



Ordinary Council Meeting
Minutes
26 April 2018

CONFIRMATION OF MINUTES

I hereby certify that the Minutes of the Ordinary Council Meeting held on 26 April 2018 are a true and accurate record of the proceedings contained therein.

.....
Matthew Niikkula
Shire President

24/5/2018
.....

Dated

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ORDINARY COUNCIL MEETING MINUTES

Our Vision

To support and develop a vibrant, welcoming community that embraces its past, values its present and plans for a sustainable future

Our Purpose

To responsibly provide governance for the whole community in the best interest of current and future generations

Our Strategic Objectives

- To provide sustainable management of the organisation
- To consistently apply the principles of Good Governance
 - To communicate effectively
 - To promote socioeconomic development
 - To value our environment and heritage

1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Shire President welcomed the gallery and declared the meeting open at 4.06pm.

The Shire President acknowledged the aboriginal people both past and present, as the traditional custodians of the land on which we meet.

The Shire President advised the gallery in adhering to both the *Local Government Act 1995*, and the Shire of Exmouth Meeting Procedures Local Law 2015, it is an offense to record the proceedings of this meeting and asked the gallery to switch off any recording devices, including phones.

He advised the gallery the meeting will be recorded by the Executive Secretary for the purpose of compiling an accurate record of the minutes only; and the recording will be erased once they are confirmed.

2. RECORD OF ATTENDANCE, APOLOGIES AND APPROVED LEAVE OF ABSENCE

Councillor M (Matthew) Niikkula	Shire President
Councillor G (Gary) Mounsey	Deputy Shire President
Councillor B (Ben) Dixon	
Councillor H (Heather) Lake	
Councillor M (Mark) Lucas	
Councillor G (Gavin) Penfold	
Mr C Woods	Chief Executive Officer

Mr K Woodward	Deputy Chief Executive Officer
Mr M Bird	Executive Manger Commercial and Community
Mr K Wilson	Executive Manager Corporate Services
Mrs M Head	Minute Clerk

GALLERY 10

APOLOGIES Nil

LEAVE OF ABSENCE Nil

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

The following question was taken on notice from the Annual Electors Meeting held on the 22 March 2018 from Mr Bill Ruby:

What hurdles do we have to jump through to use the banner sign rails in the Maidstone Crescent to advertise events for not for profit organisations?

The Deputy Chief Executive Officer provided the following response to the above question on notice:

- The Maidstone Crescent Marlin Light Banner arrangements require a EWP and traffic management, this is a costly process. The Maidstone Crescent marlin lights banner arrangements have been previously used for the long term tourism arrangements (school banners).
- The Shire will develop a Banner Policy and the associated infrastructure costs included in the 2018/2019 capital works program which is subject to Council consideration.
- In the interim the swimming pool fence can be utilised for banner displays with approval from the Shire.

4. **PUBLIC QUESTIONS TIME**

In accordance with section 5.24 of the *Local Government Act 1995*, a 15 minute public question time is made available to allow members of the public the opportunity of questioning Council on matters concerning them.

Council Consideration Towards Public

When public questions necessitate resolutions of Council, out of courtesy and at the President discretion the matter is to be dealt with immediately to allow the public to observe the determination of the matter (obviates the need for the public to wait an undetermined period of time).

When a matter is listed on the Agenda and member/s of the public are in attendance to observe the determination of the matter, out of courtesy and at the discretion of the President the matter is to be brought forward on the agenda and dealt with immediately

to allow the public to observe the determination of the matter (again this obviates the need for the public to wait an indeterminate period of time).

11 . Minutes, content of (Act s. 5.25(1)(f))

The content of minutes of a meeting of a council or a committee is to include —

- (e) a summary of each question raised by members of the public at the meeting and a summary of the response to the question;***

Question received from Mr Clayton Chadwick

In regards to the email I received back from Subsea 7 (Tom Radic) regarding the Minilya Exmouth Road: Has the Shire been able to make any headway with Subsea 7, or the likely recipients of the pipe bundle facilities. Both Woodside and Chevron to find funding for road upgrades?

The Shire President advised increasing the size of the road is something we all want done. The Shire has been lobbying the Government, and in the past month the Department of Transport to try and obtain some Federal and State Government funding to increase the size of the road.

Subsea 7 are also lobbying government; if their proposal, which is still currently with the EPA is approved this upgrade will be an absolute need to upgrade the size of the road for both safety and to truck goods into town.

The Shire are actively pursuing this and have looked at several statistics in relation to the vehicle travel on the road both monthly and weekly; most are large vehicles and the road is not good enough.

Question received from Phil Short

1. *Town Beach toilets; any plans to renovate, if not can we apply some TLC?*
2. *Solar lights town beach not working?*
3. *Can we donate some coconut palms to enhance the area?*

The Deputy Chief Executive Officer (DCEO) provided the following responses:

1. There are currently no plans to renovate the town beach toilets which were renovated 4-5 years ago. The toilets are past their used by date and should be replaced in due course. He advised it will be discussed with Council for consideration into planning for the next financial year.
2. He advised he will arrange for Shire staff to investigate why the solar lights are not working as soon as possible.
3. The Shire is happy to plant additional coconut palms in this area and will discuss further with Mr Short.

The Shire President opened question time to gallery at 4.15pm

Question from Mr Brian Mortiss

Mr Mortiss referred to a previous question he raised at the February Council meeting; *Reid Street and Maley Street intersection is still not sealed after works completed. Not finished safely.*

The DCEO advised the awarding of the bitumen tender will be made during the April Ordinary Council meeting and it is the intention to have the bitumen trucks in Exmouth within 4 weeks. As part of this program this intersection will be prepared and resurfaced.

