottie (benjaminbellottie@gmail.com)" <benjaminbellottie@gmail.com>, "Cheryl Cowell" <chazza@westnet.com.au>, "ed@oceanpark.com.au" <ed@oceanpark.com.au>, "Greg Ridgely" <gregridg@westnet.com.au>, "Jamie Burton (jamieregert@hotmail.com)" <jamieregert@hotmail.com>, "Keith Capewell" <capewell2@bigpond.com>, "Kevin Laundry" <wintub1@bigpond.com>
Sent:
Tue, 29 Jan 2019 00:07:50 +0000
Subject:
FW: I-CR-25446 - Extended Stays at Monkey Mia Jetty

Councillors

Please find correspondence received from Mrs F Raven regarding the issue of extended stays and other matters regarding the Monkey Mia Jetty.

Regards,

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

Paul Anderson

Chief Executive Officer

Mobile: 0427 948 925

Shire Office: 08 9948 1218

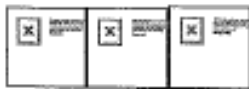
Address : 65 Knight Tce, Denham, WA 6537

Shire Depot: 08 9948 1013

Shark Bay World Heritage Discovery & Visitor Centre: 08 9948 1590

Visitors Centre Website: <http://www.sharkbayvisit.com.au/>

Shire Website: <http://www.sharkbay.wa.gov.au/>



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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.

From: Rhonda Mettam <Rhonda@sharkbay.wa.gov.au>
Sent: Tuesday, 29 January 2019 8:00 AM
To: Paul Anderson <paul@sharkbay.wa.gov.au>
Subject: FW: I-CR-25446 - Extended Stays at Monkey Mia Jetty

Has been allocated to you in Central Records.

Regards,

Rhonda Mettam

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

Executive Assistant

Shire Office: 08 9948 1218

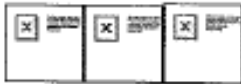
Address : 65 Knight Tce, Denham, WA 6537

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 Please consider the environment before printing this e-mail

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If you received it in error you may not disclose or use it - please notify us then delete it.

From: info@wildsights.com.au [<mailto:info@wildsights.com.au>]
Sent: Monday, 28 January 2019 5:08 PM
To: Rhonda Mettam <Rhonda@sharkbay.wa.gov.au>; Paul Anderson <paul@sharkbay.wa.gov.au>
Subject: I-CR-25446 - Extended Stays at Monkey Mia Jetty

Hello Paul,

I refer to your letter dated the 18th December, 2018 (see attachment).

In the letter you state in your 6th paragraph:-

"The majority of the requests have been retrospective, if this continues the risk of a request being denied is significant, unless mitigating circumstances are in evidence."

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

I advise you that most of the requests are retrospective because most issues on our vessel that require an extended stay on the jetty, occur whilst the boat is operating. The period of time required to rectify issues may not be determined without further examination once the boat berths. Once the skipper is aware of his needs he will then advise our office of the need to berth for an extended time. We cannot request the extended stay in advance in these cases.

Since you and your staff are not available after hours or weekends to provide permission how else are we expected to request an extension of time? Is that sufficient evidence for mitigating circumstances?

We operate 7 days a week. Our staff work from 8am to 8pm. We are an integral part of visitor's reason for being here, we contribute to the economy of the community, we provide employment for 12 people. We've operated here for 25 years - every day. You appear to consider our retrospective request to use the jetty reason to threaten the operation of our business unless we have an undefined "mitigating circumstance". Would you even consider trying to deny us this access, which we need to do to keep our vessel in a good and safe working order? Perhaps you alone will decide again, that our "mitigating circumstances" are not worth consideration as you did in 2016, when the Shire of Shark Bay had our company taken to Court. Where, as you know, the Magistrate acquitted us. You failed to show the Councillors back then my correspondence explaining our position and asking you to consider same. When I took the fact that you decided not to pass my correspondence to Council pertaining to my "mitigating circumstances" to a council meeting in 2016, Cheryl cowell actually said something like "The CEO is not expected to show the Councillors all the correspondence he receives". Therefore justifying the fact that you chose not to show the Councillors my correspondence. How can I know that this scenario will not repeat itself?

Please advise why retrospective requests are an issue and repeated retrospective requests would risk denial of approval? Since the jetty sits unused for most of the day please further explain why a request to use the jetty for an extended period is a problem? Please clarify what constitutes a mitigating circumstance. Please explain how a mitigating circumstance is determined?

I await your response to ask if in fact you are indeed threatening to deny us extended access on the jetty if our request is retrospective without a "mitigating circumstance".

Yours sincerely,

Fran Raven

Wikisights

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MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

Rhonda Mettam

From: Wildsights Monkey Mia <monkeymiawildsights@gmail.com>
Sent: Tuesday, 12 February 2019 1:33 PM
To: Paul Anderson
Subject: Extended Stays at Monkey Mia jetty
Attachments: Pauls letter re extended stays.pdf

Hello Paul,

Thank you for your letter dated 4th February, 2018 (copy attached), however, it does not answer any of the questions I asked you in my email dated 29th January.

I confirm I understand the Shire of Shark Bay Local Government Property Local Law part 7. Section 7.3 (1) It reads in part "Without the prior written authorisation of the local government...". What I would like you to please advise me is where it states that you have the authority to refuse us permission to have an extended stay, unless we can provide you with sufficient "mitigating circumstances".

Further I also asked you to please provide me with exactly what is acceptable as mitigating circumstances and with whom the power lies to judge those mitigating circumstances as sufficient?

I need this information in order to comply with local government directives without running the risk of infringements being issued and the risk of our boat and its guests being put in jeopardy because the local government may contemplate refusal at such request for extended stays to effect repairs and/or maintenance and await your response.

I requested your response to advising me how one gets an extended stay request approved if the shire is closed and we run our business 12 hours a day, 7 days a week? Is sending through the request to the shire when it is closed acceptable?

Cheers,
Fran Raven
Wildsights

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MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

SHIRE OF SHARK BAY

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



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

Your Ref
Our Ref **RC00003 / O-CR-17533**
Enquiries **Paul Anderson**

4 February 2019

FJ RAVEN
111 KNIGHT TERRACE
DENHAM WA 6537

Dear Fran

Monkey Mia Jetty

As I have previously advised, the Shire of Shark Bay Local Laws require prior written authorisation of the Local Government to moor at the Monkey Mia jetty in excess of the two hour limit.

The current Local Law does not allow for retrospective approvals.

I can confirm that the Shire has the right to refuse authorisation, restrict access, suspend use and/or issue infringements in accordance with the Shire of Shark Bay Local Government Property Local Law part 7 Monkey Mia Jetties and Boat Ramp.

Yours sincerely

Paul Anderson
Chief Executive Officer

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

Rhonda Mettam

From: Paul Anderson
Sent: Thursday, 14 February 2019 2:17 PM
To: Benny Bellottie (benjaminbellottie@gmail.com); ed@oceanpark.com.au; Greg Ridgely; Jamie Burton (jamieriegert@hotmail.com); Keith Capewell; Kevin Laundry; Cheryl Cowell
Subject: FW: Extended Stays at Monkey Mia jetty
Attachments: Pauls letter re extended stays.pdf

President and councillors

Please find attached correspondence from Mrs Raven regarding the Monkey Mia jetty A response is being considered.

Regards,

Paul Anderson
Chief Executive Officer

Mobile: 0427 948 925
Shire Office: 08 9948 1218
Address : 65 Knight Tce, Denham, WA 6537 Shire Depot: 08 9948 1013 Shark Bay World Heritage
Discovery & Visitor Centre: 08 9948 1590 Visitors Centre Website: <http://www.sharkbayvisit.com.au/> Shire
Website: <http://www.sharkbay.wa.gov.au/>

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-----Original Message-----

From: Wildsights Monkey Mia <monkeymiawildsights@gmail.com>
Sent: Tuesday, 12 February 2019 1:33 PM
To: Paul Anderson <paul@sharkbay.wa.gov.au>
Subject: Extended Stays at Monkey Mia jetty

Hello Paul,

Thank you for your letter dated 4th February, 2018 (copy attached), however, it does not answer any of the questions I asked you in my email dated 29th January.

I confirm I understand the Shire of Shark Bay Local Government Property Local Law part 7. Section 7.3 (1) It reads in part "Without the prior written authorisation of the local government...". What I would like you to please advise me is where it states that you have the authority to refuse us permission to have an extended stay, unless we can provide you with sufficient "mitigating circumstances".

Further I also asked you to please provide me with exactly what is acceptable as mitigating circumstances and with whom the power lies to judge those mitigating circumstances as sufficient?

I need this information in order to comply with local government directives without running the risk of infringements being issued and the risk of our boat and its guests being put in jeopardy because the local government may contemplate refusal at such request for extended stays to effect repairs and/or maintenance and await your response.

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

I requested your response to advising me how one gets an extended stay request approved if the shire is closed and we run our business 12 hours a day, 7 days a week? Is sending through the request to the shire when it is closed acceptable?

Cheers,
Fran Raven
Wildsights

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MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

SHIRE OF SHARK BAY

65 Knight Terrace
Denham WA 6537
PO Box 128 Denham WA 6537



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

Your Ref
Our Ref RC00003 / O-CR-17560
Enquiries Paul Anderson

22 February 2019

FJ RAVEN
111 KNIGHT TERRACE
DENHAM WA 6537

Dear Mrs Raven

Extended Stays on Monkey Mia Jetty

I can confirm that I will not issue authorisations for extended mooring at the Monkey Mia jetty from 20 February 2019.

This includes any requests submitted that have not received written authorisation.

As I have previously advised the submission of a request for extended mooring at the jetty does not constitute prior written approval.

The matter of administering Clause 7.3 of the Local Law (when vessels may be moored) will be presented to Council for consideration at the meeting being held on 27 February 2019.

Yours sincerely

Paul Anderson
Chief Executive Officer

27 FEBRUARY 2019

SHIRE OF SHARK BAY

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



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

Your Ref
Our Ref RC00003 / O-CR-17556
Enquiries Paul Anderson

20 February 2019

FJ RAVEN
111 KNIGHT TERRACE
DENHAM WA 6537

Dear Mrs Raven

Extended Stays on Monkey Mia Jetty

As previously explained, Section 7.3(1) of the Shire of Shark Bay Local Government Property Local Law makes it an offence to moor at the commercial jetty for more than two hours unless you have the prior written authorisation of the Local Government. That authorisation is at the discretion of the Local Government and should only be exercised in extenuating and/or unusual circumstances. In the event the Chief Executive Officer is considering granting approval, the power to assess the circumstances put forward by the applicant would be with the Chief Executive Officer. In the event of the Council giving consideration to a request for an extended stay or infringement, the Council would have the power to assess the circumstances put forward by the applicant.

I reiterate my advice of 13 September, 4 October and 18 December 2018 that unless you have prior written authorisation to moor at the commercial jetty for an extended period you risk being issued an infringement notice. I also advise that the submission of a request for extended use of the jetty does not constitute prior written approval. Accordingly, mooring in excess of the two hour limit without prior written authorisation in the expectation of subsequently obtaining authorisation risks an infringement being issued.

I included the comment regarding mitigating circumstances in previous correspondence to enable a person the opportunity to provide the circumstances for the Shire to consider when a request for authorisation for a longer stay at the jetty is submitted. I cannot advise you exactly what circumstances would result in your vessel being permitted to have an extended stay on the jetty. In any event, providing reasons for an extended stay after the event cannot result in you obtaining prior written authorisation in accordance with the Local law.

I note your point of after business hours requests and I will raise your issue with the Council to provide direction as to what will now be an acceptable timeframe for the submission and approval or otherwise, of a request for an extended stay on the jetty.

27 FEBRUARY 2019

In view of the above, please note that I will not be issuing any further written authorisations under Delegated Authority for extended mooring at the commercial jetty until the Council has considered and resolved a position on the matter, and I would reiterate my previous written advice in regards to the risk of infringements being issued.

Yours sincerely



Paul Anderson
Chief Executive Officer

27 FEBRUARY 2019

11.2 ANNUAL ELECTORS MEETING
GV00011

Author

Executive Assistant

Disclosure of Any Interest

Nil

Moved Cr Burton
Seconded Cr Fenny

Cr Ridgley returned to Council Chamber at 3.43pm

Council Resolution

- 1. The minutes of the annual electors meeting held on Wednesday 13 February 2019 be noted.**
- 2. Council note that there were no decisions to be considered by the Council from the minutes of the meeting.**

6/0 CARRIED

Background

The annual general meeting of electors relating to the financial year ended 30 June 2018 was held on Wednesday 13 February 2019. A copy of the minutes of the meeting is attached at the end of the report.

Section 5.32 (b) of the **Local Government Act 1995** requires the Chief Executive Officer to:

“Ensure that copies of the minutes are available for inspection by members of the public before the Council meeting at which decisions made at the electors meeting are first considered”

The minutes have been made available for inspection since 14 February 2019 and have been placed on Council's website.

Comment

In accordance with the **Local Government Act 1995** the Council is only required to consider the decision made at the electors meeting.

At this Annual Electors meeting no motions were put forward for Council consideration.

Legal Implications

Local Government Act 1995

The Act also requires the decisions of the electors meeting to be considered by the Council (section 5.53) at its next ordinary meeting where practicable. The act states

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

- (1) all decisions made at the electors meeting are to be considered at the next ordinary council meeting or, if that is not practicable,
 - (a) At the next ordinary council meeting after that meeting, or
 - (b) At a special meeting called for that purpose, whichever happens first.
- (2) if at a meeting of the council a local government makes a decision in response to a decision made at an electors meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

Policy Implications

There are no policy implications relative to this report

Financial Implications

There are no financial implications relative to this report

Strategic Implications

There are no strategic implications relative to this report

Risk Management

There is no risk involved with this item

Voting Requirements

Simple Majority Required

Signatures

Chief Executive Officer

P Anderson

Date of Report

14 February 2019

27 FEBRUARY 2019



SHIRE OF SHARK BAY

ANNUAL ELECTORS' MEETING

Wednesday 13 February 2019

5.00 pm

Shark Bay Recreation Centre

MINUTES



MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

ANNUAL ELECTORS MEETING - MINUTES – 13 FEBRUARY 2019

- 2 -

1. Declaration Of Opening

The President Cr Cowell opened the Annual Electors Meeting at 5.03pm.

2. Attendances And Apologies

ATTENDANCES

Cr C Cowell	President – Denham Ward
Cr L Bellottie	Denham Ward
Cr J Burton	Denham Ward
Cr E Fenny	Useless Loop / Pastoral Ward
Cr G Ridgley	Useless Loop / Pastoral Ward

Mr P Anderson	Chief Executive Officer
Ms A Pears	Executive Manager Finance and Administration
Ms L Butterly	Executive Manager Community Development
Mr B Galvin	Works Manager
Mrs R Mettam	Executive Assistant

Mr Ron Marquis

APOLOGIES

Cr K Capewell	Denham Ward
Cr K Laundry	Deputy President - Denham Ward

3. Receiving Of The Annual Report Of The Shire Of Shark Bay For The Year Ending 30 June 2018

Moved Cr Ridgley
Seconded Mr Marquis

Electors Resolution

That the Annual Report, including the Annual Financial Statements, Presidents Report and Auditors Report of the Shire of Shark Bay for the Year ending 30 June 2018 be received.

CARRIED

4. General Business

The Chief Executive Officer advised the meeting of the actions the Council had taken to address the auditors comments regarding the Shire of Shark Bay's financial operating positions and the impact that the non recognition of grant funding has on financial position.

The Chief Executive Officer also advised the meeting of the unsuccessful grant application for funding (\$400,000) of for the shires replacement artesian bores, which will now have to be funded from council resources.

Mr Marquis asked about how the Monkey Mia bore was funded.

The Chief Executive Officer advised that the Shire received Royalties for Regions funding and applies a specified area rate to users of the bore, which pay the loan instalments and effectively has no negative impact upon the Shires operating position.

The President spoke about the positive discussions that have been held with the current health services providers to the Shire seeking to expand upon the current service for the anticipated demand during the busy tourist season.

5. Closure Of Meeting

With no further business the President closed the Annual Electors meeting at 5.23pm.

27 FEBRUARY 2019

11.3 LEASE OF COMMERCIAL PREMISES
LS00030

Author

Chief Executive Officer

Disclosure of Any Interest

Declaration of Interest: Cr Ridgley

Nature of Interest: Proximity Interest as Leases shop 5 65/67 Knight Terrace

Cr Ridgley left the Council Chamber at 3.44pm

Moved Cr Bellottie
Seconded Cr Laundry

Council Resolution

That a commercial lease be negotiated, for approval by Council, with Mrs Alison Beales for shop 3 65/67 Knight Terrace at an agreed rental for the purposes of a hair dressing salon for a period of five years with an expiry dated of 1 February 2029, commencing from 2 February 2024.

5/0 CARRIED

Background

The Shire entered into a lease with Mrs Alison Beales in 2014 for shop 3, 65/67 Knight Terrace, Denham.

The lease of shop 3, 65/67 Knight Terrace has been with Mrs Alison Beales of Captain's Cutter that had been in place originally with the owners since 1997, the property was sold to the Shire in 2001 and the lease was transferred to the Shire.

There have been subsequent ongoing leases since this time, which also incorporated a move within the building footprint to the current refurbished location.

The current lease conditions were for a lease period of 5 years commencing on 2 February 2014 with a further five year option reviewed on an annual basis. This expired on 1 February 2019 and the lessee Mrs Alison Beales has advised that she wishes to exercise the 5 year option contained within the lease for the expiry date to now be 1 February 2024.

Mrs Beales has also requested a further five year lease to take the lease to 1 February 2029. A copy of Mrs Beales's correspondence is attached for Councillor's information.

Comment

The current lease structure contains a 5 year lease with an option of a further 5 years with rent reviewed on an annual basis with CPI Increase.

Council is now requested to consider agreeing to a further lease for five years commencing on the 2 February 2024 with a five year option clause, which would expire on the 1 February 2029.

27 FEBRUARY 2019

The granting of a new lease would give the lessee tenure until 2029 for the operation of the business. It would appear unlikely that the lessee would relocate, the current fit out of the premises is designed for its present use.

Any future use would require refurbishment of the premises to suit.

The business is well established and has been operating in the current location since prior to February 2009 without incident.

The location is identified in the Council's Town Centre Strategy as an area for business of this nature and provides services to residents and visitors to the Shire.

Any redevelopment of the premises should take into consideration of the provision of business of this type in the Town Centre.

A new lease would ensure that is in accordance with the Commercial Tenancy Act and provide greater surety for the lessee and lessor.

Council also needs to consider that a new 5 year lease may be an impediment to any possible redevelopment for the site that Council may be consider during this time.

Legal Implications

The commercial lease must comply with the *Commercial Tenancy (Retail Shops) Agreement Act 1985* and amendments.

Policy Implications

There are no policy implications relative to this report.

Financial Implications

The rental clause contained in the lease agreement originally provided for a rental of \$9,263.00 per annum (as at 2019) with reviews every 12 months based upon the consumer price index.

Strategic Implications

Addresses Council strategy of sustainable growth and progress by maintaining business in the Town Centre

Voting Requirements

Simple Majority Required

Signatures

Chief Executive Officer

P Anderson

Date of Report

5 February 2019

27 FEBRUARY 2019

RECEIVED
09 JAN 2019
SHIRE OF SHARK BAY

9th January 2019

SHIRE OF SHARK BAY
65 KNIGHT TERRACE
DENHAM WA 6537

To whom it may concern

LEASE OF COMMERCIAL PREMISES

I would like to advise the Shire of Shark Bay Council that I will kindly take up my option of a further five year lease at **Shop 3 – 65/67 Knight Terrace.**

I would also like to make a request to the Council to include a further five year option for the lease of the premises.

If you require any further information relative to the above, please contact myself, Alison Beales via phone or email alisonbeales@gmail.com

Yours faithfully



Alison Beales
The Captains Cutter Hair Salon
T: 9948 1339
M: 0447 831 559
Shop 3 – 65/67 Knight Terrace
DENHAM WA 6537

27 FEBRUARY 2019

11.4 PROPOSED LOCAL GOVERNMENT PROPERTY AMENDMENT LOCAL LAW 2019
LE00011

AUTHOR

CHIEF EXECUTIVE OFFICER

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Cr Ridgley

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

Officer Recommendation

That Council consider the draft amendments (*Draft 1 & Draft 2*) to PART 7 - MONKEY MIA JETTIES AND BOAT RAMP Local Law attached to the report submitted by the Chief Executive Officer and adopt Draft (1 or 2) as amended for advertising for public submissions.

Moved Cr Fenny
Seconded Cr Bellottie

Council Resolution

That Council consider the draft amendments (*Draft 1 & Draft 2*) to PART 7 - MONKEY MIA JETTIES AND BOAT RAMP Local Law attached to the report submitted by the Chief Executive Officer and adopt Draft (1) as amended for advertising for public submissions.

5/0 CARRIED

Moved Cr Burton
Seconded Cr Cowell

Council Resolution

1. **That in accordance with s3.12(3)(a)(b) and (3a) of the Local Government Act 1995, Council gives State-wide and local public notice stating that:**
 - i. **It proposes to make a Local Government Property Amendment Local Law, and a summary of its purpose and effect;**
 - ii. **Copies of the proposed local law may be inspected at the Shire offices;**
 - iii. **Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;**
2. **That in accordance with s3.12(4), as soon as the notice is given, a copy be supplied to the Minister for Local Government;**
3. **That in accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and**
4. **The results be presented to Council for consideration of any submissions received.**

5/0 CARRIED

Cr Ridgley returned to The Council Chamber at 3.49pm

27 FEBRUARY 2019

BACKGROUND

At the Ordinary Council meeting held on 28 February 2018, it was resolved to commence the process to amend the Shire of Shark Bay Local Government Property Local Law. The amendment is to repeal the whole of Part 7 – Monkey Mia Jetty, replace Part 7 with new provisions and update Schedule 1 Prescribed Offences.

The procedure for making local laws requires Council to advertise State-wide, advising of its intention to make a local law, and invite submissions to be made on the proposed local law for a six-week period. At the closure of the submission period, Council is to consider all submissions before making a local law.

A report was put to the Council at the June 2018 meeting and following representation by a community member the Council resolved the following:

That Council lay the item on the table and a community / stakeholder's workshop be undertaken to enable further submissions to the local law.

6/0 CARRIED

The community workshop was held on Thursday 30 August and was well attended with a diverse range of community, Councillors and Council staff.

An extract from the report that was presented to the Council meeting held in October 2018 follows;

There was discussion in regard to previous submissions and the wording of the local law, specifically the use of deemed in the law and the limitation on mooring as defined in obstruction of vessels at clause 7.5.

There was also lengthy discussion requesting consideration of a variation to clause 7.5 obstruction by vessels requiring vessels approaching or departing the commercial jetty to contact vessels moored in the positions deemed to be obstructing at clause 7.5(2). In the event a vessel is contacted and does not move only then an offence would be considered to occur.

The intent of this submission would appear to enable vessels to moor in any manner on the jetty and only move if a request is made from an approaching or departing vessel.

This proposal would require the Shire to investigate any complaint from a vessel that access to the jetty was denied and could require significant substantiation to support any punitive action that may be considered.

This may be problematic and give rise to a number of defences if an infringement was issued, including but not limited to unclear requests, requests not being received due to a number of issues with electronic equipment and vessels moored (in a manned deemed obstruction) to the jetty allowing access that they consider is sufficient which may conflict with the expectations of the vessel requesting access.

A clause of this nature would have to be clearly worded and consider requiring the moored vessel being requested to move to an area on the jetty that is not deemed obstruction in accordance with clause 7.5.

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Given the degree of discussion at the community workshop and the new submissions received it may be advantageous for Council to conduct another Councillor workshop to further clarify the intent and purpose of the local law.

The Council can also fully consider the new submissions and outcomes of the workshop and consider incorporating amendments if any to the draft local law.

In the event the Council makes amendments that make the local law significantly different to what was originally proposed and advertised, there is a requirement to recommence the process including readvertising and inviting submissions.

The Council in considering the submissions and any amendments could also further consider the degree of resources that may be required to monitor and enforce its local laws.

Following consideration of the submissions and community forum the Council at the September 2018 meeting considered that a Councillor workshop was required to formulate a position on the Local Laws and resolved the following:

That a Councillor workshop be convened to further discuss and consider the community submissions and proposed amendments to the Draft Monkey Mia Jetties and Boat Ramp Local Law.

The Councillor workshop was conducted on 12 December 2018.

A report was put to the ordinary meeting held in December 2018 and the Council resolved the matter to lay on the table until the meeting being held in February 2019.

COMMENT

The Councillor workshop reviewed all submissions and comment from the community workshop and considered the following amendments should be made the draft Local Laws previously advertised:

The Councillor workshop considered clause 7.3 when vessels may be moored, specifically the amount of time permitted at the jetty and considered that a separate time limit should be applied to the Northern face of the jetty.

A additional component for Council consideration that limits berthing on the Northern face to 15 minutes only has been included in the draft, with the Eastern and Western faces retaining the 2 hour limit for commercial and fishing vessels and 30 minutes for pleasure (non-commercial) vessels being maintained.

The Council workshop also considered the public submission regarding Clause 7.3 (1)(c)(iii) which applies to fishing vessels and states:

the vessel is not moored between the hours of 6.00pm on one day and 6.00am on the next day;

the majority of the Council considered there could be a variation to this clause in line with the submission presented for Council to discuss while maintaining the safety of all users of the jetty.

The options put forward by Council were as follows

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Option 1

The vessel is not moored between the Times of Sunset and Sunrise the next day as published in a newspaper circulating generally throughout the district.

Option 2

The vessel is not moored between the hours of 8pm on one day and 6am on the next day

At this point option 1 has been included in the Draft local law for consideration.

The Council also considered the removal of the wording *without the prior written authorisation of the Local Government* in clause 7.3.

This would limit the discretion that currently exists by delegated authority to the Chief Executive Officer to authorise vessels to remain moored to the jetty longer than the time limits stated in clause 7.3.

The Chief Executive Officer when requested, in writing by vessels operators has authorised extensions to the period of berthing in excess of the maximum 2 hours to undertake maintenance and repairs.

There are currently no guidelines for what can be undertaken during an approved extended period and no limit to the number of times or duration of the requested extension, which effectively acts against the imposition of the maximum time limit.

A variation to the approval or refusal by the Chief Executive Officer could be challenged and may be subject to adverse comment as to the reasons why an approval or variation to a request was not granted.

The wording at clause 7.3 only allows for approval and does not require the Council to give any reason if approval is not granted.

The use of the approval delegation by the Chief Executive Officer is by goodwill to facilitate the ongoing operations of the vessel operators, there is no requirement by the Chief Executive Officer to exercise this delegation and all requests could be referred to Council for consideration.

Given the time frames of submitting an approval to Council and the possibility of refusal this may significantly impact upon the operations of the vessels berthing at the jetty and if they exceed the time limits imposed possibly result in an infringement for a breach of the local law.

The removal of the possible extension may require an additional clause to include the issue of vessels in distress and the following was included in the 2002 local laws;

The boat is in distress and then only to effect the minimum repairs necessary to enable the boat to be moved elsewhere.

Another option could be retaining the *without prior authorisation clause* and placing a maximum time extension with hourly fees.

The fee structure could be set in the annual fees and charges set by Council in the budget and is authorised under clause 7.4 of the current local law, however there still may be the issue of justification, duration of extended berth and frequency of requests.

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There would also be the issue of collecting payments for the extended stay period.

(The Department of Transport allows vessels who have paid an annual fee 1 hour berthing in every 24 hour period, following the 1 hour limit an additional daily casual fee of \$7.55 per meter of the vessel length applies)

While being another possible source of revenue, this option would conflict with the submissions that expressed the view that vessels berthing time on the jetty should be minimised.

The draft for consideration has *without prior authorisation* removed at clauses 7.3(1)(a) and (1)(b), clause 7.3 (1)(c)(iii) has been retained to allow a fishing vessel to apply for authorisation to moor longer than two hours if unloading and discharging cargo.

Clause 7.6 (2) has also been amended to ensure it clearer and is enforceable.

The Council also considered that clause 7.7 Cargo should be clarified as current wording would appear to allow individual interpretations and clause 7.7(1) referred to mooring the vessel, which is dealt with at clause 7.3 and clause 7.7(2) and (3) referred to cargo on the jetty.

Cargo is defined as meaning Bulk produce, such as grain, coal, oil, or mineral ore and includes the catch of a fishing vessel.

The purpose of this clause was to allow a fishing vessel to moor for longer than 2 hours if loading or discharging cargo. I have allowed for prior written authorisation in clause 7.3(1) (c). As a commercial vessel or fishing vessel is permitted under clause 7.3(1) to moor for up to 2 hours on the eastern or western sides of the jetty for any purpose whatsoever, this clause (7.7) is otherwise redundant and can be deleted.

If prior authorisation is not practicable it could read unless the local Government has given written authorisation for the vessel to moor for longer than two hours, that way the authorisation could be given afterwards.

Clause 7.8 allows for cargo to be stored on the jetty and states that it (cargo) to be (cargo) removed from the jetty as soon as practicable.

Given the interpretation of as soon as practicable, the Council may consider placing a time frame on the removal of the cargo i.e. within 30 minutes of it being unloaded from the vessel onto the jetty.

This would ensure that the wording is clear and a defined time limit applies, 30 minutes or longer rather than a subjective assessment of what is practicable.

There are 2 drafts attached for Council consideration.

Draft 1 proposed draft that Council considered at the February 2018 meeting and has previously advertised.

Draft 2 has the inclusion of the amendments discussed in the report.

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The final Draft amendment to the Local Law adopted by Council would require further advertising and the due consideration of any submissions following the advertising period. There may following be variations, however if they are considered minor then no further adverting is required.

Attachments –

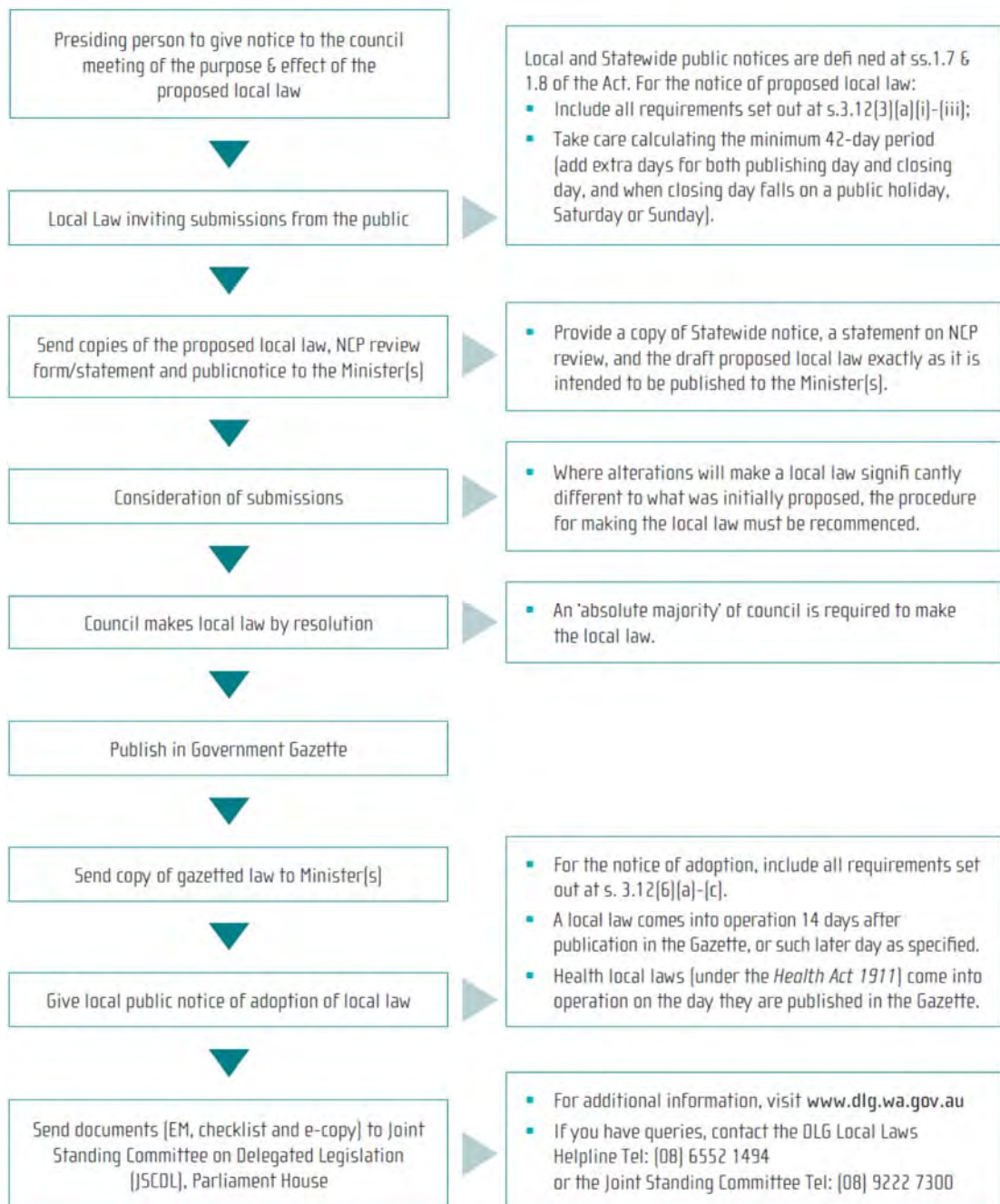
- Draft 1 Shire of Shark Bay Local Government Property Amendments Local Law 2019
- Draft Shire of Shark Bay Local Government Property Amendments Local Law 2019 2
- Summary of submissions previously received
- Previous Public submissions received in full

LEGAL IMPLICATIONS

Amending a local law requires in itself and Amendment Local Law to be made, using the process set out in s3.12 of the *Local Government Act* and regulation 3 of the *Local Government (Functions & General) Regulations*:

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(Extract from Department of Local Government 'Operational Guidelines – Local Laws', November 2011)

The Act requires the person presiding at a Council meeting to give notice of the purpose and effect of the proposed local law by ensuring that the purpose and effect is included in the agenda for the meeting and that the minutes of the meeting include the purpose and effect of the proposed local law.

Purpose and effect

The purpose and effect of the proposed Local Government Property Amendment Local Law is to better regulate the use of the Monkey Mia Jetty by clarifying the manner and time frames in which vessels may be moored to the jetty, the storage of cargo on the jetty and the

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circumstances in which a vessel moored to the jetty will be obstructing other vessels approaching or departing the jetty.

The process to amend or make a local law requires public consultation. In particular, the Local Government Act requires State wide advertising and local public notice of the proposed Local Laws for a period of 42 clear days.

The results and any submissions are then brought back to Council for consideration, after which the Council may then decide to make the Local Law, with or without amendments.

If as a result of public submissions, there are significant amendments to the proposed Local Law, then the advertising process must re-commence, and all additional submissions are to be considered by Council.

Amendment to the Shire of Shark Bay Local Government Property Local Law – Part 7 and Schedule of penalties

POLICY IMPLICATIONS

There are no policy implications relative to this report.

FINANCIAL IMPLICATIONS

Cost of giving local public notice of final adoption and publication of amendment in the Government Gazette the administration time must also be taken into consideration in the drafting and management of the Local Laws.

STRATEGIC IMPLICATIONS

There are no strategic implications relative to this report.

RISK MANAGEMENT

Addresses a number of risks identified in the use of the jetties and the area.

VOTING REQUIREMENTS

Absolute Majority Required

SIGNATURES

Chief Executive Officer

P Anderson

Date of Report

13 February 2019

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DRAFT 1

Original Draft Local Law - following Advertising

PART 7 - MONKEY MIA 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 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) and includes –

- (a) the eggs, spat, spawn, seeds, spores, fry, larva or other source of reproduction or offspring of an aquatic organism; and
- (b) a part only of an aquatic organism (including the shell or tail); and
- (c) live rock and live sand;

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;

obstruct means to slow, block or hinder the movement, progress or action of a vessel, vehicle or person

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;

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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

(3) Without the prior written authorisation of the local government, a person must not moor a vessel to the commercial jetty unless –

(e) the vessel is not a commercial vessel, and –

(v) the vessel is not deemed to be obstructing in accordance with clause 7.5(2);

(vi) the vessel is moored for no longer than 30 minutes; and

(vii) a period of more than 30 minutes has passed since the vessel last departed the jetty;

(f) the vessel is a commercial vessel other than a fishing vessel, and –

(v) the person has made payment of berthing fees imposed in accordance with clause 7.4;

(vi) the vessel is not deemed to be obstructing in accordance with clause 7.5(2);

(vii) the vessel is moored for not more than two hours; and

(viii) a period of more than one hour has passed since the vessel last departed the jetty.

(g) the vessel is a fishing vessel, and –

(v) the person has made payment of berthing fees imposed in accordance with clause 7.4;

(vi) the vessel is not deemed to be obstructing in accordance with clause 7.5(2);

(vii) the vessel is not moored between the hours of 6.00pm on one day and 6.00am on the next day;

(viii) the vessel is not moored for more than two hours; and

(ix) a period of more than one hour has passed since the vessel last departed the jetty.

(4) A person must not moor a vessel to the commercial jetty if the local government has suspended that person from mooring a vessel to the commercial jetty under clause 7.24(1)

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 Obstruction by vessels

(1) A person must not moor a vessel to the commercial jetty in such a manner as to obstruct a vessel approaching the commercial jetty and intending to moor to the jetty or a vessel which is departing from the commercial jetty.

(2) Without limiting the effect of subclause (1), a vessel moored to the commercial jetty will be deemed to obstruct a vessel approaching the commercial jetty and intending to moor to the jetty or a vessel which is departing the commercial jetty if –

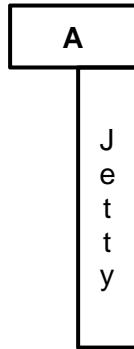
(a) when moored at the end of the commercial jetty, a portion of the vessel extends beyond the

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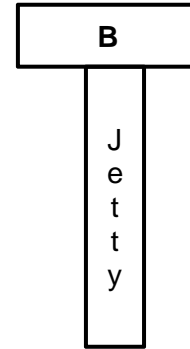
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- side of the jetty as shown by Vessels A – D in the diagrams below; or
(b) when moored to the side of the commercial jetty, a portion of the vessel extends beyond the end of the jetty as shown by Vessels E – H in the diagrams below.

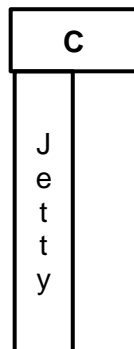
Deemed obstruction by Vessel A to west side of jetty but not to east side of jetty



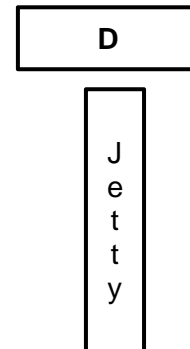
Deemed obstruction by Vessel B to both sides of jetty



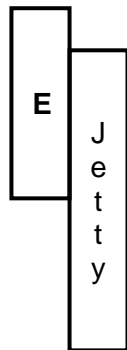
Deemed obstruction by Vessel C to east side of jetty but not to west side of jetty



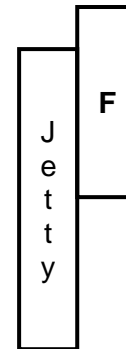
Deemed obstruction by Vessel D to both sides of jetty



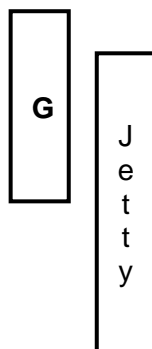
Deemed obstruction by Vessel E to end of jetty but not to east side of jetty



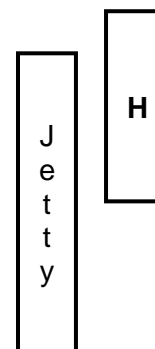
Deemed obstruction by Vessel F to end of jetty but not to west side of jetty



Deemed obstruction by Vessel G to west side and end of jetty but not to east side of jetty



Deemed obstruction by Vessel H to east side and end of jetty but not to west side of jetty



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7.6 Vehicles on jetty

- (1) A person must not drive a vehicle of a gross vehicle mass exceeding ten tonnes on to the commercial jetty.
- (2) Only vehicles servicing vessels must be permitted on the commercial jetty immediately prior to and until completion of unloading and loading of vehicle with a maximum time of 30 minutes other than professional fishermen while loading or unloading.

7.7 Cargo

- (1) A person in control of a vessel must not allow the vessel 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) for longer than two hours; and
 - (ii) unless a period of more than one hour has passed since the vessel last departed the jetty.
- (2) A person in control of cargo or other goods intended for loading on to a boat must –
 - (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 vessel is moored to the jetty.
- (3) Any person unloading cargo or other goods from a vessel on to the jetty must remove the cargo, or cause it to be removed from the jetty as soon as practicable.

7.8 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

7.9 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.

7.10 Vehicles on recreational jetty

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

Division 4 - Boat Ramp

7.11 Obstruction

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

Division 5 - General

7.12 Method of mooring vessel

A person in control of a vessel must 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.

7.13 No private fixtures

- (1) A person must 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.

7.14 Jetty may be closed

When indicated by placement of appropriate warnings and relevant signage, unless the prior written authorisation of the Local Government has been obtained, a person must not moor, use or go on to any part of a jetty which is –

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

7.15 Nuisance on jetties or beach access to jetties

- (1) A person must 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 must not be parked in a manner that obstructs access to or from the jetty.

7.16 Authorised person may order removal of a vessel

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

7.17 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.

7.18 Bicycles on jetties

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

7.19 Rubbish from jetty

- (1) A person must 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.

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

7.20 Liquor on boats

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

7.21 Fishing from jetty

Fishing from a jetty is prohibited.

7.22 Swimming from a jetty

Swimming, including diving, jumping and the like, from, under or within 5 metres of a jetty or vessel moored to the jetty, is prohibited.

7.23 Explosives on jetties

Except with the prior written authorisation of the Local Government, a person must not land, place or handle on a jetty any explosives as defined in regulation 8 of the *Dangerous Goods Safety (Explosives) Regulations 2007*..

7.24 Penalties

- (1) The local government may by notice in writing suspend a person from mooring a vessel to the commercial jetty where the person has been convicted, or has paid the modified penalty, within the last 12 months in respect of 2 or more offences under Part 7 of this local law.
- (2) The local government may by notice in writing cancel the suspension referred to in subclause (1) once a person has been convicted, or has paid the modified penalty, for only one offence under Part 7 of the local law within the last 12 months

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DRAFT 2

Amended Draft Local Law for consideration

PART 7 - MONKEY MIA 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 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) and includes –

- (a) the eggs, spat, spawn, seeds, spores, fry, larva or other source of reproduction or offspring of an aquatic organism; and
- (b) a part only of an aquatic organism (including the shell or tail); and
- (c) live rock and live sand;

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

- (e) searching for fish;
- (f) attempting to take fish;
- (g) taking fish;
- (h) 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;

obstruct means to slow, block or hinder the movement, progress or action of a vessel, vehicle or person

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

(5) A person must not moor a vessel to the commercial jetty unless –

- (h) the vessel is not a commercial vessel, and –
 - (viii) the vessel is not deemed to be obstructing in accordance with clause 7.5(2);
 - (ix) if moored on the western or eastern sides of the jetty, is moored for no longer than 30 minutes;
 - (x) if moored on the northern end of the jetty, is moored for no longer than 15 minutes;
 - (xi) the vessel is not moored between the times of sunset on one day and sunrise the next day as published in a newspaper circulating throughout the district; and
 - (xii) a period of more than 30 minutes has passed since the vessel last departed the jetty;
- (i) the vessel is a commercial vessel other than a fishing vessel, and –
 - (ix) the person has made payment of berthing fees imposed in accordance with clause 7.4 and received approval in writing from the local government to use the jetty;
 - (x) the vessel is not deemed to be obstructing in accordance with clause 7.5(2);
 - (xi) if moored on the western or eastern sides of the jetty, is moored for no longer than 2 hours;
 - (xii) if moored on the northern end of the jetty, is moored for no longer than 15 minutes;
 - (xiii) the vessel is not moored between the times of sunset on one day and sunrise the next day as published in a newspaper circulating throughout the district; and
 - (xiv) a period of more than one hour has passed since the vessel last departed the jetty.
- (j) the vessel is a fishing vessel, and –
 - (x) the person has made payment of berthing fees imposed in accordance with clause 7.4 and received approval in writing from the local government to use the jetty;
 - (xi) the vessel is not deemed to be obstructing in accordance with clause 7.5(2);
 - (xii) if moored on the western or eastern sides of the jetty, is moored for no longer than 2 hours unless the vessel has the prior written authorisation of the local government to moor for longer than 2 hours;
 - (xiii) if moored on the northern end of the jetty, is moored for no longer than 15 minutes;
 - (xiv) the vessel is not moored between the times of sunset on one day and sunrise the next day as published in a newspaper circulating throughout the district; and
 - (xv) a period of more than one hour has passed since the vessel last departed the jetty.

(6) A person must not moor a vessel to the commercial jetty if the local government has suspended that person from mooring a vessel to the commercial jetty under clause 7.24(1)

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.

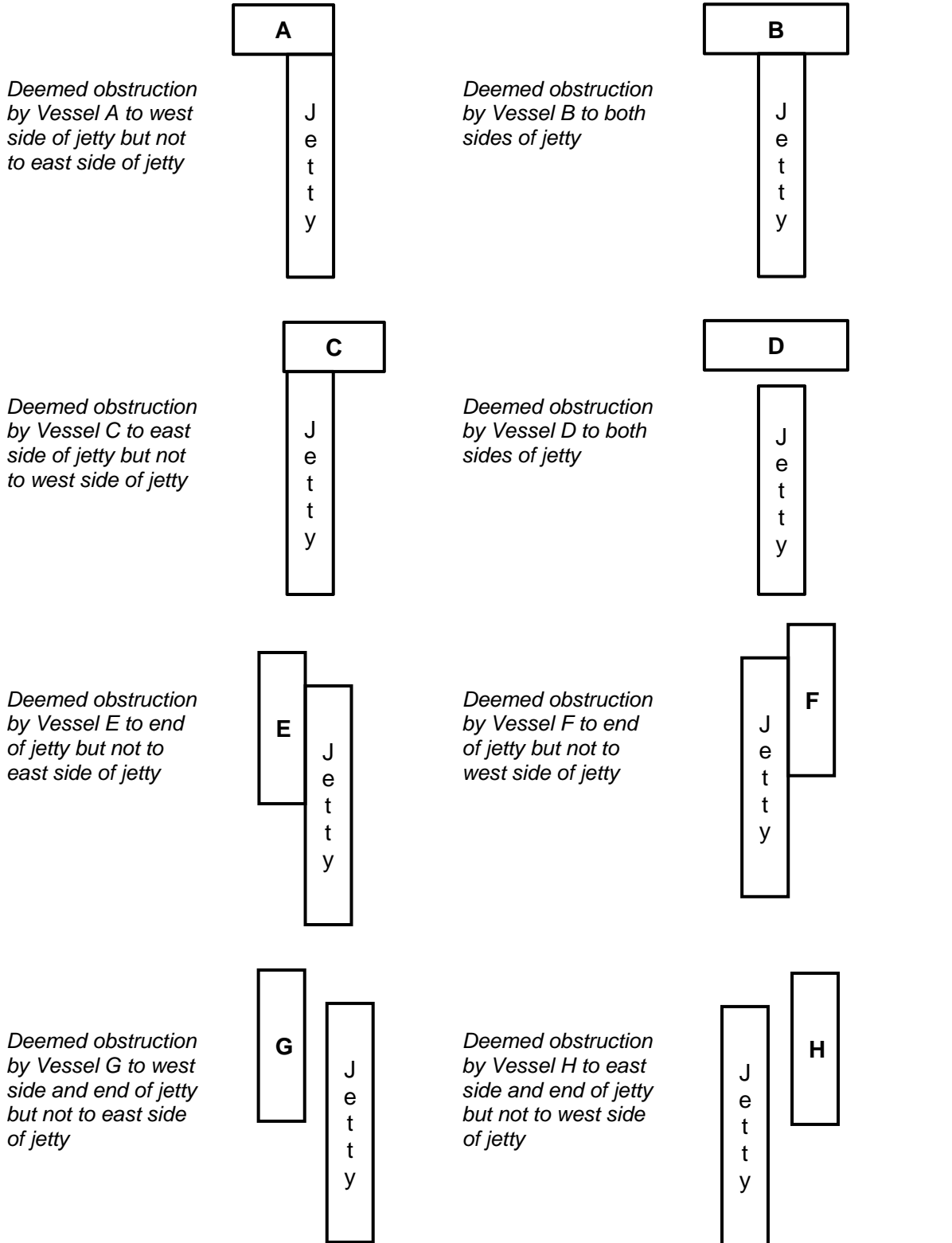
7.5 Obstruction by vessels

(3) A person must not moor a vessel to the commercial jetty in such a manner as to obstruct a vessel approaching the commercial jetty and intending to moor to the jetty or a vessel which is departing from the commercial jetty.

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- (4) Without limiting the effect of subclause (1), a vessel moored to the commercial jetty will be deemed to obstruct a vessel approaching the commercial jetty and intending to moor to the jetty or a vessel which is departing the commercial jetty if –
- (c) when moored at the end of the commercial jetty, a portion of the vessel extends beyond the side of the jetty as shown by Vessels A – D in the diagrams below; or
 - (d) when moored to the side of the commercial jetty, a portion of the vessel extends beyond the end of the jetty as shown by Vessels E – H in the diagrams below.



7.6 Vehicles on jetty

(3) A person must not drive or park a vehicle of a gross vehicle mass exceeding ten tonnes on the commercial jetty.

(4) A person must not allow or permit a vehicle to remain on the commercial jetty for longer than 30 minutes unless the vehicle is being used to load or unload a fishing vessel.

7.7 ~~Mooring for Loading and Discharging Cargo~~

~~(4) A person in control of a vessel must not allow the vessel to be moored to the commercial jetty for the purpose of loading or discharging cargo or other goods –~~

~~(c) until the cargo or other goods are ready to be loaded or discharged; and~~

~~(d) without the prior written authorisation of the Local Government –~~

~~(iii) for longer than two hours; and~~

~~(iv) unless a period of more than one hour has passed since the vessel last departed the jetty.~~

7.8 Cargo not to be Stored on Jetty

(1) A person in control of cargo or other goods intended for loading on to a vessel must –

(c) not allow the cargo to be stored or placed on the jetty unless and until the vessel is moored to the jetty; and

(d) load the cargo onto the boat as soon as practicable after the vessel is moored to the jetty.

(5) Any person unloading cargo or other goods from a vessel on to the jetty must remove the cargo, or cause it to be removed from the jetty as soon as practicable.

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 –

(d) pleasure vessels;

(e) launching and retrieving of vessels; or

(f) 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 must not drive a vehicle on the recreational jetty.

27 FEBRUARY 2019

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 launching or retrieval of a vessel as quickly as practicable.

Division 5 - General

7.13 Method of mooring vessel

A person in control of a vessel must 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

- (4) A person must not affix any private fenders, structure or item to a jetty.
- (5) Where private fixtures have been attached, the Local Government may give notice requiring the removal of the private fixtures within a specified period.
- (6) 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

When indicated by placement of appropriate warnings and relevant signage, unless the prior written authorisation of the Local Government has been obtained, a person must not moor, use or go on to any part of a jetty which is –

- (c) under construction or repair; or
- (d) closed.

7.16 Nuisance on jetties or beach access to jetties

- (3) A person must 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 –
 - (c) on a jetty; or
 - (d) within 5 metres of the approach to the built infrastructure of a jetty.
- (4) A vehicle must not be parked 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 must 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 must not ride or have a bicycle on a jetty.

7.20 Rubbish from jetty

- (3) A person must 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.
- (4) A person must 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 must 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, under or within 5 metres of a jetty or vessel moored to the jetty, is prohibited.

7.24 Explosives on jetties

Except with the prior written authorisation of the Local Government, a person must not land, place or handle on a jetty any explosives as defined in regulation 8 of the *Dangerous Goods Safety (Explosives) Regulations 2007*.

7.25 Penalties

- (3) The local government may by notice in writing suspend a person from mooring a vessel to the commercial jetty where the person has been convicted, or has paid the modified penalty, within the last 12 months in respect of 2 or more offences under Part 7 of this local law.
- (4) The local government may by notice in writing cancel the suspension referred to in subclause (1) once a person has been convicted, or has paid the modified penalty, for only one offence under Part 7 of the local law within the last 12 months

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

Submitter	Submitter Comment	Officer Comment
<p>Mr Greg Ridgley Perfect Nature Cruises / Monkey Mia Yacht Charters Pty Ltd PO Box 46 Denham WA 6537</p>	<p>I am happy with the current Local Law of the Monkey Mia Jetty with the exception of the following:</p> <ol style="list-style-type: none"> 1. Refuelling some people drain through a valve the fuel into their boats, this can take some time if the tide is high and the fuel does not flow fast. I propose that we allow 45 minutes for refuelling when the fuel is running through a valve to the boat, with no mechanical assistance. 2. Also if conditions result in a vessel having to use the end of the jetty to load or unload that it can do so in the quickest possible time. This could come about when conditions are not favourable for one side of the jetty, a vessel is already berthed on the other, In some cases we arrive at the jetty and cannot get on a side so we berth on the end unload then go straight to the mooring. 	<p>1.clause 7.6(2) allows for a maximum time of 30 minutes for service vehicles other than professional fishermen while loading or unloading. Consideration could be given to increasing this time frame</p> <p>2.This could be a variation to the local law as a drop off and pick up section at the end of the jetty only and/or reduced time frame i.e. 15 minutes, while maintaining the obstruction provisions at clause 7.5(2). This proposal Would also require cooperation between vessel operators in the event that a vessel approaching or departing the jetty would be deemed to be obstructed by the vessel on the end of the jetty..</p>
<p>Mr Harvey Raven Monkey Mia Wildsights Raven Multihulls Pty Ltd PO Box 22</p>	<ol style="list-style-type: none"> 1. Clause 7.3 the word “deem” to be deleted from all Clauses/Subclauses and be replace with the word “considered”. 	<p>1.Deemed has legal standing, considered would create ambiguity and uncertainty as to whom considered the matter and by what standard the vessel was considered to be obstructing</p>

MINUTES OF THE ORDINARY COUNCIL MEETING

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<p>Denham WA 6537</p>	<p>2. Clause 7.3(1)(c)(iii) To be deleted</p> <p>3. Clause 7.3(2) Clarify or delete: “No other activity on the vessel is permitted during this time”</p> <p>4. Clause 7.5 Delete entirely and replace with:</p> <p>i. A vessel berthed as per the following diagrams (insert existing 7.5.2 Local Laws diagrams here) shall for the purposes of the Local Law be considered to be an obstruction to any other vessel requiring to berth at, or depart from the jetty.</p> <p>ii. Upon being asked to move by a vessel requiring to berth at, or depart from the jetty, an obstructing vessel shall move so that it is not obstructing as defined in the diagrams in Clause 1.</p> <p>iii. If a vessel intending to berth or depart does not request the obstructing vessel to move then the obstructing vessel will no longer be considered to be an obstruction to the vessel intending to berth or depart and there shall be no breach of the Local Law.</p> <p>iv. Upon the vessel that made the request for access having berthed or departed, the vessel which moved as requested is permitted to return to its original “obstructing” position subject to Clause 2.</p>	<p>2. clause is for fishing vessels only and restricts overnight mooring</p> <p>3. agree clause 7.3(2) is unenforceable with the current wording as soon as practicable as it is open to interpretation. The two hour time limit in other clauses would suffice</p> <p>4.</p> <p>i. 7.5(1) a catch all clause (obstruction provision) should be retained and make the ‘deemed obstruction’ provisions in addition to this requirement by inserting the words “without limiting the effect of subclause (1)” at the start of clause 7.5(2). The reason for retaining the catch all obstruction provision is to ensure that an obstruction which is not a deemed obstruction is still caught. Consistent with the councils proposed clause 7.5(2)</p> <p>ii. creates uncertainty as to what is obstruction and would create difficulty with enforcement as it is reliant upon an operators ascendance to a request.</p> <p>iii. conflicts with proposed clause 1 and creates ambiguity and uncertainty as to what is deemed obstruction</p>
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MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

	<p>v. Although the permitted time period of 2 hours stipulated in Clause 7.3(b)(iii) has not elapsed since it berthed, a serviceable vessel that is not obstructing and not loading/unloading, shall, when requested, provide access to another vessel that has advised it would experience difficulty in safely using the jetty unless it gained access to the part of the jetty currently being occupied by the vessel not loading or unloading.</p> <p>vi.</p> <p>vii. A vessel that fails to move when requested shall be in breach of the Local Law</p> <p>5. Clause 7.24(2) Clarify the meaning, or delete.</p>	<p>iv. noted may conflict with existing clauses contained with section 7.3 regarding interpretation of departure from the jetty. If no vessel is approaching or departing there is no deemed obstruction</p> <p>v. further limitation on berthing time periods could alleviate this issue. this would require the creation of another offence that would need to be further clarified and would be difficult to enforce given the reliance on evidence of one operator against the other and sufficient evidence in regard to the safety concerns.</p> <p>vi. conflicts with deemed obstruction clauses in part 7.5(2) and would be difficult to enforce given the reliance on evidence of one vessel operator against the other.</p> <p>Consideration could be given to introduction of a failure to move when requested clause, if a vessel is moored in a manner deemed to be obstruction in accordance with clause 7.5(2) or vessel in distress.</p>
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MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

		<p>5. this clause allows for one offence every 12 months without possible suspension, deletion would provide for harsher penalties.</p> <p>Could be clarified to refer to either a calendar year or financial year i.e. the council may by notice in writing suspend a person from mooring a vessel to the commercial jetty where the person has been convicted or paid the modified penalty for two or more offences in a calendar(or financial) year.</p> <p>The council could also consider deleting the clause and rely on clause 7.3 in regard to authorisation to use of the jetty.</p>

New Submitter	Submitter Comment	Officer Comment
<p>Mr James Hewitt General Manager Strategy & Development RAC Parks & Resorts 832 Wellington Street WEST PERTH WA 6005</p>	<ul style="list-style-type: none"> • No boats to have access to the western side of the jetty during morning dolphin interaction times. • Tour boats to have access to jetty ½ hour prior to scheduled wildlife /boat tours (This is for loading of the tour guests and time for their safety briefs). • Tour boats to operate at different times to allow for the above procedure. Boats then return to their moorings after they return from tours and the unloading of guests. • Servicing (Refuelling, stocking, repairs/maintenance) should be conducted in the afternoons to avoid the dolphin interaction experience and reduce risk to the dolphin particularly refuelling. • No Touting/soliciting on the jetty or beach area in front of jetty • Boats to be cleaned at their moorings. 	<ul style="list-style-type: none"> • Noted restricts commercial utilisation of the jetty. Would need to be defined by time restrictions i.e. 7am – 11 am as specific dolphin feed times can vary. • Could be considered sufficient time for loading and unloading of passengers for tours. Tour times would have to be clearly scheduled and enforced to regulate with a local law. Could consider reducing allowable time on the jetty. • The shire does not control tour boat times and would need to incorporate into a local law separate access times for authorised vessels may be problematic to implement given the impost on

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

	<ul style="list-style-type: none"> • Dolphin viewing to be encouraged from jetty • Consideration be given to not stirring the mud during low tides and affected the dolphin interaction experience. 	<p>commercial activity, could raise issues regarding optimum times for conducting cruises. .</p> <ul style="list-style-type: none"> • Could be incorporated into local laws by consideration of variation to time frames from am to pm i.e. shorter periods in the morning longer in the afternoon, similar to clearways for traffic. • No Touting/soliciting on the jetty or beach area in front of jetty • Boats to be cleaned at their moorings. • Council has set aside an area for dolphin viewing from the jetty <p>Would need to be a restriction in local laws on access to/from jetty during dolphin feed times.</p>
<p>Mr Mark Smith Brockman Street Denham WA 6537</p>	<ol style="list-style-type: none"> 1. Remove the 6am to 6pm to allow for the unloading of fresh produce to meet market time frames and allow truck and couriers to pick up goods. Also to reduce the possible damage to fish during the heat of summer. 2. Consider lighting the end of the Jetty. Maybe worth looking into Maritime Requirement for unmarked objects and collusion regulation. Solar would be a good option. 	<ol style="list-style-type: none"> 1. Could be considered for removal, however applicable only to produce and presents possible conflict with adjacent tourism operation. 2. Not part of local laws and could be considered as part of budget process. There is no requirement under the Jetty Licence for the structure to be lit at night. I am also not aware of any specific legislation administered by Coastal Infrastructure that would require the Shire of Shark Bay to light the Monkey Mia Jetty during the hours of darkness, notwithstanding there may

MINUTES OF THE ORDINARY COUNCIL MEETING

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	<p>3. Introduce a Code of Conduct or a new section to the section 7.5 that allows vessel capable of entering and exiting the jetty when another vessel is deemed to be obstructing without the obstructing vessel being fined.</p> <p>4. 7.7 (3) allows the unloading of cargo beyond the 2 hour docking. Can it be worded differently to show this.</p>	<p>good reason to do so for both safe navigation and p safety reasons.</p> <p>3. A code of conduct to be enforceable would have to be part of the local law, any voluntary code of conduct would rely on the individual’s operators to comply and could be open to interpretation.</p> <p>Proposed new section conflicts with draft section 7.5 .</p> <p>4. Clause 7.3 (3) refers to the jetty and cargo not when a vessel may be moored. Clause 7.7(1) could be amended to remove the restrictions imposed under clause 7.3.ie two hour limit</p> <p>The wording as soon as practicable is subjective and could extend well beyond the two hour limit imposed by clause 7.3 and 7.7(1)(b)(i)</p> <p>The interpretation of cargo does not include passengers.</p>
	<p>1. 7.6(2) vehicles on jetty request to extend the time limit from the maximum of 30 minutes while servicing vessels.</p> <p>2. clause 7.8 vessel moored is to be attended request to review this clause The two hour limit allowed for mooring creates an issue in maintaining attendance on the vessel</p>	<p>1. an extension to the time frame could be considered to allow for vehicles servicing vessels to remain on the jetty for longer than 30 minutes.</p> <p>2. a reduction of the mooring time limit may alleviate this issue. The clause could also be amended to be attended if the vessel is moored in a manner that is deemed obstruction (clause 7.5(2)).</p>

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

		<p>There may also be an issue with the requirement to attend the vessel and the proposal to introduce a failure to move clause, specifically the requirement in contacting the licensed and authorised operator of the vessel if the communications were located on the vessel and could expose operators to claims of failure to move due to lack of contact.</p>
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From: gregridg@westnet.com.au <gregridg@westnet.com.au>
Sent: Thursday, 10 May 2018 11:30 AM
To: Paul Anderson <paul@sharkbay.wa.gov.au>
Subject: jetty by law

Hi Paul

I am happy with the currant by law of the Monkey Mia Jetty.

