

Shire of Exmouth

ORDINARY COUNCIL MEETING

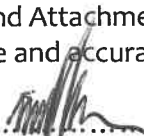
MINUTES



17 December 2020

CONFIRMATION OF MINUTES

I hereby certify that the Minutes and Attachments of the Ordinary Council Meeting held on the 17 December 2020 are a true and accurate record of the proceedings contained therein.


.....

Matthew Niikkula
Shire President

.....25/02/2021.....
Dated

INDEX OF MINUTES

1.	DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS.....	3
2.	RECORD OF ATTENDANCE, APOLOGIES AND APPROVED LEAVE OF ABSENCE.....	3
3.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	4
4.	PUBLIC QUESTIONS TIME	4
5.	DECLARATIONS OF INTEREST	4
6.	APPLICATIONS FOR LEAVE OF ABSENCE	4
7.	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	4
8.	ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS	5
9.	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION	5
10.	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS	6
11.	MATTERS ARISING FROM COMMITTEES OF COUNCIL	7
12.	REPORTS OF OFFICERS.....	8
12.2.3	LODGE A REQUEST WITH THE DEPARTMENT OF PLANNING, LANDS AND HERITAGE TO EXCISE PORTION OF RESERVE 39939 LOT 960 ON DP 215756, EXMOUTH	8
12.2.4	REQUEST THE DEPARTMENT OF PLANNING, LANDS AND HERITAGE TO EXCISE PORTION OF RESERVE 47803 (LOT 1477), EXMOUTH	13
12.3.1	CHC HELICOPTERS SUBLEASE WITHIN LEARMONTH TERMINAL	19
12.3.2	REQUEST FOR ITINERANT TRADING LICENCE - PLANET BURGERS	23
12.3.4	STEPHEN MICHAEL FOUNDATION – MEMORANDUM OF UNDERSTANDING	27
12.4.1	FINANCIAL STATEMENTS FOR PERIOD ENDING 30 NOVEMBER 2020	32
12.4.2	LIST OF ACCOUNTS FOR PERIOD ENDING 30 NOVEMBER 2020	35
12.5.1	ITEMS FOR INFORMATION ONLY.....	37
12.1.1	YEAR TO DATE - PROGRESS REPORT ORGANISATIONAL KEY PERFORMANCE INDICATORS	40
12.1.2	NEW COUNCIL POLICY – 1.13 CALL OUT VOLUNTEER EMPLOYEES (EMERGENCY SERVICES) POLICY	44
12.1.3	COMMUNITY PERCEPTIONS SURVEY 2020.....	47
12.2.1	UNBUDGETED EXPENDITURE – RECYCLING INITIATIVES	54
12.2.2	MURAT ROAD UPGRADE STAGE 1B – AWARD OF TENDER 08/2020	58
12.3.3	SHIRE OF EXMOUTH INVESTMENT PROSPECTUS	62
12.3.5	REQUEST FOR TENDER 06/2020 - RECREATION CENTRE CHANGEROOM ADDITIONS	65
12.4.3	2019/2020 ANNUAL REPORT AND ANNUAL ELECTORS MEETING DATE.....	69
13.	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	72
14.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING.....	73
14.1.1	CHIEF EXECUTIVE OFFICER RECRUITMENT PROCESS.....	73
15.	MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS	77
16.	CLOSURE OF MEETING	77

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

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

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

Councillor M (Matthew) Niikkula	Shire President
Councillor 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 5

APOLOGIES 0

LEAVE OF ABSENCE 0

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTIONS TIME

Nil

5. DECLARATIONS OF INTEREST

Name	Report	Nature of Interest	Type of Interest
Cr Niikkula	12.2.1 – Unbudgeted Expenditure – Recycling Initiatives	Master of Exmouth Masonic Lodge – The volunteer group who will benefit from the additional bins and trailers.	Financial

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 26 November 2020 be confirmed as a true and correct record of proceedings.

COUNCIL RESOLUTION

ITEM 7

Res No: 03-1220

MOVED: Cr McCarrol

SECONDED: Cr Lucas

That the Minutes and associated attachments of the Ordinary Meeting of the Shire of Exmouth held on the 26 November 2020 be confirmed as a true and correct record of proceedings.

CARRIED 6/0

8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS

Councillor McCarrol	<ul style="list-style-type: none"> • 1-3 December - Eco2020 Global Eco Asia-Pacific Tourism Conference Margaret River - Revolution, Driving Evolution • 4 December - TCWA Xmas Function - Perth • 9 December - Waste Working Group • 10 December - ECCI Business After Hours function • 14 December – Christmas light judging • 15 December - Audit Committee Meeting • 17 December - Resilient Reefs Working Group: Informal meeting tonight to discuss opportunities to involve business and the community re bleaching response protocols.
Councillor Lucas	<ul style="list-style-type: none"> • 15 December - Audit Committee Meeting • 10 December - ECCI Business After Hours function
Councillor Dixon	<ul style="list-style-type: none"> • 27 November - Regional Road Group Meeting Carnarvon
Councillor Lake	<ul style="list-style-type: none"> • 10 December - ECCI Business After Hours function. The function was attended by over 100 people. The evening was a celebration of the collaborative efforts of the 2020 ECCI and Shire of Exmouth in raising funds to simulate business through a very challenging year. <p>Highlights of the evening were the announcements that the ECCI has raised approx. 2 million dollars of funds for future multi-faceted business projects and together with significant funding raised by the Shire of Exmouth for various community projects.</p>

9. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

The Shire President read the following report to the gallery:

“As many are now aware, last Friday I had the unfortunate task of accepting the resignation of our CEO Mr Cameron Woods.

Cameron has accepted a position of CEO with another Local Government who chased him very hard and are most excited about their win.

Unfortunately, for Exmouth, and this Council, it comes at a time that all of our strategic goals are starting to be realised and many of the projects we set out to achieve are coming to fruition. I personally attribute a huge amount of our recent successes to the tenacity and hard work that Cameron has invested into his role since taking up the position.

I am the first to publicly admit, that as a new President, who had never before even been a councillor, and attended just 1 previous meeting, I relied heavily on the leadership and support that Cameron constantly gave to not only myself, but to the whole council. Had it not been for his desire to exceed all expectations placed on him and the organisation following a time of turmoil, this council and community would not be in the envious position we are right now.

The relationship between CEO and President, as defined in the Act, is the conduit between Governance and Operations. The link between the Community and the Organisation. I have had the privilege of working very close with Cameron over the last 3 years and can absolutely attest to the extreme pressure and workload that happens behind the scenes in order to keep a town going. The issues that constantly arise, the constant distractions from getting on with core business and the relationships with stakeholders that have to be nurtured and reinforced are all everyday things that Cameron took in his stride and excelled at.

As a first time CEO, Cameron has proven to be exactly what Exmouth needed to get back on track and it is a credit to the selection panel who first identified the capabilities he had for the role.

We now need to get on with the process of finding a suitable replacement, and I, on behalf of not only this current council, but the community as a whole would like to sincerely thank Cameron on all he has achieved, taught and absorbed during his time in Exmouth, and especially through the COVID-19 experience. You should be very proud of both yourself, and the organisation that you have run.

We wish you all the best in your new role and know that you will be striving for the Shire of Exmouth right up to your final work day.

As this is the final council meeting for 2020, a year we would all like to forget, I would like to wish everyone a Merry Christmas and a safe, happy and prosperous new year in 2021”.

10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

11. MATTERS ARISING FROM COMMITTEES OF COUNCIL

The Minutes of this Committee meeting are available on the Shires website.

AUDIT COMMITTEE RESOLUTION

That the Audit Committee recommends to Council that it:

1. RECEIVES the 2019/20 Annual Financial Report; and
2. RECEIVES the Audit Opinion for the Year Ended 30 June 2020.

AUDIT COMMITTEE RECOMMENDATION

That Council RECEIVE the minutes of the Audit Committee Meeting held on the 15 December 2020 at 3.00pm inclusive of the following decisions:

That the Audit Committee recommends to Council that it:

1. RECEIVES the 2019/20 Annual Financial Report; and
2. RECEIVES the Audit Opinion for the Year Ended 30 June 2020.

COUNCIL RESOLUTION

ITEM 11.1

Res No: 04-1220

MOVED: Cr Dixon

SECONDED: Cr Lake

That Council RECEIVE the minutes of the Audit Committee Meeting held on the 15 December 2020 at 3.00pm inclusive of the following decisions:

That the Audit Committee recommends to Council that it:

- 1. RECEIVES the 2019/20 Annual Financial Report; and**
- 2. RECEIVES the Audit Opinion for the Year Ended 30 June 2020.**

CARRIED 6/0

Councillor Lucas advised that the Director of the Office of the Auditor General commended the Shire and Executive Team for being one of the first organisations in WA that has had an audit complete before the end of the year.

Councillor Lucas, Dixon and Lake acknowledged the work by the Executive Managers and all staff involved in the audit.

12. REPORTS OF OFFICERS

The following reports were recommended to be moved enbloc by the Shire President 12.1.2, 12.2.3, 12.2.4, 12.3.1, 12.3.4, 12.4.1, 12.4.2, 12.5.1.

Councillor Lake requested report 12.1.2 be extracted from the enbloc recommendation.

The Shire President confirmed the following reports are recommended to be moved enbloc 12.2.3, 12.2.4, 12.3.1, 12.3.4, 12.4.1, 12.4.2, 12.5.1

12.2.3 LODGE A REQUEST WITH THE DEPARTMENT OF PLANNING, LANDS AND HERITAGE TO EXCISE PORTION OF RESERVE 39939 LOT 960 ON DP 215756, EXMOUTH

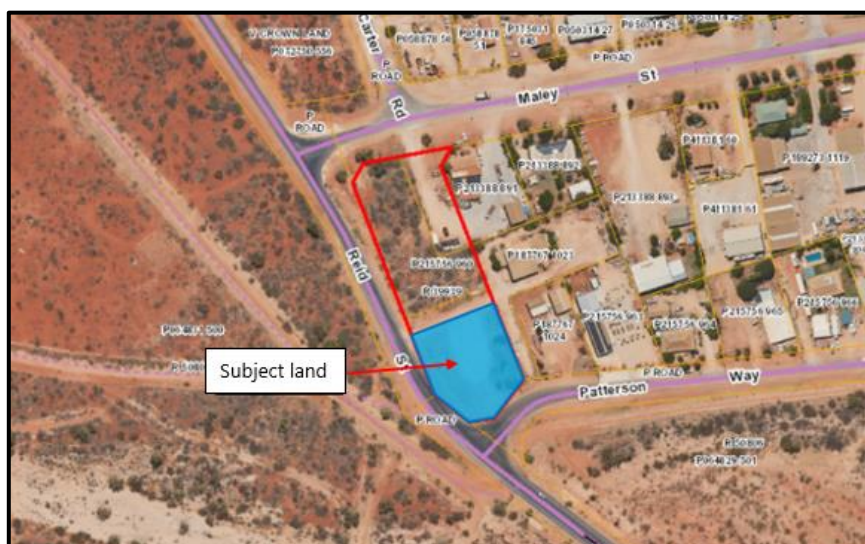
File Reference:	R39939
Reporting Officer:	Senior Planning Officer
Responsible Officer:	Chief Executive Officer
Date of Report:	7 December 2020
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	Nil

PURPOSE

1. That Council consider initiating the process for excising the portion of Reserve 39939 shown as the subject land and identified below.

BACKGROUND

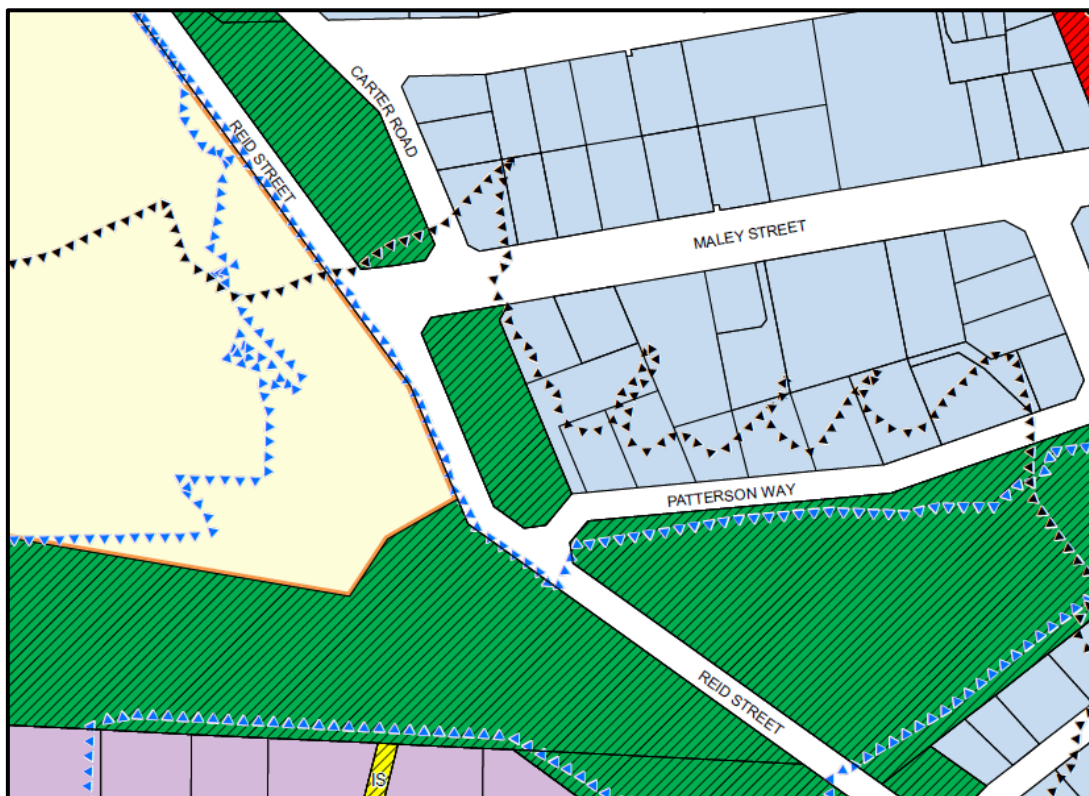
2. The subject land is shown below and forms part of Reserve 39939, which has been set aside for the purposes of *Park, Drainage and Public Utilities Services*, with a management order to the Shire of Exmouth.



