

Shire of Exmouth

ORDINARY COUNCIL MEETING

MINUTES



24 September 2020

CONFIRMATION OF MINUTES

I hereby certify that the Minutes and Attachments of the Ordinary Council Meeting held on the 24 September 2020 are a true and accurate record of the proceedings contained therein.

.....
Matthew Niikkula
Shire President

.....
22/10/2020

.....
Dated

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MINUTES

Our Vision To be a prosperous and sustainable community living in harmony with our natural environment.

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

Our Strategic Objectives

- Diversify and grow our economy in a manner that provides year round employment opportunities
- To protect and value our unique natural and built environment as we grow our economy.
- To be a vibrant, passionate and safe community valuing our natural environment and unique heritage
- To provide open transparent, accountable leadership working in collaboration with our community.

1. **DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS**

The Shire President declared the meeting open at 4.00pm.

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 thanked the gallery for their attendance and advised 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 B (Ben) Dixon	Deputy Shire President
Councillor G (Gary) Mounsey	
Councillor H (Heather) Lake	
Councillor M (Mark) Lucas	
Councillor A (Anne) McCarrol	
Mr C Woods	Chief Executive Officer
Mr M Richardson	Executive Manager Development Services
Mr M Bird	Executive Manager Commercial and Community
Mr G Coetzee	Executive Manager Corporate Services
Ms Head	Minute Clerk

GALLERY 20

APOLOGIES Nil

LEAVE OF ABSENCE Nil

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTIONS TIME

The following 3 public questions were received prior to the meeting:

Received from Mr Grant Griffin

What is the land tenure of where the cameras are installed?

What is the legality of these cameras where they are located?

The Chief Executive Officer advised this is now a police matter. The proponent has no approval from the Shire to install these cameras.

This is State land vested and controlled by the Shire; A permit or permissions are required from the Shire and the proponent did not seek the required approvals.

Received from Helen Jessop

The first point I make is that amendments to the Corporate Business Plan appear to be aimed at attracting the mining sector and other industrial players rather than responding to what locals have consistently asked for.

There's mention here about giving over land on Nimitz Street for miners. (3.1.1)

There's an amendment to make a deepwater port near the LIA a Shire policy. (1.3:2). Now that we're getting to see what Gascoyne Gateway has in mind at Qualing Pool, that's a real worry.

There's also 2.1.2 which concerns stakeholder engagement in environmental matters.

This revision suggests that in relation to environmental issues, Shire will not involve local stakeholders and refer only to "relevant authorities". The Shire will no longer need to maintain a stakeholder list. I presume that would include the Cape Conservation Group, the Care Group, the Community Garden, the local chapter of Sea Shepherd and other groups dedicated to the environment. These groups would have no automatic input on environmental issues. I also imagine that would also include effected residents of big industrial developments -like the Davies and Devereux families who are now confronted with Gascoyne Gateway.

These are just examples of amendments that tip the balance against ordinary locals and our beautiful environment and lifestyle in favour of big corporations from outside.

So my question is, Does Council want Exmouth to become another mining town, and if so, how will it be possible to maintain World Heritage values and preserve our lifestyle?

Councillors, I don't believe you want to wreck our town and our environment, so I move that amendments to the Corporate Business Plan be deferred until there's proof that they reflect what locals really want.

The Shire President provided the following response:

I don't believe Council wants Exmouth to become a mining town, we all live here because we love it here.

Yes, Council does want to maintain world heritage values and preserve our lifestyle, and Council works very hard on and spends a lot of money on this issue.

No Council does not want to wreck our town and environment.

The Corporate Business Plan is a huge document, the amendments today are only a part of the Corporate Business Plan, not the whole document, if it hasn't appeared in the agenda to day it hasn't been changed or adjusted.

The Chief Executive Officer provided the following clarification around Community Priority 2.1.2. This priority and the actions regarding the development of a comprehensive stakeholder list including community organisations with an interest in the environment has become embedded as an operational process. This is the reason it has been deleted as a target. It is now an operational practice rather than a target.

Question 3: Ken Downs.

I understand both Phil Davies and Kristy Devereux will be making a presentation in relation to Council Agenda Item 12 and particularly Outcome 1.3.2. However, I would like to touch on some of the other revised actions that may not be covered by them.

In particular items: -

1.1.2 Integrated development plan jointly funded with DOD – What sort of plan?

The Shire President provided the following response:

Following a meeting with Federal Minister of defence after inspection of all Exmouth defence facilities Navy, Airforce and Army, they advised they will be putting together a blue print of what Exmouth defence may look like in the next 20-30 years. They invited the Shire to have a seat at the table along with other government departments; working together which was instigated by the Federal Minister.

1.1.3 Lobby for the essential infrastructure necessary for business growth- what scale what scope?

The Shire President provided the following response:

This allows the Shire on behalf of the community, to lobby State and Federal government to make sure infrastructure is up to date for businesses to survive and grow in Exmouth. This action relates to roads, waste water treatment plant, energy and water infrastructure.

1.3.2 Deep water Port – on scale Gascoyne Gateway limited propose?

The Shire President provided the following response:
This is Gascoyne Gateway proposal is not a Shire proposal.

2.1.1 – 100% renewable sources-what does that look like"? Thousands of solar panels surrounding the town? Hundreds of wind powered generators on top of the ranges? Tidal turbines with huge infrastructure both on and offshore?

The Shire President provided the following response:
This has been instigated by Horizon Power and the Shire is working with them to make Exmouth 100% renewable because of the location of Exmouth. They have funding from state and federal government to investigate how Exmouth could become 100% renewable.

The Chief Executive Officer provided the following response:
Modelling in the early stages suggests that 2 to 4 wind turbines and 6-7 hectares of solar panels. There is no plan as yet we are only starting the journey to become 100% renewable. Once the final draft plan is available the community will be consulted as to the location of the renewables and the mix of renewables. Community feedback will influence the final design.

Council and community are 100% behind being 100% renewable.

*Are Councillors aware that if approved and when taken advantage of by a compliant developer could lead to a precedent being set that cannot be undone and lead to large scale industrialisation of Exmouth?
Do we want or need to become another Karratha or Port Hedland?*

I would implore all Councillors to beware what you wish for and beware what you vote for.

5. DECLARATIONS OF INTEREST

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

That the Minutes and associated attachments of the Ordinary Meeting of the Shire of Exmouth held on the 27 August 2020 be confirmed as a true and correct record of proceedings.

COUNCIL RESOLUTION

ITEM 7

Res No: 01-0920

MOVED: Cr Lucas

SECONDED: Cr Lake

That the Minutes and associated attachments of the Ordinary Meeting of the Shire of Exmouth held on the 27 August 2020 be confirmed as a true and correct record of proceedings.

CARRIED 6/0

Shire President thanked Deputy Shire President Dixon for chairing this meeting, which was handled very well.

8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS

<p>Councillor Lake</p>	<p>"31/08/2020</p> <p><u>Resilient Reefs</u></p> <p><i>I joined a working group facilitated by Joel Johnson from Department of Biodiversity, Conservation and Attractions. Ningaloo Reef is one of 5 World Heritage listed reefs to attract \$1Mil in seed funding to implement programs and strategies to help our reef survive global warming and other local factors.</i></p> <p><i>My specific working group focussed on the management of environmentally sustainable visitation to Ningaloo.</i></p> <p><i>Others workshopped topics of "Sustainable development, livelihoods and lifestyles" and "Preserving our natural assets"</i></p> <p><i>Work shopped suggestions included:</i></p> <ul style="list-style-type: none"> • <i>A small visitor levy to fund programs to help our reefs to be more resilient.</i> • <i>DBCA to work more with visitors to educate them on sustainable environment interaction.</i> • <i>To offer other terrestrial tours and facilities to visitors that would ease the pressure on the reef</i> • <i>For those in Exmouth to be better leaders that encourage values that will protect our World Heritage area.</i> <p>02/09/2020</p> <p><u>Bundegi/Jurabi Coastal Area</u></p> <p><i>This meeting was really productive with a number of issues raised and discussed. One of the take-aways from this was the concept of jointly developing a 5-year operational plan to meet the regular management, capital improvements and regulatory responsibilities of both the Shire and DBCA that will protect our coastal environment.</i></p>
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03/09/2020

Ningaloo Lighthouse Resort

Presentation of Ningaloo Lighthouse Resort development plan
by John Hartman of Tattarang (the slowest horse in history)

The presentation predominantly covered the construction of the Ningaloo Lighthouse Resort on the existing footprint and on that of a neighbouring Lot 2 purchased some time ago. The schematic plans were transformed into poster sized virtual photographs of each area of the Resort.

07/09/2020

Oil & Gas Exmouth Community Reference Group

Attended another of the regular information sessions.

Presented by representatives of Santos, BHP and Woodside.

Matt Bird, the Shire's Exec. Manager for Corporate and Community gave a presentation on the recent position of the Shire and the effects of Covid-19 on our community. It was a great summary of how the Shire of Exmouth is recovering from the interruption to normal business because of the pandemic and highlighted the positive opportunities that they have encouraged the community to take advantage of.

Representatives from other Exmouth stakeholders and business facilitators also attended, contributing to the regular up-dates of activity in Exmouth that are beneficial to both oil & gas and Exmouth.

Santos are now producing 50% of Australia's gas and forecast that they will require more hot shot services in the 4 quarter of 2021.

Woodside

- a) is sponsoring some HF radar research on ocean currents off our west coast and have placed some radars near the turtle interp. Area.
- b) Working with Woodside the WA Museum have discovered 58 new species of WA down to a depth of 4,470 metres.
- c) Woodside have agreed to sponsor the ECCI to the value of \$240,000 over 3 years for the new Exmouth Business Accelerator Program the twill benefit all Exmouth Businesses.
- d) Woodside are continuing with the NETTS program (National Technician Training Schemes and. 6 students have applied from Exmouth.
- e) Announced grants are open now up to \$5,000

BHP

Provided an up-date to their off-shore activities. They have given \$75,000 to the ECCI for their objectives and the employment cost of a permanent Chamber of Commerce CEO to the value of \$250,000

08/09/2020

Attended the Council Corporate Plan Position Statement Workshop

09/09/2020

Kailis Fishery

Went to the Kailis Prawn Fishery presentation provided by a panel of industry and governing representatives together with Alex Kailis. It covered the history of the fishery through periods of remarkable and reduced catches all the way to its strategic

	<p><i>direction today reaching a Marine Stewardship Council (MSC) standard for sustainable fishing.</i></p> <p><i>10/09/2020</i> <u><i>Gascoyne Gateway</i></u> <i>Attended the Gascoyne Gateway presentation given by Michael Edwards regarding a deep-water port proposal.</i></p> <p><u><i>Exmouth Waste Working Group</i></u> <i>Later attended the Exmouth Waste Working Group meeting. Agenda items included the new Container Deposit Scheme (CDS) and the commencement of this program of collection on the 3rd Oct in Exmouth near the junction of Willersdorf Road and Murat Road. Other highlights were the final acquisition of the new rubbish truck and the Dior need for education of how to recycle, renew or prevent refuse.</i></p> <p><i>19/09/2020</i> <u><i>Turtle Releases at Town Beach</i></u> <i>Was present at the rehabilitated turtle releases at Town Beach conducted by Vet Jane Giliam and assisted by Local Member Vince Catania. The children there were brilliantly absorbed in this contribution to conservation of our wildlife.</i></p> <p><u><i>Football Grand Final</i></u> <i>Later in the day witnessed the thrilling Gascoyne Final Football match between Ramblers and the victorious Exmouth Eagles. This was the first Grand Final at Exmouth for 27 years. Final scores. 16 13 to 8 3.</i></p> <p><i>22/09/2020</i> <u><i>Council Brief on Ningaloo Tourism Advisory Group</i></u> <i>NTAG meeting - up-date on the composition of the Advisory Group and their 1st Meeting on the 21st October 2020</i></p> <p><u><i>ECCI Sundowner - Exmouth Business Accelerator</i></u> <i>ECCI sundowner at Mantarays Ningaloo Beach Resort. - Exmouth Business Accelerator - Presentation of the new Woodside & Mitsui funded project to support and grow local and new business".</i></p>
<p>Councillor McCarrol</p>	<p><i>Impressed by the community support and attendance with the Resilient Reefs and Waste Working Group meetings.</i></p>

9. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

The Shire President read the following to the gallery:

“Shortly after this new council was elected in 2017 we adopted our Strategic Community Plan – Exmouth 2030. The building of this plan took months of community consultation and workshops that investigated the ambitions, targets, needs and desires of our community. This document formed the basis of councils Corporate Business Plan, which identifies the community’s wishes and lists the actions that we propose to take in order to deliver on these objectives.

