

Shire of Exmouth

ORDINARY COUNCIL MEETING MINUTES



25 March 2021

CONFIRMATION OF MINUTES

I hereby certify that the Minutes and Attachments of the Ordinary Council Meeting held on the 25 March 2021 are a true and accurate record of the proceedings contained therein.

Matthew Niikkula
Shire President

22/04/2021

Dated

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MINUTES

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

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

Our Strategic Objectives

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

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

The Shire President declared the meeting open at 4.00pm.

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

The Shire President 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 M Bird	Acting Chief Executive Officer
Mr M Richardson	Executive Manager Development Services
Mr R McGrath	Acting Executive Manager Commercial & Community
Mr G Coetzee	Executive Manager Corporate Services
Ms Head	Minute Clerk

The Shire President made a special mention to Acting Chief Executive Officer, Matthew Bird and Acting Executive Manager Commercial and Community, and welcomed them both to the table.

GALLERY **9**

APOLOGIES **0**

LEAVE OF ABSENCE **0**

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTIONS TIME

Question received from Phil Davies in relation to report 11.1.2 – Ningaloo Tourism Advisory Group Two Year Action Plan.

The NTAG action plan has identified that there is a range of weaknesses and threats.

Some examples are-

- 1. Lack of visitor understanding of good practice, relating to sustainability/fragility of the marine assets to high volume of traffic.*
- 2. Increase visitation leading to over tourism and reef damage.*
- 3. Overfishing and extraction of resources from tourism.*

Yet- the preferred vision of the NTAG group is.

“Through leadership and investment in new infrastructure experiences and marketing in order to maximise the sustainable social and economic benefits for the state and the local community.”

So, I ask the councillors- is it wise to endorse and action plan that has identified some environmental threats but has no specific course of action to do anything about it, whilst trying to increase tourism and visitor numbers. We need to be protecting our biggest assets which is the environment of the Exmouth Gulf, NW Cape and the Ningaloo Reef.

I suggest that the action plan not be endorsed today, and that consideration be given to the NTAG action plan, to include working closely with DBCA, EPA and other conservation groups to help us all manage and protect this environment or something to that effect.

The Shire President invited Councillor Lucas to respond as Chair of the NTAG. Cr Lucas advised that the Department of Biodiversity, Conservation and Attractions (DBCA) are members of the

Committee and represent the natural environment interests. It is not considered appropriate for the Environmental Protection Authority to have representation on this group and the local Cape Conservation Group do not have a tourism focus.

Cr Lucas detailed how the number one action of the plan is to address the carrying capacity of the region and a big focus of that was the effect of visitation on the area, to look at what is a sustainable amount of tourism Exmouth can tolerate in town with the current facilities. There is a strong consideration by the group for sustainable tourism and how this effects the local natural environment which is why carrying capacity is being reviewed.

The purpose of the NTAG is not to make assessments on industrial projects or make environmental impact assessments.

Carrying capacity is referring to how many caravan park sites we have, hotel beds or facilities to cater for that tourism.

Acting Chief Executive Officer advised the carrying capacity focus area was a key part of the work from NTAG and apologised if this was not clearly detailed in the public document. Another focus area of the plan that the group are looking at is emerging tourism experiences which all have strong connections to ensuring a sustainable natural environment such as dark skies, indigenous tourism, trail development and turtle egg laying/hatchling viewing.

He reiterated that DBCA is an active member of the group along with Department of Transport, Australia’s Coral Coast, Tourism WA and a number of industry operators all who have strong motivation to ensuring the natural environment is maintained.

5. DECLARATIONS OF INTEREST

Name	Report	Extent of Interest	Type of Interest
Shire President Matthew Niikkula	12.2.1 – Award of Tender RFT: 06/2021 Provision of Trade Services	Close personal friends to several tenderers. 2 Tenderers purchase their stock locally from me.	Impartiality Financial

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

That the Minutes and associated attachments of the Shire of Exmouth Ordinary Council Meeting held on the 25 February 2021 and Special Council Meeting held on the 4 March 2021 be confirmed as a true and correct record of proceedings.