3. The subject land is approximately 2,700m² in area and located on the corner of Reid Street and Patterson Way.
4. A Council resolution is required to lodge this request with the Department of Planning Lands and Heritage (DPLH), to excise the subject land from the reserve and potentially use the site for access and parking. As part of that process the Shire is also required to advertise the proposal. This item seeks Councils views on the request and advertising the notice of motion.

COMMENT

5. The subject land is Reserved for the purposes of Public Open Space (POS) under the Shires Local Planning Scheme No.4 (LPS 4). The zoning to the east of the site, is currently 'Service Commercial'.
6. The land is located within the Exmouth Power Station Special Control Area, however has negligible impacts on the use considered.
7. The figure below shows the local planning scheme zoning and reserves and the extent and location of the special control area.



8. According to the Gnulli Native Title Determination dated 29 November 2019, the land has been cleared of Native Title.
9. The site has previously been cleared and is now somewhat of an informal hardstand area. For those reasons outlined below, subject to care staff consider the land is no longer required for the above purposes.

10. Given its location and the relatively small size of the workforce in the surrounding area, the site is currently not considered suitable for any permanent play equipment or infrastructure and is unlikely to be used for recreation purposes by the public at large.
11. Upgrades including bunding to the light industrial area creek have improved drainage within the locality. Significant stormwater events will typically flow through the low points in the area, including the creek area to the south and the opposite side of Reid Street. It is noted the site also falls outside of the floodplain special control area of LPS 4. Nonetheless drainage would be considered as part of any future development on the site.
12. Information has been obtained from Dial Before You Dig in relation to existing services within the site. A number of utility services are located adjacent to the eastern boundary, including water corporation, NBN, and Horizon Power services and infrastructure. These could be retained and protected within easements.
13. As can be seen from the above figure, it is noted that the subject land does form part of a larger buffer strip between the eastern side of Reid Street and the Service Commercial area. However, staff's recommendation is for this area to be used as a possible overflow car parking area for nearby businesses, such a Whalebone Brewery situated at 27 Patterson Way. Accordingly, this area could remain open, and suitable landscaping planted as required under LPS.4. This could still achieve the intent of the buffer strip, by retaining a separation distance between commercial and industrial workshops. This could also retain a position for other reserved land in the municipality.
14. Council could purchase the land and potentially enter into a lease agreement with nearby owners, including 27 Patterson Way so that Council can recover costs over an agree period of time. Alternatively, the land could be amalgamated into nearby land and used for access and carparking. Some other landowners have expressed interest in the subject land, comments will be sought should this matter progress to advertising.
15. Should the excision eventuate, the POS reserve classification should be amended. It is the responsible officer's recommendation that no built form be permitted over the subject land.

CONSULTATION

16. Subsequent to a Council resolution to proceed, in accordance with s.52 of the *Land Administration Act 1997* the Shire would also need to publicly advertise the intention for a period of not less than 30 days seeking any comments and objections.

STATUTORY ENVIRONMENT

17. A number of legislative and statutory documents are applicable to this item, this includes;
 - *Shire of Exmouth Local Planning Scheme No.4*
 - *Shire of Exmouth Local Planning Strategy*
 - *Local Government Act 1995*
 - *Land Administration Act 1997*
 - *Lands Administration Regulations 1998*

POLICY IMPLICATIONS

18. DPLH Development Control Policy 4.1 – *Industrial Subdivision* states;
3.6.1: The commission has no general requirement for the provision of public open space in industrial areas".

FINANCIAL IMPLICATIONS

19. Should this be pursued and subsequently supported by the Department of Planning Lands and Heritage, the land would need to be purchased in freehold. The applicant would also be responsible for associated costs (survey, preparation of documentation, registration of fees etc.).

RISK MANAGEMENT

20. The risk identification and categorisation rely on the Shires Policy 2.13 – *Risk Management Policy*.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational – The proposal may not be accepted by the DPLH.	Possible	Minor	Low	If the request is not supported by the DPLH the matter will not be progressed.

ALTERNATE OPTIONS

21. Council has the alternate option of choosing to not advertise and lodge a request with the DPLH for excision of the subject land.

STRATEGIC ALIGNMENT

22. 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.

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.

2.2 Strive to achieve a balance between the preservation of our unique environment and the delivery of sustainable economic growth.

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.

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

23. Simple Majority

OFFICER'S RECOMMENDATION

ITEM 12.2.3

That Council:

1. Approve to lodge a request with the Department of Planning, Lands and Heritage for excising the portion of Reserve 39939 as identified above for the purposes of access and carparking.
2. Pursuant to s.52 of the *Land Administration Act 1997*, advertise the notice of motion for this resolution to nearby landowners and in a local newspaper circulating in the district for a period of not less than 30 days.
3. The local government considers any objections and submissions received within that period concerning the proposal, and the matter being subsequently brought before Council for a final resolution recommendation.

COUNCIL RESOLUTION

ITEM 12.2.3

Res No: 05-1220

MOVED: Cr Niikkula

SECONDED: Cr Mounsey

That Council:

1. **Approve to lodge a request with the Department of Planning, Lands and Heritage for excising the portion of Reserve 39939 as identified above for the purposes of access and carparking.**
2. **Pursuant to s.52 of the *Land Administration Act 1997*, advertise the notice of motion for this resolution to nearby landowners and in a local newspaper circulating in the district for a period of not less than 30 days.**
3. **The local government considers any objections and submissions received within that period concerning the proposal, and the matter being subsequently brought before Council for a final resolution recommendation.**

CARRIED 6/0

12.2.4 REQUEST THE DEPARTMENT OF PLANNING, LANDS AND HERITAGE TO EXCISE PORTION OF RESERVE 47803 (LOT 1477), EXMOUTH

File Reference:	R47803
Reporting Officer:	Senior Planning Officer
Responsible Officer:	Chief Executive Officer
Date of Report:	8 December 2020
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	Nil

PURPOSE

1. That Council advise the Department of Planning, Plans and Heritage to proceed with the application for excising the portion of Reserve 47803 as identified below.

BACKGROUND

2. The subject land parcel (the subject land) is shown below and forms part of Reserve 47803, which is a public open space (POS) reserve for the purposes of *Recreation and Drainage*, under the care control and management of the Shire of Exmouth.



3. The subject land is approximately 478m² in area, and located towards the end of Madaffari Drive, opposite the Mantarays Ningaloo Beach Resort.

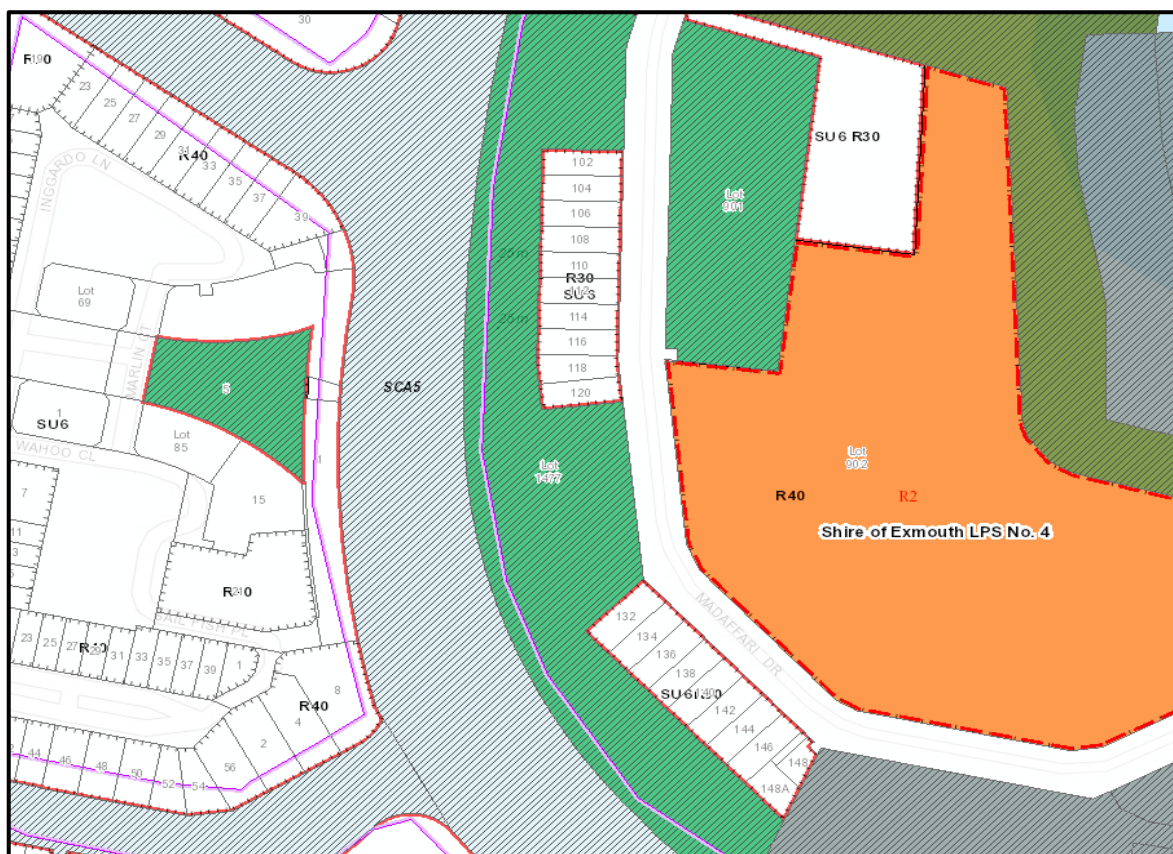
4. The subject land previously contained a playground, however was mostly removed, sections of a brick perimeter wall remain.
5. Following discussions with the Executive Team, this land could be excised and developed as a residential property. A potential lot design is shown below.



6. The Shire has lodged a Crown Land Enquiry with the Department of Planning Lands and Heritage (DPLH), to excise the subject land from the reserve who are seeking a Council resolution to progress the matter.

COMMENT

7. The subject land is Reserved for the purposes of Public Open Space (POS) under the Shires Local Planning Scheme No.4 (LPS 4). The figure below is an extract from the LPS 4 zoning maps. The zoning to the north and south of the site is 'Special Use Area 6' – Exmouth Marina. Tourism land (Mantarays Ningaloo Beach Resort) is located to the east on the opposite side of Madaffari Drive.
8. According to the Gnulli Determination dated 29 November 2019, the land has been cleared of Native Title.



9. It is DPLH Policy to generally require 10% of the gross subdivisible area to be given up as public open space to the Crown free of cost. There is a move, however, in the northern parts of Western Australia by a number of Council's to require a lesser percentage of POS with the trade-off being that the more active recreation areas are developed and provided with lighting by the developer. In the hot climate of the northern areas of the state recreational activities are occurring more often in the cool of the night.
10. The general lack of water also puts pressure on Council's in the upkeep of parks. It is becoming preferable for a lessor area being given to reduce Council's ongoing maintenance costs.
11. In respect to the Exmouth Marina, emphasis has been given to allocate most recreational pursuits around marine based activities.
12. As outlined in the Exmouth Marina Village Outline Development Plan, the net developable area of the Marina Village, excluding Special Use Area 7 (Super lot Precinct D) was roughly 36.84 hectares. The current area of POS provided is 5.96 hectares, equating to a POS calculation of 16.18%. Excising the subject land would reduce this to approximately 16.05%.
13. If the subject land is excised, it could be used for residential development and purposes such as staff housing.
14. As mentioned in other items, Council has identified the need to employ appropriately qualified staff to provide effective services to the Shire of Exmouth. These skills are not always locally available and requires Council to consider measures that it can take to attract and retain these skills.

15. One of the incentives that Council provides to appropriately levelled staff is the provision of low cost or no cost accommodation. Council has developed and adopted Policy (1.14 – *Council Employees Housing*) that recognises the need for the provision of staff housing and rent subsidies to attract and retain key staff.
16. Information obtained from Dial Before You Dig in relation to existing services at and in proximity to the site, with the exception of NBN cabling, no other substantial public utility services were identified on the subject land.
17. The site would need to be appropriately serviced, with sewer, water and power etc, which are located within the Madaffari Drive Road Reserve.
18. Should the excision be supported from the DPLH and the land purchased, the land would need to be subsequently rezoned and likely to be included within 'Special Use Area 6' of LPS 4.

CONSULTATION

19. Subsequent to a Council resolution to proceed, in accordance with s.52 of the *Land Administration Act 1997* the Shire would also need to publicly advertise the intention for a period of not less than 30 days seeking any comments and objections.

STATUTORY ENVIRONMENT

20. A number of legislative and statutory documents are applicable to this item, this includes;
 - *Shire of Exmouth Local Planning Scheme No.4*
 - *Shire of Exmouth Local Planning Strategy*
 - *Local Government Act 1995*
 - *Land Administration Act 1997*
 - *Lands Administration Regulations 1998*

POLICY IMPLICATIONS

21. *Council Policy 1.14 – Council Employees Housing and Housing Allowances:*

"The purpose of this policy is to establish guidelines for the provision of Council housing to attract and retain employees who hold key roles in the organisation based on operational requirements."

22. The general component of *Development Control Policy 2.3 – Public Open Space in Residential Areas* is the requirement that 10 per cent of the gross subdivisible be given up as public open space to the Crown free of cost.

FINANCIAL IMPLICATIONS

23. Should this be subsequently supported by the Department of Planning Lands and Heritage, the land would need to be purchased in freehold. The Shire would also responsible for upfront costs of all associated costs (survey, preparation of documentation, registration of fees etc.).
24. The valuation is determined on the current unimproved market value. Recent land prices within the area have equated to approximately \$468 per m², providing a rough estimate of \$224,000 for the subject land.
25. Any future Contract of Sale would be referred to Council for a determination.