In order to prioritise and adequately fund the delivery of various projects, upgrades, and core business, we then needed to create a Long Term Financial plan that ensures we can afford what our community is requesting. Each year, we slice off a small part of this 10 year plan and build a budget by weighing up priorities with affordability, balancing the wants and needs with our ability to pay for them, without losing sight of the long term goals we were set. These are the documents that guide us.

Great plans in place, financial management under control and then bang... Covid-19. This Pandemic, if nothing else, highlighted to the world, the country, the state and our community that priorities can change overnight.

During the early stages of Covid-19, Council was forced to make changes to many of our position statements. None more than publicly Replacing “Visit Ningaloo” with “Please go Home”. This was done with the health and wellbeing of our community at the forefront of our thinking, but was stressful and heartbreaking for all involved. It exposed our reliance on tourism, travel and flights and forced many changes to our budgets, plans and priorities.

Over the next 6 months, Council will be conducting a review of our Strategic Community Plan and our Corporate Business Plan to ensure their relevance in a Covid-19 World. We will check in with the community through a satisfaction survey and assess what changes may be needed, not only in wants and ambitions, but also with what can be afforded. Council has spent countless hours post the Covid-19 Eruption discussing, debating and determining our current position on a huge number of important topics. Many of which we never saw coming less than 12 months ago.

A key necessity of successful guiding documents is ensuring they remain relevant. This upcoming review is not only timely, but extremely important to double check that our priorities are still in line with those of our community’s. These documents, when updated and relevant give great voice and strength to our requests for assistance from both State and Federal governments, for without these external funding opportunities, many of the community ambitions will never be properly delivered or resourced.

We have already started the process, and in tonight’s agenda we are making adjustments to certain parts of our Corporate Business Plan to reflect where we are at in delivering on the desires set out just a couple of years ago. Some actions have been met and need to be updated to continue with the next stage, and some actions, through changing circumstances are no longer relevant. This will remain a work in progress over the next few years as Exmouth continues to mature in a post-Covid world. Council

will no doubt have the requirement to have a position on many topics that we are not even aware of yet, and, of course, alter previous positions as new information, new priorities and new opportunities present themselves.

I am proud of how hard this council, and this team of Executives work to deliver on community expectations. It is far harder than most outside of local government could ever imagine. We are all in it for the good of Exmouth, and will continue to make the hard decisions that we were elected to make on behalf of our community.

10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

The Chief Executive Officer received the following deputation requests all of which are in relation to report 12.1.1 – Corporate Business Plan – Revision 2020/21.

- Phil Davies, Lot 301 Minilya Exmouth Road, Exmouth Wilderness Estate.
- Kristy Devereux, Lot 302 Minilya Exmouth Road, Exmouth Wilderness Estate.
- Denise Fitch, Chairperson Cape Conservation Group.

Phil Davies read the following deputation to Council:

"Hello everyone

Thanks to Matt and fellow Councillors for allowing me this opportunity to speak.

(I have made some copies of the Gascoyne Gateway brochure if anyone wants a look?)

I am a landowner in the Wilderness Estate and on behalf of others within the Wilderness Estate, we are very concerned about the Gascoyne Gateway Proposal to build a port and industrial precinct on the doorstep of our town and into Exmouth Gulf.

This proposal also seems to be linked to a section of the Cooperate Business Plan which I object to.

OUTCOME 1.3

ENABLE THE PROVISION OF ESSENTIAL INFRASTRUCTURE THAT WILL SUPPORT INVESTMENT AND DIVERSIFY OUR ECONOMY

I refer to point 1.3.2 and the revised action to

Lobby state government to fund a cruise berthing solution at the existing Marina site and work cooperatively for the development of multi user deep water port adjacent to the Mowbowra Industrial estate subject to meeting environmental requirements

This revision cannot be accepted as it is, and I ask the councillors to amend this revision please.

I believe these revised actions are.

- *Far too broad, leaving the Shire to support any potential development of any size or scale- and at what detriment to the town-*
- *They are site specific-*
- *It is supporting the possibility of two ports, with a cruise berthing solution at the marina and a deep-water port at Mowbowra.*

All the actions-in the revised action plan..... are for infrastructure concerning a berth or port.....is there any other options that could be considered to create multi use infrastructure that do not need a wharf?

As far as the Gascoyne Gateway Proposal goes.

It seems these guys have put this plan together sitting behind a desk in Perth and have no consideration for what a project of this magnitude will do to our community and environment.

For those that do not know, this proposal has lead agency status from the Government and is considered a significant project. Yet very few people in town know about it?

The proposed area is approximately 600 acres south of town between the Wilderness Estate and Mowbowra industrial area and encompasses Qualing pool, and also the west side of Minilya-Exmouth Road at the base of the range North and South of the current tip site.

They plan to dredge the gulf and envisage ships of up to 300 metres long and 12 metres of draught to be able to use it. They propose to deliver by 2024 a service to.

- *National freight and logistical support for break bulk cargoes*
- *Low volume/high value minerals export by container*
- *Recourse offshore vessels*
- *Defence and Australian border force capabilities*
- *Cruise liner berthing*
- *Fuel import and supply chain*
- *Bulk liquids storage*
- *Power and water generation.*

If you can see the map, the on-land footprint is huge, but I have little to no information of the wharf yet, only that it would need a water depth of approximately 16 metres.

Given the massive impact of the project both offshore and onshore. This will ultimately lead to the dredging and industrialisation of the Gulf and will have huge impact on the Environment and Exmouth as a whole.

- *This proposal also conflicts with the Exmouth South Structure Plan*
- *There will be higher volumes of traffic and people in an already overflowing town*
- *There will be light and noise pollution*
- *The land they are proposing to use is right next to the Wilderness Estate*
- *The proposed site is over World heritage subterranean water ways*
- *Will put increased truck movements and traffic on an already poor road system.*
- *There is potential loss of a popular beach, beach access and access to Qualing pool.*
- *The local CARE group would lose or have to relocate their rehabilitation compound.*
- *It puts fuel storage and power reserves right in the path of a light air strip*
- *There are sites of cultural significance in the proposed area.*
- *Potentially loading and unloading of ships 24 hours a day.*
- *Gascoyne Gateway have made no attempts to approach landowners of the Wilderness Estate or the Exmouth townsfolk- Landowners in the Wilderness Estate*

especially were shocked and upset to hear of this type of proposal, to be built adjacent to the Wilderness Estate.

The following points refer to the Exmouth South Structure Plan;

- *Qualing pool as potentially becoming a reserve*
- *Set aside an area of 100 metres wide on each side of the Minilya-Exmouth Rd from Learmonth Airport to Exmouth townsite to help maintain the landscape and sense of remoteness.*
- *Development on the Coast and foreshore- south of town should be generally avoided.*
- *The Wilderness estate is not recommended to expand due to potential landscape impact and reduced public access to coast.*

(the following info is based on my rough calculations and is by no means exact but will give you an idea of the scale). The current tip site is approximately 65 acres and this proposal is going to be approximately 600 acres. And that is only the land component.

Can you imagine what the scar on the landscape and environment would be, and will be seen by all as you drive into town.

I have been recently going to the Resilient Reefs Workshops which is trying to formulate a plan to protect, preserve and nurture our assets.

The workshops were great, and they themselves were looking at diversification of ideas that potentially have less impact on the reef and our coral systems. We should be trying to minimize our footprint and our impact.

There are already ports in the north west that can be utilised by these container ships and oil and gas companies.

I know a deep-water port has been discussed for very long time, but does Exmouth even want or need a deep-water port anymore. Perhaps this needs to be revisited?

At some point we need to remember why we love living in Exmouth and why it such a great town. Do we want to jeopardize what we have just for economic growth, to the detriment of the environment our town and the locals who live here?

We have not known about this proposal for very long but it us has been overwhelming and consuming for my family and I.

The sheer size and nature of the project and the proximity to where we live and the lack of knowledge to us, and everyone around us, is beyond what we can fathom.

Originally, I wanted to get this moved away from the Wilderness estate at all costs, but I am learning more about this each day and the more I learn, I am realizing that my family and I and lot of people I have spoken to don't want a deep water port in Exmouth. As pointed out before, it will be at the detriment of the environment, the Gulf and our town.

So, I ask Council, will you please remove the deep-water port in its entirety from the revised actions, in the Cooperate Business plan?

Or

Conduct a community survey to see if the Exmouth community even want a deep-water port?

Kristy Devereux read the following deputation to Council:

My question refers to the Corporate Business Plan Revision – specifically the wording of the revised action of Outcome 1.3.2 relating to the development of a deep-water port adjacent to the Mowbowra Industrial Estate (MIA).

I am asking Councillors to change the wording of the revised action relating to outcome 1.3.2 and remove the statement 'adjacent to the Mowbowra Industrial Estate' in the revised action.

The use of the word 'adjacent' is very ambiguous and either needs to be clearer in the context of the Business Plan or broadened to include areas not limited to 'adjacent to the Mowbowra Industrial Estate'. I interpret the word 'adjacent' as 'next to', which could mean the area north of the MIA or South of the MIA.

- *North would have a deep water port built on Industry zoned land (as per the 2019 Local Planning Strategy) and would neighbour the strategic industrial lots of the industrial area, an area that has been earmarked as a potential site for such a development in past plans;*
- *South would have a deep water port built on Subterranean Waterways and Aboriginal Sites & Heritage Places (as identified in the Exmouth South Structure Plan – Plan 5) and surrounded by private dwellings, on the northern boundary it would neighbour the composite precinct of the industrial estate made up of mixed use properties, where people live, and on its southern boundary it would neighbour the sole Residential properties of the Cape Wilderness Estate.*

The land North of the MIA and South of the MIA are two very different locations with very different consequences.

I have recently purchased Lot 302 of the Cape Wilderness Estate which shares a boundary with the Crown Land south of the MIA. When I signed my purchase paperwork a few weeks ago I agreed to several strict guidelines including:

The building envelope would not exceed 4,000m² and I would not clear outside of this building envelope – to ensure the vast majority of the land was left in its natural state for both the visual beauty and for the natural use of the native wildlife.

I am more than happy to abide by these guidelines because the reason I bought the house in the wilderness estate is for the incredibly unique lifestyle living there will offer my family. This is unique not just in Exmouth but throughout all of WA and quite possibly all of Australia. I never want to look out my window and see a deep water port, or any other industrial development 200m away ... no matter how pretty the developers try to make it, it will be a major industrial site right on my door step. This is the complete opposite of what the Shire promised the Cape Wilderness Estate would offer.

I am particularly concerned as I understand that Gascoyne Gateway Limited are planning to propose a significant deep-water port development on the crown land south of the MIA in the imminent future.

The Shire's Business Plan is an incredibly important document to help you as the Council and Shire to make measured decisions for the future of Exmouth. I feel getting the wording correct for the action 1.3.2 is absolutely crucial for the future of the Cape Wilderness Estate and Exmouth as a whole. Should the wording remain as it is now I am afraid it will open a door to major industry such as GGL to pursue the land south of the MIA understanding they would have the absolute backing of the Shire as per the wording of this Business Plan's actions. I strongly urge you to broaden the scope of locations to be considered and not limit it to just 'adjacent to the Mowbowra Industrial Estate'. Other locations have been formally identified in the past as potential sites that do not neighbour a wilderness estate. For instance, clause 5.4.4 of the Exmouth South Structure Plan identified the Kailis Site as a 'practical' potential site for such a development. The current wording of this action in the Business Plan would eliminate this, and any other, alternative site options.