COUNCIL RESOLUTION

ITEM 7

Res No: 01-0321

MOVED: Cr Mounsey

SECONDED: Cr Lucas

That the Minutes and associated attachments of the Shire of Exmouth Ordinary Council Meeting held on the 25 February 2021 and Special Council Meeting held on the 4 March 2021 be confirmed as a true and correct record of proceedings.

CARRIED 6/0

8. ANNOUNCEMENTS/REPORTS OF ELECTED MEMBERS

Councillor Lake	<p>17/03/21: Attended the next Waste Working Group again this month where we whooped and yelped with glee because the cardboard compactor shed has been completed and the water delivery stations near the old visitor centre for visitor use up and running as well. These are predominantly for visitor use.</p> <p>Helen Jessop addressed the Group on behalf of Cape Conservation Group covering some more great waste management ideas.</p> <p>22/03/21: Attended the EPA workshop on what opportunities existed for use of the Exmouth Gulf and surrounding terrestrial areas. It was well attended and the outcome or consensus of those attending is unknown at this point.</p>
Councillor Lucas	Attended the Tourism Conference – Spirit of Trails in Collie.
Councillor McCarrol	Attended the EPA workshop.
Councillor Mounsey	Attended the GAMEX Social Night and Oil and Gas Joint Community Consultative Meeting.

9. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

On behalf of the Exmouth Bowling Club, Kirsty Fleming presented a deputation to Council.

11. MATTERS ARISING FROM COMMITTEES OF COUNCIL

The following reports were recommended enbloc 11.1.1, 11.1.3, 12.1.1, 12.1.2, 12.4.2, 12.5.1

NINGALOO TOURISM ADVISORY GROUP COMMITTEE

11.1.1 RESIGNATION MS D FERGUSON & CONSIDERATION OF REPLACEMENT

File Reference:	N/A
Reporting Officer:	Executive Manager Commercial & Community
Responsible Officer:	Chief Executive Officer
Date of Report:	15 February 2021
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	Nil

PURPOSE

1. That the Ningaloo Tourism Advisory Group as a Committee of Council accept the resignation of Ms. Deb Ferguson from the NTAG committee and consider a suitable industry representative replacement.

BACKGROUND

2. The Local Government Act 1995 Section 5.8, 5.9 and 5.10 empowers Council to establish committees and elect persons to serve on those committees.
3. Exmouth Council approved the establishment of the Ningaloo Tourism Advisory Group (NTAG) at the 26 September 2019 Ordinary Council Meeting including the group's Terms of Reference.
4. The NTAG terms of reference detail the process for resignations from and filling of vacancies for the Committee.

COMMENT

5. As per the NTAG terms of reference;
"A member of the Advisory Group may resign at any time. The resignation must be in writing in the form of a letter or email addressed to the designated Executive Officer, stating the member's intention to resign from the Advisory Group".
6. Ms. Deb Ferguson has formally submitted her resignation from the NTAG committee and this has been acknowledged by Shire Executive officers.

7. As per the NTAG terms of reference;
“Should a vacancy occur during the term of appointment, the appointment to fill the casual vacancy will be filled by an invitation from the Advisory Group and subsequently endorsed by the Shire representative (the CEO)”.
8. The NTAG Committee may decide to nominate and invite a replacement Industry Representative to fill the role that Ms. Ferguson has vacated or leave the role unfilled.
9. As per the NTAG terms of reference;
“A maximum of four (4) industry members will be sought on the basis of expertise, interest, understanding and commitment to the Exmouth and Ningaloo tourism and business sector, and enhancing the marketability of the Ningaloo region”.
10. Members of the NTAG Committee may nominate one or more individuals for this industry representative position and seek Committee endorsement via a simple majority vote.
11. Only one industry representative (voting) position can be filled and if more than one nomination is received then voting Committee members will determine the nomination via a simple majority vote.
12. Additional representatives can be invited to join the Committee as per the NTAG terms of reference;
“The Advisory Group may invite one or more persons to join the advisory group “by invitation” where it is deemed by the group that a specific expertise is missing in other members. The person may be a regular “standing” invitee or simply an invitee for a particular item or items. The invitee is not a committee member and does not hold voting rights.”

CONSULTATION

13. Nil

STATUTORY ENVIRONMENT

14. All Committees are established under provisions of Subdivision 2 – Committees and their meetings
s 5.8 to 5.18 of the Local Government Act 1995.