RISK MANAGEMENT

26. The risk identification and categorisation rely on the Shires Policy 2.13 – *Risk Management Policy*.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational – The proposal may not be accepted by the DPLH.	Possible	Minor	Low	If the request is not supported by the DPLH the matter will not be progressed, and alternate options will need to be explored.
Reputational and Service Interruption - Lack of housing may impact on the ability of Council to employ and retain appropriately levelled staff.	Possible	Moderate	Moderate	Alternate options will need to be explored.
Reputational and Service Interruption – Reduction in public open space and community expectations.	Possible	Moderate	Moderate	If this matter proceeds, the application will be advertised for public comments. Further, as mentioned above there is sufficient area is set aside for active and passive recreation within the area. Council should continue to investigate options of improving POS areas.

ALTERNATE OPTIONS

27. Council has the alternate option of choosing to not advertise and proceed with the request with the DPLH for excision of the subject land.

STRATEGIC ALIGNMENT

28. 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.

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.

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.

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

29. Simple Majority

OFFICER'S RECOMMENDATION

ITEM 12.2.4

That Council:

1. Approve to lodge a request with the Department of Planning, Lands and Heritage for excising the portion of Reserve 47803 as identified above, for the purposes of creating a residential lot.
2. Pursuant to s.52 of the *Land Administration Act 1997*, advertise the notice of motion for this resolution to nearby landowners and in a local newspaper circulating in the district for a period of not less than 30 days.
3. The local government considers any objections and submissions received within that period concerning the proposal, and the matter being subsequently brought before Council for a final resolution recommendation.

COUNCIL RESOLUTION

ITEM 12.2.4

Res No: 06-1220

MOVED: Cr Niikkula

SECONDED: Cr Mounsey

That Council:

1. **Approve to lodge a request with the Department of Planning, Lands and Heritage for excising the portion of Reserve 47803 as identified above, for the purposes of creating a residential lot.**
2. **Pursuant to s.52 of the *Land Administration Act 1997*, advertise the notice of motion for this resolution to nearby landowners and in a local newspaper circulating in the district for a period of not less than 30 days.**
3. **The local government considers any objections and submissions received within that period concerning the proposal, and the matter being subsequently brought before Council for a final resolution recommendation.**

CARRIED 6/0

COMMERCIAL AND COMMUNITY

12.3.1 CHC HELICOPTERS SUBLEASE WITHIN LEARMONTH TERMINAL

File Reference:	CP.LE.7
Reporting Officer:	Executive Manager Commercial and Community
Responsible Officer:	As above
Date of Report:	4 December 2020
Applicant/Proponent:	CHC Helicopter Services
Disclosure of Interest:	Nil
Attachment(s):	1. CONFIDENTIAL – Draft Lease Agreement Shire of Exmouth and CHC Helicopter Services

PURPOSE

1. That Council approve to sublease an office to CHC Helicopters located within the fixed wing terminal at Learmonth Airport at Lot 102 on Plan 180508 and being the whole of the land comprised within Certificate of Title Volume 1392 Folio 461.

BACKGROUND

2. CHC Helicopter Services (CHC) are an international air transport operation providing rotary wing services including offshore oil and gas transport and search and rescue services. CHC have leased the office space since July 2018 and are wanting to enter into a new lease to continue to use the same office space.
3. Exmouth Council approved the granting of similar lease in July 2018 as per resolution 08-0718.

Res No: 08-0718
MOVED: Cr Penfold
SECONDED: Cr Mounsey

That Council approve:

1. ***CHC Helicopter Services to sublease approximately 9m² office area, in the main fixed wing terminal at Learmonth Airport as per the terms and conditions listed in Lease Schedule marked confidential attachment 1 to this report.***
2. ***Any sublease agreement to be subject to Department of Defence approval in accordance with the Shire's Head Lease.***

CARRIED 6/0

COMMENT

4. The proposed lease area is the same area currently being used by CHC previously approved under Council resolution 08-0718 and is approximately 9m² and located within the main Learmonth fixed wing terminal.

5. The main purpose for use of the office is to accommodate a CHC engineer who will be on site to service the CHC aircraft as required. The 9m² office space is located behind the main passenger check-in counter, is fully secured and is currently unused.
6. CHC staff possess all required air side access accreditations.
7. There is no existing sub meter to determine power usage for this leased area, however calculations have been determined based on similar leaseholders' usage for basic power, lighting and limited use of a small air conditioner.

CONSULTATION

8. CHC Helicopter Services
9. Department of Defence

STATUTORY ENVIRONMENT

10. Local Government Act 1995, Part 3 Division 3 s. 3.58

POLICY IMPLICATIONS

11. The terms and conditions of the new lease agreement comply with Shire of Exmouth Policy Manual, Policy 2.4 Leases.
12. As per the policy all new leases require Council approval. CHC did not request any option to extend in the previous lease grant July 2018. An option for further term would not have required Council approval and could have been approved by the Shire CEO under delegated authority. As this is a new lease for the same space Council approval is still required.
13. Shire officers have included a further option as part of the new lease. As per clause 19.1c of the proposed new lease the Shire may, in its sole discretion, grant to CHC a Sublease for the Further Term on same terms and conditions.

FINANCIAL IMPLICATIONS

14. As per Shire Policy 2.4 Leases;
 - All costs associated with the development, execution and completion of the lease documentation will be met by the Lessee.
 - All costs associated with the development and ongoing operations of the lease area will be met by the Lessee.
15. Annual Lease & Utilities Fee are in accordance with market commercial rate.

RISK MANAGEMENT

16. Risk implications identified for this proposed lease;

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Operational - Ongoing operational and building maintenance costs for the office space to the Shire.	Unlikely	Minor	Low	The rent and outgoings have been calculated to include ongoing operational and building maintenance costs.
Operational - CHC are not provided office space to accommodate their required personnel.	Possible	Major	Moderate	Approval of lease for use of dedicated office space provides greater tenure to CHC to continue to deliver operations via Learmonth.

ALTERNATE OPTIONS

17. Alternate options include but not limited to:

1. Council not support the granting of a lease agreement to CHC,
2. Council to change the terms and conditions of the lease agreement including term, rent payable and responsibility for outgoings.

STRATEGIC IMPLICATIONS

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

Economic	<p><u>Diversify and grow our economy in a manner that provides year round employment opportunities</u></p> <p>1.1 A diverse and environmentally aware local economy that can attract business investment and provide employment opportunities</p> <p>1.3 Enable the provision of essential infrastructure that will support investment and diversify our economy.</p>
Environment	<p><u>To protect and value our unique natural and built environment as we grow our economy.</u></p> <p>2.3 Advocate and promote opportunities for the development of environmentally sustainable essential infrastructure and services</p>
Social	<p><u>To be a vibrant, passionate and safe community valuing our natural environment and unique heritage</u></p> <p>3.1 Explore opportunities to deliver services and facilities that attract and retain people living in the Shire.</p>

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 12.3.1

That Council APPROVE:

- 1 CHC Helicopter Services to sublease approximately 9m² office area, in the main fixed wing terminal at Learmonth Airport as per the terms and conditions listed in Draft lease marked CONFIDENTIAL Attachment 1 to this report.
- 2 Any sublease agreement to be subject to Department of Defence approval in accordance with the Shire's Head Lease.

COUNCIL RESOLUTION

ITEM 12.3.1

Res No: 07-1220

MOVED: Cr Niikkula

SECONDED: Cr Mounsey

That Council APPROVE:

- 1 **CHC Helicopter Services to sublease approximately 9m² office area, in the main fixed wing terminal at Learmonth Airport as per the terms and conditions listed in Draft lease marked CONFIDENTIAL Attachment 1 to this report.**
- 2 **Any sublease agreement to be subject to Department of Defence approval in accordance with the Shire's Head Lease.**

CARRIED by ABSOLUTE MAJORITY 6/0

12.3.2 REQUEST FOR ITINERANT TRADING LICENCE - PLANET BURGERS

File Reference:	R28158
Reporting Officer:	Executive Manager Commercial and Community
Responsible Officer:	As above
Date of Report:	7 December 2020
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	Nil

PURPOSE

1. Purpose of this report is to attain Council approval to enter into a new licence agreement with Planet Burgers food truck operator for use of designated space 1 at the Payne Street precinct.

BACKGROUND

2. Planet Burgers is a local food truck operator that has been operating at the Payne Street location (adjacent to Exmouth Town Hall) under various forms of Shire approval since the mid 1990's.
3. The commercial arrangement with the Shire for the operation of Planet Burgers was traditionally a Stallholders Permit up until June 2010 and then were provided a 4 year Access Licence which expired in September 2014. Most recently Planet Burgers have been operating under an exclusive annual Permit to Occupy Local Government Property issued each year since 2014.
4. In 2008 Council resolved to allow the business owner of Planet Burgers to upgrade the power supply from 2 phase to include an additional 3 phase outlet with the upgrade to the infrastructure remaining the property of the Shire. This was a considered to be a necessity to operate the business effectively and eliminate power shortages experienced by internal upgrades in the van over the years.
5. In 2014 the approved operating site was relocated some 50m south of the previous site, on the same side of the road and opposite the entrance to the Bowling Club.
6. The site where Planet Burgers currently operate is on Payne Street Road Reserve. Under the Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law the Shire is permitted to approve licences as proposed in this report.
7. Planet Burgers is owned and operated by the Sutton family who reside in Exmouth.

COMMENT

8. At the 22 November 2020 Ordinary Council Meeting, Council approved the revisions to the Itinerant Trading policy as per resolution 07-1120:

Res No: 07-1120

MOVED: Cr Lake

SECONDED: Cr McCarrol

That Council APPROVE:

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	

CARRIED by ABSOLUTE MAJORITY 6/0

9. A key component of the Itinerant Trading policy is the ability of Council to approve a licensing arrangement option for those traders seeking terms greater than 12 months. As stated in the Policy adopted in May 2020,
10. "Approval to trade can be granted for periods ranging from 1 day to 12 months with terms greater than 12 months to be considered via a licensing arrangement and requiring Council approval on a case by case basis." (source General Provisions point 2 – 6.9 Itinerant Trading policy)
11. Also stated in the May 2020 version of the Policy is;

"A license approach is to provide greater tenure with terms and conditions negotiated on a case by case basis. A licence approach will be subject to Policy 2.4 Leases and Licences however any itinerant trader licence will require and be subject to Council review and approval. Traders will still be required to secure all required trading permits." (source General Provisions point 7 – 6.9 Itinerant Trading policy)
12. An additional clause to the policy was recently adopted by Council in November that included a requirement for traders to demonstrate a proven trading history of at least 12 months (or one full tourism season ie April to September) within the Shire of Exmouth area prior to qualifying for consideration under a licence agreement. The intent behind this addition was to acknowledge the difference between local Exmouth residents who wish to operate an itinerant trading type of business within the Shire of Exmouth and those itinerant traders who do not reside in Exmouth and visit and trade on a seasonal and adhoc basis.
13. Planet Burgers has been operating within Exmouth for over 20 years. As this request meets the requirements for a licence arrangement approach the officer recommendation is to seek Council approval to enter into a licence agreement with Planet Burgers.

CONSULTATION

14. The Shire has consulted with Planet Burgers owners in developing this request.

15. A licence arrangement does not require public advertising under the Local Government Act 1995 section 3.58.

STATUTORY ENVIRONMENT

16. *Land Administration Act*.

17. Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law.

18. The leasing and licensing of Shire property is governed by the *Local Government Act 1995*, Section 3.58.

POLICY IMPLICATIONS

19. The granting of the proposed licence complies with Shire of Exmouth Policy Manual, Policy 6.9 Itinerant Trading and Policy 2.4 Leases and Licences. As per policy all new licences granted under Itinerant Trading shall require approval of Council.

FINANCIAL IMPLICATIONS

20. The approved Itinerant Trading permit fees and charges apply. Licence fees are charged at a 50% discount to approved permit fee rates.

RISK MANAGEMENT

21. Risk implications identified with this licence proposal:

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance If approved, Planet Burgers does not operate as per the licence agreement conditions	Possible	Minor	Moderate	Council may revoke licence due to non-performance to licence terms and conditions

ALTERNATE OPTIONS

22. Alternate options include but not limited to:

1. Council not support the granting of a licence agreement to Planet Burgers and they would then need to continue to operate under the annual permit approach,
2. Council to change the terms and conditions of the licence agreement including term and/or fees payable.

STRATEGIC IMPLICATIONS

23. 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.

3.3 Champion self-supporting community clubs and associations.

VOTING REQUIREMENTS

24. Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 12.3.2

That Council:

1. **APPROVE** Planet Burgers to operate at a designated Payne Street location under an Itinerant Trading licence, and
2. **AUTHORISE** the Chief Executive Officer to execute a licence agreement for a term of 3 years and to apply appropriate fees and charges each year as adopted by Council in its annual review.

COUNCIL RESOLUTION

ITEM 12.3.2

Res No: 08-1220

MOVED: Cr Niikkula

SECONDED: Cr Mounsey

That Council:

1. **APPROVE Planet Burgers to operate at a designated Payne Street location under an Itinerant Trading licence, and**
2. **AUTHORISE the Chief Executive Officer to execute a licence agreement for a term of 3 years and to apply appropriate fees and charges each year as adopted by Council in its annual review.**

CARRIED by ABSOLUTE MAJORITY 6/0

12.3.4 STEPHEN MICHAEL FOUNDATION – MEMORANDUM OF UNDERSTANDING

File Reference:	CR.SP.0
Reporting Officer:	Manager Community, Sport and Recreation
Responsible Officer:	Executive Manager Commercial and Community
Date of Report:	8 December 2020
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. CONFIDENTIAL - Draft Memorandum of Understanding (MOU)

PURPOSE

1. This report seeks Council endorsement for a Memorandum of Understanding (MOU) to be developed and agreed to between the Shire of Exmouth and the Stephen Michael Foundation.
2. With the withdrawal of the PCYC from Exmouth earlier this year, Shire Officers have sought possible solutions for the provision of replacement activities for youth in the Exmouth township.
3. The Stephen Michael Foundation provide youth focused activities under their coordination in liaison with the Shire of Exmouth and the involvement of organisations such as Exmouth District High School, Exmouth Eagles Football Club, Exmouth Basketball Association and other sporting and non-sporting bodies.