The DCEO apologised to the gallery for the delay in resurfacing this road was due to be completed in the road sealing program in 2017.

The Shire President closed public question time at 4.19pm.

5. DECLARATIONS OF INTEREST

Item/Description	Name	Detail of Interest	Extent of Interest
12.2.1 - Award Tender 04-2018 – Supply & Laying of Bitumen	Councillor Penfold	I have /occupy a lease at the Exmouth Aerodrome	Proximity
12.2.1 - Award Tender 04-2018 – Supply & Laying of Bitumen	Councillor Lake	I reside at 61 Preston Street, but have an interest in Hangar Lot 1 Exmouth Aerodrome.	Proximity
12.4.4 – Community Development Fund Application – Truscott Memorial Club	Councillor Mounsey	Member of Club	Impartiality

6. APPLICATIONS FOR LEAVE OF ABSENCE

The *Local Government Act 1995* (Section 2.25) provides that a Council may, by resolution, grant leave of absence to a member for Ordinary Council Meetings. A member who is absent, without first obtaining leave of the Council, throughout three consecutive Ordinary meetings of the Council is disqualified from continuing his or her membership of the Council.

Disqualification from membership of the Council for failure to attend Ordinary Meetings of the Council will be avoided so long as the Council grants leave prior to the member being absent. The leave cannot be granted retrospectively. An apology for non attendance at a meeting is not an application for leave of absence.

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 22 March 2018 be confirmed as a true and correct record of proceedings.

COUNCIL RESOLUTION

ITEM 7

Res No: 01-0418

MOVED: Cr Penfold

SECONDED: Cr Mounsey

That the Minutes of the Ordinary Meeting of the Shire of Exmouth held on the 22 March 2018 be confirmed as a true and correct record of proceedings.

CARRIED 6/0

8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS

Date	Activity	Councillor					
		Cr Niikkula	Cr Mounsey	Cr Dixon	Cr Lake	Cr Lucas	Cr Penfold
24/04/18	Opening of the Tantabiddi Travelling Gallery		✓		✓		
25/04/18	ANZAC Day Service	✓	✓		✓		
27/04/18	Gascoyne Zone Meeting via teleconference			✓			

- The Councillors made special thanks to the Executive team for the high level of information and reporting provided to them over past weeks during the various Strategic Community Plan and Business Planning workshops.
- Councillor Lake who attended the opening of the Tantabiddi Travelling Gallery, acknowledged and commended the confident shire staff team involved in putting the exhibition together in such a professional way.
- On behalf of the Shire of Exmouth, Councillor Lucas acknowledged those who assisted with the rescue of two young boys, lost at sea. To the Exmouth Sea Rescue, Police Department, community volunteers, local business owners, recreational boaters and all involved. A massive effort from all concerned with a great outcome.
- Councillor Mounsey thanked the Shire staff and Exmouth Cultural Arts staff involved in the opening of the Tantabiddi Travelling Gallery. He also congratulated all staff involved in the ANZAC day Dawn Service, and acknowledged the efforts of the Truscott Memorial Club for the ANZAC day activities planned at the Club.

9. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

The Shire President read the following to the gallery:

"It has certainly been a busy month of meetings and briefing sessions for the councillors as we begin piecing together our Community Strategic Plan, our Long Term Financial Plan and ultimately our first Annual Budget for the next year. I would like to publicly thank and congratulate not only the Executive Management, but their entire staff who have been involved in analysing and reporting to council during these last few months. Your new council has been pushing for a greater understanding of all aspects of shire operations, and have been briefed during multiple strategic meetings on how each of the Business units function. We have been provided with great detail about how we operate, what is typical, of course what is not, and how we could achieve better outcomes for our community. We still have many more of these sessions to come over the next few months, and I would like to acknowledge the professionalism, commitment and devotion that my fellow councillors have displayed on behalf of our community. I think we can all agree there is a lot more work involved than any of us anticipated.

In my official capacity, as President, I officially opened the new Sensory Garden Area at the Exmouth Playgroup, presented awards on behalf of the shire at the TAFE Annual Awards night, and attended Anzac Ceremonies at the High School and at the Dawn service yesterday, which I am sure all who turned up would agree, was one of the biggest Dawn services Exmouth has had.

We have our first official exhibition currently on display in the Travelling Gallery, which Deputy President Cr Mounsey Officially opened on Tuesday night. Hopefully this will be the first of many to use the facility, and congratulations to the 12 representatives from the Shire, TAFE and ECAC who undertook 2 days training on Exhibit Handling, providing the shire with the necessary accreditation to host such exhibitions into the future".

10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

11. MATTERS ARISING FROM COMMITTEES OF COUNCIL

Nil

12. REPORTS OF OFFICERS

DEVELOPMENT SERVICES

Councillor Penfold and Councillor Lake declared a proximity interested in the following report and left the Chambers at 4.34pm.

12.2.1 AWARD TENDER 04-2018 SUPPLY & LAYING OF BITUMEN

File Reference:	CM.TE.04.2018
Responsible Officer:	Deputy Chief Executive Officer
Date of Report:	10 April 2018
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. CONFIDENTIAL – Evaluation Report RFT 04-2018

PURPOSE

This report recommends that Tender 04/2018 for the Supply and Laying of Bitumen be awarded as per the recommendation in the Confidential Evaluation Report – RFT 04- 2018 (Attachment 1).