There is a couple of things that could be done.

Refuelling some people drain through a valve the fuel into their boats, this can take some time if the tide is high and the fuel does not flow fast.

I prepose that we allow 45 minutes for refuelling when the fuel is running through a valve to the boat, with no mechanical assistance.

Also if conditions result in a vessel having to use the end of the jetty to load or unload that it can do so in the quickest possible time.

This could come about when conditions are not favourable for one side of the jetty, a vessel is already berthed on the other,

In some cases we arrive at the jetty and cannot get on a side so we berth on the end unload then go straight to the mooring.

Regards

Greg



Monkey Mia Yacht Charters Pty Ltd , PO Box 46, Denham WA 6537

Local: 1800 030 427 **International:** +61 (8) 9948 1446 **Email:**
info@perfectnaturecruises.com.au
www.perfectnaturecruises.com.au



27 FEBRUARY 2019

RECEIVED

11 MAY 2018

SHIRE OF SHARK BAY



**MONKEY MIA
WILDSIGHTS**

Cruises, Tours, Walks, Talks, Limos & Stars

10th May 2018.

Mr. Paul Anderson,
CEO,
Shark Bay Shire Council,
Knight Terrace,
Denham. WA 6537

Raven Multihulls Pty Ltd
(ABN 62 010 881 562)

trading as Monkey Mia Wildsights

Monkey Mia Jetty proposed amendments to the Local Law

Previous disagreement between Jetty users regarding access to the jetty resulted in Local Laws being rewritten to define Jetty access rules. **Since the introduction of the current local laws, over 2 years ago, there has been no conflict between the users with regard to jetty access because of the jetty users interpretation of the Local Laws.** The only issue that has arisen was not as a result of a complaint by any user, but by the Shire administration's effort to prosecute alleged breaches that all of the users agreed were non-existent.

Mail to: PO Box 22,
Denham, WA 6537 Australia

Ph: (08) 99 481 481
Intnl: (61 8) 99 481 481
Fax: (08) 99 481 471
Intnl: (61 8) 99 481 471

Bookings
Freecall: 1800 241 481
Freefax: 1800 241 480

info@monkeymiawildsights.com.au

The users' interpretation was subsequently tested in the local Magistrate's Court and found to have merit, in that the Shire's prosecution of our Company for the deemed Local Law breaches alleged by the Shire failed and we were acquitted.

After 2 years, it shows that the users' interpretation is working and has enabled harmonious and safe usage. It therefore doesn't warrant change, in fact the opposite is the case, it should be supported. The users' interpretation, previously advised to the Shire, is repeated here:

- Unless there is signage to the contrary, a boat may moor to the jetty wherever it wants whenever no other vessel is tied to the jetty.
- The by-laws provide diagrams of situations in which a vessel is considered to obstruct another vessel's access to the jetty.
- If requested by a vessel intending to use the jetty, a vessel tied to the jetty, and potentially obstructing the other vessel's access as described in the diagrams, shall move so as to no longer create an obstruction to the section of the jetty where access is requested.
- A vessel potentially obstructing shall not be considered to be obstructing unless it is asked to move and fails to do so.

The Shire's proposed amendments to the current local laws for the jetty are that if a vessel remains tied to the jetty in such a manner as is **deemed** to be obstructing and although not



2000 British Airways
"Tourism for Tomorrow"
Awards (UK):
Highly Commended -
Australia Special Award

2001 Responsible
Tourism Showcase (USA):
Honouree for Australia
FACET Golden Guide Award
Finalist 2006

Western Australia
Tourism Awards -
Ecotourism:
Silver Medallist 2006
Finalist 2001 Finalist 2000



27 FEBRUARY 2019

asked to move, it will be obstructing, even if the approaching vessel has previously instructed the “obstructing” vessel that it does not require the vessel to move (which was the crux of the Shire’s aforementioned prosecution).

This situation is made possible through the device of “deeming”, which, in legalese, creates a “legal fiction” or “false truth”. Effectively it is an untruth. Because of this devious “false truth” a person can be prosecuted for having done something they, in the real world, actually didn’t do. That is they can be prosecuted by the Shire for a “deemed obstruction” when in fact no fellow jetty user considered an actual obstruction to exist (as happened to us).

To avoid prosecution of a “deemed” obstruction will impose the unnecessary inconvenience of having to needlessly move vessels that are, in the real world, actually not obstructing, but by moving may create an actual and greater obstruction in the position to where moved.

It is doubted that the present jetty users understand the ramifications of the use of the word “deem” in the Local Law. The proposed Local Law with its “false truth” would be completely misunderstood by any lay person using the jetty. A visiting boat will be a sitting duck. One should not need a lawyer to interpret the Local Law or be sent to the Court for arbitration/definition of the Local Law.

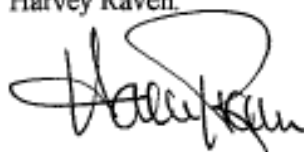
It is disappointing, that having taken the matter to court and having had a discussion with the CEO that the stakeholders be consulted before amending the Local Laws, that no consultation was done and, if alterations are to be made to the proposed Local Laws, that once again the Shire faces unnecessary procedure and expense. Especially since there are no grounds for introducing the deeming precedent, which will add unnecessary complication for jetty users.

The Local Law must speak clearly to everyone that reads it. It should say what is truthful and factual. Laws should be just, appropriate and equitable. It is neither just, appropriate nor equitable to apply the law, simply for the sake of being able to, when there has been no wrongdoing done to any person, except for the contravening of a law, which then permits the injustice of penalty to occur.

The purpose of the Local Law should be to acknowledge and confirm in plain, simple, everyday language, the basic maritime courtesy, that a vessel shall move, if asked by another vessel to provide reasonable access to, or egress from the jetty.

The following submission is intended to ensure that the Local Law contains no deeming provision and that it clearly states in simple terms the jetty users’ interpretation of the Local Laws presently in force. It is submitted in substitution of the relevant proposed Local Laws.

Thank you in advance for a positive response. Harvey Raven.



MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

From: James Hewitt <James.Hewitt@rac.com.au>
Sent: Thursday, 30 August 2018 11:57 AM
To: Paul Anderson <paul@sharkbay.wa.gov.au>
Cc: RAC Monkey Mia. Dolphin Resort <manager@racmonkeymia.com.au>; Dean Massie <Dean.Massie@rac.com.au>
Subject: RE: Monkey Mia

Hi Paul

Further to your invitation to the workshop on the jetty local laws, RAC Parks & Resorts position on this matter relates to the visitor experience of the dolphin interaction. Protecting and enhancing this is the key outcome we would like to see achieved in the use of the jetty. Whilst it is not our role to determine the specific controls on the jetty, we believe the following points would assist in achieving this outcome without unduly compromising other activities the jetty services.

- No boats to have access to the western side of the jetty during morning dolphin interaction times.
- Tour boats to have access to jetty ½ hour prior to scheduled wildlife /boat tours (This is for loading of the tour guests and time for their safety briefs).
- Tour boats to operate at different times to allow for the above procedure. Boats then return to their moorings after they return from tours and the unloading of guests.
- Servicing (Refuelling, stocking, repairs/maintenance) should be conducted in the afternoons to avoid the dolphin interaction experience and reduce risk to the dolphin particularly refuelling.
- No Touting/soliciting on the jetty or beach area in front of jetty
- Boats to be cleaned at their moorings.
- Dolphin viewing to be encouraged from jetty
- Consideration be given to not stirring the mud during low tides and affected the dolphin interaction experience.

Regards
James



James Hewitt

General Manager Strategy & Development
RAC Parks & Resorts

Royal Automobile Club of WA (Inc.)
832 Wellington Street, West Perth, WA 6005
T 08 9436 4765 M 0403 125 137
E james.hewitt@rac.com.au

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

From: Mark Smith <mark_smith_690@outlook.com>
Sent: Friday, 31 August 2018 10:10 AM
To: Paul Anderson <paul@sharkbay.wa.gov.au>
Subject: Stakeholders Workshop Mark Smith 30 Aug 18

Hi Paul,

Thanks for last night's workshop, great to get a better understand of the commercial jetty use and laws.

Listed the items below as discussed and request, please let me know if I've missed anything.

1. Remove the 6am to 6pm to allow for the unload of fresh produce to meet market time frames and allow truck and couriers to pick up goods. Also to reduce the possible damage to fish during the heat of summer.
2. Consider lighting the end of the Jetty. Maybe worth looking into Maritime Requirement for unmarked objects and collusion regulation. Solar would be a good option.
3. Introduce a Code of Conduct or a new section to the section 7.5 that allows vessel capable of entering and exiting the jetty when another vessel is deemed to be obstructing without the obstructing vessel being fined.
4. 7.7 (3) allows the unloading of cargo beyond the 2 hour docking. Can it be worded differently to show this.

Cheers Mark Smith

27 FEBRUARY 2019

12.0 FINANCE REPORT

12.1 SCHEDULE OF ACCOUNTS PAID TO BE RECEIVED
CM00017

Author

Finance Officer / Accounts Payable

Disclosure of any Interest

Declaration of Interest:

Nature of Interest:

Moved Cr Burton

Seconded Cr Cowell

Council Resolution

That the cheques and electronic payments as per the attached schedules of accounts for payment totalling \$960,494.60 be accepted.

6/0 CARRIED

Comment

The schedules of accounts for payment covering -
Municipal fund credit card direct debits for the months of November, December 2018 and January 2019 of totalling \$8,304.15

Municipal fund account cheque numbers 26892 to 26895 totalling \$7,089.42

Municipal fund direct debits to Council for the month of December 2018 and January 2019 totalling \$45,611.64

Municipal fund account electronic payment numbers MUNI 24331 to 24365, 24371 to 24438 and 24471 to 24546 totalling \$586,669.52

Municipal fund account for December 2018 and January 2019 payroll totalling \$213,742.34

No Trust fund account cheque numbers were issued for December 2018 and January 2019 totalling \$0

Trust fund Police Licensing for December 2018 and January 2019 transaction numbers 181906 and 181907 totalling \$31,291.30 and

Trust fund account electronic payment numbers 24366 to 24370, 24439 to 24470 and 24547 to 24571 totalling \$67,786.23

The schedule of accounts submitted to each member of Council on 22 February 2019 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.

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

LEGAL IMPLICATIONS

Section 13.3 of the Local Government (Financial Management) Regulations 1996, requires that a list of payments be presented to Council on a monthly basis.

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

The payments listed have been disbursed throughout the month.

STRATEGIC IMPLICATIONS

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

RISK MANAGEMENT

These payments have been paid and are subject to internal checks and appraisals and therefore are considered a low risk to council.

Voting Requirements

Simple Majority Required

Signature

Author

A Pears

Chief Executive Officer

P Anderson

Date of Report

12 February 2019

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

**SHIRE OF SHARK BAY – CREDIT CARD
PERIOD - DECEMBER 2018 AND JANUARY 2019**

CREDIT CARD TOTAL \$8,304.15

CEO

DATE	NAME	DESCRIPTION	AMOUNT
28/11/18	CABS ON CALL	TAXI EXMOUTH – WALGA MEETING, CEO AND COUNCILLORS	50.00
28/11/18	CABS ON CALL	TAXI EXMOUTH – WALGA MEETING, CEO AND COUNCILLORS	50.00
3/12/18	*BUY DIRECTION	OFFICE DESK EMFA	429.00
11/12/18	SHARK BAY BOWLING CLUB	CHRISTMAS FUNCTION REFRESHMENTS FOR COUNCILLORS AND STAFF, PO 7993	1714.90
13/12/18	REX	AIRFARE – CDO POSITION INTERVIEW, PO 8016	454.09
13/12/18	REX	AIRFARE – CDO POSITION INTERVIEW, PO 8014	544.03
			\$3,242.02

EMFA

DATE	NAME	DESCRIPTION	AMOUNT
22/11/18	SCINTEX EAGLE FARM	LAWN DRUM SPIKE AERATOR – DEPOT, PO 7933	1232.69
26/11/18	REX	AIRFARE C.COWELL – WALGA STATE COUNCIL MEETING, PO 7972	590.66
26/11/18	DWER – WATER	REFUSE SITE CLEARING PERMIT, PO 7966	200.00
22/12/2018	WINDMILL ROADHOUSE	FUEL EMFA VEHICLE - P170	56.46
24/12/2018	EXETEL PTY LTD	PHONE LINE CREDIT CHECK – TO BE REFUNDED	1.00
3/1/2019	EXETEL PTY LTD	OFFICE BROADBAND MODEM FOR NBN	79.00
6/1/2019	BILLABONG ROADHOUSE	FUEL EMFA VEHICLE – P170	54.05
			\$2,213.86

EMCD

DATE	NAME	DESCRIPTION	AMOUNT
20/11/18	DROP BOX	SUBSCRIPTION FOR CLOUD STORAGE	152.90
		FOREIGN TRANSACTION FEE	4.51
26/11/18	PAYPAL CATCH OF THE DAY	SMARTPHONE FOR SBDC COORDINATOR AND CDO, PO 7974	578.00
26/11/18	PAYPAL *RAJIBKAISER	SMARTPHONE COVERS FOR MOBILES, PO 7974	25.98
27/11/18	SPOTLIGHT	TIES FOR CURTAINS AT HALL / THEATRE UPGRADE	10.00
10/12/18	VEND LTD	POS FOR SBDC – INITIAL STARTUP FEE, PO 8008	269.00
10/12/18	VEND LTD	POS FOR SBDC – 1 YEAR LICENCE	1428.00
13/12/2018	EZI*MEGA SUPPLIES	OFFICE SBDC DYMO LABELS REFUND – PO 8042	-157.50

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

18/12/2018	PAYPAL VEND	SBDC – VEND SYSTEM UPGRADE – PO 8038	348.87
19/12/2018	EZI*MEGA OFFICE SUPPLIES	SBDC REPLACEMENT DYMO PRINTER AND LABELS – PO 8042	188.51
			\$2,848.27

**SHIRE OF SHARK BAY – MUNI CHQ
DECEMBER 2018 AND JANUARY 2019**

CHEQUE # 26892-26895

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
26892	10/12/2018	WATER CORPORATION - OSBORNE PARK	WATER CHARGES PENSIONER UNITS	-6120.06
26893	13/12/2018	SHIRE OF SHARK BAY - MUNI ACCOUNT	P176 REGISTRATION TILL 30 JUNE 2019	-199.30
26894	17/01/2019	DEPARTMENT OF TRANSPORT	COMMERCIAL RENEWAL FEE MONKEY MIA JETTY - JETTY NUMBER 4119	-707.75
26895	25/01/2019	WATER CORPORATION - OSBORNE PARK	WATER SERVICE CHARGE TOILETS AT KNIGHT TERRACE	-62.31
			TOTAL	\$7,089.42

**SHIRE OF SHARK BAY – DIRECT DEBITS
DECEMBER 2018 AND JANUARY 2019**

DD #	DATE	NAME	DESCRIPTION	AMOUNT
DD14718.1	09/12/2018	WA LOCAL GOV SUPERANNUATION PLAN PTY LTD	PAYROLL DEDUCTIONS	-3235.60
DD14718.2	09/12/2018	MACQUARIE SUPER ACCUMULATOR	PAYROLL DEDUCTIONS	-422.66
DD14718.3	09/12/2018	PRIME SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-248.69
DD14718.4	09/12/2018	AMP SUPERANNUATION	PAYROLL DEDUCTIONS	-415.01
DD14718.5	09/12/2018	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	-208.08
DD14718.6	09/12/2018	SUN SUPERANNUATION	PAYROLL DEDUCTIONS	-394.27
DD14718.7	09/12/2018	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-380.38

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

DD #	DATE	NAME	DESCRIPTION	AMOUNT
DD14718.8	09/12/2018	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	-1127.74
DD14718.9	09/12/2018	HOSTPLUS PTY LTD	PAYROLL DEDUCTIONS	-622.19
DD14734.1	23/12/2018	WA LOCAL GOV SUPERANNUATION PLAN PTY LTD	PAYROLL DEDUCTIONS	-3303.57
DD14734.2	23/12/2018	MACQUARIE SUPER ACCUMULATOR	PAYROLL DEDUCTIONS	-422.65
DD14734.3	23/12/2018	PRIME SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-248.68
DD14734.4	23/12/2018	AMP SUPERANNUATION	PAYROLL DEDUCTIONS	-415.01
DD14734.5	23/12/2018	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	-208.08
DD14734.6	23/12/2018	SUN SUPERANNUATION	PAYROLL DEDUCTIONS	-394.27
DD14734.7	23/12/2018	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-380.38
DD14734.8	23/12/2018	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	-1127.74
DD14734.9	23/12/2018	HOSTPLUS PTY LTD	PAYROLL DEDUCTIONS	-607.74
DD14738.1	21/12/2018	VIVA ENERGY AUSTRALIA	VIVA FUEL ACCOUNT NOVEMBER 2018	-228.40
DD14718.10	09/12/2018	GUILD SUPER	SUPERANNUATION CONTRIBUTIONS	-415.57
DD14718.11	09/12/2018	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	-1301.61
DD14718.12	09/12/2018	AMP SUPERLEADER	SUPERANNUATION CONTRIBUTIONS	-138.83
DD14718.13	09/12/2018	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	-374.80
DD14718.14	09/12/2018	WESTPAC SECURITIES ADMINISTRATION LTD	SUPERANNUATION CONTRIBUTIONS	-208.08
DD14734.10	23/12/2018	GUILD SUPER	SUPERANNUATION CONTRIBUTIONS	-415.65
DD14734.11	23/12/2018	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	-1301.61
DD14734.12	23/12/2018	AMP SUPERLEADER	SUPERANNUATION CONTRIBUTIONS	-138.83
DD14734.13	23/12/2018	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	-371.21
DD14734.14	23/12/2018	WESTPAC SECURITIES ADMINISTRATION LTD	SUPERANNUATION CONTRIBUTIONS	-208.09
DD14755.1	06/01/2019	WA LOCAL GOV SUPERANNUATION PLAN PTY LTD	PAYROLL DEDUCTIONS	-3304.39
DD14755.2	06/01/2019	MACQUARIE SUPER ACCUMULATOR	PAYROLL DEDUCTIONS	-422.67
DD14755.3	06/01/2019	PRIME SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-248.68
DD14755.4	06/01/2019	AMP SUPERANNUATION	PAYROLL DEDUCTIONS	-415.01
DD14755.5	06/01/2019	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	-208.08

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

DD #	DATE	NAME	DESCRIPTION	AMOUNT
DD14755.6	06/01/2019	SUN SUPERANNUATION	PAYROLL DEDUCTIONS	-394.27
DD14755.7	06/01/2019	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-380.38
DD14755.8	06/01/2019	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	-917.86
DD14755.9	06/01/2019	GUILD SUPER	SUPERANNUATION CONTRIBUTIONS	-415.65
DD14771.1	20/01/2019	WA LOCAL GOV SUPERANNUATION PLAN PTY LTD	PAYROLL DEDUCTIONS	-3407.35
DD14771.2	20/01/2019	MACQUARIE SUPER ACCUMULATOR	PAYROLL DEDUCTIONS	-422.66
DD14771.3	20/01/2019	PRIME SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-248.68
DD14771.4	20/01/2019	AMP SUPERANNUATION	PAYROLL DEDUCTIONS	-415.01
DD14771.5	20/01/2019	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	-208.08
DD14771.6	20/01/2019	SUN SUPERANNUATION	PAYROLL DEDUCTIONS	-403.88
DD14771.7	20/01/2019	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-380.38
DD14771.8	20/01/2019	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	-1148.06
DD14771.9	20/01/2019	AUSTRALIAN SUPER	PAYROLL DEDUCTIONS	-1692.75
DD14780.1	29/01/2019	EXETEL PTY LTD	NBN MODEM DELIVERY - 5 SPAVEN WAY - EXETEL 411623	-20.00
DD14755.10	06/01/2019	HOSTPLUS PTY LTD	SUPERANNUATION CONTRIBUTIONS	-590.21
DD14755.11	06/01/2019	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	-1316.87
DD14755.12	06/01/2019	AMP SUPERLEADER	SUPERANNUATION CONTRIBUTIONS	-138.83
DD14755.13	06/01/2019	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	-368.34
DD14755.14	06/01/2019	WESTPAC SECURITIES ADMINISTRATION LTD	SUPERANNUATION CONTRIBUTIONS	-208.08
DD14771.10	20/01/2019	GUILD SUPER	SUPERANNUATION CONTRIBUTIONS	-415.65
DD14771.11	20/01/2019	HOSTPLUS PTY LTD	SUPERANNUATION CONTRIBUTIONS	-582.59
DD14771.12	20/01/2019	AMP SUPERLEADER	SUPERANNUATION CONTRIBUTIONS	-88.35
DD14771.13	20/01/2019	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	-355.64
DD14771.14	20/01/2019	WESTPAC SECURITIES ADMINISTRATION LTD	SUPERANNUATION CONTRIBUTIONS	-255.58
			TOTAL	\$45,611.64

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

**SHIRE OF SHARK BAY – MUNI EFT
DECEMBER 2018 AND JANUARY 2019
EFT 24331-24365, 24371-24438, 24471-24546**

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT24331	07/12/2018	ATC MIDWEST APPRENTICE & TRAINEESHIP	TRAINEE WAGES THOMAS MORONEY WEEK 26 NOVEMBER	-112.73
EFT24332	07/12/2018	CDH ELECTRICAL	REFIT OF MIRROR BALL IN COMMUNITY HALL	-297.00
EFT24333	07/12/2018	GEORGE LIVESEY	SBDC MERCHANDISE	-60.00
EFT24334	07/12/2018	ILLION SOLUTIONS	COMMISSION ON COLLECTIONS - RATES	-7.15
EFT24335	07/12/2018	LANDGATE (WA LAND INFORMATION AUTHORITY)	GRV VALUATION NOVEMBER 2018	-66.50
EFT24336	07/12/2018	MARKET FORCE ADVERTISING	ADVERTISEMENT FOR CDO POSITION	-849.00
EFT24337	07/12/2018	MCLEODS BARRISTERS AND SOLICITORS	AQUACULTURE LEASE MONKEY MIA	-324.61
EFT24338	07/12/2018	PROFESSIONAL PC SUPPORT	PC SUPPORT - EMCD LAPTOP ERROR	-154.00
EFT24339	07/12/2018	LYONS ENTERPRISES-SHARK BAY CAR HIRE	CAR HIRE NOVEMBER 2018 CARNARVON MEDICAL STAFF	-795.00
EFT24340	07/12/2018	WINC AUSTRALIA PTY LIMITED	OFFICE STATIONERY	-5.14
EFT24341	07/12/2018	SHARK BAY CAFE	REFRESHMENTS AND LUNCH LOCAL EMERGENCY MANAGEMENT ADVISORY COMMITTEE MEETING 22 NOVEMBER AND DEPARTMENT OF TRANSPORT AND REX MEETING 15 NOVEMBER 2018	-1162.50
EFT24342	07/12/2018	SHARK BAY COMMUNITY RESOURCE CENTRE	NOVEMBER MANAGEMENT OF RECREATION CENTRE	-3862.00
EFT24343	07/12/2018	TELSTRA CORPORATION LTD	1300 PHONE CHARGES SBDC	-28.62
EFT24344	07/12/2018	TELEMALL AUDIO COMMUNICATIONS	SBDC MESSAGES ON HOLD DECEMBER TO FEBRUARY 2019	-366.30
EFT24345	07/12/2018	TOWN PLANNING INNOVATIONS	GENERAL PLANNING SERVICES NOVEMBER 2018	-3176.25
EFT24346	07/12/2018	TPG TELECOM PTY LTD	SBDC INTERNET CHARGES	-108.90
EFT24347	10/12/2018	AIR LIQUIDE	RENTAL OF CYLINDERS DEPOT	-134.68

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT24348	10/12/2018	AUSQ TRAINING	12 X BASIC WORKSITE TRAFFIC MANAGEMENT & TRAFFIC CONTROLLER TRAINING DEPOT STAFF	-4520.00
EFT24349	10/12/2018	BUNNINGS BUILDING SUPPLIES PTY LTD	PARTS FOR MAINTENANCE OF SHIRE PARKS AND GARDENS	-217.50
EFT24350	10/12/2018	BOC LIMITED	CONTAINER RENTAL DEPOT	-124.25
EFT24351	10/12/2018	BLACKWOODS ATKINS	DEPOT SAFETY GLOVES AND WORKSHOP CONSUMABLES	-122.47
EFT24352	10/12/2018	D-TRANS	P151 TETTERBOARD PIN	-457.60
EFT24353	10/12/2018	SHARK BAY SUPERMARKET	SHIRE MONTHLY ACCOUNT – NOVEMBER 2018	-210.46
EFT24354	10/12/2018	GERALDTON HYDRAULICS	P175, P178 AND P133 HYDRAULIC PARTS	-1331.11
EFT24355	10/12/2018	GERALDTON MOWER & REPAIRS SPECIALISTS	PP076 AIR FILTER	-85.80
EFT24356	10/12/2018	J & T FREIGHT	FREIGHT – PURCHER INTERNATIONAL – PARTS FOR P146	-38.60
EFT24357	10/12/2018	OUTBACK COAST AUTOMOTIVES AND RADIATORS	PRIVATE WORKS – JINKER HIRE SHOTOVER – DROP OFF BOW BEAM	-220.00
EFT24358	10/12/2018	PURCHER INTERNATIONAL PTY LTD	P146 FILTER	-84.29
EFT24359	10/12/2018	PATHTECH PTY LTD	SERVICE & CALIBRATION OF INTOXIMETER ALCO-SENSOR	-132.00
EFT24360	10/12/2018	PAULS TYRES	P156 GRADER TYRE REPAIR	-302.50
EFT24361	10/12/2018	SHARK BAY MECHANICAL & TOWING SERVICES	P182 BEARING SETS, PP059 FAN BELT, P161 DUST CAP, PP076 DRIVE BELT	-157.50
EFT24362	10/12/2018	SHARK BAY CLEANING SERVICE	NOVEMBER CLEANING SHIRE PROPERTIES	-20587.04
EFT24363	10/12/2018	SHARK BAY SKIPS	MAIN ROADS PICK UP SKIP BINS	-4092.00
EFT24364	10/12/2018	MCKELL FAMILY TRUST	MONTHLY-RUBBISH COLLECTION AND STREET SWEEPING	-11366.28
EFT24365	10/12/2018	SUNNY INDUSTRIAL BRUSHWARE	P161 WIDE ROAD BROOM	-836.00
EFT24371	13/12/2018	ART FOCUS	SBDC MERCHANDISE	-262.50
EFT24372	13/12/2018	AUSTRALIA POST	SHIRE POSTAGE NOVEMBER 2018	-175.16
EFT24373	13/12/2018	BILL ROSS	DOG STERILISATION REFUND	-30.00
EFT24374	13/12/2018	DIRK HARTOG ISLAND TOURS AND ECO LODGE	SBDC MERCHANDISE	-400.00
EFT24375	13/12/2018	EMU TRACKS	SBDC MERCHANDISE	-134.70

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT24376	13/12/2018	THE MURRAY HOTEL	ACCOMMODATION CHERYL COWELL - WALGA STATE COUNCIL 4-6 DECEMBER 2018	-278.00
EFT24377	13/12/2018	MURRAY VIEWS	SBDC MERCHANDISE	-675.18
EFT24378	13/12/2018	DENHAM NATURETIME - 4WD TOURS/PHOTOGRAPHY TOURS	SBDC MERCHANDISE	-385.00
EFT24379	13/12/2018	WINC AUSTRALIA PTY LIMITED	SHIRE OFFICE MONTHLY MAINTENANCE AGREEMENT NOVEMBER 2018	-564.64
EFT24380	13/12/2018	SHARK BAY BOWLING, SPORT AND RECREATION CLUB INC.	SHIRE CHRISTMAS PARTY CATERING FOR STAFF AND COUNCILLORS	-3040.00
EFT24381	13/12/2018	SHARK BAY TOURISM ASSOCIATION	SHARK BAY BUSINESS ASSOCIATION HOLIDAY PLANNER ADVERTISING 2019	-1350.00
EFT24382	13/12/2018	TELSTRA CORPORATION LTD	MOBILE PHONE CHARGES, CDO AND REFUSE SITE	-50.00
EFT24383	13/12/2018	VISIT MERCHANDISE	SBDC MERCHANDISE	-274.12
EFT24384	13/12/2018	WA MUSEUM	SBDC MERCHANDISE	-83.79
EFT24385	14/12/2018	BUNNINGS BUILDING SUPPLIES PTY LTD	SHIRE PARKS AND GARDENS PARTS	-47.20
EFT24386	14/12/2018	CL & JE COXHEAD PLUMBING	PLUMBING REPAIRS SHIRE PUBLIC CONVENIENCES, RESEATING TAP IN PENSIONER UNIT 9	-401.50
EFT24387	14/12/2018	DENHAM IGA X-PRESS	SHIRE MONTHLY ACCOUNT – NOVEMBER 2018	-350.81
EFT24388	14/12/2018	SHARK BAY FUEL FISHING AND CAMPING CENTRE	SHIRE MONTHLY ACCOUNT – NOVEMBER 2018	-180.19
EFT24389	14/12/2018	GCM AGENCIES PTY LTD	SUPPLY ONE NEW MULTIPAC HYDROSTATIC MULTI TYRED ROLLER INCLUDING DELIVERY AS PER THE SUBMITTED QUOTE: REFERENCE NUMBER VP114464	-151800.00
EFT24390	14/12/2018	REFUEL AUSTRALIA (formerly GERALDTON FUEL COMPANY)	BULK FUEL 9900 LITRES, FUEL FOR P176 AND P186	-15126.71
EFT24391	14/12/2018	THINK WATER GERALDTON	PARTS FOR PARKS AND GARDENS	-33.40
EFT24392	14/12/2018	TOLL IPEC PTY LTD	FREIGHT - SUN CITY BATTERIES	-151.65
EFT24393	14/12/2018	J & T FREIGHT	FREIGHT - GERALDTON HYDRAULICS AND SUN CITY BATTERIES	-156.92
EFT24394	14/12/2018	TRUE VALUE HARDWARE	SHIRE MONTHLY ACCOUNT – NOVEMBER 2018	-451.20

MINUTES OF THE ORDINARY COUNCIL MEETING

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CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT24395	14/12/2018	OUTBACK COAST AUTOMOTIVES AND RADIATORS	P171 OIL	-145.00
EFT24396	14/12/2018	TRUCKLINE PARTS CENTRE	P151, P134 AND P146 PARTS	-1291.11
EFT24397	14/12/2018	WELLARD CONTRACTING & PLANT HIRE SERVICE	LABOUR HIRE FOR SHARK BAY ROAD SHOULDER MAINTENANCE - PRIVATE WORKS	-10395.00
EFT24398	14/12/2018	WOODLANDS DISTRIBUTORS AND AGENCIES PTY LTD	DOG TIDY DISPENSER BAGS	-653.40
EFT24399	19/12/2018	AUSTRALIAN TAXATION OFFICE	PAYROLL DEDUCTIONS	-34818.00
EFT24400	20/12/2018	LAURENCE JAMES MICHAEL BELLOTTIE	JAN-MAR 2019 QUARTERLY ALLOWANCE PAYMENTS	-1954.00
EFT24401	20/12/2018	CHERYL LORRAINE COWELL	JAN-MAR 2019 QUARTERLY ALLOWANCE PAYMENTS	-6446.00
EFT24402	20/12/2018	EDMUND GEORGE FENNY	JAN-MAR 2019 QUARTERLY ALLOWANCE PAYMENTS	-1954.00
EFT24403	20/12/2018	JAMIE BURTON	JAN-MAR 2019 QUARTERLY ALLOWANCE PAYMENTS	-1954.00
EFT24404	20/12/2018	KEITH MICHAEL CAPEWELL	JAN-MAR 2019 QUARTERLY ALLOWANCE PAYMENTS	-1954.00
EFT24405	20/12/2018	KEVIN LAUNDRY	JAN-MAR 2019 QUARTERLY ALLOWANCE PAYMENTS	-2702.75
EFT24406	20/12/2018	GREGORY LEON RIDGLEY	JAN-MAR 2019 QUARTERLY ALLOWANCE PAYMENTS	-1954.00
EFT24407	21/12/2018	ATC MIDWEST APPRENTICE & TRAINEESHIP	TRAINEE WAGES - THOMAS MORONEY WEEK 3 DECEMBER 2018	-225.46
EFT24408	21/12/2018	BOOKEASY AUSTRALIA PTY LTD	COMMISSION NOVEMBER 2018	-395.28
EFT24409	21/12/2018	BRIAN JOHN GALVIN	SALARY SACRIFICE REIMBURSEMENT WATER AND ELECTRICITY	-687.14
EFT24410	21/12/2018	BRIDGESTONE SERVICE CENTRE	P187 ROLLER TYRES	-1291.00
EFT24411	21/12/2018	CHUBB FIRE & SECURITY LTD	SBDC SECURITY MONITORING JANUARY TO MARCH 2019	-139.67
EFT24412	21/12/2018	CL & JE COXHEAD PLUMBING	REPLACE TWO TOILETS AND GENERAL PLUMBING MAINTENANCE 5 SPAVEN WAY AND FIX LEAK AT UNIT 5 PENSIONER UNITS	-1090.10
EFT24413	21/12/2018	CDH ELECTRICAL	PP059 FULL REGAS AIRCON UNIT	-220.00
EFT24414	21/12/2018	DIGGA WEST & EARTHPARTS WA	P161 HYDRAULIC MOTOR REPAIRS	-1087.35
EFT24415	21/12/2018	FAR WEST ELECTRICAL	SUPPLY AND INSTALL TV AERIAL AT PENSIONER UNIT 11	-674.61
EFT24416	21/12/2018	GERALDTON HYDRAULICS	P163 HYDRAULIC HOSE	-69.08
EFT24417	21/12/2018	HORIZON POWER	ELECTRICITY SHIRE PREMISES NOVEMBER 2018	-7378.73
EFT24418	21/12/2018	IMPART MEDIA PTY LTD	SBDC WEBSITE CONTENT UPDATE	-673.20

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT24419	21/12/2018	TOLL IPEC PTY LTD	FREIGHT – PROFESSIONAL PC SUPPORT, SUNNY INDUSTRIAL AND LIBRARY	-251.71
EFT24420	21/12/2018	J & T FREIGHT	FREIGHT - WINC, SCINTEX, TRUCKLIN AND OFFICE NATIONAL	-257.70
EFT24421	21/12/2018	JASON SIGNMAKERS	SIGNS FOR TOWN STREETS AND USELESS LOOP ROAD	-1942.82
EFT24422	21/12/2018	JOANNA YORKE	REIMBURSE CHRISTMAS DECORATIONS	-60.30
EFT24423	21/12/2018	KICK SOLUTIONS	HMAS SYDNEY BANNERS	-885.00
EFT24424	21/12/2018	LANDGATE (WA LAND INFORMATION AUTHORITY)	SLIP SUBSCRIPTION ANNUAL CHARGE	-2273.00
EFT24425	21/12/2018	MIDWEST FIRE PROTECTION SERVICE	DECEMBER QUARTERLY ALARM SBDC	-1809.28
EFT24426	21/12/2018	MIDWEST MOWERS & SMALL ENGINES	PP076 PARTS	-66.10
EFT24427	21/12/2018	PEST-A-KILL	SPIDER TREATMENT - PENSIONER UNITS	-4496.80
EFT24428	21/12/2018	POS'99 PTY LTD	SBDC POS SCANNER	-370.95
EFT24429	21/12/2018	PICTON PRESS	SHARK BAY STREET MAPS FOR SBDC	-703.38
EFT24430	21/12/2018	PROFESSIONAL PC SUPPORT	PPS AGENT AND ANTIVIRUS AGREEMENT JANUARY 2019	-533.50
EFT24431	21/12/2018	PAINT N QUIP	SHIRE STREET MAINTENANCE - LINE MARKING PAINT FOR DISABLED BAYS	-187.00
EFT24432	21/12/2018	PAULS TYRES	REPAIR TYRES FOR SHIRE VEHICLES, P155, P147, P187	-880.00
EFT24433	21/12/2018	G & J ROBINS	SHIRE SENIORS CHRISTMAS PARTY REIMBURSEMENT	-802.59
EFT24434	21/12/2018	SHARK BAY NEWSAGENCY	SHIRE PRINTING PAPER AND NEWSPAPERS	-556.78
EFT24435	21/12/2018	SHARK BAY SKIPS	MAIN ROADS, USELESS LOOP AND DOT SKIP BIN EMPTY	-4092.00
EFT24436	21/12/2018	TELSTRA CORPORATION LTD	SHIRE GROUP OFFICE AND MOBILE MONTHLY CHARGES	-1910.48
EFT24437	21/12/2018	THE TELECOM SHOP PTY LTD	NEW CONFERENCE PHONE AND CORDLESS PHONE	-991.80
EFT24438	21/12/2018	WEST COAST FASTENERS P/L	P151 PARTS	-27.12
EFT24471	10/01/2019	ASM ECLIPSE PTY LTD	SBDC MERCHANDISE	-1812.00
EFT24472	10/01/2019	AIR LIQUIDE	MONTHLY RENTAL OF CYLINDERS FOR DEPOT	-67.34
EFT24473	10/01/2019	ATC MIDWEST APPRENTICE & TRAINEESHIP	TRAINEE WAGES THOMAS MORONEY WEEK BEGINNING 10 DECEMBER 2018	-112.73

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT24474	10/01/2019	BUNNINGS BUILDING SUPPLIES PTY LTD	PARTS FOR PENSIONER UNIT DOOR MAINTENANCE AND TWO TAPS AND CHROME BASIN SET FOR 51 DURLACHER STREET DENHAM	-204.73
EFT24475	10/01/2019	BOC LIMITED	CONTAINER RENTAL FOR WORKSHOP	-260.44
EFT24476	10/01/2019	BURTON TILING MAINTENANCE & RENOVATIONS	16B SUNTER PLACE VERTICAL BLINDS X 3	-490.60
EFT24477	10/01/2019	CONTROLLED IRRIGATION SUPPLIES AUSTRALIA	PARTS FOR MAINTENANCE OF TOWN OVAL SPRINKLERS	-2585.63
EFT24478	10/01/2019	DENHAM IGA X-PRESS	SHIRE MONTHLY ACCOUNT - DECEMBER 2018	-391.34
EFT24479	10/01/2019	GASCOYNE OFFICE EQUIPMENT	SBDC PRINTER CARTRIDGES	-770.00
EFT24480	10/01/2019	REFUEL AUSTRALIA (formerly GERALDTON FUEL COMPANY)	BULK FUEL FOR DEPOT AND BULK GREASE FOR WORKSHOP	-10102.10
EFT24481	10/01/2019	GERRARD HYDRAULICS	P175 JINKER TRAILER HYDRAULICS UPGRADE	-23658.20
EFT24482	10/01/2019	HITACHI CONSTRUCTION MACHINERY (AUST) PTY LTD	P156 MIRROR	-224.70
EFT24483	10/01/2019	HORIZON POWER	STREET LIGHTING NOVEMBER AND DECEMBER 2018	-6702.09
EFT24484	10/01/2019	HAMELIN POOL CARAVAN PARK AND TOURIST CENTRE	ACCOMMODATION WORKS CREW - PRIVATE WORKS SHARK BAY ROAD SHOULDER MAINTENANCE	-4960.00
EFT24485	10/01/2019	ILLION SOLUTIONS	COMMISSION ON RATES COLLECTION	-5.50
EFT24486	10/01/2019	JOANNA YORKE	REIMBURSEMENT FOR OFFICE CONSUMABLES	-6.13
EFT24487	10/01/2019	LINDA BUTTERLY	REIMBURSEMENT FOR OFFICE CONSUMABLES	-22.32
EFT24488	10/01/2019	MARKET FORCE ADVERTISING LTD	ADVERTISING COUNCIL DATES	-190.53
EFT24489	10/01/2019	MICHAEL JOHN ANDERSON	REIMBURSEMENT FOR SOCKET - WORKSHOP	-19.35
EFT24490	10/01/2019	MOORE STEPHENS	FINAL PAYMENT FOR AUDIT - YEAR ENDING 30 JUNE 2018	-3025.00
EFT24491	10/01/2019	DENHAM NATURETIME - 4WD TOURS/PHOTOGRAPHY TOURS	SBDC MERCHANDISE	-175.00
EFT24492	10/01/2019	PATRICA ANDREW	SBDC MERCHANDISE	-300.00
EFT24493	10/01/2019	LYONS ENTERPRISES-SHARK BAY CAR HIRE	DECEMBER CAR HIRE MEDICAL STAFF	-795.54

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT24494	10/01/2019	WINC AUSTRALIA PTY LIMITED	REPLACEMENT FILES, LABELS AND FASTNERS FOR DAMAGED FILING ROOM FILES (INSURANCE CLAIM) AND OFFICE STATIONERY AND PRINTER CARTRIDGES	-4456.63
EFT24495	10/01/2019	SHARK BAY CAFE	COUNCIL MEETING REFRESHMENTS	-150.00
EFT24496	10/01/2019	SHARK BAY CLEANING SERVICE	DECEMBER CLEANING SHIRE PROPERTIES	-20587.04
EFT24497	10/01/2019	SHARK BAY SKIPS	SKIP BIN HIRE MAIN ROADS AND PARKS & WILDLIFE	-3289.00
EFT24498	10/01/2019	MCKELL FAMILY TRUST	MONTHLY SHIRE RUBBISH COLLECTION AND STREET SWEEPING – DECEMBER 2018	-11470.60
EFT24499	10/01/2019	SCIENCE AND NATURE PTY LTD	SBDC MERCHANDISE	-142.56
EFT24500	10/01/2019	STEVE'S TRANSPORTABLES	50% DEPOSIT FOR DEPOT TRANSPORTABLE OFFICE BUILDING	-66427.46
EFT24501	10/01/2019	TELSTRA CORPORATION LTD	SHIRE GROUP PLAN PHONES DECEMBER 2018	-1620.85
EFT24502	10/01/2019	TRUCKLINE PARTS CENTRE	P155 AMD P151 SPRING PACKS	-1114.30
EFT24503	10/01/2019	TOWN PLANNING INNOVATIONS	GENERAL PLANNING SERVICES DECEMBER 2018	-1732.50
EFT24504	10/01/2019	VANGUARD PRESS	SBDC BROCHURES	-522.50
EFT24505	10/01/2019	WELLARD CONTRACTING & PLANT HIRE SERVICE	LABOUR HIRE PRIVATE WORKS SHARK BAY ROAD	-858.00
EFT24506	10/01/2019	WATER TECHNOLOGY	DENHAM TOWNSITE COASTAL HAZARD RISK MANAGEMENT AND ADAPTATION PLAN PROFESSIONAL SERVICES TO NOVEMBER 2018	-6971.76
EFT24507	16/01/2019	AUSTRALIAN TAXATION OFFICE	PAYROLL DEDUCTIONS	-12248.00
EFT24508	17/01/2019	P.G & S. J WOOD	SHIRE OFFICE PHONELINE IDENTIFICATION AND LOCATION MAINTENANCE	-100.00
EFT24509	17/01/2019	AUSTRALIA POST	SHIRE OF SHARK BAY DECEMBER POSTAGE COSTS	-129.59
EFT24510	17/01/2019	BATAVIA COAST TRIMMERS	SHADE SAIL REPAIR FOR TOWN OVAL	-605.00
EFT24511	17/01/2019	BOOKEASY AUSTRALIA PTY LTD	COMMISSION FOR DECEMBER 2018 SBDC BOOKINGS	-653.14
EFT24512	17/01/2019	CL & JE COXHEAD PLUMBING	PENSIONER UNIT 5 MAINTENANCE	-542.30
EFT24513	17/01/2019	EMMA ELAINE CRAIG	SALARY SACRIFICE - UTILITIES POWER AND WATER	-1336.34
EFT24514	17/01/2019	SHARK BAY SUPERMARKET	SHIRE MONTHLY ACCOUNT - DECEMBER 2018	-66.25
EFT24515	17/01/2019	FAR WEST ELECTRICAL	LIGHT MAINTENANCE AT SHIRE OFFICE AND 16B SUNTER PLACE OVEN CONNECTION	-561.00
EFT24516	17/01/2019	HORIZON POWER	ELECTRICITY SES AND ST JOHN AMBULANCE	-504.65

MINUTES OF THE ORDINARY COUNCIL MEETING

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CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT24517	17/01/2019	HERITAGE RESORT	ACCOMMODATION FOR CDO POSITION INTERVIEW	-162.00
EFT24518	17/01/2019	TOLL IPEC PTY LTD	SHIRE FREIGHT CHARGES JASON SIGNS, WOODLANDS DISTRIBUTORS, DIGGA WEST, BRIDGESTONE AND WESTCOAST FASTENERS - DECEMBER 2018	-967.08
EFT24519	17/01/2019	KATERINA DODDS	DOG STERILISATION REFUND TAG LD0082	-150.00
EFT24520	17/01/2019	LANDGATE (WA LAND INFORMATION AUTHORITY)	GROSS RENTAL VALUATIONS OCTOBER TO DECEMBER 2018	-66.50
EFT24521	17/01/2019	TRUE VALUE HARDWARE	SHIRE MONTHLY ACCOUNT - DECEMBER 2018	-262.64
EFT24522	17/01/2019	PROFESSIONAL PC SUPPORT	AGREEMENT PPS AGENT AND ANTIVIRUS MONTHLY CHARGES AND RENEWAL OF SHADOWPROTECT VIRTUAL SERVER BACKUP LICENCE	-669.90
EFT24523	17/01/2019	SHARK BAY STATE EMERGENCY SERVICE UNIT INC	THIRD QUARTER LOCAL GOVERNMENT GRANTS SCHEME GRANT	-12738.00
EFT24524	17/01/2019	SHARK BAY TOURISM ASSOCIATION	SBDC ADVERTISING IN SHARK BAY HOLIDAY PLANNER	-1050.00
EFT24525	17/01/2019	SHARK BAY COMMUNITY RESOURCE CENTRE	MANAGEMENT OF RECREATION CENTRE DECEMBER 2018	-4002.25
EFT24526	17/01/2019	SUNPRINTS CLOTHING COMPANY	SBDC MERCHANDISE	-1530.01
EFT24527	17/01/2019	TELSTRA CORPORATION LTD	MOBILE PHONE CHARGES CDO AND REFUSE SITE AND 1300 PHONE FOR SBDC	-79.33
EFT24528	17/01/2019	TPG TELECOM PTY LTD	SBDC INTERNET CHARGES	-108.90
EFT24529	17/01/2019	VISIT MERCHANDISE	SBDC MERCHANDISE	-1210.55
EFT24530	17/01/2019	WEST COAST FASTENERS PTY LTD	SHARK BAY ROAD GUIDE POST AND SIGN MAINTENANCE - PRIVATE WORKS	-118.14
EFT24531	17/01/2019	HOLIDAY GUIDE PTY LTD (FORMERLY WEST-OZ WEB SERVICES)	COMMISSION NOVEMBER AND DECEMBER 2018 - SBDC BOOKINGS	-213.45
EFT24532	17/01/2019	WATER TECHNOLOGY	DENHAM TOWNSITE COASTAL HAZARD RISK MANAGEMENT & ADAPTATION PLAN PROFESSIONAL SERVICES PROVIDED TILL END OF DECEMBER 2018	-6058.84

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CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT24533	25/01/2019	SHIRE OF NORTHAMPTON	HEALTH AND BUILDING INSPECTIONS CHARGES JULY TO DECEMBER 2018, WENDY DALLYWATER AND GLENN BANGAY	-15070.00
EFT24534	25/01/2019	AUSCOINSWEST	SBDC MERCHANDISE	-680.90
EFT24535	25/01/2019	CAMERON LANGRIDGE	SBDC MERCHANDISE	-60.90
EFT24536	25/01/2019	CDH ELECTRICAL	SBDC MAINTENANCE	-198.00
EFT24537	25/01/2019	HORIZON POWER	SHIRE PREMISES ELECTRICITY CHARGES DECEMBER 2018	-6883.67
EFT24538	25/01/2019	HERITAGE RESORT	ACCOMMODATION FOR CDO POSITION INTERVIEW	-162.00
EFT24539	25/01/2019	IRIS CONSULTING GROUP PTY LTD	RECORDS MANAGEMENT TRAINING J.YORKE FEBRUARY 2019	-1500.00
EFT24540	25/01/2019	INDEPENDENCE STUDIOS PTY LTD	SBDC MERCHANDISE	-1306.47
EFT24541	25/01/2019	KRISTY NICOLE KNOTT	REIMBURSEMENT FOR POLICE CLEARANCE	-54.30
EFT24542	25/01/2019	PROFESSIONAL PC SUPPORT	REMOTE TECHNICAL SUPPORT - AMEND MAIL SERVER	-77.00
EFT24543	25/01/2019	SHARK BAY STATE EMERGENCY SERVICE UNIT INC	PAYMENT OF OVERSPEND FUNDS REFUNDED FROM FESA FOR THE 17/18 FINANCIAL YEAR	-631.40
EFT24544	25/01/2019	1616 SALT CO. PTY LTD	SBDC MERCHANDISE	-702.00
EFT24545	25/01/2019	SCIENCE AND NATURE PTY LTD	SBDC MERCHANDISE	-512.32
EFT24546	25/01/2019	TELSTRA CORPORATION LTD	SHIRE MOBILE PHONE ACCOUNT – DECEMBER 2018, SIGN TRAILER CHARGES	-422.59
			TOTAL	\$586,669.52

**SHIRE OF SHARK BAY – TRUST TRANSACTION
DECEMBER 2018 AND JANUARY 2019
TRUST POLICE LICENSING TRANSACTION # 181906, 181907**

CHQ	DATE	NAME	DESCRIPTION	AMOUNT
181906	31/12/2018	COMMISSIONER OF POLICE	POLICE LICENSING DECEMBER 2018	-15954.15
181907	31/01/2019	COMMISSIONER OF POLICE	POLICE LICENSING JANUARY 2019	-15337.15
			TOTAL	\$31,291.30

MINUTES OF THE ORDINARY COUNCIL MEETING

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**SHIRE OF SHARK BAY – TRUST EFT
DECEMBER 2018 AND JANUARY 2019**

EFT 24366-24370, 24439-24470, 24547-24571

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT24366	11/12/2018	KATERINA DODDS	GYM CARD DEPOSIT REFUND	-20.00
EFT24367	11/12/2018	SIMONE BURN	GYM CARD DEPOSIT REFUND	-20.00
EFT24368	12/12/2018	CONSTRUCTION TRAINING FUND	INV-06051-M8D2N7	-762.50
EFT24369	12/12/2018	DEPARTMENT OF MINES, INDUSTRY REGULATION AND SAFETY	BSL PERMIT 3303 LOT 86 MONKEY MIA RD MONKEY MIA	-587.80
EFT24370	12/12/2018	SHIRE OF SHARK BAY - MUNI ACCOUNT	BCITF COLLECTION FEE PERMIT 3303 NOVEMBER 2018	-31.50
EFT24439	31/12/2018	JAMES SNR POLAND	BOOKEASY DECEMBER 2018	-27.96
EFT24440	31/12/2018	MAC ATTACK FISHING CHARTERS	BOOKEASY DECEMBER 2018	-2201.50
EFT24441	31/12/2018	SHARK BAY AVIATION	BOOKEASY DECEMBER 2018	-1553.20
EFT24442	31/12/2018	CONSTRUCTION TRAINING FUND	CTF 9 OAKLEY RIDGE DENHAM PERMIT 3304	-70.75
EFT24443	31/12/2018	BLUE DOLPHIN CARAVAN PARK	BOOKEASY DECEMBER 2018	-1343.00
EFT24444	31/12/2018	BILLABONG HOMESTEAD HOTEL	BOOKEASY DECEMBER 2018	-80.75
EFT24445	31/12/2018	BAY LODGE MIDWEST OASIS	BOOKEASY DECEMBER 2018	-264.00
EFT24446	31/12/2018	BLUE LAGOON PEARLS	BOOKEASY DECEMBER 2018	-246.50
EFT24447	31/12/2018	BIG RIVER RANCH	BOOKEASY DECEMBER 2018	-340.00
EFT24448	31/12/2018	CORAL COAST HELICOPTER SERVICES	BOOKEASY DECEMBER 2018	-726.75
EFT24449	31/12/2018	HOWARD COCK	BOOKEASY DECEMBER 2018	-128.00
EFT24450	31/12/2018	SHARK BAY COASTAL TOURS	BOOKEASY DECEMBER 2018	-1512.20
EFT24451	31/12/2018	DEPARTMENT OF MINES, INDUSTRY REGULATION AND SAFETY	BSL 6 VLAMINGH CRES DENHAM PERMIT 3305	-113.30
EFT24452	31/12/2018	DENHAM SEASIDE CARAVAN PARK	BOOKEASY DECEMBER 2018	-548.28
EFT24453	31/12/2018	HARTOG COTTAGES	BOOKEASY DECEMBER 2018	-1624.40
EFT24454	31/12/2018	HINCHY PUBLICATIONS	BOOKEASY DECEMBER 2018	-22.16
EFT24455	31/12/2018	HAMELIN POOL CARAVAN PARK AND TOURIST CENTRE	BOOKEASY DECEMBER 2018	-124.95

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CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT24456	31/12/2018	HERITAGE RESORT	BOOKEASY DECEMBER 2018	-475.20
EFT24457	31/12/2018	INTEGRITY COACH LINES (AUST) PTY LTD	BOOKEASY DECEMBER 2018	-48.19
EFT24458	31/12/2018	MONKEY MIA YACHT CHARTERS (ARISTOCAT)	BOOKEASY DECEMBER 2018	-2466.64
EFT24459	31/12/2018	MONKEYMIA WILDSIGHTS	SHOTOVER DECEMBER 2018	-5804.81
EFT24460	31/12/2018	DENHAM NATURETIME - 4WD TOURS/PHOTOGRAPHY TOURS	BOOKEASY DECEMBER 2018	-2323.20
EFT24461	31/12/2018	PATRICA ANDREW	BOOKEASY DECEMBER 2018	-96.00
EFT24462	31/12/2018	SHARK BAY SCENIC QUAD BIKE TOURS	BOOKEASY DECEMBER 2018	-1479.00
EFT24463	31/12/2018	RAC TOURISM ASSETS P/L T/A MONKEY MIA DOLPHIN RESORT	BOOKEASY DECEMBER 2018	-1855.04
EFT24464	31/12/2018	SHARK BAY DIVE AND MARINE SAFARIS	BOOKEASY DECEMBER 2018	-510.40
EFT24465	31/12/2018	SHARK BAY 4WD TOURS	BOOKEASY DECEMBER 2018	-1443.20
EFT24466	31/12/2018	SHARK BAY COTTAGES	BOOKEASY DECEMBER 2018	-926.50
EFT24467	31/12/2018	SHIRE OF SHARK BAY - MUNI ACCOUNT	SBDC COMMISSION DECEMBER 2018	-4595.74
EFT24468	31/12/2018	SHARK BAY VIEWS	BOOKEASY DECEMBER 2018	-765.00
EFT24469	31/12/2018	JOHN MCDONALD -SUNSET VIEW ACCOMMODATION	BOOKEASY DECEMBER 2018	-382.50
EFT24470	31/12/2018	WULA GURA NYINDA ECO ADVENTURES	BOOKEASY DECEMBER 2018	-1414.16
EFT24547	31/01/2019	JAMES SNR POLAND	BOOKEASY JEWELLERY SALES JANUARY 2019	-32.00
EFT24548	31/01/2019	MAC ATTACK FISHING CHARTERS	BOOKEASY JANUARY 2019	-1542.50
EFT24549	31/01/2019	SHARK BAY AVIATION	BOOKEASY JANUARY 2019	-4859.80
EFT24550	31/01/2019	BLUE DOLPHIN CARAVAN PARK	BOOKEASY JANUARY 2019	-229.50
EFT24551	31/01/2019	BAY LODGE MIDWEST OASIS	BOOKEASY JANUARY 2019	-563.20
EFT24552	31/01/2019	BLUE LAGOON PEARLS	BOOKEASY JEWELLERY SALES JANUARY 2019	-920.00
EFT24553	31/01/2019	NINGALOO CORAL BAY	BOOKEASY JANUARY 2019	-624.75
EFT24554	31/01/2019	SHARK BAY COASTAL TOURS	BOOKEASY JANUARY 2019	-2336.40
EFT24555	31/01/2019	DEPARTMENT OF MINES, INDUSTRY REGULATION AND SAFETY	BSL PERMIT 3302 - 1 STELLA ROWLEY DRIVE DENHAM	-56.65
EFT24556	31/01/2019	DENHAM SEASIDE CARAVAN PARK	BOOKEASY JANUARY 2019	-219.12
EFT24557	31/01/2019	HARTOG COTTAGES	BOOKEASY JANUARY 2019	-818.40

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CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT24558	31/01/2019	HAMELIN POOL CARAVAN PARK AND TOURIST CENTRE	BOOKEASY JANUARY 2019	-35.70
EFT24559	31/01/2019	HERITAGE RESORT	BOOKEASY JANUARY 2019	-136.80
EFT24560	31/01/2019	INTEGRITY COACH LINES (AUST) PTY LTD	BOOKEASY JANUARY 2019	-397.80
EFT24561	31/01/2019	MONKEY MIA YACHT CHARTERS (ARISTOCAT)	BOOKEASY JANUARY 2019	-1742.40
EFT24562	31/01/2019	MONKEYMIA WILDSIGHTS	BOOKEASY JANUARY 2019	-3945.48
EFT24563	31/01/2019	DENHAM NATURETIME - 4WD TOURS/PHOTOGRAPHY TOURS	BOOKEASY JANUARY 2019	-343.20
EFT24564	31/01/2019	SHARK BAY SCENIC QUAD BIKE TOURS	BOOKEASY JANUARY 2019	-663.00
EFT24565	31/01/2019	RAC TOURISM ASSETS P/L T/A MONKEY MIA DOLPHIN RESORT	BOOKEASY JANUARY 2019	-922.24
EFT24566	31/01/2019	SHARK BAY HOTEL MOTEL	BOOKEASY JANUARY 2019	-578.00
EFT24567	31/01/2019	SHARK BAY 4WD TOURS	BOOKEASY JANUARY 2019	-2345.20
EFT24568	31/01/2019	SHARK BAY COTTAGES	BOOKEASY JANUARY 2019	-85.00
EFT24569	31/01/2019	SHIRE OF SHARK BAY - MUNI ACCOUNT	SBDC BOOKING COMMISSION JANUARY 2019	-3568.85
EFT24570	31/01/2019	SHARK BAY SEAFRONT APARTMENTS	BOOKEASY JANUARY 2019	-184.68
EFT24571	31/01/2019	WULA GURA NYINDA ECO ADVENTURES	BOOKEASY JANUARY 2019	-700.48
			TOTAL	\$67,786.23

27 FEBRUARY 2019

12.2 FINANCIAL REPORTS TO 31 DECEMBER 2018
CM00017

Author

Executive Manager Finance and Administration

Disclosure of Any Interest

Nil

Moved Cr Laundry

Seconded Cr Ridgley

Council Resolution

**That the monthly financial report to 31 December 2018 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 December 2018 are attached.