I sincerely ask that you all think carefully about the significance of this wording and the possible consequences that may result. Exmouth as a Shire and a town have worked so hard to position and brand Exmouth as a premium tourist destination that offers unique and intimate interactions with nature, be that in the ocean or within the landscape. An industrial, deep-water port neighbouring a wilderness estate just 10km from the township will contradict all of that and will be incredibly detrimental to the brand of Exmouth as an authentic destination.

Denise Fitch, Chairperson Cape Conservation Group read the following deputation to Council:

"Thank you for the opportunity to speak to you today. My name is Denise Fitch. I'm a resident and ratepayer. I'm also Chairperson of the Cape Conservation Group, a volunteer community group with 64 members, and today I'll be speaking in that capacity. I'd like to speak to Agenda Item 12.1.1.

Nearly 3 years ago I made a presentation to Council on another matter that has some bearing on what we're dealing with today. Back then Council consisted of one unelected person, Mr Ian Fletcher. I spoke that day about a Scheme Amendment designed to support the construction of the Subsea 7 Pipe Fabrication Facility at Heron Point.

Subsea 7 is a major industrial development. From the outset, CCG has said it marks the first step in the industrialisation of Exmouth Gulf. Every aspect of its construction and operation is likely to have a significant impact on our community and on our special environment. So, this was quite a big planning change. The Shire had undertaken no community consultation about it. It was done behind closed doors. At the time only select members of the Exmouth community knew anything about it. We asked for a deferral of that Scheme Amendment until proper community consultation could be done, but the Council, in the form of Mr Fletcher, in caretaker mode, refused that request. He had the casting vote. Actually, it was the only vote.

This was not long after the previous Shire and Council had suffered adverse findings at the Crime and Corruption Commission. In the wake of those hearings, which brought a lot of shame to this community, there was a lot of talk about the new Shire committing to a culture of openness and transparency, about Council reflecting the will and aspirations of local people and not just serving the interests of mates and outside businesses. There was talk about not letting unelected staff drive an agenda without accountability.

So, many of us had high hopes things would be different this time around. I still believe they can be. I'm sure there are Councillors who are determined they should be.

But we still have some way to go. For instance, it's disappointing to learn that the Shire was never really a neutral party in the Subsea 7 proposal. I think ratepayers would be concerned to realize that even the EPA considers the Shire to be a proponent of the pipeline development.

I bring up this bit of history because it's not finished – this problem, sadly, is ongoing.

A couple of years ago, the Shire consulted residents about what people wanted for their local community and from local government. That consultation was strongly attended and it informed Exmouth's Strategic Plan 2030. And the Shire's Corporate Business Plan is supposed to deliver priorities that are outlined in that Strategic Plan.

I refer Councillors to a couple of Key Findings from the Strategic Plan:

WHAT WE VALUE MOST:

- *A safe and inclusive community with strong community spirit, a family friendly lifestyle in a world class natural environment, both land and sea.*

WHAT WE WOULD LIKE:

- *To build and diversify our local businesses whilst ensuring the protection of the natural environment.*
- *A strong focus on environmental, conservation and preservation issues to support our natural environment. An innovative and proactive approach to addressing water supply, recycling, renewable energy and waste management.*

The Key Findings also include the desire for "A proactive, strategic thinking Council that can rebuild the community's trust and provide transparency in decision making, effective communication and consultation with the community."

Which brings me to Agenda Item 12.1.1 today. There is a proposal here to change the wording in the Corporate Business Plan to include the construction of a deep water port as a matter of fixed Shire policy. There's no evidence this reflects community aspirations. There's no data given to support the policy. There's no evidence of transparent and independent consultation underpinning it. I'd be surprised if this policy is even supported by Councillors themselves. So, I'm not sure where these changes and this policy are coming from.

This is particularly concerning in the light of the proposal being planned quietly at Qualing Pool, just south of the LIA. This is a massive facility for oil and gas, mining, fuel storage and so on. It takes in huge amounts of native bushland, the World Heritage karst system, the

Gulf's largest freshwater pool, vulnerable mangroves, seagrass, very significant dugong habitat and one of our favourite beaches. With Heron Point, Wapet Creek and the Bay of Rest behind locked gates, this is another special place about to be taken off us. And locals – some of who will be entirely surrounded by this project – are deeply distressed. Shire officers know about it. Council seems to know about it. But residents are still totally in the dark. They're the last the find out.

Perhaps, unless they're part of the select elite.

The changes to the Business Plan put forward today appear to be another step to wind back measures that have kept Exmouth Gulf intact and healthy. The Gulf is a unique ecosystem.

Globally important. A dugong hotspot. One of the world's most significant humpback whale nurseries and calving grounds. So, there are significant environmental concerns about a deepwater port in the Gulf becoming a fixed objective of the Shire.

Once again, the proposed changes haven't been put forward after public consultation. Once again, it's being presented to us today as a fait accompli. Very few ratepayers and residents have been given the opportunity to make sense of it. The suggestion seems to be we get our say only after the decision has been made. This process looks hasty and opaque.

Councillors, I have one question and one motion.

My question is in two parts: 1. In light of the amendment proposed in 12.1.1, does the Council believe it's met the aspirations of ratepayers who expect transparency, open communication and consultation? 2. Has Council been provided with independent data that shows the amendments reflect the wishes of residents and ratepayers?

Councillors, you have all made a big commitment to serve our community and we thank you for your service. It can't be easy. We know you want the best for this place and its people. But I'd like to remind you that you were elected to represent the interests of residents and ratepayers. You weren't commissioned to serve outside corporate interests. You weren't elected to serve the agenda of the Shire or its officers because we know where that leads.

There are amendments to the Business Plan before you today that are unclear, unexplained, lack consultation and do not represent the recorded aspirations of the community, particularly as they relate to the deep water port becoming a fixed policy of the Shire.

So, with respect, I move that all amendments to the Corporate Business Plan be removed from tonight's Agenda, until engagement and consultation with the community and all stakeholders has been properly advertised and undertaken.

If this motion be rejected, I move that all amendments regarding the deep water port as Shire policy be removed from tonight's Agenda until engagement and consultation with the community and stakeholders has been properly advertised and undertaken.

Thank you for the opportunity to speak".

11. MATTERS ARISING FROM COMMITTEES OF COUNCIL

Nil

12. REPORTS OF OFFICERS

EXECUTIVE SERVICES

12.1.1 CORPORATE BUSINESS PLAN - REVISION 2020/21

File Reference:	FM.FC.0
Reporting Officer:	Chief Executive Officer
Responsible Officer:	As above
Date of Report:	2 September 2020
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	Nil

PURPOSE

That Council endorse the revised Corporate Business Plan for 2020/21.

BACKGROUND

On 26 August 2010, the Minister for Local Government introduced regulations to establish new requirements for local governments in Western Australia for Integrated Planning and Reporting (IPR). Councils are to develop and adopt a Corporate Business Plan, supported and informed by resourcing and delivery strategies.

At the Ordinary Council meeting on 25 July 2019 Council resolved to endorse a revised Corporate Business Plan. The revised Corporate Business Plan actions improved alignment to the Community Strategic Plan Objectives, Outcomes or Community Priorities. The changes were made to the Actions which address the Community Priorities and reflect the latest information which then strengthen the relevance of the Corporate Business Plan.

COMMENT

The Corporate Business Plan has been created as a practical statement of how Council aims to achieve community objectives, as articulated in the Strategic Community Plan. The Corporate Business Plan has a clear assignment of responsibility, timeframe of projects and key measures for activities. Progress against actions is measured and will be reported in our annual report to the Council and the community, providing a clear and transparent understanding of meeting our sustainable challenges.

The Corporate Business Plan is a living document that informs the key performance targets of the organisation and as such should be regularly reviewed to reflect its effectiveness in delivering on the community objectives as outlined in the Community Strategic Plan. This annual review will then inform the annual budget process and set the organisational performance targets which the Chief Executive Officer will be responsible for achieving.

The revised 2020 Corporate Business Plan actions improve alignment to the **Community Strategic Plan Objectives or Outcomes**. The changes made are predominately to the Actions which address the Community Priorities and reflect the latest information which continues to strengthen the relevance of the Corporate Business Plan. The review also recommends a revised Community Priority and a new Community Priority.

Listed below are the proposed changes to the Corporate Business Plan Actions and Community Priority's.

Economic

OUTCOME 1.1

A DIVERSE AND ENVIRONMENTALLY AWARE LOCAL ECONOMY THAT CAN ATTRACT BUSINESS INVESTMENT AND PROVIDE EMPLOYMENT OPPORTUNITIES

Community Priority	Current Action	Revised Action
1.1.1 - Develop and encourage opportunities for business investment to develop a diverse economy.	Progress the actions from the strategic land and building disposal	Continue to engage with the ECCI and stakeholders to facilitate the growth of the town and foster capacity building and growth of small business.
	Develop an investor prospectus. (new in 2019)	Develop an investor prospectus.
	Progress the actions outlined in the Small Business Friendly Council Charter. (new in 2019)	Continue to develop new actions to be responsive to small business needs as per the Small Business Friendly Charter requirements.
1.1.2 - Create a strategic approach to economic development to attract investment and jobs in new and existing industries.	Prepare economic development plan.	Prepare a scope and cost plan for an Integrated Development Plan that can be jointly funded with DOD, GDC, TWA, SOE and ECCI.
1.1.3 - Lobby for the infrastructure technological necessary to support business growth.	N/A	Revised Priority 1.1.3 - Lobby for the essential infrastructure necessary to support business growth.

OUTCOME 1.2

FACILITATE THE STRENGTHING AND GROWTH OF OUR VISITOR EXPERIENCE

Community Priority	Current Action	Revised Action
1.2.1 - Engage with local, state, and national stakeholders to build a stronger and sustainable tourism industry.	At every opportunity Shire will engage and build relationships with key tourism stakeholder groups.	At every opportunity Shire will engage and build relationships with key tourism stakeholder groups and DBCA.
1.2.3 - Promote and market tourism initiatives which extend the "peak tourist season".	Work collaboratively with the local tourism industry and DBCA on marketing and product development initiatives i.e. commercial tour operators for Turtle Tourism October to February annually.	Work collaboratively with the local tourism industry on marketing and product development initiatives i.e. airfares in off peak / marketing in off peak and keener accommodation pricing and incentives.

1.2.5 - Support a coordinated approach for regional tourism promotion and management.	Initiate the formation of a skills-based Ningaloo Tourism Development Board.	Initiate a strategic planning process with the NTAG and develop a 2-year tourism development plan.
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OUTCOME 1.3

ENABLE THE PROVISION OF ESSENTIAL INFRASTRUCTURE THAT WILL SUPPORT INVESTMENT AND DIVERSIFY OUR ECONOMY

Community Priority	Current Action	Revised Action
1.3.2 - Identify opportunities to create multiuse infrastructure and facilities that encourage and diversify the local economy.	Lobby government agencies and support private enterprise in the development of a multi-purpose deep water port.	Lobby state government to fund a cruise berthing solution at the existing Marina site and work cooperatively for the development of multi user deep water port adjacent to the Mowbowra Industrial estate subject to meeting environmental requirements.
	Ensure Exmouth benefits economically from the Ningaloo Coastal Reserves Draft Management Plan.	Ensure Exmouth community and business interests are considered by DBCA in all management plans and activities within DBCA managed estates and the World Heritage Area.
1.3.3 - Update and improve coastal access and facilities.	Develop a joint management plan and budget with DBCA for the jointly managed coastal areas from Bundegi to Tantabiddi and identify any commercial opportunities.	Formally request DBCA reinstate the joint management committee and develop a new management plan.
1.3.4 - Maintain an efficient, safe and good quality local road network.	Increase annual expenditure on local road network and lobby government to take ownership of Yardie Creek Rd.	Continue to collect road use data and lobby for increased state and federal funding for roads that service defence and DBCA managed estates and infrastructure.

