16. URGENT BUSINESS APPROVED BY DECISION

Item: 16.1

Development Assessment Panels: Nomination of Members

Author/s: Richard Hindley, Manager Strategic Planning & Land Projects
Authorisor/s: Terry Sargent, Director External Services

File Ref: D17/1479

Applicant
Department of Planning

Location/Address
Shire of Esperance

Executive Summary
For Council to nominate four Councillors to be the Shire of Esperance representatives on the Mid-West/Wheatbelt (Central) Joint Development Assessment Panel (two as members and two as alternative members).

Recommendation in Brief
To nominate two Councillors to be the Shire of Esperance representatives on the Mid-West/Wheatbelt (Central) Joint Development Assessment Panel and nominate a further two Councillors as alternative representatives on the Mid-West/Wheatbelt (Central) Joint Development Assessment Panel.

Background
Development Assessment Panels (DAPs) came into operation on the 1 July 2011. The Shire of Esperance is located in the Mid-West/Wheatbelt (Central) Joint Development Assessment Panel (Area 2).

There are two types of applications that can be referred to a DAP based on development value.

<table>
<thead>
<tr>
<th>Type</th>
<th>Threshold</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mandatory DAP Applications</td>
<td>$10 million</td>
</tr>
<tr>
<td>Optional DAP Applications</td>
<td>Between $2 and $10 million</td>
</tr>
</tbody>
</table>

Since the inception of the DAPs their have been no Mandatory DAP Applications from the Shire of Esperance and all Optional DAP Applications have been considered by the Shire.

Councillors were last appointed in January 2015 were it was resolved (OO115-008):

That Council nominates Councillors Cr Stewart and Cr Bowman as the Shire of Esperance representatives on the Goldfields - Esperance Joint Development Assessment Panel, and Councillors Cr Brown and Cr Hall as alternate members and advises the Minister for Planning of such appointments.
The nomination of Local Government Representatives to the Development Assessment Panels is due by 28 February 2017 (Attachment A).

**Officer’s Comment**

DAPs consist of five members with one presiding member, two specialist members and two local government members. The local government’s membership will depend on the location of the development applications being determined at the time. Local government members will be rotated on and off the panel to ensure that local knowledge that is relevant to the application is on each panel. Only two representatives from Council can be on the panel.

If the local government fails to nominate two elected representatives the Minister will have the power to appoint two members to the subject DAP to represent the interests of the local community. These alternative representatives must be eligible to vote in elections for that local area and have relevant knowledge or experience that, in the opinion of the Minister, will enable them to represent the interests of their local community.

The frequency of meetings will be determined by the number of applications being referred. Local Government representatives only need to attend meetings when an application is being considered from the Shire of Esperance. In the advertising for specialist members it was identified that they may be required to travel on short notice and it is likely that this would also apply to local government members. At this stage the agenda for a DAP meeting is to be made public at least 5 days before the meeting.

It should be noted that the presiding member can consent to the meeting being attended remotely by telephone or other method of instantaneous communication.

The period of appointment for DAP members up to 3 years. At the expiration of that term the Shire will be required to renominate 2 local government members as well as 2 alternate members. The same individuals may be renominated for the position but the regulations require this to be undertaken every 2 years.

Following receipt of all local government nominations, the Minister for Planning will consider and appoint nominees for up to a three-year term, expiring on 26 April 2020. All appointed local members will be placed on the local government member register and advised of DAP training dates and times. It is a mandatory requirement, pursuant to the DAP regulations, that all DAP members attend training before they can sit on a DAP and determine applications. Local government members who have previously undertaken training are not required to attend further training, but are encouraged to attend refresher training.

Applications to be determined by DAPs will need to pay an additional fee over and above the fee that is currently charged by the Shire for a development application. This fee will be used to cover the costs of administering the DAP process. These fees are contained in the Schedule of Fees and Charges.

Members of the DAP will receive sitting fees as outlined in Schedule 2 of the Regulations (Attachment B). These fees have been determined to reflect the cost of providing the service. In addition to these fees the local government has the capacity to invoice the Secretariat for costs incurred in hosting a DAP meeting. The costs that have been identified as being chargeable are for the minute taker, light refreshments and security (where necessary).