LEGAL IMPLICATIONS

Section 34 of the *Local Government (Financial Management) Regulations 1996*, requires a financial report to be submitted to Council on a monthly basis.

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

The financial report shows that the finances of the Shire are in line with its adopted budget.

STRATEGIC IMPLICATIONS

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

RISK MANAGEMENT

The financial report reports on the current financial status and this is currently viewed as a low risk to Council.

Voting Requirements

Simple Majority Required

Signature

Author
Chief Executive Officer
Date of Report

A Pears
P Anderson
12 February 2019

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SHIRE OF SHARK BAY					
MONTHLY FINANCIAL REPORT					
For the Period Ended 31 December 2018					
LOCAL GOVERNMENT ACT 1995					
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996					
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MINUTES OF THE ORDINARY COUNCIL MEETING

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SHIRE OF SHARK BAY							
STATEMENT OF FINANCIAL ACTIVITY							
(Statutory Reporting Program)							
For the Period Ended 31 December 2018							
	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
Operating Revenues							
Governance		\$ 58,800	\$ 58,148	\$ 55,555	\$ (2,593)	(4.46%)	▼
General Purpose Funding - Rates	9	1,303,336	1,293,252	1,316,003	22,752	1.76%	▲
General Purpose Funding - Other		1,005,532	505,327	517,234	11,907	2.4%	▲
Law, Order and Public Safety		84,987	51,911	25,260	(26,650)	(51%)	▼
Health		1,550	780	1,899	1,119	143.44%	▲
Housing		102,610	51,336	57,053	5,717	11.1%	▲
Community Amenities		308,548	258,065	260,595	2,530	0.98%	▲
Recreation and Culture		235,476	118,368	172,024	53,656	45.3%	▲
Transport		470,644	364,379	330,722	(33,657)	(9.2%)	▼
Economic Services		796,087	442,359	646,392	204,033	46.1%	▲
Other Property and Services		35,000	17,502	20,028	2,526	14.4%	▲
Total Operating Revenue		4,402,570	3,161,426	3,402,765	241,339	7.63%	
Operating Expense							
Governance		(323,208)	(267,186)	(147,012)	120,174	(45.0%)	▲
General Purpose Funding		(122,234)	(61,138)	(57,292)	3,846	(6.3%)	▲
Law, Order and Public Safety		(385,432)	(242,477)	(177,553)	64,924	(26.8%)	▲
Health		(76,922)	(38,623)	(24,815)	13,808	(35.8%)	▲
Housing		(196,115)	(104,183)	(105,436)	(1,253)	1.2%	▼
Community Amenities		(748,751)	(383,451)	(353,965)	29,486	(7.7%)	▲
Recreation and Culture		(2,244,626)	(1,166,588)	(1,024,331)	142,258	(12.2%)	▲
Transport		(1,777,877)	(967,094)	(696,429)	270,665	(28.0%)	▲
Economic Services		(1,191,491)	(674,526)	(767,552)	(93,026)	13.8%	▼
Other Property and Services		(34,750)	(37,565)	(40,066)	(2,501)	6.7%	▼
Total Operating Expenditure		(7,101,406)	(3,942,831)	(3,394,451)	548,380	(13.9%)	
Funding Balance Adjustments							
Add back Depreciation		2,018,120	1,017,310	956,315	(60,995)		
Adjust (Profit)/Loss on Asset Disposal	8	112,389	102,278	(7,273)	(109,551)		
Adjust Provisions and Accruals		10,000	0	0			
Net Cash from Operations		(558,327)	338,183	957,356	619,173		
Capital Revenues							
Grants, Subsidies and Contributions	11	481,298	238,759	171,812	(66,947)	(28.0%)	▲
Proceeds from Disposal of Assets	8	288,636	47,273	47,273	0	0.0%	
Total Capital Revenues		769,934	286,032	219,085	(66,947)	(23.4%)	
Capital Expenses							
Land Held for Resale							
Land and Buildings	13	(141,355)	(98,847)	(109,120)	(10,273)	(10.39%)	▼
Infrastructure - Roads	13	(555,227)	(377,562)	(80,776)	296,786	78.6%	▲
Infrastructure - Public Facilities	13	(804,066)	(4,066)	(7,412)	(3,346)	(82.3%)	▼
Infrastructure - Streetscapes	13	0	0	0	0	0.0%	▲
Infrastructure - Footpaths	13	(50,000)	(50,000)	(46,980)	3,020	6.0%	▲
Infrastructure - Drainage	13	0	0	0	0		▲
Plant and Equipment	13	(766,138)	(756,140)	(185,022)	571,118	75.5%	▲
Furniture and Equipment	13	(15,000)	(15,000)	(902)	14,098	0.0%	▲
Total Capital Expenditure		(2,331,786)	(1,301,615)	(430,212)	871,403	66.9%	
Net Cash from Capital Activities		(1,561,852)	(1,015,583)	(211,127)	804,456	79.21%	
Financing							
Proceeds from Loans		800,000	0	0	0		
Transfer from Reserves	7	680,745	680,744	680,744	0	0.0%	
Repayment of Debentures	10	(84,414)	(34,837)	(34,837)	0	0.0%	
Transfer to Reserves	7	(769,544)	(550,402)	(550,402)	0	0.0%	
LSL Proceeds from Other Shires		0	0	2,892	2,892	0.0%	
Net Cash from Financing Activities		626,787	95,505	98,397	0	(3.0%)	
Net Operations, Capital and Financing		(1,493,392)	(581,895)	844,626	1,426,521	245.15%	▲
Opening Funding Surplus(Deficit)	3	1,493,392	1,493,392	1,493,392	0		
Closing Funding Surplus(Deficit)	3	0	911,497	2,338,018	1,426,521	156.50%	▲

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

MINUTES OF THE ORDINARY COUNCIL MEETING

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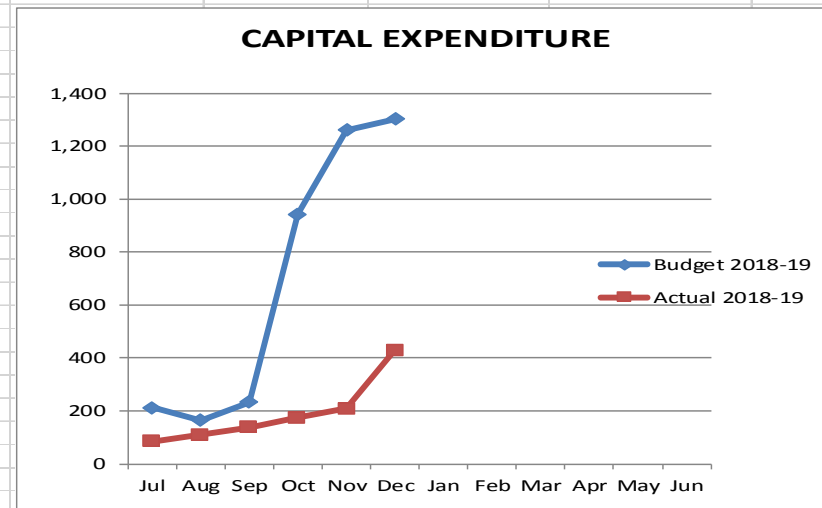
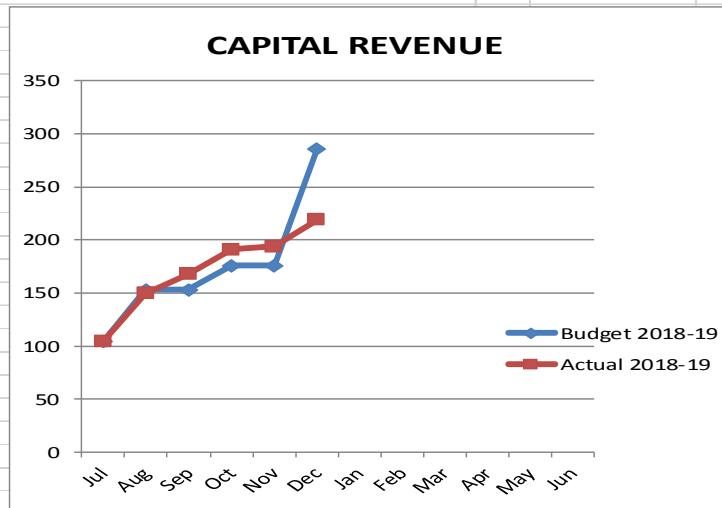
SHIRE OF SHARK BAY				
STATEMENT OF FINANCIAL ACTIVITY				
(By Nature or Type)				
For the Period Ended 31 December 2018				
	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)
Operating Revenues		\$	\$	\$
Rates	9	1,303,336	1,293,252	1,316,003
Operating Grants, Subsidies and Contributions	11	1,411,893	842,693	729,728
Fees and Charges		1,462,040	881,529	1,129,575
Interest Earnings		49,155	25,135	34,929
Other Revenue		161,146	103,818	185,257
Profit on Disposal of Assets	8	15,000	15,000	7,273
Total Operating Revenue		4,402,570	3,161,426	3,402,765
Operating Expense				
Employee Costs		(2,243,191)	(1,144,762)	(1,141,812)
Materials and Contracts		(2,142,455)	(1,281,586)	(966,167)
Utility Charges		(190,175)	(95,203)	(58,222)
Depreciation on Non-Current Assets		(2,018,120)	(1,017,310)	(956,315)
Interest Expenses		(24,755)	(3,019)	(2,577)
Insurance Expenses		(156,026)	(156,026)	(151,277)
Other Expenditure		(199,295)	(127,648)	(118,081)
Loss on Disposal of Assets	8	(127,389)	(117,278)	0
Total Operating Expenditure		(7,101,406)	(3,942,831)	(3,394,451)
Funding Balance Adjustments				
Add back Depreciation		2,018,120	1,017,310	956,315
Adjust (Profit)/Loss on Asset Disposal	8	112,389	102,278	(7,273)
Adjust Provisions and Accruals		10,000	0	0
Net Cash from Operations		(558,327)	338,183	957,356
Capital Revenues				
Grants, Subsidies and Contributions	11	481,298	238,759	171,812
Proceeds from Disposal of Assets	8	288,636	47,273	47,273
Total Capital Revenues		769,934	286,032	219,085
Capital Expenses				
Land Held for Resale				
Land and Buildings	13	(141,355)	(98,847)	(109,120)
Infrastructure - Roads	13	(555,227)	(377,562)	(80,776)
Infrastructure - Public Facilities	13	(804,066)	(4,066)	(7,412)
Infrastructure - Streetscapes	13	0	0	0
Infrastructure - Footpaths	13	(50,000)	(50,000)	(46,980)
Infrastructure - Drainage	13	0	0	0
Plant and Equipment	13	(766,138)	(756,140)	(185,022)
Furniture and Equipment	13	(15,000)	(15,000)	(902)
Total Capital Expenditure		(2,331,786)	(1,301,615)	(430,212)
Net Cash from Capital Activities		(1,561,852)	(1,015,583)	(211,127)
Financing				
Proceeds from Loans		800,000	0	0
Transfer from Reserves	7	680,745	680,744	680,744
Repayment of Debentures	10	(84,414)	(34,837)	(34,837)
Transfer to Reserves	7	(769,544)	(550,402)	(550,402)
LSL Proceeds from Other Shires		0	0	2,892
Net Cash from Financing Activities		626,787	95,505	98,397
Net Operations, Capital and Financing		(1,493,392)	(581,895)	844,626
Opening Funding Surplus(Deficit)	3	1,493,392	1,493,392	1,493,392
Closing Funding Surplus(Deficit)	3	0	911,497	2,338,018

MINUTES OF THE ORDINARY COUNCIL MEETING

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SHIRE OF SHARK BAY
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING
For the Period Ended 31 December 2018

Capital Acquisitions	Note	YTD Actual New /Upgrade (a)	YTD Actual (Renewal Expenditure) (b)	YTD Actual Total (c) = (a)+(b)	YTD Budget (d)	Amended Annual Budget	Variance (d) - (c)
		\$	\$	\$	\$	\$	\$
Land and Buildings	13	106,902	2,218	109,120	98,847	141,355	(10,273)
Infrastructure Assets - Roads	13	0	80,776	80,776	377,562	555,227	296,786
Infrastructure Assets - Public Facilities	13	7,412	0	7,412	4,066	804,066	(3,346)
Infrastructure Assets - Footpaths	13	46,980	0	46,980	50,000	50,000	3,020
Infrastructure Assets - Drainage	13	0	0	0	0	0	0
Infrastructure Assets - Streetscapes	13	0	0	0	0	0	0
Plant and Equipment	13	0	185,022	185,022	756,140	766,138	571,118
Furniture and Equipment	13	902	0	902	15,000	15,000	14,098
Capital Expenditure Totals		162,196	268,016	430,212	1,301,615	2,331,786	871,403



MINUTES OF THE ORDINARY COUNCIL MEETING

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SHIRE OF SHARK BAY	
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY	
For the Period Ended 31 December 2018	
1. SIGNIFICANT ACCOUNTING POLICIES	
(a) Basis of Preparation	
	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.
	The Local Government Reporting Entity
	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) Rounding Off Figures	
	All figures shown in this report, other than a rate in the dollar, are rounded to the nearest dollar.
(c) Rates, Grants, Donations and Other Contributions	
	Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions.
	Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.
(d) Goods and Services Tax (GST)	
	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.
(e) Superannuation	
	The Council contributes to a number of Superannuation Funds on behalf of employees.
	All funds to which the Council contributes are defined contribution plans.

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 31 December 2018					
1.	SIGNIFICANT ACCOUNTING POLICIES (Continued)				
	(f) Cash and Cash Equivalents				
	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.				
	(g) Trade and Other Receivables				
	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.				
	(h) Inventories				
	General				
	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.				
	Land Held for Resale				
	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.				
	(i) Fixed Assets				
	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.				
	Mandatory Requirement to Revalue Non-Current Assets				
	Effective from 1 July 2012, the Local Government (Financial Management) Regulations were amended and the measurement of non-current assets at Fair Value became mandatory.				

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 31 December 2018					
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)					
(j) Fixed Assets (Continued)					
<i>Land Under Control</i>					
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.					
<i>Initial Recognition and Measurement between Mandatory Revaluation Dates</i>					
All assets are initially recognised at cost and subsequently revalued in accordance with the mandatory measurement framework detailed above.					
In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Council includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.					
Individual assets acquired between initial recognition and the next revaluation of the asset class in accordance with the mandatory measurement framework detailed above, are carried at cost less accumulated depreciation as management believes this approximates fair value. They will be subject to subsequent revaluation of the next anniversary date in accordance with the mandatory measurement framework.					

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 31 December 2018					
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)					
(j) Fixed Assets (Continued)					
Revaluation					
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.					
Transitional Arrangement					
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 Initial Recognition section as detailed above.					
Those assets carried at fair value will be carried in accordance with the Revaluation Methodology section as detailed above.					
Land Under Roads					
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.					
Depreciation					
The depreciable amount of all fixed assets including buildings but excluding freehold land, are depreciated on a straight-line basis over the individual asset's useful life from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful life of the improvements.					

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

SHIRE OF SHARK BAY				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 31 December 2018				
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)				
(j) Fixed Assets (Continued)				
Major depreciation periods used for each class of depreciable asset are:				
Buildings				10 to 50 years
Furniture and Equipment				5 to 10 years
Plant and Equipment				5 to 10 years
Heritage				25 to 100 years
Sealed Roads and Streets				
- Subgrade				Not Depreciated
- Pavement				80 to 100 years
- Seal	Bituminous Seals			15 to 22 years
	Asphalt Surfaces			30 years
Formed Roads (Unsealed)				
- Subgrade				Not Depreciated
- Pavement				18 years
Footpaths				40 to 80 years
Drainage Systems				
- Drains and Kerbs				20 to 60 years
- Culverts				60 years
- Pipes				80 years
- Pits				60 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.				
Capitalisation Threshold				
Expenditure on items of equipment under \$5,000 is not capitalised. Rather, it is recorded on an asset inventory listing.				
(k) Fair Value of Assets and Liabilities				
When performing a revaluation, the Council uses a mix of both independent and management valuations using the following as a guide:				
Fair Value is the price that Council would receive to sell the asset or would have to pay to transfer a liability, in an orderly (i.e. unforced) transaction between independent, knowledgeable and willing market participants at the measurement date.				

MINUTES OF THE ORDINARY COUNCIL MEETING

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SHIRE OF SHARK BAY				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 31 December 2018				
1.	SIGNIFICANT ACCOUNTING POLICIES (Continued)			
	(k) Fair Value of Assets and Liabilities (Continued)			
	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.			
	Fair Value Hierarchy			
	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:			
	Level 1			
	Measurements based on quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date.			
	Level 2			
	Measurements based on inputs other than quoted prices included in Level 1 that are observable for the asset or liability, either directly or indirectly.			
	Level 3			
	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.			
	Valuation techniques			
	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:			
	Market approach			
	Valuation techniques that use prices and other relevant information generated by market transactions for identical or similar assets or liabilities.			

MINUTES OF THE ORDINARY COUNCIL MEETING

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SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 31 December 2018					
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)					
(k) Fair Value of Assets and Liabilities (Continued)					
Income approach					
Valuation techniques that convert estimated future cash flows or income and expenses into a single discounted present value.					
Cost approach					
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.					
(l) Financial Instruments					
Initial Recognition and Measurement					
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.					
Classification and Subsequent Measurement					
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.					

MINUTES OF THE ORDINARY COUNCIL MEETING

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SHIRE OF SHARK BAY				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 31 December 2018				
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)				
(l) Financial Instruments (Continued)				
The effective interest method is used to allocate interest income or interest expense over the relevant period and is equivalent to the rate that discounts estimated future cash payments or receipts (including fees, transaction costs and other premiums or discounts) through the expected life (or when this cannot be reliably predicted, the contractual term) of the financial instrument to the net carrying amount of the financial asset or financial liability. Revisions to expected future net cash flows will necessitate an adjustment to the carrying value with a consequential recognition of an income or expense in profit or loss.				
<i>(i) Financial assets at fair value through profit and loss</i>				
Financial assets are classified at "fair value through profit or loss" when they are held for trading for the purpose of short term profit taking. Assets in this category are classified as current assets. Such assets are subsequently measured at fair value with changes in carrying amount being included in profit or loss.				
<i>(ii) Loans and receivables</i>				
Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.				
Loans and receivables are included in current assets where they are expected to mature within 12 months after the end of the reporting period.				
<i>(iii) Held-to-maturity investments</i>				
Held-to-maturity investments are non-derivative financial assets with fixed maturities and fixed or determinable payments that the Council's management has the positive intention and ability to hold to maturity. They are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.				
Held-to-maturity investments are included in current assets where they are expected to mature within 12 months after the end of the reporting period. All other investments are classified as non-current.				
<i>(iv) Available-for-sale financial assets</i>				
Available-for-sale financial assets are non-derivative financial assets that are either not suitable to be classified into other categories of financial assets due to their nature, or they are designated as such by management. They comprise investments in the equity of other entities where there is neither a fixed maturity nor fixed or determinable payments.				
They are subsequently measured at fair value with changes in such fair value (i.e. gains or losses) recognised in other comprehensive income (except for impairment losses). When the financial asset is derecognised, the cumulative gain or loss pertaining to that asset previously recognised in other comprehensive income is reclassified into profit or loss.				
Available-for-sale financial assets are included in current assets, where they are expected to be sold within 12 months after the end of the reporting period. All other available for sale financial assets are classified as non-current.				
<i>(v) Financial liabilities</i>				
Non-derivative financial liabilities (excl. financial guarantees) are subsequently measured at amortised cost. Gains or losses are recognised in the profit or loss.				

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 31 December 2018					
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)					
(l) Financial Instruments (Continued)					
<i>Impairment</i>					
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.					
<i>Derecognition</i>					
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.					
(m) Impairment of Assets					
In accordance with Australian Accounting Standards the Council's assets, other than inventories, are assessed at each reporting date to determine whether there is any indication they may be impaired.					
Where such an indication exists, an impairment test is carried out on the asset by comparing the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, to the asset's carrying amount.					
Any excess of the asset's carrying amount over its recoverable amount is recognised immediately in profit or loss, unless the asset is carried at a revalued amount in accordance with another standard (e.g. AASB 116) whereby any impairment loss of a revaluation decrease in accordance with that other standard.					

MINUTES OF THE ORDINARY COUNCIL MEETING

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SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 31 December 2018					
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)					
(m) Impairment of Assets (Continued)					
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.					
(n) Trade and Other Payables					
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.					
(o) Employee Benefits					
Short-Term Employee Benefits					
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.					
Other Long-Term Employee Benefits					
Provision is made for employees' long service leave and annual leave entitlements not expected to be settled wholly within 12 months after the end of the annual reporting period in which the employees render the related service. Other long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations or service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur.					
The Council's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Council does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.					

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 31 December 2018					
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)					
(p) Borrowing Costs					
Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.					
(q) Provisions					
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.					
(r) Current and Non-Current Classification					
In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where the Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for sale where it is held as non-current based on the Council's intentions to release for sale.					

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

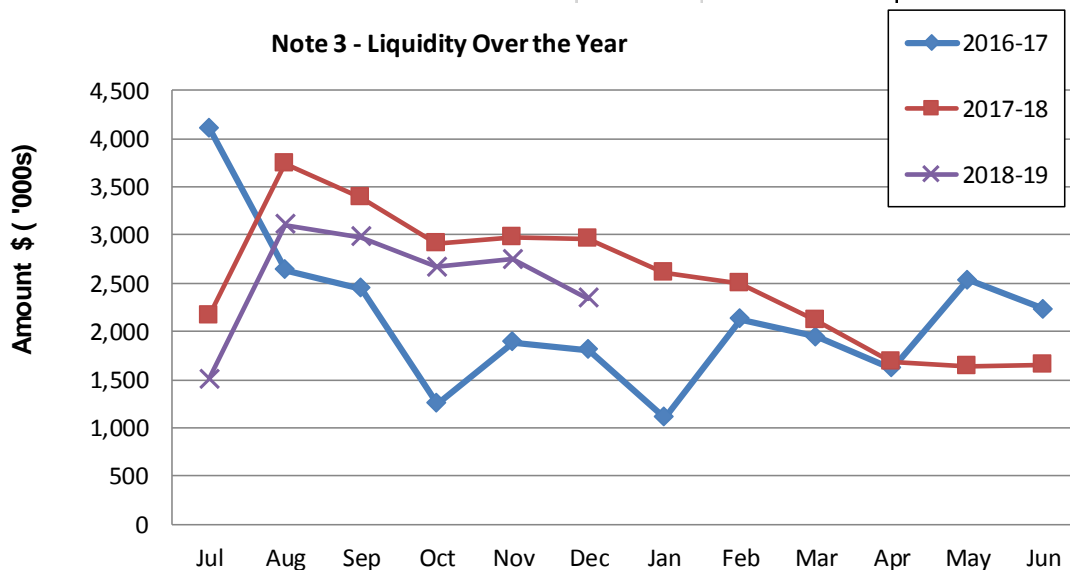
Shire of Shark Bay					
EXPLANATION OF MATERIAL VARIANCES					
For the Period Ended 31 December 2018					
Note 2: EXPLANATION OF MATERIAL VARIANCES					
Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Operating Revenues	\$	%			
Governance	(2,593)	(4.5%)	▼	Timing	No Reportable Variance
General Purpose Funding - Rates	22,752	1.8%	▲	Timing	Interim and Back Rates of \$21K not included in budget
General Purpose Funding - Other	11,907	2.4%	▲	Timing	Interest Earned in excess of Budget YTD
Law, Order and Public Safety	(26,650)	(51.3%)	▼	Timing	CHRMAP Grant Funding budgeted to be received earlier
Health	1,119	143.4%	▲	Timing	No Reportable Variance
Housing	5,717	11.1%	▲	Timing	Pensioner and 16A Sunter Rent Received in Advance
Community Amenities	2,530	1.0%	▲	Timing	No Reportable Variance
Recreation and Culture	53,656	45.3%	▲	Permanent	Increase in SBDC Sales and Entrance Fees compared to budget
Transport	(33,657)	(9.2%)	▼	Timing	Useless Loop Road Maintenance Income not received inline with YTD budget
Economic Services	204,033	46.1%	▲	Timing	Variance due to MRWA Private Works budget timing and increase in Caravan Park Leases
Other Property and Services	2,526	14.4%	▲	Timing	No Reportable Variance
Operating Expense					
Governance	120,174	(45.0%)	▲	Timing	Overall underspend in expenses compared to budget
General Purpose Funding	3,846	(6.3%)	▲	Permanent	No reportable variance.
Law, Order and Public Safety	64,924	(26.8%)	▲	Timing	Overall underspend in expenses compared to budget
Health	13,808	(35.8%)	▲	Timing	Overall underspend in expenses compared to budget
Housing	(1,253)	1.2%	▼	Timing	No reportable variance.
Community Amenities	29,486	(7.7%)	▲	Timing	Overall underspend in expenses compared to budget
Recreation and Culture	142,258	(12.2%)	▲	Timing	Overall underspend in expenses compared to budget
Transport	270,665	(28.0%)	▲	Timing	Decrease in Depreciation for Non Town Roads compared to Budget plus overall underspend in expenses compared to budget
Economic Services	(93,026)	13.8%	▼	Timing	Private Work Expenditure in advance of budgeted YTD figures
Other Property and Services	(2,501)	6.7%	▼	Timing	No reportable variance.
Capital Revenues					
Grants, Subsidies and Contributions	(66,947)	(28.0%)	▲	Timing	Grant for CCTV not included in budget 18K offset by RRG Grants Income not received in line with YTD Budget
Proceeds from Disposal of Assets	0	0.0%	▲	Timing	No Reportable Variance
Capital Expenses					
Land and Buildings	(10,273)	(10.4%)	▼	Timing	Depot Building Projects have commenced and YTD budget will be updated in Review
Infrastructure - Roads	296,786	78.6%	▲	Timing	Eagle Bluff Road commenced earlier than anticipated in budget offset by Useless Loop Road yet to commence in addition to R2R budget in advance of expenditure
Infrastructure - Public Facilities	(3,346)	(82.3%)	▼	Timing	No Reportable Variance
Infrastructure - Footpaths	3,020	0.0%	▲	Timing	No Reportable Variance
Plant and Equipment	571,118	75.5%	▲	Timing	Major Capital Plant purchases have not commenced
Financing					
Loan Principal	0	0.0%	▼	Timing	No reportable variance.

Note: YTD budgets are an estimation at the time of preparing the annual budget.

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

Shire of Shark Bay			
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY			
For the Period Ended 31 December 2018			
Note 3: NET CURRENT FUNDING POSITION			
		Positive=Surplus (Negative=Deficit)	
	Note	31 December 2018	31 December 2017
Current Assets			\$
Cash Unrestricted	4	2,120,319	2,297,078
Cash Restricted	4	1,570,193	1,196,830
Receivables - Rates	6	407,195	413,850
Receivables -Other	6	107,867	380,127
Interest / ATO Receivable		22,281	20,844
Inventories		113,037	218,244
		4,340,893	4,526,973
Less: Current Liabilities			
Payables		(180,250)	(170,259)
Provisions		(252,431)	(203,734)
Royalties for Regions Funding		0	
		(432,681)	(373,993)
Less: Cash Reserves	7	(1,570,193)	(1,196,830)
Net Current Funding Position		2,338,018	2,956,149



Comments - Net Current Funding Position

MINUTES OF THE ORDINARY COUNCIL MEETING

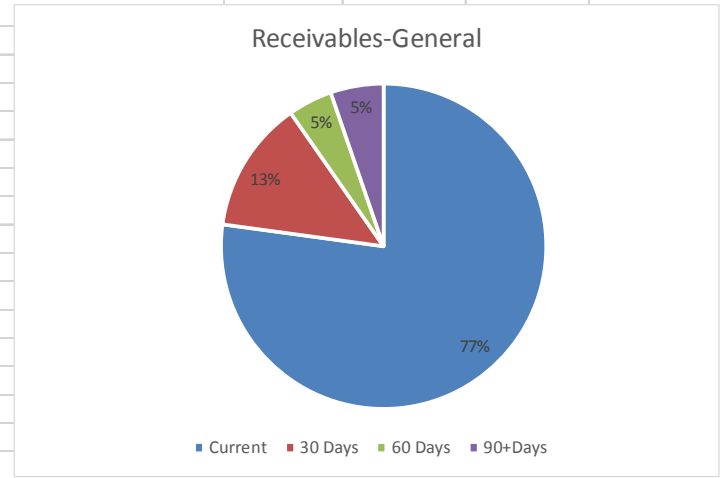
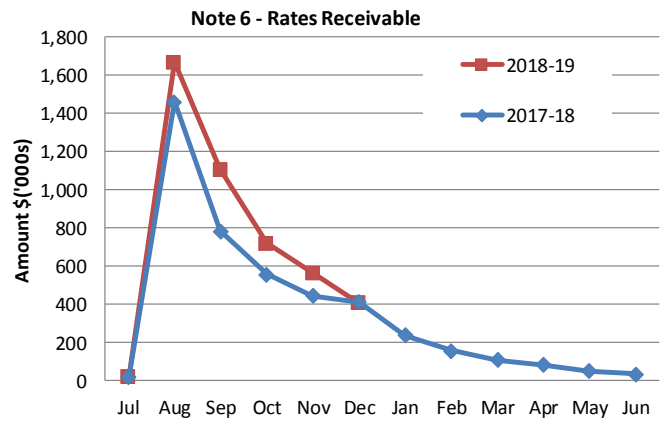
27 FEBRUARY 2019

Shire of Shark Bay							
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY							
For the Period Ended 31 December 2018							
Note 4: CASH AND INVESTMENTS							
	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Total Amount \$	Institution	Maturity Date
(a) Cash Deposits							
Municipal Bank Account	0.10%	663,669			663,669	Bankwest	At Call
Reserve Bank Account	0.00%		1,570,193		1,570,193	Bankwest	At Call
Telenet Saver	1.10%	1,055,850			1,055,850	Bankwest	At Call
Trust Bank Account	0.00%			7,442	7,442	Bankwest	At Call
Cash On Hand		800			800		On Hand
(b) Term Deposits							
Municipal Investment	2.35%	400,000			400,000	Bankwest	25/02/2019
Municipal Investment	2.35%				0	Bankwest	
Reserve Investment	2.35%				0	Bankwest	
Total		2,120,319	1,570,193	7,442	3,697,954		
Comments/Notes - Investments							
Surplus funds invested for terms conducive to cashflow requirements.							

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

Shire of Shark Bay				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 31 December 2018				
Note 6: RECEIVABLES				
Receivables - Rates Receivable	31 December 2018	30 June 2018	Receivables - General	Current 30 Days 60 Days 90+Days
	\$	\$		\$ \$ \$ \$
Opening Arrears Previous Years	36,578	25,814	Receivables - General	83,189 14,174 4,762 5,687
Levied this year	1,727,588	1,288,212	Total Receivables General Outstanding	107,812
Less Collections to date	(1,356,971)	(1,277,448)	Amounts shown above include GST (where applicable)	
Equals Current Outstanding	407,195	36,578		
Net Rates Collectable	407,195	36,578		
% Collected	76.92%	97.22%		



Comments/Notes - Receivables Rates

No major issues at this time

MINUTES OF THE ORDINARY COUNCIL MEETING

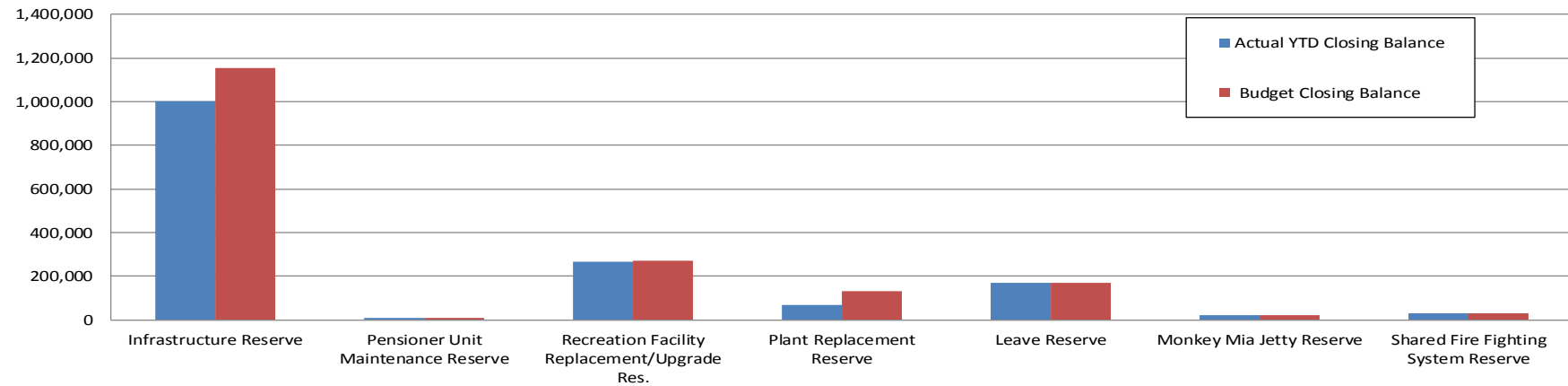
27 FEBRUARY 2019

Shire of Shark Bay
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the Period Ended 31 December 2018

Note 7: Cash Backed Reserve

2018-19									
Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Infrastructure Reserve	1,035,753	13,500	7,613	218,577	74,606	(114,606)	(114,606)	1,153,224	1,003,366
Pensioner Unit Maintenance Reserve	10,748	15	65	25,000	25,000	(25,000)	(25,000)	10,763	10,813
Recreation Facility Replacement/Upgrade Res.	264,546	6,250	2,376	0	0	0	0	270,796	266,922
Plant Replacement Reserve	205,609	1,100	576	468,227	404,591	(541,139)	(541,138)	133,797	69,638
Leave Reserve	133,402	2,000	1,247	33,900	33,900	0	0	169,302	168,549
Monkey Mia Jetty Reserve	21,587	400	183	0	0	0	0	21,987	21,770
Shared Fire Fighting System Reserve	28,891	575	245	0	0	0	0	29,466	29,136
	1,700,536	23,840	12,305	745,704	538,097	(680,745)	(680,744)	1,789,335	1,570,193

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



MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

Shire of Shark Bay							
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY							
For the Period Ended 31 December 2018							
Note 8 CAPITAL DISPOSALS							
Actual YTD Profit/(Loss) of Asset Disposal					Annual Budget		
Cost	Accum Depr	Proceeds	Profit (Loss)		YTD 31 12 2018		
\$	\$	\$	\$		Annual Budget Profit/(Loss)	Actual Profit/(Loss)	Variance
				Plant and Equipment	\$	\$	\$
				Governance			
			0	CEO Vehicle	(10,111)	0	10,111
37,866	(17,866)	22,273	2,273	EMFA Vehicle	9,000	2,273	(6,727)
				EMCD Vehicle	6,000	0	(6,000)
37,866	(17,866)	22,273	2,273		4,889	2,273	(2,616)
				Transport			
				Dual Cab Ute Works Manager	(8,262)		8,262
				Dual Cab Ute Town	(10,568)		10,568
				Dual Cab Ute Country	(11,046)		11,046
				Ride on Lawn Mower	1,025		(1,025)
				Town Loader	(65,885)		65,885
72,000	(52,000)	25,000	5,000	Multi Tyred Rubber Roller	0	5,000	5,000
				Vibration Roller	(22,542)		22,542
72,000	(52,000)	25,000	5,000		(117,278)	5,000	122,278
109,866	(69,866)	47,273	7,273		(112,389)	7,273	119,662
Comments - Capital Disposal/Replacements							

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

Shire of Shark Bay											
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY											
For the Period Ended 31 December 2018											
Rate in \$	Number of Properties	Rateable Value \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	Total Revenue \$	2018/19 Budget Rate Revenue \$	2018/19 Budget Interim Rate \$	2018/19 Budget Back Rate \$	2018/19 Budget Total Revenue \$	
Note 9: RATING INFORMATION											
RATE TYPE											
Differential General Rate											
GRV Residential	0.098885	309	3,681,102	365,446	136	365,582	364,005			364,005	
GRV Commercial	0.101620	43	2,123,918	214,353	528	215,007	215,832			215,832	
GRV Vacant	0.098885	17	331,334	32,764	1,848	34,612	32,763			32,763	
GRV Rural Commercial	0.102773	5	304,200	31,264	214	31,528	31,264			31,264	
GRV Industrial/Residential	0.109426	45	619,128	67,749	334	68,086	67,749			67,749	
GRV Industrial/Residential Vacant	0.098885	2	17,100	1,691		1,691	1,691			1,691	
GRV Rural Resort	0.108482	2	1,112,800	120,719	1,866	122,585	120,719			120,719	
UV General	0.200085	7	1,150,738	238,613	-68,851	169,762	230,245			230,245	
UV Pastoral	0.137028	11	617,360	84,596		84,596	84,596			84,596	
UV Mining	0.272901	1	6,990	1,969		1,969	1,908			1,908	
UV Exploration	0.262395	8	601,023	162,797	15,471	179,302	157,705			157,705	
Sub-Totals		450	10,565,693	1,321,960	(48,454)	1,274,721	1,308,477	0	0	1,308,477	
Minimum Payment											
GRV Residential	850.00	59	443,150	51,000		51,000	50,150			50,150	
GRV Commercial	850.00	17	93,832	14,450		14,450	14,450			14,450	
GRV Vacant	850.00	84	274,870	70,550		70,550	71,400			71,400	
GRV Rural Commercial	850.00	0	0	0		0	0			0	
GRV Industrial/Residential	850.00	3	19,760	2,550		2,550	2,550			2,550	
GRV Industrial/Residential Vacant	530.00	0	0	0		0	0			0	
GRV Rural Resort	850.00	0	0	0		0	0			0	
UV General	890.00	7	23,060	6,230		6,230	6,230			6,230	
UV Pastoral	890.00	0	0	0		0	0			0	
UV Mining	890.00	1	596	890		890	890			890	
UV Exploration	890.00	1	1,941	890		890	890			890	
Sub-Totals		172	857,209	146,560	0	146,560	146,560	0	0	146,560	
Excess Rates 17/18 and 18/19 Impact						(20,084)				(10,000)	
Concessions						(121,118)				(179,221)	
Amount from General Rates						1,280,079				1,265,816	
Specified Area Rates						35,924				37,520	
Totals						1,316,003				1,303,336	
Comments - Rating Information											

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

Shire of Shark Bay								
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY								
For the Period Ended 31 December 2018								
10. INFORMATION ON BORROWINGS								
(a) Debenture Repayments								
Particulars	Principal 1-Jul-18	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			2018/19 Actual \$	2018/19 Budget \$	2018/19 Actual \$	2018/19 Budget \$	2018/19 Actual \$	2018/19 Budget \$
Loan 57 Monkey Mia Bore	165,022	0	15,050	30,406	149,972	134,616	1,493	7,114
Loan 53 - Staff Housing	22,333	0	10,988	22,333	11,345	0	35	440
Loan 56 - Staff Housing	46,707	0	8,798	17,860	37,909	28,847	1,049	2,758
Loan - Town Oval Bore	0	800,000	0	13,815	0	786,185	0	14,440
	234,062	800,000	34,837	84,414	199,225	949,648	2,577	24,752

All debenture repayments are financed by general purpose revenue except Loan 57 which is funded through a Specified Area Rate.

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

Shire of Shark Bay								
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY								
For the Period Ended 31 December 2018								
Note 11: GRANTS AND CONTRIBUTIONS								
Program/Details	Grant Provider	Approval	2018-19 Original Budget	Variations Additions (Deletions)	Operating	Capital	Recoup Status	
		(Y/N)	\$	\$	\$	\$	Received/Invoiced	Not Received
							\$	\$
GENERAL PURPOSE FUNDING								
Grants Commission - General	WALGGC	Y	719,551	0	719,551	0	359,776	359,776
Grants Commission - Roads	WALGGC	Y	215,001	0	215,001	0	107,501	107,501
LAW, ORDER, PUBLIC SAFETY								
FESA Grant - Operating Bush Fire Brigade	Dept. of Fire & Emergency Serv.	Y	6,248	0	6,248	0	5,465	784
Grant FESA - SES	Dept. of Fire & Emergency Serv.	Y	34,740	0	34,740	0	12,154	22,586
Coastal Hazard Risk Management & Adaption Plan	WA Planning Commission	Y	32,500	0	32,500	0	0	32,500
RECREATION AND CULTURE								
Upgrade Town Hall Stage	Shark Bay Entertainers Contribution	Y	3,500	0	0	3,500	3,500	0
Upgrade Town Hall Stage	Lotteries Commission	Y	45,855	0	0	45,855	45,855	0
Contributions - HMAS Sydney Exhibit	Visitors to Discovery Centre	Y	0	0	0	0	142	0
TRANSPORT								
Road Preservation Grant	State Initiative - Main Roads WA	Y	65,254	0	65,254	0	106,056	(40,802)
Useless Loop Road - Mtce	Main Roads WA	Y	330,000	0	330,000	0	132,000	198,000
Contributions - Road Projects	Pipeline	Y	8,600	0	8,600	0	0	8,600
Roads To Recovery Grant - Cap	Roads to Recovery	Y	199,878	0	0	199,878	0	199,878
RRG Grants - Capital Projects	Regional Road Group	Y	232,065	0	0	232,065	104,082	127,983
CCTV - Depot	Dept. of Industry, Innovation & Science	Y	0	0	0	0	6,125	(6,125)
CCTV - Monkey Mia	Dept. of Industry, Innovation & Science	Y	0	0	0	0	6,125	(6,125)
ECONOMIC SERVICES								
Support for Local Road Safety Activities	WALGA	Y	0	0	0	0	1,500	(1,500)
CCTV Foreshore	Dept. of Industry, Innovation & Science	Y	0	0	0	0	6,125	(6,125)
Destination Shark Bay Brand Development	Shark Bay Tourism Association	Y	0	0	0	0	3,000	(3,000)
Reusable Rubbish Bags	Keep Australia Beautiful Western Australia	Y	0	0	0	0	2,136	(2,136)
TOTALS			1,893,192	0	1,411,894	481,298	901,540	991,794
			Operating		1,411,894		729,728	
			Non-operating		481,298		171,812	
					1,893,192		901,540	
Comments - Operating and Non Operating Grants								

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

Shire of Shark Bay					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 31 December 2018					
Note 12: TRUST FUND					
Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:					
Description	Opening Balance 1 Jul 18	Amount Received	Amount Paid	Closing Balance 31-Dec-18	
	\$	\$	\$	\$	
CITF Levy	0	2,548	(2,548)	0	
Library Card Bond	50	100	(100)	50	
Bookeasy- Sales	0	267,376	(269,887)	(2,511)	
Kerb/Footpath Deposit	4,300	0	0	4,300	
Bond Key	2,300	960	(640)	2,620	
Hall Bond	0	675	(200)	475	
Police Licensing	2,063	139,592	(141,654)	0	
Election Deposit	0			0	
Marquee Deposit	0			0	
Building Licence Levy	0	1,941	(1,941)	0	
Road Reserve - Hughes Street	2,298	0		2,298	
Tour Sales	0			0	
Property Rental Bonds	1,820		(1,820)	0	
Rates Unidentified Deposit	210			210	
	13,041	413,192	(418,790)	7,442	

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

CAPITAL WORKS PROGRAM 2018/19								
Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
Land and Buildings								
Housing								
Staff housing Capital Works								
Staff Housing - 5 Spaven Way	1.1.2	CEO	(10,000)	(4,998)	0	4,998	0	
Staff Housing - 65 Brockman St	1.1.2	EMCD	(10,000)	(4,998)	0	4,998	0	
Staff Housing - 51 Durlacher St	1.1.2	EMFA	(10,000)	(4,998)	0	4,998	0	
Staff Housing - 80 Durlacher St	1.1.2	EMCD	(10,000)	(4,998)	0	4,998	0	
Pensioner Units Capital	1.1.3	EMCD	(25,000)	(12,498)	(2,218)	10,280	2,218	
Housing Total			(65,000)	(32,490)	(2,218)	30,272	2,218	
Recreation and Culture								
Denham Town Hall Stage Upgrade	2.2.1	EMCD	(56,355)	(56,355)	(46,514)	9,841	0	
Recreation and Culture Total			(56,355)	(56,355)	(46,514)	9,841	0	
Transport								
Depot- New Building	2.2.1	WKM	(20,000)	(10,002)	(60,389)	(50,387)	0	
Transport Total			(20,000)	(10,002)	(60,389)	(50,387)	0	
Land and Buildings Total			(141,355)	(98,847)	(109,120)	(10,273)	2,218	
Footpaths								
Transport								
Footpath Construction-Denham Footpath Plan	1.1.2	WKM	(50,000)	(50,000)	(46,980)	3,020	0	
Transport Total			(50,000)	(50,000)	(46,980)	3,020	0	
Footpaths Total			(50,000)	(50,000)	(46,980)	3,020	0	

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
Furniture & Office Equip.								
Governance								
New IP Phone System	1.1.2	EMFA	(15,000)	(15,000)	(902)	14,098		
Governance Total			(15,000)	(15,000)	(902)	14,098	0	
Furniture & Office Equip. Total			(15,000)	(15,000)	(902)	14,098	0	
Plant , Equipment and Vehicles								
Governance								
CEO Vehicle	1.1.2	CEO	(70,000)	(70,000)	0	70,000		
EMFA Vehicle	1.1.2	EMFA	(35,000)	(35,000)	0	35,000		
EMCD Vehicle	1.1.2	EMCD	(35,000)	(35,000)	(23,282)	11,718	23,282	
Total Governance			(140,000)	(140,000)	(23,282)	116,718	23,282	
Transport								
Major Plant Items	1.1.2	WKM	(20,000)	(10,002)	0	10,002	0	
Dual Cab Ute - Works Manager	1.1.2	WKM	(55,000)	(55,000)	0	55,000	0	
Dual Cab Ute - Town	1.1.2	WKM	(45,000)	(45,000)	0	45,000	0	
Excavator	1.1.2	WKM	(31,138)	(31,138)	(2,233)	28,905	2,233	
Multi Tyred Rubber Roller	1.1.2	WKM	(170,000)	(170,000)	(138,000)	32,000	138,000	
Town Loader	1.1.2	WKM	(195,000)	(195,000)	0	195,000	0	
Ride on Lawn Mower	1.1.2	WKM	(45,000)	(45,000)	0	45,000	0	
Dual Cab Ute - Country	1.1.2	WKM	(45,000)	(45,000)	0	45,000	0	
Transport Total			(606,138)	(596,140)	(140,233)	455,907	140,233	
Denham Marine Facilities								
Boat Jinker Brake System Upgrade	1.1.2	WKM	(20,000)	(20,000)		20,000	0	
Boat Jinker Hydraulics Upgrade	1.1.2	WKM	0	0	(21,507)	(21,507)	21,507	
Denham Marine Facilities Total			(20,000)	(20,000)	(21,507)	(1,507)	21,507	
Plant , Equipment and Vehicles Total			(766,138)	(756,140)	(185,022)	571,118	185,022	

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
Public Facilities								
Community Amenities								
Refuse Tip and Recycling	2.1.1	WKM	(4,066)	(4,066)	(7,412)	(3,346)		
Community Amenities Total			(4,066)	(4,066)	(7,412)	(3,346)	0	
Recreation And Culture								
Town Oval Bore	2.2.1	WKM	(800,000)	0	0	0	0	
Recreation And Culture Total			(800,000)	0	0	0	0	
Public Facilities Total			(804,066)	(4,066)	(7,412)	(3,346)	0	
Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
Roads (Non Town)								
Transport								
R2R Projects 18/19	1.1.1	WKM	(199,878)	(199,878)	0	199,878	0	
Useless Loop Road - RRG 18-19	1.1.1	WKM	(229,958)	(114,984)	0	114,984	0	
Eagle Bluff Road - RRG 17-18 C/F	1.1.1	WKM	(35,391)	(17,694)	(36,389)	(18,695)	36,389	
Eagle Bluff Road - RRG 18-19	1.1.1	WKM	(90,000)	(45,006)	(44,387)	619	44,387	
Transport Total			(555,227)	(377,562)	(80,776)	296,786	80,776	
Roads (Non Town) Total			(555,227)	(377,562)	(80,776)	296,786	80,776	
Capital Expenditure Total			(2,331,786)	(1,301,615)	(430,212)	871,403	268,016	

27 FEBRUARY 2019

12.3 FINANCIAL REPORTS TO 31 JANUARY 2019
CM00017

Author

Executive Manager Finance and Administration

Disclosure of Any Interest

Nil

Moved Cr Burton
Seconded Cr Laundry

Council Resolution

**That the monthly financial report to 31 January 2019 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 January 2019 are attached.

LEGAL IMPLICATIONS

Section 34 of the Local Government (Financial Management) Regulations 1996, requires a financial report to be submitted to Council on a monthly basis.

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

The financial report shows that the finances of the Shire are in line with its adopted budget.

STRATEGIC IMPLICATIONS

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

RISK MANAGEMENT

The financial report reports on the current financial status and this is currently viewed as a low risk to Council.