BACKGROUND

4. The Stephen Michael Foundation (SMF) was formed by the South Fremantle Football Club (SFFC) in March 2017 to deliver programs that support the development of youth within SFFC's recruiting zone.
5. The Foundation is named after Stephen Michael who was a high performing player for SFFC and considered one of Western Australia's best players. From the website of SMF, Stephen Michael is referred to as having "*demonstrated great values and integrity and is considered the perfect role model to have a foundation honouring his name*".
6. The Pillars of SMF include:
 - Engaged and Inclusive Communities – Local communities are engaged and supported to deliver programs to youth from all cultural backgrounds, gender or social circumstances.
 - Sustainable Local Programs – Communities are assisted to develop and maintain sustainable sports activities and programs.
 - Strong and Healthy Young People – Young people's health and wellbeing is strengthened through engagement in sports activities, social support services and leadership opportunities.
 - Opportunities for work and education – Programs are designed with opportunities for young people to gain educational qualifications, job skills and employment.

- Quality Organisation – A well governed and professional organisation delivering quality services to young people and communities in Australia.
7. Specifically, the purpose of SMF's programs were originally be for "at-risk" and "disengaged youth" in low socio-economic areas. Now after four years of operating, the SMF is seeking to expand its reach within the Gascoyne Region by providing activities and pathways for youth disadvantaged located within this remote regional area of Western Australia.
 8. With the Shire of Exmouth geographical area being within SFFC's recruiting zone and realizing that there were youth here that could benefit by programs delivered by SMF, the SMF has sought to become more involved with the Exmouth community. Initially this involvement was with youth football opportunities for females and males but in the past year SMF has sought to become involved in a range of youth-oriented activities to improve the development of skills and capacity.
 9. While the head office of SMF is based in Perth, the organisation currently has officers based in Carnarvon and Geraldton and these officers are supported by visits from Perth-based staff.

COMMENT

10. A MOU between the Shire of Exmouth (Shire) and the SMF relates to:
"Providing understanding of the overarching partnership between the Stephen Michael Foundation and the Shire of Exmouth to support the delivery of after-hours engagement activities and a high-performance athlete program supporting the development of junior athletes."
11. Engagement Activities – refer to after-hours sport and well-being programs designed to engage children and young people who do not regularly participate in community-based programs.
12. High-Performance Program – refers to the development of a structured training program targeting junior athletes who have been identified by the Talent team of a State Sporting Association (SSA) and Mid-West Academy of Sport (MWAS).
13. The MOU details the objectives of the partnership, provides a schedule of key programs and activities, and outlines the resources and support committed by both parties.
14. The MOU reflects the mutual commitment of the SMF and the Shire to deliver community-based sport and well-being activities, and after-hours engagement programs for children and young people residing in Exmouth and around the Shire catchment area. This commitment extends to supporting children and young people to participate in inter-community (within the Gascoyne Region) and inter-regional (outside the Gascoyne Region) camps, carnivals and events throughout the duration of the partnership period.
15. Both Parties (the Shire and SMF) will aim to make a strong commitment to exploring opportunities to develop a high-performance program for talented junior athletes from within the Shire of Exmouth, and broader Gascoyne Region, in order to access talent pathways in partnership with various SSAs and MWAS.

16. The two main programs to be delivered by SMF within the Exmouth township:

17. Nightfields Program

- The Nightfields Program is an after-school multi-sport program delivered for youth (aged 10-18) that is designed to offer participants an activity to engage in when choices for activities are limited within the township. Participants will have the opportunity to try a variety of traditional sports, recreation, and well-being activities, with each session seeing them rotate between three to four options (running 20-30mins each) and culminating in a healthy meal before heading home.
- The program will be run on a day/time determined by a local 'working group' committee which includes representatives from the SMF, Exmouth District High School, local community organisations and sporting associations, and the Shire. This program looks to increase the awareness and engagement of young people in community-based sport and recreation programs, building direct connections with sporting clubs that have struggled to retain junior members over the past few seasons.

18. Talent Program

- The SMF has identified a number of barriers that limit the access and the likelihood that regional players will be selected into metro-based talent programs for all sporting codes, including distance, cost of travel, and fitness. To address this, the SMF has established regional football Talent Squads to help identify and deliver higher level training programs to local athletes, aiming to better prepare them to link with the South Fremantle Youth Development Squads and WAFL Talent Pathway. In 2019, SMF has established male and female 'Gascoyne Bulldogs' squads in Exmouth and Carnarvon, with players combining for intra-regional (Gascoyne Communities) and inter-regional matches against the Pilbara and Midwest over the last 18 months.

19. In 2021, SMF is looking to work with the Shire and the MWAS to expand this program to include upskilling in Sports Medicine, Strength and Conditioning programming, Nutrition education, and higher-level tailored training programs for promising athletes. These agencies will work alongside State Sporting Associations and local sporting clubs to establish a squad of athletes who are part of a holistic program that supports them to achieve their full potential.

20. The MOU between the Shire and SMF is intended to cover a period of 18 months commencing 1 January 2021 and concluding 30 June 2022.

21. The MOU has been developed to record the intentions of both parties to work cooperatively to achieve the Objectives of the MOU. It is not intended that the MOU will be a contract, or legally enforceable agreement, but merely a record of the Parties intentions.

22. By having a strategic partnership with SMF, the Shire is seeking to have activities in place to assist youth now that the PCYC is no longer operating within the Exmouth township plus add value to youth sports programs with SMF's Nightfields and Talent Programs.

CONSULTATION

23. Stephen Michael Foundation

STATUTORY ENVIRONMENT

24. Nil

POLICY IMPLICATIONS

25. Nil

FINANCIAL IMPLICATIONS

26. While the Shire will be able to provide some minor funding support via the Community and Sporting Grants Program, Shire Officers are assisting the SMF to find sufficient long-term funding from a potential funding partner for the activities to be undertaken for youth in the Exmouth community.

RISK MANAGEMENT

27.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance If a potential capable part-time staff member for SMF was not able to be secured, then the program will not develop as envisaged.	Possible	Major	Medium	Shire to enter into MOU and assist SMF to secure funding.
Financial If funding is not able to be found, then the program will not develop as envisaged.	Possible	Major	Medium	Shire to enter into MOU and assist SMF to secure funding.

ALTERNATE OPTIONS

28. With the demise earlier this year of the PCYC in the town of Exmouth, any alternate operation will be similarly dependent on having sufficient funding availability but importantly having a strong strategic focus and support from the local community (and funding partners) will greatly assist an organisation's capability to survive into the future.

29. While the recent formation of the Exmouth Junior Sports and Recreation Club will assist to provide some activities that replace what a PCYC might be able to do (these are not in the same program areas as the SMF), this new locally-based club will have an entirely voluntary committee and therefore its success at any time will be dependent on the members of the committee and also having sufficient funding.

STRATEGIC ALIGNMENT

30. 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.

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

31. Simple Majority

OFFICER'S RECOMMENDATION

ITEM 12.3.4

That Council ENDORSE a Memorandum of Understanding between the Shire of Exmouth and the Stephen Michael Foundation with the Shire of Exmouth Chief Executive Officer having delegated responsibility to sign the Memorandum of Understanding.

COUNCIL RESOLUTION

ITEM 12.3.4

Res No: 09-1220

MOVED: Cr Niikkula

SECONDED: Cr Mounsey

That Council ENDORSE a Memorandum of Understanding between the Shire of Exmouth and the Stephen Michael Foundation with the Shire of Exmouth Chief Executive Officer having delegated responsibility to sign the Memorandum of Understanding.

CARRIED 6/0

12.4.1 FINANCIAL STATEMENTS FOR PERIOD ENDING 30 NOVEMBER 2020

File Reference:	FM.FI.0
Reporting Officer:	Manager Finance
Responsible Officer:	Executive Manager Corporate Services
Date of Report:	4 December 2020
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Monthly Financial Report as at 30 November 2020.

PURPOSE

1. That Council accepts the financial report for the financial period ending 30 November 2020.

BACKGROUND

2. The provisions of the Local Government Act 1995 and *Local Government (Financial Management) Regulations 1996* Regulation 34 requires a statement of financial activity be presented at ordinary meeting of council within 2 months of the period end date (refer Attachment 12.4.1).

COMMENT

3. As at 30 November, operating revenue is above target by \$423,666 (5.65%) due to an increase of visitors to Exmouth. The Ningaloo Visitor Centre merchandise sales and exhibition admissions were above target and the overflow caravan park revenue increased. Insurance assistance package and surplus distributions were paid by LGIS. Additional funding was received for the aquarium. Aviation revenue for November have not been raised at time of reporting.
4. Operating expenditure is under budget by \$422,590 (27.89%) variances are mainly due to employee costs being under budget due to employee vacancies, timing of training and relocation costs. Materials and contracts and other expenditure are also under budget due to the timing of maintenance programmes and community grant payments.
5. Capital projects is under budget by \$220,232, a total of \$1,178,673 has been spent to date. This includes the installation of goal posts at Talanjee and Koobooroo ovals and the purchase of staff housing and Lot 146 Learmonth Street. The Ningaloo Centre solar panels and plant replacement programmes have commenced and the Aquarium protein skimmers have been purchased.
6. Rate notices were issued on 30 July 2020. First instalments were due 3 September 2020. 398 properties remain on instalments, the next instalment is due 21 January 2020. Rates collected as at 30 November were 76% compared to 75% for the same period last year.
7. General Debtors is \$838,640 with \$643,990 being for airport operations.

CONSULTATION

8. Nil

STATUTORY ENVIRONMENT

9. Section 6.4 of the *Local Government Act 1995* provides for the preparation of financial reports.
10. In accordance with *Local Government (Financial Management) Regulations 1996* Regulation 34 (5), a report must be compiled on variances greater than the materiality threshold adopted by Council of \$25,000 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

11. Nil

FINANCIAL IMPLICATIONS

12. Nil

RISK MANAGEMENT

13. Risks implications

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational – That Council does not receive the financial activity statements as required by S6.4 of the LG Act 1995.	Rare	Insignificant	Very Low	That Council receives the financial activity statements as required by legislation.

ALTERNATE OPTIONS

14. Nil

STRATEGIC ALIGNMENT

15. 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

16. Simple Majority

OFFICER'S RECOMMENDATION

ITEM 12.4.1

That Council RECEIVES the Financial Report for the financial period ending 30 November 2020.

COUNCIL RESOLUTION

ITEM 12.4.1

Res No: 10-1220

MOVED: Cr Niikkula

SECONDED: Cr Mounsey

That Council RECEIVES the Financial Report for the financial period ending 30 November 2020.

CARRIED 6/0

12.4.2 LIST OF ACCOUNTS FOR PERIOD ENDING 30 NOVEMBER 2020

File Reference:	FM.FI.0
Reporting Officer:	Manager Finance
Responsible Officer:	Executive Manager Corporate Services
Date of Report:	4 December 2020
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. List of Accounts for period ending 30 November 2020

PURPOSE

1. That Council receives payments made since the previous Ordinary Council Meeting.

BACKGROUND

2. *Local Government (Financial Management) Regulations 1996*, Regulation 13 (3) requires a list of payments is to be presented at the next ordinary meeting of council.
3. 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

4. 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. (refer Attachment 12.4.2)
5. October Payments
6. Municipal Fund totalling \$1,343,971.02
Incorporating cheques, direct debits, electronic payments and credit cards.
7. Trust Fund totalling \$6,062.62
Incorporating electronic payments
8. Total Payments: \$1,350,033.64

CONSULTATION

9. Nil

STATUTORY ENVIRONMENT

10. 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

11. Staff are required to ensure that they comply under Council Policy 2.7 – Procurement and 2.12 – Regional Price Preference Policy (where applicable) and that budget provision is available for any expenditure commitments

FINANCIAL IMPLICATIONS

12. 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.

RISK MANAGEMENT

13. Risk implications

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational – That Council does not receive the list of payments.	Rare	Insignificant	Very Low	That Council receives the list of payments as required by legislation.

ALTERNATE OPTIONS

14. Nil

STRATEGIC ALIGNMENT

15. 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

16. Simple Majority

OFFICER’S RECOMMENDATION

ITEM 12.4.2

That Council RECEIVES the report of payments made from the Municipal and Trust bank accounts during the month of November 2020 (totalling \$1,350,033.64).

COUNCIL RESOLUTION

ITEM 12.4.2

Res No: 11-1220
MOVED: Cr Niikkula
SECONDED: Cr Mounsey

That Council RECEIVES the report of payments made from the Municipal and Trust bank accounts during the month of November 2020 (totalling \$1,350,033.64).

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
Nil.	

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 30 November 2020.