BACKGROUND

Resurfacing or resealing roads is part of the Council's asset preservation program which is funded by the Federal Governments Roads to Recovery Program. The preservation goal is to improve and restore the road surface and to prevent water ingress into the road foundation.

Bitumen seal hardens with age, cracks, loses stone and under such conditions progressively allows water into the road foundation. Bitumen spray seals provide a cost effective flexible layer over existing road surfaces or new foundations. This treatment involves spraying hot bitumen over the existing surface, quickly tipping a layer of stone on top and rolling the stone into the bitumen.

Bitumen based treatments are also known as flexible pavements because they can move and spring back under stress without cracking. This is essential to prevent traffic damage, to stop water undermining the road foundation and to provide a long road life. If the bitumen maintenance practice does not preserve the road foundation, then the road will slowly deteriorate until it has to be completely rehabilitated or reverts back to an unsealed road.

COMMENT

Local Government can purchase bitumen services through the WALGA Preferred Supply Panel. This acquisition process is permitted in the *Local Government Act 1995* (Functions and General) Regulation (s.3.57) "(b) the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA". Under the *Local Government (Functions and General) Regulations*, a tender exemption applies to WALGA's Preferred Supplier Contracts.

WALGA Preferred Supplier Program

- The WALGA preferred Supplier Program complies with the *Local Government Regulation 1996 (Function and General)*.
- Purchasing through WALGA means that you do not have to tender. A tender exemption applies to all of our Preferred Supplier Contracts. This saves on time, money and risks associated with tendering.
- All of our Contracts (WALGA) are established by procurement specialists using a rigorous public and compliant market process. WALGA preferred suppliers are pre-qualified to provide Members with the safeguard of a quality-assured process, legal compliance, probity, risk mitigation and security of supply.

23 companies received the tender document and 5 responded.

CONSULTATION

Western Australia Local Government Association (WALGA)
Main Roads WA

STATUTORY ENVIRONMENT

Section 3.57 of the *Local Government Act 1995 and the Local Government Regulation 1996 (Function and General) Part 4, Division 2 section 11 (2) (b)*.

The tenders will not be publically advertised but managed through the *WALGA Preferred Supply Program* as referenced in the *Local Government Regulation 1996 (Function and General) Part 4, Division 2 section 11 (2) (b)* negating the requirements of *Local Government Regulation 1996 Part 4, Division 2 section 14*.

POLICY IMPLICATIONS

Council Purchasing Policy 2.10

FINANCIAL IMPLICATIONS

This bitumen program is fully funded in the 2017/2018 Shire Budget. The budget is \$387,354.00 and the successful tendered rate was \$213,325.00 excluding GST (includes incidental works to be carried out at the Exmouth Aerodrome which is budgeted for under operating expenditure). Additional town streets will be added to the bitumen seal program to expend the project budget of \$387,354.00.

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2011-2021 and Corporate Business Plan 2016-2020.

- | | | |
|--------------|-----|---|
| Economic: | 1 | <u>To be a diverse and innovative economy with a range of local employment opportunities.</u> |
| | 1.5 | Maintain and improve Shire infrastructure. |
| Environment: | 2 | <u>To have a balanced respect for our environment and heritage, both natural and built.</u> |
| | 2.5 | To make Exmouth an attractive town that is a comfortable and welcoming place to live and visit, and reflects the lifestyle values and unique natural environment. |

- Civic Leadership: 4 To work together as custodians of now and the future.
4.2 A local government that is respected, professional, trustworthy and accountable.

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 12.2.1

That Council:

1. Award the contract for Tender 04/2018 as per the recommendation in the Confidential Evaluation Report at Attachment 1.
2. Should negotiations with the preferred tenderer not progress, the Chief Executive Officer is authorised to award the second ranked Tenderer, as per the Confidential Evaluation Report – RFT 04/2018, subject to the same stipulated agreement of terms; and
3. Record the recommendation for Tender RFT 04/2018 as provided in the Confidential Evaluation Report – RFT 04/2018 in the meeting minutes.

COUNCIL RESOLUTION

ITEM 12.2.1

Res No: 02-0418

MOVED: Cr Dixon

SECONDED: Cr Mounsey

That Council:

1. **Award the contract for Tender 04/2018 as per the recommendation in the Confidential Evaluation Report at Attachment 1.**
2. **Should negotiations with the preferred tenderer not progress, the Chief Executive Officer is authorised to award the second ranked Tenderer, as per the Confidential Evaluation Report – RFT 04/2018, subject to the same stipulated agreement of terms; and**
3. **Record the recommendation for Tender RFT 04/2018 as provided in the Confidential Evaluation Report – RFT 04/2018 in the meeting minutes.**

CARRIED 4/0

Deputy Chief Executive Officer announced the successful tenderer, Colas to the gallery.

Councillor Penfold and Councillor Lake returned to the Chambers 4.38pm.

COMMERCIAL AND COMMUNITY

12.3.1 COUNCIL SUPPORT FOR NINGALOO WHALESHARK FESTIVAL

File Reference:	CR.SP.0
Responsible Officer:	Executive Manager Commercial and Community
Date of Report:	12 April 2018
Applicant/Proponent:	Ningaloo Whale Shark Festival Inc.
Disclosure of Interest:	Nil
Attachment(s):	Nil

PURPOSE

This report recommends that Council supports the Ningaloo Whale Shark Festival, which will be held from 25 May to 27 May 2018. The request from the organising committee for Shire support includes the provision of fee-waivers and in-kind assistance.