**Consultation**

N/A
Financial Implications
The fees required to be charged for the DAPs process are in addition to the fees levied by Council for the consideration of a Development Application.

Costs incurred in hosting a DAP meeting may be claimed back by invoicing the Secretariat which will minimise the procedural cost of the process.

Asset Management Implications
N/A

Statutory Implications
The statutory implications associated with this item are:
- Planning and Development Act 2005
- Planning and Development Regulations 2009
- Planning and Development (Development Assessment Panels) Regulations 2011
- Local Planning Scheme No. 23

Policy Implications
Nil

Strategic Implications
Strategic Community Plan 2012-2022
Economic
3.8 Facilitate and guide high quality and efficient building and development across the Shire

Environmental Considerations
N/A

Attachments
A⇩. Development Assessment Panels - Local Government Nominations
B⇩. Fees for DAP members

Officer's Recommendation
That Council nominates Councillors _________________ and _________________ as the Shire of Esperance representatives on the Mid-West/Wheatbelt (Central) Joint Development Assessment Panel, and Councillors _________________ and _________________ as alternate members and advises the Minister for Planning of such appointments.

Voting Requirement Simple Majority
Richard Hindley

From: Development Assessment Panels <daps@planning.wa.gov.au>
Sent: Wednesday, 4 January 2017 11:14 AM
Subject: Development Assessment Panels - Local Government Nominations

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon,

As you may be aware, Development Assessment Panels (DAP) member appointments expire on 26 April 2017.

Members whose term has expired will be eligible for re-consideration at this time. Under regulation 26 of the Planning and Development (Development Assessment Panels) Regulations 2011 (DAP Regulations), your local council is requested to nominate four elected members of the Council, comprising two local members and two alternate local members to sit on your respective DAP as required. The local government nominations process require online submissions at the following link.

**Nominations are required to be received by 28 February 2017.**

Following receipt of all local government nominations, the Minister for Planning will consider and appoint nominees for up to a three-year term, expiring on 26 April 2020. All appointed local members will be placed on the local government member register and advised of DAP training dates and times. It is a mandatory requirement, pursuant to the DAP regulations, that all DAP members attend training before they can sit on a DAP and determine applications. Local government members who have previously undertaken training are not required to attend further training, but are encouraged to attend refresher training.

When selecting nominees, the Council should consider that local government elections may result in a change to DAP membership if current councillors, who are DAP members, are not re-elected. If members are not re-elected, the local government will need to re-nominate for the Minister's consideration. DAP members are entitled to be paid for their attendance at DAP meetings and training, unless they fall within a class of persons excluded from payment. Further details can be found in the **Premier's Circular – State Government Boards and Committees Circular (2010/02)**.

If you have any queries regarding this request for nominations, please contact the DAPs secretariat on (08) 6551 9919 or email daps@planning.wa.gov.au. Further information is available online.

Kind Regards,

Fiona Sze | Senior Policy and Project Officer | Development Assessment Panels
Department of Planning | 140 William Street | PERTH WA 6000
T 65519651 | E fiona.sze@planning.wa.gov.au | W www.planning.wa.gov.au

Development Assessment Panels
Planning and Development (Development Assessment Panels) Regulations 2011

Fees for DAP members Schedule 2

Schedule 2 — Fees for DAP members
[r. 30, 31]

1. Fee for presiding member per meeting to determine development applications $500
2. Fee for any other member per meeting to determine development applications $400
3. Fee per meeting for presiding member to determine applications to amend or cancel determination $100
4. Fee per meeting for any other member to determine applications to amend or cancel determination $50
5. Fee for presiding member attending proceeding in State Administrative Tribunal $500
6. Fee for any other member attending proceeding in State Administrative Tribunal $400
7. Fee for training $400
Item: 16.2

Jetty Replacement Working Group Recommendation - New Jetty Concept

Author/s                Matthew Scott                Chief Executive Officer
Authorisor/s            Matthew Scott                Chief Executive Officer

File Ref: D17/1810

Applicant
Jetty Replacement Working Group

Location/Address
N/A

Executive Summary
For Council to consider a recommendation from the Jetty Replacement Working Group on criteria for a detail concept design for a replacement to Esperance Tanker Jetty.