App #	Date Received	Lot	Property Address	Description	Decision	Decision Date
20/90	23/10/20	260	4 Davidson Street	Fence	Approved	28/11/20
20/91	27/10/20	101	15 Ingram Street	Incidental lean-to structure for storage	Approved	17/11/20
20/93	02/11/20	705	3 Cameron Street	Boundary fence	Approved	10/11/20
20/94	09/11/20	330	3 Falls Street	Patio	Approved	28/11/20
20/95	10/11/20	46	5 Searaven Crescent	Swimming pool	Approved	23/11/20
20/96	10/11/20	177	5 Krait Street	Perimeter fence	Approved	23/11/20
20/97	11/11/20	107	13 Snapper Loop	Boundary fence	Approved	28/11/20
20/98	12/11/20	342	26 Kestrel Place	Single storey dwelling.	Approved	25/11/20
20/99	13/11/20		Tantabiddi Boat ramp precinct	Installation of cameras and associated solar power source on Tantabiddi public toilets.	Approved	28/11/20
20/100	17/11/20	100	43 Heron Way	Certificate of Building Compliance for outbuildings	Processing	
20/101	23/11/20	1106	9 Campbell Way	Alfresco and carport	Processing	
20/102	27/11/20	4	21A Ningaloo Street	Swimming pool	Processing	

Planning Decisions Issued

A summary of the planning decisions issued under delegation or outstanding up to 30 November 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
DA49/20	30/07/20	393	1 Thew Street	Liquor Licence Section 40 certificate	Deferred	30/07/20
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
DA66/20	07/09/20	449	37 Madaffari Drive	Single dwelling including carport, retaining walls and landscaping	Approved	16/11/20
DA72/20	18/09/20	667	19 Stewart Street	Carport	Deferred	01/10/20
DA76/20	23/09/20	96	4 Tautog Street	Holiday House	Approved	26/11/20
DA78/20	05/10/20	102	31 Patterson Way	Construction of Storage Units	Deferred	20/11/20
DA79/20	08/10/20	395	9 Corella Court	Holiday House	Approved	26/11/20
DA81/20	09/10/20	2	25 Salmon Loop	Removal of old shed & construction of large outbuilding	Deferred	24/11/20
DA82/20	13/10/20	154	33 Dugong Close	Single house and swimming Pool	Deferred	13/10/20
DA83/20	14/10/20	621	1 Reymond Street	Holiday House	Approved	16/11/20
DA85/20	16/10/20	347	33 Kestrel Place	WAPC Referral - Application #160002 - Amalgamation of Lot 347, 348, 349 Kestrel Place	Approved	10/11/20
DA87/20	20/10/20	446	43 Madaffari Drive	Single dwelling and carport	Processing	
DA89/20	23/10/20	198	Yardie Creek Road	16 new eco tent sites within existing Yardie caravan park	Processing	
DA90/20	27/10/20	5	Catalina Close	Single dwelling	Processing	
DA91/20	29/10/20	342	26 Kestrel Place	Single dwelling - addition - floating jetty	Approved	06/11/20
DA93/20	30/10/20	346	35 Kestrel Place	Single dwelling	Approved	07/11/20
DA92/20	29/10/20	445	45 Madaffari Drive	Single dwelling	Processing	
DA94/20	05/11/20	Multiple Lots/ Reserves along Truscott Cres		Development of seawater pipeline & Incidental Infrastructure	Processing	
DA95/20	06/11/20	963	27 Patterson Way	Proposed Gas bottles compound and new ablution	Processing	
DA96/20	06/11/20	454	5 Gndaroo Road	Holiday House & patio addition	Processing	
DA97/20	09/11/20	468	19 Osprey Way	Single House & swimming Pool	Processing	
DA98/20	10/11/20	101	32 Pelias Street	Additions to existing shed	Processing	
DA99/20	12/11/20	2	Truscott Cres	Ningaloo Centre - Amendment to DA12/20	Processing	
DA100/20	12/11/20	39	14 Searaven Cres	single dwelling	Cancelled	24/11/20
DA101/20	17/11/20	1	Heron Way	Single, ancillary dwelling, outbuilding	Processing	
DA102/20	19/11/20	346	35 Kestrel Place	Amendment to DA93/20 - Single House & Swimming Pool	Processing	
DA103/20	24/11/20	97	21 Bluefin Cove	Single House	Processing	
DA104/20	27/11/20		30 Payne Street	Build Shade Structure	Processing	
DA105/20	27/11/20	212	6 Dugong Close	New dwelling	Processing	

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

App #	Date Received	Description.	Decision	Permit issued
PE31	06/11/2020	Wedding at Janzs Beach -12/03/2021	Issued	06/11/2020
PE32	05/11/2020	Coffee van COFFEE CARTEL at Federation Park – 6.30-11.30am on 7 and 8 Nov 2020	Issued	06/11/2020
PE33	18/11/2020	Raytheon Christmas function for staff – Federation Park – 30 Nov 2020	Issued	27/11/2020

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 30 November 2020; and
- Planning Decisions Issued up to 30 November 2020.

COUNCIL RESOLUTION

ITEM 12.5.1

Res No: 12-1220

MOVED: Cr Niikkula

SECONDED: Cr Mounsey

That Council note the following information items:

- **Register of Documents Stamped with the Shire of Exmouth Common Seal;**
- **Building Decisions Issued up to 30 November 2020; and**
- **Planning Decisions Issued up to 30 November 2020.**

CARRIED 6/0

EXECUTIVE SERVICES

12.1.1 YEAR TO DATE - PROGRESS REPORT ORGANISATIONAL KEY PERFORMANCE INDICATORS

File Reference:	CM.PL.1
Responsible Officer:	Chief Executive Officer
Reporting Officer:	As above
Date of Report:	25 November 2020
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	<ol style="list-style-type: none">1. Progress Report for the Corporate Business Plan2. CONFIDENTIAL Progress Report Corporate Business Plan and Budgeted Projects.

PURPOSE

1. That Council receives the year to date progress reports for the 2020/21:
 - Corporate Business Plan;
 - Chief Executive Officer Key Performance Indicators; and
 - Budgeted Projects.

BACKGROUND

2. The Corporate Business Plan (Attachment 1) 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.
3. The Corporate Business Plan is Council's core strategic document for a 4 year period, commencing from 2018 to 2022. This Plan activates the Strategic Community Plan and integrates with other informing strategies including the Long Term Financial Plan. I have provided commentary against each of the Corporate Business Plan - Actions, in the confidential attachment 2.
4. The CEO Key Performance Indicators were adopted by Council (Council decision 03-0720) at the July Ordinary Council meeting 2020, and a requirement of the CEO Performance Review Committee was to provide a progress report in December; March and June annually.
5. To facilitate the achievement of the 2020/21 budgeted projects this report will provide an update on the progress against each project as at November 30th, 2020.

COMMENT

6. The Chief Executive Officer presents to Council an update on the Shire’s Corporate Business Plan to keep them informed of the organisation’s progress.

7. The purpose of the final report is to:
 - Provide a status update on the key actions undertaken by the Shire for 2020/21 financial year of the Corporate Business Plan;
 - Demonstrate how the Shire, through the Corporate Business Plan is meeting the Shire’s Strategic Community Plan’s goals and strategies; and
 - Meet the reporting guidelines of the Integrated Planning Framework.

8. The Corporate Business Plan is structured to meet the Community Strategic Plan objectives and as such is broken into four sections addressing Economic, Environmental, Social and Leadership aspiration of the Community.

9. Table 1 provides a summary progress report of the Corporate Business Plan actions.

Table 1 - Corporate Business Plan Progress Report

Objective	Actions	Status - Complete	Status -On track	Status - Monitor	Status - Intervene
Economic	21	4	12	5	0
Environmental	12	2	7	3	0
Social	11	0	8	3	0
Leadership	6	0	6	0	0
Total	50	6	33	11	0

10. Table 2 provides a progress report against the CEO Key Performance Indicators.

Table 2 – CEO Key Performance Indicators

	KPI	Required by	Status
KPI 1	1.1 Workshop and update the Corporate Business Plan Targets for 2020-21.	Aug 2020	Completed Aug OCM
	1.2 Provide a progress report in December, March and June annually.	Dec 2020	Completed Dec OCM
KPI 2	2.1 Progress the achievement of the 2020-21 Budget Projects and prepare updates in December March and June (annually).	Dec March 2020 and June 2021	Completed Dec OCM
	2.2 Prepare regular community project reporting and update Council website.	Dec March 2020 and June 2021	On Track
KPI 3	3.1 Progress the review and undertake the community consultation of the following local laws. <ul style="list-style-type: none"> • Dog • Cat • Cemetery • Meeting Procedures • Fencing • Parking 	June 30 2021	On Track

	<ul style="list-style-type: none"> Public Places - Signage / Permits etc education / compliance Property 		
KPI 4	<p>4.1 Continuous improvement of the One Stop shop (planning and building) processes including the:</p> <ul style="list-style-type: none"> Development of customer feedback measurement tool. Continue to reduce the processing time for permits and development applications Develop information packs FAQ's that outline TPS4 and general land use information in easy to understand language for general development enquiries. 		<p>Completed Oct2020 On Track</p> <p>Monitor</p>
KPI 5	Conduct regular workshops with Council to demine Council position statements on key community issues.	Ongoing as required	On Track
KPI 6	Complete the desktop review of the Community Strategic Plan and undertake the bi-annual perception survey before December 2020.	Dec 2020	Completed Dec OCM
KPI 7	<p>7.1 Develop a CEO weekly update</p> <p>7.2 Actively encourage greater community participation at Ordinary Council Meetings.</p>	Commence September 2020	<p>Completed</p> <p>On Track</p>
KPI 8	<p>Provide a timelier delivery of information to Councillors by:</p> <ul style="list-style-type: none"> OCM agendas are delivered by Thursday 4pm the week prior to the OCM meeting Limit late OCM items to absolute crucial reports. 		<p>On Track</p> <p>On Track</p>

11. Table 3 provides a progress report of the Budgeted Projects

Table 3 - Budgeted Projects

A total of 44 budgeted projects were adopted as part of the 2020/21 budget. Officers have identified two projects that require intervention, the Payne Street footpath project and the relocation of the dog pound. Both these projects will be discussed with Council at the mid-year budget review in February 2021.

Projects	Completed	On Track	Monitor	Intervene
44	6	33	3	2 *

CONSULTATION

12. Chief Executive Officer
13. Executive Managers
14. Officers

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

17. Nil

FINANCIAL IMPLICATIONS

18. Nil

STRATEGIC IMPLICATIONS

19. 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

20. Simple Majority

OFFICER'S RECOMMENDATION

ITEM 12.1.1

That Council RECEIVE the following year to date reports for 2020/21:

- Corporate Business Plan;
- Chief Executive Officer Key Performance Indicators; and
- Budgeted Projects.

COUNCIL RESOLUTION

ITEM 12.1.1

Res No: 13-1220

MOVED: Cr Lucas

SECONDED: Cr McCarrol

That Council RECEIVE the following year to date reports for 2020/21:

- **Corporate Business Plan;**
- **Chief Executive Officer Key Performance Indicators; and**
- **Budgeted Projects.**

**CARRIED 5/1
COUNCILLOR LAKE VOTED AGAINST**

It is noted by Council that Attachment 1 and 2 pertaining to this report have been updated since being published on the Shire website with the Agenda. Council is endorsing the updated versions which will be uploaded on the Shire website with the minutes.

The Chief Executive Officer thanked the Executive Management team and all Managers involved in achieving these objectives.

Councillor Lucas acknowledged for the work by the Chief Executive Officer and Executive Managers.

12.1.2 NEW COUNCIL POLICY – 1.13 CALL OUT VOLUNTEER EMPLOYEES (EMERGENCY SERVICES) POLICY

File Reference:	CM.PO.6
Reporting Officer:	Manager HR & Governance
Responsible Officer:	Chief Executive Officer
Date of Report:	7 December 2020
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Policy 1.13 Call Out Volunteer Employees (Emergency Services)

PURPOSE

1. That Council approve the new Call Out Volunteer Employees (Emergency Services) Policy (Policy).

BACKGROUND

2. The attached Policy presents the framework which allows employees to be released from the workplace during normal working hours to attend to a call out with a recognised volunteer emergency services organisation.
3. The objectives of the Council's Policy Manual are:
 - To provide Council with a formal written record of all policy decisions;
 - To provide staff with precise guidelines in which to act in accordance with Council's wishes;
 - To enable staff to act promptly in accordance with Council's requirements, but without continual reference to Council;
 - To enable Councillors to adequately handle enquiries from electors without undue reference to staff or Council;
 - To enable Council to maintain a continual review of Council Policy decisions and to ensure they are in keeping with community expectations, current trends and circumstances;
 - To enable ratepayers to obtain immediate advice on matters of Council Policy.

COMMENT

4. Current practice at the Shire is to release and pay volunteers of the Exmouth Volunteer Bushfire Brigade to attend to a call out in normal working hours within the Shire of Exmouth boundaries. This Policy sets the framework and brings into line other recognised emergency services.

CONSULTATION

5. Executive Managers
6. Key internal stakeholders
7. Department of Fire Emergency Services
8. Local Government Insurance Services (LGIS)

STATUTORY ENVIRONMENT

9. Section 2.7 (2) (b) of the *Local Government Act 1995* states that one of the roles of a Council is to determine the Local Government’s policies.

POLICY IMPLICATIONS

10. If Council approve the officer recommendations then the Shire of Exmouth Council Policy Manual will be amended.

FINANCIAL IMPLICATIONS

11. No additional cost as per approved Budget.

RISK MANAGEMENT

12. Identified risks implications

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance /Reputational No clear policy across all emergency service volunteer functions.	Almost certain	Moderate	Medium	Implement new Policy to outline the framework.

ALTERNATE OPTIONS

13. The Policy is not adopted at Council and is an internal HR management practice.

STRATEGIC ALIGNMENT

14. 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

15. Absolute Majority

OFFICER’S RECOMMENDATION

ITEM 12.1.2

That Council APPROVE the new Council Policy 1.13 - Call Out Volunteer Employees (Emergency Services).

COUNCIL RESOLUTION

ITEM 12.1.2

Res No: 14-1220

MOVED: Cr Mounsey

SECONDED: Cr Dixon

ALTERNATE MOTION – Cr Lake

That Council APPROVE the new Council Policy 1.13 - Call Out Volunteer Employees (Emergency Services) and credit any Council staff who have used annual leave for the purpose of volunteering for emergency services over the past twelve months

There was no SECONDER for the ALTERNATE MOTION so the original motion was reinstated.

That Council APPROVE the new Council Policy 1.13 - Call Out Volunteer Employees (Emergency Services).

CARRIED by ABSOLUTE MAJORITY 6/0

The Shire President noted that Council, in good faith, would look favourably upon any cases where staff who have been affected by this in the past 12 months, and wish to apply for a credit of leave.

The Chief Executive Officer commended all staff who had input and made this policy happen.

Councillor Mounsey and Councillor Dixon commended the staff involved in putting this policy together so quickly.

12.1.3 COMMUNITY PERCEPTIONS SURVEY 2020

File Reference:	CR.CO.2
Reporting Officer:	Communications and Media Liaison Officer
Responsible Officer:	Chief Executive Officer
Date of Report:	7 December 2020
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. CPS 2020 – Communications Plan 2. CPS 2020 – Survey Results

PURPOSE

1. That Council receives the results of the 2020 Shire of Exmouth Community Perception Survey and considers the use of these results in the internal business planning process to help identify areas of need so resources can be allocated accordingly.