Environmental

OUTCOME 2.1

A STRONG FOCUS ON ENVIRONMENTAL CONSERVATION AND SUSTAINABLE MANAGEMENT OF OUR NATURAL ENVIRONMENT.

Community Priority	Current Action	Revised Action
2.1.1 - To be innovative and proactive in addressing economic and lifestyle issues that are environmentally sensitive	Prepare the business case to resource the Exmouth Regional Innovation and digital incubator.	Explore opportunities and new technologies to: generate Exmouth's energy needs from 100% renewable sources and lobby government to relocate the waste water treatment plant to facilitate tourism developments adjacent to the existing site.
	Council's local planning policy framework reviewed annually as required.	Establish a community waste working group to guide improved waste management outcomes.
	Develop a comprehensive stakeholder list including community organisations whom have an interest in the environment	Consult with relevant authorities to manage the natural environment for the benefit and enjoyment of current and future generations.
2.1.2 - Consult with relevant authorities to manage the natural environment for the benefit and enjoyment of current and future generations.		Delete Community Priority and replace as an Action under 2.1.1.

OUTCOME 2.2

STRIVE TO ACHIEVE A BALANCE BETWEEN THE PRESERVATION OF OUR UNIQUE ENVIRONMENT AND THE DELIVERY OF SUSTAINABLE ECONOMIC GROWTH

Community Priority	Current Action	Revised Action
2.2.2 – Promote and celebrate the World Heritage values of the region and investigate opportunities to leverage economic growth that improve visitor and community experiences	Work closely with the Ningaloo Coast World Heritage Committee to promote the world heritage values and develop environmentally sensitive land use activities.	Lobby the relevant government agencies responsible for the World Heritage Estate to contribute to the cost of the promotion and visitor servicing of the Ningaloo World Heritage Estate.
	Develop entry statement plans and infrastructure funding initiatives.	Jointly lobby with the Shire of Carnarvon for the provision of an entry statement with interpretation of the Ningaloo World Heritage Estate at the Minilya / North West Coastal; Highway junction.
	Investigate the development of coastal camping nodes.	Lobby for the provision of a free 24-hour rest stop 65kms south of Exmouth at the termite mounds.

Social

OUTCOME 3.1

EXPLORE OPPORTUNITIES TO DELIVER SERVICES AND FACILITEIS THAT ATTRACT AND RETAIN PEOPLE LIVING IN THE SHIRE

Community Priority	Current Action	Revised Action
3.1.1 - Advocate, promote and incentivise Exmouth as a preferred place to live and work in the long term	Lobby government for the release of the Landcorp Nimitz Street subdivision at below cost recovery to attract resource companies to move workers and families to Exmouth.	Lobby Development WA to market and develop its land holdings in Exmouth to meet current needs.
	Meet directly with oil and gas and resource companies and encourage them to consider Exmouth as a base for permanent workers and for them to incentivize the relocation	Reinstate existing action. Explore this action again as a result of the pandemic and the impacts of interstate workers.
3.1.2 - Advocate for the provision of expanded educational and vocational opportunities and community services.	Continue to advocate for TAFE to provide industry specific training to meet needs of the tourism and hospitality sector and construction and mining industry.	Advocate for industry specific training to meet the needs of the local economy.
	Identify opportunities with the Marine research facility with aquaculture training and development opportunities.	Work cooperatively with Flourishing Oceans to ensure Exmouth realises its potential to be a centre of excellence for marine research and conservation.

OUTCOME 3.2

PROMOTE FACILITEIS/SERVICES THAT ENHANCE PUBLIC HEALTH AND SAFETY.

Community Priority	Current Action	Revised Action
3.2.1 - Advocate for health and medical support services and affordable housing for aged persons and people with disabilities that meet the needs of the local community	Continue to make the case to government and the grants commission that Exmouth is disadvantaged by the impacts of seasonal tourism and that a new funding model for the allocation of resources is justified.	Lobby state government for the provision of accommodation and improved services and facilities for an ageing population.
3.2.2 - Actively engage with key stakeholders to find an innovative approach to minimising substance abuse within our community	Continue to lead the Local Drug and Alcohol Group to meet the objectives of the LDA Plan	Shire to act as secretariat for Exmouth Alcohol & Other Drug Management Committee, oversee creation of Local Drug Action Team subcommittee and Shire officers to implement LDAT Community Action Plan.
	Undertake regular off-season waste water drug testing so that a base line can be determined and impact of action can be measured	Delete this Action, no longer required. Not supported by LDAG.

OUTCOME 3.3

CHAMPION SELF-SUPPORTING COMMUNITY CLUBS AND ASSOCIATIONS

Community Priority	Current Action	Revised Action
3.3.1 - Develop policy and support services that enable clubs and community groups to be self-sustaining.	Recognise and reward volunteers with an annual recognition event.	Prepare an annual community services business plan with key projects and programs that build capacity in our clubs and community groups.
	Develop a Recreation Facilities Plan.	Develop a Recreation and Community Group Facilities Plan.
	Review the Foreshore Development Plan.	Review and prepare a status report on the CBD and Foreshore Development Plan for Council consideration.

Leadership

OUTCOME 4.1

TO PROVIDE PROACTIVE COLLABORATIVE AND TRANSPARENT LEADERSHIP

Community Priority	Current Action	Revised Action
4.2.2 - Promote and support elected members and staff participation in professional development.	Develop the workforce plan and allocate funding to support the development and training of our staff and elected members	The workforce plan to identify and strengthen the key attractors for staff and the barriers for retention so that these can be addressed.
		Provide opportunities and budget for Councillor professional development.
(NEW priority) 4.2.3 – Demonstrate honest and transparent leadership.	Develop and implement anticorruption Strategy	Meet all statutory reporting and compliance requirements.

OUTCOME 4.3

TO BE A CHAMPION FOR OUR COMMUNITY

Community Priority	Current Action	Revised Action
4.3.2 - Facilitate resource sharing and actively participate in partnerships on a regional basis.	At the quarterly Gascoyne zone meetings raise resource sharing and partnerships as a standard agenda item.	Be innovative and embrace resource sharing and new ways of working and resourcing to meet Corporate objectives.

CONSULTATION

Chief Executive Officer
Executive Managers
Councillors

STATUTORY ENVIRONMENT

Local Government Act 1995 Part 5 Division 5, s 5.56 (1)
Local Government (Administration) Regulations 1996 Part 5, Division 3, r19DA

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2030 and Corporate Business Plan 2018-2022.

- Leadership: To provide open transparent, accountable leadership working in collaboration with our community.
- 4.1 To provide proactive, collaborative and transparent leadership
 - 4.2 A local government that is respected and accountable.
 - 4.3 To be a champion for our community

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 12.1.1

That Council ENDORSE the revised Corporate Business Plan for 2020/21.

COUNCIL RESOLUTION

ITEM 12.1.1

Res No: 02-0920

MOVED: Cr Lucas

SECONDED: Cr Lake

That Council ENDORSE the revised Corporate Business Plan for 2020/21.

AMENDMENT MOTION – Cr Dixon

That Council ENDORSE the revised Corporate Business Plan for 2020/21 with the following amendment:

1. Amend the revised action for outcome 1.3.2 from the current revised action to:
 - o Lobby state government to fast track a cruise solution at the existing marina site and for Council to initiate its own community/public consultation to determine if construction of a multi-use deep water port would be supported by current community members within the Shire of Exmouth.

SECONDED: Cr Mounsey

FORESHADOWED MOTION

During debate of the Amendment Motion, Cr Niikkula advised that if the Amendment Motion was LOST, then Cr Niikkula would move a motion to endorse the revised Corporate Business Plan 2020/21 subject to: The Shire lobbying State Government to fast track a cruise solution immediately and remove reference to any location to a deep water port.

Through the Presiding Officer, Councillor Lake asked the Chief Executive Officer when the intended Exmouth Community consultation would be conducted?

The Chief Executive Officer advised the Community Perception Survey will be completed by the end of November 2020.

AMENDMENT MOTION AMENDED Cr Dixon, with the approval of the Seconder Cr Mounsey, amended the Amendment Motion as follows:

1. Amend the revised action for outcome 1.3.2 from the current revised action to:
 - Lobby state government to fast track a cruise solution at the existing marina site and for Council to initiate its own community/public consultation to determine if construction of a multi-use deep water port would be supported by current community members within the Shire of Exmouth, **post the Gascoyne Gateway community engagement program for a deep water port.**

All Councillors were in agreement with the above amendment.

SUBSTANTIVE MOTION AS AMENDED, was put as follows:

That Council ENDORSE the revised Corporate Business Plan for 2020/21 with the following amendment:

1. **Amend the revised action for outcome 1.3.2 from the current revised action to:**
 - **Lobby state government to fast track a cruise solution at the existing marina site and for council to initiate its own community/public consultation to determine if construction of a multi-use deep water port would be supported by current community members within the Shire of Exmouth, post the Gascoyne Gateway community engagement program for a deep water port.**

CARRIED by ABSOLUTE MAJORITY 6/0

12.1.2 AMENDED: COUNCIL POLICY 6.9 - ITINERANT TRADING AND FEES AND CHARGES

File Reference:	CM.PO.9
Reporting Officer:	Executive Manager Commercial and Community
Responsible Officer:	Executive Manager Commercial and Community
Date of Report:	14 September 2020
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Proposed New Itinerant Trading Policy 2. Pilbara News Draft Town Planning Policy and Fees and Charges advertisement

PURPOSE

This report recommends Council APPROVE the advertising for public comment of proposed amendments to the policy and new fees and charges associated with the Shire of Exmouth 6.9 Itinerant Trading Policy as detailed in Attachment 1 to this report.

BACKGROUND

At the 28 May 2020 Ordinary Council Meeting, Council approved the new Itinerant Trading policy as per amended resolution detailed below:

Res No: 08-0520

That Council:

1. ADOPT the new "Itinerant Trading" policy and guidelines as detailed in Attachment 1 to this report, and

2. AMEND Itinerant Trading policy point 3 under general provisions to increase insurance cover to \$20m as;

• "All Itinerant Traders operating within the Shire must hold a public liability policy of insurance in respect of the activities being undertaken, providing cover of at least \$20,000,000".

CARRIED 6/0

The Policy was again endorsed as part of the Annual Review of the entire Council Policy Manual at the 25 June 2020 Ordinary Council meeting.

Since implementation of the Policy Shire officers have identified a number of potential issues that require greater clarification and these have been addressed in the revised version as Attachment 1 seeking Council endorsement to advertise.

Shire officers are also seeking Council review and support for the introduction of a revised fees and charges approach to this service.

COMMENT

Council Policy 6.9 - Itinerant Trading was a new policy adopted at the May 2020 Ordinary Council meeting to provide guidance in the management of requests to undertake itinerant trading within the Shire of Exmouth.

The Shire of Exmouth encourages improved retail and hospitality vibrancy that reinforces the positioning of Exmouth as the State’s premier tourism town.

The Shire values its local business community and recognises that there are business opportunities that can occur on a temporary basis. It is recognised that Itinerant Traders can:

- Contribute to the vitality of the town,
- Provide a safe, efficient and accessible food service at peak times to service increased customer demand beyond the supply capabilities and/or outside operating hours of permanent food outlets,
- Provide products and services on a temporary basis not currently on offer,
- Provide an opportunity for seasonal products to be provided, and
- Activate a particular location or precinct that meets the objectives of the local government.

Since the implementation of the policy the Shire has received a number of enquiries from traders and these interactions have enabled Shire officers to continually review and suggest improvements to these current guidelines.

Attachment 1 includes the proposed amendments to Council Policy 6.9 Itinerant Trading with all changes clearly highlighted.

A summary of the proposed amendments includes:

- A requirement for traders to demonstrate a proven trading history of at least 12 months (or one full tourism season ie April – September) within the Shire of Exmouth area prior to qualifying for consideration under a licence agreement,
- Stipulating the maximum number of food vans and/or itinerant traders permitted at each approved location, and
- Greater clarification to Shire Officers on how to process and manage bookings and payments in particular for multiple approved locations, where licence and permit bookings overlap, and where itinerant trading bookings conflict with bookings for one off events (for example markets, special events or festivals).