BACKGROUND

The Ningaloo Whale Shark Festival is held every year in the last week of May and is one of the biggest annual events in Exmouth. The festival has been very successful over many years, attracting visitor and participants from Exmouth but also many tourists who join the festivities. The Committee has requested Council support and the use of Council facilities for this year's event.

COMMENT

Over the years, the Shire has supported the Festival in various ways, including staff assistance, additional programming and activities, materials and waiver of fees and charges. The Shire also has a staff member on the organising Committee to streamline shire support and input.

Council Officers consider that this event will have a positive social impact on the local community. It provides a focal point for activities, an opportunity for Exmouth's clubs and associations to fundraise and local talent to perform over the course of the event. However the economic impact of the event has not been formally measured, as it has for other major events the Shire supports. In consideration of the above it is recommended that Council support the request from the Committee for assistance and provides a full fee waiver as part of its sponsorship to the 2018 Ningaloo Whale Shark Festival. In addition it is recommended that Council also request the Ningaloo Whaleshark Festival Committee put in place a process to formally quantify the economic value of the event to the local economy.

In accordance with Council Policy 4.2 - Sponsorships, Donations and Waiver of Fees, any waiver of Councils adopted Fees & Charges for an event is considered a 'Non-cash Contribution' to that event. The Policy also provides that "An Exmouth Event Sponsorship may be provided in cash, non-cash or a combination of these to the maximum combined value per financial year of \$1,500 per organisation."

"Any Sponsorship proposals over \$1,500 may be determined by Council. The actual Event Sponsorship contribution will be determined on a case-by-case basis."

The requested fee waiver and in kind support amounts to \$9295.30 and therefore requires approval by Council.

In return for its support, Council may request that this financial support be recognised and the Council be acknowledged as a major sponsor of the event.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Shire Policy Council Policy 4.3 - Sponsorships, Donations and Waiver of Fees

FINANCIAL IMPLICATIONS

Council financial support for the Whale Shark Festival was previously approved as part of the 2017/18 adopted budget under E170749 Community Events and the level of support requested is within current available budget.

If the Council grant approval for the support as recommended, the following (estimated) amounts will be recorded as a non-cash contribution to the Whale Shark Festival Committee. The Shire contribution would equate to the following:

Whale Shark Festival Requested support	Fees	Staff cost	Total
Use Rec Centre (3x days @ \$43 per day)	\$129.00		\$129.00
Use Talanjee Oval (3 x days @ \$138.00 day)	\$414.00		\$414.00
Event Application fee	\$67.50		\$67.50
Oval Lights (11 x hrs @ \$26.25 per hr)	\$288.75		\$288.75
Extra bins whole Festival x 40	\$280.75		\$280.75
Staff assistance Talanjee Oval Friday set up 4 x 8hr \$56.25		\$1800.00	\$1800.00
Use of Mobile Toilets	\$674.00		\$674.00
Marking/managing sprinklers Oval 4 hr x \$56.25		\$225.00	\$225.00
Advertising on Community notice board 6 weeks @ \$3.25	\$19.50		\$19.50
Advertising on E notice board 6 weeks @ \$3.25	\$19.50		\$19.50
Generator hire delivery 6hr x \$174.05	\$1044.30		\$1044.30
Liquid waste 5 pump outs @5000L	\$4333.00		\$4333.00
Total	\$7,2070.30	\$2,025.00	\$9295.30

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2011-2021 and Corporate Business Plan 2016-2020.

- Economic:
- 1 To be a diverse and innovative economy with a range of local employment opportunities.
 - 1.3 *Diverse tourism opportunities.*

- Environment: 2 To have a balanced respect for our environment and heritage, both natural and built.
 2.3 *To have a town and community that takes pride in its world heritage status.*
 2.5 *To make Exmouth an attractive town that is a comfortable and welcoming place to live and visit, and reflects the lifestyle values and unique natural environment.*
- Social: 3 To be a dynamic, passionate and safe community valuing natural and cultural heritage.
 3.2 *Excellent lifestyle, recreational and cultural facilities.*
 3.3 *An inclusive, responsible and cohesive community.*
 3.4 *A community that is well informed and educated about our natural, cultural and built environment.*
 3.5 *Maintain and increase participation levels in local community organisations and clubs.*

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 12.3.1

That Council:

1. Grant the Ningaloo Whale Shark Festival Inc. in-kind support to the value of \$9295.30.
2. Advise the Ningaloo Whale Shark Festival Inc. that support for the Ningaloo Whale Shark Festival is subject to the Shire of Exmouth being acknowledged as a sponsor for the event.
3. Advise the Ningaloo Whale Shark Festival Inc that support is subject to the Committee undertaking analysis to quantify the value of the event to the community.

COUNCIL RESOLUTION

ITEM 12.3.1

Res No: 03-0418

MOVED: Cr Lucas

SECONDED: Cr Penfold

That Council:

- 1. Grant the Ningaloo Whale Shark Festival Inc. in-kind support to the value of \$9295.30.**
- 2. Advise the Ningaloo Whale Shark Festival Inc. that support for the Ningaloo Whale Shark Festival is subject to the Shire of Exmouth being acknowledged as a sponsor for the event.**
- 3. Advise the Ningaloo Whale Shark Festival Inc that support is subject to the Committee undertaking analysis to quantify the value of the event to the community.**

CARRIED 6/0

CORPORATE SERVICES

The following reports were moved en bloc 12.4.1, 12.4.2, 12.4.3 and 12.5.1

12.4.1 FINANCIAL STATEMENTS FOR PERIOD ENDING 31 MARCH 2018

File Reference:	FM.FI.0
Responsible Officer:	Executive Manager Corporate Services
Date of Report:	11 April 2018
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Monthly Financial Report as at 31 March 2018

PURPOSE

This report recommends Council accepts the financial reports for the financial periods ending 31 March 2018.