Voting Requirements

Simple Majority Required

Signature

Author
Chief Executive Officer
Date of Report

A Pears
P Anderson
13 February 2019

27 FEBRUARY 2019

SHIRE OF SHARK BAY			
MONTHLY FINANCIAL REPORT			
For the Period Ended 31 January 2019			
LOCAL GOVERNMENT ACT 1995			
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996			
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MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

SHIRE OF SHARK BAY							
STATEMENT OF FINANCIAL ACTIVITY							
(Statutory Reporting Program)							
For the Period Ended 31 January 2019							
	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
Operating Revenues		\$	\$	\$	\$	%	
Governance		58,800	58,256	55,555	(2,701)	(4.64%)	▼
General Purpose Funding - Rates	9	1,303,336	1,293,252	1,316,003	22,752	1.76%	▲
General Purpose Funding - Other		1,005,532	510,971	521,175	10,204	2.0%	▲
Law, Order and Public Safety		84,987	66,531	39,418	(27,113)	(41%)	▼
Health		1,550	910	1,899	989	108.66%	▲
Housing		102,610	59,862	66,053	6,191	10.3%	▲
Community Amenities		308,548	266,479	276,015	9,536	3.58%	▲
Recreation and Culture		235,476	137,873	189,563	51,690	37.5%	▲
Transport		470,644	370,879	343,289	(27,590)	(7.4%)	▼
Economic Services		796,087	501,885	736,526	234,641	46.8%	▲
Other Property and Services		35,000	20,419	21,419	1,000	4.9%	▲
Total Operating Revenue		4,402,570	3,287,317	3,566,915	279,599	8.51%	
Operating Expense							
Governance		(323,208)	(274,251)	(164,896)	109,355	(39.9%)	▲
General Purpose Funding		(122,234)	(71,661)	(64,203)	7,458	(10.4%)	▲
Law, Order and Public Safety		(385,432)	(274,112)	(210,389)	63,723	(23.2%)	▲
Health		(76,922)	(44,991)	(35,692)	9,299	(20.7%)	▲
Housing		(196,115)	(120,595)	(121,593)	(998)	0.8%	▼
Community Amenities		(748,751)	(445,781)	(397,258)	48,523	(10.9%)	▲
Recreation and Culture		(2,244,626)	(1,345,316)	(1,186,292)	159,024	(11.8%)	▲
Transport		(1,777,877)	(1,105,580)	(787,854)	317,726	(28.7%)	▲
Economic Services		(1,191,491)	(758,574)	(860,617)	(102,043)	13.5%	▼
Other Property and Services		(34,750)	(35,795)	(89,330)	(53,535)	149.6%	▼
Total Operating Expenditure		(7,101,406)	(4,476,656)	(3,918,125)	558,531	(12.5%)	
Funding Balance Adjustments							
Add back Depreciation		2,018,120	1,188,693	1,119,653	(69,041)		
Adjust (Profit)/Loss on Asset Disposal	8	112,389	102,278	(4,631)	(106,909)		
Adjust Provisions and Accruals		10,000	0	0			
Net Cash from Operations		(558,327)	101,632	763,812	662,180		
Capital Revenues							
Grants, Subsidies and Contributions	11	481,298	238,759	191,812	(46,947)	(19.7%)	▲
Proceeds from Disposal of Assets	8	288,636	47,274	47,274	0	0.0%	
Total Capital Revenues		769,934	286,033	239,086	(46,947)	(16.4%)	
Capital Expenses							
Land Held for Resale							
Land and Buildings	13	(141,355)	(108,012)	(114,987)	(6,975)	(6.46%)	▼
Infrastructure - Roads	13	(555,227)	(407,176)	(80,776)	326,400	80.2%	▲
Infrastructure - Public Facilities	13	(804,066)	(804,066)	(7,412)	796,654	99.1%	▼
Infrastructure - Streetscapes	13	0	0	0	0	0.0%	▲
Infrastructure - Footpaths	13	(50,000)	(50,000)	(46,980)	3,020	6.0%	▲
Infrastructure - Drainage	13	0	0	0	0		▲
Plant and Equipment	13	(766,138)	(757,807)	(185,022)	572,785	75.6%	▲
Furniture and Equipment	13	(15,000)	0	(5,157)	(5,157)	0.0%	▲
Total Capital Expenditure		(2,331,786)	(2,127,061)	(440,334)	1,686,727	79.3%	
Net Cash from Capital Activities		(1,561,852)	(1,841,028)	(201,249)	1,639,780	89.07%	
Financing							
Proceeds from Loans		800,000	0	0	0		
Transfer from Reserves	7	680,745	680,744	680,744	0	0.0%	
Repayment of Debentures	10	(84,414)	(46,182)	(46,182)	0	0.0%	
Transfer to Reserves	7	(769,544)	(550,402)	(550,402)	0	0.0%	
LSL Proceeds from Other Shires		0	0	2,892	2,892	0.0%	
Net Cash from Financing Activities		626,787	84,161	87,053	0	(3.4%)	
Net Operations, Capital and Financing		(1,493,392)	(1,655,236)	649,616	2,304,852	139.25%	▲
Opening Funding Surplus(Deficit)	3	1,493,392	1,493,392	1,493,392	0		
Closing Funding Surplus(Deficit)	3	0	(161,844)	2,143,008	2,304,852	(1424.12%)	▲

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

MINUTES OF THE ORDINARY COUNCIL MEETING

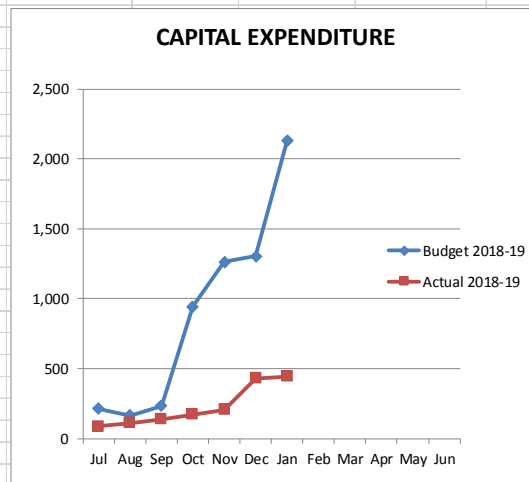
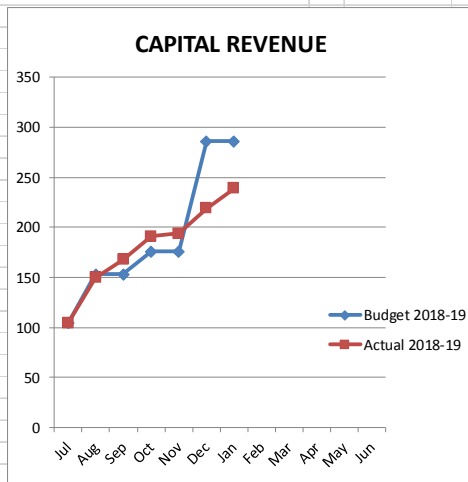
27 FEBRUARY 2019

SHIRE OF SHARK BAY				
STATEMENT OF FINANCIAL ACTIVITY				
(By Nature or Type)				
For the Period Ended 31 January 2019				
	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)
Operating Revenues				
Rates	9	1,303,336	1,293,252	1,316,003
Operating Grants, Subsidies and Contributions	11	1,411,893	856,355	752,291
Fees and Charges		1,462,040	980,046	1,260,625
Interest Earnings		49,155	29,293	36,520
Other Revenue		161,146	113,371	194,204
Profit on Disposal of Assets	8	15,000	15,000	7,273
Total Operating Revenue		4,402,570	3,287,317	3,566,915
Operating Expense				
Employee Costs		(2,243,191)	(1,314,493)	(1,303,635)
Materials and Contracts		(2,142,455)	(1,424,996)	(1,112,283)
Utility Charges		(190,175)	(111,970)	(75,371)
Depreciation on Non-Current Assets		(2,018,120)	(1,188,693)	(1,119,653)
Interest Expenses		(24,755)	(3,279)	(3,732)
Insurance Expenses		(156,026)	(156,026)	(151,277)
Other Expenditure		(199,295)	(159,921)	(149,531)
Loss on Disposal of Assets	8	(127,389)	(117,278)	(2,643)
Total Operating Expenditure		(7,101,406)	(4,476,656)	(3,918,125)
Funding Balance Adjustments				
Add back Depreciation		2,018,120	1,188,693	1,119,653
Adjust (Profit)/Loss on Asset Disposal	8	112,389	102,278	(4,631)
Adjust Provisions and Accruals		10,000	0	0
Net Cash from Operations		(558,327)	101,632	763,812
Capital Revenues				
Grants, Subsidies and Contributions	11	481,298	238,759	191,812
Proceeds from Disposal of Assets	8	288,636	47,274	47,274
Total Capital Revenues		769,934	286,033	239,086
Capital Expenses				
Land Held for Resale				
Land and Buildings	13	(141,355)	(108,012)	(114,987)
Infrastructure - Roads	13	(555,227)	(407,176)	(80,776)
Infrastructure - Public Facilities	13	(804,066)	(804,066)	(7,412)
Infrastructure - Streetscapes	13	0	0	0
Infrastructure - Footpaths	13	(50,000)	(50,000)	(46,980)
Infrastructure - Drainage	13	0	0	0
Plant and Equipment	13	(766,138)	(757,807)	(185,022)
Furniture and Equipment	13	(15,000)	0	(5,157)
Total Capital Expenditure		(2,331,786)	(2,127,061)	(440,334)
Net Cash from Capital Activities		(1,561,852)	(1,841,028)	(201,249)
Financing				
Proceeds from Loans		800,000	0	0
Transfer from Reserves	7	680,745	680,744	680,744
Repayment of Debentures	10	(84,414)	(46,182)	(46,182)
Transfer to Reserves	7	(769,544)	(550,402)	(550,402)
LSL Proceeds from Other Shires		0	0	2,892
Net Cash from Financing Activities		626,787	84,161	87,053
Net Operations, Capital and Financing		(1,493,392)	(1,655,236)	649,616
Opening Funding Surplus(Deficit)	3	1,493,392	1,493,392	1,493,392
Closing Funding Surplus(Deficit)	3	0	(161,844)	2,143,008

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING							
For the Period Ended 31 January 2019							
Capital Acquisitions	Note	YTD Actual New /Upgrade (a)	YTD Actual (Renewal Expenditure) (b)	YTD Actual Total (c) = (a)+(b)	YTD Budget (d)	Amended Annual Budget	Variance (d) - (c)
		\$	\$	\$	\$	\$	\$
Land and Buildings	13	46,514	68,473	114,987	108,012	141,355	(6,975)
Infrastructure Assets - Roads	13	0	80,776	80,776	407,176	555,227	326,400
Infrastructure Assets - Public Facilities	13	7,412	0	7,412	804,066	804,066	796,654
Infrastructure Assets - Footpaths	13	46,980	0	46,980	50,000	50,000	3,020
Infrastructure Assets - Drainage	13	0	0	0	0	0	0
Infrastructure Assets - Streetscapes	13	0	0	0	0	0	0
Plant and Equipment	13	0	185,022	185,022	757,807	766,138	572,785
Furniture and Equipment	13	(2,519)	7,676	5,157	0	0	(5,157)
Capital Expenditure Totals		98,386	341,948	440,334	2,127,061	2,316,786	1,686,727



MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

SHIRE OF SHARK BAY	
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY	
For the Period Ended 31 January 2019	
1. SIGNIFICANT ACCOUNTING POLICIES	
(a) Basis of Preparation	
	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.
	The Local Government Reporting Entity
	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) Rounding Off Figures	
	All figures shown in this report, other than a rate in the dollar, are rounded to the nearest dollar.
(c) Rates, Grants, Donations and Other Contributions	
	Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions.
	Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.
(d) Goods and Services Tax (GST)	
	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.
(e) Superannuation	
	The Council contributes to a number of Superannuation Funds on behalf of employees.
	All funds to which the Council contributes are defined contribution plans.

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

SHIRE OF SHARK BAY				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 31 January 2019				
1.	SIGNIFICANT ACCOUNTING POLICIES (Continued)			
	(f) Cash and Cash Equivalents			
	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.			
	(g) Trade and Other Receivables			
	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.			
	(h) Inventories			
	General			
	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.			
	Land Held for Resale			
	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.			
	(i) Fixed Assets			
	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.			
	Mandatory Requirement to Revalue Non-Current Assets			
	Effective from 1 July 2012, the Local Government (Financial Management) Regulations were amended and the measurement of non-current assets at Fair Value became mandatory.			

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 31 January 2019					
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)					
(j) Fixed Assets (Continued)					
<i>Land Under Control</i>					
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.					
<i>Initial Recognition and Measurement between Mandatory Revaluation Dates</i>					
All assets are initially recognised at cost and subsequently revalued in accordance with the mandatory measurement framework detailed above.					
In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Council includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.					
Individual assets acquired between initial recognition and the next revaluation of the asset class in accordance with the mandatory measurement framework detailed above, are carried at cost less accumulated depreciation as management believes this approximates fair value. They will be subject to subsequent revaluation of the next anniversary date in accordance with the mandatory measurement framework.					

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 31 January 2019					
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)					
(j) Fixed Assets (Continued)					
Revaluation					
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.					
Transitional Arrangement					
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 Initial Recognition section as detailed above.					
Those assets carried at fair value will be carried in accordance with the Revaluation Methodology section as detailed above.					
Land Under Roads					
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.					
Depreciation					
The depreciable amount of all fixed assets including buildings but excluding freehold land, are depreciated on a straight-line basis over the individual asset's useful life from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful life of the improvements.					

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

SHIRE OF SHARK BAY				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 31 January 2019				
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)				
(j) Fixed Assets (Continued)				
Major depreciation periods used for each class of depreciable asset are:				
Buildings				10 to 50 years
Furniture and Equipment				5 to 10 years
Plant and Equipment				5 to 10 years
Heritage				25 to 100 years
Sealed Roads and Streets				
- Subgrade				Not Depreciated
- Pavement				80 to 100 years
- Seal	Bituminous Seals			15 to 22 years
	Asphalt Surfaces			30 years
Formed Roads (Unsealed)				
- Subgrade				Not Depreciated
- Pavement				18 years
Footpaths				40 to 80 years
Drainage Systems				
- Drains and Kerbs				20 to 60 years
- Culverts				60 years
- Pipes				80 years
- Pits				60 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.				
Capitalisation Threshold				
Expenditure on items of equipment under \$5,000 is not capitalised. Rather, it is recorded on an asset inventory listing.				
(k) Fair Value of Assets and Liabilities				
When performing a revaluation, the Council uses a mix of both independent and management valuations using the following as a guide:				
Fair Value is the price that Council would receive to sell the asset or would have to pay to transfer a liability, in an orderly (i.e. unforced) transaction between independent, knowledgeable and willing market participants at the measurement date.				

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

SHIRE OF SHARK BAY				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 31 January 2019				
1.	SIGNIFICANT ACCOUNTING POLICIES (Continued)			
	(k) Fair Value of Assets and Liabilities (Continued)			
	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.			
	Fair Value Hierarchy			
	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:			
	Level 1			
	Measurements based on quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date.			
	Level 2			
	Measurements based on inputs other than quoted prices included in Level 1 that are observable for the asset or liability, either directly or indirectly.			
	Level 3			
	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.			
	Valuation techniques			
	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:			
	Market approach			
	Valuation techniques that use prices and other relevant information generated by market transactions for identical or similar assets or liabilities.			

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 31 January 2019					
1.	SIGNIFICANT ACCOUNTING POLICIES (Continued)				
	(k) Fair Value of Assets and Liabilities (Continued)				
	Income approach				
	Valuation techniques that convert estimated future cash flows or income and expenses into a single discounted present value.				
	Cost approach				
	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.				
	(l) Financial Instruments				
	Initial Recognition and Measurement				
	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.				
	Classification and Subsequent Measurement				
	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.				

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

SHIRE OF SHARK BAY				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 31 January 2019				
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)				
(l) Financial Instruments (Continued)				
The effective interest method is used to allocate interest income or interest expense over the relevant period and is equivalent to the rate that discounts estimated future cash payments or receipts (including fees, transaction costs and other premiums or discounts) through the expected life (or when this cannot be reliably predicted, the contractual term) of the financial instrument to the net carrying amount of the financial asset or financial liability. Revisions to expected future net cash flows will necessitate an adjustment to the carrying value with a consequential recognition of an income or expense in profit or loss.				
<i>(i) Financial assets at fair value through profit and loss</i>				
Financial assets are classified at "fair value through profit or loss" when they are held for trading for the purpose of short term profit taking. Assets in this category are classified as current assets. Such assets are subsequently measured at fair value with changes in carrying amount being included in profit or loss.				
<i>(ii) Loans and receivables</i>				
Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.				
Loans and receivables are included in current assets where they are expected to mature within 12 months after the end of the reporting period.				
<i>(iii) Held-to-maturity investments</i>				
Held-to-maturity investments are non-derivative financial assets with fixed maturities and fixed or determinable payments that the Council's management has the positive intention and ability to hold to maturity. They are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.				
Held-to-maturity investments are included in current assets where they are expected to mature within 12 months after the end of the reporting period. All other investments are classified as non-current.				
<i>(iv) Available-for-sale financial assets</i>				
Available-for-sale financial assets are non-derivative financial assets that are either not suitable to be classified into other categories of financial assets due to their nature, or they are designated as such by management. They comprise investments in the equity of other entities where there is neither a fixed maturity nor fixed or determinable payments.				
They are subsequently measured at fair value with changes in such fair value (i.e. gains or losses) recognised in other comprehensive income (except for impairment losses). When the financial asset is derecognised, the cumulative gain or loss pertaining to that asset previously recognised in other comprehensive income is reclassified into profit or loss.				
Available-for-sale financial assets are included in current assets, where they are expected to be sold within 12 months after the end of the reporting period. All other available for sale financial assets are classified as non-current.				
<i>(v) Financial liabilities</i>				
Non-derivative financial liabilities (excl. financial guarantees) are subsequently measured at amortised cost. Gains or losses are recognised in the profit or loss.				

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 31 January 2019					
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)					
(l) Financial Instruments (Continued)					
<i>Impairment</i>					
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.					
<i>Derecognition</i>					
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.					
(m) Impairment of Assets					
In accordance with Australian Accounting Standards the Council's assets, other than inventories, are assessed at each reporting date to determine whether there is any indication they may be impaired.					
Where such an indication exists, an impairment test is carried out on the asset by comparing the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, to the asset's carrying amount.					
Any excess of the asset's carrying amount over its recoverable amount is recognised immediately in profit or loss, unless the asset is carried at a revalued amount in accordance with another standard (e.g. AASB 116) whereby any impairment loss of a revaluation decrease in accordance with that other standard.					

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

SHIRE OF SHARK BAY				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 31 January 2019				
1.	SIGNIFICANT ACCOUNTING POLICIES (Continued)			
(m)	Impairment of Assets (Continued)			
	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.			
(n)	Trade and Other Payables			
	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.			
(o)	Employee Benefits			
	Short-Term Employee Benefits			
	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.			
	Other Long-Term Employee Benefits			
	Provision is made for employees' long service leave and annual leave entitlements not expected to be settled wholly within 12 months after the end of the annual reporting period in which the employees render the related service. Other long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations or service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur.			
	The Council's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Council does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.			

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 31 January 2019					
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)					
(p) Borrowing Costs					
Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.					
(q) Provisions					
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.					
(r) Current and Non-Current Classification					
In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where the Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for sale where it is held as non-current based on the Council's intentions to release for sale.					

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

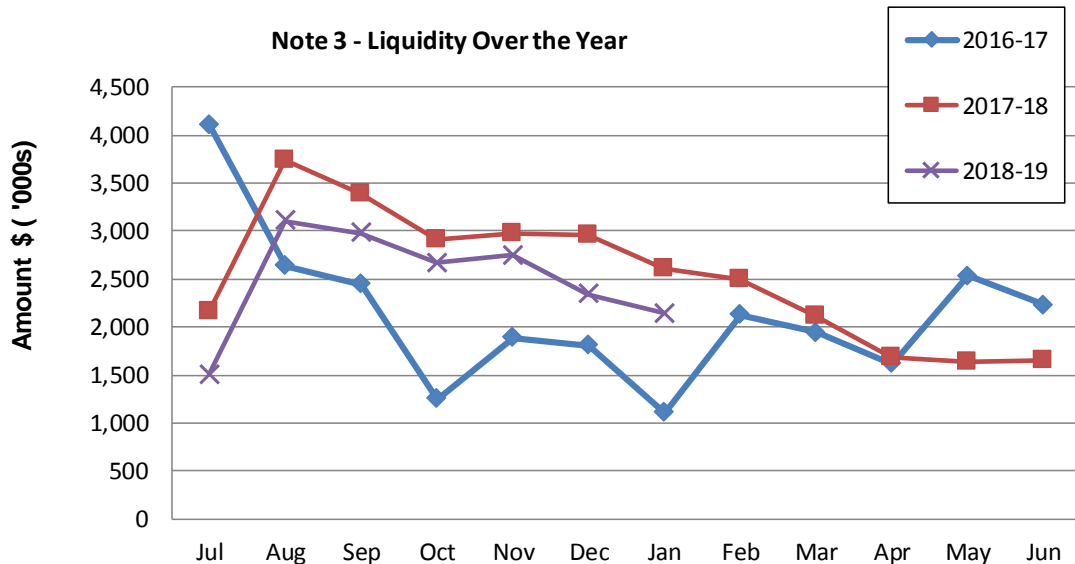
Shire of Shark Bay					
EXPLANATION OF MATERIAL VARIANCES					
For the Period Ended 31 January 2019					
Note 2: EXPLANATION OF MATERIAL VARIANCES					
Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Operating Revenues	\$	%			
Governance	(2,701)	(4.6%)	▼	Timing	No Reportable Variance
General Purpose Funding - Rates	22,752	1.8%	▲	Timing	Interim and Back Rates of \$21K not included in budget
General Purpose Funding - Other	10,204	2.0%	▲	Timing	Interest Earned and Rate Instalment Service Fee in excess of Budget YTD
Law, Order and Public Safety	(27,113)	(40.8%)	▼	Timing	CHRMAP Grant Funding budgeted to be received earlier
Health	989	108.7%	▲	Timing	No Reportable Variance
Housing	6,191	10.3%	▲	Timing	Pensioner and 16A Sunter Rent Received in Advance
Community Amenities	9,536	3.6%	▲	Timing	Increase in Refuse Removal and Site Fees compared to YTD Budget
Recreation and Culture	51,690	37.5%	▲	Permanent	Increase in SBDC Sales and Entrance Fees compared to budget
Transport	(27,590)	(7.4%)	▼	Timing	Useless Loop Road Maintenance Income not received inline with YTD budget offset by insurance monies received for Depot Building writeoff
Economic Services	234,641	46.8%	▲	Timing	Variance due to MRWA Private Works budget timing and increase in Caravan Park Leases
Other Property and Services	1,000	4.9%	▲	Timing	No Reportable Variance
Operating Expense					
Governance	109,355	(39.9%)	▲	Timing	Overall underspend in expenses compared to budget
General Purpose Funding	7,458	(10.4%)	▲	Permanent	Overall underspend in governance expenses compared to budget
Law, Order and Public Safety	63,723	(23.2%)	▲	Timing	Overall underspend in expenses inclusive of Coastal Hazard Identification Expenses \$29K compared to budget
Health	9,299	(20.7%)	▲	Timing	Overall underspend in expenses compared to budget
Housing	(998)	0.8%	▼	Timing	No reportable variance.
Community Amenities	48,523	(10.9%)	▲	Timing	Overall underspend in expenses compared to budget
Recreation and Culture	159,024	(11.8%)	▲	Timing	Overall underspend in expenses compared to budget
Transport	317,726	(28.7%)	▲	Timing	Decrease in Depreciation for Non Town Roads compared to Budget plus overall underspend in expenses compared to budget
Economic Services	(102,043)	13.5%	▼	Timing	Private Work Expenditure in advance of budgeted YTD figures
Other Property and Services	(53,535)	149.6%	▼	Timing	No reportable variance.
Capital Revenues					
Grants, Subsidies and Contributions	(46,947)	(19.7%)	▲	Timing	Grant for CCTV (18K) and Little Lagoon Trail Signage (\$20K) not included in original budget offset by RRG Grants Income not received in line with YTD Budget
Proceeds from Disposal of Assets	0	0.0%	▲	Timing	No Reportable Variance
Capital Expenses					
Land and Buildings	(6,975)	(6.5%)	▼	Timing	Depot Building Projects have commenced and YTD budget will be updated in Review
Infrastructure - Roads	326,400	80.2%	▲	Timing	Eagle Bluff Road commenced earlier than anticipated in budget offset by Useless Loop Road yet to commence in addition to R2R budget in advance of expenditure
Infrastructure - Public Facilities	796,654	99.1%	▼	Timing	New Town Bore Budgeted earlier than actual install \$800K
Infrastructure - Footpaths	3,020	0.0%	▲	Timing	No Reportable Variance
Plant and Equipment	572,785	75.6%	▲	Timing	Major Capital Plant purchases have not commenced
Financing					
Loan Principal	0	0.0%	▼	Timing	No reportable variance.

Note: YTD budgets are an estimation at the time of preparing the annual budget.

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

Shire of Shark Bay			
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY			
For the Period Ended 31 January 2019			
Note 3: NET CURRENT FUNDING POSITION			
		Positive=Surplus (Negative=Deficit)	
	Note	31 January 2019	31 January 2018
		\$	\$
Current Assets			
Cash Unrestricted	4	1,961,831	2,411,531
Cash Restricted	4	1,570,193	1,203,879
Receivables - Rates	6	348,693	240,433
Receivables -Other	6	130,210	146,116
Interest / ATO Receivable		22,281	19,458
Inventories		113,037	218,244
		4,146,245	4,239,661
Less: Current Liabilities			
Payables		(180,613)	(227,696)
Provisions		(252,431)	(203,734)
Royalties for Regions Funding		0	
		(433,045)	(431,430)
Less: Cash Reserves	7	(1,570,193)	(1,203,879)
Net Current Funding Position		2,143,008	2,604,353



Comments - Net Current Funding Position

MINUTES OF THE ORDINARY COUNCIL MEETING

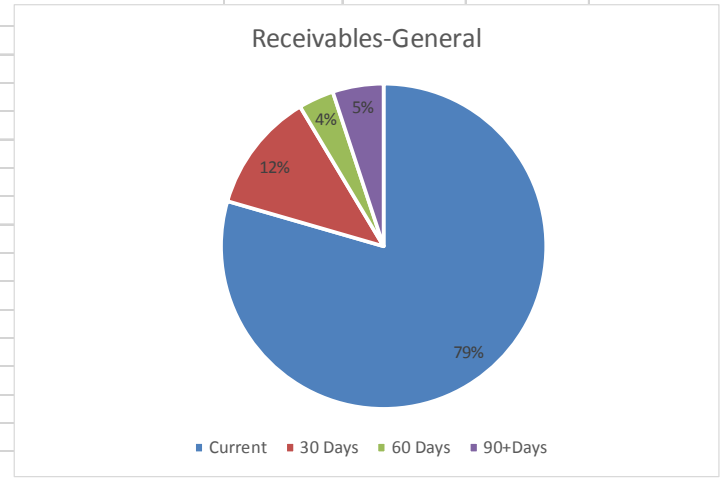
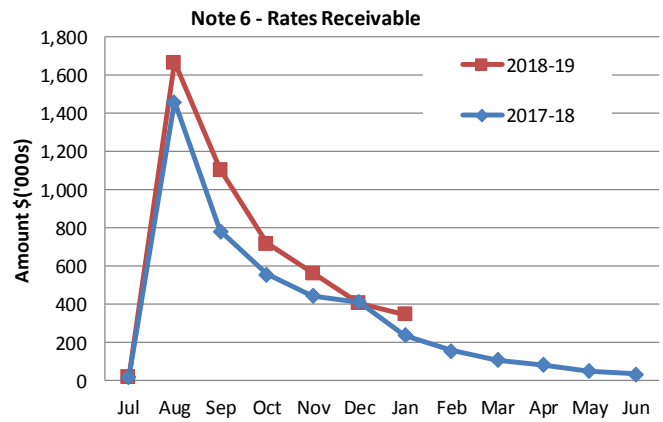
27 FEBRUARY 2019

Shire of Shark Bay							
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY							
For the Period Ended 31 January 2019							
Note 4: CASH AND INVESTMENTS							
	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Total Amount \$	Institution	Maturity Date
(a) Cash Deposits							
Municipal Bank Account	0.10%	104,313			104,313	Bankwest	At Call
Reserve Bank Account	0.00%		193		193	Bankwest	At Call
Telenet Saver	1.10%	956,718			956,718	Bankwest	At Call
Trust Bank Account	0.00%			14,201	14,201	Bankwest	At Call
Cash On Hand		800			800		On Hand
(b) Term Deposits							
Municipal Investment	2.35%	400,000			400,000	Bankwest	25/02/2019
Municipal Investment	2.35%	500,000			500,000	Bankwest	17/04/2019
Reserve Investment	2.35%		1,570,000		1,570,000	Bankwest	17/04/2019
Total		1,961,831	1,570,193	14,201	3,546,226		
Comments/Notes - Investments							
Surplus funds invested for terms conducive to cashflow requirements.							

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

Shire of Shark Bay				
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY				
For the Period Ended 31 January 2019				
Note 6: RECEIVABLES				
Receivables - Rates Receivable	31 January 2019	30 June 2018	Receivables - General	Current 30 Days 60 Days 90+Days
	\$	\$		\$ \$ \$ \$
Opening Arrears Previous Years	36,578	25,814	Receivables - General	102,412 15,390 4,516 6,536
Levied this year	1,728,279	1,288,212	Total Receivables General Outstanding	128,855
Less Collections to date	(1,416,164)	(1,277,448)	Amounts shown above include GST (where applicable)	
Equals Current Outstanding	348,693	36,578		
Net Rates Collectable	348,693	36,578		
% Collected	80.24%	97.22%		



Comments/Notes - Receivables Rates

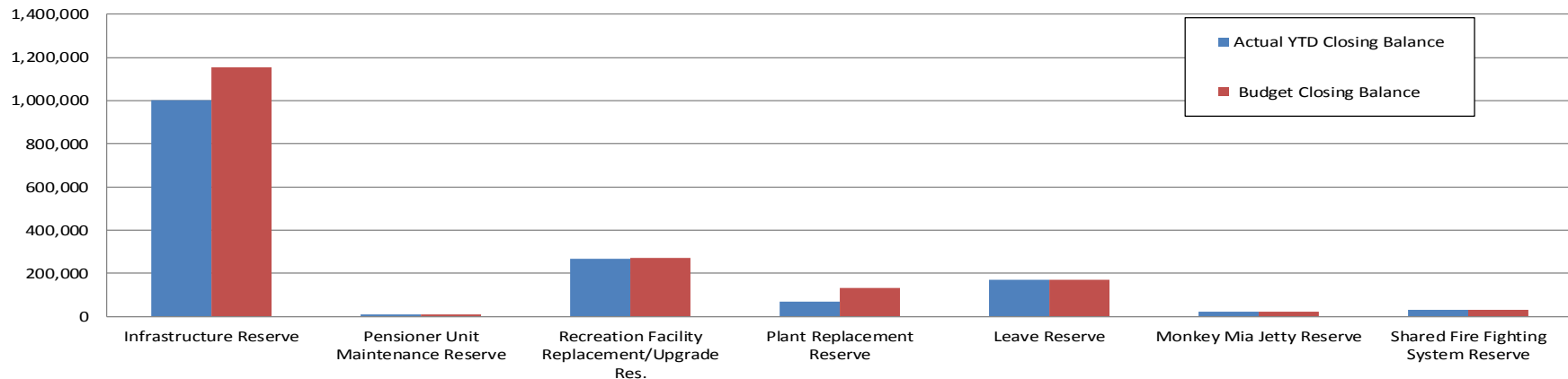
No major issues at this time

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

Shire of Shark Bay									
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY									
For the Period Ended 31 January 2019									
Note 7: Cash Backed Reserve									
2018-19									
Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Infrastructure Reserve	1,035,753	13,500	7,613	218,577	74,606	(114,606)	(114,606)	1,153,224	1,003,366
Pensioner Unit Maintenance Reserve	10,748	15	65	25,000	25,000	(25,000)	(25,000)	10,763	10,813
Recreation Facility Replacement/Upgrade Res.	264,546	6,250	2,376	0	0	0	0	270,796	266,922
Plant Replacement Reserve	205,609	1,100	576	468,227	404,591	(541,139)	(541,138)	133,797	69,638
Leave Reserve	133,402	2,000	1,247	33,900	33,900	0	0	169,302	168,549
Monkey Mia Jetty Reserve	21,587	400	183	0	0	0	0	21,987	21,770
Shared Fire Fighting System Reserve	28,891	575	245	0	0	0	0	29,466	29,136
	1,700,536	23,840	12,305	745,704	538,097	(680,745)	(680,744)	1,789,335	1,570,193

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



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Shire of Shark Bay							
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY							
For the Period Ended 31 January 2019							
Note 8 CAPITAL DISPOSALS							
Actual YTD Profit/(Loss) of Asset Disposal					Annual Budget		
Cost	Accum Depr	Proceeds	Profit (Loss)		YTD 31 01 2019		
\$	\$	\$	\$		Annual Budget Profit/(Loss)	Actual Profit/(Loss)	Variance
				Plant and Equipment	\$	\$	\$
				Governance			
			0	CEO Vehicle	(10,111)	0	10,111
				EMFA Vehicle	9,000	0	(9,000)
37,866	(17,866)	22,274	2,274	EMCD Vehicle	6,000	2,274	(3,726)
37,866	(17,866)	22,274	2,274		4,889	2,274	(2,615)
				Transport			
5,300	(2,657)	0	(2,643)	Depot Office Building	0	(2,643)	(2,643)
				Dual Cab Ute Works Manager	(8,262)		8,262
				Dual Cab Ute Town	(10,568)		10,568
				Dual Cab Ute Country	(11,046)		11,046
				Ride on Lawn Mower	1,025		(1,025)
				Town Loader	(65,885)		65,885
72,000	(52,000)	25,000	5,000	Multi Tyred Rubber Roller	0	5,000	5,000
				Vibration Roller	(22,542)		22,542
72,000	(52,000)	25,000	2,357		(117,278)	2,357	119,635
109,866	(69,866)	47,274	4,631		(112,389)	4,631	117,020
Comments - Capital Disposal/Replacements							

MINUTES OF THE ORDINARY COUNCIL MEETING

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Shire of Shark Bay											
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY											
For the Period Ended 31 January 2019											
Rate in \$	Number of Properties	Rateable Value \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	Total Revenue \$	2018/19 Budget Rate Revenue \$	2018/19 Budget Interim Rate \$	2018/19 Budget Back Rate \$	2018/19 Budget Total Revenue \$	
Note 9: RATING INFORMATION											
RATE TYPE											
Differential General Rate											
GRV Residential	0.098885	309	3,681,102	365,446	136	365,582	364,005			364,005	
GRV Commercial	0.101620	43	2,123,918	214,353	528	215,007	215,832			215,832	
GRV Vacant	0.098885	17	331,334	32,764	1,848	34,612	32,763			32,763	
GRV Rural Commercial	0.102773	5	304,200	31,264	214	31,528	31,264			31,264	
GRV Industrial/Residential	0.109426	45	619,128	67,749	334	68,086	67,749			67,749	
GRV Industrial/Residential Vacant	0.098885	2	17,100	1,691		1,691	1,691			1,691	
GRV Rural Resort	0.108482	2	1,112,800	120,719	1,866	122,585	120,719			120,719	
UV General	0.200085	7	1,150,738	238,613	-68,851	169,762	230,245			230,245	
UV Pastoral	0.137028	11	617,360	84,596		84,596	84,596			84,596	
UV Mining	0.272901	1	6,990	1,969		1,969	1,908			1,908	
UV Exploration	0.262395	8	601,023	162,797	15,471	179,302	157,705			157,705	
Sub-Totals		450	10,565,693	1,321,960	(48,454)	1,274,721	1,308,477	0	0	1,308,477	
Minimum Payment											
GRV Residential	850.00	59	443,150	51,000		51,000	50,150			50,150	
GRV Commercial	850.00	17	93,832	14,450		14,450	14,450			14,450	
GRV Vacant	850.00	84	274,870	70,550		70,550	71,400			71,400	
GRV Rural Commercial	850.00	0	0			0	0			0	
GRV Industrial/Residential	850.00	3	19,760	2,550		2,550	2,550			2,550	
GRV Industrial/Residential Vacant	530.00	0	0			0	0			0	
GRV Rural Resort	850.00	0	0			0	0			0	
UV General	890.00	7	23,060	6,230		6,230	6,230			6,230	
UV Pastoral	890.00	0	0			0	0			0	
UV Mining	890.00	1	596	890		890	890			890	
UV Exploration	890.00	1	1,941	890		890	890			890	
Sub-Totals		172	857,209	146,560	0	146,560	146,560	0	0	146,560	
Excess Rates 17/18 and 18/19 Impact						(20,084)				(10,000)	
Concessions						(121,118)				(179,221)	
Amount from General Rates						1,280,079				1,265,816	
Specified Area Rates						35,924				37,520	
Totals						1,316,003				1,303,336	

MINUTES OF THE ORDINARY COUNCIL MEETING

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Shire of Shark Bay								
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY								
For the Period Ended 31 January 2019								
10. INFORMATION ON BORROWINGS								
(a) Debenture Repayments								
Particulars	Principal 1-Jul-18	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			2018/19 Actual \$	2018/19 Budget \$	2018/19 Actual \$	2018/19 Budget \$	2018/19 Actual \$	2018/19 Budget \$
Loan 57 Monkey Mia Bore	165,022	0	15,050	30,406	149,972	134,616	2,051	7,114
Loan 53 - Staff Housing	22,333	0	22,333	22,333	0	0	438	440
Loan 56 - Staff Housing	46,707	0	8,798	17,860	37,909	28,847	1,243	2,758
Loan - Town Oval Bore	0	800,000	0	13,815	0	786,185	0	14,440
	234,062	800,000	46,182	84,414	187,881	949,648	3,732	24,752

All debenture repayments are financed by general purpose revenue except Loan 57 which is funded through a Specified Area Rate.

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Shire of Shark Bay								
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY								
For the Period Ended 31 January 2019								
Note 11: GRANTS AND CONTRIBUTIONS								
Program/Details	Grant Provider	Approval	2018-19 Original Budget	Variations Additions (Deletions)	Operating	Capital	Recoup Status	
							Received/Invoiced	Not Received
		(Y/N)	\$	\$	\$	\$	\$	\$
GENERAL PURPOSE FUNDING								
Grants Commission - General	WALGGC	Y	719,551	0	719,551	0	359,776	359,776
Grants Commission - Roads	WALGGC	Y	215,001	0	215,001	0	107,501	107,501
LAW, ORDER, PUBLIC SAFETY								
FESA Grant - Operating Bush Fire Brigade	Dept. of Fire & Emergency Serv.	Y	6,248	0	6,248	0	7,547	(1,299)
Grant FESA - SES	Dept. of Fire & Emergency Serv.	Y	34,740	0	34,740	0	23,734	11,006
Coastal Hazard Risk Management & Adaption Plan	WA Planning Commission	Y	32,500	0	32,500	0	0	32,500
RECREATION AND CULTURE								
Upgrade Town Hall Stage	Shark Bay Entertainers Contribution	Y	3,500	0	0	3,500	3,500	0
Upgrade Town Hall Stage	Lotteries Commission	Y	45,855	0	0	45,855	45,855	0
Contributions - HMAS Sydney Exhibit	Visitors to Discovery Centre	Y	0	0	0	0	142	(142)
Little Lagoon Trail Signage and Barriers	Department of Industry, Innovation and Science	Y	0	0	0	0	20,000	(20,000)
TRANSPORT								
Road Preservation Grant	State Initiative - Main Roads WA	Y	65,254	0	65,254	0	106,056	(40,802)
Useless Loop Road - Mtce	Main Roads WA	Y	330,000	0	330,000	0	132,000	198,000
Contributions - Road Projects	Pipeline	Y	8,600	0	8,600	0	8,900	(300)
Roads To Recovery Grant - Cap	Roads to Recovery	Y	199,878	0	0	199,878	0	199,878
RRG Grants - Capital Projects	Regional Road Group	Y	232,065	0	0	232,065	104,082	127,983
CCTV - Depot	Dept. of Industry, Innovation & Science	Y	0	0	0	0	6,125	(6,125)
CCTV - Monkey Mia	Dept. of Industry, Innovation & Science	Y	0	0	0	0	6,125	(6,125)
ECONOMIC SERVICES								
Support for Local Road Safety Activities	WALGA	Y	0	0	0	0	1,500	(1,500)
CCTV Foreshore	Dept. of Industry, Innovation & Science	Y	0	0	0	0	6,125	(6,125)
Destination Shark Bay Brand Development	Shark Bay Tourism Association	Y	0	0	0	0	3,000	(3,000)
Reusable Rubbish Bags	Keep Australia Beautiful Western Australia	Y	0	0	0	0	2,136	(2,136)
TOTALS			1,893,192	0	1,411,894	481,298	944,103	949,089
			Operating		1,411,894		752,291	
			Non-operating		481,298		191,812	
					1,893,192		944,103	
Comments - Operating and Non Operating Grants								

MINUTES OF THE ORDINARY COUNCIL MEETING

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Shire of Shark Bay					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 31 January 2019					
Note 12: TRUST FUND					
Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:					
Description	Opening Balance 1 Jul 18	Amount Received	Amount Paid	Closing Balance 31-Jan-19	
	\$	\$	\$	\$	
CITF Levy	0	2,548	(2,548)	0	
Library Card Bond	50	100	(100)	50	
Bookeasy- Sales	0	297,676	(297,676)	0	
Kerb/Footpath Deposit	4,300	0	0	4,300	
Bond Key	2,300	1,180	(640)	2,840	
Hall Bond	0	675	(200)	475	
Police Licensing	2,063	158,957	(156,991)	4,029	
Election Deposit	0			0	
Marquee Deposit	0			0	
Building Licence Levy	0	2,003	(2,003)	0	
Road Reserve - Hughes Street	2,298	0		2,298	
Tour Sales	0			0	
Property Rental Bonds	1,820		(1,820)	0	
Rates Unidentified Deposit	210			210	
	13,041	463,139	(461,979)	14,201	

MINUTES OF THE ORDINARY COUNCIL MEETING

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CAPITAL WORKS PROGRAM 2018/19								
Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
Land and Buildings								
Housing								
Staff housing Capital Works								
Staff Housing - 5 Spaven Way	1.1.2	CEO	(10,000)	(5,831)	0	5,831	0	
Staff Housing - 65 Brockman St	1.1.2	EMCD	(10,000)	(5,831)	0	5,831	0	
Staff Housing - 51 Durlacher St	1.1.2	EMFA	(10,000)	(5,831)	0	5,831	0	
Staff Housing - 80 Durlacher St	1.1.2	EMCD	(10,000)	(5,831)	0	5,831	0	
Pensioner Units Capital	1.1.3	EMCD	(25,000)	(16,664)	(3,857)	12,807	3,857	Ongoing
Housing Total			(65,000)	(39,988)	(3,857)	36,131	3,857	
Recreation and Culture								
Denham Town Hall Stage Upgrade	2.2.1	EMCD	(56,355)	(56,355)	(46,514)	9,841	0	Complete
Recreation and Culture Total			(56,355)	(56,355)	(46,514)	9,841	0	
Transport								
Depot- New Building	2.2.1	WKM	(20,000)	(11,669)	(64,617)	(52,948)	64,617	New Building under construction
Transport Total			(20,000)	(11,669)	(64,617)	(52,948)	64,617	
Land and Buildings Total			(141,355)	(108,012)	(114,987)	(6,975)	68,473	
Footpaths								
Transport								
Footpath Construction-Denham Footpath Plan	1.1.2	WKM	(50,000)	(50,000)	(46,980)	3,020	0	Complete
Transport Total			(50,000)	(50,000)	(46,980)	3,020	0	
Footpaths Total			(50,000)	(50,000)	(46,980)	3,020	0	

MINUTES OF THE ORDINARY COUNCIL MEETING

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Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
Furniture & Office Equip.								
Governance								
New IP Phone System	1.1.2	EMFA	(15,000)	(15,000)	(1,319)	13,681	1,319	In progress
Governance Total			(15,000)	(15,000)	(1,319)	13,681	1,319	
Transport								
Ricoh Photocopier	1.1.2	EMFA	0	0	(3,838)	3,838	3,838	Complete
Transport Total			0	0	(3,838)	3,838	3,838	
Furniture & Office Equip. Total			0	0	(5,157)	7,676	7,676	
Plant , Equipment and Vehicles								
Governance								
CEO Vehicle	1.1.2	CEO	(70,000)	(70,000)	0	70,000		
EMFA Vehicle	1.1.2	EMFA	(35,000)	(35,000)	0	35,000		
EMCD Vehicle	1.1.2	EMCD	(35,000)	(35,000)	(23,282)	11,718	23,282	Complete
Total Governance			(140,000)	(140,000)	(23,282)	116,718	23,282	
Transport								
Major Plant Items	1.1.2	WKM	(20,000)	(11,669)	0	11,669	0	
Dual Cab Ute - Works Manager	1.1.2	WKM	(55,000)	(55,000)	0	55,000	0	
Dual Cab Ute - Town	1.1.2	WKM	(45,000)	(45,000)	0	45,000	0	
Excavator	1.1.2	WKM	(31,138)	(31,138)	(2,233)	28,905	2,233	Complete
Multi Tyred Rubber Roller	1.1.2	WKM	(170,000)	(170,000)	(138,000)	32,000	138,000	
Town Loader	1.1.2	WKM	(195,000)	(195,000)	0	195,000	0	
Ride on Lawn Mower	1.1.2	WKM	(45,000)	(45,000)	0	45,000	0	
Dual Cab Ute - Country	1.1.2	WKM	(45,000)	(45,000)	0	45,000	0	
Transport Total			(606,138)	(597,807)	(140,233)	457,574	140,233	
Denham Marine Facilities								
Boat Jinker Brake System Upgrade	1.1.2	WKM	(20,000)	(20,000)	0	20,000	0	
Boat Jinker Hydraulics Upgrade	1.1.2	WKM	0	0	(21,507)	(21,507)	21,507	Complete
Denham Marine Facilities Total			(20,000)	(20,000)	(21,507)	(1,507)	21,507	
Plant , Equipment and Vehicles Total			(766,138)	(757,807)	(185,022)	572,785	185,022	

MINUTES OF THE ORDINARY COUNCIL MEETING

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Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
Public Facilities								
Community Amenities								
Refuse Tip and Recycling	2.1.1	WKM	(4,066)	(4,066)	(7,412)	(3,346)		Complete
Community Amenities Total			(4,066)	(4,066)	(7,412)	(3,346)	0	
Recreation And Culture								
Town Oval Bore	2.2.1	WKM	(800,000)	(800,000)	0	800,000	0	Project has not commenced
Recreation And Culture Total			(800,000)	(800,000)	0	800,000	0	
Public Facilities Total			(804,066)	(804,066)	(7,412)	796,654	0	
Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
Roads (Non Town)								
Transport								
R2R Projects 18/19	1.1.1	WKM	(199,878)	(199,878)	0	199,878	0	Project has not commenced
Useless Loop Road - RRG 18-19	1.1.1	WKM	(229,958)	(134,148)	0	134,148	0	Project has not commenced
Eagle Bluff Road - RRG 17-18 C/F	1.1.1	WKM	(35,391)	(20,643)	(36,389)	(15,746)	36,389	Complete
Eagle Bluff Road - RRG 18-19	1.1.1	WKM	(90,000)	(52,507)	(44,387)	8,120	44,387	Project is in progress
						0	0	
Transport Total			(555,227)	(407,176)	(80,776)	326,400	80,776	
Roads (Non Town) Total			(555,227)	(407,176)	(80,776)	326,400	80,776	
Capital Expenditure Total			(2,316,786)	(2,127,061)	(440,334)	1,699,560	341,948	

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13.0 TOWN PLANNING REPORT

**13.1 NANGA ROAD AND UNALLOCATED CROWN LAND (LOT 73)
P2015 / RD00031**

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Liz Bushby, Town Planning Innovations

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

Declaration of Interest: Cr Cowell Impart

Nature of Interest: Impartiality Interest as Executive Officer of the Shark Bay World Heritage Advisory Committee who was a referral

Officer Recommendation

That Council:

1. Note that the formal Nanga Road reserve is not aligned with the constructed road, and has no legal connection to Shark Bay Road.
2. Resolve to authorise the Chief Executive Officer to advertise the potential road dedication for the constructed part of Nanga Road contained within a portion of Unallocated Crown Land known as Lot 73 on Plan 238404 (Certificate of Title Volume 2914, Folio 959) for public comment and include key stakeholders, service authorities, the Shark Bay World Heritage Committee and the owners of Lots 1- 4.
3. Note that this recommendation is only to advertise the potential road dedication and a separate future resolution will be required in accordance with Section 56 of the *Land Administration Act 1997*.
4. Note that any road dedication will need to be lodged to the Department of Lands, Planning and Heritage for consideration by the Minister for Lands.

Optional Recommendation for Council consideration (four wheel drive track) -

5. Resolve to authorise the Chief Executive Officer to advertise the potential road dedication for a future four wheel drive track within a portion of Unallocated Crown Land known as Lot 73 on Plan 238404 (Certificate of Title Volume 2914, Folio 959) for public comment and include key stakeholders, service authorities, the Shark Bay World Heritage Committee and the owners of Lots 1- 4.
6. Note that the exact location of a future four wheel track is difficult to establish on a map until the land can be surveyed so only a nominal location can be identified.
7. Note that if land is dedicated for a four wheel drive track the timing for construction would be contingent on a future budget allocation by Council.

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Moved Cr Bellottie
Seconded Cr Ridgley

Council Resolution

That Council:

1. **Note that the formal Nanga Road reserve is not aligned with the constructed road, and has no legal connection to Shark Bay Road.**
2. **Resolve to authorise the Chief Executive Officer to advertise the potential road dedication for the constructed part of Nanga Road contained within a portion of Unallocated Crown Land known as Lot 73 on Plan 238404 (Certificate of Title Volume 2914, Folio 959) for public comment and include key stakeholders, service authorities, the Shark Bay World Heritage Committee and the owners of Lots 1- 4.**
3. **Note that this recommendation is only to advertise the potential road dedication and a separate future resolution will be required in accordance with Section 56 of the *Land Administration Act 1997*.**
4. **Note that any road dedication will need to be lodged to the Department of Lands, Planning and Heritage for consideration by the Minister for Lands.**
5. **Resolve to authorise the Chief Executive Officer to advertise the potential road dedication for a future four wheel drive track within a portion of Unallocated Crown Land known as Lot 73 on Plan 238404 (Certificate of Title Volume 2914, Folio 959) for public comment and include key stakeholders, service authorities, the Shark Bay World Heritage Committee and the owners of Lots 1- 4.**
6. **Note that the exact location of a future four wheel track is difficult to establish on a map until the land can be surveyed so only a nominal location can be identified.**
7. **Note that if land is dedicated for a four wheel drive track the timing for construction would be contingent on a future budget allocation by Council.**

6/0 CARRIED

BACKGROUND

Nanga Road provides access to Lots 1, 2, 3 and 4 adjacent to the western coast. Lot 4 has been developed with the Nanga Bay Resort.

Lots 1 – 4 are zoned ‘Special Use’ under the Shire of Shark Bay Local Planning Scheme No 4 (the Scheme).

Development within the Special Use zone is to be guided by a Local Development Plan. Council has discretion to consider a wide range of uses at Nanga including but not limited to camping ground, caravan park, holiday accommodation, park home park,

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restaurant/café, short term accommodation, holiday accommodation and workforce accommodation.

Only the formal legal road reserve is reserved as 'local road' under the Shire of Shark Bay Local Planning Scheme No 4 – refer Figure 1. Most of the constructed road is zoned 'Rural' under the Scheme.

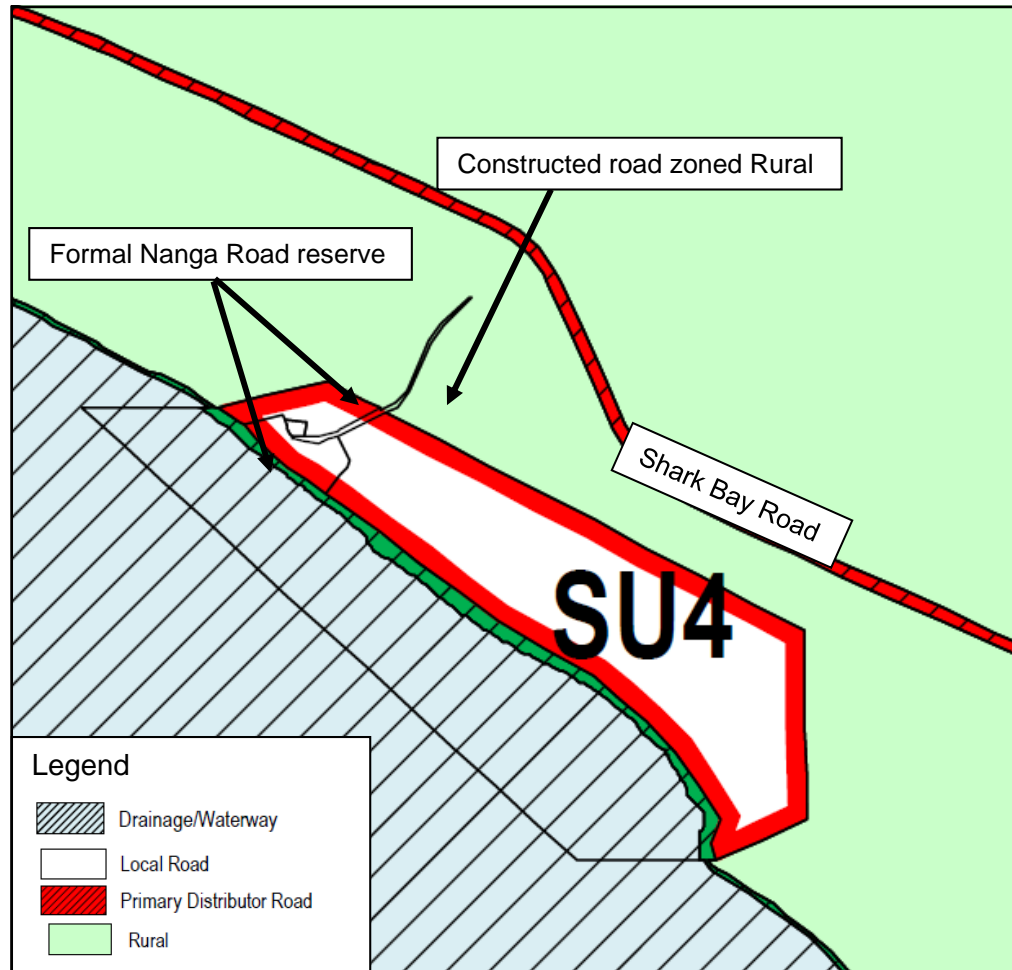


Figure 1 – Shire of Shark Bay Local Planning Scheme No 4

COMMENT

• **Nanga Road**

The Shire Administration has identified that the formal Nanga Road reserve does not align with the constructed road, and it has no connection to Shark Bay Road – refer Figure 2.

This situation is undesirable for a number of reasons including that:

- a. Lots 1 to 4 have no legal access to Shark Bay Road and are effectively landlocked;
- b. Future development potential of Lots 1 to 4 may be affected. The lots are within the declared bushfire prone area and any necessary Bushfire Management Plan would be complicated due to the lack of legal emergency access;

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- c. The Shire maintains Nanga Road and a portion is Unallocated Crown Land. This is irregular and local roads are usually contained within a formal road reserve.
- d. The road would be secured for long term protection if it was contained within a road reserve.

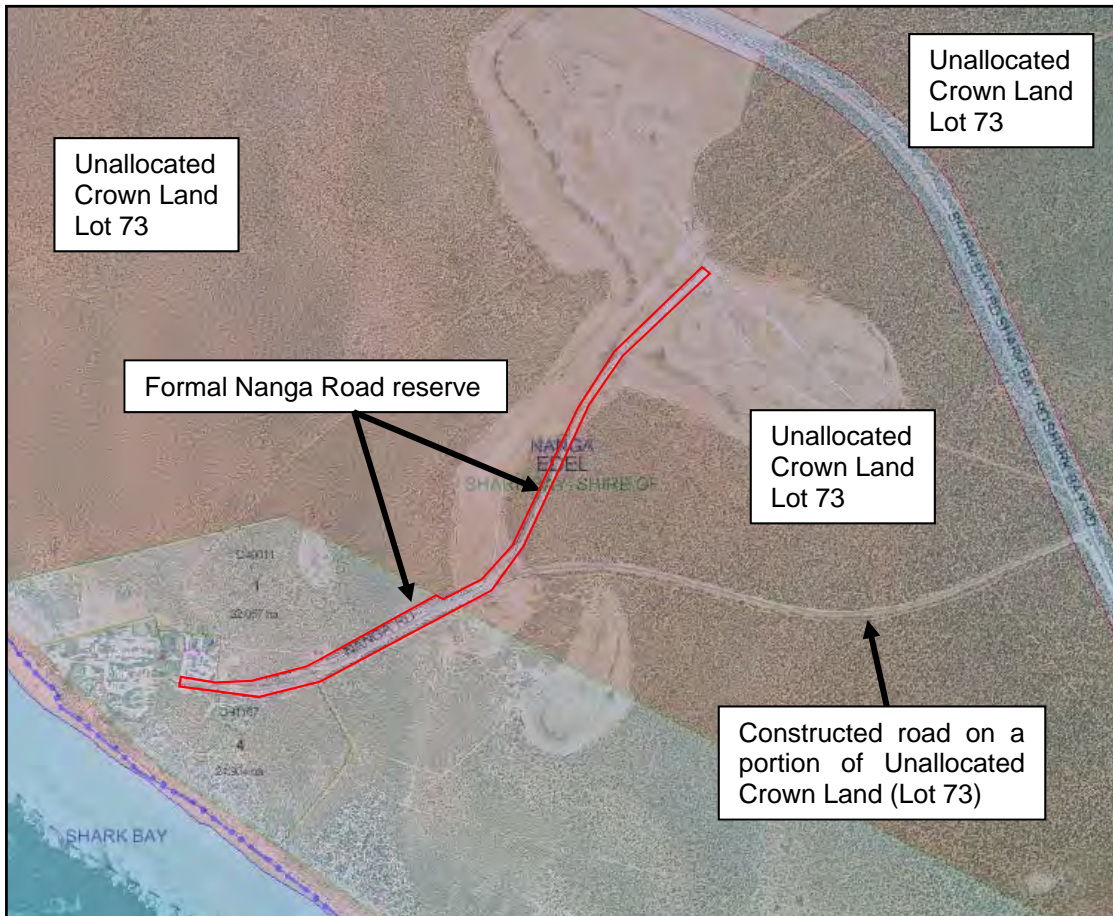


Figure 2 – Aerial Plan with cadastra overlay. Source: Landgate

A proposed road dedication map prepared by the Shires Works Manager is included as Attachment 1.

It is recognised that conversion of the Unallocated Crown Land to a formal road reserve is likely to entail costs, however it provides the only practical solution to correct an existing undesirable situation.

- **Public Beach Access – Issue for Council discussion**

The Unallocated Crown Land known as Lot 73 has an area exceeding 30931 hectares and surrounds Lots 1 to 4 Nanga Road.

It is recommended that Council also consider the option of dedicating a separate part of Lot 73 from Unallocated Crown Land to road reserve so there is potential in the future to create a public four wheel drive adventure track from Nanga Road to the beach – refer Figure 3.

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Construction of any four wheel drive track would be subject to a future budget allocation.

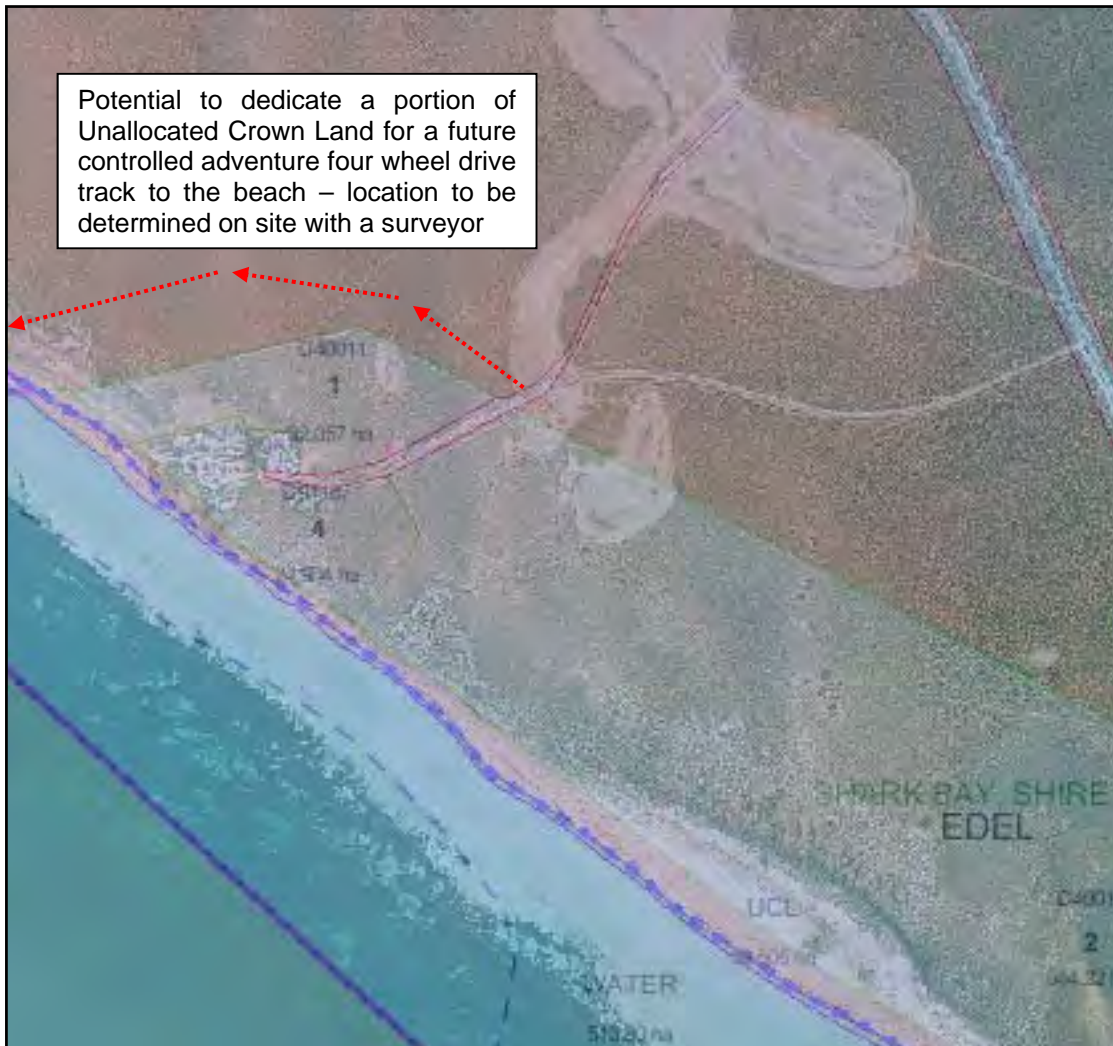


Figure 3 – Aerial Plan with cadastra overlay. Source: Landgate
Potential future track

Any future four wheel drive track would need to provide controlled access (with bollards) to ensure a minimal footprint and endeavour to prevent unfettered access to Lot 73.

A separate clearing permit may be required for removal of vegetation.

LEGAL IMPLICATIONS

Shire of Shark Bay Local Planning Scheme No 4 – explained in the body of this report.

The Scheme maps reflect existing cadastra and the formal Nanga Road reserve.

Land Administration Act 1997 – Section 56 states as follows:

56. Dedication of land as road

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- (1) If in the district of a local government —
 - (a) land is reserved or acquired for use by the public, or is used by the public, as a road under the care, control and management of the local government; and that land is described in a plan of survey, sketch plan or document, the local government may request the Minister to dedicate that land as a road.
- (2) If a local government resolves to make a request under subsection (1), it must —
 - (a) in accordance with the regulations prepare and deliver the request to the Minister; and
 - (b) provide the Minister with sufficient information in a plan of survey, sketch plan or document to describe the dimensions of the proposed road.
- (3) On receiving a request delivered to him or her under subsection (2), the Minister must consider the request and may then —
 - (a) subject to subsection (5), by order grant the request; or
 - (b) direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or
 - (c) refuse the request.