Recommendation in Brief
That Council:
1. Determine the following as minimum criteria to develop a concept design of a replacement jetty:
   a. Located on the footprint or as near as possible to the current Esperance Tanker Jetty
   b. That the current curve of the Esperance Tanker Jetty is retained
   c. The Longest possible jetty with a preferred length of 400 metres;
   d. A minimum of 3.5 metres in width;
   e. Provision of a fish cleaning facility;
   f. Meet all relevant Australia Standards;
   g. Total estimated construction cost of $6 million, within a level of confidence of 30%
2. Appoint a suitably qualified consultant to prepare Concept Designs for a replacement jetty.

Background
The above recommendation has come from the Jetty Replacement Working Group meeting of 23 January 2017. The Agenda and Minutes of this meeting are attached for Council’s review.

Officer’s Comment
The Author believes the above recommendation will provide enough scope for a marine design engineer to develop a detailed concept design, firstly to be reviewed by the Working Group and later by Council, and if endorsed, build a business case for funding applications, and potentially develop tender documentation for a design/construct tender.

For Councilor’s benefit, the following information was provided to the Working Group, after the Working Group Agenda was published, on relative cost per square metre for Jetty Construction, provided from Brad Saunders, BMT JFA, and then compared to actual cost per square metre of recent jetty builds.

<table>
<thead>
<tr>
<th>Type of Jetty Design</th>
<th>Cost Range (m2)</th>
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</thead>
<tbody>
<tr>
<td>Utilitarian or Basic jetty design</td>
<td>$3,000-$4,000 m2</td>
</tr>
<tr>
<td>Innovative or Iconic jetty design</td>
<td>$5,000-$6,000 m2</td>
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</tbody>
</table>
### Actual Jetty Costs

<table>
<thead>
<tr>
<th>Jetty Location</th>
<th>State</th>
<th>Type of Jetty</th>
<th>Year</th>
<th>Total Cost</th>
<th>Cost/m²</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rapid Bay</td>
<td>SA</td>
<td>Basic</td>
<td>2009</td>
<td>$4m</td>
<td>$4,166</td>
</tr>
<tr>
<td>Palm Beach</td>
<td>WA</td>
<td>Iconic</td>
<td>2009</td>
<td>$3.466m</td>
<td>$5,475</td>
</tr>
<tr>
<td>Val Street</td>
<td>WA</td>
<td>Basic</td>
<td>2007</td>
<td>$1.1m</td>
<td>$4,500</td>
</tr>
<tr>
<td>Jurian Bay</td>
<td>WA</td>
<td>Basic</td>
<td>2011</td>
<td>$2.2m</td>
<td>$4,500</td>
</tr>
<tr>
<td>Busselton Bay</td>
<td>WA</td>
<td>Basic</td>
<td>2011</td>
<td>$29.1m</td>
<td>$4,040</td>
</tr>
</tbody>
</table>

Furthermore, Recfishwest have advised that they believe the minimum width of a recreation fishing jetty should be no less than 4 metres.

### Consultation

The Jetty Replacement Working Group
Recfishwest
GEDC
BMT JFA Marine Consultants

### Financial Implications

The financial implications arising from this report are that a detailed concept plan is likely to cost approximately $35,000, subject to the Shire’s procurement policy. The GEDC has allocated $50,000 from the Goldfields Esperance Revitalisation Fund, for Council to develop plans for the replacement of jetty. Prior to 23 January 2017, it was understood this money was available with few to no conditions. On 23 January 2017, the Shire received a letter that the Minister for Regional Development has directed to GEDC to confirm that the “Shire of Esperance has exhausted all avenues available to it to retain the existing jetty structure”. The Administration believes there is ample evidence that the all options have been investigated and to date no prudent or feasible alternative other than demolition has been objectively presented (either internally or externally) to Council’s satisfaction.

If this funding cannot be utilised for this purpose, then the concept plan will need to be funded from Council’s own resources, ideally from the remaining budget of the jetty demolition.