POLICY IMPLICATIONS

15. Nil

FINANCIAL IMPLICATIONS

16. Nil

STRATEGIC IMPLICATIONS

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
1.2 Facilitate the strengthening and growth of our visitor experience.

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

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

18. Simple Majority

NINGALOO TOURISM ADVISORY GROUP COMMITTEE RESOLUTION

That the Ningaloo Tourism Advisory Group Committee recommends to Council that it;

1. ACCEPTS the resignation of Ms. Deb Ferguson from the NTAG Committee, and
2. INVITES the nomination of a representative from either the Minderoo Foundation or Tattarang organisation as an Industry Representative member to the NTAG with full voting rights.

CARRIED 4/0

NINGALOO TOURISM ADVISORY GROUP COMMITTEE RESOLUTION

ITEM

11.1.1

That Council acknowledges the Ningaloo Tourism Advisory Group Committee recommendation and:

1. ACCEPTS the resignation of Ms. Deb Ferguson from the NTAG Committee, and
2. INVITES the nomination of a representative from either the Minderoo Foundation or Tattarang organisation as an Industry Representative member to the NTAG with full voting rights.

COUNCIL RESOLUTION

ITEM 11.1.1

Res No: 02-0321

MOVED: Cr Niikkula

SECONDED: Cr Lucas

That Council acknowledges the Ningaloo Tourism Advisory Group Committee recommendation and:

1. **ACCEPTS the resignation of Ms. Deb Ferguson from the NTAG Committee, and**
2. **INVITES the nomination of a representative from either the Minderoo Foundation or Tattarang organisation as an Industry Representative member to the NTAG with full voting rights.**

CARRIED 6/0

The following reports were recommended enbloc 11.1.1, 11.1.3, 12.1.1, 12.1.2, 12.4.2, 12.5.1

NINGALOO TOURISM ADVISORY GROUP COMMITTEE

11.1.3 LETTER OF SUPPORT - PALTRIDGE MEMORIAL SWIMMING POOL UPGRADE – BUILDING BETTER REGIONS FUND APPLICATION

File Reference:	n/a
Reporting Officer:	Executive Manager Commercial & Community
Responsible Officer:	Chief Executive Officer
Date of Report:	15 February 2021
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	Nil

PURPOSE

1. That the Ningaloo Tourism Advisory Group consider approval to provide a letter of support for the Shire of Exmouth proposal to upgrade the Paltridge Memorial Swimming Pool under Round 5 of the Federal Government’s Building Better Regions Fund (BBRF).

BACKGROUND

2. The Paltridge Memorial Swimming Pool is a major asset for the Shire of Exmouth and a popular and well utilised focal point for the Exmouth community.
3. Located in the heart of the town centre and adjoining the towns’ major community precinct of Federation Park, the pool boasts a high-profile frontage onto the town’s main street of Maidstone Crescent. This is considered a major strength and opportunity for the proposed upgrade of the facility.
4. While the current swimming pool is well utilised, it is 54 years old and operates under a grandfather clause with aging plant and equipment and pipework presenting a significant risk to ongoing operations. If the pipework were to fail, the Shire of Exmouth would be faced with a difficult decision to either spend a significant amount of money to complete the refurbishment and bring the pool back to operational standard or close the pool.
5. At the September 2020 Ordinary Council Meeting, Council endorsed the Shire application to seek grant funding from the WA State Government’s Community Sport and Recreation Facility Fund (CSRFF) and were successful in securing part funding towards the upgrade.
6. Shire officers have been investigating additional potential funding sources.

7. The Building Better Regions Fund (BBRF) is an Australian Government funding program which supports investment ready projects that provide economic and social benefits for regional and remote areas. The fund invests in projects located in or benefiting eligible areas outside the major capital cities of Sydney, Melbourne, Brisbane, Perth, Adelaide, and Canberra. The Shire of Exmouth is classified as being eligible for funding as it is situated in a “Very Remote” location.
8. Round Five of the BBRF will provide \$200 million towards eligible projects across Australia. \$100 million has been allocated for tourism-related infrastructure projects under the Infrastructure Projects Stream which supports projects that involve construction of new infrastructure, or the upgrade or extension of existing infrastructure.
9. The Shire of Exmouth is seeking NTAG Committee support for its BBRF grant application for the renovation of existing pool facilities plus the addition of proposed new water facilities in order to upgrade the facility to become a major local tourism attraction known as the Exmouth Water Park.
10. Round Five of the Building Better Regions Fund (BBRF) closes on 5 March 2021 at 5pm AEDT.