Land Administration Regulations 1998 - Sets out what is required of the local government in terms of the package of information required in section 56(2)(a).

The package of information has to include details of the Council resolution, consultation and advertising, submissions and confirmation that the Shire has complied with legislation.

Native Title Act 1993 – A process pursuant to Section 24K of the Native Title Act 1993 may be required to address native title rights and interests over the land.

The Department of Planning, Lands and Heritage would undertake any required native title process.

Environmental Protection Act 1986 - Applications for clearing permits are assessed and decisions are made to grant or refuse the application in accordance with this Act. The Department of Water and Environmental Regulation administers the clearing provisions of the Act.

A clearing permit may be required for any future four wheel drive track.

Traffic Act 1974 - There may be other legal implications for the local police in administering the Traffic Act 1974 for the portion of road constructed in Unallocated Crown Land.

POLICY IMPLICATIONS

There are no policy implications relative to this report.

FINANCIAL IMPLICATIONS

- *Relevant Rate Income*

Lot No	Owner	Rates 2018/2019	Total (includes ESL)
1	Eretso Pty Ltd	\$1730.49 and ESL \$82.00	\$1812.49
2	Pan Holdings Pty Ltd	\$2472.13 and ESL \$82.00	\$ 2554.13

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3	Sears/Wainwright	\$2672.10 and ESL \$82.00	\$2754.10
4	Sin-Aus-Nanga Bay Pty Ltd	\$5076.96 and ESL \$82.00	\$5158.96

The Emergency Service Levy is collected by the Shire for the Department of Fire and Emergency Services and is forwarded onto them.

The Shire received a total of \$11,951.68 in the 2018/2019 rates from the owners of Lots 1 to 4 Nanga Road, excluding the Emergency Services Levy.

- *Consultancy Costs*

The Shire pays consultancy fees to Liz Bushby of Town Planning Innovations for planning advice.

- *Dedication Costs*

There will be costs associated with pursuing conversion of Unallocated Crown Land to a dedicated road. A survey would need to be completed at some stage by a licenced surveyor.

- *Road Costs and Maintenance*

The Shire spent \$70,877 of the Regional Road Group funding resealing Nanga Road in 2017/2018.

As Nanga Road is a sealed road it has a low annual maintenance program and is tied into the country road maintenance account. It would be difficult to separate the maintenance costs out however they are low.

STRATEGIC IMPLICATIONS

The lack of legal dedicated road access may have future implications for any development or redevelopment of Lots 1 to 4 at Nanga.

The constructed road would be afforded greater protection if contained in formal road reserve.

RISK MANAGEMENT

Future risk will be reduced if the constructed portion of Nanga Road is within a formal dedicated road reserve as opposed to Unallocated Crown Land.

VOTING REQUIREMENTS

Simple Majority Required

G174

SIGNATURES

Author

L Bushby

Chief Executive Officer

P Anderson

Date of Report

13 February 2019



27 FEBRUARY 2019

13.2 PROPOSED LOCAL DEVELOPMENT PLAN – LOT 1 SHARK BAY ROAD, DENHAM (CORNER MONKEY MIA ROAD)
P1347

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Liz Bushby, Town Planning Innovations

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

Moved Cr Ridgely
Seconded Cr Burton

Council Resolution

That Council:

1. **Note that the Western Australian Planning Commission has agreed that a Local Development Plan is appropriate for the orderly and proper planning of Lot 1 Shark Bay Road, Denham.**
2. **Resolve to advertise the Local Development Plan submitted by Paragon Planning for Lot 1 Shark Bay Road, Denham for a period of 28 days in accordance with Clause 50 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**
3. **Resolve to advertise the revised site plan for the service station development application concurrently with the Local Development Plan.**
4. **Note that a report on this matter will be referred to a future Council meeting once advertising is completed.**

6/0 CARRIED

BACKGROUND

Lot 1 is located on the corner of Shark Bay Road and Monkey Mia Road in Denham. It has an approximate area of 2.13 hectares and is vacant.

A cemetery is located on adjacent Reserve 886 to the immediate east.

There is potential for future residential lots and a road extension of Oakley Ridge to the west, in accordance with an existing Outline Development Plan (now referred to as Structure Plan).

A development application for an unmanned serviced station on the northern portion of the lot was lodged in 2018.

A preliminary report on the development application was referred to Council on the 26 April 2018. Council resolved to write to the Western Australian Planning Commission

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seeking their view on requiring a Local Development Plan to guide development on the lot.

The Western Australian Planning Commission confirmed that a Local Development Plan is appropriate to guide future development of the site – Attachment 1.

COMMENT

• **Zoning**

Lot 1 is is zoned 'Special Use' under the Shire of Shark Bay Local Planning Scheme No 4 ('the Scheme'). It is listed as Special Use No 3 in Schedule B of the Scheme.

The objectives for the Special Use No 3 zone applicable to Lot 1 are:

- To ensure that any development is compatible with the Commercial and surrounding zoning.
- To provide for a wide range of compatible landuses and encourage opportunities for mixed use development.
- To encourage development of an attractive place to work and conduct business.
- To promote a high standard of development including buildings, landscaping and carparking.
- To ensure that all development presents a visually attractive appearance to Monkey Mia Road as a main gateway into the Denham Townsite.

Specific conditions apply to the lot under the special use zone provisions – refer Attachment 2.

• **Proposed Local Development Plan**

A Local Development Plan has been lodged to provide guidance for co-ordinated development of Lot 1. The Local Development Plan is included as Attachment 3.

Town Planning Innovations is of the view that the Local Development Plan will assist achievement of a higher quality development outcome for the site, than the previous service station development application as:

- i. It allows for limited crossovers and integrated internal access between the proposed service station and any future development on the south portion of the lot;
- ii. Higher quality standards are proposed with previously identified gravel traffic circulation areas being replaced by concrete and bitumen;
- iii. Provision made for a future corner building addressing both available road frontages through a designated building envelope;
- iv. Landscaping to consist of a combination of trees and groundcovers; and
- v. Specific provisions and conditions on the Local Development will guide both the service station proposal and any future development on the lot. Town

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Planning Innovations drafted the provisions in consultation with the Chief Executive Officer to provide guidance to the applicant.

Town Planning Innovations is generally supportive of the Local Development Plan for the purposes of commencing public advertising, however Council can require modifications if deemed appropriate.

A full assessment cannot be made at this juncture, as various supporting documents have been referred to relevant authorities for comment as follows:

Document	Status
<p>1. <i>Revised acoustic report</i></p> <p>A revised acoustic report was referred to the Department of Water, Environment and Regulation last year however Town Planning Innovations has no record of any response.</p>	Pending advice from the Department of Water, Environment and Regulation.
<p>2. <i>Revised Traffic Impact Study</i></p> <p>A revised Traffic Impact Study dated 18 January 2019 has been lodged. The applicant has indicated that it has been prepared in consultation with Main Roads Western Australia.</p>	Pending advice from Main Roads WA.
<p>3. <i>Revised Bushfire Management Plan (Version 7)</i></p>	Pending advice from the Department of Fire and Emergency Services.

It should be noted that the applicant has lodged a revised site plan to accompany the separate development application for the service station, to ensure it aligns with the proposed Local Development Plan.

• ***Advertising and consultation***

The development application for the service station was advertised in 2018, and an objection was received by Paragon Planning on behalf of Jamie Morgan. Mr Morgan owns Lot 90 Monkey Mia Road and has expressed some ambition to develop Lot 90 with a service station. The objection essentially raised concern over the quality of the development and that it did not meet the objectives applicable to the special use zone.

A submission was also lodged by Castledine Gregory on behalf of Mr Morgan providing an opinion on land use permissibility and scheme matters. Castledine Gregory has requested their advice not be included in the public section of the minutes, however they confirmed it can be provided to Councillors. Copies are available through the Chief Executive Officer.

In regards to the Local Development Plan, Town Planning Innovations has commenced consultation with relevant government authorities and agencies.

MINUTES OF THE ORDINARY COUNCIL MEETING

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It is recommended that Council proceed to advertise the Local Development Plan for 28 days as required by the *Planning and Development (Local Planning Schemes) Regulations 2015*.

It is also recommended that advertising material also provide opportunity for public comment on the revised site plan for the separate development application, for efficiency.

If Council has any concerns over the proposed Local Development Plan then they should be conveyed in the resolution to advise the applicant.

LEGAL IMPLICATIONS

Shire of Shark Bay Local Planning Scheme No 4 – majority explained in the body of this report.

A 'service station' is defined in the Scheme as '*means premises other than premises used for a transport depot, panel beating, spray painting, major repairs or wrecking, that are used for -*

- (a) *the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; and/or*
- (b) *the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles.'*

TPI is of the view that the development is a 'service station' for the following reasons:

- (i) A service station includes '*the retail sale of petroleum products*'. The expression 'petroleum products' includes the motor vehicle fuels.

The development proposes the sale of petroleum.

- (ii) Whilst the development does not include mechanical repairs, that in itself does not preclude it from being classified as a 'service station'.

The Service station definition allows for the '*sale of petroleum products*' and the '*the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles*'. That does not translate to mean that a service station has to include both elements of the definition.

Council has discretion to consider an application for a service station on Lot 1, subject to being satisfied that it meets the Special Use zone objectives and addresses the specific conditions listed in Schedule 2 of the Scheme.

The Shire can obtain independent legal advice on landuse permissibility if desired.

Planning and Development (Local Planning Schemes) Regulations 2015

The *Planning and Development (Local Planning Schemes) Regulations 2015* were gazetted on 25 August 2015, and became effective on 19 October 2015.

The Regulations include 'Deemed Provisions' that automatically apply and override parts of the Shire of Shark Bay Local Planning Scheme No 4.

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Under the 'deemed provisions' of the *Planning and Development (Local Planning Schemes) Regulations 2015* the local government and the Western Australian Planning Commission can require a Local Development Plan to be prepared.

The Local Development Plan has to be advertised for 28 days to comply with Clause 50 of the deemed provisions of the Regulations (Part 6, Schedule 2).

POLICY IMPLICATIONS

There are no known policy implications associated with this matter.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Town Planning Innovations for advice.

STRATEGIC IMPLICATIONS

- ***Shire of Shark Bay Local Planning Strategy***

No zoning changes for Lot 1 were identified under the Local Planning Strategy.

The Strategy recognises that the Scheme allows for a wide range of land uses on Lot 1 and states that '*it is not anticipated that all of the permissible uses will locate on the site however it does provide opportunities for businesses which are not suited to the town centre, require commercial exposure, visibility and passing trade, have larger land requirements, and are not appropriately catered for in the more isolated industrial area*'.

RISK MANAGEMENT

Matters such as bushfire, amenity (noise/buffers) and traffic have to be addressed. These issues are still under assessment.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

L Bushby

Chief Executive Officer

P Anderson

Date of Report

13 February 2019

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ATTACHMENT 1



Your ref: 4-2018 (application 7/2018)
Our ref: PLH2018P0214/1
Enquiries: Emily Burton (08 6551 9899)

Chief Executive Officer
Shire of Shark Bay
65 Knight Terrace
DENHAM WA 6537

By Email - admin@sharkbay.wa.gov.au; liz@tخطيط.com.au

Dear Sir

LOCAL DEVELOPMENT PLAN CONSIDERATION FOR LOT 1 MONKEY MIA ROAD, DENHAM - SHIRE OF SHARK BAY .

I refer to your correspondence received on 27 April 2018.

Pursuant to Schedule 2, clause 47(d), of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), the Western Australian Planning Commission supports the preparation of a Local Development Plan (LDP) for the orderly and proper planning to facilitate development of Lot 1, Monkey Mia Road, Denham.

The local government is advised that support to the preparation of a local development plan in this location is to address the objectives and conditions of its local planning scheme.

If you have any queries, please contact the officer indicated above.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Sam Fagan'.

Ms Sam Fagan
Secretary
Western Australian Planning Commission

5 June 2018

MINUTES OF THE ORDINARY COUNCIL MEETING

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ATTACHMENT 2

EXTRACT OF SCHEDULE B – SPECIAL USE ZONES (Clause 21)

SHIRE OF SHARK BAY LOCAL PLANNING SCHEME NO 4

(Re-formatted to fit to page)

No.	Description of Land	Special Use	Conditions
SU3	Lot 1 Monkey Mia Road / corner Shark Bay Road, Denham	<p>As 'D' Uses:</p> <ul style="list-style-type: none"> • Bulky goods showroom • Carpark • Convenience store • Garden centre • Industry – light • Motor vehicle, boat or caravan sales • Motor vehicle repair • Motor Vehicle Wash • Office • Restaurant/ cafe • Service station • Warehouse/storage 	<p><u>Objectives</u></p> <ul style="list-style-type: none"> • To ensure that any development is compatible with the Commercial and surrounding zoning. • To provide for a wide range of compatible landuses and encourage opportunities for mixed use development. • To encourage development of an attractive place to work and conduct business. • To promote a high standard of development including buildings, landscaping and carparking. • To ensure that all development presents a visually attractive appearance to Monkey Mia Road as a main gateway into the Denham Townsite. <p><u>Conditions</u></p> <ol style="list-style-type: none"> 1) Any development is to have quality building facades fronting Shark Bay Road and Monkey Mia Road. 2) The layout of carparking areas shall be designed with high regard for traffic circulation between developments on the same lot, and shall be integrated to allow for good on site traffic management and flow. 3) Development shall be setback from Shark Bay Road and Monkey Mia Road intersection to the satisfaction of the local government and Main Roads WA.

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<p>SU3</p>	<p>Lot 1 Monkey Mia Road / corner Shark Bay Road, Denham</p> <p>(continued)</p>		<p>4) The boundary of the site abutting the Cemetery Reserve No. 8886 shall be landscaped to the satisfaction of the local government.</p> <p>5) Council may require lodgement of a landscaping plan as a condition of any development.</p> <p>6) Council may require lodgement of a transport impact assessment for any new development, prepared in accordance with the Western Australian Planning Commission's <i>Transport Impact Assessment Guidelines (August 2016)</i>.</p> <p>7) Council shall only consider 'motor vehicle repair' as a stand-alone development, where:</p> <p>(i) The building is of a high quality with adequate on site carparking and landscaping to the satisfaction of Council;</p> <p>(ii) The use is confined to those activities as defined in the 'motor vehicle repair' landuse definition in Clause 40 servicing as a predominant activity; and</p> <p>(iii) The use shall not include any motor vehicle wrecking (which is defined separately in the Scheme) dismantling of vehicles, or storage of any car bodies on site; and</p> <p>(iv) Any external storage shall be confined to the side or rear of a building and must be adequately screened from public view to the satisfaction of Council; and</p>
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MINUTES OF THE ORDINARY COUNCIL MEETING

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EXTRACT OF SCHEDULE B – SPECIAL USE ZONES (Clause 21)

No.	Description of Land	Special Use	Conditions
SU3	Lot 1 Monkey Mia Road / corner Shark Bay Road, Denham (continued)		<p>(v) The workshop floorspace within Special Use 3 shall be limited to a maximum area of 300m² (excluding office and amenities) to the satisfaction of Council.</p> <p>8) In determining any application, Council will have regard for the objectives listed for this site.</p> <p>9) The Local Government may require a local development plan as a means to guide future development as provided for under Part 6, Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p> <p>10) Notwithstanding condition (9), the local government may consider development prior to the approval of a Local Development Plan as provided for under Clause 56(2), Part 6, Schedule 2, of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p>

ATTACHMENT 3

Local Development Plan – Lot 1 Shark Bay Road, Denham

1.0 LDP Provisions
This Local Development Plan has been prepared pursuant to Part 6 of Schedule 2 – Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.

The purpose of this Local Development Plan is to:

- Facilitate co-ordinated development over the entire lot and provide guidance on future building design elements to ensure a high-quality development, outcome is achieved consistent with the prominent high exposure location of this strategic site.
- Achieve a landmark building with quality facades that access both Monkey Mia Road and Shark Bay Road.
- Prioritise integrated access between proposed and future development.
- Address Traffic Management Strategically and facilitate safe efficient shared access to services or proposed development.

2.0 Objectives
All development shall demonstrate compliance with the objectives outlined for Special Use Zone No 3 under Schedule 9 of the Shire of Shark Bay Local Planning Scheme No 4.

3.0 Preferred Land Uses
Permissible land uses within the site are controlled by the Shire of Shark Bay Local Planning Scheme No 4.

Preferred land uses for the site include a mixed-use development, quality bulky goods showroom, office, and restaurant.

4.0 Building Design
Buildings should be constructed out of high-quality materials in accordance with the Scheme requirements. The use of quality architectural features such as extensive awnings, entry statements, columns, or colouring of facades should be considered as design elements.

Any future development on the southern portion of the lot should consider an obvious living corner entrance addressing the Shark Bay Road / Monkey Mia Road intersection.

Provision should be made for pedestrian movements, attractive paving, and quality landscaping.

All building design should aspire to provide adequate shelter and weather protection for pedestrians.

Buildings should be designed to establish an identifiable scale and character for adjacent streets.

5.0 Landscaping
The local government shall require a detailed Landscaping and Retention/Watering Plan to be prepared by a professional horticulturist or qualified landscape contractor as a condition of any Development Approval for the site incorporating regulatory aspects and signs, including guidance tree-to-planting along the boundary abutting the Carvedey Reserve No 2044.

Landscaping shall be of a high quality and include a combination of ground covers and trees.

6.0 Traffic Management and Vehicle Access
A Traffic Impact Assessment endorsed by Main Roads (Western Australia) (MRWA) shall form part of the Local Development Plan to:

- Assess current and future development potential to strategically plan for shared access and limit the number of crossovers to the site.
- Consider the surrounding road network, future development traffic projections and future residential subdivision approved Structure Plans in the immediate locality.
- Take into consideration planned road widening by MRWA.

Significant changes in level between commercial activities and the adjacent street level should be avoided to maximise the opportunity for shared access.

The local government may require a revised Traffic Impact Assessment for any future stages of development.

All crossovers shall be constructed to the satisfaction and specification of the Shire of Shark Bay and MRWA.

7.0 Carparking and Trafficable Areas
All trafficable areas including vehicle parking, loading areas, interlocking and circulation areas shall be designed, constructed, sealed (concrete or bitumen), well marked and sealed.

All stormwater from roof and hardstand areas shall be collected and disposed of on site.

The local government may require lodgement of a drainage management plan as a condition of any development approval.

8.0 Service Areas
Service areas should be located behind buildings or screened from public view of Shark Bay Road and Monkey Mia Road.

9.0 Acoustic
The local government may require an acoustic report prepared by a suitably qualified noise consultant to ensure no land use conflict occurs in the future.

The local government shall have due regard for the recommended buffer distances in the Environmental Protection Authority Guidelines for the Assessment of Environmental Factors.

10.0 Signage
Any signage shall only relate directly to buildings and services provided on site to avoid excessive, gratuitous and unnecessary signage.

All signage shall require separate approval by the local government and Main Roads WA.

11.0 Bushfire Management
Any proposal shall demonstrate compliance with State Planning Policy 3.7 Planning in Bushfire Areas and associated guidelines (as amended from time to time) to the satisfaction of the local government.

NO	DATE	REVISIONS	
3	21/01/19	LDP NOTES ADDED	SL
2	18/10/18	DEVELOPMENT AREA BOUNDARY ADDED, ROAD WIDENING AMENDED	BC
1	04/10/18	HARD STAND AREA COLOUR CHANGED & EXTRA LANDSCAPING ADDED	QT
0	23/08/18	ORIGINAL ISSUE	SL

SURVEYED BY: SW 12/10/17

DRAWN BY: SL 23/08/18

CHECKED BY: Brad Colford 30/10/17

APPROVED BY: [Signature] 01/07/18

AREA FILE: 107D

CONT. INTVAL: N/A

VDATUM: AHD

H DATUM: MGA84MAD

FIELD: N/A

HTD SURVEYORS & PLANNERS
HILL, THOMPSON & DELFOS

PO Box 820, GERALDTON WA 6631
PHONE: (08) 9921 3111 FAX: (08) 9921 8072

CLIENT: REFUEL AUSTRALIA

LOT 1 on D 78660
LOCAL DEVELOPMENT PLAN
SHARK BAY RD/MONKEY MIA RD, DENHAM - SHIRE OF SHARK BAY

SCALE 1 : 1250 **SHEET NO:** A3 **DRAWING NO:** 36817PS1-1-3

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13.3 PROPOSED BUSHFIRE MANAGEMENT PLAN – LOT 304 DIRK HARTOG ISLAND P4281

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Liz Bushby, Town Planning Innovations

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

Moved Cr Ridgley
Seconded Cr Fenny

Council Resolution

That Council:

A. Authorise the Shire Chief Executive Officer to:

- (i) Provide guidance to the owners of Lot 304 on revisions required to the Bushfire Management Plan to:**
 - a) Delete any reference to any Shire responsibilities relating to compliance or implementation;**
 - b) Delete information which is not deemed relevant;**
 - c) Include reference that the Shire may require a new, revised or reviewed Bushfire Management plan for future development.**
- (ii) Endorse an amended Bushfire Management Plan in writing once satisfied with a revised document.**

B. Advise DHI Developments Pty Ltd (Geoff Wardle) that:

- (i) The Bushfire Management Plan is generally supported and the Shire only requires some minor modifications as deemed necessary by the Shire Chief Executive Officer.**
- (ii) The co-owners will be responsible for implementation of the recommendations of the Bushfire Management Plan, and any required future review of the Bushfire Management Plan.**
- (iii) If proposed development significantly changes or a significant time period evolves before lodgement of any new proposal, the Shire reserves the right to request a new or revised Bushfire Management Plan.**
- (iv) The Shire recognises that the freehold lots at Dirk Hartog Island are unique, and warrant special consideration for alternative bushfire management strategies that can be implemented by owners.**

6/0 CARRIED

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BACKGROUND

- **Location**

Lot 304 is located adjacent to Sunday Island Bay on Dirk Hartog Island.

- **Ownership**

Lot 304 is owned by DHI Developments Pty Ltd, John Gardner, Leon Hodges and Verity Hodges.

- **History of Approvals**

Planning approval for 8 short term accommodation units (4 duplexes) and staff accommodation was originally issued on the 3 August 2015.

In 2017 the owner sought modification of Condition (iii) relating to the approved plans, and Condition (xix) for an extension of time to commence the development.

Revised conditions were supported in 2017 to give the owner additional time to substantially commence development.

Revised Condition (iii) as approved in 2017 states:

'(iii) All development shall be in accordance with the approved plans unless otherwise approved in writing by the Chief Executive Officer'

On the 27 June 2018 Council approved revised plans for building envelopes 17 & 23A.

Council also resolved that *'the variation only applies to the building envelopes 17 & 23A and any other variations to the 2015 approvals to building envelopes 1a, 1b,3, 6, 23B and internal driveway and parking areas will require a new development application.'*

COMMENT

- **Bushfire Management Plan**

A Bushfire Attack Level report is required as part of the separate Building Permit process for the proposed development as Lot 304 is within a declared bushfire prone area.

A Bushfire Attack Level report was prepared by Strategen (dated 30 May 2018) for building envelope 17. The Department of Fire and Emergency Services did not support the Bushfire Attack Level report and recommended that bushfire management of the entire tourism site should be holistically addressed and the risk reduced through the development of a Bushfire Management Plan.

A Bushfire Management Plan has been prepared by Geoff Wardle. The Bushfire Management Plan was referred to the Department of Fire and Emergency Services who have raised concerns over aspects of the Bushfire Management Plan – refer *Attachment 1*.

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Department of Fire and Emergency Services has commented that:

1. There is insufficient information on vegetation classification and the Bushfire Attack Level contour map.
2. *'Modification to the Bushfire Management Plan is required to the satisfaction of the Shire'* in regards to Element 5 – Design and the Bushfire Emergency Evacuation Plan.
3. The Shire is to be satisfied in regards to policy measures on location, siting and design and vehicular access.

Department of Fire and Emergency Services has advised that the Shire should be satisfied that the measures within the Bushfire Management Plan can be achieved, and that this can be done without further referral to Department of Fire and Emergency Services.

Mr Wardle has revised the Bushfire Management Plan to include additional information on vegetation classification and other matters identified by Department of Fire and Emergency Services. The revised Bushfire Management Plan has not been assessed by Town Planning Innovations however it has been examined by the Shire Chief Executive Officer.

The Shire Chief Executive Officer supports the majority of the Bushfire Management Plan on the basis that it places responsibility of implementing the Bushfire Management Plan onto the co-owners of Lot 304 with statements such as:

1. Land Co-owners or occupiers should note that they have a responsibility to read, understand and implement the requirements of this bushfire management plan.
2. Fire management is the responsibility of property owners.
3. The Co-owners of Lot 304 will reduce the likelihood and consequence of a bushfire by managing fuel loads on the Lot via the hazard management treatments as detailed within the bushfire management plan, by maintaining fire breaks, by ensuring adequate water supply for firefighting and implementing building construction standards to all proposed buildings.

Shire Administration recognise that the Western Australian State Planning Policy requirements for planning for bushfire protection do not take into account the unique situation of Dirk Hartog Island. The Western Australian Planning Commission's position on bushfire requirements for tourism uses is still evolving, and they are advertising a Draft Position Statement on Tourism land uses within bushfire prone areas.

There is some concern that the Bushfire Management Plan includes some references to 'Shire responsibilities'. The Shire Chief Executive Officer recommends that the Bushfire Management Plan be amended to delete any references to Shire responsibilities and make it clear that the Shire may require a new, revised or reviewed Bushfire Management Plan as part of any new future development applications.

Town Planning Innovations therefore recommends that Council authorise the Shire Chief Executive Officer to endorse a revised Bushfire Management Plan. Shire Administration will provide guidance to Mr Wardle on some minor revisions to the existing document to protect the Shires interest.

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LEGAL IMPLICATIONS

The Bushfire Management Plan does not relate to any condition of the existing planning approval, however will strategically assist in bushfire planning for Lot 304.

A site specific Bushfire Attack Level assessment may still be required as part of the separate Building Permit process, and this is recognised in the Bushfire Management Plan.

POLICY IMPLICATIONS

• **State Planning Policy 3.7 Planning for Bushfire Protection**

State Planning Policy 3.7 states that any Bushfire Attack Level assessment or Bushfire Attack Level contour map should be prepared by an accredited Bushfire Planning Practitioner.

The Department of Planning, Lands and Heritage has published 'frequently asked questions' on bushfire which also states:

'a Bushfire Management Plan can be undertaken by an accredited Level 2 or Level 3 Bushfire Planning Practitioner. The Fire Protection Association can provide guidance on suitably qualified consultants offering services in Western Australia. You can find further information at www.fpaa.com.au.'

Fire practitioners are accredited through Fire Protection Association Australia which is the national peak body for fire safety.

Accordingly Town Planning Innovations has always recommended that applicants engage an accredited fire consultant to prepare bushfire management plans in accordance with State Planning Policy.

When Bushfire Management Plans are prepared by an accredited fire consultant they assess vegetation and the Bushfire Attack Level based on Australian Standard 3959–2009.

As Mr Wardle sought to prepare his own Bushfire Management Plan, Town Planning Innovations liaised with the Department of Planning, Lands and Heritage directly on the policy requirement for Bushfire Management Plan's to be completed by accredited fire consultants.

A senior Department of Planning, Lands and Heritage officer has advised by email that:

- Unless the local government has an endorsed position, such as a local planning policy that mandates the requirement for accredited practitioners, I don't believe that the Bushfire Management Plan can be refused or demanded to be re-done on this basis alone (being that it was not prepared by an accredited consultant).
- We do strongly recommend the use of an accredited bushfire practitioner. For tourism proposals we would suggest the use of a

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Level 3 bushfire practitioner. However, as accreditation is not mandatory under the bushfire policy framework, refusing or requesting a re-do of a Bushfire Management Plan on this basis alone is difficult.

Town Planning Innovations recommends that Council give consideration to development of a Local Planning Policy requiring preparation of Bushfire Management Plans and Bushfire Attack Level assessments to be undertaken by an accredited bushfire practitioner for vulnerable or high risk landuses.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Town Planning Innovations for planning advice.

STRATEGIC IMPLICATIONS

Approval of the Bushfire Management Plan that has not been prepared by an accredited fire consultant may set a precedent for other tourist developments on Dirk Hartog Island.

Relevant to this matter, a Bushfire Management Plan by an accredited bushfire consultant has been lodged for the Dirk Hartog Resort and proposed camping areas. The Bushfire Management Plan has been referred to the Department of Fire and Emergency Services for advice.

Based on the advice of the Department of Planning, Lands and Heritage the Shire may consider pursuit of a Local Planning Policy to supplement State Planning Policy 3.7.

RISK MANAGEMENT

Shire Administration has not identified any risks associated with Shire endorsement of Bushfire Management Plans.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author	<i>L Bushby</i>
Chief Executive Officer	<i>P Anderson</i>
Date of Report	12 February 2019

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ATTACHMENT # 1



Government of **Western Australia**
Department of Fire & Emergency Services
Rural Fire Division



Our Ref: D05848
Your Ref: DA4/2018

Liz Bushby
Town Planning Innovations (on behalf of the Shire of Shark Bay)
liz@tppianning.com.au

Dear Ms Bushby,

**RE: VULNERABLE LAND USE – BUILDING ENVELOPE 17, LOT 304 SUNDAY ISLAND BAY
DIRK HARTOG ISLAND – SHORT TERM ACCOMMODATION - DEVELOPMENT
APPLICATION**

I refer to your email dated 26 October 2018 regarding the submission of a revised Bushfire Management Plan (BMP), prepared by Geoff Wardle (Fire Officer – DHI Development Pty Ltd) and stamped 'Received 25 October 2018 by email', for the above development application.

It should be noted that this advice relates only to *State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7)* and the *Guidelines for Planning in Bushfire Prone Areas (Guidelines)*. It is the responsibility of the proponent to ensure that the proposal complies with all other relevant planning policies and building regulations where necessary. This advice does not exempt the applicant/proponent from obtaining necessary approvals that may apply to the proposal including planning, building, health or any other approvals required by a relevant authority under other written laws.

Tourism Land Uses

- Tourism land uses, such as 'Residential Building' or short-stay accommodation, are considered a vulnerable land use as prescribed by section 5.5.1 'Vulnerable Land Uses' of the Guidelines.
- Vulnerable land uses located in designated bushfire prone areas require special consideration, especially as visitors may be unfamiliar with bushfire impacts and their surroundings.
- The current provisions of SPP3.7 and the Guidelines do not provide for tourism land uses to be considered differently to any other vulnerable land use and, as such, there is no further guidance or policy for DFES to refer to when assessing this type of development.
- The Department of Planning, Lands and Heritage (DPLH) are working, in consultation with DFES, to better facilitate tourism land uses within the scope of SPP3.7 and the Guidelines, where the tourism land use has been recognised in a local planning strategy or scheme. Consequently, the DFES advice provided relates to the Guidelines and compliance with the bushfire protection criteria to aid decision making.

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Assessment

1. Policy Measure 6.5 a) (ii) Preparation of a BAL contour map

Issue	Assessment	Action
Vegetation classification	Vegetation directly surrounding the proposed development has been classified as Class G Grassland. There is insufficient evidence to demonstrate the Class G vegetation classification. The photographic points have not been marked on aerial maps to substantiate the vegetation classification. DFES agreed with the original vegetation classification within the previous BAL assessment provided by Strategen dated 30 May 2018, which classified the vegetation as Class C – Shrubland.	Insufficient information. Shire to be satisfied.
BAL Contour Map	Given that there are numerous proposed development sites within Lot 304 a Bushfire Attack Level (BAL) Contour Map may be more appropriate than a BAL Assessment as it would show the potential radiant heat impacts and associated indicative BAL ratings in reference to any classified vegetation remaining within the assessment area. The information derived by this tool is useful in ensuring development is located in areas with the least possible risk of bushfire. On this basis, it helps decision makers and proponents determine the suitability of the location of the proposed buildings and ensure that the bushfire risk across the site (including the existing buildings) is also understood. A BAL Contour Map has not been provided.	Insufficient information. Shire to be satisfied.
Element 5 - Design	Parts of the BMP refer to outdated terminology. There is no Element 5 within the Guidelines. The term BPZ is no longer used and has been replaced with the term APZ. V1.3 of the Guidelines was released in December 2017.	Modification of the BMP required to the satisfaction of the Shire.

2. Policy Measure 6.5 c) Compliance with the Bushfire Protection Criteria

Element	Assessment	Action
Location	A1.1 – Insufficient Information The BAL ratings cannot be validated as the vegetation classification inputs require confirmation, as per the previous table.	Shire to be satisfied.
Siting and Design	A2.1 – Insufficient Information Should the vegetation classification change from Class G to Class C, the APZ around each building should be updated to reflect the separation distance required to achieve a BAL rating of BAL-29 or less.	Shire to be satisfied.
Vehicular Access	Given the unique situation of the Island, vehicular access is considered to comply with the performance principles of Element 3: Vehicular Access.	Shire to be satisfied.

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3. Policy Measure 6.6.1 Vulnerable land uses

Issue	Assessment	Action
Bushfire Emergency Evacuation Plan (EEP)	The 'Emergency Evacuation Plan' incorrectly refers to "Lot 30" Sunday Island Bay and the response to wildfires is to follow the steps in the case of a "cyclone".	Modification of the BMP required to the satisfaction of the Shire.

Recommendation – Advice Only

It is critical that the bushfire management measures within the BMP are confirmed, to ensure they are accurate and can be implemented to reduce the vulnerability of the development to bushfire.

The Shire should be satisfied that the measures can be achieved and confirm the requirements as outlined above. This can be done without further referral to DFES. If the above bushfire management measures cannot be confirmed, the outcomes within the BMP may be inaccurate.

Should you require further information, please contact Richard Trinh – Senior Land Use Planning Officer on 6551 4031.

Yours sincerely



Ron de Blank
DIRECTOR LAND USE PLANNING

3 January 2019

27 FEBRUARY 2019

13.4 PROPOSED WORKFORCE ACCOMMODATION - LOT 556 OCEAN PARK ROAD, VIA DENHAM P4391

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Liz Bushby, Town Planning Innovations

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

Declaration of Interest: Cr Fenny

Nature of Interest: Financial Interest as Owner of Ocean Park

Declaration of Interest: Cr Cowell

Nature of Interest: Impartiality Interest as Executive Officer of Shark Bay World Heritage Advisory Committee who is a referral

Cr Fenny left Council Chamber at 4.11pm.

Moved Cr Laundry

Seconded Cr Bellottie

Council Resolution

That Council:

- A. **Note that Lot 556 Ocean Park Road is located within a designated bushfire prone area and several options are outlined in this report for Council consideration of State Planning Policy 3.7.**
- B. **Support an exemption based on Planning Bulletin 11/2016 as the development is minor, will not increase the bushfire risk and is to accommodate a limited number of seasonal staff as outlined in the body of this report, in regards to a Bushfire Attack Level report.**
- C. **Approve the development application (No 1/2019) for a transportable building (new workforce accommodation) and conversion of existing workforce accommodation into a communal living area and on Lot 556 Ocean Park Road, Francois Peron National Park subject to the following conditions and footnotes:**
 1. **The plans lodged with this application shall form part of this planning approval. All development shall generally be in accordance with the approved plans unless otherwise approved separately in writing by the Chief Executive Officer.**
 2. **All stormwater from roofed 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.**
 3. **This approval is issued based on a proposed land use of 'workforce accommodation' as defined in the Shire of Shark Bay Local Planning Scheme No 4.**

27 FEBRUARY 2019

4. If the development the subject of this approval is not substantially commenced within a period of 2 years, the approval shall lapse and be of no further effect.

Footnotes:

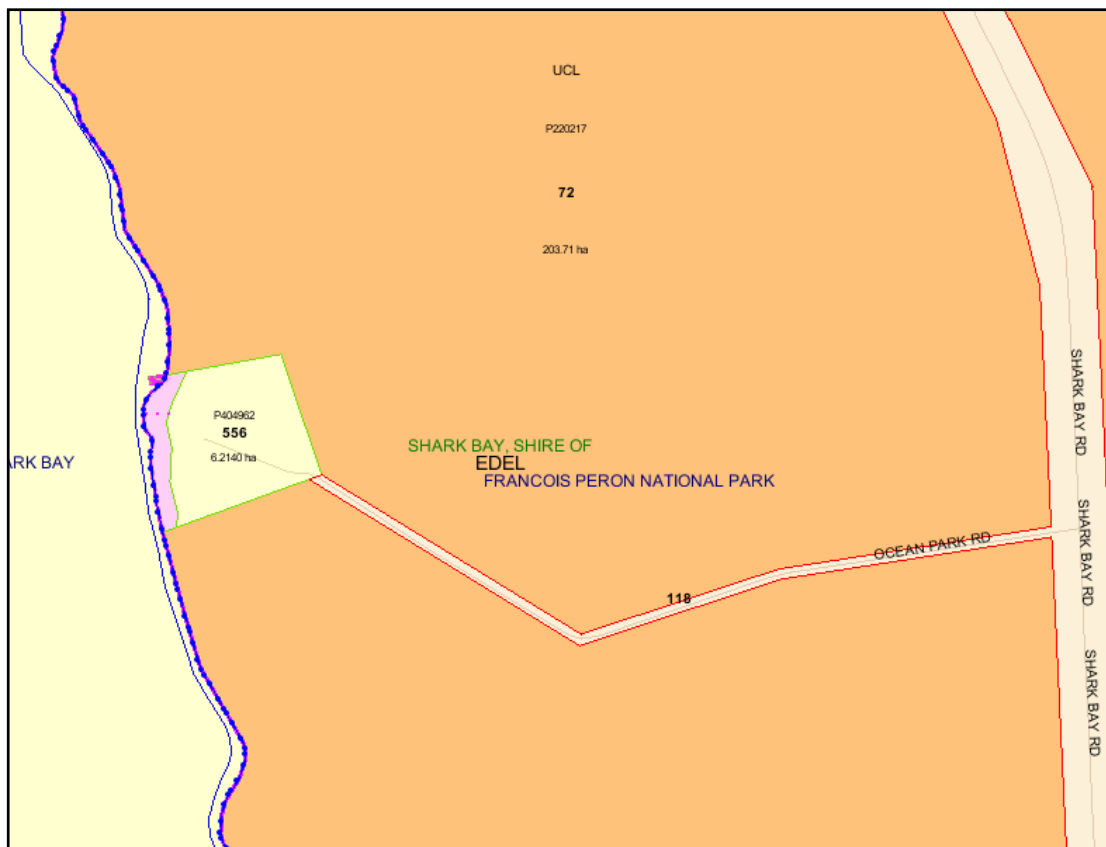
- (i) A separate Building Permit must be obtained for the proposed transportable building.
- (ii) The site plan shows tourist accommodation and car parking upgrades which do not form part of this application.

5/0 CARRIED

Cr Fenny returned to the Council Chamber at 4.13pm.

BACKGROUND

Lot 556 Ocean Park Road, Francois Peron National Park has an approximate area of 6.2 hectares and contains an existing oceanarium, restaurant, dwelling and workforce accommodation (staff accommodation).



COMMENT

• **Proposed Development**

An application has been lodged seeking approval to utilise a transportable building for 'staff accommodation'.

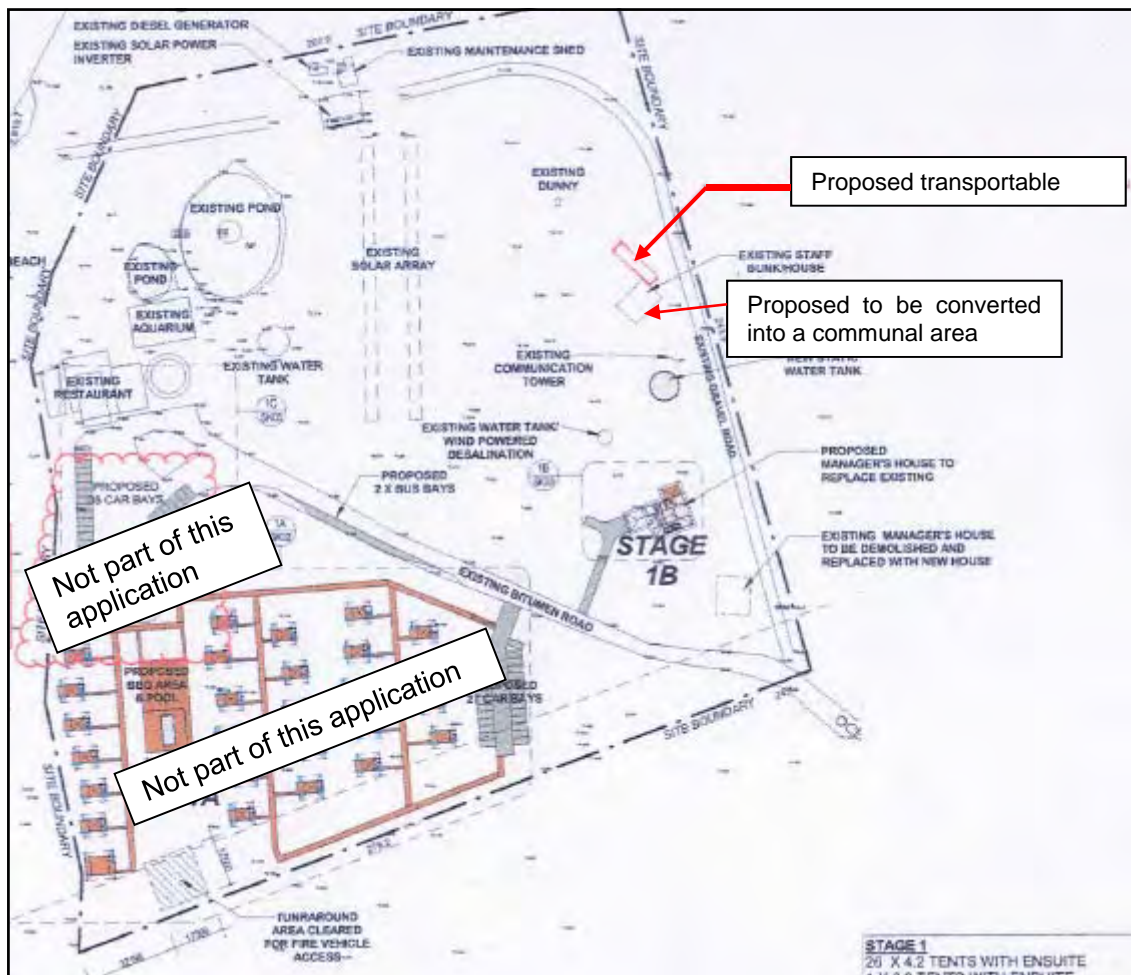
MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

The applicant has advised that:

- the building will accommodate seasonal staff under the employment of Ocean Park and / or it's ancillary businesses;
- there are significant challenges in regards to securing accommodation for casual staff in Denham between April and October due to the seasonal nature of the tourism industry and lack of short term rental properties in Denham which often leads to an inability to employ an appropriate number of staff;
- the 4 bedroom pre-fabricated building is proposed to be located adjacent to existing staff accommodation. The existing staff accommodation would be used as communal kitchen and lounge area;
- The capacity of the staff accommodation will only increase from 2 to 4 persons;
- Power, water and sewerage would all be sourced from the existing structure.

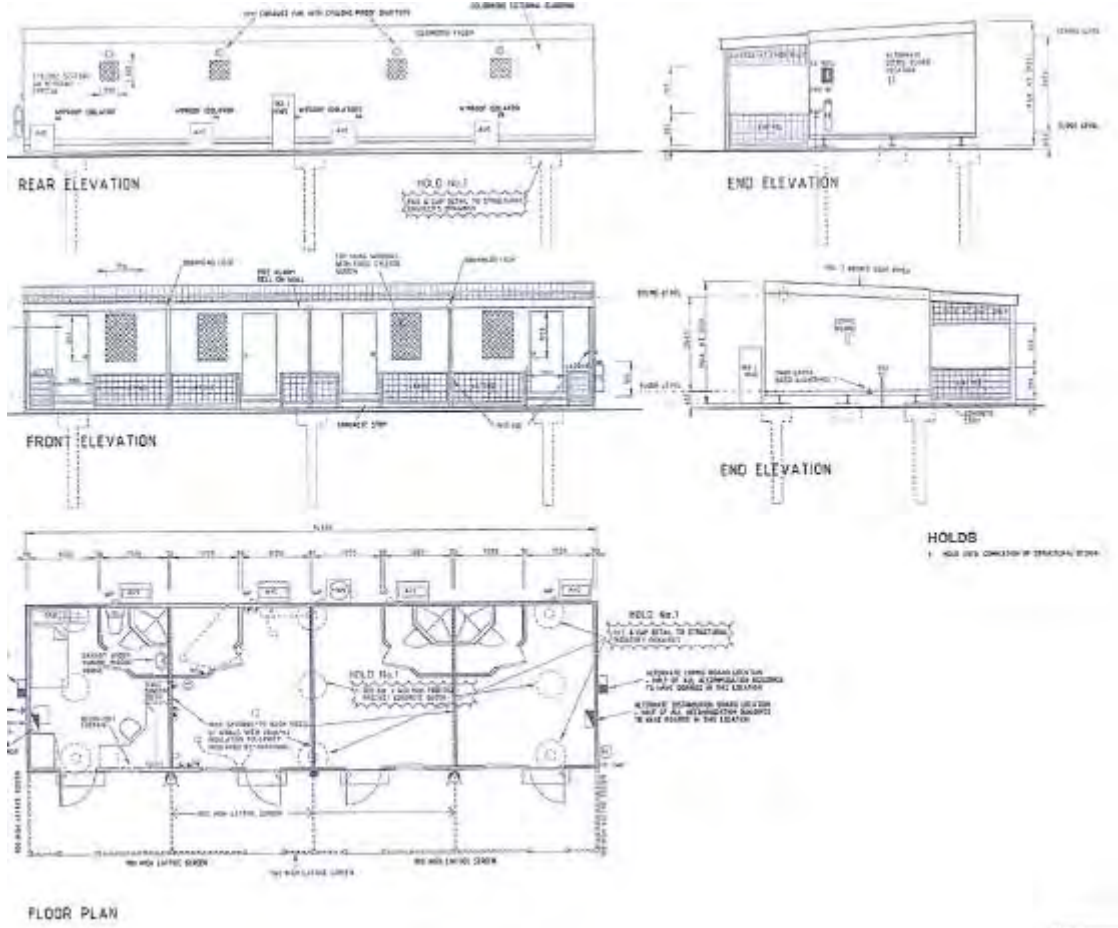
The transportable building is proposed to be located immediately adjacent to a building labelled 'staff bunkhouse' (which is proposed to be converted to a communal area) – refer location plan below.



The site plan shows tourist accommodation and car parking however that is subject of a separate planning application, and does not form part of the current proposal.

The transportable building measures 14.4 metres (length) by 4.3 metres (width) with a maximum height of 3.1 metres – refer elevations over page. It also has a 2.1 metre wide verandah.

ELEVATIONS



27 FEBRUARY 2019

The applicant has provided a photograph as follows:



- **Zoning and Land Use Permissibility**

Lot 556 is zoned 'Special Use' under the Shire of Shark Bay Local Planning Scheme No 4 (the Scheme).

Under the Scheme, Council has discretion to consider an application for 'workforce accommodation' within the special use zone applicable to Lot 556. The Scheme allows for construction of a maximum of two dwellings for workforce accommodation on the lot.

Workforce accommodation is defined as '*means premises, which may include modular or relocatable buildings, used —*

- (a) *primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and*
- (b) *for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.'*

The proposed development is minor and ancillary to the existing tourist business established on the land.

- **State Planning Policy 3.7 – Planning for Bushfire Protection**

Under the 'deemed provisions' of the *Planning and Development (Local Planning Schemes) Regulations 2015* Council is to have 'due regard' to any state planning policy. This essentially means Council has an obligation to give proper, genuine and realistic consideration to the requirements of 'State Planning Policy 3.7: Planning in Bushfire Prone Areas'.

27 FEBRUARY 2019

The Shire has a mandatory obligation to consider State Planning Policy 3.7 when making a decision on any application where the lot is within a designated bushfire prone area.

The Western Australian Planning Commission released State Planning Policy 3.7 and associated Guidelines for Planning in Bushfire Prone Areas ('the Guidelines') in December 2015. These documents apply to all land identified as Bushfire Prone.

Mapping identifying Bushfire Prone Areas is available through the Department of Fire and Emergency Services website. Lot 556 is within the declared bushfire prone area (pink area).

Under Clause 5.4 of the Guidelines all planning applications in Bushfire Prone Areas are to be accompanied by a Bushfire Attack Level assessment.

Despite the above, the Western Australian Planning Commission also released a Planning Bulletin 111/2016 that clarifies some of the requirements under the deemed provisions of the Planning and Development (Local Planning Scheme) Regulations 2015 and State Planning Policy 3.7.

The Planning Bulletin states that:

'The deemed provisions exempt renovations, alterations, extensions, improvements or repair of a building, and incidental uses (including outbuildings, verandas, unenclosed swimming pools, carports, patios and storage sheds).

State Planning Policy 3.7 does not specify these exemptions, however where the proposal is exempt under the deemed provisions or local planning scheme and does not:

- result in the intensification of development (or land use);*
 - result in an increase of residents or employees;*
 - involve the occupation of employees on site for any considerable amount of time;*
or
 - result in an increase to the bushfire threat;*
- the proposal may also be exempt from the provisions of State Planning Policy 3.7.'*

The applicant has requested that Council consider granting an exemption from any Bushfire Attack Level for the planning application, based on Town Planning Innovations advice, as the development is minor, will not result in any increase of permanent staff on site and will not increase the bushfire risk.

Council has two options:

- Option 1 - Support an exemption based on Planning Bulletin 11/2016 as the development is minor, will not increase the bushfire risk and is to accommodate a limited number of seasonal staff.
- Option 2 - Defer determination of the planning application and request lodgement of a Bushfire Attack Level report.

27 FEBRUARY 2019

Town Planning Innovations supports Option 1 as whilst there will be an increase in the number of staff that can be accommodated on site, from 2 to 4 people, the building is essentially to cater for seasonal casual workers and they will only be on site for limited time periods.

It is clear that Council has discretion over this matter as Planning Bulletin 111/2016 states that '*exemptions from the requirements of SPP3.7 and the deemed provisions should be applied pragmatically by the decision maker*'.

- ***World Heritage***

Lot 556 is within the Shark Bay World Heritage Area. The application has not been referred to the the Shark Bay World Heritage Advisory Committee and/or the Department of Biodiversity, Conservation and Attractions.

LEGAL IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015 –

Clause 61 outlines development for which no planning approval is required. The exemptions are limited and include, for example, a single house in a residential zone that complies with the 'deemed to comply' requirements of the Residential Design Codes.

Shire of Shark Bay Local Planning Scheme No 4 –

Schedule B contains specific conditions for the special use zone applicable to Lot 556.

Condition 1 states that '*The intent of this Special use Zone is to allow the development of an Oceanarium and associated uses incidental to the operation of the Oceanarium for research purposes. Different forms of accommodation for tourists may be appropriate where the uses are planned for by a Local Development Plan.*'

Condition 4 requires a Local Development for any proposed camping ground (to be used by the general public), nature based park or tourist development.

POLICY IMPLICATIONS

There are no policy implications relative to this report.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Town Planning Innovations for planning advice.

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this report.

RISK MANAGEMENT

There are no known risks associated with this report

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

Author	<i>L Bushby</i>
Chief Executive Officer	<i>P Anderson</i>
Date of Report	5 February 2019

27 FEBRUARY 2019

13.5 DEVELOPMENT APPLICATION FOR RETROSPECTIVE PLANNING APPROVAL - LOTS 350 AND 351 HAMELIN POOL ROAD, HAMELIN POOL P2002

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Liz Bushby, Town Planning Innovations

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

Moved Cr Ridgely option 1
Seconded Cr Laundry

Council Resolution

That Council:

1. **Note that there is an approved Local Development Plan for Lots 350 and 351 Hamelin Pool Road, Hamelin Pool.**
2. **In regards to the development application fee, pursue Option 1 to waive the development application fee, as outlined in this report.**
3. **Approve the application for retrospective development approval for tourist development, storage and ablution/amenity buildings on Lots 350 and 351 Hamelin Pool subject to the following conditions and footnote:**
 - (i) **The plans lodged with this application shall form part of this planning approval. All development shall generally be in accordance with the approved plans unless otherwise approved separately in writing by the Chief Executive Officer.**
 - (ii) **All stormwater from roofed and paved areas shall be collected and disposed of on-site and any associated drains and soak wells shall be maintained in a clean and clear condition. All drainage to be fully contained within the property boundaries with no water discharge into adjacent land.**
 - (iv) **The owner is responsible for implementation of the recommendations of the Bushfire Management Plan and Emergency Evacuation Plan prepared by Scribe Building Compliance (version 3 dated 20 March 2018) at all times including:**
 - **Two 43,000 water tanks located near the exist/entry points to be dedicated for firefighting purposes, and shall be fitted with fire appliance couplings;**
 - **Maintenance of Asset Protection zones.**
 - (v) **No building is to traverse the boundary between Lot 350 and 351.**

Footnote:

This is only a planning consent and a separate building permit application needs to be lodged.

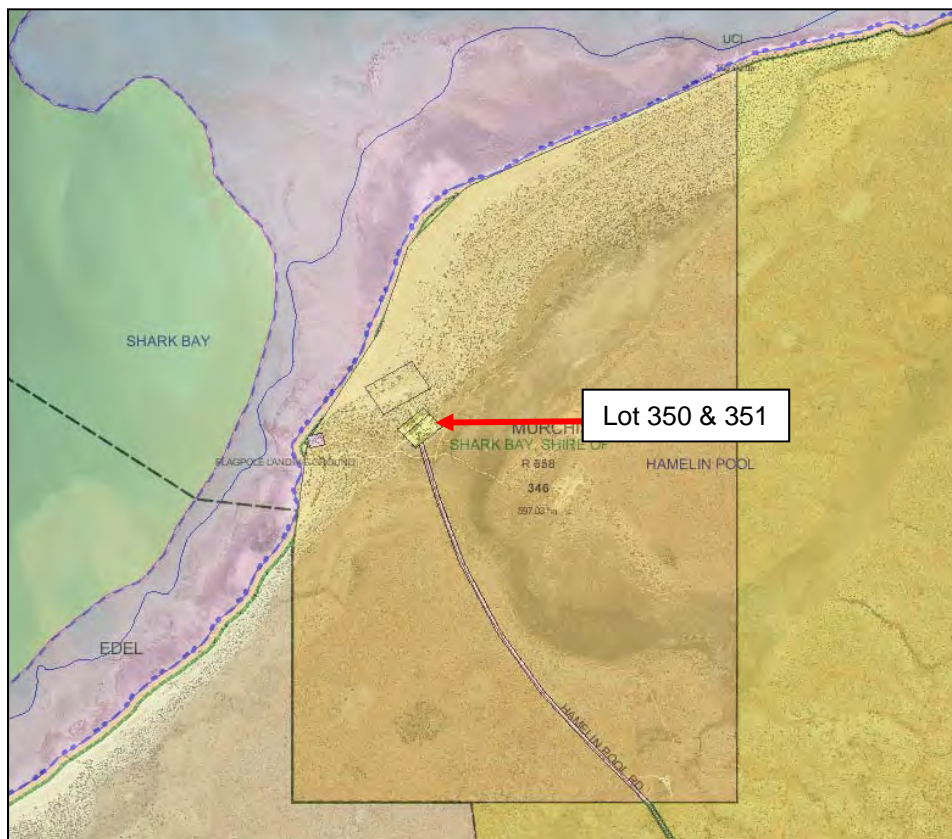
6/0 CARRIED

BACKGROUND

• ***Existing Development***

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

The subject lots are surrounded by Reserve 658 which is vested to the Shire as 'common' – refer location plan below.



Location Plan Source: Landgate

• ***Zoning and relevant Scheme Requirements***

Lots 350 & 351 are zoned 'Special Use' under the Shire of Shark Bay Local Planning Scheme No 4 ('the Scheme') and are notated as 'SU7' on the Scheme map.

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

Schedule 4 in the Scheme outlines permissible uses for 'Special Use 7' including ancillary dwelling, camping ground, caravan park, educational establishment, exhibition centre, holiday accommodation, liquor store – small, restaurant/café, shop, tourist development, waste disposal facility, and waste storage facility.

In the conditions applicable to Hamelin Pool, the Scheme states that the local government may require preparation of a Local Development Plan to guide development.

• **Local Development Plan**

The Shire endorsed a Local Development Plan for Hamelin Pool at the Council meeting held on the 29 August 2018.

A copy of the Local Development Plan is included below.

LOCAL DEVELOPMENT PLAN

Conditions:

- This is a Local Development Plan which is adopted by the Shire of Shark Bay to guide and facilitate separate planning applications for retrospective planning approval for existing buildings on the land.
- This Local Development Plan should not be construed as planning consent for all existing development. The owner shall lodge separate applications to obtain all necessary planning approvals and building permits for the buildings identified as 'retrospective' on this LDP.
- Future development is to be generally in accordance with this Local Development Plan.
- Any revised or future expanded Local Development Plan shall be required to address all relevant State Planning Policies including State Planning Policy 3.7 Planning in Bushfire Prone Areas.

Signing Panel:

This Local Development Plan has been approved by the Shire of Shark Bay Council at its Ordinary Meeting held on the 29 August 2018 in accordance with Clause 52(1) of the 'deemed provisions' of the Planning and Development (Local Planning Schemes) Regulations 2015.

[Signature] 2/9/2018
Chief Executive Officer

Amendment No.	Summary of Amendment	Date endorsed by local government

Note:

- The owner / operator is required to separately comply with any Licence issued by the Shire of Shark Bay under the Caravan Parks and Camping Grounds Act 1995. This Local Development Plan is not an approval under the Caravan Parks and Camping Grounds Act 1995, and does not negate the need to comply with the Caravan Park and Camping Ground Regulations 1997.
- This Local Development Plan is valid for a period of 10 years from the date of the Council meeting held on the 29 August 2018 in accordance with Clause 57(1) of the 'deemed provisions' of the Planning and Development (Local Planning Schemes) Regulations 2015.
- The Local Government may require a new Local Development Plan as a means to guide any future development as provided for under Part 6, Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015. This Local Development Plan is for existing retrospective development.
- The location of buildings is based on aerial photography and may be refined as part of the separate planning and building permit process.
- Separate approval is required to Construct or install an Apparatus for the Treatment of Sewage in accordance with the Health Act 1911.