BACKGROUND

The provisions of the *Local Government Act 1995* and associated Regulations require a monthly financial report is presented at an ordinary meeting within 2 months of the period end date.

COMMENT

Council adopted the 2017/18 Budget Review at the Ordinary Council Meeting held on 22 March 2018 (Council Resolution 09/0318) which resulted in a net budget surplus of \$915,626 as a result of movement on the revenue and expenditure.

Council also resolved that the end year surplus be directed in reserves for the preservation of assets.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Sections 6.4 of the *Local Government Act 1995* provides for the preparation of financial reports.

In accordance with Regulation 34 (5), a report must be compiled on variances greater than the materiality threshold adopted by Council of \$10,000 or 10% whichever is greater. As this report is composed at a program level, variance commentary considers the most significant items that comprise the variance.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2011-2021 and Corporate Business Plan 2016-2020.

Civic Leadership: 4 To work together as custodians of now and the future.
4.2 *A local government that is respected, professional, trustworthy and accountable.*

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION**ITEM 12.4.1**

That Council receives the Financial Report for the financial periods ending 31 March 2018.

COUNCIL RESOLUTION**ITEM 12.4.1**

Res No: 04-0418

MOVED: Cr Niikkula

SECONDED: Cr Mounsey

That Council receives the Financial Report for the financial periods ending 31 March 2018.

CARRIED 6/0

12.4.2 LIST OF ACCOUNTS FOR PERIOD ENDING 31 MARCH 2018

File Reference:	FM.FI.0
Responsible Officer:	Executive Manager Corporate Services
Date of Report:	11 April 2018
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. List of Accounts for period ending 31 March 2018

PURPOSE

To advise Council of payments made since the previous Ordinary Council Meeting.

BACKGROUND

It has been customary practice that whilst being a leader in the community, we meet our terms of credit as established between suppliers and aspire to obtain discounts where practicable. Payments have been approved by authorised officers in accordance with agreed delegations and policy frameworks.

COMMENT

Council has given delegated authority that allows the Chief Executive Officer to approve payments from Council's bank accounts either via cheque or through electronic lodgement.

March Payments

Municipal Fund	totalling \$567,812.31 Incorporating cheques, direct debits, electronic payments and credit cards.
Trust Fund	totalling \$14,034.98 Incorporating electronic payments.
Total March Payments	\$581,847.29

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Payments are to be made in accordance with Part 6, Division 4 of the *Local Government Act 1995* and as per the *Local Government (Financial Management) Regulations 1996*. Payments are to be made through the municipal fund, trust fund or reserve funds. Payments are to be in accordance with approved systems as authorised by the Chief Executive Officer.

POLICY IMPLICATIONS

Staff are required to ensure that they comply under Council Policy 2.10 – Purchasing Policy and 2.17 – Regional Price Preference Policy (where applicable) and that budget provision is available for any expenditure commitments.

FINANCIAL IMPLICATIONS

Payments are made under delegated authority and are within defined and approved budgets. Payment is made within agreed trade terms and in a timely manner.

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2011-2021 and Corporate Business Plan 2016-2020.

Civic Leadership: 4 To work together as custodians of now and the future.
4.2 *A local government that is respected, professional, trustworthy and accountable.*

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

ITEM 12.4.2

That Council pursuant to Sections 6.7 and 6.9 of the *Local Government Act 1995* receives the report of payments made from the Municipal and Trust bank accounts during the month of March 2018 (*totalling \$581,847.29*).

COUNCIL RESOLUTION

ITEM 12.4.2

Res No: **05-0418**

MOVED: **Cr Niikkula**

SECONDED: **Cr Mounsey**

That Council pursuant to Sections 6.7 and 6.9 of the *Local Government Act 1995* receives the report of payments made from the Municipal and Trust bank accounts during the month of March 2018 (*totalling \$581,847.29*).

CARRIED 6/0

12.4.3 2016/17 FINANCIAL STATEMENTS- AUDITORS OPINION

File Reference:	FM.AD.2017.2018
Responsible Officer:	Executive Manager Corporate Services
Date of Report:	27 March 2018
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Letter to Minister

PURPOSE

That Council note the letter sent to the Minister concerning the significant finding in the Auditors Report on the 2016/17 Financial Statements.

BACKGROUND

Section 7.12A of the *Local Government Act 1995* outlines the duties of Local government with respect to audits. It states that local government must prepare a report addressing any matters identified as significant by the auditor in the audit report and stating any action to take with respect of those matters. A copy of that report is to be sent to the Minister within three months after the audit report is received by the local government.

As the 2016/17 Financial Statements were not qualified by the auditor, clarification was sought from the Department of Local Government on what they may deem to be significant in the auditor's management report. Their advice was that the matters raised concerning Registers and Year-end audit readiness and efficiency are the matters that should be drawn to the Minister's attention.

The advice also provided that the letter can be prepared and submitted by the Chief Executive Officer and that it be tabled at Council for information.

COMMENT

The matters raised in the Moore Stephens audit report have been addressed and processes are now in place to ensure that these issues will not be repeated.

CONSULTATION

Department of Local Government – Compliance Manager

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 7.12A (3), (4) & (5)

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2011-2021 and Corporate Business Plan 2016-2020.