COMMENT

11. Tourism is Exmouth’s major economic contributor and employer. The creation of a major built visitor attraction such as the proposed Exmouth Water Park will significantly increase the range of visitor experiences, encourage increased length of visitor stay and spend into the local economy.
12. The need for additional built visitor attractions and experiences are urgently required to complement the appeal of the surrounding natural environment (Ningaloo World Heritage Listed).
13. The proposed visitor attraction Exmouth Water Park will offer an alternate visitor experience/tourism product for use particularly when weather conditions make the surrounding natural marine environment unavailable for visitors and local community to enjoy. This facility will significantly enhance Exmouth destination’s reputation and tourism product range as the State’s Top Tourism Town.
14. If NTAG supports the Exmouth Water Park proposal the Shire will include a letter of support to assist the application to be submitted for the BBRF grant funding.

CONSULTATION

15. Nil

STATUTORY ENVIRONMENT

16. Nil

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.

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.

VOTING REQUIREMENTS

20. Simple Majority

NINGALOO TOURISM ADVISORY GROUP COMMITTEE RESOLUTION

ITEM 11.1.3

That the Ningaloo Tourism Advisory Group Committee approves to provide a letter of support for the Shire of Exmouth proposal to upgrade the Paltridge Memorial Swimming Pool under Round 5 of the Federal Government's Building Better Regions Fund (BBRF).

CARRIED 4/0

NINGALOO TOURISM ADVISORY GROUP COMMITTEE RECOMMENDATION

ITEM 11.1.3

That Council acknowledges the Ningaloo Tourism Advisory Group Committee recommendation:

That the Ningaloo Tourism Advisory Group Committee approves to provide a letter of support for the Shire of Exmouth proposal to upgrade the Paltridge Memorial Swimming Pool under Round 5 of the Federal Government's Building Better Regions Fund (BBRF).

COUNCIL RESOLUTION

ITEM 11.1.3

Res No: 03-0321

MOVED: Cr Niikkula

SECONDED: Cr Lake

That Council acknowledges the Ningaloo Tourism Advisory Group Committee recommendation:

That the Ningaloo Tourism Advisory Group Committee approves to provide a letter of support for the Shire of Exmouth proposal to upgrade the Paltridge Memorial Swimming Pool under Round 5 of the Federal Government's Building Better Regions Fund (BBRF).

CARRIED 6/0

12. REPORTS OF OFFICERS

The following reports were recommended enbloc 11.1.1, 11.1.3, 12.1.1, 12.1.2, 12.4.2, 12.5.1

EXECUTIVE SERVICES

12.1.1 YEAR TO DATE PROGRESS REPORT – PROGRESS REPORT ORGANISATIONAL KEY PERFORMANCE INDICATORS

File Reference:	CM.PL.1
Responsible Officer:	Acting Chief Executive Officer
Reporting Officer:	As above
Date of Report:	15 March 2021
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Progress Report for the Corporate Business Plan 2. 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 the annual report to the Council and the community, providing a clear and transparent process for regular reporting.
3. The Corporate Business Plan (CBP) is Council's core strategic document for the 4 year period 2018 to 2022. This CBP activates the Strategic Community Plan and integrates with other informing strategies including the Long Term Financial Plan. Commentary has been provided against each of the Actions listed within the Corporate Business Plan, see confidential attachment 2.
4. The CEO Key Performance Indicators were adopted by Council (Council decision 03-0720) at the July 2020 Ordinary Council meeting. A requirement of the CEO Performance Review Committee was to provide a progress report in December, March, and June over the year.

5. This report also provides an update on the progress of projects endorsed as part of the 2020/21 budget adoption.
6. To facilitate the achievement of the 2020/21 budgeted projects this report will provide an update on the progress against each project as at 5 March 2021.

COMMENT

7. 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 through the year.
8. The purpose of this 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.
9. 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.
10. Table 1 provides a summary progress report of the Corporate Business Plan actions as at 5 March 2021.