In addition this report seeks Council consideration for proposed new fees and charges for Itinerant Traders under the “Activities on Local Government Property, Thoroughfares and Public Places” as detailed in table 1 below. Fees are now based on a standard hire space of 10sqm areas and to be charged on a per hour basis for approved locations.

Table 1 - Itinerant Traders Fees and Charges		
Permit Fee (standard hire space size = 10sqm)	Basis	\$
Town Centre (including Federation Park) incl power, water, bin usage where applicable	per hour per standard hire space	6.25
Town Beach incl power, water, bin usage where applicable	per hour per standard hire space	3.20
Payne Street incl power, water, bin usage where applicable	per hour per standard hire space	3.20
Murat and Yardie Creek Rds turnoff	per hour per standard hire space	1.50
Tantabiddi Boat Ramp precinct	per hour per standard hire space	1.50
Lighthouse precinct	per hour per standard hire space	1.50
Dunes carpark	per hour per standard hire space	1.50
Hunters carpark	per hour per standard hire space	1.50
Licence Fee (applied at 50% discount to above permit fee rates)	per hour per standard hire space	

The proposed fees and charges associated with Itinerant Trading within the Shire now includes an all inclusive permit fee for approved locations and where available offering power, water and bin services. A 50% discount to the stipulated rates for each approved location is also offered for those qualifying and entering into a licence agreement.

CONSULTATION

As per the officer recommendation the amended policy and proposed new fees and charges will now be advertised for comment for a period of 21 days. Once feedback is received this will then be reviewed and included in a final report to Council seeking adoption.

STATUTORY ENVIRONMENT

In the *Planning and Development (Local Planning Schemes) Regulations 2015* and Shire of Exmouth Local Planning Scheme No. 4, both new and amendments to Local Planning Policies require public advertising for a 21 day minimum.

Other related legislation and statutes include Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law.

The adoption of fees and charges outside the annual budget process adheres to the *Local Government Act 1995*, Sections 6.16, 6.17, 6.19 and 1.7.

POLICY IMPLICATIONS

Council will be asked to review and approve the amended Council Policy - 6.9 Itinerant Trading once public advertising period has been undertaken and reviewed.

FINANCIAL IMPLICATIONS

If approved by Council the new fees and charges associated with the policy will be applied to all new applications for Itinerant Trading permits and licences.

RISK MANAGEMENT

Identified Risk	Mitigation
The adoption of the amended Local Planning Policy and new fees do not comply with local government regulations.	Council endorse the public advertising for a 21 day minimum and consider any public feedback when asked to consider adopting the amended policy and fees.
Local community and business operators are not provided opportunity to provide feedback on proposed changes.	Council endorse the public advertising for a 21 day minimum and consider any public feedback when asked to consider adopting the amended policy and fees.

ALTERNATE OPTIONS

This report only seeks Council approval to advertise the amended policy and new fees and charges. Council may choose to alter the policy and fees and charges once advertising and any public feedback has been received and a further report is submitted seeking Council consideration at a later date.

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2030 and Corporate Business Plan 2018-2022.

Economic: Diversify and grow our economy in a manner that provides year round employment opportunities

- 1.1 A diverse and environmentally aware local economy that can attract business investment and provide employment opportunities
- 1.2 Facilitate the strengthening and growth of our visitor experience.

Social: To be a vibrant, passionate and safe community valuing our natural environment and unique heritage

- 3.1 Explore opportunities to deliver services and facilities that attract and retain people living in the Shire.
- 3.2 Promote facilities/services that enhance public health and safety.

Leadership: To provide open transparent, accountable leadership working in collaboration with our community.

- 4.1 To provide proactive, collaborative and transparent leadership
- 4.2 A local government that is respected and accountable.
- 4.3 To be a champion for our community

VOTING REQUIREMENTS

Absolute Majority

OFFICER’S RECOMMENDATION

ITEM 12.1.2

That Council APPROVE the public advertising of;

1. Proposed amendments to 6.9 Itinerant Trading Policy as detailed in Attachment 1 to this report, and
2. Proposed new fees and charges relating to Itinerant Trading within the Shire of Exmouth as per Table1 below;

Table 1 - Itinerant Traders Fees and Charges		
Permit Fee (standard hire space size = 10sqm)	Basis	\$
Town Centre (including Federation Park) incl power, water, bin usage where applicable	per hour per standard hire space	6.25
Town Beach incl power, water, bin usage where applicable	per hour per standard hire space	3.20
Payne Street incl power, water, bin usage where applicable	per hour per standard hire space	3.20
Murat and Yardie Creek Rds turnoff	per hour per standard hire space	1.50
Tantabiddi Boat Ramp precinct	per hour per standard hire space	1.50
Lighthouse precinct	per hour per standard hire space	1.50
Dunes carpark	per hour per standard hire space	1.50
Hunters carpark	per hour per standard hire space	1.50
Licence Fee (applied at 50% discount to above permit fee rates)	per hour per standard hire space	

COUNCIL RESOLUTION

ITEM 12.1.2

Res No: 03-0920

MOVED: Cr Lucas

SECONDED: Cr Dixon

That Council APPROVE the public advertising of:

1. Proposed amendments to 6.9 Itinerant Trading Policy as detailed in Attachment 1 to this report, and
2. Proposed new fees and charges relating to Itinerant Trading within the Shire of Exmouth as per Table1 below;

Table 1 - Itinerant Traders Fees and Charges		
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Tantabiddi Boat Ramp precinct	per hour per standard hire space	1.50
Lighthouse precinct	per hour per standard hire space	1.50
Dunes carpark	per hour per standard hire space	1.50
Hunters carpark	per hour per standard hire space	1.50
Licence Fee (applied at 50% discount to above permit fee rates)	per hour per standard hire space	

CARRIED by ABSOLUTE MAJORITY 6/0

The following recommendation were moved en bloc 12.1.3, 12.2.1, 12.2.2, 12.2.3, 12.4.1, 12.4.2 and 12.5.1.

12.1.3 SHIRE PRESIDENT COVID-19 RELIEF FUND COMMITTEE – REVISED TERMS OF REFERENCE

File Reference:	PH.NO.3
Reporting Officer:	Executive Manager Commercial and Community
Responsible Officer:	Chief Executive Officer
Date of Report:	3 September 2020
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	<ol style="list-style-type: none"> 1. UPDATED Terms of Reference – Shire President COVID-19 Relief Fund Committee. 2. Shire President COVID-19 Relief Fund Guidelines.

PURPOSE

That Council approve:

- an extension to the operating timeframe of the Shire President COVID-19 Relief Fund Committee of Council per the updated Terms of Reference in Attachment 1, and
- the updated Shire President COVID-19 Relief Fund Guidelines in Attachment 2.

BACKGROUND

On 15 March 2020, the Minister for Emergency Services and the State Government declared a State of Emergency under the Emergency Management Act and a Public Health Emergency under the *Public Health Act 2016* in response to COVID-19.

The Minister for Local Government requested all local governments consider a range of rate and fee relief options to assist in the recovery phase post COVID-19.

At the Ordinary Council Meeting held on the 23 April 2020 the following decision was approved:

COUNCIL RESOLUTION

Res No:

ITEM 14.1

12-0420

That Council APPROVE:

- 1. The establishment of the Shire President COVID-19 Relief Fund Committee of council as per Part 5 Administration of the Local Government Act 1995;***
- 2. The Terms of Reference for the establishment of Shire President COVID-19 Relief Fund Committee in Attachment 1 to this report; and***
- 3. The Chief Executive Officer to allocate appropriate staff resources to support the Committee as a priority.***
- 4. The members of the Committee are to comprise of the Shire President, the Deputy Shire President, Councillor Lake and Councillor McCarrol.***

CARRIED by ABSOLUTE MAJORITY 6/0

As per section 5.8 *Local Government Act 1995* (WA) Establishment of Committees, “a local government may establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.”

A Committee of Council may comprise council members, employees and other persons and a committee of this type may have any of the local government’s powers or duties delegated to it that are necessary or convenient for the proper management of the local government’s property.

COMMENT

The Terms of Reference for the Shire President COVID-19 Relief Fund Committee of Council approved at the April 2020 Ordinary Council meeting referenced section 3 – Membership, and section 8 – Committee Term:

- *Membership shall be for a five-month period expiring on 30 September 2020 unless Council Resolves to extend the term of the Committee,*
and
- *The term of the committee is until 30 September 2020. If an extension of the Committee is deemed necessary, a Council resolution will be required prior to its expiry.*

As this Committee of Council is due to expire shortly the Officer recommends that Council approve an extension of the current Committee term until 30 June 2021, whilst all other terms of reference remain unchanged as per Attachment 1.

Shire Officers are also requesting Council to consider approving changes to the COVID-19 Shire Presidents Relief Fund Guidelines (Attachment 2) that will allow expenditure for Shire related proposals.

CONSULTATION

Shire of Exmouth Local Recovery Coordinating Group
Exmouth Community Recovery Group

STATUTORY ENVIRONMENT

The proposed committee of council is to be established as per Part 5 Administration of the *Local Government Act 1995*. The proposed committee of council adheres to the following sections of the Act as per;

- s5.8 A local government may establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.
- s5.9 (2b) types of committees - “a committee is to comprise of council members and employees”.
- s5.10(1)(a) Committee is to have as its members a) “persons appointed* by the local government to be members of the committee”.
- s5.16 (1) delegation of some powers and duties to certain committees - “a local government may delegate to a committee any of its powers and duties other than this power of delegation”,
and
- s5.17 (1) limits on delegation of powers and duties to certain committees “a local government can delegate (c) to a committee referred to in section 5.9(2)(c) any of the local government’s

powers or duties that are necessary or convenient for the proper management of i) the local government's property; or ii) an event in which the local government is involved".

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There is currently \$40,000 in the Shire President COVID-19 Relief Fund.

ALTERNATE OPTIONS

Council may consider altering the structure, terms of reference, or term of the Committee.

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2030 and Corporate Business Plan 2018-2022.

- Environment: To protect and value our unique natural and built environment as we grow our economy.
- 2.2 Strive to achieve a balance between the preservation of our unique environment and the delivery of sustainable economic growth.
 - 2.3 Advocate and promote opportunities for the development of environmentally sustainable essential infrastructure and services
- Social: To be a vibrant, passionate and safe community valuing our natural environment and unique heritage
- 3.3 Champion self-supporting community clubs and associations.
- Leadership: To provide open transparent, accountable leadership working in collaboration with our community.
- 4.1 To provide proactive, collaborative and transparent leadership
 - 4.2 A local government that is respected and accountable.
 - 4.3 To be a champion for our community

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 12.1.3

That Council APPROVE;

1. An extension of the operating timeframe of the Shire President COVID-19 Relief Fund Committee of Council to 30 June 2021 as per the updated Terms of Reference in Attachment 1.
2. The updated Shire President COVID-19 Relief Fund Guidelines in Attachment 2.

COUNCIL RESOLUTION

ITEM 12.1.3

Res No: 04-0920

MOVED: Cr Niikkula

SECONDED: Cr Lucas

That Council APPROVE;

- 1. An extension of the operating timeframe of the Shire President COVID-19 Relief Fund Committee of Council to 30 June 2021 as per the updated Terms of Reference in Attachment 1.**
- 2. The updated Shire President COVID-19 Relief Fund Guidelines in Attachment 2.**

CARRIED by ABSOLUTE MAJORITY 6/0

DEVELOPMENT SERVICES

12.2.1 ANNUAL CARAVAN PARK AND CAMPING GROUND LICENCE RENEWAL – NINGALOO LIGHTHOUSE CARAVAN PARK

File Reference:	LE.RE.5
Reporting Officer:	Environmental Health Officer
Responsible Officer:	As above
Date of Report:	15 September 2020
Applicant/Proponent:	Northwest Resorts Pty Ltd
Disclosure of Interest:	Nil
Attachment(s):	1. CONFIDENTIAL Caravan Park and Camping Ground Licence Renewal for 2020-2021

PURPOSE

Council approve the renewal of the annual Caravan Parks and Camping Grounds Licence for Northwest Resorts Pty Ltd, Ningaloo Lighthouse Holiday Park.