### Asset Management Implications

Nil

### Statutory Implications

Nil

### Policy Implications

Nil

### Strategic Implications

**Strategic Community Plan 2012 - 2022**

**Economic**

Ensure services and infrastructure are aligned to community needs now and the future

**Corporate Business Plan 2013/2014 – 2016/2017**

Plan and seek funding for the Esperance Waterfront Stage 3 – Tanker Jetty Replacement

### Environmental Considerations

Nil
Committee’s Recommendation

That Council:

1. Determine the following as minimum criteria to develop a concept design of a replacement jetty:
   a. Located on the footprint or as near as possible to the current Esperance Tanker Jetty;
   b. That the current curve of the Esperance Tanker Jetty is retained;
   c. The longest possible jetty with a preferred length of 400 metres;
   d. A minimum of 3.5 metres in width;
   e. Provide a fish cleaning facility;
   f. Meet all relevant Australia Standards;
   g. Total estimated construction cost of $6 million, within a level of confidence of 30%;

2. Appoint a suitably qualified consultant to prepare Concept Designs for a replacement jetty.

Voting Requirement

Simple Majority
23 January 2017

Mr Matthew Scott
Chief Executive Officer
Shire of Esperance
PO Box 507
ESPERANCE WA 6450

Dear Matthew,

GOLDFIELDS-ESPERANCE REVITALISATION FUND – ALLOCATION OF FUNDING

Further to our letter dated 5th January 2017, and subsequent discussions between the Shire of Esperance and Goldfields-Esperance Development Commission (GEDC) regarding the release of funding approved under the Goldfields-Esperance Revitalisation Fund to support further concept development options for the Esperance Tanker Jetty,

As you would be aware, there has been significant commentary within the Esperance community regarding the extent to which the Shire of Esperance has canvassed or investigated suitable options to retain the existing Esperance Tanker Jetty. It is the Ministers position that all options to retain the existing jetty structure should be exhausted before consideration is given to demolition of the existing jetty and he believes this position aligns with the expectations of the broader Esperance community.

To this extent, before the GEDC can look to release any of the $50,000 funding assistance, the Minister for Regional Development has directed me to confirm that the Shire of Esperance has exhausted all avenues available to it to retain the existing jetty structure. On this basis, and should you wish to utilise the available funds, I would appreciate the Shire providing the GEDC with an outline of the methodology it has employed, inclusive of any options analysis that has been undertaken and the financial, engineering and practical assumptions that have been applied in undertaking that analysis, which has led to the Shire making the decision that retention of the jetty was neither prudent nor feasible. To be clear, we are not requesting the Shire to provide a simple chronology of the steps it has followed, nor access to the various condition reports or community consultation that have been undertaken. What is required is a clear outline of how and why the Shire has come to its current position on the jetty.

Kalgoorlie-Boulder
Viskovich House
377 Hannan Street
PO Box 751, Kalgoorlie, WA 6430
Phone: (08) 9080 5000
Fax: (08) 9021 7941
Email: gedcal@gedc.wa.gov.au

Esperance
Suite 26c Dutton Arcade
91 Dempster Street
PO Box 632, Esperance, WA 6450
Phone: 08 9083 2222
Fax: 08 9071 3765
Email: gedcesp@gedc.wa.gov.au

Leonora
c/o Viskovich House
377 Hannan Street
PO Box 751, Kalgoorlie, WA 6430
Phone: (08) 9080 5000
Fax: (08) 9021 7941
Email: gedcal@gedc.wa.gov.au
Upon receipt of the requested information, the GEDC will be in a position to make a recommendation to the Minister on the release of the funds.

Yours sincerely

Shayne Flanagan
CHIEF EXECUTIVE OFFICER
GOLDFIELDS ESPERANCE DEVELOPMENT COMMISSION
20 JANUARY 2017

Shire of Esperance

JETTY REPLACEMENT WORKING GROUP
NOTICE OF MEETING AND AGENDA

A Jetty Replacement Working Group meeting of the Shire of Esperance will be held at Council Chambers on 23 January 2017 commencing at 4:00pm to consider the matters set out in the attached agenda.