Legend:

- STRUCTURE PLAN BOUNDARY
- CAMPING AREA / CARAVAN BAYS
- HISTORICAL BUILDING PLACE NUMBER 2474 CATEGORY 1
- CARAVAN PARK INFRASTRUCTURE
- LANDSCAPING / VEGETATION
- CARAVAN PARK ACCOMMODATION
- RECREATION
- ACCESS & PARKING
- RETROSPECTIVE DEVELOPMENT

LANDWEST 8 Anzias Terrace Geraldton WA 6530
PO BOX 1597 Geraldton WA 6531
Email: info@landwest.net.au Phone: (08) 9965 0550

TITLE: LOCAL DEVELOPMENT PLAN
LOTS 360 & 351 ON PLAN 301337
HAMELIN POOL ROAD
HAMELIN POOL

CLIENT: P. COX
CERTIFICATE OF TITLE(S): 1358 / 540 & 1599 / 848
DATE LAST MODIFIED: 16/08/2018

SCALE: 1:750 A3
REVISIONS: GMB, DSH
PLAN: LDP

There are no planning approvals for a number of transportable buildings shown on the Local Development Plan. The last planning and building approval granted was for the toilet block and utility room in 2015.

The Local Development Plan identifies a number of 'retrospective' buildings which is an acknowledgement that there has been unauthorised development.

COMMENT

• **Development Application**

27 FEBRUARY 2019

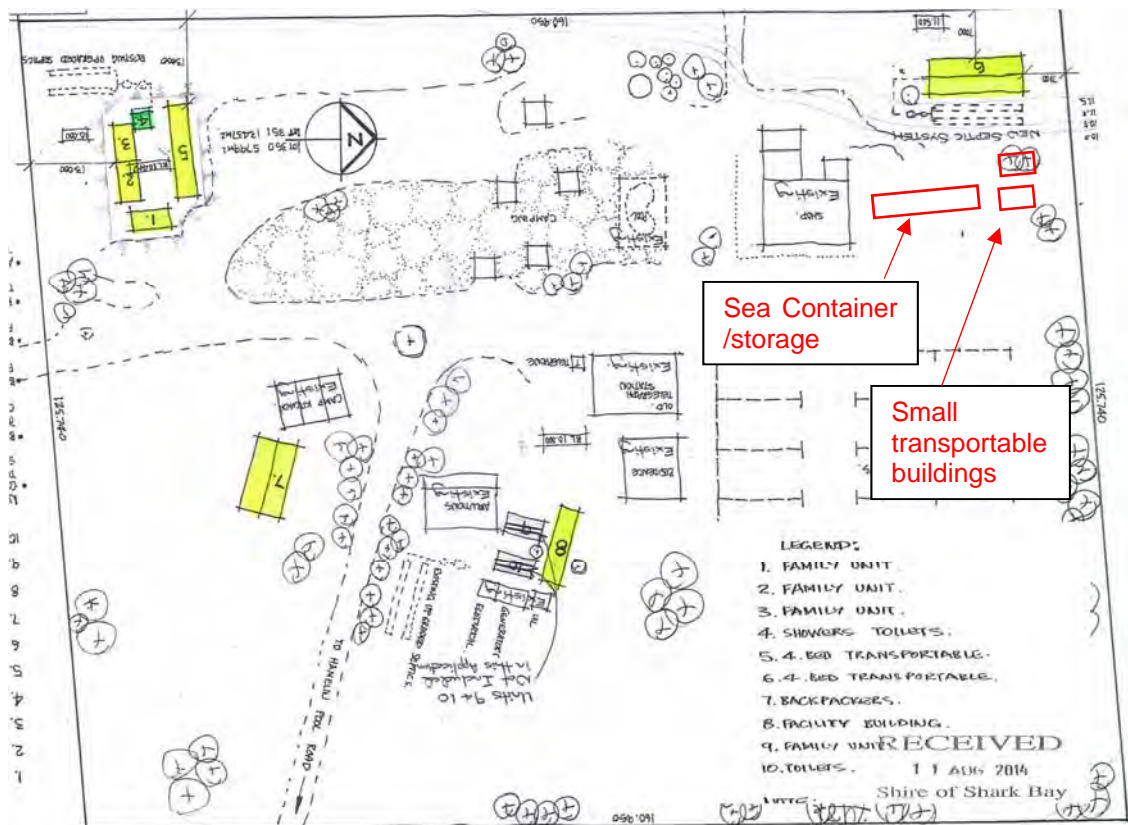
The owner has lodged a planning application seeking retrospective planning approval for a number of unauthorised transportable buildings, in order to rectify the existing situation.

The development is construed as a 'tourist development' which is permissible within the special use zone that applies to Lots 350 and 351.

A 'tourist development' is defined as 'means a building, or a group of buildings forming a complex, other than a bed and breakfast, a caravan park or holiday accommodation, used to provide -

- (a) short-term accommodation for guests; and
- (b) onsite facilities for the use of guests; and
- (c) facilities for the management of the development.

A site plan is included below for ease of reference.

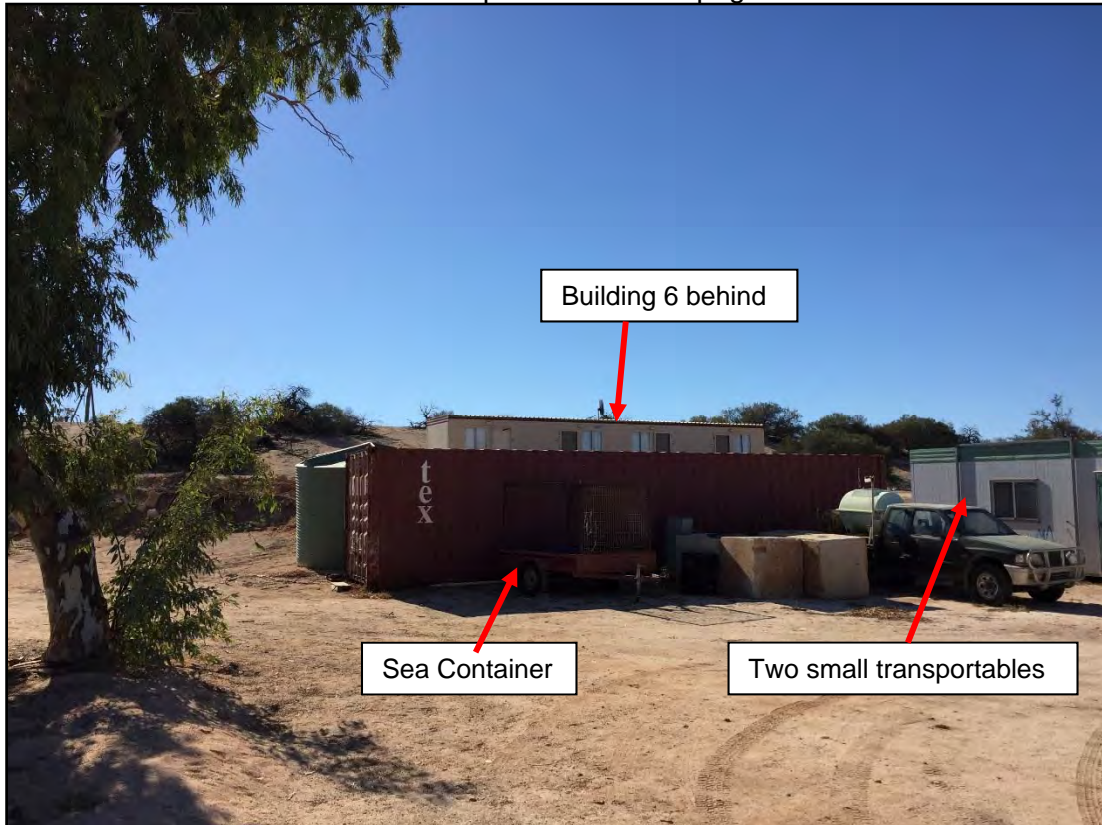


The proposal includes a number of short stay accommodation units proposed to cater for families and backpackers, ablutions, facilities for guests, and two transportable buildings that contain 4 single rooms each.

There is also a sea container and two transportable buildings which have not been shown on the site plan submitted, so Town Planning Innovations has indicated their approximate location (in red text). The sea container is used for storage and the two smaller transportable buildings may be used for future ablutions.

27 FEBRUARY 2019

The Shire's Environmental Health Officer has provided a photograph of the buildings that have been omitted from the site plan – refer overpage.



Floor plans and elevations of the other transportable buildings have been provided and are available to Councillors on request.

To avoid any future confusion it is recommended that a revised site plan be attached to any formal development approval.

- **State Planning Policy 3.7 : Planning in Bushfire Prone Areas**

Under the 'deemed provisions' of the *Planning and Development (Local Planning Schemes) Regulations 2015* Council is to have 'due regard' to any state planning policy. This essentially means Council has an obligation to give proper, genuine and realistic consideration to the requirements of 'State Planning Policy 3.7: Planning in Bushfire Prone Areas'.

The Shire has a mandatory obligation to consider State Planning Policy 3.7 when making a decision on any application where the lot is within a designated bushfire prone area. Lots 350 and 351 are within a declared bushfire prone area.

Tourist developments are recognised as being a vulnerable land use therefore State Policy 3.7 requires these types of developments to be supported by a Bushfire Management Plan.

A Bushfire Management Plan was lodged with the Local Development Plan for these lots, and was supported by the Department of Fire and Emergency Services on the 24 April 2018.

27 FEBRUARY 2019

The Department of Fire and Emergency Service advised that *'the Bushfire Management Plan has adequately identified issues arising from the bushfire risk assessment and considered compliance with the bushfire protection criteria.'*

The Department of Fire and Emergency Service also recommended that Shire *'ensure that contingencies as developed in the Bushfire Management Plan and Emergency Evacuation Plan to respond to non-compliance are agreed in principle at this layer of planning to ensure that they can be detailed and implemented at subsequent planning stages.'*

It is therefore recommended that a condition be imposed on any development approval to require the owner to implement the recommendations of the Bushfire Management Plan.

- **World Heritage**

Lots 350 and 351 are within the Special Control Area under the Scheme applicable to the Shark Bay World Heritage Area.

The development application has not been referred to the Shark Bay World Heritage Advisory Committee as it is generally consistent with the Local Development Plan already approved by Council.

- **Coastal Setbacks**

The State Government's coastal planning policy *State Coastal Planning Policy No. 2.6 State Coastal Planning Policy* supports a risk management approach and provides the framework for undertaking risk management and adaptation planning for coastal hazards in Western Australia.

The Local Development Plan for Lots 350 and 351 was supported with a coastal setback report by GHD (engineers). Using methodology from the state planning policy the report identified a required coastal setback of 150 metres.

There is an 80 metre buffer between the site boundary and the 150 metre setback line.

The Department of Planning, Lands and Heritage were previously consulted and advised that *'In effect, an overall setback allowance of 230m is provided, which is considered acceptable.'*

Coastal setbacks are therefore not an impediment to development.

- **Planning Application Fees**

The owner of Lots 350 and 351 at Hamelin Pool has paid the following planning fees for previous proposals:

- \$147.00 fee for a toilet block and utility room in 2015.
- A \$1000.00 fee for the processing of the Local Development Plan and a separate fee for a newspaper advertisement.

27 FEBRUARY 2019

The owner has not been charged a development application fee. The fee amount is not known as fees are based on the estimated cost of development, and no estimated cost has been provided on the development application form.

The fees listed for applications are the minimum that can be charged, and Council has discretion to waive the fee, or charge a lesser fee.

In this regard Council has 2 options:

Option 1 – Waive the development application fee

The Shire Chief Executive recommends waiving the fee to assist the owner in facilitating compliance of existing development and in recognition of the cooperation that the applicant has shown in endeavouring to meet their obligations in relation to the many planning issues associated with the site.

Option 2 – Charge a fee

An estimated cost would need to be obtained from the owner before the applicable fee can be calculated. Where development is retrospective, the application fee can be doubled.

If Council decides to charge a fee consideration may be given to charging the minimum fee of \$147.00.

The Shire can invoice the owner for any fees payable.

LEGAL IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015

The *Planning and Development (Local Planning Schemes) Regulations 2015* were gazetted on 25 August 2015, and became effective on 19 October 2015.

The Regulations include 'Deemed Provisions' that automatically apply and override parts of the Shire of Shark Bay Local Planning Scheme No 4.

Regulation 67 outlines 'matters to be considered by Council' including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic and any submissions received on a proposal.

Shire of Shark Bay Local Planning Scheme No 4 – Explained in this report.

POLICY IMPLICATIONS

There are no known policy implications associated with this matter.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Town Planning Innovations for advice.

MINUTES OF THE ORDINARY COUNCIL MEETING

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STRATEGIC IMPLICATIONS

The Shire of Shark Bay Local Planning Strategy recognises Hamelin Pool as an existing development and states:

'No changes to the existing zoning is recommended however in recognition of existing landuses it is recommended that 'exhibition centre' and 'restaurant' be specifically listed in Schedule 4 applicable to this land.'

RISK MANAGEMENT

The Shire has become aware of unauthorised development on Lots 350 and 351, hence has an obligation to uphold the provisions of it's Local Planning Scheme.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

L Bushby

Chief Executive Officer

P Anderson

Date of Report

15 February 2019

27 FEBRUARY 2019

13.6 PROPOSED STRATA APPLICATION – LOT 149 DURLACHER STREET, DENHAM P1428

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Liz Bushby, Town Planning Innovations

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

Declaration of Interest: Cr Bellottie

Nature of Interest: Proximity Interest as lives in the adjacent property

Cr Bellottie left the Council Chamber at 4.15pm

Officer Recommendation

That Council:

1. Advise the Western Australian Planning Commission (Ref: 84-19) that:
 - (a) The proposal for five lots does not comply with Clause 26(3) of the Shire of Shark of Shark Bay Local Planning Scheme No 4, does not comply with the existing R30 coding, and is not consistent with the existing planning approval dated 25 February 2010 for four grouped dwellings.
2. Note that the Shire only provides recommendations and comments on strata applications that include vacant lots, and the application will be determined by the Western Australian Planning Commission.
3. Note that if the Western Australian Planning Commission refuses the application, the applicant has the right to lodge an application to the State Administrative Tribunal seeking a review. The Western Australian Planning Commission would be the respondent for any application lodged to the State Administrative Tribunal.

Note: This report includes an option to provide additional advice to the Western Australian Planning Commission.

AMENDMENT TO OFFICERS RECOMMENDATION

Reason: To include the option provided in the Officers report.

Moved Cr Fenny

Seconded Cr Burton

Council Resolution

That Council:

1. **Advise the Western Australian Planning Commission (Ref: 84-19) that:**
 - (a) **The proposal for five lots does not comply with Clause 26(3) of the Shire of Shark of Shark Bay Local Planning Scheme No 4, does not comply with the existing R30 coding, and is not consistent with the existing planning approval dated 25 February 2010 for four grouped dwellings.**
 - (b) **The Shire recommends that the applicant consider a revised plan creating four built strata lots and utilisation of area 'E' as common property for future development of car parking or common facilities.**

27 FEBRUARY 2019

2. Note that the Shire only provides recommendations and comments on strata applications that include vacant lots, and the application will be determined by the Western Australian Planning Commission.
3. Note that if the Western Australian Planning Commission refuses the application, the applicant has the right to lodge an application to the State Administrative Tribunal seeking a review. The Western Australian Planning Commission would be the respondent for any application lodged to the State Administrative Tribunal.

5/0 CARRIED

Cr Bellottie returned to the Council Chamber at 4.19

BACKGROUND

• **Location**

Lot 149 is located on the corner of Durlacher Street and Talbot Street.

• **Historic Zoning**

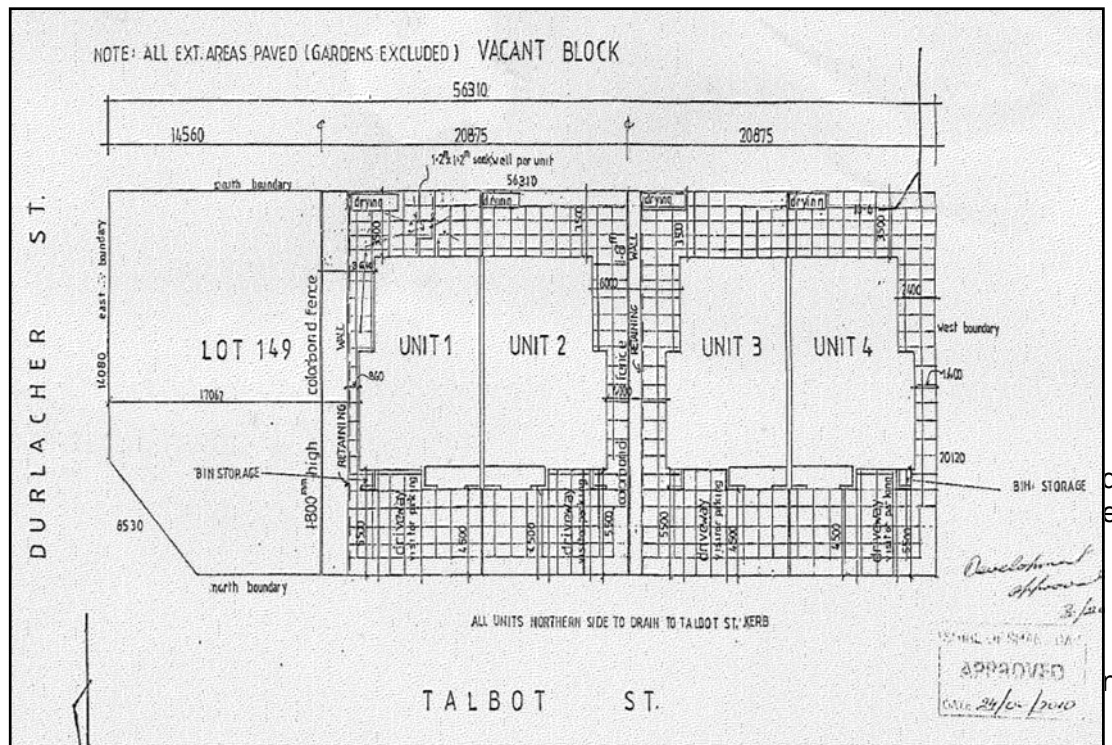
Lot 149 was zoned 'Residential' with a density code of R12.5/R30 under the Shire of Shark Bay Local Planning Scheme No 3.

• **Existing Planning Approval**

An application for four grouped dwellings on Lot 149 was approved by Council at the meeting held on the 24 February 2010.

A formal planning approval was issued on the 25 February 2010. There was only one condition which required development to commence within 2 years.

The approved plan shows Units 1, 2, 3 and 4 with a balance of vacant area.



MINUTES OF THE ORDINARY COUNCIL MEETING

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There are anomalies with the existing development approval, which was reported to Council as a Confidential report in 2012 – refer **Confidential Attachment 1**.

COMMENT

Lot 149 is zoned ‘Residential’ with an R30 density under the Shire of Shark Bay Local Planning Scheme No 4.

A minimum site area of 260m² and an average of 300m² is required per dwelling unit for the R30 density under the Residential Design Codes.

The strata application cannot comply with the R30 requirements as it proposes minimum site areas between 198m² and 222m² – refer plan over page.



Proposed strata plan

Under Clause 26(3) of the Scheme Council may recommend support for a survey strata subdivision (with or without common property) of an existing corner lot zoned ‘Residential’ to a maximum density of R40 provided it meets certain criteria as summarised below:

Requirement under Clause 26(3)	Officer comment
(a) The lot has frontage to two constructed roads; and	Complies. The parent lot is a corner lot.
(b) The created lots are not of an irregular shape; and	Complies
(c) Development approval has been issued for grouped dwellings on the lot; and	Complies for proposed Lots A to D Does not comply for proposed Lot E as there is no approval for a grouped dwelling unit on the corner.
(d) The lots can be connected to reticulated sewerage; and	Complies.

MINUTES OF THE ORDINARY COUNCIL MEETING

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(e) Construction of development has substantially commenced to the satisfaction of Council.	Complies for proposed Lots A to D Does not comply for proposed Lot E as there is no approval for a grouped dwelling unit on the corner.
---	--

Provisions were introduced into the Shire's Local Planning Scheme No 4 to allow discretion to support a higher R40 density for strata's that effectively reflect development approved by Council, and where construction of the development has commenced.

The discretion is intrinsically linked to the strata application being consistent with a development already approved by Council.

The R40 code allows a minimum site area of 180m² per dwelling and an average of 220m².

The proposed strata application complies with the R40 site areas, however support is not recommended as:

1. Application of the R40 density is discretionary and the proposal does not meet the intention of the Scheme;
2. It is contrary to Clause 26(3) of the Scheme;
3. It proposes 5 strata lots in excess of the 4 grouped dwellings approved; and
4. A partial built strata is proposed with a vacant strata lot on the corner. The R40 density was never intended to support creation of vacant lots.

Accordingly it is recommended that the Shire advise the Western Australian Planning Commission that the proposal for five lots does not comply with Clause 26(3) of the Shire of Shark of Shark Bay Local Planning Scheme No 4, does not comply with the existing R30 coding and is not consistent with the existing planning approval dated 25 February 2010 for 4 grouped dwellings.

Option for Council consideration:

There is no concern over the proposed four built strata lots. Council may consider advising the Western Australian Planning Commission that:

- (b) The Shire recommends that the applicant consider a revised plan creating four built strata lots and utilisation of area 'E' as common property for future development of car parking or common facilities.**

It should be noted that final determination will be made by the Western Australian Planning Commission.

LEGAL IMPLICATIONS

Shire of Shark Bay Local Planning Scheme No 4 – Explained in this report.

POLICY IMPLICATIONS

There are no known policy implications associated with this matter.

MINUTES OF THE ORDINARY COUNCIL MEETING

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The Western Australian Planning Commission has a Planning Bulletin 110/2013 provides guidance on processing certain classes of built strata title applications and explains the Commissions delegations to local government.

The proposed strata application has to be determined by the Western Australian Planning Commission as it includes a vacant strata lot.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Town Planning Innovations for advice.

STRATEGIC IMPLICATIONS

Support for strata proposals that are inconsistent with the Scheme and an existing planning approval is undesirable and may set an undesirable precedent for other strata applications.

RISK MANAGEMENT

There are no identified risks associated with the application as it will be determined by the Western Australian Planning Commission.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author	<i>L Bushby</i>
Chief Executive Officer	<i>P Anderson</i>
Date of Report	15 February 2019

27 FEBRUARY 2019

13.7 APPLICATION FOR A PERMIT TO TRADE IN A PUBLIC PLACE ADJACENT TO KNIGHT TERRACE RES39569

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Liz Bushby, Town Planning Innovations

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

Moved Cr Ridgley

Seconded Cr Fenny

Council Resolution

That Council:

1. **Note that an application has been lodged seeking a permit to trade in the carpark near the Knight Terrace / Denham Hamelin Road roundabout intersection.**
2. **Authorise the Shire Chief Executive Officer to advise the applicant that:**
 - (a) **The proposed sale of local fresh and local frozen seafood (only) is supported without any additional sales of convenience goods such as ice cream, juices, drinks etc**
 - (b) **The Shire requests that the exact location of the permit area be shown on an aerial so as to establish if it is on Reserve 39569 or within the Knight Terrace road reserve (as the existing carpark traverses both).**

The location is to be agreed to by the Shire Chief Executive Officer.
 - (c) **Public liability insurance and payment of the permit fee needs to be lodged with the Shire before any formal permit is issued.**
 - (d) **Please be advised that you will need to separately apply to operate as a registered food premises under the *Health Act 2008* prior to commencing trading.**
3. **Authorise the Chief Executive Officer to lodge and sign a new planning application for the modified trading area if the applicant wishes to proceed.**
4. **Pursuant to Clause 82(1) and 82(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* grant (by Absolute Majority) delegated authority to the Chief Executive Officer to determine any planning application to trade on Reserve 39569 / Knight Terrace Road reserve.**

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5. **Once a new planning approval has been issued, authorise the Chief Executive Officer to issue a permit for the sale of local seafood (fresh and frozen) in accordance with the Shire's 'Activities on Thoroughfares and Trading in Thoroughfares and Public Places' Local Law subject to the following conditions:**
- (i) This permit only allows the permit holder to sell seafood that has been sourced from the local ocean area in fresh or frozen form.**
 - (ii) The sale of any other product or goods not included in Condition (i) is prohibited at all times.**
 - (iii) This permit must be displayed within the vehicle at all times of trading.**
 - (iv) This permit is only valid if the permit holder has a valid and current public liability insurance to indemnify the Shire of Shark Bay against any injury to any person or any damage to property or road reserve which may occur in connection with the use of a public place/ thoroughfare by the permit holder.**
 - (v) This permit is not an approval to place any signs within Reserve 39569 or in the Knight Terrace Road reserve, with the exception of**
 - (a) Signs physically painted on or physically attached to the vehicle from which trading is occurring; and /or**
 - (b) One portable sign that:**
 - does not exceed one metre in height nor 1m² in area on any side;**
 - not be erected in any position other than immediately adjacent to the permit area;**
 - is only displayed during the days and hours when trading occurs;**
 - is removed each day at the close of trading and not be erected again until trading recommences;**
 - be secured in position;**
 - is placed so as not to obstruct or impede the reasonable use of a thoroughfare or access to a place by any person or vehicle;**
 - be maintained in a good condition; and**
 - is not within 3 metres of the Knight Terrace carriageway.**
 - (vi) Trading hours are restricted to 8.00am to 6.00pm.**
 - (vii) This permit is valid until the 30 June 2020.**

6/0 CARRIED BY ABSOLUTE MAJORITY

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BACKGROUND

- *Water based hire activities*

In June 2015, 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.

- *Quad bike hire activities*

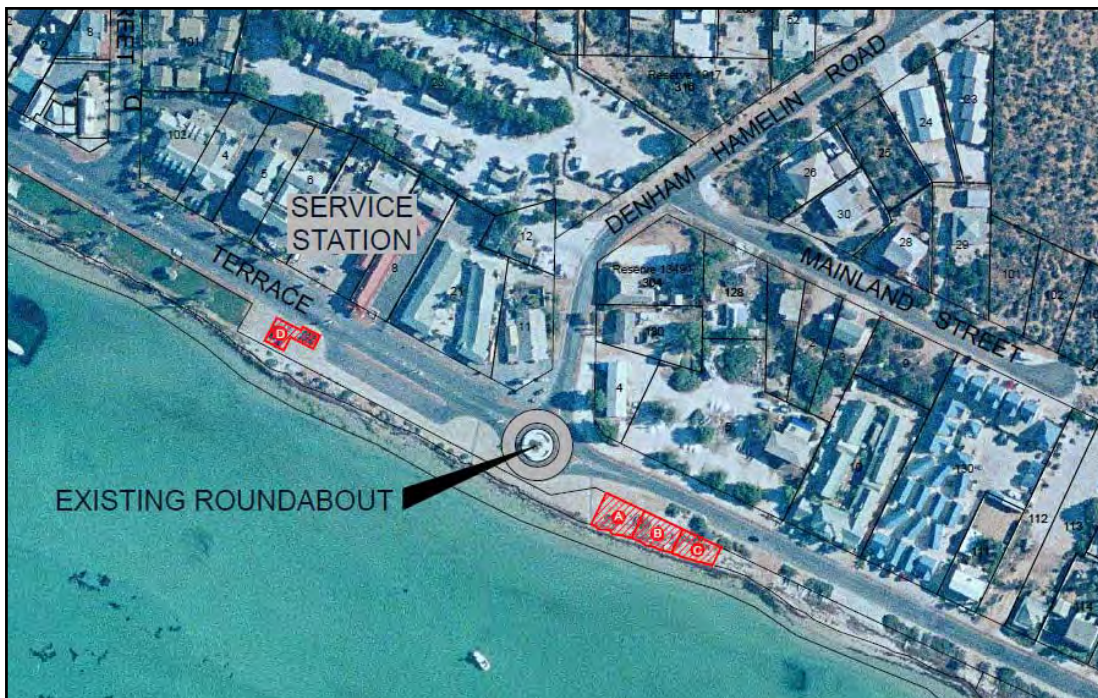
Quad bike tours have been operating in Denham since 2007. The operator obtains an annual permit from the Shire, pay annual fees and provides liability insurance (in accordance with relevant local laws).

In August 2015 Council supported the existing quad bike site as an additional 'approved' foreshore area – refer Attachment 1.

All of the sites approved by Council along the foreshore have planning approval.

COMMENT

An application has been lodged by Mark Smith proposing to trade in Knight Terrace within or adjacent to Area A.



Note: This plan was compiled in 2015 so the aerial photograph is outdated.

An updated aerial showing the carpark in this location is included overpage.

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Mr Smith proposes to park a van in or adjacent to Area A to sell fresh and frozen seafood during school holidays, public holidays, special events, and in the peak tourist season from 8.00am to 6.00pm.

All fish will be caught locally and include filleted fin fish fish such as emperor, snapper, and mullet. Seasonal sea food such as crabs, prawns and scallops are also proposed to be sold.

Initially Mr Smith proposed to also sell coffee, tea, cool drinks, ice creams, and Wild Fish Shark Bay merchandise. Mr Smith has revised the proposal and now seeks support to sell fresh juice (made in the van) and to serve soft ice cream.

Under the Shire's 'Activities on Thoroughfares and Trading in Thoroughfares and Public Places' Local Laws a stallholder or trader shall not:

'attempt to conduct a business within a distance of 300 metres of any shop or permanent place of business that is open for business and has for sale any goods or services of the kind being offered for sale by the stallholder or trader'.

Council therefore only has discretion to support a permit under the Local Laws if satisfied that the food and drinks proposed to be sold by the trader is not similar to

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anything already being sold elsewhere by a local permanent business. A map showing the 300 metre buffer is included as Attachment 2.

The applicant puts forward that the supply of fresh seafood is providing a different product than pre-packaged frozen fish sold in other businesses such as IGA. Any fresh seafood that is not immediately sold may be instead sold in frozen form.

The Shire's Chief Executive Officer is of the view that the sale of fresh local seafood is a reasonably different product than frozen pre-packaged, treated or processed fish as is sold at the local supermarket. It is also recognised that support for the seafood sales will promote eating local, and allow tourists visiting Denham to purchase local produce.

In regards to ice-cream and juices, the Shire Chief Executive Officer does not recommend that the sale of these items be supported as those products are already sold in the local supermarket, albeit in a packaged form. It is considered more difficult to distinguish between different drinks and ice creams than it is to substantiate that fresh seafood caught in the locality is different to pre-packed processed seafood.

In any event, drinks and ice creams are already adequately catered for by existing businesses.

Local shops and cafes can sell a wide variety of drinks and foods therefore that is more difficult to justify support under the current Local Law requirements which are aimed at protecting permanent businesses in town.

LEGAL IMPLICATIONS

Shire of Shark Bay Local Planning Scheme No 4 – explained in the body of this report.

The applicant has not provided a plan showing the exact location of the seafood van / trading area.

A new planning approval is required as:

- (a) The existing planning approval for Area A was issued in 2015 for private recreation (water based activities) within Reserve 39569; and
- (b) The existing planning approval does not include the north part of the carpark within the Knight Terrace road reserve.

Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Laws –

Clause 3.2(3) does not allow any advertising sign to be erected on a footpath or within 3 metres of any carriageway.

Clause 6.5 (2) outlines several grounds for refusal of a permit application including:

'that the needs of the district, or the part for which the permit is sought, are adequately catered for by established shops.'

Clause 6.6 (1) outlines conditions that may be imposed on any permit, including restrictions on the days and hours during which a permit holder may conduct a stall or trade.

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Clause 3.4(a) gives Council discretion to approve one portable sign per business subject to certain conditions. This is reflected in the officer recommendation for the issue of the permit.

POLICY IMPLICATIONS

There are no policy implications relative to this report.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Liz Bushby of Town Planning Innovations for planning advice.

STRATEGIC IMPLICATIONS

Council may consider reviewing the existing 'pre-approved' permit areas in light that Knight Terrace has been significantly modified since 2015.

There are car parking bays along Knight Terrace which could be nominated as permit areas as long as the proposed business meets the local law requirements and does not sell products already being sold by local businesses.

RISK MANAGEMENT

No risk has been identified in assessment of the proposal.

VOTING REQUIREMENTS

Simple Majority Required or

Absolute Majority (for any delegated authority)

SIGNATURES

Author

L Bushby

Chief Executive Officer

P Anderson



Date of Report

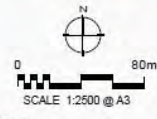
18 February 2019

ATTACHMENT # 1



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: 100940 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.

ATTACHMENT # 2



SETBACKS - TRADING PERMITS
DENHAM TOWNSITE



JOB REFERENCE: 4-2017 DATE: 11th AUGUST 2017
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.

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13.8 PROPOSED OUTBUILDING – LOT 39 (4) SELLENGER HEIGHTS, DENHAM P4222

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Liz Bushby, Town Planning Innovations

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

Declaration of Interest: Cr Fenny

Nature of Interest: Proximity Interest as owner of 38 Sellenger Heights

Cr Fenny left the Council Chamber at 4.21pm

Officer Recommendation

That Council:

1. Pursue Option 1 as outlined in the body of this report to approve the development application for an outbuilding on Lot 39 Sellenger Heights, Denham subject to the following conditions and footnotes:
 - (i) The plans lodged with this application shall form part of this planning approval. All development shall generally be in accordance with the approved plans unless otherwise approved separately in writing by the Chief Executive Officer.
 - (ii) The outbuilding is to be constructed out of colorbond as stated in the plans lodged as part of the application.
 - (iii) The Bushfire Attack Level assessment prepared by WA Planning Logistics dated 26 July 2019 forms part of this planning approval.
 - (iv) 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.
 - (v) The outbuilding is approved as ancillary to a dwelling proposed on the same lot. The outbuilding may be constructed at the same time as, or after, construction of the dwelling.
 - (vi) If the development the subject of this approval is not substantially commenced within a period of 2 years, the approval shall lapse and be of no further effect.

Footnotes:

- (a) Planning consent is not an approval to commence construction. A building permit must be obtained for all work.
- (b) As part of the separate building permit process, you will need to demonstrate that the outbuilding can be constructed to meet the Australian Standard AS 3959 – Construction of buildings in bushfire prone areas as applicable to a Bushfire Attack Level (Bushfire Attack Level 19).
- (c) The applicant is advised of the need to ensure adequate dust mitigation measures are undertaken during all phases of construction to ensure neighbours are not affected by dust nuisance. It is the owners

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responsibility to take measures to prevent wind erosion or sand drift as a result of any works.

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

OR

Pursue Option 2 as outlined in the body of this report to refuse the development application for an outbuilding on Lot 39 Sellenger Heights, Denham for the following reasons:

- (a) The proposed outbuilding will be highly visible from adjacent lots which will have a potential negative impact on amenity.
- (b) The outbuilding does not comply with Design Principle 5.4.3 P3 of the Residential Design Codes which only allows for '*Outbuildings that do not detract from the streetscape or the visual amenity of residents of neighbouring properties*'.
- (c) The proposed outbuilding height is a significant departure from the low scale outbuildings developed in Sellenger Heights and will have a detrimental impact on streetscape and established character of the area. '

Moved Cr Laundry
Seconded Cr Ridgley

Council Resolution

That Council:

1. **Pursue Option 1 as outlined in the body of this report to approve the development application for an outbuilding on Lot 39 Sellenger Heights, Denham subject to the following conditions and footnotes:**
 - (i) **The plans lodged with this application shall form part of this planning approval. All development shall generally be in accordance with the approved plans unless otherwise approved separately in writing by the Chief Executive Officer.**
 - (ii) **The outbuilding is to be constructed out of colorbond as stated in the plans lodged as part of the application.**
 - (iii) **The Bushfire Attack Level assessment prepared by WA Planning Logistics dated 26 July 2019 forms part of this planning approval.**
 - (iv) **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.**

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- (v) **The outbuilding is approved as ancillary to a dwelling proposed on the same lot. The outbuilding may be constructed at the same time as, or after, construction of the dwelling.**
- (vi) **If the development the subject of this approval is not substantially commenced within a period of 2 years, the approval shall lapse and be of no further effect.**

Footnotes:

- (a) **Planning consent is not an approval to commence construction. A building permit must be obtained for all work.**
- (b) **As part of the separate building permit process, you will need to demonstrate that the outbuilding can be constructed to meet the Australian Standard AS 3959 – Construction of buildings in bushfire prone areas as applicable to a Bushfire Attack Level (Bushfire Attack Level 19).**
- (c) **The applicant is advised of the need to ensure adequate dust mitigation measures are undertaken during all phases of construction to ensure neighbours are not affected by dust nuisance. It is the owners responsibility to take measures to prevent wind erosion or sand drift as a result of any works.**

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

5/0 CARRIED

Cr Fenny returned to the Council Chamber at 4.28pm

BACKGROUND

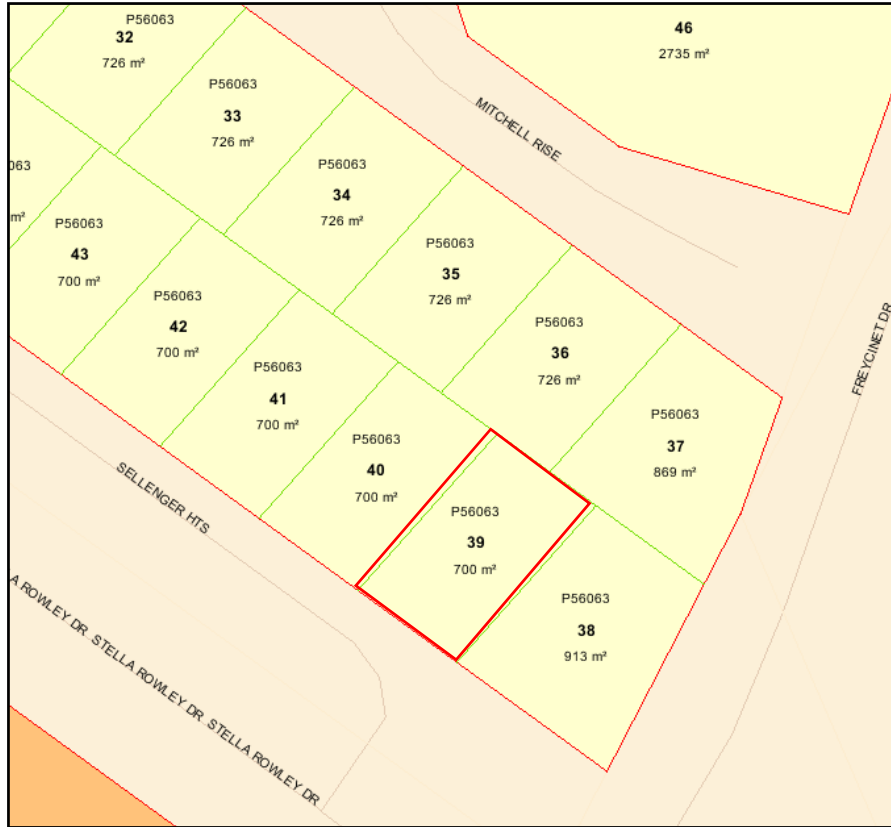
- ***Zoning***

Lot 39 forms part of an area known as Denham Estate which is land that was subdivided by LandCorp.

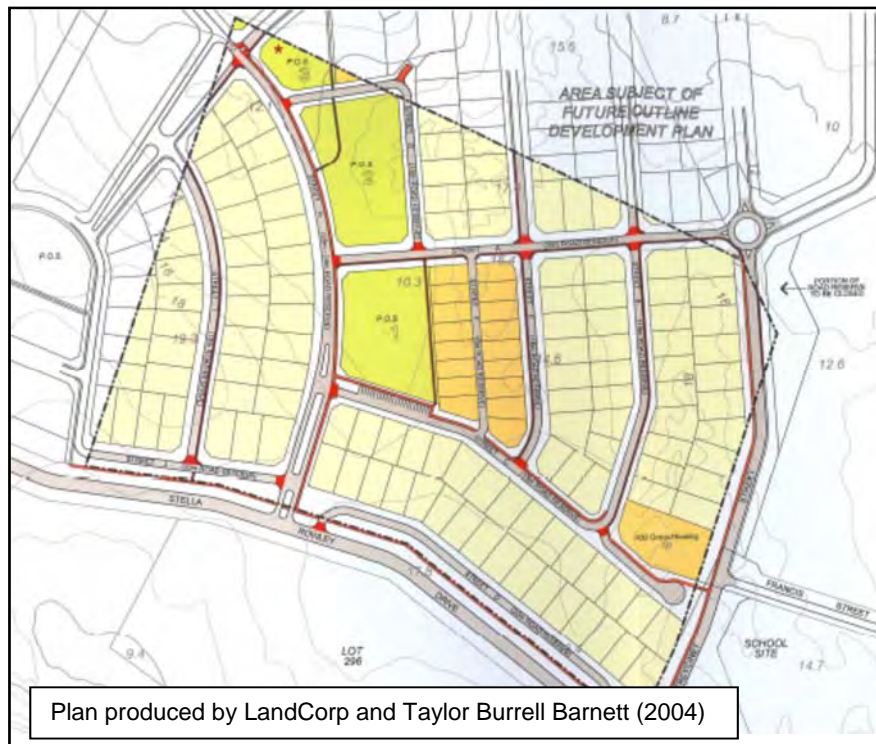
The lot is zoned 'Residential' with a density code of R15 under the Shire of Shark Bay Local Planning Scheme No 4 ('the Scheme') – refer location plan below.

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There is an Outline Development Plan for the area and the existing Denham Estate subdivision proceeded as Stage 1.



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As part of subdivision, Design Guidelines for Denham Estate were prepared by Taylor Burrell Barnett (planning consultants). Compliance with the Guidelines is assessed by Zuideveld Marchant Hur architects, who are contracted by LandCorp.

Owners lodged plans to the architects to obtain their approval for compliance with the Guidelines prior to lodging plans to the Shire for either planning and / or building approval.

Planning approval is required for any variation to the Residential Design Codes irrespective of compliance with the Design Guidelines. The Design Guidelines clearly state that separate Council approval is required for any variation to the Residential Design Codes.

- **Previous Council consideration**

A two storey dwelling is proposed on Lot 39 (4) Sellenger Heights in Denham however it does not require planning approval as it complies with the 'deemed to comply' requirements of the Residential Design Codes.

This information was reported to Council in February 2018.

On the 28 February 2018 Council approved retaining walls on the subject lot. Council also resolved to refuse a proposed outbuilding on Lot 39 (No 4) Sellenger Heights, Denham for the following reasons:

- '(i) A significant portion of the outbuilding walls will be visible from adjacent lots causing a negative impact on neighbours' amenity.
- (ii) The outbuilding does not comply with Design Principle 5.4.3 P3 of the Residential Design Codes which only allows for '*Outbuildings that do not detract from the streetscape or the visual amenity of residents of neighbouring properties*'.
- (iii) The proposed outbuilding is a significant departure from the low scale outbuildings developed in Sellenger Heights and will have a detrimental impact on streetscape and established character of the area. '

The outbuilding that was refused by Council proposed a wall height of 4.2 metres, a ridge height of 4.9 metres and a floor area of 89.9m².

- **Preliminary Revised Plans**

The applicant informally submitted revised plans for an outbuilding on Lot 39 which was referred to Council at the meeting held on the 31 October 2018.

In October Council resolved to advise the applicant that:

- (i) The Shire is prepared to consider the revised plan however requests a front elevation be provided showing the proposed two storey dwelling with outbuilding behind (to scale).
- (ii) A 1.8 metre dividing fence should be shown on elevations to assist with neighbour consultation and visual impact assessment.
- (iii) This is not a guarantee of any forthcoming approval however the Shire encourages lodgement of the revised plans to allow for formal neighbour consultation and final assessment.

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- (iv) A Bushfire Attack Level report by an accredited fire consultant needs to be lodged as part of any new planning application.

Council also resolved to grant delegated authority to the Chief Executive Officer to determine any formal application lodged with revised plans for an outbuilding on Lot 39 (4) Sellenger Heights Denham.

The Shire Chief Executive Officer has requested that the new application and revised plans be referred to Council for determination due to the subjective nature of assessment of compliance with the design criteria of the Residential Design Codes.

COMMENT

• **Revised Plans**

The applicant has lodged a new planning application and revised plans for an outbuilding on Lot 39 at the Shire's invitation.

As retaining walls have already been approved, the new approved fill level is considered to be the Natural Ground Level under the Residential Design Codes.

The revised plans propose the following changes:

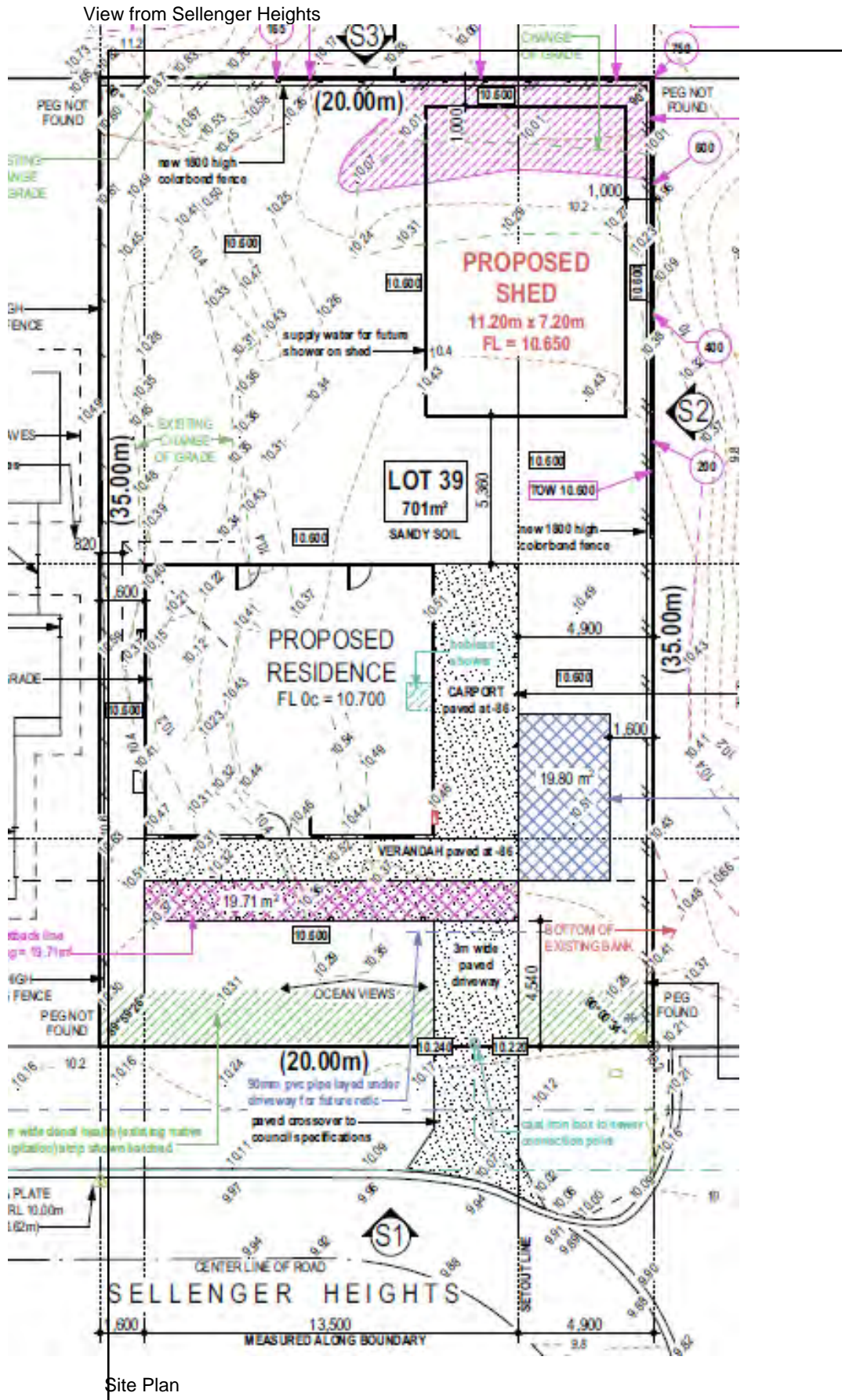
- a) A reduced the ridge height from 4.9 to 3.845 metres (which complies);
- b) A reduced wall height from 4.2 metres. A skillion roof is proposed so the wall height ranges from 3.45 metres to 3.845 metres.
- c) A reduced floor area from 89.9m² to 77m².

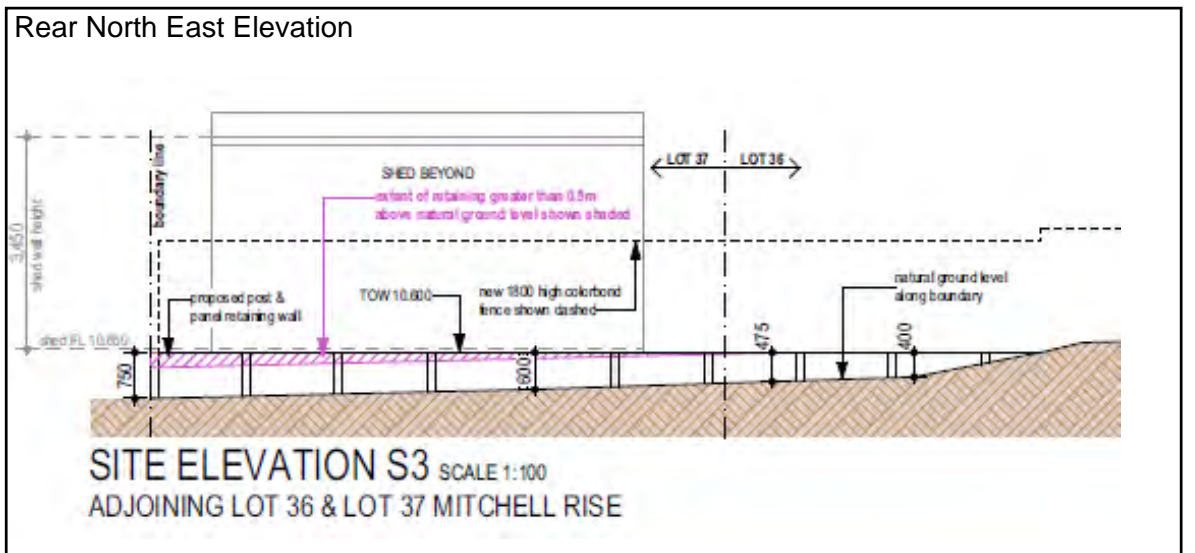
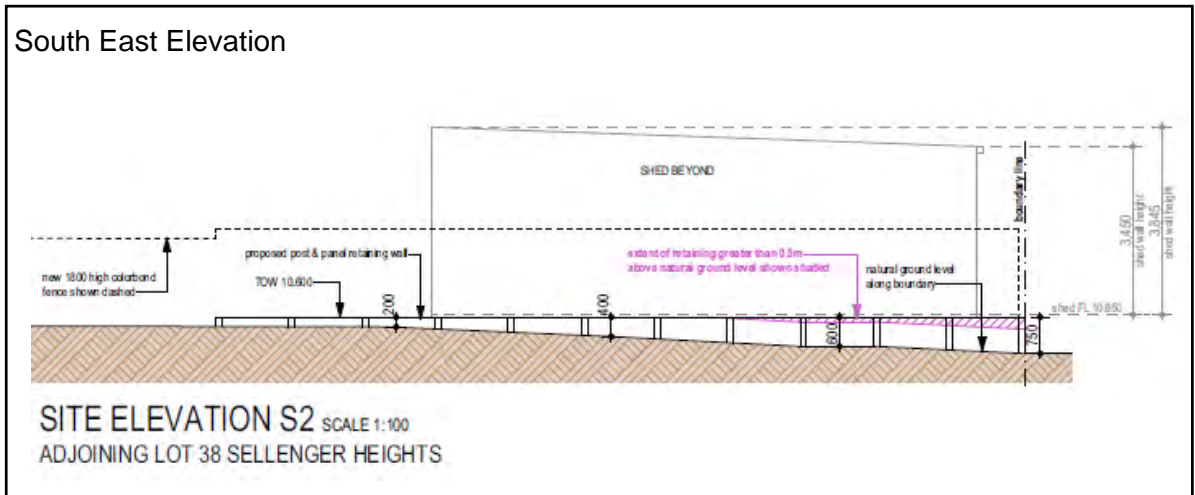
The outbuilding is proposed to be constructed out of colorbond in colours similar to those proposed for the dwelling on the same lot. The walls are proposed to be coloured wind spray, the roof is proposed to be shale grey, and the gutters/fascia is proposed to be woodland grey.

The front elevation is included below. A site plan and side/rear elevations are included below.



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• **Residential Design Codes – Outbuilding Assessment**

The Residential Design Codes have two separate options for the assessment of development including ‘Deemed to Comply’ criteria and ‘Design Principles’.

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

Under the Residential Design Codes there are specific ‘Deemed to Comply’ requirements for outbuildings as summarised in the table below.

Clause 5.4.3 C3 ‘deemed to comply’ criteria / Outbuildings that:	Officer Comment (Town Planning Innovations)
(i) are not attached to the building	Complies.
(ii) are non habitable	Complies.

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(iii) collectively do not exceed 60sqm in area or 10 percent in aggregate of the site area, whichever is the lesser	Variation. A floor area of 77m ² is proposed.
(iv) do not exceed a wall height of 2.4 metres	Variation. A skillion roof is proposed so the wall height ranges from 3.45 metres to 3.845 metres.
(v) do not exceed a ridge height of 4.2 metres	Complies. The maximum height of the roof is 3.845 metres.
(vi) are not within the primary street setback area;	Complies.
(vi) do not reduce the open space required in table 1; and	Complies. There is still adequate site open space as per table 1 of the Codes.
(vii) comply with the siting and design requirements for the dwelling, but do not need to meet the rear setbacks requirements of table 1.	Complies.

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

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

The Denham Design Guidelines only require a 4m² storeroom, encourages oversized outbuildings to be under the main roof of the house, and includes a design recommendation to:

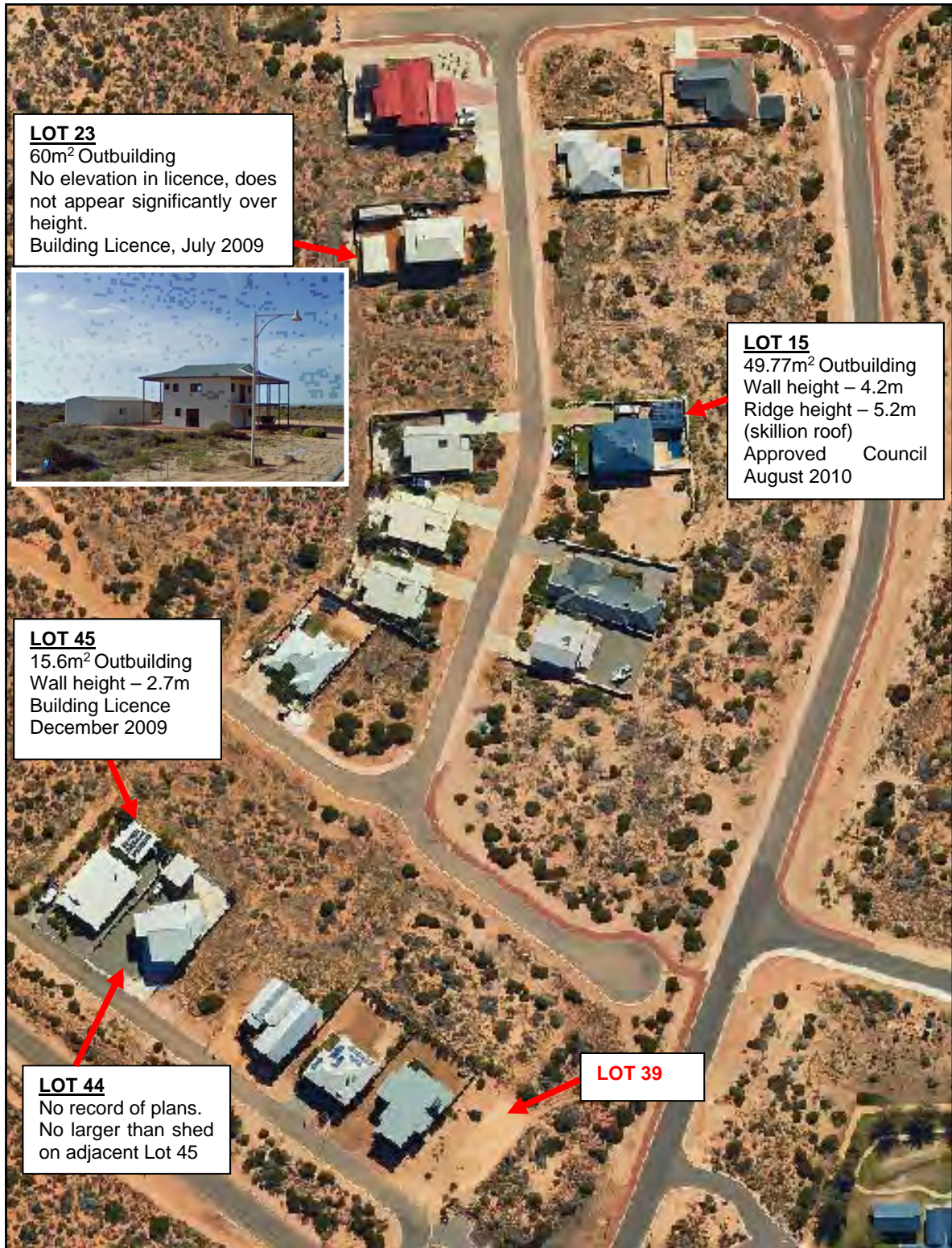
'consider locating outbuildings to minimise their visual impact on neighbouring lots and the streetscape, and so they are screened from public view (where practical), and do not adversely restrict access to summer breezes for cross ventilation purposes.'

- **Overview of Existing Approvals in Denham Estate**

An outbuilding with higher walls and a higher roof has been approved for Lot 15 Terry Deschamps Way – refer aerial over page.

Otherwise Denham Estate is generally characterised by reasonably low scale outbuildings.

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Source: Landgate (2017)

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To assist Councillors, Town Planning Innovations provides two photographs of approved outbuildings in Denham town site for comparative purposes:

Address	Wall Height	Ridge Height	Floor Area	Council meeting date
Lot 154 (7) Sunter Place Denham	3.7	4.2	88.07m ²	December 2015
Revised plan for Lot 39 Sellenger Heights	3.4 to 3.845	3.4 to 3.845	77m ²	For consideration



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Address	Wall Height	Ridge Height	Floor Area	Council meeting date
Lot 210 (10) Edwards Street, Denham	3.5	4.088	36.3m ²	July 2014
Revised plan for Lot 39 Sellenger Heights	3.4 to 3.845	3.4 to 3.845	77m ²	For consideration



Town Planning Innovations is of the view that the perception of the scale and bulk of outbuildings can vary depending on the location, setbacks, context and the scale of the residence on the same lot.

Oversized outbuildings adjacent to two storey dwellings may appear less prominent than oversized outbuildings adjacent to low scale single storey dwellings.