BACKGROUND

Caravan parks and camping grounds within Western Australia are required to be licenced with the relevant local government authority. All licences within the Shire of Exmouth expire on 30 September each year.

COMMENT

The Ningaloo Lighthouse Holiday Park has been operating on a temporary licence for the 19/20 season. Under the *Caravan Parks and Camping Grounds Regulations 1997* r54, a temporary licence can only be issued for a period less than 12 months. The applicants wish to continue to be open therefore are applying for a permanent licence for the next 12 months.

The caravan park was inspected for compliance with the *Caravan Parks and Camping Grounds Regulations 1997*, the current licences and approved site plans. No major concerns were identified.

Overflow conditions have been recommended on the licence with an overflow period being recommended from 2 April 2021 to 10 October 2021.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Caravan Parks and Camping Grounds Act 1995

Caravan Parks and Camping Grounds Regulations 1997

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2030 and Corporate Business Plan 2018-2022

Economic: Diversify and grow our economy in a manner that provides year round employment opportunities

1.1 A diverse and environmentally aware local economy that can attract business investment and provide employment opportunities

1.2 Facilitate the strengthening and growth of our visitor experience.

Leadership: To provide open transparent, accountable leadership working in collaboration with our community.

4.2 A local government that is respected and accountable.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

ITEM 12.2.1

That Council APPROVE the issuing of the Caravan Parks and Camping Grounds licence valid until 30 September 2021 as presented in Attachment 1, for signing by the Chief Executive Officer for the Northwest Resorts Pty Ltd, Ningaloo Lighthouse Holiday Park.

COUNCIL RESOLUTION

ITEM 12.2.1

Res No: 05-0920

MOVED: Cr Niikkula

SECONDED: Cr Lucas

That Council APPROVE the issuing of the Caravan Parks and Camping Grounds licence valid until 30 September 2021 as presented in Attachment 1, for signing by the Chief Executive Officer for the Northwest Resorts Pty Ltd, Ningaloo Lighthouse Holiday Park.

CARRIED 6/0

12.2.2 ANNUAL LODGING HOUSE RENEWALS

File Reference:	LE.RE.16
Reporting Officer:	Executive Manager Development Services
Responsible Officer:	Environmental Health Officer
Date of Report:	15 September 2020
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	<ol style="list-style-type: none">1. CONFIDENTIAL Certificate of Registration - Mantarays Ningaloo Beach Resort2. CONFIDENTIAL Certificate of Registration – Blue Reef Backpackers3. CONFIDENTIAL Certificate of Registration – Winston Backpackers

PURPOSE

That Council approve the renewal of the annual Certificate of Registration as per the Shire of Exmouth, Health Local Laws 1998 for Mantarays Ningaloo Beach Resort, Blue Reef Backpackers and Winston Backpackers.

BACKGROUND

Lodging houses are required to be registered with the local government they are located within with renewals occurring annually. The Shire of Exmouth Health Local Laws 1998 s125 stipulates registrations are approved by Council decision.

COMMENT

In the last 12 months all lodging houses have been inspected for compliance with the Health Local Laws, there are no outstanding major non compliances to date.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Shire of Exmouth, Health Local Laws 1998, s125

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2030 and Corporate Business Plan 2018-2022.

Economic: Diversify and grow our economy in a manner that provides year round employment opportunities
1.2 Facilitate the strengthening and growth of our visitor experience.

Social: To be a vibrant, passionate and safe community valuing our natural environment and unique heritage
3.2 Promote facilities/services that enhance public health and safety.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

ITEM 12.2.2

That Council APPROVE the renewal of the annual Certificate of Registration as per the Shire of Exmouth, Health Local Laws 1998 for Mantarays Ningaloo Beach Resort, Blue Reef Backpackers and Winston Backpackers.

COUNCIL RESOLUTION

ITEM 12.2.2

Res No: 06-0920

MOVED: Cr Niikkula

SECONDED: Cr Lucas

That Council APPROVE the renewal of the annual Certificate of Registration as per the Shire of Exmouth, Health Local Laws 1998 for Mantarays Ningaloo Beach Resort, Blue Reef Backpackers and Winston Backpackers.

CARRIED 6/0

12.2.3 BUSHFIRE BRIGADE AMENDMENT LOCAL LAW 2020

File Reference:	LE.LO.10
Reporting Officer:	Coordinator Compliance and Emergency Services
Responsible Officer:	Executive Manager Development Services
Date of Report:	14 September 2020
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	<ol style="list-style-type: none"> 1. Proposed Bushfire Brigade Amendment Local Law 2020 2. Response from Department of Local Government 3. Correspondence sent to minister for Local Government 4. Public Notice advertising Amendment Local Law

PURPOSE

The purpose of this report is for Council to consider the response to the State-wide public notification associated with the proposed Bushfire Brigade Amendment Local Law 2020.

BACKGROUND

During 2017 the Shire of Exmouth and the Department of Fire and Emergency Services engaged in a Memorandum of Understanding to give operational control of any Bushfire Brigade established within the Shire of Exmouth to the Department of Fire and Emergency Services.

As a result of this Memorandum of Understanding a new Local Law relating to Bush Fire Brigades needed to be adopted to accurately reflect this relationship.

In 2018 the Department of Fire and Emergency Services supplied a Local Law to fulfil this role that was adopted 22 November 2018 **Res No: 07-1118** and gazetted 14 January 2019.

In March 2019 the Shire President received notification from the Parliament of Western Australia Joint Standing Committee on Delegated Legislation requesting confidential amendments to the Local Law 2018 be undertaken that would cause the local law to be repealed.

Once these undertakings were complete the Local Law was again progressed and adopted by council at the Ordinary Council Meeting 19 December 2019 **Res No: 10-1219** and gazetted 5 February 2020.

In March 2020 the Shire President again received notification from the Parliament of Western Australia Joint Standing Committee on Delegated Legislation requesting confidential amendments to the Local Law 2020 be undertaken that would cause the local law to be amended. As a result, the proposed Bushfire Brigades Amendment Local Law 2020 (*Attachment 1*) was created and authorised for state-wide public notification at the Ordinary Council Meeting 28 May 2020 **Res No: 04-0520**

In August 2020 the period for public submissions closed (10 August 2020) with no responses received the Local Law was adopted at the Ordinary Council Meeting 27 August 2020 **Res No: 06-0820**

COUNCIL RESOLUTION

ITEM 12.2.2

Res No: 06 - 0820

That Council:

- 1. ADOPT the Shire of Exmouth Bushfire Brigade Amendment Local Law 2020.**
- 2. Publish the Amendment Local Law in the Government Gazette. After being published send a signed and sealed copy to the Minister for Local Government and the Minister for Emergency Services.**
- 3. Give local public notice of gazettal published in a newspaper circulating generally throughout the State, and exhibited on a notice board of the local government's offices and every public library in the district stating the title, purpose and effect, day on which the local law comes into operation and advising where a copy can be inspected or obtained.**
- 4. Within 10 working days of the Gazettal date: supply copies of the Exmouth Bushfire Brigade Amendment Local Law 2020, Explanatory Memorandum, Statutory Procedures Checklist and other supporting documentation in accordance with Ministerial Directions, to the WA Parliament's Joint Standing Committee on Delegated Legislation.**

CARRIED by ABSOLUTE MAJORITY 5/0

On 26 August 2020 (16 days after the period for public submissions closed) recommendations from Carmen Chia the Legislative Officer representing the Department of Local Government, Sport and Cultural Industries were received (refer Attachment 2)

COMMENT

Even though the response from the Department of Local Government, Sport and Cultural Industries was received outside of the public submission period the content is such that it needs council consideration to be included in the Exmouth Bushfire Brigades Local Law 2020.

Adjustments to italics and formatting would be captured when gazetted however the suggested minor edits reorganise the joint standing committee on delegated legislations instructions into legislative text.

Minor edits are allowable before gazettal and would not require the Exmouth Bushfire Brigade Local Law 2020 to be readvertised for another period of public submission.

CONSULTATION

The proposed Amendment Local Law 2020 was created from a template supplied by WALGA from the City of South Perth Public Places and Local Government Property Amendment Local Law 2019. The amendments themselves are requested undertakings from the Western Australian Parliament Joint Standing Committee on Delegated Legislation.

The recommended minor edits received from the Legislative Officer representing the Department of Local Government, Sport and Cultural Industries reorganise the instructions from the Joint Standing Committee on Delegated Legislation into legislative text.

Section 3.12(3) of the *Local Government Act 1995* requires Local Government to give state-wide and local public notice stating that it proposes to make an amendment local law and made available for public submissions for a minimum period of 6 weeks. After the Public Notice has been published Section 3.12(3)(b) requires the Local Government to send a copy of the proposed Local Law to the Minister for Local Government and any other relevant Minister which in this case is the Minister for Emergency Services.

The Public Notice (Attachment 4) was displayed in the following newspapers circulated within the district:

- The West Australian newspaper 27 June 2020
- The Pilbara News classifieds 1 July 2020.

The Notice was also displayed locally:

- On the Exmouth public Library noticeboard for 7 weeks beginning 24 June 2020.
- On the public noticeboard in the Ross Street Mall for 7 weeks beginning 24 June 2020.
- On the Shire of Exmouth Website for 6.5 weeks beginning 24 June 2020.

STATUTORY ENVIRONMENT

The *Local Government Act 1995* 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 are included in the agenda for the meeting and that the minutes of the meeting include the purpose and effect of the proposed Local Law. Subsequently, the purpose and effect of the proposed Local Law are as follows:

- Purpose
The purpose of the Shire of Exmouth Bush Fire Brigades Local Law 2020 is to provide for the regulation, control and management of bush fire brigades within the district.
- Effect
The effect of the Shire of Exmouth Bushfire Brigades Local Law 2020 is to ensure safe, fair and equitable control of bushfire brigades jointly managed by the Department of Fire and Emergency Services and the Shire of Exmouth.

Section 3.12 of the *Local Government Act 1995* sets out the Statutory Procedures to make a Local Law as below:

3.12. Procedure for making local laws

- (1) *In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
- (2A) *Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.*
- (2) *At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*
- (3) *The local government is to —*
 - (a) *give local public notice stating that —*

- (i) *the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and*
- (ii) *a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
- (iii) *submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*

and

- (b) *as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and*
- (c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*

[(3a) deleted]

- (4) *After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*

** Absolute majority required.*

- (5) *After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*
- (6) *After the local law has been published in the Gazette the local government is to give local public notice —*
 - (a) *stating the title of the local law; and*
 - (b) *summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and*
 - (c) *advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.*
- (7) *The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2030 and Corporate Business Plan 2018-2022

Economic: Diversify and grow our economy in a manner that provides year round employment opportunities

1.3 Enable the provision of essential infrastructure that will support investment and diversify our economy.

Environment: To protect and value our unique natural and built environment as we grow our economy.

- 2.1 A strong focus on environmental conservation and sustainable management of our natural environment
- 2.3 Advocate and promote opportunities for the development of environmentally sustainable essential infrastructure and services

Social: To be a vibrant, passionate and safe community valuing our natural environment and unique heritage

- 3.1 Explore opportunities to deliver services and facilities that attract and retain people living in the Shire.
- 3.2 Promote facilities/services that enhance public health and safety.