Civic Leadership: 4 To work together as custodians of now and the future.

4.2 *A local government that is respected, professional, trustworthy and accountable.*

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 12.4.3

That Council receives the letter to the Minister and notes the actions taken by the Management in addressing the matters raised by the Auditor.

COUNCIL RESOLUTION

ITEM 12.4.3

Res No: 06-0418

MOVED: Cr Niikkula

SECONDED: Cr Mounsey

That Council receives the letter to the Minister and notes the actions taken by the Management in addressing the matters raised by the Auditor.

CARRIED 6/0

12.4.4 0

File Reference:	RC.LI.38
Responsible Officer:	Executive Manager Corporate Services
Date of Report:	10 April
Applicant/Proponent:	Truscott Memorial Club
Disclosure of Interest:	Nil
Attachment(s):	1. CONFIDENTIAL Community Development Application Fund (Loan)

PURPOSE

The Truscott Memorial Club have submitted an application for a Loan under the Community Interest Free Loan (Reserves) program.

BACKGROUND

The Truscott Memorial Club is requesting a loan under the above program for the purposes of major and minor restoration work of a capital nature on the club building, which includes repairs to the roof, recladding of external walls and refurbishing of the façade and fascia. On a visit to the club it is noticeable that these works are of a high priority due to their current state.

COMMENT

The Shire currently has a Policy No 2.2 – Interest Free Loans to Clubs & Organisations and within this policy there are certain criteria that must be met by any clubs or organisations seeking loans from the Shire.

In addressing the criteria it is noted that:

- The Truscott Memorial Club is a community based organisation with local ratepayers as members. The club appears to be well established community organisation and has been in existence for several years.
- The club provides an alternative venue to other facilities within the Shire such as local hotels and tavern.
- The club has previously had two interest free loans through the Shire being one for a kitchen upgrade between 2005-2011 and recently a \$20K loan for the cool room upgrade and paid back at \$5K a year over 4 years.
- As such the club has a proven history of meeting its payments/commitments.
- The club has a sound balance sheet backed by substantial asset holdings. The club has improved its financial operations from a loss in 2015/16 of \$22,656 to a surplus of \$11,223 in 2016/17 as a result of a 6.23% increase in income and a decrease in expenses of 10% mainly as a result of a reduction in wages.
- The liquidity ratio is 1.125 which means that the club has sufficient current assets to meet its current liabilities.

- It was noticed that the club operates on a bank overdraft approved by the bank and discussions with the bookkeeper advise that they manage within the limits of the overdraft.
- It was advised by the club that the recent summer was not as profitable as in the past but they are anticipating that the peak period will be similar to previous years.
- The loan requested is for \$60,000 plus an administration fee of \$2,000 which they have requested to be paid back over 10 years.
- The club has advised that if approved the repayments would be scheduled over the peak months between March to October.

CONSULTATION

Truscott Memorial Club

STATUTORY ENVIRONMENT

Local Government Act 1995, Division 4, Section 6.8

6.8 Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure –

(a) is incurred in a financial year before the adoption of the annual budget by the local government; or

(b) is authorised in advance by resolution; or*

(c) is authorised in advance by the mayor or president in an emergency

POLICY IMPLICATIONS

Policy 2.2 Interest Free Loans to Clubs & Organisations.

FINANCIAL IMPLICATIONS

Loan to be met from the Community Interest Free Loan Reserve - \$60,000. The current balance of this reserve is \$365,000.

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2011-2021 and Corporate Business Plan 2016-2020.

Social:	3	<u>To be a dynamic, passionate and safe community valuing natural and cultural heritage.</u>
	3.2	<i>Excellent lifestyle, recreational and cultural facilities.</i>
	3.5	<i>Maintain and increase participation levels in local community organisations and clubs.</i>
	3.7	<i>Residents and visitors have access to appropriate services and facilities to enhance their health and wellbeing.</i>

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION**ITEM 12.4.4**

That Council:

1. Approve the application for a loan of from the Truscott Memorial Club of \$60,000 from the Community Interest Free Loan Reserve.
2. That the loan be paid back over 10 years at \$6,000 per year with an administration fee of \$2,000 that can be apportioned over the 10 year period.
3. That the Truscott Memorial Club produce a current profit and loss statement within three weeks of a request being made by the Council.

COUNCIL RESOLUTION**ITEM 12.4.4****Res No: 07-0418****MOVED: Cr Lucas****SECONDED: Cr Lake**

That Council:

1. **Approve the application for a loan of from the Truscott Memorial Club of \$60,000 from the Community Interest Free Loan Reserve.**
2. **That the loan be paid back over 10 years at \$6,000 per year with an administration fee of \$2,000 that can be apportioned over the 10 year period.**
3. **That the Truscott Memorial Club produce a current profit and loss statement within three weeks of a request being made by the Council.**

CARRIED 6/0

12.4.5 REQUEST FOR UNBUDGETED EXPENDITURE – PALTRIDGE MEMORIAL SWIMMING POOL FIRST AID ROOM, OFFICE AND KIOSK

File Reference:	CP.US.1.2017.2018
Responsible Officer:	Deputy Chief Executive Officer
Date of Report:	10 April 2018
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	<ol style="list-style-type: none"> 1. E-quotes – RFQ 06-2018 – Paltridge Memorial Swimming Pool First Aid Room & Kiosk Upgrade 2. Building Alterations Site Plan

PURPOSE

Council approval to incur unbudgeted expenditure to conduct renovations to the Paltridge Memorial Swimming Pool first aid room, office and kiosk is being sought with funds being secured via transfer of \$14,403 from the Swimming Pool Reserve.