W.M (Matthew) Scott
Chief Executive Officer
DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Esperance for any act, omission or statement or intimation occurring during Council or Committee meetings. The Shire of Esperance disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person’s or legal entity’s own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by a member or officer of the Shire of Esperance during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Esperance. The Shire of Esperance warns that anyone who has any application lodged with the Shire of Esperance must obtain and should only rely on written confirmation of the outcome of the application, and any conditions attaching to the decision made by the Shire of Esperance in respect of the application.

ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

Council is committed to a code of conduct and all decisions are based on an honest assessment of the issue, ethical decision-making and personal integrity. Councillors and staff adhere to the statutory requirements to declare financial, proximity and impartiality interests and once declared follow the legislation as required.

ATTACHMENTS

Please be advised that in order to save printing and paper costs, all attachments referenced in this paper are available in the original Agenda document for this meeting.
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SHIRE OF ESPERANCE

AGENDA

JETTY REPLACEMENT WORKING GROUP MEETING
TO BE HELD IN COUNCIL CHAMBERS ON 23 JANUARY 2017
COMMENCING AT 4.00PM

1. OFFICIAL OPENING

2. ATTENDANCE

Members
Cr Victoria Brown Shire of Esperance
Cr Natalie Bowman Shire of Esperance
Cr Paul Griffiths Shire of Esperance
Cr Kevin Hall Shire of Esperance
Cr Lara McIntyre Shire of Esperance (Deputy)
Mr Alan Byers Esperance Port Authority
Mr Wayne Halliday Tourism Esperance
Mr Shane Flanagan Goldfields-Esperance Development Commission
Ms Tori Castledine Community Member
Ms Shelley Payne Community Member
Mr Roger Elliott Community Member
Mrs Julie Stacevich Community Member
Mr Graham Gath Community Member

Ex Officio
Mr Matthew Scott Chief Executive Officer
Mrs Amelia Rollon Personal Assistant – Director Asset Management

Public

3. APOLOGIES & NOTIFICATION OF GRANTED LEAVE OF ABSENCE

4. PUBLIC QUESTION TIME

5. DEPUTATIONS, PRESENTATIONS, INSPECTIONS, PETITIONS

Nil

6. DECLARATION OF MEMBERS INTERESTS

6.1 Declarations of Financial Interests – Local Government Act Section 5.60a

6.2 Declarations of Proximity Interests – Local Government Act Section 5.60b

6.3 Declarations of Impartiality Interests – Admin Regulations Section 34c

7. CONFIRMATION OF MINUTES

That the Minutes of the Jetty Replacement Working Group Meeting of the 19 December 2016 be confirmed as a true and correct record.
8. MATTERS REQUIRING A DETERMINATION OF COMMITTEE

Item: 8.1

Esperance Tanker Jetty Replacement Project - Concept Design

Author/s: Amelia Rolton, Personal Assistant - Asset Management
Author/s: Matthew Scott, Chief Executive Officer

File Ref: D17/1443

Executive Summary
To allow the Jetty Replacement Working Group to set the minimum criteria for the development of concept design of the Replacement Jetty and request that Council appoints a suitably qualified consultant to undertake the required concept design development.

Recommendation in Brief
That the Jetty Replacement Working Group request Council to:

1) Consider the following as minimum criteria to develop a concept design of a replacement jetty:
   a. Located on the footprint of the current Esperance Tanker Jetty
   b. That the current curve of the Esperance Tanker Jetty is retained
   c. A minimum of 400 metres in length;
   d. A minimum of 4 metres in width;
   e. Provide a fish cleaning facility;
   f. Meet relevant Australia Standards;
   g. Total estimated construction cost of $6 million, within a level of confidence of 30%

2) Appoint a suitably qualified consultant to prepare Concept Designs for a replacement jetty.

Background

A request was made at the informal Jetty Replacement Working Group workshop on the 16 January 2017, for the working group to determine the elements that need or should be reflected in the new jetty.

Officer's Comment

Hocking Heritage Studio
Following the informal workshop, Jemma Smith of Hocking Heritage Studio prepared a short summary of the workshop.