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 12.2.3

That Council:

1. Authorise the minor edits to the Exmouth Bushfire Brigade Amendment Local Law 2020 as recommended by the legislative officer representing the Department of Local Government, Sport and Cultural Industries.
2. ADOPT the edited Shire of Exmouth Bushfire Brigade Amendment Local Law 2020.
3. Publish the Amendment Local Law in the Government Gazette. After being published send a signed and sealed copy to the Minister for Local Government and the Minister for Emergency Services.
4. Give local public notice of gazettal published in a newspaper circulating generally throughout the State, and exhibited on a notice board of the local government's offices and every public library in the district stating the title, purpose and effect, day on which the local law comes into operation and advising where a copy can be inspected or obtained.
5. Within 10 working days of the Gazettal date: supply copies of the Exmouth Bushfire Brigade Amendment Local Law 2020, Explanatory Memorandum, Statutory Procedures Checklist and other supporting documentation in accordance with Ministerial Directions, to the WA Parliament's Joint Standing Committee on Delegated Legislation.

COUNCIL RESOLUTION

ITEM 12.2.3

Res No: 07-0920

MOVED: Cr Niikkula

SECONDED: Cr Lucas

That Council:

1. **Authorise the minor edits to the Exmouth Bushfire Brigade Amendment Local Law 2020 as recommended by the legislative officer representing the Department of Local Government, Sport and Cultural Industries.**

- 2. ADOPT the edited Shire of Exmouth Bushfire Brigade Amendment Local Law 2020.**
- 3. Publish the Amendment Local Law in the Government Gazette. After being published send a signed and sealed copy to the Minister for Local Government and the Minister for Emergency Services.**
- 4. Give local public notice of gazettal published in a newspaper circulating generally throughout the State, and exhibited on a notice board of the local government's offices and every public library in the district stating the title, purpose and effect, day on which the local law comes into operation and advising where a copy can be inspected or obtained.**
- 5. Within 10 working days of the Gazettal date: supply copies of the Exmouth Bushfire Brigade Amendment Local Law 2020, Explanatory Memorandum, Statutory Procedures Checklist and other supporting documentation in accordance with Ministerial Directions, to the WA Parliament's Joint Standing Committee on Delegated Legislation.**

CARRIED by ABSOLUTE MAJORITY 6/0

CORPORATE SERVICES

12.4.1 FINANCIAL STATEMENTS FOR PERIOD ENDING 31 AUGUST 2020

File Reference:	FM.FL.0
Reporting Officer:	Manager Finance
Responsible Officer:	Executive Manager Corporate Services
Date of Report:	11 September 2020
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Monthly Financial Report as at 31 August 2020.

PURPOSE

That Council accepts the financial report for the financial period ending 31 August 2020.

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

As at 31 August, operating revenue is above target by \$281,059 (4.98%) due to aviation revenue.

Operating expenditure is under budget by \$942,651 (33.70%) variances are mainly due to the depreciation that will not be not raised until the 2019/20 Financial Statements are completed and 19/20 committed costs.

Capital projects is under budget by \$114,731, a total of \$65,457 has been spent to date. This includes the installation of goal posts at Talanjee and Koobooroo ovals.

Rate notices were issued on 30 July 2020. First instalments are due 3 September 2020. Rates collected as at 31 August were 31.1% compared to 32% the same period last year.

General Debtors is \$1,147,784 with \$862,146 being for airport operations.

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 2030 and Corporate Business Plan 2018-2022.

Leadership: To provide open transparent, accountable leadership working in collaboration with our community.
4.1 To provide proactive, collaborative and transparent leadership
4.2 A local government that is respected and accountable.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

ITEM 12.4.1

That Council RECEIVES the Financial Report for the financial period ending 31 August 2020.

COUNCIL RESOLUTION

ITEM 12.4.1

Res No: 08-0920

MOVED: Cr Niikkula

SECONDED: Cr Lucas

That Council RECEIVES the Financial Report for the financial period ending 31 August 2020.

CARRIED 6/0

12.4.2 LIST OF ACCOUNTS FOR PERIOD ENDING 31 AUGUST 2020

File Reference:	FM.FI.0
Responsible Officer:	Manager Finance
Responsible Officer:	Executive Manager Corporate Services
Date of Report:	11 September 2020
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. List of Accounts for period ending 31 August 2020

PURPOSE

That Council receives 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.

August Payments

Municipal Fund	totalling \$7,360,295.43 Incorporating cheques, direct debits, electronic payments and credit cards.
Trust Fund	totalling \$6,412.29
Total Payments:	\$7,366,707.72

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 2.7 – Procurement Policy and 2.12 – 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 2030 and Corporate Business Plan 2018-2022.

Leadership: To provide open transparent, accountable leadership working in collaboration with our community.

4.1 To provide proactive, collaborative and transparent leadership

4.2 A local government that is respected 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 August 2020 (totalling \$7,366,707.72).

COUNCIL RESOLUTION

ITEM 12.4.2

Res No: 09-0920

MOVED: Cr Niikkula

SECONDED: Cr Lucas

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 August 2020 (totalling \$7,366,707.72).

CARRIED 6/0

ITEMS FOR INFORMATION ONLY

12.5.1 ITEMS FOR INFORMATION ONLY

PURPOSE

To advise Council of the information items 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
27/08/20	Sale of Lot 11 Heron Way (Council Decision 15-02/16 & 17-05/17)
03/09/20	Purchase of 1 Learmonth Street Exmouth (Lot 1416 on P209501) (Council Decision 14-10/18)
10/09/20	Sale of Lot 7 Heron Way (Council Decision 15-02/16 & 17-05/17)

Building Decisions Issued

A summary of the building permits and building certificate applications and approvals made under Delegation pursuant to the *Building Act 2011* up to 31 August 2020.

App #	Date Received	Lot	Property Address	Description	Decision	Decision Date
20/53	03/08/20	70	8 Bennett Street	Single storey dwelling and outbuilding	Approved	06/08/20
20/54	03/08/20	44	9 Searaven Crescent	Swimming pool	Approved	13/08/20
20/55	04/08/20	198	36 Kennedy Street	Boundary fence, inground swimming pool & pool fencing	Approved	14/08/20
20/56	10/08/20	46	5 Searaven Crescent	Dwelling	Approved	20/08/20
20/57	13/08/20	216	19 Carpenter Street	Addition to existing dwelling, patio	Approved	
20/58	14/08/20	92	11 Bluefin Cove	Boundary fencing	Approved	21/08/20
20/59	17/08/20	339	20 Kestrel Place	Floating jetty	Approved	04/09/20
20/60	17/08/20	409	32 Madaffari Dr	Floating jetty	Approved	04/09/20
20/61	17/08/20	373	18 Corella Court	Floating jetty	Approved	04/09/20
20/62	17/08/20	376	24 Corella Court	Floating jetty	Approved	
20/63	18/08/20	157	39 Dugong Close	Dwelling	Approved	19/08/20
20/64	18/08/20	65	18 Crevalle Way	Carport	Approved	21/08/20
20/65	26/08/20	66	12 Fyfe Street	Fence, gates and patio	Approved	08/09/20
20/66	26/08/20	66	12 Fyfe Street	Storage room	Approved	08/09/20
20/67	31/08/20	1	1 Truscott Crescent	Internal renovations	Approved	03/09/20

20/68	31/08/20	400	19 Krait Street	storage shed - stage 1	Pending	
20/69	31/08/20	400	19 Krait Street	office space/ games room	Pending	

Planning Decisions Issued

A summary of the planning decisions issued under delegation or outstanding up to 31 August 2020.

App #	Date Received	Lot	Property Address	Description.	Decision	Decision Date
PA32/19	13/03/19		Scheme Amendment 1 to LPS4		Deferred	07/06/19
DA42/20	03/07/20	416	52 Madaffari Drive	Floating jetty	Approved	31/08/20
DA46/20	10/07/20	137	1 Heron Street	Home business	Approved	21/08/20
DA48/20	16/07/20	65	18 Crevalle Way	Carport (variation to R-codes)	Approved	18/08/20
DA49/20	30/07/20	393	1 Thew Street	Liquor Licence Section 40 certificate	Deferred	30/07/20
DA51/20	31/07/20	11	8 Huston Street	Liquor Licence Section 40 certificate	Approved	28/08/20
DA52/20	03/08/20	21	78 Maidstone Crescent	Patio addition	Approved	31/08/20
DA53/20	04/08/20	339	20 Kestrel Place	Floating jetty	Approved	06/08/20
DA54/20	12/08/20	Scheme Amendment No.2 to LPS4 - re-zoning of part Crown Reserve R50806 into 13 Koolinda Way			Deferred	12/08/20
DA55/20	11/08/20	951	1 Welch Street	Retaining & boundary fencing	Processing	11/08/20
DA56/20	11/08/20	1	1 Truscott Crescent	Signage - RAC Caravan Park	Approved	26/08/20
DA57/20	18/08/20	44	9 Searaven Crescent	Home Occupation	Approved	28/08/20
DA58/20	20/08/20	102	38 Stokes-Hughes Street	Change of Use - Aged or Dependent Persons Dwelling	Approved	10/09/20
DA59/20	21/08/20	134	29 Salmon Loop	Holiday house	Processing	21/08/20
DA60/20	24/08/20	164	16 Dugong Close	Holiday house	Approved	07/09/20
DA61/20	24/08/20	904	13 Patterson Way	Caretakers dwelling	Processing	24/08/20
DA62/20	27/08/20	55	23 Searaven Crescent	Single house and outbuilding	Processing	27/08/20

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

App #	Date Received	Description.	Decision	Permit issued
PE20	20/08/20	Wedding ceremony at Hunters Beach for Heike Haines & Cameron Craigie. 10 October 2020	Issued	31/08/20
PE21	24/08/20	GECKO'S FIESTA food van at Federation Park: Monday, Tuesday, Friday, Saturday, Sunday (5 days a week) for 4 weeks, 10 sqm until 8 October 2020	Issued	09/09/20
PE22	26/08/20	Exmouth Lioness Club of WA - Father's Day raffle - Outside IGA Harvest in the Ross street Mall - 4 and 5 September 2020	Issued	26/08/20
PE23	26/08/20	Coffee Cartel mobile coffee van – October school holidays – Town Beach	Processing	08/09/20
PE24	27/08/20	LIONS OUTBACK VISION Mobile Ophthalmology Van at ECAC - 16 -19 September 2020	Issued	09/09/20
PE25	27/08/20	EXMOUTH SURF CENTRE - Kite surfing lessons, SUP lessons and assisted hire/rental at Town Beach	Issued	09/09/20

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;
- Building Decisions Issued up to 31 August 2020; and
- Planning Decisions Issued up to 31 August 2020.

COUNCIL RESOLUTION

ITEM 12.5.1

Res No: 10-0920

MOVED: Cr Niikkula

SECONDED: Cr Lucas

That Council note the following information items:

- **Register of Documents Stamped with the Shire of Exmouth Common Seal;**
- **Building Decisions Issued up to 31 August 2020; and**
- **Planning Decisions Issued up to 31 August 2020.**

CARRIED 6/0

COMMERCIAL AND COMMUNITY

12.3.1 COMMUNITY SPORT AND RECREATION FACILITIES FUND – PALTRIDGE MEMORIAL SWIMMING POOL UPGRADE

File Reference:	GS.PR.1
Reporting Officers:	Manager Community, Sport and Recreation / Executive Manager Commercial & Community
Responsible Officer:	Executive Manager Commercial & Community
Date of Report:	16 September 2020
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. CONFIDENTIAL CSRFF Funding Application: Paltridge Memorial Swimming Pool 2. Letters of Support

PURPOSE

That Council endorse the Shire of Exmouth's funding application for the proposed upgrade of the Paltridge Memorial Swimming Pool submitted under the Community Sport and Recreation Facility Fund (CSRFF) Forward Planning Grant's program for 2021/2022.

This CSRFF application is similar to the application which Council approved at the Ordinary Council meeting of 26 September 2019 for submission to the Department of Local Government, Sport and Cultural Industries (DLGSCI). That application was not successful.

That Council allocates appropriate funding for the Paltridge Memorial Pool upgrade project upon receiving notification of outcome of the CSRFF Forward Planning Grant.