- ***Relevant State Planning Guidelines and Policies – Bushfire Prone Areas***

The Western Australian Planning Commission has released new Guidelines for Planning in Bushfire Prone Areas ('the Guidelines') and State Planning Policy 3.7: Planning in Bushfire Prone Areas. These documents apply to all land identified as Bushfire Prone.

Mapping identifying Bushfire Prone Areas is available through the Department of Fire and Emergency Services website. Lot 39 is within the Bushfire Prone Area.



State Planning Policy 3.7 requires a Bushfire Attack Level report to be provided for the proposed outbuilding.

The applicant has lodged a Bushfire Attack Level report which identifies that the outbuilding would need to be constructed to meet the requirements of Bushfire Attack Level-19. A Bushfire Attack Level 19 means there is a moderate risk of potential bushfire from ember attack together with increasing heat flux.

- **Consultation**

The previous planning application for a larger outbuilding was referred to neighbours and no submissions were received. The new application has not been re-advertised.

Irrespective that no neighbours have lodged any objection, Council still has to assess amenity independently in accordance with the Residential Design Codes.

- **Options Available to Council**

In regards to the new planning application and revised plans there are two options available as follows:

Option 1 – Approve the outbuilding subject to conditions

Council has discretion to approve the application if it is considered that the outbuilding will not have any negative impact and meets the following design principle:

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

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The outbuilding approved on Lot 154 (7) Sunter Place Denham is of a comparable height and is adjacent to a two storey dwelling (which likely makes the outbuilding appear lower scale in context).

Council may consider the size and scale of the outbuilding to be acceptable.

Town Planning Innovations is of the view that the proposed outbuilding will not have a negative impact on the Sellenger Heights streetscape. The issue of neighbours' amenity is more complex, as the outbuilding will be visible from adjacent lots. It is recognised that the form of future development on adjacent lots is currently unknown.

Due to the coastal prominence of Denham townsite, Council may form the view that the revised proposal sufficiently balances the need to maintain a certain level of residential amenity with the reality that owners wish to provide adequate protective shelter for boats.

A list of recommended conditions is included in the recommendation should Council support Option 1.

Option 2 – Refuse the Application

Denham Estate is an area where design guidelines have been developed and enforced to encourage a higher level of architectural design and a good quality development outcome.

One of the objectives of the guidelines is *'to achieve a visually attractive development that has regard for the amenity of adjacent lots and surrounding public areas'*.

Support for the outbuilding may set a precedent for others within Sellenger Heights.

Whilst the revised plan is an improvement to the previous proposal, a wall height of 3.45 metres to 3.845 metres will still mean that adjacent owners will see a portion of the development above a standard 1.8 metre high fence.

Council can refuse the application if it is considered that the outbuilding will have a detrimental visual impact on the amenity of the area, surrounding neighbours, and/ or streetscape.

LEGAL IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015 -

Regulation 61(1)(d) only exempts ancillary outbuildings from requiring planning approval where they comply with the 'deemed to comply' requirements of the Residential Design Codes.

Regulation 67 outlines 'matters to be considered by Council' including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic and any submissions received on a proposal.

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Shire of Shark Bay Local Planning Scheme No 4 -

Clause 16(2) outlines the following objectives for the Residential zone:

- To provide for a range of housing and a choice of residential densities to meet the needs of the community.
- To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.
- To provide for a range of non-residential uses, which are compatible with and complementary to residential development.
- To provide for tourist development which is compatible with and complementary to residential development.

POLICY IMPLICATIONS

The Denham Design Guidelines state that they were adopted as a Local Planning Policy under the Shire of Shark Bay Town Planning Scheme No 2. This effectively means they have no statutory status under the current Shire of Shark Bay Town Planning Scheme No 4.

Town Planning Innovations proposes to refer a future report to Council to consider adopting the Denham Design Guidelines as a formal local planning policy under the current Scheme.

The outbuilding requirements will be reviewed as part of that process, following a decision on this application.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Liz Bushby of Town Planning Innovations for planning advice.

STRATEGIC IMPLICATIONS

Approval of the outbuilding may set a precedent for similar sized outbuildings in Sellenger Heights and in the broader Denham Estate. Each application will still be assessed based on individual merit and having regard for the specific site characteristics.

RISK MANAGEMENT

This is a low risk item to Council.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

L Bushby

Chief Executive Officer

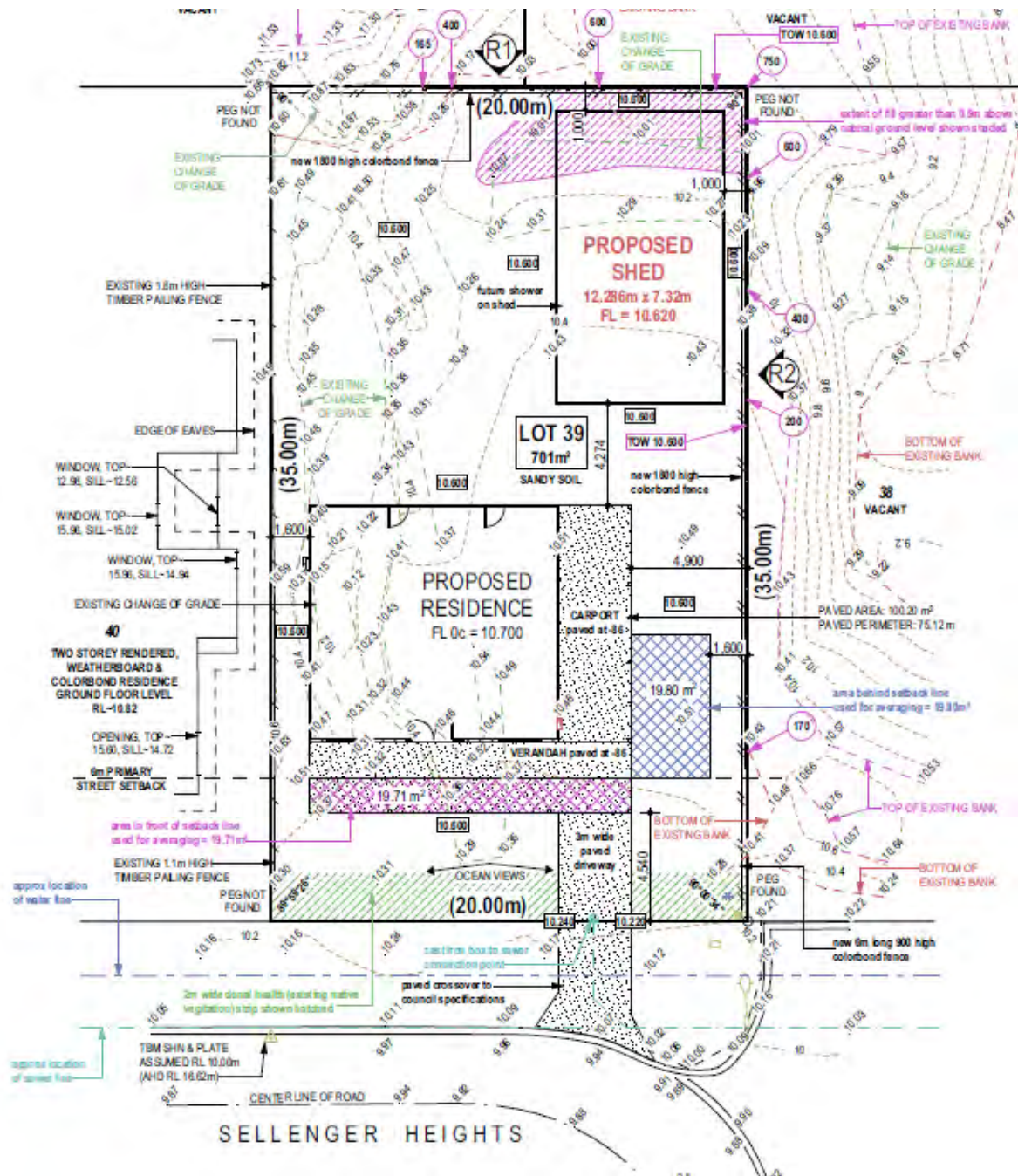
P Anderson

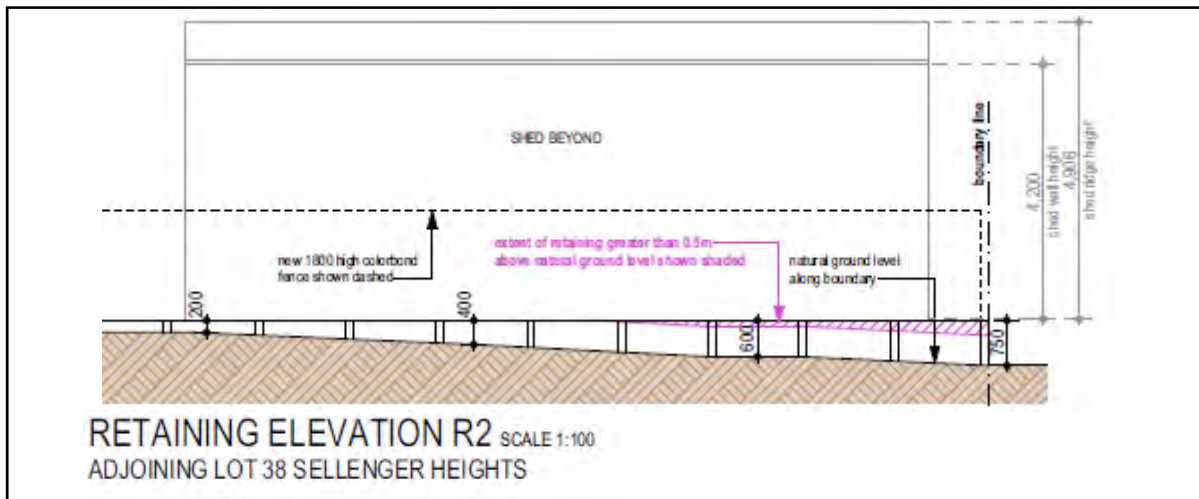
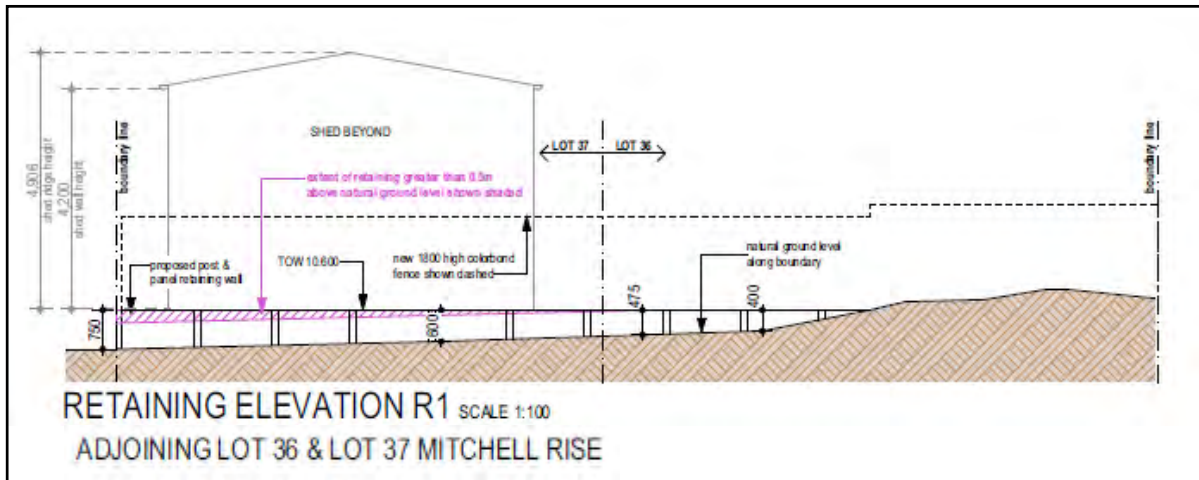
Date of Report

18 February 2019

ATTACHMENT 1

OUTBUILDING PLANS REFUSED BY COUNCIL
IN FEBRUARY 2018





27 FEBRUARY 2019

14.0 WORKS REPORT

14.1 ROADS TO RECOVERY 2019/2020 – 2023/2024 ALLOCATIONS
RD00023

Author

Works Manager

Disclosure of Any Interest

Nil

Moved Cr Burton
Seconded Cr Ridgley

Council Resolution

That Council note correspondence received regarding Roads to Recovery funding allocations for the next five years 2019/2020 – 2023/2024

6/0 CARRIED

Background

The current Roads to Recovery program ends on 30 June 2019.

Correspondence received 18 December 2018 confirmed the ongoing commitment by the Federal government to the Roads to Recovery program until 30 June 2024.

Contained within the correspondence is an allocation of \$1,188,980.00 for the Shire of Shark Bay.

Comment

With the confirmation from the Federal government to its commitment to the Roads to Recovery program, Council will need to make preliminary plans as to where it would like to expend its allocations.

Planned works will be entered into the 5 year Capital Road Plan (Attached). This document is reviewed on an annual basis to enable any required changes to be made keeping in line with current requirements.

Possible inclusions into the capital road plan could be;

Brockman Street - Remove curbs and footpath, reseal road and replace curbs. Reinstall failing narrow footpath Knight Terrace to Francis Street.

Durlacher Street – Remove curbs and footpath, reseal road and replace curbs. Realign and reinstall failing footpaths.

Eagle Bluff Road – Instigate a seal program to upgrade the gravel road to an all-weather road.

Useless Loop Road – Contribute to earthworks relating to preparation for future sealing operations.

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

It could be beneficial for a Councillor workshop to identify any roads and works that Council would like to include in the Roads to Recovery section of the five year Capital Road Plan.

Legal Implications

There are no legal implications to this report.

Policy Implications

There are no policy implications to this report.

Financial Implications

Funds of \$237,796.00 each year need to be allocated to Road to Recovery projects and entered into future budgets. There are provisions within the Roads to Recovery guidelines, provided previous notice is given, that funding for multiple years can be combined into one financial year to facilitate a larger project.

All funds need to be expended by the 30 June 2024.

Strategic Implications

There is no strategic implications relative to this report.

Risk Management Implications

There are no risks associated with this report.

Voting Requirements

Simple Majority Required.

Signatures

Author

B Galvin

Chief Executive Officer

P Anderson

Date of Report

15 February 2019

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019



The Hon Michael McCormack MP

Deputy Prime Minister
Minister for Infrastructure, Transport and
Regional Development

The Hon Scott Buchholz MP

Assistant Minister for Roads and Transport
Federal Member for Wright

Ref: MS18-002602

Cr Cheryl Cowell
Shire President
Shire of Shark Bay
65 Knight Terrace
DENHAM WA 6537

Dear Shire President

We are writing to advise you of your Council's funding allocation under the Roads to Recovery Program from 1 July 2019 to 30 June 2024.

The Australian Government demonstrated its ongoing commitment to this important partnership with local government by removing the sunset clause for the Roads to Recovery program in the *National Land Transport Act 2014*; meaning no new legislation will be required for the continuation of the program.

In addition to our commitment to maintain Roads to Recovery funding at the current level of \$350 million per annum, the 2016 Budget announced that a further \$50 million per year will be provided ongoing. This brings total funding for the program to \$2 billion over the five years to 2023-24.

A total of \$292.44 million has been allocated to Western Australia, which has been divided between the councils in the State on the basis of the 2018-19 recommendations of the Local Government Grants Commission for the roads component of the Financial Assistance Grants. This methodology is consistent with the allocation of Roads to Recovery funding for previous programs.

Your Council's life of program allocation for the period 1 July 2019 to 30 June 2024 will be \$1,188,980. Councils will be able to enter projects for the new period of Roads to Recovery funding from 1 July 2019 and the first payment of the new program will be made in August 2019.

The program will continue to run under simple administrative arrangements with councils free to decide the projects to be funded. As per the current arrangements, projects funded under Roads to Recovery can be delivered as early as needed in the 5-year program life, subject to councils proactively identifying projects in line with their local priorities. You should contact the Department of Infrastructure, Transport, Regional Development and Cities as early as possible in the new financial year should you wish to accelerate your Roads to Recovery spending.

Parliament House, Canberra ACT 2600. Tel: (02) 6277 7520 Fax: (02) 6277 4120

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

The Department will advise you of the formal funding conditions prior to the commencement of the new program life.

This funding will help councils target genuine road investments that will stimulate local employment and help get people home safer and sooner. Consistent with the Roads to Recovery Statement of Expectations launched last year, we would like to urge councils to focus their funding on projects that improve the safety and quality of their local road networks.

The Government is committed to using Federal funding to improve employment opportunities for Indigenous Australians and we ask for this consideration to be applied to projects using Roads to Recovery funding.

We would also like to take this opportunity to remind councils to allocate all 2018-19 Roads to Recovery funds to projects. You should also ensure that these projects are sufficiently advanced by the April 2019 quarterly reporting period so that all available 2018-19 funding can be paid out.

We look forward to continuing the successful relationship between the Australian Government and your council over the coming years.

Yours sincerely



Michael McCormack



Scott Buchholz

27 FEBRUARY 2019

Shire of Shark Bay

Roads Capital Program 2019/20 to 2023/24

Regional Road Group	Road	Year		Place		Amount		2019/20			2020/21			2021/22			2022/23			2023/24				
		From	To	From	To			Type	Time	By	Cost	Type	Time	By	Cost	Type	Time	By	Cost	Type	Time	By	Cost	
	Useless Loop Road	18/19	28.00	33.00			5.00																	
		19/20	18.00	23.00	Seal Work	March/19	5.00	Shire	\$	229,000.00														
		20/21	50.40	55.00			5.50	Resheet	July/20	Shire	\$	229,000.00												
		21/22	23.00	28.00			5.00						Seal Work	Mar/21	Shire	\$	229,000.00							
		22/23	6.00	66.00			5.00											Resheet	July/22	Shire	\$	229,000.00		
	Stella Rowley Drive	19/20	0.00	4.30			4.30	Shoulders	Nov/20	Shire	\$	90,000.00												
	Goulet Bluff																	Resheet	June/23	Shire	\$	90,000.00		
	Airport Road	21/22											Reseal	Feb/22	Contractors	\$	90,000.00							
	Eagle Bluff Road	18/19	2.10	4.38			2.28																	
		20/21	0.00	4.38	Seal Prep	Nov/19	4.38	Shire	\$	90,000.00														
	Total RRG																							
	Roads to Recovery																							
	Road																							
	Useless Loop Road						0.00																	
	Knight Terrace						0.00																	
	Eagle Bluff Road						0.00																	
	Brodman Street						0.00																	
	Durliacher Street						-																	
	Total R2R																							
	Grand Total																							

27 FEBRUARY 2019

14.2 DIRECTIONAL SIGNAGE REQUEST
CR00016, LP00002, P1501

AUTHOR

Works Manager

DISCLOSURE OF ANY INTEREST

NIL

Moved Cr Ridgley

Seconded Cr Fenny

Council Resolution

That Council:

1. **Resolve not to authorise the erection of any permanent or directional signage on thoroughfares or public places in Denham townsite (particularly on Knight Terrace) for the purpose of advertising Shire approved accommodation businesses that are located in the Denham Residential zone for the following reasons:**

- (a) **There is potential to set an undesirable precedent and for sign proliferation which may negatively impact on the amenity of Denham's townsite and detract from the attributes which make Denham attractive to tourists, visitors and the local community.**
- (b) **Existing directional signs in Knight Terrace are generally limited to existing caravan parks, local community/recreation facilities and to direct tourists to businesses established within the Denham town centre (which includes both a commercial and tourist zone).**

There are a number of Bed and Bedfast and Holiday Houses within the Denham Residential zone. Support for the proposal would set an undesirable precedent for similar businesses to also apply for directional signs.

- (c) **Recognition of the need to protect visual quality and character of the main commercial and tourist zones in Denham townsite, and to limit the extent and range of directional signs.**

6/0 CARRIED

BACKGROUND

The proprietors of Shark Bay B&B located in 35c Fry Court have approached the Shire of Shark Bay in regards to business directional signs for their Bed & Breakfast business.

The owners of Shark Bay B&B are requesting two business directional signs to be installed. One to be placed on the hooped information sign adjacent to the "Welcome to Denham" roundabout. The other to be placed at the Knight Terrace / Fry Court intersection on the Fry Court street sign pole.

27 FEBRUARY 2019

They have requested that the wording be “SHARK BAY B&B” followed by the “bed” icon. In the communications the proprietors indicated that they would be financing the required signs.

On the permit granted by Council on the 28 October 2015, condition 6 states that any sign for the B&B must be located only within the strata lot boundary and the sign shall not exceed 0.2 square metres.

COMMENT

Council currently has no policy or local law in place directly relating to fixed street business directional signs. Currently there are no small accommodation businesses within the residential area of Denham that have street directional signs installed at any location on Council property.

At present the only directional signs for accommodation on Council property are caravan parks, hotels, resorts and other community or recreational establishments.

At the time of writing this report there are several small Council approved accommodation businesses operating with one application pending Council’s decision.

There are also a considerable number of properties in the residential area that are used for short term accommodation, which the Council is addressing through the Town Planning Scheme and draft policy.

Council should consider the potential ramifications, in that if one small accommodation business is granted permission to have directional signs installed, a precedent may be set.

This may result in all current and future small accommodation business in the residential area applying for directional street signs on either Knight Terrace and/or the street they are located on.

Dependent on application numbers this may have a detrimental effect on the aesthetics of the current Denham street scape and where there are multiple accommodation business in the one street possibly create some confusion to potential clients.

If Council agrees with the proposed application, it is recommend that the applicants be responsible for all costs associated with the purchase, installation, maintenance and any replacements of any approved signs.

This approach relieves the Council of any financial burden associated with future requests. It is also recommended that a standard be established and included in Council policy enabling Council to maintain continuity for future requests.

LEGAL IMPLICATIONS

There are no legal implications associated with this report

POLICY IMPLICATIONS

At present there are no policies or local laws that relate directly to business directional street signs. The following is the only local law relating to signs.

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LOCAL GOVERNMENT ACT 1995
SHIRE OF SHARK BAY
ACTIVITIES IN THOROUGHFARES AND PUBLIC PLACES AND TRADING LOCAL LAW

PART 3 - ADVERTISING SIGNS ON THOROUGHFARES

DIVISION 1 - PRELIMINARY

3.1 Interpretation

In this Part, unless the context otherwise requires -

"**advertising sign**" means a sign used for the purpose of advertisement and includes an "election sign",

"**direction sign**" means a sign which indicates the direction of another place, activity or event, but does not include any such sign erected or affixed by the Local Government or the Commissioner of Main Roads,

"**election sign**" means a sign or poster which advertises any aspect of a forthcoming Federal, State or Local Government election,

"**portable direction sign**" means a portable free standing direction sign, and

"**portable sign**" means a portable free standing advertising sign.

DIVISION 2 - PERMIT

3.2 Advertising Signs and Portable Direction Signs

- (1) A person shall not, without a permit -
- (a) erect or place an advertising sign on a thoroughfare, or
 - (b) post any bill or paint, place or affix any advertisement on a thoroughfare.
- (2) Notwithstanding subclause (1), a permit is not required in respect of a portable direction sign which neither exceeds 500 mm in height nor 0.5 square metres in area, provided that the sign is placed or erected on a thoroughfare on an infrequent or occasional basis only to direct attention to a place, activity or event during the hours of that activity or event.
- (3) Notwithstanding subclause (1), a person shall not erect or place an advertising sign -
- (a) on a footpath,
 - (b) over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2.5 metres,
 - (c) on or within 3 metres of a carriageway,
 - (d) in any other location where, in the opinion of the Local Government, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare, or
 - (e) on any natural feature, including a rock or tree, on a thoroughfare, or on any ridge or the structural approaches to a bridge.

3.3 Matters to be Considered in Determining Application for Permit

In determining an application for a permit for the purpose of Clause 3.2(1), the Local Government is to have regard to -

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- (a) any other written law regulating the erection or placement of signs within the district,
- (b) the dimensions of the sign,
- (c) other advertising signs already approved or erected in the vicinity of the proposed location of the sign,
- (d) whether or not the sign will create a hazard to persons using a thoroughfare, and
- (e) the amount of the public liability insurance cover, if any, to be obtained by the applicant.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

STRATEGIC IMPLICATIONS

There are no strategic implications relative to this report.

RISK MANAGEMENT

Council should consider the potential ramifications contained within this report. If one small accommodation business is granted permission to have directional signs installed, a precedent will be set.

This precedent may encourage current and future small accommodation businesses to apply for directional street signs.

Dependent on application numbers this may have a detrimental effect on the aesthetics of the current Denham street scape.

Refusal to grant permission for the sign may be misinterpreted as non-support for small local businesses.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

B. Galvin

Chief Executive Officer

P Anderson

Date of Report

15 February 2019



27 FEBRUARY 2019

15.0 TOURISM, RECREATION AND CULTURE REPORT

**15.1 DENHAM FAMILY DAY CARE HUGHES STREET
P4012**

AUTHOR

Executive Manager Community Development

DISCLOSURE OF ANY INTEREST

NIL

Moved Cr Fenny
Seconded Cr Bellottie

Council Resolution

That Council note the increase in demand for early childhood care/education services in Denham

and

That Shire administration is working with Ngala Bright Stars Family Day Care Service to determine the feasibility of a purpose-built In-Venue Day Care Centre for Denham.

6/0 CARRIED

BACKGROUND

The local *In-Venue* Family Day Care service is an accredited early childhood care/education service which is managed through Ngala – Bright Stars which is based out of Geraldton. Ngala do all the recruitment, placement, staff training and management.

A Family Day Care educator is a micro-business operator licensed to care for up to seven children to the age of thirteen (this can include after-school care) and restricted to only four children of pre-school age. A carer can charge between \$12- \$18 per hour, per child and in general, care is provided full-time 8.00am – 5.00pm four-five days per week – depending on demand.

Also, Family Day Care can offer care during standard hours, evenings, before/after school, during school holidays and in some cases overnight and weekends.

Between 2011- 2016, Denham experienced a resident population growth of 7.4% with significant increases in the young family demographic. With increasing demands due to growth in the 0-4 years the Shire is keen to sustain the effective partnership that has been developed with Ngala Bright Stars and to maintain this important service for the community.

Through the Community Resource Centre management of the Recreation Centre in 2018, the highest attended program was Kindy Gym (0-3 year olds). Overall attendance for the year, including Mums was over 800 which is indicative of the growth and demand for early childhood services in Denham.

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This year, Shire administration has received a request to support the re-emergence of Playgroup.

COMMENT

Through a nominal fee, the Shire has supported the delivery of *In-Venue* Family Day Care services operating from the old hospital/CWA building on Hughes Street. Family Day Care is generally run from the service provider's home (hence the term "Family"), however the Shire has supported the service to be delivered from the Hughes Street property.

Over a number of years, and due to the age of the building, the Shire has provided ongoing maintenance and cost of utilities, which has included continued repairs to a large shade sail, general building maintenance, painting and presenting the building as a safe family and child friendly environment.

Since July 2017, the Shire has charged the Family Day Care service provider a nominal rent of \$135 per month - \$1,620 per year, while continuing to ensure the building and surrounds are kept at a safe and useable level. The rental amounts are set by Council in the budget process.

The power rebate earned on the building for the past two and a half years is \$4,300.

In 2018, Ngala informed the Shire that the national laws regulating Early Childhood Education and Care Services have been under review and Western Australia will be required to meet the Australian National Quality Framework (NQF) by November 2018.

<https://www.dlqc.wa.gov.au/LegislationCompliance/Pages/NQF-ECRU.aspx>

In addition to the training, skills and accreditation of the Early Childhood Carer/Educator, the regulations also focus on the standards of the venue where the services are delivered from – i.e., Hughes Street property.

Under the existing situation, Ngala is working closely with the Shire to ensure the current premises meet the minimum requirements.

Working with Ngala's recommendations, administration has been mindful of ensuring the safety of children and care givers at all times and over the past two and half years (2016/17/18) the cost of maintenance to the Child Care Centre building and grounds has been over \$11,700.

In early 2018, the Shire was approached by Ngala Bright Stars to discuss the opportunity for a collaborative project with Ngala applying for a Federal government Community Child Care grant to develop a Business Case and establish the feasibility for a purpose built *In-Venue* Family Day Care in Denham.

With backing from Shire administration and a commitment of in-kind support, Ngala submitted the application and informed the Shire in early February they have received approval for the feasibility study. Ngala will keep us informed of the project processes.

LEGAL IMPLICATIONS

There are not legal implication relating to this report.

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POLICY IMPLICATIONS

There are no policy implication relating to this report

FINANCIAL IMPLICATIONS

In-kind contribution of staff hours towards the Business Case/Feasibility study process.

Ongoing maintenance and rental subsidy costs.

STRATEGIC IMPLICATIONS

OUTCOME 3.1.1 Support provision of essential community services and facilities.

RISK MANAGEMENT

There are no risks associated with this item.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

L Butterly

Chief Executive Officer

P Anderson

Date of Report

6 February 2019

27 FEBRUARY 2019

15.2 SHELL COLLECTION
RC00022

AUTHOR

Executive Manager Community Development

DISCLOSURE OF ANY INTEREST

Nil

Moved Cr Laundry
Seconded Cr Ridgely

Council Resolution

That Council consider the options of; retaining and displaying the Shell Collection in the Shark Bay World Heritage Discovery and Visitor Centre; returning the Shell Collection to the person who donated them in 2002 or other claimants and advise the administration of final decision.

6/0 CARRIED

DISCLOSURE OF ANY INTEREST

Disclosure of Interest: Cr Bellottie

Nature of Interest: Financial Interest as member of the Malgana Aboriginal Corporation.

Moved Cr Laundry
Seconded Cr Fenny

Cr Bellottie left the Council Chamber at 4.52pm

Council Resolution

That Council donate the Shire's shell collection to the Malgana Aboriginal Corporation.

5/0 CARRIED

Cr Bellottie returned to the Council Chamber at 4.55pm

BACKGROUND

On Australia Day 2002, the Shark Bay Council was presented with a shell collection donated by the late Mrs Ivy Mallard through her nephew Martin Moore.

The Shire President at the time (Mr Les Moss) met with Mr Moore who requested the President bring the shell collection back to Shark Bay as per Mrs Mallard's wishes.

The collection has been in the possession of the Shire since the date of the donation (seventeen years) and at the time, the Shire paid to have the entire collection catalogue by Australian Seashells Pty Ltd. According to the catalogue there are:

- 165 shell species from Shark Bay
- 138 from North West
- 29 from South West

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- 48 from Australia
- 104 from overseas

It is understood there is also a number of shells from the McCleary collection (not specifically identified) and at the time there was a range of ornamental shell pieces and spare shells which Council decided to offer for sale by tender with proceeds to go towards the displaying the main shell collection in the Shark Bay World Heritage Discovery and Visitor Centre.

Following this and from October 2002 to January 2003, there appeared a number of newspaper articles in the Northern Guardian's 'Letters to the Editor' regarding the ownership and rights to the shell collection.

Please refer to attached newspaper articles 2002-2003.

In response to ownership concerns and at the Ordinary Council Meeting of 17 January 2003 it was unanimously agreed by Council:

"That Mrs Fossa be advised that the matter regarding the shell collection can be resolved by her approach to the Council and that she considers making a statement recognising that the Council has no axe to grind and has acted in good faith and that the President has always acted with the interest of the community in mind when dealing with this issue."

In late December 2018, administration received a call from Martin Moore inquiring about the shell collection and that his daughter recently visited the Shark Bay World Heritage Discovery and Visitor Centre looking for the shell collection display. Mr Moore is aware that with the issues of ownership over the years, the collection has never been displayed.

Mr Moore is of the opinion that the collection has some value on the open market and given the shells have never been displayed, his daughter wants the collection returned.

COMMENT

Council has spent considerable funds in identifying, cataloguing and storing the collection and the challenges associated with the ownership of the shell collection has prohibited the Shire administration in placing the shells on display as originally agreed. In addition, the cost of museum quality display cabinets and appropriate space in the Shark Bay World Heritage Discovery and Visitor Centre has never occurred.

With the shell collection having been located on Shire property and in storage for seventeen years, administration is seeking Council's decision on the future of the collection.

Further to this, and given there are two Malgana families identified under the ownership challenge, it could be that the Malgana Aboriginal Corporation Inc., take ownership of the collection with the view to displaying the collection within their planned Malgana Heritage Centre at Monkey Mia.

LEGAL IMPLICATIONS

Decision on ownership of the shell collection.

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

POLICY IMPLICATIONS

There are no policy implication relating to this report

FINANCIAL IMPLICATIONS

Dependent on future of shell collection.

STRATEGIC IMPLICATIONS

OUTCOME 3.1.2 Encourage inclusion, involvement and wellbeing.

RISK MANAGEMENT

There are no risks associated with this item.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

L Butterly

Chief Executive Officer

P Anderson

Date of Report

4 February 2019

27 FEBRUARY 2019

OCM January 2003

16.0 TOURISM, RECREATION AND CULTURE REPORT

16.1 IVY MALLARD SHELL COLLECTION

HI 102

Author

Acting Chief Executive Officer

Disclosure of Any Interest

Nil

Background

Council was presented with a shell collection donated by Ivy Mallard via her nephew Martin Moore of Perth on Australia Day 2002.

The Shire President became aware of the shell collections existence through an acquaintance of Mr Moore. The President did not know Mr Moore at this point.

When the President met with Mr Moore, Mr Moore requested the President take the collection from his place to Shark Bay as per the late Mrs Mallard's wishes. The Shire President at that time advised Mr Moore that it would be better for him (Mr Moore) to bring the collection to Shark Bay and officially hand over the shells.

This occurred on Australia Day as mentioned and has been in the possession of the Shire since.

When the President took possession of the collection on behalf of the community, the Shire/Council was unaware of any interest that existed in the shells from any group or individual. Earlier to this donation Mrs Mallard had made a donation to the Shire of a carved Emu Egg, which was accepted by the President on behalf of the Shire. When making this donation Mrs Mallard spoke of some shells she had and that she would like them to be given to the Shire at some point in the future.

Over the past three to four months articles have been appearing in the *Northern Guardian* newspaper as 'Letters to the Editor' relating to ownership of the shell collection. The letters, authored by Mrs Ada Fossa, also made several allegations which have involved the Council and more so the President.

27 FEBRUARY 2019

OCM January 2003

Comment

The President is quite distressed by the constant publicity from the *Northern Guardian* newspaper and by the manner by which they have handled the whole issue. Further to that the President is distressed by the allegations from Mrs Fossa which are quite unfounded.

The *Northern Guardian* has not attempted to talk to Council or the President in relation to the shell collection, however, Mr Moore has spoken to them about the shells. It would appear that the *Northern Guardian* has hidden behind the fact that the letters it has received have been 'Letters to the Editor'. The inclusion of the letters is in extremely poor taste as they have not sought to seek the truth of the issue involving the Shire and the President.

The latest publicity has created the need to have this matter addressed with Mrs Fossa, Mr Moore and the *Northern Guardian* newspaper.

Mrs Fossa has been informed that she would need to make a submission to Council if she wished to make a claim on the collection. Council has sought legal advice regarding ownership of the shells and have been informed that the giver, Mr Moore, had the right to hand over the shells to Council.

Mrs Fossa has also been informed that she should take up any issues she has in relation to the collection with Mr Moore.

It is important to note that the President spoke to Councillor Gosper in early December, prior to any further publicity, about Councillor Gosper approaching and speaking to Mrs Fossa to advise her that the President was happy to intervene with the intent of helping to resolve any misunderstandings that existed and attempt to seek a solution that was satisfactory to all concerned.

Councillor Gosper reported to the President, after speaking to Mrs Fossa, that she indicated that this would be the best outcome and was prepared to meet with the President to discuss the issues. However, soon after this Mrs Fossa again wrote to the *Northern Guardian* newspaper on Wednesday 15 January 2003.

Legal Implications

Nil.

Policy Implications

Nil.

Financial Implications

Nil.

Strategic Implications

Not applicable.

Recommendation

- 1 That Mrs Fossa be advised that the matter regarding the shell collection can be resolved by her approach to the Council and that she considers making a statement recognising that the Council has no axe to grind and has acted in good faith and that the President has always acted with the interest of the community in mind when dealing with this issue.
- 2 That if Mrs Fossa fails to take this understanding then it is suggested that Council should return the shell collection to Mr Moore where Mrs Fossa can pursue the matter further without Council involvement.

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

Voting Requirements

Simple Majority Required.

Date of Report

17 January 2003

A lengthy discussion ensued on the legal ownership of the shell collection. The Chief Executive Officer advised having told Mrs Ada Fossa she would need to take legal action against Mr Martin Moore who had given the collection to the Shire of Shark Bay which therefore owned it. Councillors agreed Council was being drawn into a family dispute.

Moved Cr Crawford

Seconded Cr Eddington

That Mrs Fossa be advised that the matter regarding the shell collection can be resolved by her approach to the Council and that she considers making a statement recognising that the Council has no axe to grind and has acted in good faith and that the President has always acted with the interest of the community in mind when dealing with this issue.

CARRIED UNANIMOUSLY

Northern Guardian 13 March 2002

Shark Bay shells donated to shire

A SHELL collection of historical interest has been donated to the Shark Bay Shire Council.

Ivy Mallard, a former resident of Shark Bay, accumulated an impressive collection of shells during the time she lived in the area.

Mrs Mallard went to Perth to live where she recently died.

She had retained a keen interest in Shark Bay, and had

previously donated a carved emu's egg to the shire.

Mrs Mallard's shell collection had been left to her nephew, Martin Moore, who considered the right place for the collection was in its place of origin, Denmark.

"The shells are rare and may have important historical implications for the region," Shark Shire Council president Les

Moss. William Dampier collected shells on his voyages of discovery and he complained in his log on return to England that he was unable to retrieve his shell collection from the hull of his boat.

Mr Moss, who was part of an expedition to Ascension Island to retrieve Dampier's ships bell, said they discovered a clamshell near the bell, which could only

have come from Shark Bay.

It is hoped the Mallard Shell Collection could be used in the collection of data about the shells that Dampier may have gathered, as they came from the same regions of Dirk Hartog Island and the Peron peninsula.

The Mallard shell collection will eventually be housed in the new World Heritage Interpretive Centre.

27 FEBRUARY 2019

Northern Guardian 9 October 2002

Injustice over shell collection

I WOULD like to respond to an article placed in the *Northern Guardian* in March 13 concerning a shell collection donated to the Shark Bay Shire Council by Martin Moore of Perth and called the Mallard Shell Collection.

Whoever wrote that article would need to get their facts straight as those shells were not Ivy Mallard's, they belonged to our mother Maude Oxenham and her family as children helped our mum and grandmother, Ada (Ruby) Poland gather the shells during the low tides.

Martin bought the collection up to Shark Bay on the Australia Day long weekend January 26, and gave them to Les Moss, the president of the Shark Bay Shire Council.

The presentation was done on the foreshore and photos and an article for the Inscription Post saying magnificent Ivy Mallard shell collection will be displayed in the new World Heritage Interpretive Centre.

January 26 was also the funeral of our late younger brother in Carnarvon, so I

could not be in Shark Bay to confront the shire further on this issue.

On January 28, I rang Les Moss to explain the ownership of the shells and to ask where they were but he started yelling and carrying on saying he didn't want to be dragged into any political issues about them.

He said they were given to the shire and that's where they will stay.

I was very upset about the manner in which he spoke to me.

My family and I object to the shells being displaced in the World Heritage Interpretive Centre under the Mallard name and feel that an injustice was done to us at a time when we were all going through our deepest grief and stress. They showed no respect or compassion whatsoever.

Ivy Mallard passed away late 2001.

To Martin Moore, thanks for nothing and as one of the leaders in our community, Les Moss I had respect for you once but not any more.

**Ada Fossa,
Shark Bay.**

Northern Guardian 30 October 2002

Shells belong to everyone

RESPONSE to letter, Injustice over shell collection, printed Wednesday, October 10.

We received the shell collection from Ivy Mallard (nee Poland) eight years before her passing.

At the time of Ivy Mallard's death, we were caring for her and therefore had power of attorney and have always kept her best interests at heart.

After she died we had a conversation with Ada regarding the shells, of which she knew little about.

We had heard through a friend about the shire's plans to build a

Heritage Centre and after careful consideration of how Ivy Mallard felt about Shark Bay, we decided the best place for such a collection was in Shark Bay.

After consulting with Ada she agreed that this would be a thoughtful gesture.

Les Moss became involved when we contacted him in regards to the donation.

The hand-over occurred incidentally on Australia Day 2002 which seemed very appropriate considering her previous donation of an engraved zmu egg some years before, thus proving she was proud of her heritage

and her link with the Shark Bay area.

Ada rang us about seven months later requesting that we consider donating the shell collection to her and then she would re-donate them to the shire. Her reasons being that she had further shells to add to the collection.

Ada: where are those shells? Perhaps we can include them as well, and then it certainly would be quite a collection.

It could have been possible for us to sell the shell collection privately but in the end we considered Ivy's interests first.

We decided that the display of the collection in a place such as the heritage center was for the good of all Australians.

Les Moss gave Ivy Mallard and us the opportunity to do this. Thank you Les.

The fact is the shells were given to us to do as we wished and we believe that our actions were the correct ones.

There are certain things that an individual should own.

Instead they should belong to everyone to share and the shells are such things.

**Martin and Irene Moore,
Perth.**

27 FEBRUARY 2019

Northern Guardian 15 January 2003

letters to the editor

Shells source of contention

IN response to the letter, Shells Belong To Everyone, printed October 23, 2002, written by Irene and Martin Moore.

How dare you say that.

Neither you two or Les Moss shared the joy of gathering, cleaning, polishing and storing those shells for when we grew up to give to our children and grandchildren.

That was 60 years ago.

Those shells were taken from our mother 30 years ago after our nan passed away.

As regards to your saying I wanted the above donated to me is a load of rubbish.

I asked for them to be given back to our family and let them decide if they wanted them donated to the shire.

You also have a cheek asking me where the best of those shells are seeing that you had them. For eight years I asked you where they were, as there are many missing. Why say you could have sold them privately, putting a dollar value on them, as no amount of money could come equal to the sentimental value we feel for those shells.

Samaritans to our late departed aunt (God rest her soul), and I praise God that I did a home video of her house and her playing the accordion like a professional and telling us many stories just before she passed away.

It shows that at 93 years old she was an independent, intelligent and classy lady.

Ask any of the CAE ladies in Melville who took her shopping, the business people who knew her and friends who took her shopping and on outings.

Her mind was as sharp as anyone's and if you had her interests at heart why did I have



SOME of the contested shell collection: Picture: Martin Moore

to ring the Red Cross and police and ask if they could ring her every day to see if she was alright.

Regardless of all, I do appreciate you helping her the last few weeks she was in

hospital and when I got to Perth I will be in touch so you will have the choice of closing the door on my face or speaking with me.

**Ada Fossa,
Denham**

27 FEBRUARY 2019

OCM April 2005

17.3 MRS ADA FOSSA - SHELL COLLECTION

HI 102

Author

Chief Executive Officer

Disclosure of Any Interest

Nil.

Background

Council has received a letter from Ada Fossa expressing her sadness that Council is selling the surplus of the Shell Collection.

Mrs Fossa on behalf of the Oxenham and Poland families asks the Council to consider donating the surplus shells not required in the Shark Bay Interpretive Centre back to the family.

Comment

The shells offered for Tender at this stage are the broken or shells turned into lamps etc. I can see no problem in Mrs Fossa looking at these to see if there are any of the shells from the Ivy Mallard collection.

Legal Implications

Nil.

Policy Implications

Nil.

Financial Implications

Nil.

Strategic Implications

Nil.

Recommendation

That Council advise Mrs Ada Fossa that she may look through the shells being offered for Tender and be allowed to have any of the shells that are picked out.

Voting Requirements

Simple Majority Required.

Date of Report

21 April 2005

Cr Hoult made comment in regards to the Ivy Mallard collection in which it would be unfair to allow one family the rights to the shells as Ivy Mallard is linked to a large range of families in the Shark Bay community.

Council also noted that both the Ivy Mallard collection and the McLeary collection have been mixed together and that it may be hard to determine which shells belonged to which collection.

Moved Cr Hoult

Seconded Cr Hipper

That Council retain the shell collection.

CARRIED UNANIMOUSLY

27 FEBRUARY 2019

18.7 PURCHASE OF SCRAP SHELLS

HI 102

Author

Finance and Administration Manager

Disclosure of Any Interest

Nil

Background

At the January Council meeting item 17.3 it was discussed what is to be done with the excess shells which have no significance in the Interpretive Centre or any other shell display. Council recommendation was.

That Council advertise and offer the shell ornaments and spare shells for tender and the subsequent proceeds be used for future display of the remaining shell collection.

Comment

The Shire has received the following tender offer for the excess shell products from The Denham Pearl Shop.

RE Tender offer for excess shell products

After viewing the above shells Lou and I would be prepared to make an offer of \$300.00 for all the items we looked at.

We are aware that there are broken/damaged items amongst the shells.

The shell products are the broken and damaged ornaments from the Shell Collection and the miscellaneous common shells of no significance and value.

Legal Implications

Nil.

Policy Implications

Nil.

Financial Implications

Unbudgeted proceeds from the sale of scrap out of shell collection.

Strategic Implications

Disposal of the unusable shell collection items will ease up storage issues

Recommendation

That Council accepts/doesn't accept the tender of \$300.00 including GST for the excess shell products consisting of broken/damaged shell ornaments and shells and the miscellaneous common shells of no significance and value.

Voting Requirements

Simple Majority Required.

Signatures

Date of Report

22 June 2005

Moved Cr Hoult

Seconded Cr Eddington

That Council accepts the tender of \$300.00.

Cr Gosper requested her vote be recorded as against this resolution.

CARRIED

27 FEBRUARY 2019

15.3 LITTLE LAGOON INTERPRETIVE SIGNAGE
PK00001

AUTHOR

Executive Manager Community Development

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Cr Cowell

Nature of Interest: Impartiality Interest as cross tenure project with the Department of Biodiversity, Conservation and Attractions – Government Employee

Moved Cr Ridgley
Seconded Cr Laundry

Council Resolution

That Council allocate an additional \$35,000 in the 2018/2019 budget for the design, artwork, manufacturing and construction of the public information signage for Little Lagoon Rehabilitation project.

6/0 CARRIED

BACKGROUND

The Little Lagoon Master Plan which was produced by Ecoscape for the Shire of Shark Bay identifies strategies for the area between Little Lagoon and Nicholson Point. The masterplan includes suggestions for interpretive signs at specified sites along with some track closures to address the increasing impact of vehicles on the area.

A federal government 'tourism' grant of \$20,000 has been approved for preliminary area development of the trails and visitor access to Little Lagoon, which will be used through labour and machinery use by the Works Department in stage one of the project.

Council has also included \$20,000 in the current budget for rehabilitation works at Little Lagoon.

COMMENT

Department of Biodiversity, Conservation and Attraction's staff member Susan Pedersen has put together a draft design brief and secured a quotation for the design, artwork and layout of the proposed signs. See attached.

The quote for the design and artwork is \$15,960 which is only for the digital elements of the signage project and does not include the cost of production, signage framework and construction.

Overall, it is estimated the signage project will cost in the vicinity of \$35,000, in addition to the \$15,960. This will require a commitment from Council either through the budget process or a relevant government grant program.

While there are some cultural considerations in the draft design brief, there is an additional requirement to consult with the Malgana Aboriginal Corporation to include traditional cultural heritage language and interpretations in some of the signage. This process will take time and may increase the costs of the overall signage project.

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

There could be an opportunity for Malgana Aboriginal Corporation (PBC) to secure additional grant funding for this component of the signage project.

LEGAL IMPLICATIONS

There are no legal implication relating to this report.

POLICY IMPLICATIONS

There are no policy implication relating to this report

FINANCIAL IMPLICATIONS

\$35,000 for the Little Lagoon Rehabilitation signage project.

Council has the following budget allocation to the Little Lagoon Project:

• Council Funding	\$20,000
• Grant Funding	<u>\$20,000</u>
	\$40,000

Estimated Costs:

• Signage Artwork/Design	\$15,960
• Signage	<u>\$35,000</u>
	\$50,960

The current shortfall in the 2018/2019 budget is \$10,960. To enable the project to commence in the 2018/2019 year, Council will need to allocate additional funding, including funding for rehabilitation work.

This funding may be secured from the Infrastructure Reserve or from Council's operating funding.

STRATEGIC IMPLICATIONS

OUTCOME 2.1

A natural environment for the benefit and enjoyment of current and future generations

RISK MANAGEMENT

There are no risks associated with this item.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author	<i>L Butterly</i>
Chief Executive Officer	<i>P Anderson</i>
Date of Report	7 February 2019

27 FEBRUARY 2019



Quote for the **Little Lagoon Signage**

Susan Pedersen | Regional Interpretation Officer | Mid West Region
Parks and Wildlife Service | Geraldton | Ph: (08) 9964 0901 | Fax: (08) 9964 0977

Dear Susan
Below is my quote for the design and layout of your signage.
All text and photos to be supplied.

Design, artwork and layout for

Little Lagoon illustrated map showing the habitats from Nicholson Point to Little Lagoon.	\$2,800.00
Illustrated orientation map over a larger area for use on other walk trails as well as this project.	\$2,800.00
10 x full colour (1000 x 400mm approx.) interpretive signs @ \$640 per sign	\$6,400.00
Complex natural science illustrations, 10 @ \$340 each	\$3,400.00
Supply of final art for printing and backup	\$560.00
Three editorial changes only	
TOTAL \$15,960 +gst	

Additional Costs

Additional editorial changes @ \$85 per hour

Many thanks for giving me the opportunity to quote.

Yours sincerely

Leonie Richards
GRAPHICS'LL DOO

10/01/2019



27 FEBRUARY 2019

Little Lagoon, Shark Bay

Draft design brief

Little Lagoon is a tidal inlet north of Denham on Peron Peninsula. The area includes a variety of habitats including mangroves, intertidal sand flats, salty wetlands and sand dunes.

The *Little Lagoon Master Plan Report* produced by Ecoscape for Shire of Shark Bay identifies management strategies for the area between Little Lagoon and Nicholson point. The masterplan includes suggestions for interpretive signs at specified sites along with some track closures to address the increasing impact of vehicles on the area.

This design brief details interpretive signage for the purpose of obtaining quotes and seeking funds for the interpretive component of the masterplan, and to guide design. Site by site content is identified but not final. Further community and Shire consultation and Shire approval are required to finalise this design brief.

Scope of works

The designer is required to design and illustrate ten (10) new 1000x400mm interpretive panels based on the content outlined in this brief.

Site	Panels	Interpretive features
1	1x 1000x600mm	Little Lagoon spit – orientation/track closures – life in the sand and migratory birds
2	1x 400x500 Orientation only	This site was identified as the 'Gazebo' site in the masterplan. It seems likely that this was an error as the existing nearby 'gazebo' was not mentioned. No interpretive signs are identified for site 2 as its habitat views are similar to those of the existing gazebo and it is close to site 3, which offers views of all four habitats. A gazebo at this site would impact on the visual amenity of the area.
3	2x 900x540mm	High point – 360° views – introducing habitats - intertidal zone, mangroves, salty wetland, dunes
4	3x 900x540mm	Existing gazebo – mangroves and cultural connections
5	3x 900x540mm	View from road – habitats: intertidal zone, mangroves, salty wetland, dunes, Tetradon Loop (DHI). World Heritage Drive orientation
6	1x 1000x600mm	Nicholson Point - duplicate sign 1 – orientation/track closures – life in the sand and migratory birds

27 FEBRUARY 2019

Design considerations

Quotes based on this brief should be sufficient for budgeting and seeking funds. As this is not the final design brief, the designer may wish to review/update their quote before commencing work.

Design considerations include:

- This brief is for design only. Final text will be supplied.
- Illustrations from Shark Bay interpretive projects are available for use and noted with the content. Of particular relevance are illustrations done in 2015 for interpretive signs at Big Lagoon and Charlie Sappie Park, as well as various fauna illustrations held by DBCA in Shark Bay.
- The designer/artist will produce an illustrated map showing the habitats from Nicholson Point to Little Lagoon. This may also be used as an orientation map.
- The designer/artist may produce an illustrated orientation map over a larger area for use on other walk trails as well as this project.
- The designer/artist will produce up to 10 additional illustrations as specified in the proposed sign content.
- Panels will be printed full colour with a 2 pac clear coat for protection.
- Panels will be exposed to intense UV and prone to fading. Colours used for illustrations should consider this, and avoid too much use of the red colours most prone to fading.
- On completion of the project the designer will supply all working files to the project manager. Working files must be InDesign or Illustrator.

Sign shapes and dimensions

Sign dimensions are a guide only.

The 1000x600 and 900x540 signs fit the proportions of an aerial (90°) view of Little Lagoon if that is chosen as the sign shape.

400x500mm is a suitable size for walk trail orientation signs but may need adjusting to suit area covered by map.



Interpretation sites

The image below is the inset area on the next image. It shows Little Lagoon sites 1 to 4 while the next image shows sites 5 & 6 south of Little Lagoon inlet.



MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

Proposed sign content

The following is a guide for design and to identify suitable illustrations for the purpose of costing. It is not final content/text.

Site	Content guide	Image suggestions	Available images
1	<p>Many birds forage for insects and other invertebrates in the sand and mud of intertidal zones.</p> <p>Driving on beaches squashes the life out of the sand, disrupting the ecosystem services provided by invertebrates and reducing food for birds. It also disturbs migratory birds resting and feeding to recover after flying thousands of kilometres from the northern hemisphere.</p> <p>The bar-tailed wades in the water, probing in the mud with its long, thin bill for molluscs, crustaceans, snails, worms, and other aquatic invertebrates.</p> <p>The red-necked stint is a small sandpiper that breeds in Arctic regions during the northern spring and migrates to Australia for the southern summer.</p> <p>Pied oystercatchers are local residents usually seen in pairs foraging in the sand.</p>	<p>Birds feeding on small invertebrates - red-necked stint, common greenshank, pied oystercatcher</p> <p>One new bird illustration needed – pied oystercatcher</p> <p>Orientation map – vehicle track closures, walk trail</p> <p>Crabs, isopods, amphipods, cockles and beetles are sand dwellers if more needed</p>	<p>Big Lagoon panel 5 – red-necked stint and invertebrates in sand</p> <p>Big Lagoon paddle orientation- bar-tailed godwit</p>
2	Orientation only	Orientation map – see 'Map areas'	
3a-b	<p>Little Lagoon is a birrida connected to the sea (define birrida if mentioning this). Surrounded by Shark Bay's habitats and inhabitants - intertidal zone, mangroves, salty wetland, dunes</p> <p>Intertidal zone The area between the low and high tide marks looks bare when the tide is out, but there is life under the sand. This life is food for marine life when the tide is in, and for bird life when the tide is out.</p> <p>Mangroves Although Shark Bay has only one species of mangrove, <i>Avicennia marina</i>, the structure of each community is so different it is considered diverse.</p> <p>Salty wetlands Samphire, sea heath and saltbush grow in salty wetlands that</p>	<p>Illustrated habitat map with plant and animal insets</p> <p>Little Lagoon mangroves and roots – snippet of those done for panel 4</p> <p>Salty wetlands - stunted mangrove, saltbush</p> <p>Dunes – acacia (check sp.)</p>	<p>All animal illustrations available from Monkey Mia, Big Lagoon and Charlie Sappie Park panels</p> <p>Some plant illustrations from Big Lagoon and Charlie Sappie. Only use mangrove illustrations where mangroves not affected by cormorants.</p> <p>Intertidal zone – Big Lagoon panel: invertebrates and mudskipper with red-necked stint, cowtail ray, whiting, Northwest blowfish, shrimps, crab</p> <p>Mangroves – cormorant (one or two only – Little Lagoon is not a rookery)</p> <p>Salty wetlands – samphire from Big Lagoon</p>


MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

	<p>are dry much of the time. They are only inundated during the highest of tides, usually in winter.</p> <p>Dunes Peron Peninsula is made up of large parabolic dunes that formed more than 10,000 years ago when the sea level was lower. These old parabolic dunes are overlain by younger and, smaller transverse dunes.</p> <p>The sands of Peron Peninsula are coloured by iron oxides. Red sands are coloured by iron without water while yellow sands are coloured by iron with water.</p>		<p>Dunes – emu, Shark Bay daisy (Big Lagoon orientation panel), goanna, echidna, chiming wedgebill other fauna illos available)</p>
4a-c	<p>Cultural connections</p> <p>Wulyibidi is the Malgana Aboriginal name for Peron Peninsula. Since the arrival of newcomers, local Aboriginal people have been central to industries from pearling and pastoralism to fishing. Many continue to fish in Shark Bay today, including as commercial fishers.</p> <p>Mangroves are important to many species.</p> <p>The structure of the grey mangrove (<i>Avicenia marina</i>), Shark Bay's only mangrove species, varies so much between locations that different stands of it have different ecosystem roles.</p> <p>Dense thickets of small trees like those in Little Lagoon creek are important for breaking down organic material and cycling nutrients.</p> <p>In a simple mangrove cycle mangroves are the main producers, dropping leaves for recycling by the primary consumers – small crabs, shrimps, tube and bristle worms.</p> <p>Smaller fish eat the recyclers and at the top of the cycle are larger predators – osprey, comorants and bigger fish.</p>	<p>Cultural content needs a lot of work and consultation – perhaps local artists can supply art for inclusion. There is also room for more panels depending on the outcome of consultation for cultural component.</p> <p>Little Lagoon mangroves and roots - trees low and densely packed, roots tall and dense – see photos</p> <p>Shovelnose ray (check species – not the one for Big Lagoon)</p>	<p>Fish from Big Lagoon panels</p>

MINUTES OF THE ORDINARY COUNCIL MEETING

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5a-c	<p>The beauty of Shark Bay and refuge it provides for wildlife are World Heritage.</p> <p>The red dunes around you are full of life....</p> <p>Between you and the sea is an area with whiter sand – a salty wetland ...</p> <p>The sea is quite shallow here and the intertidal zone extensive....</p> <p>From here you may also see white dunes across the water. This is DHI, WAs largest wildlife refuge where the <i>Return to 1616</i> project is restoring habitats and wildlife....</p>	<p>Illustrated habitat map from site 3 – showing the four habitats: intertidal zone, mangroves, salty wetland, dunes</p>	<p>Habitats maps with insets of species as per site 3 – use different species if available</p> <p>Habitats from Charlie Sappie Park panel 1 & DHI translocations (banded & rufous hare-wallabies, dibbler, Shark Bay bandicoot</p> <p>Charlie Sappie panels: 2 – Peron habitats, bilby, woma and malleefowl; 3 - chiming wedgebill; 4- echidna, thomy devil, variegated fairy-wrens</p> <p>Little Lagoon panel 3 – redesign with illustrations from Charlie Sappie</p> 
6	Duplicate panel 1		

27 FEBRUARY 2019

Map areas

Approximate area of the requested illustrated habitat map. The illustration is to emphasise the habitats west and north of Stella Rowley Drive.