Ms Smith provided the following:

"The New Jetty
Working on the presumption that the Shire of Esperance will continue with the demolition/rebuild option, the heritage significance of the demolished structure must be taken into account in any new jetty. This is an important element that the Minister for Heritage will take into consideration during his decision making process to revoke the Conservation Order."
The Minister must be satisfied that not only will the people of Esperance get a new jetty he must also be satisfied that the heritage significance of the former jetty be adequately considered in the new jetty to achieve a heritage outcome. “

Past consultation and comments from the Community have identified the following as important elements of their value of the Tanker Jetty, Esperance:

- Length
- Curve
- Prominence in a range of views around Esperance
- Recreational pursuits both on the jetty and diving opportunities around the structure
- History of the structure
- Heritage listing
- One of the few remaining timber jetties remaining in Western Australia

Therefore, the elements that need or should be reflected in the new jetty should include the following elements:

- The new jetty should be the same length or close to the length of the existing.
- The new jetty should incorporate the same or equally distinctive curve
- The new jetty should be of high design quality that allows it to become a landmark in its own right
- The new jetty is to be open to the public and continue to provide recreational opportunities, above and below the structure
- The new jetty should incorporate original fabric where possible to contribute to the interpretation of the Tanker Jetty
- The significance of the Tanker Jetty, Esperance as identified in the above statements of significance should be interpreted in the new structure
- The new jetty should be of contemporary design, which reflects the past but is also capable of providing future generations with a highly valued structure that forms part of Esperance’s identity.

recfishwest
Further Shire Officers contacted recfishwest seeking advice on the desirable width of the replacement jetty. The following advice was provided:

“In terms of catering for recreational fishing and acknowledging the trade-off between width and length we believe the jetty should be at least 4m in width.

There are several factors as to why it needs to be this width including:

- Allow fishing off both sides in favourable winds
- Safe pedestrian access
- Allow fishing on both sides and pedestrians to still able to walk in between people fishing
- Allow potential installations such as a fish filleting tables
- Emergency vehicle access, including access around fixed amenities (fish filleting tables, bins etc)

These factors are proven to work on the Busselton Jetty which is also 4m width and the Carnarvon Jetty which is at least 4m.”

Costing Information
Jetty Replacement Working Group: Agenda
23 January 2017

The cost information below has been obtained by Shire Officers following discussions at the previous informal workshop of the Jetty Replacement Working Group.

The following costings for jetties built within South Australia and Western Australia were sourced from professional contacts.

- The Rapid Bay jetty in SA was built at a cost of $4M, is 3.5 metres wide and 240 metres long. This equates to a unit cost of $4762/m2. The Rapid Bay Jetty is quite utilitarian in appearance.
- The Palm Beach jetty in Rockingham is a more iconic structure, featuring low level platforms and a widening at the end. It was built for $3.465m in 2009 and is a total of 125 metres long. Having a floor area of 633m2, this equates to a unit cost of $5475/m2. Note, this is 2009 pricing.
- Val Street jetty in Rockingham is a commercial grade structure. Cost $1.1m in 2007 at $4,500/m2 and had a 4.5m wide deck and a low level berthing landing. Note, this is 2007 pricing.
- Jurien Bay in WA was built 160 metres long by 3 metres wide for $2.2 million, which equates to $4500/m2. This structure is not of iconic architecture, apparently.
- It was further established that a reduction in the width of a jetty cannot be pro-rated to give a corresponding length increase without an increase in costs. This is because the majority of the costs in a jetty lie in piling and longitudinal beams ('the length'), not in lateral structural members ('the width'). In simplistic terms, halving the width of a jetty structure can never result in a doubling of the length at no additional cost.

Consultation
Hocking Heritage Studio
Recfishwest

Financial Implications
Shire Officers have sought quotes for concept design works to be undertaken, with quotes submitted for approximately $36,000.