BACKGROUND

2. Community Perception Surveys (CPS) are used by local governments around the State to measure the importance of various Council services to local residents and ratepayers and customer satisfaction with how these services are being provided.
3. The CPS is part of Council's ongoing commitment to listening to the community and making informed decisions; it forms part of the Shire's commitment to:
 - "enhance open and interactive engagement between Council and the community";
 - "adopt a culture that aligns with the outcomes and community priorities identified in the Strategic Community Plan"; and
 - "constantly strive to be engaged and relevant to our community and make informed decisions" as outlined in the Strategic Community Plan: Exmouth 2030.
4. Feedback gathered through the bi-annual survey provides information on which services are essential to the community and how the Shire as an organisation is performing.

COMMENT

5. The Shire has undertaken an extensive community engagement campaign to inform residents and ratepayers about the survey via social, digital and traditional media (Attachment 1. CPS 2020 – Communications Plan) to enable participation.
6. This survey was heavily promoted in the local community via social and traditional media, direct mail, posters and fliers, mall information sessions and survey kiosks. The 2020 survey measured

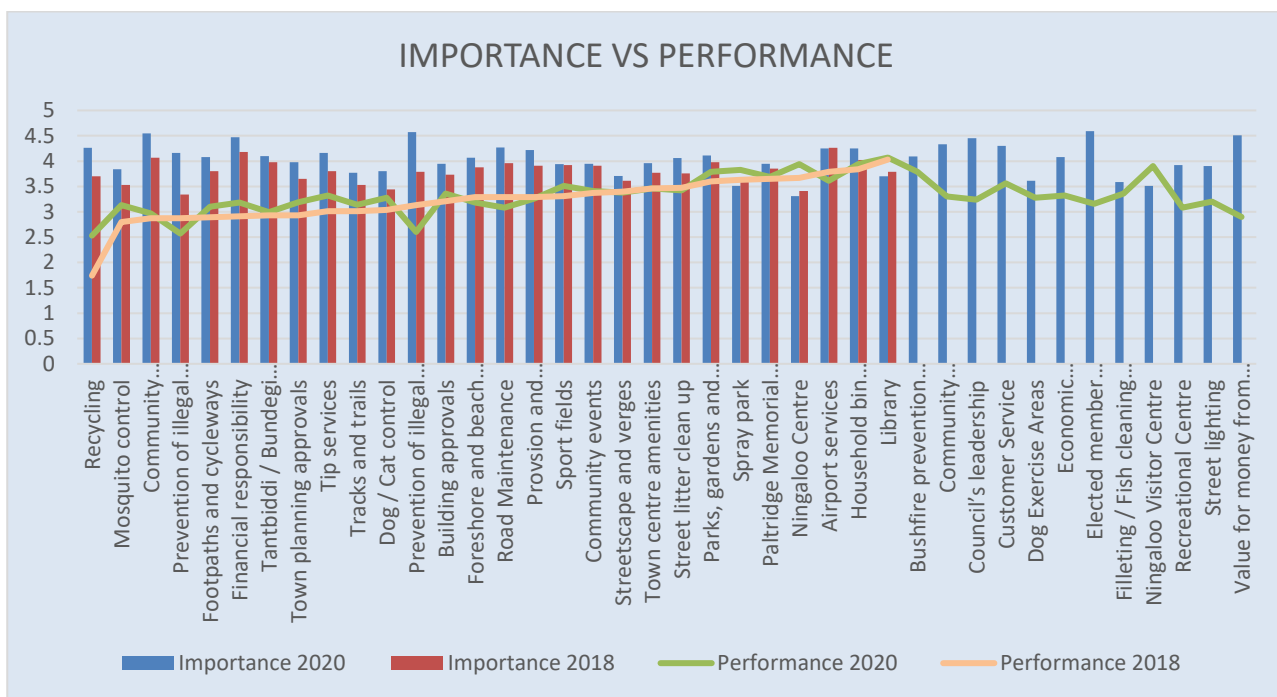
community satisfaction over 40 service areas, with 12 additional service areas compared to the initial CPS in 2018. These included:

Airport facilities and services	Ningaloo Visitor Centre (new)
Building approvals	Paltridge Memorial Swimming pool
Bushfire prevention and control (new)	Parks, gardens and open spaces
Community events, festivals and cultural activities	Prevention of illegal camping
Community information distribution (new)	Prevention of illegal dumping
Community consultation about local issues	Provision and maintenance of public toilets
Council's leadership (new)	Recycling
Customer Service (new)	Recreational Centre (new)
Dog / Cat control	Road maintenance
Dog Exercise areas (new)	Sport fields
Economic development, tourism and job creation (new)	Spray park
Elected member understanding of community needs (new)	Street litter clean-up
Filleting / Fish cleaning stations (new)	Street lighting (new)
Financial Responsibility	Streetscapes and verges
Footpaths and cycleways	Tantabiddi / Bundegi Boat ramp
Foreshore and beach amenity	Tip services
Household bin collection	Town Centre amenity
Library	Town planning approvals
Mosquito control	Tracks and trails
Ningaloo Aquarium & Discovery Centre	Value for money from Council rates (new)

7. The survey also gathered important information on local liveability factors and overall Shire performance. There were 457 responses to the survey, 362 of which were complete, and 175 responses included comments. The response quote increased by +38% complete responses compared to the initial SCP in 2018 and reports on 13.3% of Exmouth's total population of 2,728 (Census 2016).
8. 53.8% of these were gathered via an e-mail series, including an automated reminder option; 19.5% via social media and the remaining 26.7% via kiosk links, hard copy and the Shire website. Results of the survey have been analysed, and a gap analysis was undertaken to determine priority areas for Council consideration (Attachment 2 CPS 2020 – Survey Results).
9. Overall, 83.7% of respondents to the Community Perception Survey indicated that the Shire's performance was average to very good (2018: 73.1%), with 5.8% rating the performance as very poor (2018: 7.35%) and 8.56% (2018: 17.65%) as poor. In comparison, 39.8% (2018: 29%) of respondents rated Shire performance as good and 11.1% as very good (2018: 8.1%).
10. The second CPS shows a strong improvement in the overall reception of the Shire and a persistent high liveability rating amongst the population.

	Average 2020	Good 2020	Very Good 2020	Total average to very high 2020	Total average to very high 2018
Shire as a place to live	12.7%	33.2%	47.2%	93.1%	93.7%

11. Undertaking a gap analysis of survey data comparing community importance rating versus service delivery satisfaction levels provided officers with a clear understanding of areas where the community view the Shire to be exceeding expectation and performing below expectation.



12. Areas, where the organisation is performing above community expectation, were the Spray Park, Exmouth Public Library, Ningaloo Centre and Ningaloo Visitor Centre. In total the number of areas performing above expectation increased from 3 to 4 while at the same time improving performance levels.

	Performance 2018	Performance 2020	
Spray Park	3,63	3,83	+ 0,20
Exmouth Public Library	4,03	4,07	+ 0,04
Ningaloo Visitor Centre	n/a	3,9	n/a
Ningaloo Centre	3,67	3,94	+ 0,27

13. The table below shows the number of survey respondents that listed performance in these areas as average to very good:

Service area	Average 2020	Good 2020	Very Good 2020	Total average to very high 2020	Total average to very high 2018
Exmouth Public Library	20.2%	46.7%	31.5%	98.4%	91.9%
Ningaloo Visitor Centre	20.7%	49.5%	24.3%	94.5%	n/a

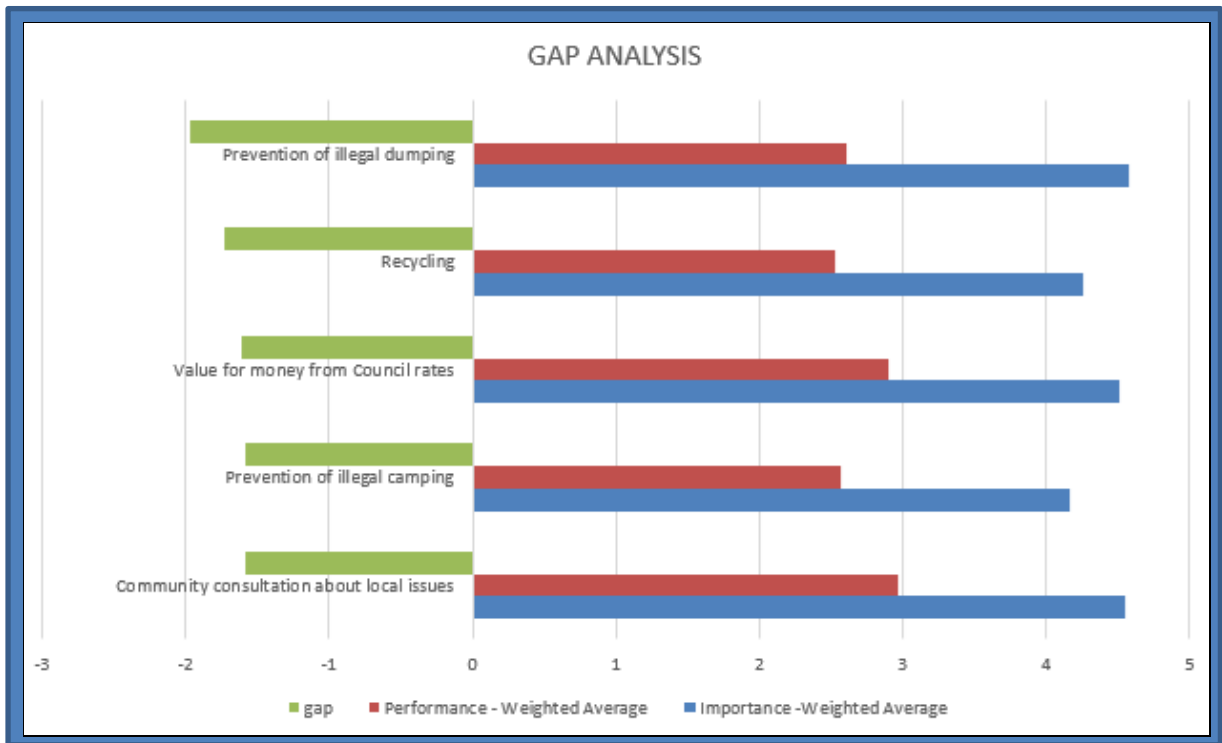
Ningaloo Centre	20.7%	49.5%	25.4%	95.6%	79.8%
Spray Park	25.4%	56.0%	15.5%	96.9%	86.9%

14. For the first time, the CPS included an open comment/feedback section, which has been facilitated by 175 residents and clustered into 54 content groups; the size of the word in the graphic below reflects the frequency the topics have been raised:



15. In addition to this, five key areas were identified for further investigation as they presented the largest gaps between community importance and shire performance ratings:

1. Illegal Dumping
2. Recycling
3. Value for money from Council rates
4. Illegal Camping
5. Community Consultation about local issues



16. The table below shows the progress made since the initial survey in 2018; overall 5 out of 6 areas improved in their performance – with one new service area surveyed while all areas increased in their overall-importance for the community.

	Importance			Performance		
	2018	2020		2018	2020	
Prevention of illegal Dumping	3,79	4,57	+0,78	3,13	2,60	-0,53
Recycling	3,70	4,26	+0,56	1,74	2,53	+0,79
Value for money from Council rates	n/a	4,51	n/a	n/a	2,9	n/a
Community Consultation about local issues	4,07	4,55	+0,48	2,87	2,97	+0,10
Footpaths and Cycleways	3,80	4,08	+0,28	2,89	3,10	+0,21
Financial Responsibility	4,18	4,47	+0,29	2,91	3,18	+0,27
Tantabiddi / Bundegi Boat Ramps	3,98	4,10	+0,12	2,93	2,99	+0,06

17. In addition to current actions in these priority areas, the focus will be provided during the business planning and budgeting process to determine whether additional measures and resources can assist in addressing these areas of community priority.

CONSULTATION

- 18. Exmouth Community
- 19. Councillor
- 20. Chief Executive Officer

STATUTORY ENVIRONMENT

21. Nil

POLICY IMPLICATIONS

22. Nil

FINANCIAL IMPLICATIONS

23. Nil

RISK MANAGEMENT

24. Insert identified risks implications

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational risk to the Shire if results are not acknowledged	Possible	Moderate	Moderate	Follow the Communications Plan (Attachment 1) and publish results / educate community and budget to respond to identified needs in 2021 budget.

ALTERNATE OPTIONS

25. Nil

STRATEGIC ALIGNMENT

26. 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

27. Simple Majority

OFFICER'S RECOMMENDATION

ITEM 12.1.3

That Council:

1. RECEIVE results of the 2020 Community Perception Survey.
2. CONSIDER the results of the Community Perception Survey during budget deliberations; and
3. PUBLISH the results and actions being taken to address priority areas.

COUNCIL RESOLUTION

ITEM 12.1.3

Res No: 15-1220

MOVED: Cr Niikkula

SECONDED: Cr Dixon

MOVED an AMENDED MOTION - Cr Lucas

To change point 3 to read: Publish the results.

SECONDED by Cr Lake

That Council:

- 1. RECEIVE results of the 2020 Community Perception Survey.**
- 2. CONSIDER the results of the Community Perception Survey during budget deliberations;
and**
- 3. PUBLISH the results.**

CARRIED 6/0

DEVELOPMENT SERVICES

As Cr Niikkula declared a financial interest in Report 12.2.1, he left the meeting at 4.45pm. Deputy President Dixon took over the Chair of the meeting in his absence.

12.2.1 UNBUDGETED EXPENDITURE – RECYCLING INITIATIVES

File Reference:	WM.SP.1
Reporting Officer:	Executive Manager Development Services
Responsible Officer:	As above
Date of Report:	2 December 2020
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	Nil

PURPOSE

1. The purpose of this report is to seek Council approval for unbudgeted expenditure to allow the connection of power to the Bring It Recycling Centre on Huston Street and enable the purchase of storage bins and a trailer to facilitate the collection of recyclable products outside of Container Deposit Scheme opening hours.

BACKGROUND

2. The state-wide implementation of the Containers for Change program commenced 1 October 2020 as a state government initiative to reduce roadside litter and consequently increase the potential for greater recycling volumes.
3. The successful take up and delivery of the Containers for Change program has indicated further opportunities to provide recycling services to the Exmouth community within a relatively short time frame.