Table 1 - Corporate Business Plan Progress Report

Objective	Actions	Status -Complete	Status -On track	Status - Monitor	Status - Intervene
Economic	18	5	12	1	0
Environmental	10	1	6	3	0
Social	10	0	8	2	0
Leadership	7	0	6	0	1
Total	45	6	32	6	1

11. Table 2 provides a progress report against the CEO Key Performance Indicators as at 5 March 2021.

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.	March 2021	This report item
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 This report item for March
	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 • Public Places - Signage / Permits etc education / compliance • Property 	June 30 2021	On Track
KPI 4	4.1 Continuous improvement of the One Stop shop (planning and building) processes including the: <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. 		Completed Oct2020 On Track Monitor
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	7.1 Develop a CEO weekly update 7.2 Actively encourage greater community participation at Ordinary Council Meetings.	Commence September 2020	Completed On Track
KPI 8	Provide a timelier delivery of information to Councillors by: <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. 		On Track On Track

12. Table 3 provides a progress report of the Budgeted Projects as at 5 March 2021.

Table 3 - Budgeted Projects

A total of 46 budgeted projects were adopted as part of the 2020/21 budget. Officers have identified 1 project that requires intervention, Artist Festival mural and sculptural installations. This project is being reviewed as it is considered premature without Council first considering and potentially adopting a public art strategy.

Projects	Completed	On Track	Monitor	Intervene
46	9	26	10	1

CONSULTATION

- 13. Chief Executive Officer
- 14. Executive Managers
- 15. Shire Officers

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

- 18. Nil

FINANCIAL IMPLICATIONS

- 19. Nil

RISK MANAGEMENT

- 20. Risks identified as part of this regular reporting;

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational); CEO does not provide regular updates to Council on performance of strategic objectives.	Possible	Major	High	A CEO KPI is to report to Council on organisational performance at the December, March and June OCMs each year.
Financial; the failure to regularly report to Council on achievement of strategic objectives and project delivery inhibits Council's ability to make informed budget decisions	Possible	Major	High	A CEO KPI is to report to Council on organisational performance including project status at the December, March and June OCMs each year.
Reputational; the failure to provide accurate and timely reporting to Council may cause reputational damage to both Shire organisation and Council.	Possible	Major	High	Regular reporting will ensure the Executive Management team effectively manages delivery of strategic objectives and projects and that Council is provided strong oversight of overall shire performance.

ALTERNATE OPTIONS

- 21. Council may decide not to accept the report as presented and request the CEO to either provide more information and/or re-present the report once new information is supplied.

STRATEGIC ALIGNMENT

- 22. 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

23. 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: 04-0321

MOVED: Cr Niikkula

SECONDED: Cr Lake

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 6/0

The following reports were recommended enbloc 11.1.1, 11.1.3, 12.1.1, 12.1.2, 12.4.2, 12.5.1

12.1.2 PROPOSED NEW LOCAL PLANNING POLICY: PUBLIC ART CONTRIBUTIONS

File Reference:	CM.PO 9
Reporting Officer:	Senior Planning Officer
Responsible Officer:	Executive Manager Development Services
Date of Report:	14 February 2021
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Proposed draft Public Art Contributions Policy

PURPOSE

1. That Council consider a Public Art Contributions Policy (the Policy) and approve giving notice of the Policy (as detailed in Attachment 1 to this report) in order to seek public comment.

BACKGROUND

2. The objectives of the Shire of Exmouth Council's Policy Manual are:
 - To provide Council with a formal written record of all policy decisions;
 - To provide the staff with precise guidelines in which to act in accordance with Council's wishes;
 - To enable the 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 the staff or the 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.
3. The Shire of Exmouth seeks to create and enhance a visible arts presence in the public domain throughout the municipality.
4. The purpose of the Policy is for private developments over the value of \$2,000,000 to provide a public art contribution, of not less than one (1) percent of the value of the estimated total project, to reflect or enhance local cultural identity.
5. It is recommended that the Policy apply to private developments involving commercial, residential (not including single houses or grouped/multiple dwellings of less than 5 dwellings) and or mixed residential/commercial developments.