Attachments
A. Tanker Jetty Length - 100m Intervals

Officer's Recommendation

That the Jetty Replacement Working Group request Council to

1. Consider the following as minimum criteria to develop a concept design of a replacement jetty
   a. Located on the footprint of the current Esperance Tanker Jetty
   b. That the current curve of the Esperance Tanker Jetty is retained
   c. A minimum of 400 metres in length;
   d. A minimum of 4 metres in width;
   e. Provide a fish cleaning facility;
   f. Meet relevant Australia Standards;
   g. Total estimated construction cost of $6 million, within a level of confidence of 30%

2. Appoint a suitably qualified consultant to prepare Concept Designs for a replacement jetty.

Voting Requirement Simple Majority
9. Reports
   Nil

10. **FINANCIAL REPORTS**
    Nil

11. **NEW BUSINESS OF AN URGENT NATURE**

12. **CLOSURE**
Shire of Esperance

JETTY REPLACEMENT WORKING GROUP

MONDAY 23 JANUARY 2017

MINUTES
DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Esperance for any act, omission or statement or intimation occurring during Council or Committee meetings. The Shire of Esperance disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

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ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

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<tbody>
<tr>
<td>1.</td>
<td>OFFICIAL OPENING</td>
<td>4</td>
</tr>
<tr>
<td>2.</td>
<td>ATTENDANCE</td>
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<tr>
<td>3.</td>
<td>APOLOGIES &amp; NOTIFICATION OF GRANTED LEAVE OF ABSENCE</td>
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<td>Declarations of Impartiality Interests – Admin Regulations Section 34c</td>
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<td>Esperance Tanker Jetty Replacement Project - Concept Design</td>
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<td>12.</td>
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SHIRE OF ESPERANCE

MINUTES

JETTY REPLACEMENT WORKING GROUP MEETING HELD IN COUNCIL
CHAMBERS ON
23 January 2017
COMMENCING AT 4.00PM

1. OFFICIAL OPENING
   The Presiding Member declared the meeting open at 4:07pm.

2. ATTENDANCE
   Members
   Cr Natalie Bowman  Shire of Esperance
   Cr Victoria Brown   Shire of Esperance (entered at 4:08pm)
   Cr Paul Griffiths   Shire of Esperance
   Cr Kevin Hall       Shire of Esperance
   Cr Lara McIntyre    Shire of Esperance (Deputy)
   Mr Wayne Halliday   Tourism Esperance
   Mr Shane Liddelow   Goldfields-Esperance Development Commission
   Ms Tori Castledine  Community Member
   Mr Roger Ellett     Community Member
   Mrs Julie Starcevich Community Member
   Mr Graham Gath      Community Member

   Ex Officio
   Mr Matthew Scott    Chief Executive Officer
   Mr Alun Hughes      Manager Projects
   Miss Sarah Fitzgerald Administration Officer

   Public
   Cr Basil Parker     Councillor

   Cr Brown entered the Chamber at 4:08pm.

3. APOLOGIES & NOTIFICATION OF GRANTED LEAVE OF ABSENCE
   Mr Alan Byers       Esperance Port Authority
   Mr Shane Flanagan   Goldfields-Esperance Development Commission
   Mr Mathew Walker    Director Asset Management
   Mrs Amelia Rolton   Personal Assistant – Director Asset Management
   Ms Shelley Payne    Community Member

4. PUBLIC QUESTION TIME
   Cr L McIntyre
   Cr McIntyre asked that the members of the working group consider changing point 1(a) of the recommendation to allow the replacement Jetty to be built adjacent to but not on the Tanker Jetty footprint, to allow the footprint to continue supporting marine life.
5. DEPUTATIONS, PRESENTATIONS, INSPECTIONS, PETITIONS
   Nil

6. DECLARATION OF MEMBERS INTERESTS
   6.1 Declarations of Financial Interests – Local Government Act Section 5.60a
       Nil
   6.2 Declarations of Proximity Interests – Local Government Act Section 5.60b
       Nil
   6.3 Declarations of Impartiality Interests – Admin Regulations Section 34c
       Nil

7. CONFIRMATION OF MINUTES
   Moved: Cr Brown
   Seconded: Ms Castledine

   JET0117-001
   That the Minutes of the Jetty Replacement Working Group Meeting of the 19 December 2016 be confirmed as a true and correct record.
   CARRIED