COMMENT

4. ABC Foundation are the regional contractors for Containers for Change with local Exmouth Freemasons delivering the refund point services on their behalf.
5. Exmouth Freemasons provide the shop front service on a weekly basis 8.00am – 10.30 am Saturday mornings. While the weekly shopfront is extremely popular, community feedback is suggesting significant numbers of residents would also like to use the program for recycling and forego their refund on their product if the Shire was able to provide drop off stations in key locations.
6. Shire officers are proposing to purchase lockable bins and place in designated areas to cater for 24/7 disposal of recyclable Containers for Change products and a custom-built trailer to enable their collection.

7. Freemasons have offered to collect and empty the bins, negating any ongoing operational costs to provide the service other than maintenance to the bins and trailer.
8. The cost of the bins and trailer is estimated to be \$25,000.
9. In addition to the Containers for Change recycling program the Shire has recently purchased a compactor/baler to process a range of recyclable product. The equipment will be located at the Bring It Recycling Centre on Huston St in a shed which will be built at the site in the next 6 – 8 weeks.
10. The first product identified as being able to be processed by the compactor is cardboard. Staff are proposing a collection bin be installed at the recycling centre to enable a 24/7 community drop off point.
11. To enable the operation of the compactor and further expansion of recycling services a power connection is required at the site.
12. Quotations from Horizon Power and electrical contractors indicate a cost of \$50,000 to connect power to the property.

CONSULTATION

13. Contractor and supplier quotations
14. Exmouth Freemasons

STATUTORY ENVIRONMENT

15. Local Government Act 1995, Division 4, Section 6.8

6.8 Expenditure from municipal fund not included in annual budget

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

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

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

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

POLICY IMPLICATIONS

16. Procurement Policy 2.7
17. Asset Management Policy 2.14

FINANCIAL IMPLICATIONS

18. If these projects are approved, it is proposed to reallocate the funds from the waste reserve. The budgeted Waste Reserve at the end of 2020/21 is \$604,000.

RISK MANAGEMENT

19. Identified risks:

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance Community reluctance to use the recycling services	Unlikely	Moderate	Low	There is a community appetite for recycling. Community will continue to be engaged when introducing services.
Financial Drawing of funds from the waste reserve may impact future waste initiatives.	Unlikely	Minor	Low	Draw down on waste reserve will be minimal
Environmental Not delivering on recycling initiatives will contribute to the negative environmental impacts of waste being disposed in landfill	Almost certain	Moderate	High	Recycling will divert waste from landfill
Reputational Council not approving recycling initiatives may be interpreted by the community as not delivering on expectations to provide a recycling service	Likely	Moderate	High	Proposed projects will deliver on community expectation

ALTERNATE OPTIONS

20. Council can decide to not approve either one or all the recycling initiatives.

STRATEGIC ALIGNMENT

21. 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.
- 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
- 2.2 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

- 3.1 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

22. Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 12.2.1

That Council:

1. APPROVE the allocation of \$25,000 from Councils Waste Reserve for the purchase of recycling collection bins and a trailer.
2. APPROVE the allocation of \$50,000 from Councils Waste Reserve for the Horizon Power electrical headworks and the electrical connections to the sheds at the Bring It Recycling Centre on Huston Street Exmouth.

COUNCIL RESOLUTION

ITEM 12.2.1

Res No: 16-1220

MOVED: Cr Lake

SECONDED: Cr Lucas

That Council:

1. **APPROVE the allocation of \$25,000 from Councils Waste Reserve for the purchase of recycling collection bins and a trailer.**
2. **APPROVE the allocation of \$50,000 from Councils Waste Reserve for the Horizon Power electrical headworks and the electrical connections to the sheds at the Bring It Recycling Centre on Huston Street Exmouth.**

CARRIED 5/0

Councillor Lake commended Executive Manager Development Services and his team on a job well done.

Councillor Lucas congratulated Executive Manager Development Services and his team. He also went on to commend the work done by the Freemasons to stand up and make this happen and the Waste Working group for this great initiative.

Councillor Niikkula returned to the meeting at 4.52pm and took over the Chair from Deputy Shire President Dixon.

12.2.2 MURAT ROAD UPGRADE STAGE 1B – AWARD OF TENDER 08/2020

File Reference:	CM.TE.08.2020
Reporting Officer:	Manager Works
Responsible Officer:	Executive Manager Development Services
Date of Report:	1 December 2020
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. CONFIDENTIAL Tender Closeout Report – KC00805.023 dated 20 November 2020

PURPOSE

1. This report recommends that Tender 08/2020 for Murat Road Upgrade Stage 1B be awarded as per the recommendation in the CONFIDENTIAL Tender Closeout Report – KC00805.023 dated 20 November 2020 (Attachment 1).

BACKGROUND

2. Murat Road is the entrance road into the Exmouth Town Site. The road was originally designed and constructed in 1966. The Exmouth Shire Council was advised at the 2018 February Ordinary Council meeting that Murat Road would be reconstructed from Preston Street to Reid Street. During the previous tendering process, it was determined that the current market price for the full scope of works could not be completed within the Shire's allocated budget therefore the decision was made to complete redesign of Murat Road removing the levee construction and that the tender be reopened with Murat Road broken into two separable portions as follows:
 - Murat Road Stage 1A (Preston Street to Mortiss Street)
 - Murat Road Stage 1B (Mortiss Street to Reid Street)
3. On completion of Murat Road Stage 1A (Preston Street to Mortiss Street) the budget surplus did not allow for the reopening of a tendering process to complete Murat Road Stage 1B but was determined that the stormwater drainage component of this stage is required to ensure the integrity of Murat Road remained firm during a storm event. The stormwater drainage works were completed in the 2019/20 financial year.
4. Council have allocated funds in the 2020/21 budget for Murat Rd Stage 1B works to be undertaken and KCTT (the Consultant) has been requested to proceed with the design and supervision of the final stage of the project.

COMMENT

5. Tendering Process - The draft Request for Tender document was submitted to the Shire of Exmouth Engineering portfolio on 1st October 2020. The tender documents were assessed by Executive Manager Development Services, Mike Richardson and Manager Works, Joanne Gordon and approved on 6 October 2020. The tender process including advertising and

contractor interest is included in the Confidential Tender Closeout Report KC00805.023 dated 30th November 2020.

CONSULTATION

6. Main Roads Western Australia
7. KCTT Consultant

STATUTORY ENVIRONMENT

8. Section 3.57 of the *Local Government Act 1995* and the *Local Government Regulation 1996 (Function and General) Part 4, Division 2 section 11 to 24.*
9. All tenders were evaluated against the selection criteria by which each tender is assigned a score based on the tenderers capacity to meet the tender objectives. The Contract will be awarded to a Tenderer who best demonstrates the ability to carry out the required service at a competitive price. The tendered prices were assessed via qualitative and compliance criteria to determine the most advantageous outcome to Council. This means that, although price is considered, the Tender containing the lowest prices will not necessarily be accepted, nor will the offer rank the highest on the qualitative criteria.

POLICY IMPLICATIONS

10. Procurement Policy 2.7
11. Regional Price Preference Policy 2.12
12. Risk Management Policy 2.13
13. Asset Management Policy 2.14

FINANCIAL IMPLICATIONS

14. The project budget comprises of:

Local Roads and Community Infrastructure Program (LRCIP)	\$304,249.00
Main Roads WA Regional Road Group	\$ 66,700.00
Main Roads WA Regional Road Group LG Contribution	\$ 33,350.00
Shire of Exmouth Reserves	\$460,000.00
Total Project Budget excluding GST	<u>\$864,299.00</u>

RISK MANAGEMENT

15. Identified risks implications

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance Substandard construction	Possible	Moderate	Medium	Close supervision of contract by consultant and Shire of Exmouth
Financial Project cost overruns	Possible	Moderate	Medium	Close supervision of contractor and review of expenditure. Review of variation requests.
Environmental Noise and dust complaints	Possible	Minor	Medium	Supervision of contractor and contractual requirements.

Reputational Quality concerns Community complaints	Possible	Minor	Medium	Ensure inspections and consultation with contractor is ongoing. Address community concerns in a timely manner.
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ALTERNATE OPTIONS

16. Council may refuse to award the tender.

STRATEGIC ALIGNMENT

17. 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.
- 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

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.

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

18. Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 12.2.2

That Council:

1. AWARDS the contract for Tender RFT 08/2020, as per the recommendation in the Confidential Tender Evaluation Report dated 30th November 2020 (Attachment 1).
2. RECORD the recommendation for Tender RFT 08/2020 as provided in the Confidential Tender Evaluation Report dated 20th November 2020 (Attachment 1), in the meeting minutes.
3. AUTHORISE the Chief Executive Officer to approve variations within 10% variation of the total project budget.

COUNCIL RESOLUTION

ITEM 12.2.2

Res No: 17-1220

MOVED: Cr Lucas

SECONDED: Cr McCarrol

That Council:

- 1. AWARDS the contract for Tender RFT 08/2020, as per the recommendation in the Confidential Tender Evaluation Report dated 30th November 2020 (Attachment 1).**
- 2. Tender RFT 08/2020 as provided in the Confidential Tender Evaluation Report dated 20th November 2020 (Attachment 1), be awarded to Exmouth Civil.**
- 3. AUTHORISE the Chief Executive Officer to approve variations within 10% variation of the total project budget.**

CARRIED by ABSOLUTE MAJORITY 6/0

12.3.3 SHIRE OF EXMOUTH INVESTMENT PROSPECTUS

File Reference:	CR.MA.1
Reporting Officer:	Executive Manager Commercial & Community
Responsible Officer:	As above
Date of Report:	7 December 2020
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Final Draft Copy Exmouth Investment Prospectus

PURPOSE

1. That Council ENDORSE the final version of Shire of Exmouth Investment Prospectus prior to publication.

BACKGROUND

2. A required action identified in the 2020/21 Shire of Exmouth Corporate Business Plan is to develop an investment prospectus for the Exmouth region.
3. Under the Corporate Business Plan framework this action flows on from the following objective, outcome and community priority as follows;
 - Economic objective; *"To diversify and grow our economy in a manner that provides year-round employment opportunities"*,
 - 1.1 Required Outcome; *"A diverse and environmentally aware local economy that can attract business investment and provide employment opportunities"*, and
 - Community priority; *"Develop and encourage opportunities for business investment to develop a diverse economy"*.
4. The Investment Prospectus will be an important informational and promotional tool to be used by Shire and local business and community to attract and grow the local Exmouth economy.
5. The prospectus provides a snapshot of key resident population, demographic data, major local industries and job creators, and detailed listings of past, current and future major investment projects that will attract increased investment and flow on job creation.
6. The prospectus will be supplied in both hard copy and electronic formats.

COMMENT

7. The Investment Prospectus will be made available for use by all key stakeholders whose objectives align with the Shire of Exmouth's Strategic Community Plan Exmouth 2030.
8. As per the local government Integrated Planning and Reporting Framework, the Shire's Strategic Community Plan 2030 outlines the community's long term vision, values, aspirations and priorities and this has informed the development of the Shire's 20/21 Corporate Business Plan (CBP).

9. A key action of the 2020/21 CBP and flow on Key Performance Indicator for the Shire CEO is the preparation of a detailed Exmouth Investment Prospectus.
10. The Investment Prospectus has been compiled using the most recent and available information and should be reviewed and updated on an annual basis to remain current.
11. The officer recommendation is to seek Council endorsement for the final version of the prospectus prior to going to publication.

CONSULTATION

12. Input into the preparation of the prospectus was sought from a large number of key community and business groups whose economic development objectives align with the Shire of Exmouth.

STATUTORY ENVIRONMENT

13. Nil

POLICY IMPLICATIONS

14. Nil

FINANCIAL IMPLICATIONS

15. The preparation of the Investment Prospectus included research, consultation, graphic design and printing costs which were approved as part of the budget adoption in July 2020. An amount should be allocated each future year to review and update the prospectus as required.

RISK MANAGEMENT

16. Risk implications identified:

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational & Financial The information provided is incorrect and may expose the Shire to potential litigation	Possible	Major	High	The prospectus includes a detailed disclaimer outlining information is provided via third party sources and that readers should undertake their own investigations to the validity of information provided and not rely on information provided for any investment decisions.
Performance & Reputational The nature of the information provided within the prospectus can become outdated quickly	Likely	Major	High	Shire to review and update the Exmouth Investment Prospectus on an annual basis.

ALTERNATE OPTIONS

Alternate options include but not limited to;

17. Council not endorse the final version of the Investment Prospectus, or
18. Council to change any of the content of the Investment Prospectus.

STRATEGIC ALIGNMENT

19. 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.
- 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
- 2.2 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

- 3.1 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

20. Simple Majority

OFFICER'S RECOMMENDATION

ITEM 12.3.3

That Council ENDORSE the Shire of Exmouth Investment Prospectus as presented as Attachment 1 to this report.

COUNCIL RESOLUTION

ITEM 12.3.3

Res No: 18-1220

MOVED: Cr Mounsey

SECONDED: Cr Dixon

That Council ENDORSE the Shire of Exmouth Investment Prospectus as presented as Attachment 1 to this report.

CARRIED 6/0

It is noted by Council that Attachment 1 pertaining to this report has been updated since being published on the Shire website with the Agenda. Council is endorsing the updated versions which will be uploaded on the Shire website with the minutes.