BACKGROUND

The CSRFF administered by the Department of Sport and Recreation (DSR) has three funding streams including:

- Small Grants – maximum grant value of \$60,000
- Annual Grants – maximum grant value of \$166,666
- Forward Planning Grants – maximum value of \$2m

The CSRFF program is an annual \$12 million program. All three streams are often oversubscribed and proponents may need to reapply on a number of occasions to be successful.

The Small Grants are awarded to projects that require only basic planning with a total project cost of between \$7,500 and \$200,000.

The Annual Grants round targets community sport projects where the financial value of the total project is from \$200,001 up to \$500,000 and is delivered within a 12-month period.

The Forward Planning Grants round targets community sport projects where the financial value of the total project is over \$500,000 with a maximum of \$2,000,000 and is delivered within a 2 – 3 year period.

Applicants must be either a local government authority or a not-for-profit sport or community organisation incorporated under the *WA Associations Incorporation Act 1987*.

The land on which the facility is to be developed must be one of the following:

- Crown reserve;
- Land owned by a public authority;
- Municipal property; and
- Land held for public purposes by trustees under a valid lease, title or trust deed that adequately protects the interests of the public.

The local government has an opportunity to assess all relevant applications and to rank applications in priority order for the municipality.

The Forward Planning Grant with a value up to \$2m is the focus of the Shire of Exmouth funding application.

At the Ordinary Council Meeting held on 26 September 2019 the following decision was approved:

COUNCIL RESOLUTION

ITEM 12.3.3

Res No: 11-0919

That Council APPROVE the Shire of Exmouth funding application for the proposed upgrade of the Paltridge Memorial Swimming Pool (Attachment 1) seeking \$2,000,000 plus gst from the Community Sport and Recreation Facility Fund (CSRFF) Forward Planning Grant program, and if successful allocate a total of \$1,902,000 from the Community Development Fund Reserve and Swimming Pool Reserve with the balance from loan funding.

CARRIED by ABSOLUTE MAJORITY 5/0

COMMENT

The Paltridge Memorial Swimming Pool is the only public swimming pool within a 370km radius of the town of Exmouth and plays a vital role in encouraging physical activity and belonging in the local community.

The upgrading of this aquatic's facility is based on undertaking two stages for its redevelopment.

The first stage involves bringing the pool facility up to current Australian Standards by installing a new pump room, wet decks (for the 50m lap pool and children's pool), heating for the children's pool and disability access into the 50m lap pool.

The second stage involves the demolition of the existing amenities building and building new changerooms, toilets, manager's offices, storage and a kiosk.

The Shire of Exmouth application for the 2021/2022 Forward Planning Grant is just for the first stage of redevelopment.

Exmouth's Paltridge Memorial Swimming Pool is a focal point for youth, who gather at the facility to participate in organised sporting activities including the local swimming and water polo clubs, youth social events, and after school and on weekends with their friends during the hot summer months.

The facility is also used extensively by the Exmouth District High School physical education program with students using the facility to participate in a variety of water-based activities including water polo, underwater hockey and swimming carnivals. It is also the only location in Exmouth where for Department of Education Vacs Swim classes are held each year.

Other youth programs including junior lifeguards and swimming lessons are also held at the pool along with community programs such as the local Swim Around the Cape competition for early morning lap swimmers, the Virtual Rottnest Swim and aqua run fun days.

The swimming pool is also used by the Department of Health in Exmouth to run specialised classes for seniors such as water aerobics, which aim to keep seniors active and healthy.

While the current swimming pool is well utilised, it is 54 years old and operates under a grandfather clause with aging plant and equipment and pipework presenting a significant risk to ongoing operations.

If the pipework were to fail, the Shire of Exmouth would be faced with a difficult decision to either spend a significant amount of money to complete the refurbishment and bring the pool back to operational standard or close the pool.

Given the cost of refurbishment and complying with current Australian Standards, it is likely that the pool would be closed if funding support could not be secured.

In addition to addressing this risk to current levels of physical activity, the proposal to refurbish the existing pools on site will see the children's pools heated, allowing for improved use at the start and finish of the pool season.

The Shire completed a needs assessment in 2016 which identifies key issues with the pool as well as identifying the strategic context for the upgrade and community consultation that occurred as part of the Shire of Exmouth Strategic Community Plan. The community need was again addressed in public consultation on recreation facilities as part of the 2018 Strategic Plan review.

The needs assessment prepared as part of the CSRFF application (Attachment 1) looks at a variety of issues facing the pool including compliance with current building codes and the state of existing buildings and risk of infrastructure failure as well as the usage rates and current operating costs.

The proposed upgrade will ensure the pool facility complies with current legislation in regard to water turnover and access.

Three options for the ongoing operation of the pool were considered.

The first option was to continue to operate the pool in its current condition. This option presents a significant operational risk due to the age of the facility, pump room and pipework. Any failure in the pumping system has the potential to impact on the grandfather clause that currently allows the pool to operate outside current facility standards. This would force Council to upgrade the facility at considerable cost or close it permanently.

Ultimately, the cost of the upgrade is outside Council’s reach and as a result the only real option would be to close the facility. Closing the pool would have significant impacts on recreational opportunities in the community and this is not an option supported by Shire officers.

The second option considered was a full upgrade of the pool as proposed by the Shire in 2012 and 2016 including the construction of a new beach entry children’s pool and 25m lap facility with disability access. The total build cost of more than \$8m is substantially outside the Shire’s financial capacity and ongoing operational costs would be increased.

The third and ultimately preferred option is to modify the existing pools to meet current Australian Standards (including the installation of wet decks and new plant and equipment). This is the minimum required to bring the pool into line with standards and negate the ongoing risk that the current aging plant and pipework will fail. Preliminary plans have been prepared for the pool upgrade and are attached with the full CSRFF funding application.

The proposed upgrade works recommended by Shire officers includes works undertaken in two stages with the CSRFF Forward Grants Application for 2021/22 incorporating only stage one of works, with option three above being the preferred option.

Stages of Works	Description	Estimated Cost from design consultants
1. 50m Lap pool, Children’s pool, plant room upgrade	Upgrade to 50m pool with steps, ACROD Ramp Entry and Wet Decks, refurbishment to existing children’s pool, replacement of plant room and piping	\$4,195,000 plus gst
2. Facility Building redevelopment	Replacement and expansion of the public amenities increased external access, functionality, new kiosk and kitchen fit out, new admin, lifeguard and first aid rooms	\$1,330,000 plus gst

More detailed site plans are included in attachments however the Figure 1 below illustrates the proposed approach.



Figure 1 - Proposed pool upgrade plan

The CSRFF Forward Planning Grant program offers a maximum grant amount of \$2m. Due to the highly competitive nature of this grant program it is proposed for the Shire to apply for \$1.2m for Stage 1 - "Lap pool, Children's pool and Plant Room upgrade".

The Shire will explore other potential funding sources including applying for CSRFF again in the future to fund Stage 2 - "Facility Building Redevelopment".

CONSULTATION

This project is strongly supported by the Exmouth community and stakeholders.

In resubmitting the CSRFF Forward Planning Grant Application for 2021/22, the Shire of Exmouth has received 19 letters of support for the upgrade of the Paltridge Memorial Swimming Pool (Attachment 2) as listed below:

- Royal Life Saving WA
- Leisure Industry of WA
- Exmouth District High School
- WA Department of Education – Swimming and Water Safety
- Swimming WA
- Exmouth Amateur Swimming Club Inc
- Exmouth Water Polo Association
- Exmouth Swim School
- Exmouth Health Service

- Exmouth Dive and Whalesharks Ningaloo
- Liv for the Sea
- Salty Hearts Freediving
- Exmouth Youth Coalition
- CentraCare Family Services
- Exmouth Seniors and Pensioners Club Inc
- Exmouth Christian Fellowship Church Inc
- Exmouth Eagles Football Club
- Exmouth Eagles Junior Football Club
- Scripture Union of WA Inc

As further background, a large number of public consultations have been undertaken since this project was first considered by the Shire of Exmouth in 2012.

As evidenced by Council minutes from June 2016, in 2015 the design consultant undertook consultation with key stakeholders including the Exmouth Amateur Swimming Club, PCYC and Shire management staff.

In addition, the need to improve recreational facilities including the swimming pool was identified during focus groups and community surveys undertaken as part of the Shire of Exmouth Strategic Community Plan: Exmouth 2030. This is reflected in community priority 3.3.2:

Develop, implement and regularly review our recreation and cultural facilities and public open space to ensure they meet the principles of colocation, multi-use and sustainability.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Policy 4.2 Community Sports and Recreation Facilities Funding (CSRFF) Small Grant Policy

FINANCIAL IMPLICATIONS

Stage 1 of the project has been costed at \$4,195,000 (excluding GST)

The Shire of Exmouth funding application to CSRFF Forward Planning to undertake Stage 1 of the planned works to upgrade the "Lap pool, Children's pool and Plant Room upgrade" is for \$1,200,000 leaving a funding deficit of \$2,995,000.

The Shire Swimming Pool Reserve currently has a balance of \$654,808 and the Community Development Fund Reserve has a balance of \$1,382,402. The outstanding amount of \$957,790 will require loan funding and/or funding from other sources.

RISK MANAGEMENT

As mentioned above, the first option was to continue to operate the pool in its current condition. This option presents a significant operational risk due to the age of the facility, pump room and pipework. Any failure in the pumping system has the potential to impact on the grandfather clause that currently allows the pool to operate outside current facility standards. This would force Council to upgrade the facility at considerable cost or close it permanently.

The financially preferred option is to modify the existing pools to meet current Australian Standards (including the installation of wet decks and new plant and equipment). This is the minimum required to bring the pool into line with standards and negate the ongoing risk that the current aging plant and pipework will fail.

A lifecycle cost analysis of the project was completed. This indicated a continuing trend in line with our current operational spending. The main expected change is an increase in depreciation. The CPI increase is presently not an issue as to June 2020 the CPI rate was 0.1% for Perth WA.

The lifecycle cost work did not assume reduced ongoing operational costs as it was too early to quantify, however there is a risk that the maintenance of ageing infrastructure and key plant and equipment has the potential to have a material financial impact if these upgrades are not undertaken.

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2030 and Corporate Business Plan 2018-2022

Social: To be a vibrant, passionate and safe community valuing our natural environment and unique heritage

- 3.1 Explore opportunities to deliver services and facilities that attract and retain people living in the Shire.
- 3.2 Promote facilities/services that enhance public health and safety.
- 3.3 Champion self-supporting community clubs and associations.

Leadership: To provide open transparent, accountable leadership working in collaboration with our community.

- 4.1 To provide proactive, collaborative and transparent leadership
- 4.2 A local government that is respected and accountable.
- 4.3 To be a champion for our community

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 12.3.1

That Council APPROVE the Shire of Exmouth funding application (CONFIDENTIAL Attachment 1) for the proposed Stage 1 upgrade of the Paltridge Memorial Swimming Pool seeking a funding contribution from the Community Sport and Recreation Facility Fund (CSRFF) Forward Planning Grant program, and if successful commit the remaining funding.

COUNCIL RESOLUTION

ITEM 12.3.1

Res No: 11-0920

MOVED: Cr Mounsey

SECONDED: Cr Lake

That Council APPROVE the Shire of Exmouth funding application (CONFIDENTIAL Attachment 1) for the proposed Stage 1 upgrade of the Paltridge Memorial Swimming Pool seeking a funding contribution from the Community Sport and Recreation Facility Fund (CSRFF) Forward Planning Grant program, and if successful commit the remaining funding.

CARRIED by ABSOLUTE MAJORITY 6/0

Executive Manager Commercial and Community acknowledged the work by Manager Community, Sport and Recreation putting this proposal together actively in securing letters of support.

Councillor Mounsey acknowledged Manager Community, Sport and Recreation and advised it is a pleasure having the officer in town.

He also thanked the work done by the Executive Manager Commercial and Community; advising the community appreciates it.

Councillor Lake expressed her thanks on behalf of the community to the Executive Manager and Commercial and Community and Manager Community, Sport and Recreation in preparing the documentation.

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 5.30pm and thanked everyone for their attendance.