BACKGROUND

In December 2017 the Shire of Exmouth completed a Gascoyne Regional Grants Scheme project. The project was jointly funded by the Gascoyne Development Commission (GDC) Regional Grants Scheme, Department of Sports and Recreation (DSR) Community Pool Revitalisation Grant, Exmouth Amateur Swimming Club and the Shire of Exmouth. An overall outline of each contribution is below:

Contributor	Amount \$
Gascoyne Development Commission	105,886
Department Sports and Recreation	64,000
Exmouth Amateur Swimming Club	18,000
Shire of Exmouth	9,924

The project was completed under budget with an excess of \$27,597 remaining and ahead of schedule with the project completion date set for the 15 May 2018. The remaining funds are considered to be part of the DSR grant contribution and approval has been given from DSR for the funds to be used on an additional capital project.

The regulation and management of public swimming pools is governed by the *Health (Aquatic Facilities) Regulations 2007* and the Code of Practice for the Design, Construction, Operation, Management and Maintenance of Aquatic Facilities. Under the classifications of pools the Paltridge Memorial Swimming Pool is a Group 1 facility and has to meet all the Codes of Practice relating to a Group 1 facility.

Part of this is the requirement for first aid facilities to have a separate room or area containing:

1. Resuscitation Notice
2. Examination Couch

3. Hand wash basin with reticulated potable water
4. Communication system
5. One GPO outlet
6. Work bench for the preparation or the cleaning and sterilisation of items used in first aid treatment.
7. Storage for first aid supplies and equipment.
8. Washable flooring.

The current pool first aid room is shared with the office and the closest available sink is used for water testing and staff kitchen. The area isn't considered suitable for the current purpose and the intention was to use the remaining funds to improve on the compliance in this area.

The intention is to enclose the current entry, move the office and kiosk along and have a dedicated first aid room as per the attached plan (Attachment 1). A request for quote was submitted to e-quotes on 19 March 2018, closing on the 2 April 2018 (Attachment 2).

COMMENT

Only one quote was received to the value of \$42,000 exc GST, exceeding the budgeted amount by \$14,403 from CJ Lord Building and Renovations. Consultation with CJ Lord Building and Renovations to see what could be removed from the quote to reduce the cost of the build could still not reduce the overall cost below the budgeted amount, without compromising the original intention of the build or the build being staged out over a period of time.

If the DSR funds aren't expended they will have to be returned. The proposed use of the Swimming Pool Reserve reflects the intention of the reserve which is for swimming pool upgrades. The balance of the reserve currently sits at \$429,445.

CONSULTATION

Department of Sport and Recreation
CJ Lord Building and Renovations

STATUTORY ENVIRONMENT

Local Government Act 1995, Division 4, Section 6.8

6.8 Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure –

(a) is incurred in a financial year before the adoption of the annual budget by the local government; or

(b) is authorised in advance by resolution; or*

(c) is authorised in advance by the mayor or president in an emergency

POLICY IMPLICATIONS

2.7 Purchasing Policy

FINANCIAL IMPLICATIONS

	\$
Swimming Pool Reserve	429,445
Proposed Drawdown from Reserve	14,403
Balance	415,042

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2011-2021 and Corporate Business Plan 2016-2020.

- Economic: 1 To be a diverse and innovative economy with a range of local employment opportunities.
 1.5 *Maintain and improve Shire infrastructure.*
- Social: 3 To be a dynamic, passionate and safe community valuing natural and cultural heritage.
 3.7 *Residents and visitors have access to appropriate services and facilities to enhance their health and wellbeing.*
- Civic Leadership: 4 To work together as custodians of now and the future.
 4.2 *A local government that is respected, professional, trustworthy and accountable.*

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 12.4.5

Council approval as per *Local Government Act 1995* Section 6.8, to incur unbudgeted expenditure to conduct renovations to the Paltridge Memorial Swimming Pool first aid room, office and kiosk with funds being secured via transfer of \$14,403 from the Swimming Pool Reserve.

COUNCIL RESOLUTION

ITEM 12.4.5

Res No: 08-0418

MOVED: Cr Mounsey

SECONDED: Cr Dixon

Council approval as per *Local Government Act 1995* Section 6.8, to incur unbudgeted expenditure to conduct renovations to the Paltridge Memorial Swimming Pool first aid room, office and kiosk with funds being secured via transfer of \$14,403 from the Swimming Pool Reserve.

CARRIED 6/0

ITEMS FOR INFORMATION ONLY

12.5.1 ITEMS FOR INFORMATION ONLY

PURPOSE

To advise Council of the information items for February 2018 as listed below.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION

ITEM 12.5.1

That Council note the following information items:

Register of Documents Stamped with the Shire of Exmouth Common Seal

The documents, as listed below, that have been stamped with the Common Seal of the Shire of Exmouth since the last meeting.

DATE	DOCUMENT
14/03/18	Licensed Electrical Contract between Shire of Exmouth and Dalglish Enterprises t/a ERA Contractors (x2) Council Decision 10-0218.
14/03/18	Licensed Plumbing and Drainage repairs and Licensed Gas Repairs between Shire of Exmouth and EXY Plumbing and Contracting (x2) Council Decision 10-0218.
14/03/18	Lease of Crown Land R32867 between the Shire of Exmouth and Norwest Airworks (x3) Council Decision 13-0713.
14/03/18	Removal of expired lease – Lot 73 on DP 211885 (x3) Council Decision 13-0713.
11/04/18	Licensed Air Conditioning between Shire of Exmouth and Network Power Solutions (x2) Council Decision 10-0218.