12.3.5 REQUEST FOR TENDER 06/2020 - RECREATION CENTRE CHANGEROOM ADDITIONS

File Reference:	CM. TE.6.2020
Reporting Officer:	Manager Community, Sport and Recreation
Responsible Officer:	Executive Manager Commercial and Community
Date of Report:	8 December 2020
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. CONFIDENTIAL RFT 06/2020 Tender Recommendation Report

PURPOSE

1. That Council consider the outcome of the Recreation Centre Changeroom Additions Tender (RFT 06/2020).

BACKGROUND

2. At the Ordinary Council Meeting (OCM) held on the 26 March 2020, Council supported the submission of a Community Sport and Recreation Facilities Fund (CSRFF) grant application to the Department of Local Government, Sport and Cultural Industries (DLGSCI) for new changeroom (unisex) facilities at the Exmouth Recreation Centre.
3. The CSRFF grant application submitted was based on a budget estimate provided by a local building company of the designed drawings proposed for the construction of the new unisex changeroom.
4. Council resolved at the OCM of 26 March 2020 the following resolution 08-0320:

That Council:

1. ***RANK the CSRFF Small Grant application in the following order for the March 2020 funding round:***

<i>Rank</i>	<i>Organisation</i>	<i>Project Detail</i>
<i>1.</i>	<i>Shire of Exmouth</i>	<i>New Changeroom Facilities at Recreation Centre</i>
<i>2.</i>	<i>Shire of Exmouth</i>	<i>Business Case for Exmouth Kart Club relocation</i>

and,

2. ***Once the outcomes of successful CSRFF Small Grant applications are known APPROVE matching Shire funds up to a maximum amount of \$222,933 (gst included) from the Community Development Fund Reserve to fund the successful projects.***
3. ***Once the outcomes of the successful CSRFF applications are known, Officers to provide a final project plan for Council's review and consideration.***

CARRIED by ABSOLUTE MAJORITY 6/0

5. In June 2020, the Shire was informed by DLGSCI that the Shire’s CSRFF application had been successful for the “construction of a unisex changeroom at Exmouth Recreation Centre” during the 2020/2021 financial year.

COMMENT

6. The Shire of Exmouth sought tenders from suitably experienced and qualified contractors for the Construction of Recreation Centre Changeroom Additions & Associated Works to Lot 1419 Reserve 50807 Willersdorf Road Exmouth.
7. Tender RFT 06/2020 was advertised in The West Australian on 21 November 2020, the Pilbara News on 25 November 2020, the Shire’s website, and on the Shire’s & Library’s noticeboards from 20 November to 7 December 2020.
8. Nine companies, including some from Exmouth, on their request when the tender became available, were forwarded tender documents on request.
9. One tender was received by the tender deadline of 11am on 7 December 2020.
10. The tender was evaluated by a three-person panel of Shire officers comprising:
 - Executive Manager Commercial and Community
 - Building Surveyor
 - Manager Community, Sport and Recreation
11. The tender document was assessed for compliance with the tender’s requirements and against the qualitative criteria that were weighted as follows:

Criteria	Weighting
Relevant Experience	10%
Key Personnel Skills and Experience	10%
Tenderer’s Resources	20%
Demonstrated Understanding	10%
Price	50%

12. The CONFIDENTIAL tender evaluation report is available at Attachment 1.

CONSULTATION

13. In relation to the final design of the new unisex changeroom that was provided within RFT 06/2020 the following organisations had been consulted:
 - Department of Local Government, Sport & Cultural Industries
 - West Australian Football Commission
 - Exmouth Eagles Football Club

STATUTORY ENVIRONMENT

14. The Shire of Exmouth is committed to delivering the objectives, principles and practices outlined in Council Policy - 2.7 Procurement Policy, when purchasing goods, services or works to achieve the Shire’s strategic and operational objectives. This policy complies with the Local Government (Functions and General) Regulations 1996.

POLICY IMPLICATIONS

15. Nil

FINANCIAL IMPLICATIONS

16. Within the Shire’s list of projects for the financial year 2020/2021, Council had approved at the OCM of 23 July 2020, \$192,000 to be provided from the Shire’s Reserves with a CSRFF grant of \$96,000 ex GST from DLGSCI to assist in funding the rest of the project’s costs.
17. DLGSCI has added a development bonus for the Shire to be awarded a CSRFF grant application of \$142,500 ex GST.
18. Therefore, based on the above, as the tender total amount received is less than the amount Council allocated for this project, Council does not need to approve any unallocated expenditure for this project.

RISK MANAGEMENT

19. Identified risks:

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance/ Financial If the project was to not be awarded, Council would therefore not accept DLGSCI’s CSRFF grant allocated for this project.	Unlikely	Minor	Low	Award the contract to preferred tenderer.

ALTERNATE OPTIONS

20. There was only one tender received for the construction of the unisex changeroom at the Exmouth Recreation Centre. If Council do not accept this tender, then alternate options include:
- to not undertake this project and therefore not accept DLGSCI’s CSRFF grant of \$142,500 ex GST
 - to readvertise the project but this could mean that the number of submitted tenders could be small or not all. This would also mean that the Shire could not accept DLGSCI’s CSRFF grant of \$142,500 ex GST if this unisex changeroom was not able to be completed by 15 June 2021.

STRATEGIC IMPLICATIONS

21. This item is relevant to Council’s approved Strategic Community Plan 2030 and Corporate Business Plan 2018-2022

Economic:	<u>Diversify and grow our economy in a manner that provides year round employment opportunities</u>
	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.
	1.3 Enable the provision of essential infrastructure that will support investment and diversify our economy.
Environment:	<u>To protect and value our unique natural and built environment as we grow our economy.</u>
	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

- 3.1 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.

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 12.3.5

That Council:

1. AWARD the contract for Tender 06 -2020 as per the recommendation in the CONFIDENTIAL Tender Recommendation Report – RFT 06-2020;
2. AUTHORISE the Chief Executive Officer to approve variations within 10% variation of the total project budget;
3. RECORD the recommendation for Tender RFT 06-2020 as provided in the Confidential Tender Recommendation Report – RFT06-2020 in the OCM's minutes for the meeting.

COUNCIL RESOLUTION

ITEM 12.3.5

Res No: 19-1220

MOVED: Cr Mounsey

SECONDED: Cr Lake

That Council:

1. **AWARD the contract for Tender 06 -2020 as per the recommendation in the CONFIDENTIAL Tender Recommendation Report – RFT 06-2020;**
2. **AUTHORISE the Chief Executive Officer to approve variations within 10% variation of the total project budget;**
3. **Tender RFT 06-2020 as provided in the Confidential Tender Recommendation Report – RFT06-2020, be awarded to C J Lord Building Renovations Pty Ltd.**

CARRIED by ABSOLUTE MAJORITY 6/0

Executive Manager acknowledged the extensive work done by the Shires Building Surveyor and Manager Community, Sport and Recreation in this process.

CORPORATE SERVICES

12.4.3 2019/2020 ANNUAL REPORT AND ANNUAL ELECTORS MEETING DATE

File Reference:	FM.FI.0
Reporting Officer:	Executive Manager Corporate Services
Responsible Officer:	As above
Date of Report:	2 December 2020
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. 2019/20 Annual and Financial Report

PURPOSE

1. That Council consider accepting the Annual Report for the year ending 30 June 2020 and set a date for convening an Annual Electors Meeting.

BACKGROUND

2. Council are to prepare an Annual Report for each financial year and the Chief Executive Officer is to give local public notice of the availability of the Annual Report as soon as practicable after the report has been accepted by Council

COMMENT

3. Council are to accept the annual report by 31 December after the financial year or if the Auditor's report is not available by this date, no later than 2 months after the Auditor's report becomes available. The Annual Financial Report and Audit Opinion Report were received on 7 December 2020.
4. Both reports were provided to the Audit Committee at their meeting held 15 December 2020 and the committee have reviewed the reports and have recommended them to Council.
5. It is required to then advertise that the Annual Report is available for the community to view for a period of 14 days, after which an Annual Electors Meeting can be held. However, this must be within 56 days of accepting the annual report, therefore the meeting cannot be held later than 12 February 2021.
6. It is recommended the Annual Electors Meeting be held on 11 February 2021 commencing at 6pm in the Mandu Mandu Function Centre at the Ningaloo Centre, Truscott Crescent Exmouth.

CONSULTATION

7. Insert Local public notice of the availability of the Annual Report, the date set for the annual General Meeting of Electors will be provided in the Pilbara Newspaper, Shire and Library noticeboards.

STATUTORY ENVIRONMENT

8. Sections 5.26, 5.27, 5.53, 5.54 of the Local Government Act 1995

POLICY IMPLICATIONS

9. Nil

FINANCIAL IMPLICATIONS

10. Nil

RISK MANAGEMENT

11. Identified risks implications

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Financial/Compliance/Performance Council does not accept the Annual Financial Report	Unlikely	Minor	Low	Officers work with the auditors to ensure timeliness and accuracy to ensure compliance with the prescribed time period in accordance with the Act.

ALTERNATE OPTIONS

12. N/A

STRATEGIC ALIGNMENT

13. 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

14. Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 12.4.3

That Council:

1. ACCEPT the Annual Report for the financial year ended 30 June 2020; and
2. AUTHORISE the Annual Electors Meeting scheduled to be held in the Mandu Mandu Function Centre at the Ningaloo Centre, Truscott Crescent Exmouth on 11 February 2021 commencing at 6pm.

COUNCIL RESOLUTION

ITEM 12.4.3

Res No: 20-1220

MOVED: Cr McCarrol

SECONDED: Cr Mounsey

That Council:

- 1. ACCEPT the Annual Report for the financial year ended 30 June 2020; and**
- 2. AUTHORISE the Annual Electors Meeting scheduled to be held in the Mandu Mandu Function Centre at the Ningaloo Centre, Truscott Crescent Exmouth on 11 February 2021 commencing at 6pm.**

CARRIED by ABSOLUTE MAJORITY 6/0

It is noted by Council that Attachment 1 pertaining to this report has been updated since being published on the Shire website with the Agenda. Council is endorsing the updated versions which will be uploaded on the Shire website with the minutes.

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

Nil

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

14.1.1 CHIEF EXECUTIVE OFFICER RECRUITMENT PROCESS

File Reference:	PE.RE.14
Reporting Officer:	Shire President
Responsible Officer:	As above
Date of Report:	17 December 2020
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Request for Quotation – RFQ 34-2020

PURPOSE

1. That Council recommends the commencement of the process to:
 - a) Recruit a new Chief Executive Officer (CEO);
 - b) Immediate release of a request for quotation for a suitably qualified and experienced local government recruitment agency;
 - c) Approve unbudgeted funds to enter into a contract with the preferred recruitment agency; and
 - d) Appoints an existing Executive Manager as Acting CEO for the duration of the recruitment process.

BACKGROUND

2. On Friday 11th December 2020, the CEO provided to the Shire President, an official letter of resignation due to accepting a role with another Local Government. As per the CEO's contract of employment he is to give 3 months' notice, therefor making his last day of employment March 5th 2020.

COMMENT

3. The CEO position is the key role of the Shire's management, and is the link between the Council, the organisation and all the external stakeholders. The loss of a high performing CEO invariably results in a loss of corporate knowledge and momentum with the operations and strategic projects of the Shire. A new incoming CEO will not become fully effective for some 6 to 12 months after commencement in the role and on this basis, it is prudent to act quickly.
4. In that regard it is noteworthy that the recruitment process itself can take up to three months with the potential for the successful applicant needing to provide up to three months' notice to an existing employer.
5. The early commencement of a recruiting process could see an applicant selected by mid-March 2021 and commencing work early July 2021.

6. The development of the recruitment information package, position description, selection criteria and remuneration package are the critical first steps in the recruitment process.
7. It is also essential that the Shire engages a suitably qualified recruitment specialist with expertise to manage the process; assist the President and Council develop the information package comprising the position description, remuneration package, selection criteria, and to ensure that the best possible applicant is selected.
8. During this process, it is important for the organisation to continue to operate business as usual so an Acting CEO must be appointed until the position is filled by the successful applicant.

CONSULTATION

9. WALGA

STATUTORY ENVIRONMENT

10.
 - Local Government Act 1995 5.36(2)(a) and(b),
 - Sections 5.37, 5.39 & 5.40
 - Local Government (Administration) Regulations 1996 Part 4 section 18A-18G and 19A
 - Local Government Operational Guideline No. 10-Appointing a CEO
 - Salaries and Allowances Tribunal Determination 8 April 2020. (Note: the 2021 Determination is expected early next year)

POLICY IMPLICATIONS

11. Nil

FINANCIAL IMPLICATIONS

12. The remuneration for the current CEO is covered by existing budget provisions.
13. The cost of the recruitment process is unknown at this time but will include the recruitment consultancy requirements as outlined in the RFQ. An estimate of costs for the purposes of this report and based on industry norms is in the range of \$35,000 to \$45,000.
14. No allocation was included in the 2020/21 Budget however savings identified through the mid-year budget review will offset this recruitment cost and any further costs associated with the attraction of the new CEO.

RISK MANAGEMENT

15. Risks implications

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance / Finance The risk of delaying the recruitment is in the non-achievement of corporate and strategic objectives in the times prescribed.	Likely	Moderate	Medium	Immediate release of RQF for Executive Recruitment Services. Appoint Acting CEO to ensure continuation of business during recruiting.
Reputational If a suitably qualified recruitment specialist is not contracted a suitable candidate may not be appointed.	Likely	Moderate	High	Engage suitably qualified recruitment specialist to ensure the best possible applicant is selected.

ALTERNATE OPTIONS

16.

1. Council may decide to not release the RFQ and delay the process for up to 12 months.
2. Council may decide to Contract an external acting CEO via the DLGC for a fixed term of 6-9 months.

STRATEGIC ALIGNMENT

17. 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

18. Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 14.1.1

That Council:

1. Endorse the attached Request for Quotation and its immediate release to market to assist with the recruitment of a CEO.
2. Authorise the expenditure of up to \$45,000 for the CEO recruitment process for a Chief Executive Officer.
3. Delegate Executive Manager Commercial and Community as Acting CEO for the period between the Existing CEO finishing and the new CEO starting.

COUNCIL RESOLUTION

ITEM 14.1.1

Res No: 21-1220

MOVED: Cr Mounsey

SECONDED: Cr Lucas

That Council:

- 1. Endorse the attached Request for Quotation and its immediate release to market to assist with the recruitment of a CEO.**
- 2. Authorise the expenditure of up to \$45,000 for the CEO recruitment process for a Chief Executive Officer.**
- 3. Delegate Executive Manager Commercial and Community as Acting CEO for the period between the Existing CEO finishing and the new CEO starting.**

CARRIED by ABSOLUTE MAJOIRTY 6/0

Councillor Mounsey commended the report presented by the Shire President at short notice; thanked the Executive Manager Commercial Community for accepting the acting role of CEO and wished the CEO all the best going forward.

Councillor Lucas reiterated Councillor Mounsey comments.

15. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS

Nil

16. CLOSURE OF MEETING

The Shire President declared the meeting closed at 5.20pm and thanked the gallery for their attendance.