There are two options for the orientation map area. The first is the area covered by the habitat map so the habitat map can be used for orientation. The second option is the area shown below, covering a larger area encompassing existing walk trails. A map covering this larger area map can be used for orientation at any walk trail sites, not just those between Little Lagoon and Nicholson Point.



27 FEBRUARY 2019

15.4 AUSTRALIA DAY BREAKFAST 2019
RC00012

AUTHOR

EXECUTIVE MANAGER COMMUNITY DEVELOPMENT

DISCLOSURE OF ANY INTEREST

Nil

Moved Cr Ridgely
Seconded Cr Fenny

Council Resolution

That the Australia Day Breakfast report for January 2019 be noted and \$1,800 be included in the draft 2019/2020 Budget deliberations to conduct an Australian Day breakfast in January 2020.

6/0 CARRIED

BACKGROUND

The Shire of Shark Bay hosted the Australia Day Breakfast on the 26 January. The event is funded by the Shire and as in previous years between 80 and 120 community members have been in attendance.

COMMENT

Australia Day 2019 was celebrated on Saturday 26 January at the Denham Community Hall. The event attracted over one hundred and twenty people. The event was coordinated by the Community Resource Centre and advertised through posters, SMS mobile phone messages and on the Facebook pages – Shark Bay Buy and Sell and Shark Bay News and Views.

The breakfast included bacon, eggs and mullet with a choice of bread or a wrap. Mullet, always a welcome staple at the Shark Bay Australia Day Breakfast, was donated by the Shark Bay Fish Factory.

The Shark Bay Entertainers created an atmosphere of 'Australiana' with a range of songs and audience participation.

The recipients of the Citizenship Awards were announced and awarded at the event. Roger Hewitt was the recipient of the Active Citizen Award, for his work with the Shark Bay Speedway Club, Shark Bay Fishing Fiesta and his enthusiasm in keeping Denham clean.

The winner in the Active Youth category was Molly McAuliffe, for attaining high education standards and being awarded Runner Up in the Mid-West Gascoyne Traineeship Awards. Molly was recognised for her leadership with the Shark Bay Youth Group and her volunteer work in the community.

Shark Bay Crafters received the Active Community Group award for their contributions towards the successful Shark Bay Rendezvous Festival in 2018. The Crafter worked tirelessly throughout the year in making bunting and yarn-bombing to decorate Knight Terrace which brought the Festival alive with colours of the French flag.

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

Joe McLaughlin was awarded Active Senior category for his work in a range of community organisations, including fundraising and generally keeping the community spirit alive and well.

LEGAL IMPLICATIONS

There are no legal implications relevant to this report.

POLICY IMPLICATIONS

There are no policy implications relevant to this report.

FINANCIAL IMPLICATIONS

The cost to hold the Australia Day Breakfast event was approximately \$1,800.

It is recommended that \$1,800 be included in the 2019/2020 budget for the event to be held in 2020.

STRATEGIC IMPLICATIONS

3.1 - Strong sense of spirit and pride in an inclusive community

RISK MANAGEMENT

There are no risk management implications relevant to this report.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

L Butterly

Chief Executive Officer

P Anderson

Date of Report

6 February 2019

27 FEBRUARY 2019

16.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

17.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Moved Cr Fenny
Seconded Cr Burton

Council Resolution

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

17.1 Kalbarri to Shark Bay Road

6/0 CARRIED

17.1 KALBARRI TO SHARK BAY ROAD
RD00020

AUTHOR
CHIEF EXECUTIVE OFFICER

DISCLOSURE OF ANY INTEREST
Nil

Moved Cr Ridgely
Seconded Cr Cowell

Cr Burton left the council Chamber at 5.00pm
Cr Burton returned to the Council Chamber at 5.00pm

Council Resolution

That Councillor Fenny be nominated as a representative to participate in the Zuytdorp Cliffs track Stakeholder reference group being established by the Gascoyne Development Commission and Councillor Laundry is to be the deputy delegate.

6/0 CARRIED

BACKGROUND

The concept of a road from Kalbarri to Shark Bay and Steep Point was commissioned by the Main Roads WA in October 1998.

The planning study was then undertaken by Halpern Glick and Maunsell and was finalised in April 2001. (Executive summary and brief detail attached) at the end of this report.

The proposed road would link the Ajana- Kalbarri Road in the south with Useless Loop Road in the north providing access to the coast at various locations along the route, as well as other areas of tourist interest.

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

There were two routes originally identified, these routes were originally based upon a coastal route following a seismic line cut in the 1970s for oil exploration and an inland route along an old stock route.

Following a change of government in February 2001 the Minister for Transport did not pursue the concept of the road.

The Gascoyne Development Commission has now contacted Council advising it wishes to pursue the development of the Zuytdorp Cliffs track through a stakeholder reference group.

COMMENT

The correspondence from Gascoyne Development Commission is an invitation to the Shire of Shark bay to have a representative to participate in the Zuytdorp Cliffs Track Stakeholder reference group.

The terms of reference are attached and indicate at point 9. Duration that the launch of the Zuytdorp Track will be in 2-4 years

The Council should nominate preferably a Council representative to the Stakeholder reference group to ensure that the Council is aware of any issues or long term implications that may arise from the recommendations of the stakeholder group.

LEGAL IMPLICATIONS

There are no legal implications relative to this report at this point in time.

FINANCIAL IMPLICATIONS

There is no indication as to the long term funding implications or any costs associated with the development of the competitive Zuytdorp track business case.

It could be assumed as it is being driven by the Gascoyne Development Commission the initial costs will be met by the commission.

The financial implications may arise for Council if there are any ongoing responsibilities associated with the maintenance of the track, these cost implications should be identified in the business case that is to be developed.

STRATEGIC IMPLICATIONS

There are no strategic implications relative to this report at this point in time.

RISK MANAGEMENT

There are a number of risks both financial and political associated with this concept, however this stage of the proposal is a review of a study to ascertain if the proposal is feasible. This will provide further information to enable the Council to analyse any identified longer term risks and make an informed decision.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Chief Executive Officer

P Anderson

Date of Report

26 February 2019

27 FEBRUARY 2019



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Our Ref: 12.1.18/OCR27713

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

Dear Paul,

PROPOSED KALBARRI TO SHARK BAY ROAD

I refer to our correspondence 28 January 2015 and our meeting Wednesday 13 July 2016 regarding the above proposed road.

As discussed the Northampton Shire Council wishes to pursue the development of this road as a "safari type" road to boost tourism in the two regions.

We seek your Councils support for the development of the road. The first step is to obtain quotes for a revision of the initial study undertaken on the road in 2001 and to assist in funding this revision we to jointly lodge an Expression of Interest to both the Mid West and Gascoyne Development Commissions.

Following the review of the initial study the two Councils can then determine which direction it is to take in association with other stakeholders.

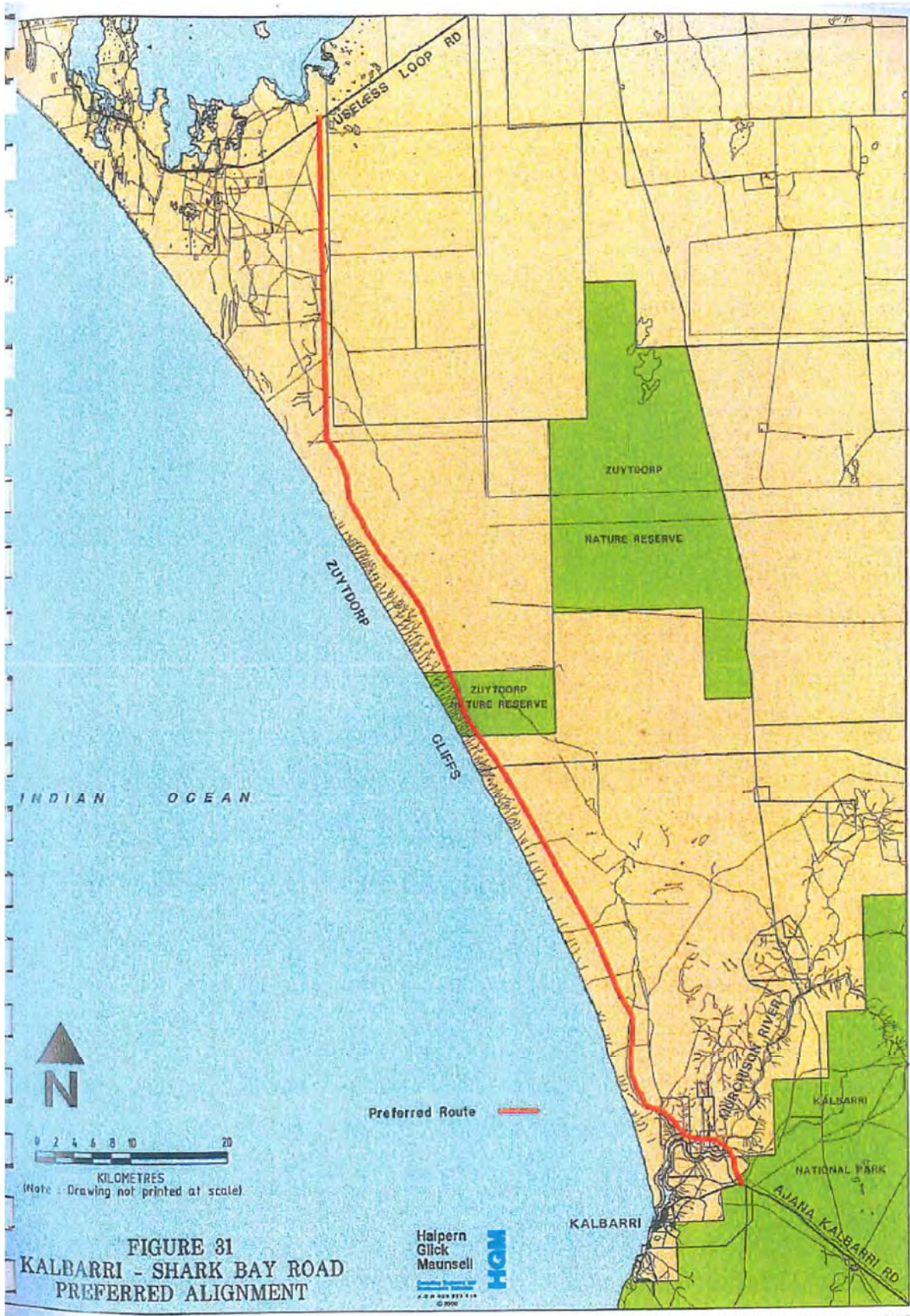
My Council looks forward to your Councils favourable response and should you wish to further discuss the above please do not hesitate to contact me.

Yours faithfully

GARRY L KEEFFE
CHIEF EXECUTIVE OFFICER

14/07/2016

Northampton • Kalbarri • Horrocks • Port Gregory • Isseka • Binnu • Ajana



Executive Summary

INTRODUCTION

This report entitled, Steep Point Road - Road Planning Study has been prepared by Halpern Glick Maunsell (HGM) on behalf of Main Roads WA (MRWA).

The HGM team was commissioned by Main Roads WA in October 1998 to undertake the Kalbarri to Shark Bay and Steep Point Road Planning Studies. The HGM study team included a number of sub-consultants for specific investigations required as part of the study. These investigations were as follows;

- Route Planning Studies for Kalbarri to Shark Bay and Steep Point Roads, Halpern Glick Maunsell
- Aboriginal Heritage Archaeological Surveys, Quartermaine Consultants
- European Heritage Surveys, Quartermaine Consultants
- Biological Surveys, Halpern Glick Maunsell
- Visual Quality Assessment, Thompson Palmer
- Recreation and Tourism Study, Taylor Burrell.

STUDY BACKGROUND

Steep Point is the most westerly point of the Australian mainland and is located on a pastoral lease operated by Clough Engineering Pty Ltd. It is currently a popular remote fishing location and is the focus of several adventure 4WD tours based in Denham.

The only access road to Steep Point is from Shark Bay Road via Useless Loop Road and rough 4WD tracks. Between Shark Bay Road and Foster Outcamp, Useless Loop Road is constructed as a well formed gravel road suitable in the most part for 2WD vehicles (dependant on weather conditions). North of Foster Outcamp, Useless Loop Road is maintained as a private road. Access to the western side of Useless Inlet and the Evaporative ponds used for salt farming is via either the existing track running between Foster Outcamp and False Entrance, or via one of the three bars over the inlet (Clough's Bar, Carratti's Bar and Reid's Bar). The routes across the three bars are well formed but blocked to prevent access. Access to Steep Point from Useless Inlet is provided by rough formed 4WD track.

The Gascoyne Roads 2020 Regional Road Development Strategy identified strategies to upgrade the False Entrance Road and Useless Loop Road to improve the access for local communities and tourist destinations within the Shark Bay area.

The desire for a road to Steep Point is seen as needing to meet a number of objectives, which are as follows;

The desire for a road to Steep Point is seen as needing to meet a number of objectives, which are as follows;

- Maximise
 - transport safety
 - transport efficiency for people and goods
 - accessibility locally and regionally
 - benefits to the Mid West and Gascoyne Regions
 - tourism potential for the region
- Minimise
 - adverse environmental and social impacts
 - road maintenance costs
 - road closures during flooding and resulting from flood damage

The proposed road would run from Foster Outcamp to Steep Point providing access to the coast at various locations along the route, as well as to other areas of tourist interest.

INITIAL ROUTE OPTIONS

Four alternative route options were outlined in the study brief for the section of the Steep Point Road between Foster Outcamp and the western side of Useless Inlet. These routes are as follows;

Route A)

West from Foster Outcamp to False Entrance Well and then north along the existing route on the western side of Useless Inlet

Route B)

North along the private road from Foster Outcamp, across Reid's Bar and along the existing route on the western side of Useless Inlet.

Route C)

North along the private road from Foster Outcamp, across Caratti's Bar and along the existing route on the western side of Useless Inlet.

Route D)

Continues north along the private road north of Foster Outcamp and across Clough's Bar.

Between Useless Inlet and Blind Inlet, a single route following the existing track provides the only proposed route option.

Between Blind Inlet and Shelter Bay two alternative route options were outlined in the study brief. These routes are as follows;

Route Y)

From near Blind Inlet directly west to the western side of the Steep Point peninsula and along the western side of the peninsula before turning north to Shelter Bay.

Route Z)

Along the eastern and northern side of the Steep Point peninsula to Shelter Bay.

From Shelter Bay, only a single route following the existing tracks has been proposed to connect to Steep Point.

ROUTE FUNCTION AND TRAFFIC STUDY

An investigation was undertaken to establish the expected function of the road in terms of the type of traffic that will use the road, and the potential future traffic volumes on the road.

Traffic counts were obtained from Main Roads WA for the road network.

<u>Location</u>	<u>Daily Traffic Volume</u>
North West Coastal Highway	
⇒ South of Hamelin Pool – Denham Road	510 vpd
⇒ North of Hamelin Pool – Denham Road	425 vpd
Hamelin Pool – Denham Road	
⇒ West of North West Coastal Highway	250 vpd
⇒ North of Useless Loop Road	240 vpd
Useless Loop Road	
⇒ West of Hamelin Pool – Denham Road	20 vpd
⇒ North of Tamala Station	19 vpd
⇒ North of False Entrance Road	11 vpd
False Entrance Road	
⇒ West of Hamelin Pool – Denham Road	6 vpd

Consequently it is estimated that only approximately 10 vehicle movements currently occur between Useless Inlet and Steep Point on a daily basis

The figure of 10 vehicle movements per day should be acknowledged as being an average daily figure. During busy periods, this figure may increase substantially, whilst at other times, very little traffic may make the movement.

To establish the likely demand for the Kalbarri to Shark Bay Road, a survey was conducted in Kalbarri and Shark Bay. A total of 25 useable survey responses were received. A summary of these responses are as follows.

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

HGM

		sealed	gravel
<i>Local Resident, Property Owner, Working in the area (19)</i>			
A1	How Often do you travel to Steep Point?	Median 1	
A2	Would you travel more often to Steep Point if there was a formed road?	Yes 5	Yes 4
		No 14	No 15
A3	If Yes to question A2, how often / year?	Median 1	Median 1
A4	Would you be prepared to pay a toll on the road?	Yes 18	Yes 17
		No 1	No 2
A5	If Yes to question A4, how much?	Median \$20	Median \$10
<i>Tourist, Visiting, Other (6)</i>			
B1	Have you just travelled to, or are you travelling to, Steep Point?	Yes 0	
		No 6	
B2	If No to question B1, would you have travelled to Steep Point if there was a formed road?	Yes 1	Yes 1
		No 5	No 5
B3	Would you be prepared to pay a toll on the road?	Yes 1	Yes 1
		No 5	No 5
B4	If Yes to question A4, how much?	Median \$10	Median \$10

These results indicate that the construction of a road to Steep Point would appear to result in only a minor increase in traffic movements to Steep Point.

Based on the existing traffic volumes and the survey results, it is estimated that the traffic demand that would occur on the road would be as follows;

	Sealed	Gravel
• Current movement to Steep Point	10 vpd	10 vpd
• Induced increase in local movements	½ vpd	½ vpd
• Induced tourism demand	2 vpd	2 vpd
TOTAL	12½ vpd	12½ vpd

OPPORTUNITIES AND CONSTRAINTS

Background Research was undertaken to identify the potential opportunities and constraints associated within the study area that may impact on one or more of the proposed alignments. These opportunities and constraints were investigated based on the following key factors;

- Traffic
- Engineering
- Aboriginal Heritage
- European and Natural Heritage
- Environmental
- Visual Quality
- Recreation and Tourism

The opportunities and constraints considered in each factor area are as follows;

Traffic Considerations

- not likely to be a significant difference in travel demand on each of the route options.

Engineering Considerations

- Route A is across mostly sand but crosses a number of birridas. This route is also expected to be flooded as part of the expansion of the salt mining activities at Useless Inlet.
- Route B is the route currently promoted and preferred by Clough.
- Mobile dunes in the section between Useless Inlet and Blind Inlet.
- The western side of the peninsula and the section to Steep Point from Shelter Bay are mostly limestone.
- The route near the eastern side of the peninsula is near to the existing beachfront and the high tide marks.

Aboriginal Heritage

49 archaeological sites have been recorded with the Culture and Heritage Division of the Aboriginal Affairs Department within the vicinity of the project study area.

European and Natural Heritage

The Register of the National Estate, the Heritage Council of WA, the National Trust and the relevant Municipal Inventories were consulted. Four heritage places within the vicinity of the project area are registered with the various agencies.

Environmental Constraints

- *Geology Constraints* - Limestone formations can be affected by groundwater level and chemical variations over the years. These limestone formations may have a greater impact on the coastal alignment. A geotechnical appraisal of the preferred alignment should be undertaken
- *Geomorphology Constraints* - mobile coastal dunes present a significant constraint to the location of the road. "Birridas" present a moderate constraint with significant engineering works required to construct a road through a birrida.
- *Soils Constraints* - Deep sands such as the calcareous sands and the siliceous sands are notable for excessive drainage and their susceptibility to wind erosion. The coastal option and provision of coastal spur roads will increase the potential for wind erosion. Blasting of granite may also be necessary in areas of shallow siliceous sands given that the depth to bedrock is only 40 cm.
- *Vegetation and Flora Constraints* - Although mangroves are not dominant within the study area, there is still a small mangrove community located along the coastal fringe of Bellefin Prong and the eastern side of Steep Point.
- *Declared Rare and Priority Flora Constraints* - There are no known Declared Rare Flora species occurring within the study area. However, there are records of Priority Species occurring within the study area. It is recommended, therefore, that a botanist be employed to undertake a rare flora survey of the preferred alignment once selected.

- *Fauna Constraints* - Numerous species of native mammals, reptiles and birds are at their northern or southern limits. Over 230 species or 35% of Australia's bird species have been recorded in the Shark Bay region
- *Threatened Fauna Constraints* - The results from the search of CALM's Threatened fauna database indicate that there are two species of Schedule 1 fauna, one species of Schedule 4 fauna and two species of Priority Taxa which are known to utilise the study area. It is recommended, that a zoologist be employed to undertake a threatened fauna survey of the preferred alignment.
- *Hydrology Constraints* - The "birridas" should be avoided when selecting the preferred alignment as significant engineering works will be required to construct a road through a birrida.
- *World Heritage* - The constraints relate to the impact of a road and an increase in people in the area on the two world heritage values applicable to the study area, these being the Zuytdorp Cliffs and the transitional zone between the two botanical provinces.

Visual Quality Constraints

- Route Y has attractive visual aspects along the tops of the cliffs.

Other Constraints

- Clough do not support the use of Routes C or D across Useless Inlet due to the impact of public access to those areas upon the salt mining operation..

EVALUATION OF ROUTE OPTIONS

To aid in the assessment of options, a multi-criteria evaluation technique has been utilised.

Each criteria is firstly weighted according to the perceived level of importance. This weighting was undertaken by each member of the Project Steering Committee. The scale of weightings used for this project were;

- Very important (VI)
- Important (I)
- Low Importance (LI)

The performance of each option against each criteria is then determined. For quantitative criteria, the performance is reported according to the relevant. For those criteria where quantitative rating of options is not suitable a qualitative assessment of the performance of each option against the criteria is undertaken.

To overcome any potential bias towards those criteria groups with larger numbers of criteria, a two step process was utilised for the multi-criteria assessment. Step one entailed the assessment of the relative performance of each route option within each criteria group to provide a score for each option for each of the engineering, biogeographical, land use, and recreation / tourism criteria groups.

Step two entailed the comparison of the route options against the criteria groups. The results of step two therefore provide the relative performance of the route options across all criteria and criteria groups for the selection of the best performing option.

Assessment Criteria

Based on the input from the Project Steering Committee, the review of the initial assessment criteria, and the other issues identified during the study, a list of assessment criteria was developed for the assessment of road alignment options for this study.

ADOPTED ASSESSMENT CRITERIA

Criteria	Unit of Assessment
ENGINEERING	
• Cost	\$M
• Length	km
• Ease of Construction	Qualitative - Performance
BIOGEOGRAPHICAL	
• World Heritage	Qualitative - Impact
• Future Tenure	Qualitative - Impact
• Fragile Cliffs	Qualitative - Impact
• Threatened Flora	Qualitative - Impact
• Birridas	Qualitative - Impact
• Mobile Coastal Dunes	Qualitative - Impact
LAND USE	
• Mining Operations	Qualitative - Impact
• Pastoral Leases	Qualitative - Impact
ABORIGINAL HERITAGE	
• Aboriginal Heritage	Number of sites
HERITAGE	
• Heritage	Number of sites
VISUAL QUALITY	
• Visual Quality	Qualitative - Performance
RECREATION / TOURISM	
• Access to Coast and Significant Features	Qualitative - Performance
• Diversity of view opportunities	Qualitative - Performance
• Convenience	Qualitative - Performance
• Visitor Risk	Qualitative - Performance

Criteria Weighting

A weighting for each criteria was provided by each member of the Project Steering Committee. These weightings were then averaged to arrive at an overall perceived importance weighting for each criteria.

MINUTES OF THE ORDINARY COUNCIL MEETING

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HGM

Criteria		Criteria Average score	Criteria Group Average score
<i>Engineering</i>	Cost	0.65	0.60
	Length	0.53	
	Ease of Construction	0.62	
<i>Biogeographical</i>	World Heritage	0.56	0.52
	Future Tenure	0.5	
	Fragile Cliffs	0.59	
	Threatened Flora	0.5	
	Birridas	0.32	
<i>Land Use</i>	Mobile Coastal Dunes	0.62	0.46
	Mining Operations	0.26	
	Pastoral Leases	0.65	
<i>Aboriginal Heritage</i>		0.53	0.53
<i>European Heritage</i>		0.53	0.53
<i>Visual Quality</i>		0.68	0.68
<i>Recreation / Tourism</i>	Access to Coast and Significant Features	0.65	0.53
	Diversity of View Opportunities	0.59	
	Convenience	0.47	
	Visitor Risk	0.41	

Useless Loop Section

Engineering Criteria Group

This analysis identifies Option A as being clearly the highest performing option with a moderate separation to Options C and B which are the second and third best performing options.

Option A is equally easiest to build, only moderately more expensive than Option C which is the cheapest to build (not allowing for upgrading of Caratti's Bar.

Biogeographical Criteria Group

This analysis identifies Options B, C and D as all performing equally and slightly better than Option A.

Options B, C and D all score the same for all criteria. Option A performs worse on the Fragile Cliffs and Birridas criteria.

Land Use Criteria Group

This analysis identifies Option B as performing significantly better than all three of the other options.

All options perform the same for the Pastoral Lease criteria, but Option B performs better in the Mining Operations criteria.

Recreation / Tourism Criteria Group

This analysis identifies Option A as performing slightly better than the other options.

Option A performs best on the access to the coast and significant features, and on diversity of view opportunities.

Overall Analysis for all Criteria Groups

The results of the analysis for each of the;

- Engineering;
- Biogeographical;
- Land Use; and
- Recreation / Tourism

criteria groups were then used as an input to the overall analysis of the Useless Loop section of the Steep Point route. The scores for the;

- Aboriginal Heritage,
- Heritage, and
- Visual Quality

criteria groups were taken directly from the scores for the single criteria within the group.

The Planning Balance Sheet for the assessment of the Useless Loop section of the Steep Point Road against the criteria groups is detailed below.

**Planning Balance Sheet for Useless Loop Section
All Criteria Group**

Criteria	Option A – South of Useless Inlet	Option B – Reid's Bar	Option C – Carnill's Bar	Option D – Clough's Bar
Engineering	0.14	0.10	0.11	0.08
Biogeographical	0.39	0.43	0.43	0.43
Land Use	0.36	0.53	0.36	0.36
Aboriginal Heritage	1 site	Nil	Nil	Nil
Heritage	Nil	Nil	Nil	Nil
Visual Quality	Fair/Poor	Fair/Poor	Fair/Poor	Fair/Poor
Recreation / Tourism	0.39	0.32	0.29	0.34

This analysis identifies Option B as performing marginally better than Options C, D, and A.

A review of scores within the Planning Balance Sheet indicates that the key reasons for the selection of Option B as the preferred route are as follows;

- Biogeographical Criteria; Option B is the equally best performing option.
- Land Use Criteria; Option B is the clearly the best performing option due to its being the option favoured by the Salt Mining operations
- Aboriginal Heritage Criteria; Options B impacts on no known Aboriginal heritage sites.
- European Heritage Criteria; Options B impacts on no known Heritage sites..
- Visual Quality Criteria; The visual characteristics of all options have been given equal scores.

Based on these results, route option B was selected as the preferred route for the Useless Loop section of the Steep Point Road.

Blind Inlet to Shelter Bay Section
Engineering Criteria Group

This analysis identifies Option Z as being clearly the highest performing option with a large separation to Option Y.

Option Z is cheaper to build, and easier to construct than Option Y while only being slightly longer.

Biogeographical Criteria Group

This analysis identifies Option Z as performing better than Option Y.

Both options perform the same for a number of criteria, but Option Z performs better than Option Y in the Fragile Cliffs and Mobile Coastal Dunes criteria.

Land Use Criteria Group

This analysis identifies that both options scored identical on all criteria and hence perform equally well under this criteria group.

Recreation / Tourism Criteria Group

This analysis identifies Option Z as performing slightly better than Option Y.

Option Z performs better than option Y on the access to coast and significant features and the visitor risk criteria.

Overall Analysis for all Criteria Groups

The results of the analysis for each of the;

- Engineering;
- Biogeographical;
- Land Use; and
- Recreation / Tourism

criteria groups was then used as an input to the overall analysis of the northern section of the coastal route. The scores for the;

- Aboriginal Heritage,
- Heritage, and
- Visual Quality

criteria groups were taken directly from the scores for the single criteria within the group.

The Planning Balance Sheet for the assessment of the Blind Inlet to Shelter Bay section of the Steep Point Road against the criteria groups is detailed below

**Planning Balance Sheet for Blind Inlet to Shelter Bay section
All Criteria Group**

Criteria	Option Y – Western side of Steep Point Peninsula	Option Z – Eastern side of Steep Point Peninsula
Engineering	0.05	0.15
Biogeographical	0.22	0.35
Land Use	0.53	0.53
Aboriginal Heritage	Nil	Nil
Heritage	Nil	Nil
Visual Quality	Good	Good/Fair
Recreation / Tourism	0.32	0.43

This analysis identifies Option Z as performing slightly better than Option Y.

A review of scores within the Planning Balance Sheet indicates that the key reasons for the selection of Option Z as the preferred route are as follows;

- Engineering Criteria; Option Z is clearly the best performing option.
- Biogeographical Criteria; Option Z is clearly the best performing option.
- Land Use Criteria; Options Z and Y perform equally well.
- Aboriginal Heritage Criteria; Options Z and Y perform equally well.
- European Heritage Criteria; Options Z and Y perform equally well.
- Recreation / Tourism Criteria; Option Z is clearly the best performing option.

Based on these results, route option Z was selected as the preferred route for the Blind Inlet to Shelter Bay section of the Steep Point Road.

RECOMMENDATION

The results of the assessment indicate that the recommended route the Steep Point Road, based on the objectives for the route, crosses Useless Loop at Reids Bar and follows the northern side of the peninsula from Blind Inlet to Steep Point. This route is shown in Figure 19.

For the section of the route across Useless Inlet, the preferred alignment was selected due to the Reid's Bar route being the best performing option in the Biogeographical, Land Use, Aboriginal Heritage, European Heritage, and Visual Quality Criteria Groups. This preferred route includes the crossing of Useless Inlet supported by Clough.

The section of the route between Blind Inlet and Shelter Bay along the northern side of the peninsula was preferred due to it being the preferred route for all criteria groups except for the visual quality criteria.

DETAILED EVALUATION OF STEEP POINT ROAD

Following the recommendations and Steering Committee endorsement of the preferred route for the Steep Point Road, a number of detailed site investigations were undertaken to confirm the suitability of the route and to ensure that no additional major constraints existed which may alter the selection of the preferred route.

Aboriginal Heritage

This survey identified that at least nine previously recorded Aboriginal sites are potentially in conflict with the alignment.

Based on the results of this survey it is recommended that the next stages of the planning for this road should carefully consider issues associated with Aboriginal Heritage in the vicinity of Sites P2026, P1935, P1933, P1932, P1918, P1920, P1949, P1950, P1968.

European Heritage

No recorded sites are in conflict with the alignment, but potentially significant unregistered sites may be affected by the project

Based on the results of this survey the following recommendations are made;

- a) It is recommended that, where possible, activities be directed to avoid disturbing archaeological sites.
- b) It is recommended that the Natta Outcamp, Bibby Giddy Outcamp, Foster Outcamp, Johnson's Bore, Willy's tank, Coolboo Well, and Bulgoon Well sites should also be avoided pending further archival and sub surface examination.

Biological Survey

- **Vegetation and Flora**
 - Sixteen vegetation types were identified in the survey area:
 - A total of 294 taxa, belonging to 176 genera from 69 families, was recorded. This is a relatively high number of species given the low level of sampling conducted, and the relative uniformity of much of the topography.
 - No Declared Rare Flora were recorded, however over 20 taxa were collected which are, or appear to be, Priority species
 - This represents a large number of significant flora, given the low level of sampling in the area. It is highly likely that further survey work would record additional populations of significant flora.
 - Twenty one introduced flora were recorded, none of which are Declared Noxious weeds under the Agriculture Protection Board Listing.
- **Fauna Habitats**
 - The survey recorded a combined total of 82 vertebrate species comprising two species of native mammals, five species of introduced mammals, 63 species of birds and 13 species of reptiles.
 - One Schedule One fauna, the Mallee Fowl *Leipoa ocellata* was recorded from the project area. No other species of conservation significance were noted. However, several additional species may occur

- **Potential Impacts of the Development**
 - Clearing of vegetation / fauna habitat;
 - Barrier to fauna movement;
 - Increased visitor access;
 - Increased risk of fire;
 - Increased risk of weeds;
 - Potential for introduction of plant diseases;
 - Impacts to wilderness values.

RECOMMENDED ALIGNMENT

Following endorsement the recommended alignment, a concept design for the alignment was developed. The design criteria that were adopted in the development of the concept design are detailed below.

1. Design Speed Horizontal 110km/h
 Vertical 90km/h
2. Design Standard 7m wide sealed road on an 9 metre wide formation

Concept Design

The features of the alignment are as follows;

- Connects to Useless Loop Road at Foster Outcamp and follows the private road to Reid's Bar.
- Crosses Useless Inlet at Reid's Bar
- Follows the existing tracks along the western side of Useless Inlet.
- Follows existing tracks from Murchison House Station towards the coast
- Follows existing tracks from Useless Inlet directly west to Blind Inlet.
- Follows the existing tracks around the eastern and northern side of the peninsula to Shelter Bay.
- Follows existing tracks from Shelter Bay to Steep Point.

Order of Magnitude Costing

Order of Magnitude costings for the construction of the road between Kalbarri and Shark Bay are based on the following rates;

- The approximate cost for construction of a sealed road between Kalbarri and Useless Loop Road is approximately \$16.5M.
- The approximate cost for construction of a gravel road between Kalbarri and Useless Loop Road is approximately \$12.5M.

OUTSTANDING ISSUES

This study is one of the first stages in the planning for a route between Kalbarri and Shark Bay. Based on the results of this study, a number of outstanding issues have been identified. These are as follows:

- Route Function –A more detailed traffic study, including more comprehensive interview surveys, should be undertaken to confirm the preliminary traffic estimates for the Steep Point road.
- It is imperative that an Aboriginal Ethnographic Survey be undertaken so that relevant issues can be accommodated in the planning for the road.

- Further detailed Aboriginal Heritage Archaeological Surveys should be conducted during fine tuning of the route alignment.
- The Biological Survey was undertaken in the Spring of 1998. Additional surveys should be conducted during the fine tuning of the route alignment.
- Carrarang Station is an operating pastoral leases. Any road would need to take into consideration the operation of these pastoral leases.
- Refueling / Safety –The safety of tourists using this road needs to be considered if there are no opportunities for refuelling between destinations.
- Fragile Cliffs –the issue of fragile cliffs and public safety needs to be considered. The cliffs are generally not stable and collapses occur from time to time. Access to the few beach areas along the coast may need to be provided in a manner to encourage visitors to use those locations identified as safe. A detailed investigation to identify these locations is required,
- Given the length of the route, other appropriate tourist facilities need to be developed to maximise the route's potential. Preparation of a detailed plan for tourism activities in the region should be considered.
- World Heritage –Issues associated with the construction of a road through this areas and the associated timeframe to accomplish the appropriate approvals should be considered in any project programme.
- Existing survey mapping for the area is not suitable for development of more detailed designs with any confidence. Should further investigations be undertaken, more detailed survey mapping for the study area should be obtained.
- Due to the uncertain nature of the limestone underlying the alignment, a geotechnical appraisal of the preferred alignment should be undertaken to minimise impacts on construction.
- A botanist should be employed to undertake a rare flora survey of the preferred alignment following more detailed planning investigations.
- A zoologist should be employed to undertake a threatened fauna survey of the preferred alignment following more detailed planning and investigations.

CONCLUSIONS

This planning study for the Steep Point road has been undertaken by Halpern Glick Maunsell on behalf of Main Roads WA.

The purpose of the road was to provide a more trafficable link to Steep Point to improve access to the area and consequently improve the tourism potential and hence the economic benefits to the region by adding further tourist opportunities in the region.

The constraints mapping and investigations allowed the development of a number of route alignments for the road to Steep Point.

The results of the assessment indicated that the preferred route crossed Useless Inlet at Reid's Bar and ran along the northern side of the peninsula to Steep Point.

Detailed evaluations of the preferred coastal route were then undertaken to establish if there were any significant additional constraints that may impact on the selection of the route. These investigations included, Aboriginal Heritage Archaeological Surveys, Heritage Archaeological Surveys, and Biological Surveys.

Whilst a number of additional issues were identified, it is considered that none of these provide a fatal flaw in terms of the recommendation of the coastal route.

These surveys therefore confirmed the suitability of the route for the planned Steep Point Road.

27 FEBRUARY 2019

18/07 01 13:08 TX/RX NO. 1879

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Briefing Notes

for

Hon Minister for Planning and Infrastructure

Kalbarri – Shark Bay and Steep Point Road Planning Study

June 2001

18 JUL 2001 13:08 TX/RX NO. 1879

27 FEBRUARY 2019

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Briefing Notes for Minister for Planning and Infrastructure, Hon Alannah MacTier, MLA

ISSUE

Investigation of possible road alignments for a future coastal road link between Kalbarri and Shark Bay and to Steep Point.

BACKGROUND

Kalbarri and Shark Bay are popular tourist destinations along the Western Australian coast and access between the two areas is currently via separate spur roads from the North West Coastal Highway as shown in Plan 1 attached. A more direct coastal connection between Kalbarri and the Shark Bay area would provide significant distance savings and increase the tourism potential of the region.

Steep Point is the most westerly point of the Australian mainland and is a well known fishing location. Access to the area is only possible by four wheel drive vehicles. It is located on a pastoral lease owned by Clough Engineering Pty Ltd who have an interest in the Shark Bay Salt Works that operate on the lease. Clough manages the pastoral lease and has a full time ranger at Steep Point to manage access and camping in the area.

Clough is interested in developing small scale accommodation and tourist facilities at Steep Point and has previously indicated that they would be reluctant to proceed unless suitable road access could be provided. They have previously advised Government that they would fund and construct a road to Steep Point for a total of \$4.5M if the State could refund this expenditure by foregoing Shark Bay Salt's revenue receipts for 10 years.

Clough and a number of other key stakeholders, including the Mid West and Gascoyne Development Commissions and the Shires of Shark Bay and Northampton, have made a number of approaches to Government requesting that a study be undertaken to investigate possible future road alignments for a road link from the Useless Loop Road to Steep Point and between Kalbarri and Shark Bay.

The potential for improved coastal access between Geraldton and the Shark Bay area has been recognised in the State Planning Strategy (WAPC, 1997). South of Kalbarri a sealed coastal road provides access to Port Gregory and Geraldton via Northampton. North of Kalbarri road access is severely restricted by the Murchinson River and the lack of designated roads.

The Gascoyne and Mid West Regional Road Development Strategies (Roads 2020) identified as a review proposal the provision of a road link between Kalbarri and Shark Bay. It indicated that such a link would significantly reduce travel distances and times that will in turn result in an increase in tourists visiting both areas. The Gascoyne Roads 2020 Strategy included proposals for the upgrading of a number of the roads that currently provide access to Steep Point.

27 FEBRUARY 2019

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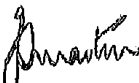
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MRWA : 60-1630-26

HON MINISTER FOR PLANNING AND INFRASTRUCTURE

1. As result of a number of requests from stakeholders, the previous Government requested that Main Roads undertake a planning study to investigate possible future road alignments for a road link between Kalbarri and Shark Bay and to Steep Point. These stakeholders included the Mid West and Gascoyne Development Commissions, Clough Engineering and the Shires of Shark Bay and Northampton.
2. In late 1998 Main Roads engaged consultants Halpern Glick Maunsell to undertake this planning study.
3. The study has been overseen by a Steering Committee comprising representatives from Shire of Shark Bay, Shire of Northampton, Mid West Development Commission, Gascoyne Development Commission, Department of Conservation and Land Management, Department of Commerce and Trade, Tamala Station, Murchison House Station, Yamatji Land and Sea Council and Main Roads.
4. The consultants have completed the study and reports documenting the outcomes of the study have been prepared. Briefing Notes which outline the background to the study and the outcomes are attached for your information.
5. Past experience indicates that there are likely to be further requests in the future for improved coastal road access from Kalbarri to Shark Bay and to Steep Point. However, the road planning which has been carried out indicates that these road projects will involve significant cost and may raise significant environmental and land use issues.
6. I have referred the report to the Transport Committee of the Western Australian Planning Commission for its information and recommended that no further road planning be undertaken until the future road use along this section of coastline has been considered.
7. Submitted for your information.


 COMMISSIONER OF MAIN ROADS

6 JUL 2001

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Briefing Notes for Minister for Planning and Infrastructure, Hon Alannah MacTiernan, MLA

Main Roads commissioned consultants Halpern Glick Maunsell in late 1998 to undertake a planning study. The objective of the study was to identify possible road alignments for a road link between Kalbarri and the Useless Loop Road in the Shark Bay Region and from the Useless Loop Road to Steep Point.

The study has been overseen by a Steering Committee comprising representatives from the Shire of Shark Bay, Shire of Northampton, Mid West Development Commission, Gascoyne Development Commission, Department of Conservation and Land Management, Department of Commerce and Trade, Tamala Station, Murchison House Station, Yamatji Land and Sea Council and Main Roads.

CURRENT STATUS

The consultants have completed the study and have submitted the following reports recommending alignments for a coastal road link between Kalbarri and Shark Bay and from the Useless Loop Road to Steep Point.

- Kalbarri to Shark Bay – Road Planning Study
- Steep Point Road – Road Planning Study
- Aboriginal Sites Survey
- Archaeological Survey
- Biological Survey
- Visual Quality Assessment Study
- Recreation and Tourism Study

For the Kalbarri – Shark Bay route two alignment options, a coastal route and a more easterly route as shown in Plan 1, were identified and assessed against a number of criteria. The coastal route, coloured red in Plan 1, was recommended as the preferred alignment. Key reasons for the selection of this option were that it provides better access to the coast, coastal views would be possible and it will be a more direct link to Shark Bay. It would also have less impact on the currently operating pastoral leases and is supported by the current pastoral station leaseholders. The Steering Committee concluded that the main function of the route will be a coastal tourist route and as such there would need to be a compelling reason for the selection of a more easterly route.

The recommended route is approximately 130 km in length (Ajana – Kalbarri Road to the Useless Loop Road) and would reduce the travel distance between Kalbarri and Denham from about 380 km to about 260 km. It has been estimated that to seal the 130 km link with a floodway crossing of the Murchison River would cost in the order of \$50M while a gravel standard road with similar geometry standards would cost in the order of \$38M. To complete a sealed link between Kalbarri and Denham would also require the sealing of a section of the Useless Loop Road. The length requiring sealing is approximately 28 km which would cost in the order of \$6M. The total cost of providing a sealed link between Kalbarri and Denham would therefore be in the order of \$56M.

27 FEBRUARY 2019

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Briefing Notes for Minister for Planning and Infrastructure, Hon Alanah MacTiernan, MLA

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To provide access to Steep Point a total of four alignment options, as shown in Plan 2, were identified and assessed against a number of criteria. A route via Reid's Bar across the Useless Loop Inlet was recommended as the preferred alignment. All route options involved crossing through Shark Bay Salt's mining lease and this was a significant factor in the selection of the recommended route. Key reasons for the selection of the recommended route were that it provides better access to coastal features, is located on more suitable terrain and the route through the mining lease is supported by Shark Bay Salt.

The length of recommended route from Foster's Outcamp on the Useless Loop Road to Steep Point is approximately 51 km. It has been estimated that to seal the 51 km link would cost in the order of \$17M while a gravel standard road with similar geometry will cost in the order of \$13M. Foster's Outcamp is located about 85 km along the Useless Loop Road from the Shark Bay Road (Denham access road) and to upgrade this length to a sealed standard would cost in the order of \$17M. Therefore the total cost of a sealed road to Steep Point would be in the order of \$34M.

A broad assessment of the likely level of traffic demand for both road links was undertaken as part of the study. This assessment indicated that the level of traffic demand for a link between Kalbarri and Shark Bay is not high and average likely traffic volumes would be in the order of 60-70 vehicles per day if a sealed road were provided and 30-40 for a gravel road. For the Steep Point Road it was estimated that only 10-15 vehicles per day would use the road whether it was sealed or gravel.

A number of key stakeholders, including the Ministry for Planning and Department of Environmental Protection, have indicated that they have some concerns regarding both road links. These concerns relate to possible environmental and broader land use impacts. To date there has been no detailed planning work undertaken on the future land use in this coastal area and it is desirable that the need for any road links should be considered within the context of the broader land use planning for the area.

PROPOSED ACTIONS

The study has fulfilled the original objectives in that it has identified alignment options and recommended preferred options for both the Kalbarri - Shark Bay Road and Steep Point Road.

It is unlikely in the short to medium term that any significant land development will occur along the corridors of the preferred road alignments. The risk that these corridors will be constrained by any future land development is therefore very minor.

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

18/07/2019 13:06 FAX NO. 1870

Briefing Notes for Minister for Planning and Infrastructure, Hon Alannah MacTiernan, MLA

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The findings of the study have been forwarded to the WAPC Transport Committee for noting with a recommendation that further road planning be deferred until the broader issues of land use and conservation along this section of the coastline have been considered. This will provide an appropriate context for any future provision of road access along the coast between Kalbarri and Shark Bay and to Steep Point.

Copies of the study report will also be forwarded to key stakeholders for information.

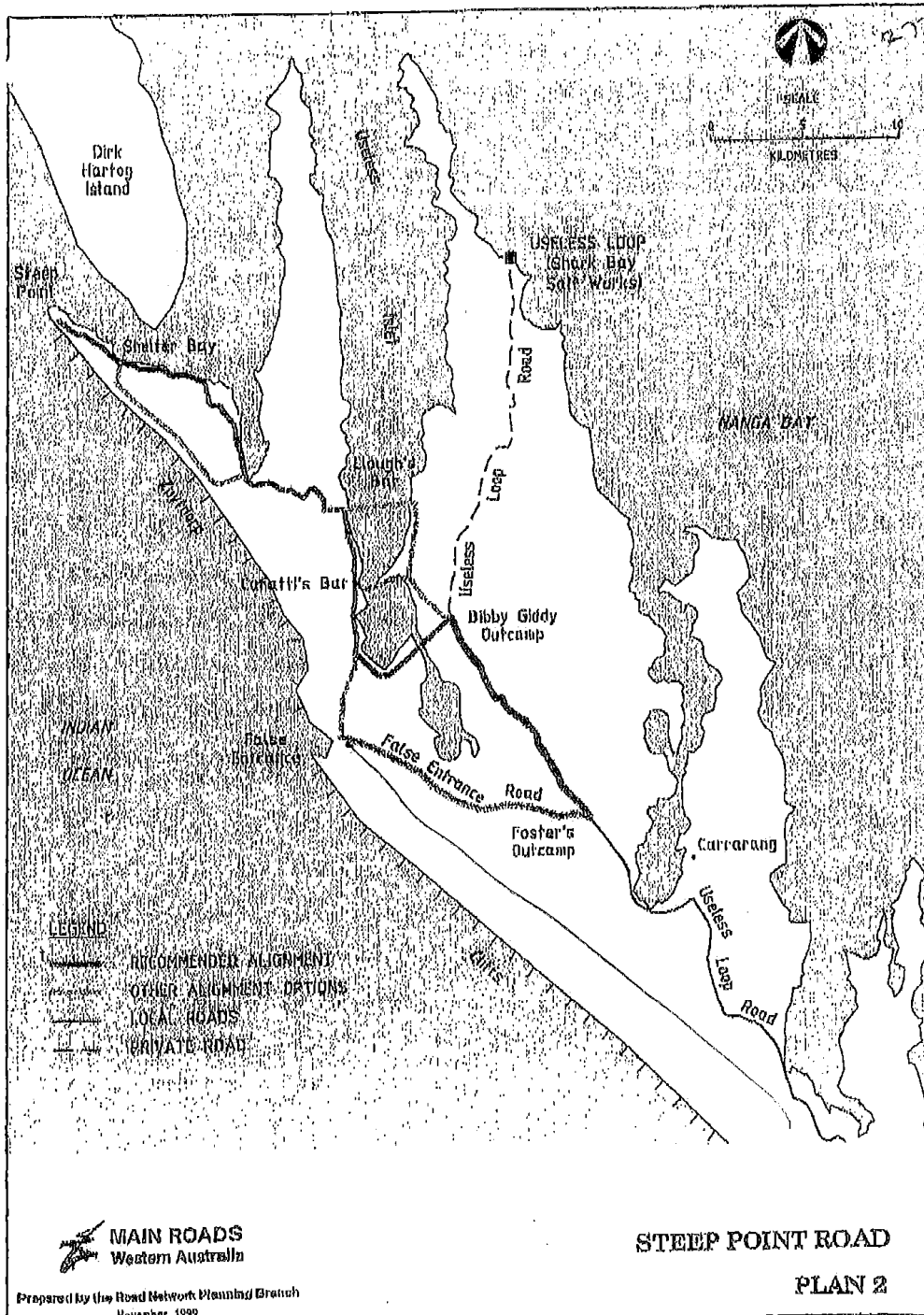
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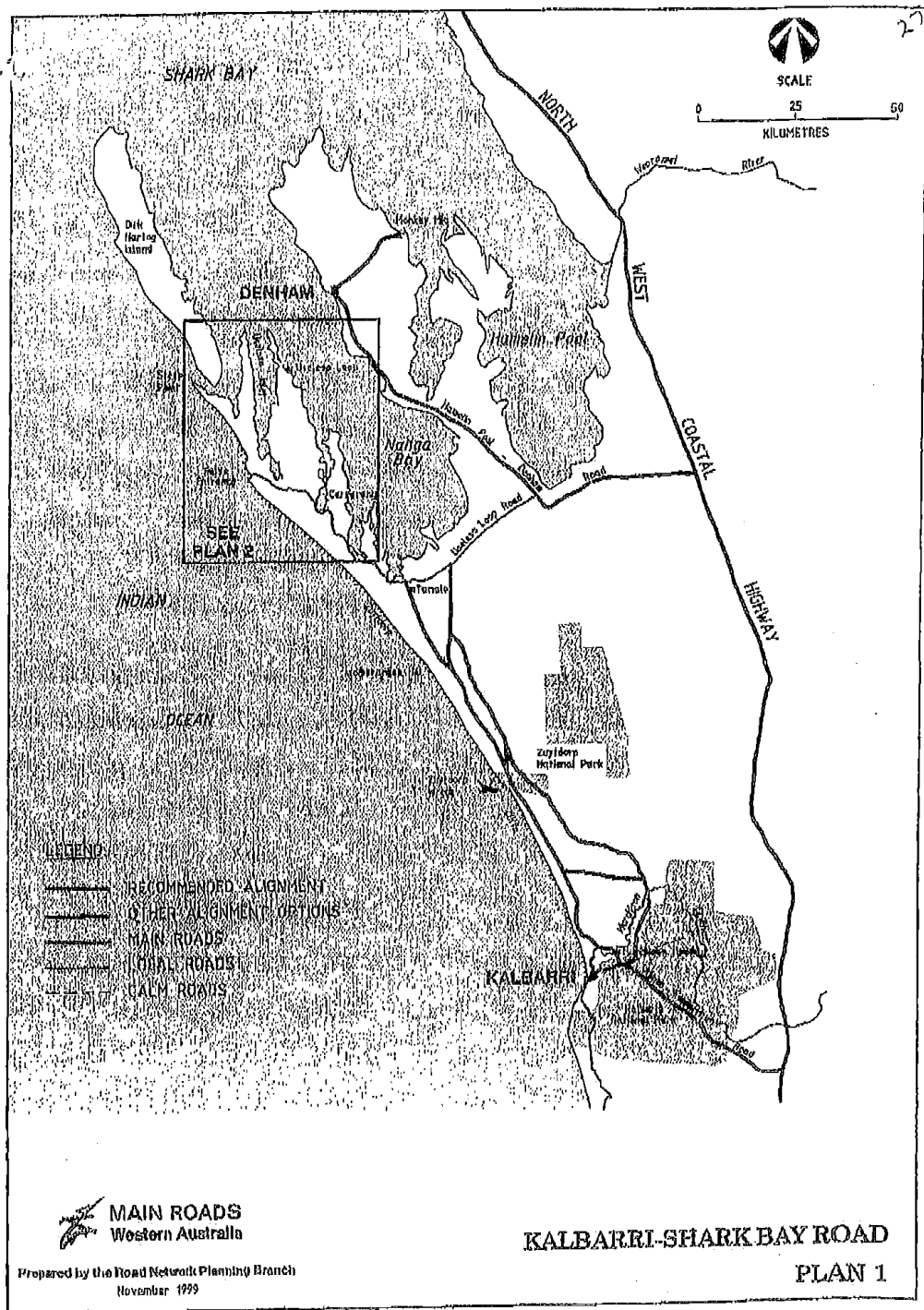
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27 FEBRUARY 2019



Our Ref: TR23-1

Mr Paul Anderson
Chief Executive Officer
Shire of Shark Bay
DENHAM 6537
ceo@sharkbay.wa.gov.au

Dear Paul

ZUYTDORP CLIFFS TRACK STAKEHOLDER REFERENCE GROUP – INVITATION

On behalf of the Gascoyne Development Commission (GDC), I would like to invite a representative from the Shire of Shark Bay to participate in the Zuytdorp Cliffs Track Stakeholder Reference Group (ZTRG) and provide input and advice.

The Mid West (MWDC) and Gascoyne Development Commissions are combining efforts to progress the development of access between Kalbarri and Shark Bay along the Zuytdorp Cliffs coast. (Informally referred to as the Zuytdorp Track.)

Considered access, along the most western edge of the continent, will debut a visitor experience contributing to Western Australia and Australia's suite of aspirational, authentic and memorable signature experiences.

Realising the potential of this under-utilised opportunity while considering environmental, sociocultural and economic sustainability outcomes will require extensive stakeholder engagement, integrated with detailed analysis.

The ZTRG will consist of representatives from the GDC, MWDC, Department of Biodiversity Conservation and Attractions (DBCA), Shires of Shark Bay and Northampton, Malgaria and Nanda Aboriginal Corporations and pastoral lessees. Involvement from Tourism Western Australia (TWA) and other agencies will be accessed where required.

Attached to this email is a DRAFT Terms of Reference for the ZTRG that you may find helpful in considering the above invitation. We are happy to answer any relevant questions you may have and look forward to receiving your response by Thursday 7 March 2019.

Camperdown
15 Stuart Street
PO Box 781 Camperdown WA 6701
Tel: (08) 9541 7000
Fax: (08) 9541 8975
Email: info@dcwa.wa.gov.au

Eamsville
21 Muldowney Crescent
PO Box 206 Eamsville WA 6799
Tel: (08) 9540 2886
Fax: (08) 9540 1616

www.gdc.wa.gov.au

MINUTES OF THE ORDINARY COUNCIL MEETING

27 FEBRUARY 2019

For further information, please contact myself or Juliane Bush, Project Officer, on 9949 2090 or email juliane.bush@gdc.wa.gov.au

Yours sincerely



Gavin Robins
Chief Executive Officer

21 February 2019

27 FEBRUARY 2019



ZUYTDORP CLIFFS TRACK STAKEHOLDER REFERENCE GROUP

TERMS OF REFERENCE

1. PROJECT OVERVIEW

Progress the development of access between Kalbarri and Shark Bay along the Zuytdorp Cliffs coast for the purpose of debuting a world-class visitor experience. Informally referred to as the 'Zuytdorp Track'.

2. DOCUMENT PURPOSE

The purpose of this document is to set out the terms of reference, composition and operating arrangement of the Zuytdorp Track Stakeholder Reference Group.

3. NAME

The Body shall be known as the "Zuytdorp Track Reference Group (ZTRG)".

4. PURPOSE AND FUNCTION

The function of the ZTRG is to assist the Mid West and Gascoyne Development Commissions (MWDC & GDC) in the planning and development of the Zuytdorp Track Project. The ZTRG will act as a network for defining and realising project benefits, risks, governance, and provide input in the engagement of consultants associated with the Zuytdorp Track Project.

Specifically, the ZTRG will review and contribute to the completion of a competitive Zuytdorp Track Project Business Case.

5. ROLE

The Role of the ZTRG is to:

- Provide those directly involved in the project with guidance on business issues
- Address any issue that have major implications for the project
- Act as a primary conduit between the representing entity and local community interests
- Provide input and recommendations regarding Business Case structuring, development and outputs
- Keep the project scope under control as emergent issues force changes to be considered
- Reconcile differences in opinion and approach, and resolve disputes arising from them
- Report on project progress to representative entity
- Assist with whole-of-government issues associated with the project.



6. MEMBERSHIP (TBC)

The membership of ZTRG will include:

ATTENDEE	ROLE	ORGANISATION
Fiona Shallcross	Project Manager	Mid West Development Commission
Jules Bush	Project Officer	Gascoyne Development Commission
		DBCA
		Shire of Shark Bay
		Shire of Northampton
		Malgana Aboriginal Corporation
		Nanda Aboriginal Corporation
		Murchison House Station
		Tamala Station
		Tourism WA

At the discretion of the ZTRG, the group will be open to invite stakeholders to attend meetings as a member or an observer when and as required.

7. PROXY

Each organisation identified in the membership list above can nominate a person from their respective organisations to act as their designated proxy.

8. OPERATING PROCEDURES

8.1 CHAIRING OF MEETINGS

- The ZTRG meetings will be chaired by either the MWDC or GDC

8.2 AGENDA MANAGEMENT

- The agenda will be driven by actions and issues identified by the ZTRG and those identified as a priority
- The agenda will be provided to members prior to each meeting

8.3 DECISION MAKING

The ZTRG is to provide a mechanism for collaboration across government and local stakeholders, however it is understood that each entity remains bound by their own policies, procedures and reporting requirements.

8.4 AGENDA MANAGEMENT

- The close off period for agenda items is to be 5 days prior to the set meeting date, except in relation to urgent issues
- The agenda containing items for the meeting is to be distributed two working days prior to the set meeting date
- Minutes and actions resulting from the meeting will be distributed to members as soon as possible after the meeting has been completed
- Dates of meetings will be decided by the Group prior to the conclusion of each meeting

27 FEBRUARY 2019



- Invitations of relevant stakeholder guests to meetings can be decided by the Group and will be arranged by the MWDC or GDC
- Duration of meetings will be between one to two hours depending on need and as decided by the Group's Chair
- The location of meetings will be determined by the Chair; teleconference, video conference and face-to-face options will be considered

8.5 PROCESS FOR DISTRIBUTION OF MINUTES & ACTIONS

- Minutes are to be forwarded to members only
- The intent of the ZTRG is to ensure a degree of confidentiality and action items can be distributed by agreement from the Group

9. DURATION

The ZTRG will meet on an as-need basis, anticipated to be no more than once quarterly, and continue to operate until such time as it is agreed by a majority of Group members that it is no longer required to progress the project.

It is anticipated that the ZTRG will operate until the launch of the Zuytdorp Track experience; estimated at 2 - 4 years.

10. REVIEW

The Terms of Reference will be reviewed as required.

End.

27 FEBRUARY 2019

18.0 MATTERS BEHIND CLOSED DOORS

There were no confidential item presented to Council for the February 2019 Ordinary Council meeting.

19.0 DATE AND TIME OF NEXT MEETING

The next Ordinary meeting of the Shark Bay Shire Council will be held on the 27 March 2019, commencing at 3.00 pm.

20.0 CLOSURE OF MEETING

As there was no further business the President closed the Ordinary Council meeting at 5.04pm.