Concessions on Fees for Council Facilities

A summary of all concessions on fees for Council's facilities and services under Section 4.1 of the *Register of Delegations of Authority from Council to the CEO and Other Officers* since the last Ordinary Council Meeting.

NAME	REASON	AMOUNT (exc GST)
Exmouth District High School	Hire of Ningaloo Centre Community Centre for 2017 School production, multiple days and times during Nov-Dec 2017	\$1,224.00
Exmouth PCYC	Hire of oval for Junior Cricket Tuesdays 5:30-6:30pm, 9 days @ 1 hr	\$166.50

Building Decisions Issued

A summary of the building licence and building certificate applications and approvals made under Delegation pursuant to the *Building Act 2011* up to 31 March 2018.

App #	Date Received	Lot	Property Address	Description	Decision	Decision Date
17/111	28/11/17	47	3 Searaven Crescent	Fence	Pending	
17/113	6/12/17	73	43 Kennedy Street	Steel framed carport	Pending	
18/3	12/01/18	315	27 Gnulli Court	New Dwelling	Pending	
18/05	6/02/18	53	7 Inggarda Lane	New Construction Two Storey Steel Framed Dwelling	Approved	2/03/18
18/12	07/02/18	1277	2 Seawolf Circle	Side Fence	Pending	
18/17	06/03/18	467	21 Osprey Way	Single Storey Dwelling	Approved	9/04/18
18/18	12/03/18	437	37 Fitzhardinge Street	Alterations/Addition Verandah Upgrade	Pending	
18/19	15/03/18	8	106 Madaffari Drive	New Dwelling	Pending	
18/20	15/03/18	443	30 Stokes Hughes Street	New Construction Steel Framed Boundary Fence	Pending	
18/22	15/03/18	111	Thresher Street	New Construction Industrial Shed, Office and Caretakers	Pending	

Planning Decisions Issued

A summary of the planning decisions issued under delegation up to 31 March 2018.

App #	Date Received	Lot	Property Address	Description	Decision	Decision Date
PA70/16	13/06/16	2	Yardie Creek Road	Additional Camping Sites	ON HOLD - Pending information from Applicant	
PA112/16	25/08/16	1586 & 1587	164 Lyndon Location	Nature Based Park - Exmouth Gulf Pastoral Station	ON HOLD - Pending information from Applicant	
PA44/17	28/02/17	831	7 Pelias Street	Storage Unit	ON HOLD - Pending information from Applicant	
PA45/17	28/02/17	141	7 Dugong Close	Dwelling	Processing – Pending Information from Applicant	
PA174/17	20/12/17	378	28 Corella Court	New Dwelling	Approved	20/03/18
PA07/18	15/01/18	1359	9 Redfin Court	Change of Use	Pending	
PA10/18	19/01/18	501	Lot 501 Lefroy Street	Strata Subdivision	Approved	4/04/18
PA12/18	30/01/18	43	11 Searaven Crescent	Single Dwelling	Pending	
PA13/18	2/02/18	500	1 Nimitz Street	Carport	Pending	
PA15/18	9/02/18	1112	Murat Road	Carport and Patio	Approved	27/03/18
PA17/18	4/02/18	459	10 Osprey Way	Gazebo	Approved	6/04/18

PA19/18	2/02/18	315	27 Gnulli Court	Single Dwelling	Approved	13/03/18
PA21/18	21/02/18	475	7 Osprey Way	Carport Extension and Balcony Extension	Pending	
PA29/18	09/03/18	267	25 Christie Street	New Carport	Pending	
PA34/18	23/03/18	23	146 Madaffari Drive	Residence and Carport	Pending	
PA35/18	27/03/18	789	5 Jones Place	Single residential + single outbuilding (existing)	Pending	

Permits Issued Under the *Local Government Act 1995*, Local Government Property Local Law.

App	Date Received	Description	Date Issued
PA27/18	6/03/18	The Lost Shipp Food Van	22/03/18
PA28/18	7/03/18	Wedding	3/04/18
PA30/18	9/03/18	Raffle Tickets – Fundraiser	22/03/18
PA31/18	15/03/18	Press and Restore Food Van	3/04/18
PA32/18	16/03/18	Anglican Dawn Service – Vlaming Head Lighthouse	19/03/18
PA33/18	21/3/18	Semi-Trailer Truck - Butcher	11/04/18

OFFICER'S RECOMMENDATION

ITEM 12.5.1

That Council note the following information items:

- Register of Documents Stamped with the Shire of Exmouth Common Seal;
- Concessions on Fees for Council Facilities for March 2018;
- Building Decisions Issued up to 31 March 2018; and
- Planning Decisions Issued up to 31 March 2018.

COUNCIL RESOLUTION

ITEM 12.5.1

Res No: 09-0418

MOVED: Cr Niikkula

SECONDED: Cr Mounsey

That Council note the following information items:

- **Register of Documents Stamped with the Shire of Exmouth Common Seal;**
- **Concessions on Fees for Council Facilities for March 2018;**
- **Building Decisions Issued up to 31 March 2018; and**
- **Planning Decisions Issued up to 31 March 2018.**

CARRIED 6/0

13. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

Nil

15. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS

Nil

16. CLOSURE OF MEETING

The Shire President declared the meeting closed at 4.49pm.