SUSPENSION OF STANDING ORDERS
   Moved: Cr Brown
   Seconded: Mr Gath

   JET0117-002
   That Standing Orders be suspended to allow for discussion on item 8.1.
   CARRIED

RESUMPTION OF STANDING ORDERS
   Moved: Cr Hall
   Seconded: Ms Castledine

   JET0117-003
   That Standing Orders be resumed.
   CARRIED

8. MATTERS REQUIRING A DETERMINATION OF COMMITTEE
   8.1 Esperance Tanker Jetty Replacement Project - Concept Design

   Officer’s recommendation
   That the Jetty Replacement Working Group request Council to
   1. Consider the following as minimum criteria to develop a concept design of a replacement jetty
      a. Located on the footprint of the current Esperance Tanker Jetty
      b. That the current curve of the Esperance Tanker Jetty is retained
      c. A minimum of 400 metres in length;
      d. A minimum of 4 metres in width;
Ordinary Council: Agenda
24 January 2017

Jetty Replacement Working Group: Minutes
23 January 2017

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e. Provide a fish cleaning facility;

f. Meet relevant Australia Standards;

g. Total estimated construction cost of $6 million, within a level of confidence of 30%

2. Appoint a suitably qualified consultant to prepare Concept Designs for a replacement jetty.

COMMITTEE MOTION

Moved: Mrs Starcevich

Seconded: Mr Gath

That the Jetty Replacement Working Group request Council to

1. Consider the following as minimum criteria to develop a concept design of a replacement jetty

   a. Located on the footprint or as near as possible to the current Esperance Tanker Jetty
   
   b. That the current curve of the Esperance Tanker Jetty is retained
   
   c. The longest possible jetty with a preferred length on 400 metres;
   
   d. A minimum of 3.5 metres in width;
   
   e. Provide a fish cleaning facility;
   
   f. Meet relevant Australia Standards;
   
   g. Total estimated construction cost of $6 million, within a level of confidence of 40%

2. Appoint a suitably qualified consultant to prepare Concept Designs for a replacement jetty.

AMENDMENT

Moved: Cr Bowman

Seconded: Cr Griffiths

That the committee amend

1. The width in point 1(d) to be 3 metres.

2. The level of confidence to be 30%.

The amendment was put and

LOS T

The Substantive Motion remained unchanged.

The Mover and Seconder of the Original Motion agreed to amend the level of confidence to be 30% as per clause 10.9 of the Standing Orders Local Law 2015.

The amendment was put and

C ARRIED

The amendment became the substantive motion

COMMITTEE RECOMMENDATION

Moved: Mrs Starcevich

Seconded: Mr Gath

JET0117-004

That the Jetty Replacement Working Group request Council to

1. Consider the following as minimum criteria to develop a concept design of a replacement jetty
Jetty Replacement Working Group: Minutes
23 January 2017

1. Located on the footprint or as near as possible to the current Esperance Tanker Jetty
2. That the current curve of the Esperance Tanker Jetty is retained
3. The longest possible jetty with a preferred length on 400 metres;
4. A minimum of 3.5 metres in width;
5. Provide a fish cleaning facility;
6. Meet relevant Australia Standards;
7. Total estimated construction cost of $6 million, within a level of confidence of 30%
8. Appoint a suitably qualified consultant to prepare Concept Designs for a replacement jetty.

CARRIED

9. REPORTS
   Nil

10. FINANCIAL REPORTS
    Nil

11. NEW BUSINESS OF AN URGENT NATURE
    Nil

12. CLOSURE
    The Presiding Member declared the meeting closed at 5:30pm.

These Minutes were confirmed at a meeting held on

Signed

Presiding Member at the meeting at which the Minutes were confirmed.

Dated
17. MATTERS BEHIND CLOSED DOORS

Item: 17.2

Surrender Lease - Esperance Tanker Jetty Mobile Food Van Site 3

CONFIDENTIAL ITEM

This report is considered confidential in accordance with the Local Government Act 1995, as it relates to the personal affairs of any person (Section 5.23(2)(b)). Would reveal the financial difficulties of the applicant.