COMMENT

6. Public Art contributes towards creating a strong sense of place, promotes the expression of local identity, responds to the culture and character of the community and enhances the urban environment.
7. The general lack of water in the region puts pressure on Council's and landowners in the amount, quality and upkeep of landscaping and vegetation. Public Art can complement landscaping by contributing to and improving the visual amenity of areas.
8. The objectives of the Policy are:
 - a. To develop and promote community identity by requiring commissioned public art works as part of private development projects within the Shire of Exmouth.
 - b. To enhance a sense of place by encouraging public art forms which provide an interpretation and expression of the local area's natural physical characteristics and social values.
 - c. To improve interpretation of cultural, environmental and built heritage.
 - d. To improve visual amenity by use of public art to screen unattractive views and improve the appearance of places.
9. The Policy details the commissioning process, locations and maintenance requirements for Public Art.
10. This report seeks Council approval to make and subsequently advertise the draft policy. After expiry of the period within which the submissions may be made, the Shire of Exmouth will be required to:
 - Review the policy in light of any submissions made; and
 - Resolve to adopt the policy with or without modification, or not to proceed with the policy.

CONSULTATION

11. Should Council resolve to support the Policy for formal advertising, a notice of this proposed policy will be published on the Shires website (including the Policy), giving details of:
 - The subject and nature of the proposed policy; and
 - The objectives of the proposed policy; and
 - Where the proposed policy may be inspected; and
 - To whom, in what form and during what period submissions in relation to the proposed policy may be made.
12. The period for making submissions on a local planning policy must not be less than 21 days from the date of when the first notice is published.

STATUTORY ENVIRONMENT

13. *Division 2 – Local planning policies of the Planning and Development (Local Planning Scheme) Regulations 2015* set out the requirements local planning policies (LPP), including procedures for making a LPP.

POLICY IMPLICATIONS

14. As mentioned above, should Council resolve to make the Policy, Council will be asked to consider any submissions received following the public advertising period and finally consider and approve the Policy at an Ordinary Council Meeting (OCM).

FINANCIAL IMPLICATIONS

15. Nil

RISK MANAGEMENT

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational – Advertising the proposed policy could give rise to objectionable comments from landowners and developers.	Possible	Minor	Moderate	The proposed policy puts in place a sound framework for requiring public art contributions for private developments. Any matters raised will be considered and addressed as part of a future OCM.

ALTERNATE OPTIONS

17. Council has the following alternate options in relation to this item, which area

- To resolve that the draft policy is unacceptable and refuse advertising.
- To resolve to amend the proposed policy prior to advertising.

STRATEGIC ALIGNMENT

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

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

1.2 Facilitate the strengthening and growth of our visitor experience.

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

3.1 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

VOTING REQUIREMENTS

19. Simple Majority

OFFICER'S RECOMMENDATION

ITEM 12.1.2

That Council, in accordance with *Division 2 of the Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES to:

1. CONSIDER a Public Art Contributions Policy (as set out in Attachment 1 of this item).
2. APPROVE giving notice in accordance with clause 87 of the *Planning and Development (Local Planning Scheme) Regulations 2015*, in order to seek public comment.

COUNCIL RESOLUTION

ITEM 12.1.2

Res No: 05-0321

MOVED: Cr Niikkula

SECONDED: Cr Lake

That Council, in accordance with *Division 2 of the Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES to:

1. **CONSIDER a Public Art Contributions Policy (as set out in Attachment 1 of this item).**
2. **APPROVE giving notice in accordance with clause 87 of the *Planning and Development (Local Planning Scheme) Regulations 2015*, in order to seek public comment.**

CARRIED 6/0

CORPORATE SERVICES

The following reports were recommended enbloc 11.1.1, 11.1.3, 12.1.1, 12.1.2, 12.4.2, 12.5.1

12.4.2 LIST OF ACCOUNTS FOR PERIOD ENDING 28 FEBRUARY 2021

File Reference:	FM.FI.0
Reporting Officer:	Manager Finance
Responsible Officer:	Executive Manager Corporate Services
Date of Report:	17 March 2021
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. List of Accounts for period ending 28 February 2021

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. February Payments
Municipal Fund totalling \$4,060,264.14
Incorporating cheques, direct debits, electronic payments and credit cards.
6. Trust Fund totalling \$0
Incorporating electronic payments

7. Total Payments: \$4,060,264.14

CONSULTATION

8. Nil

STATUTORY ENVIRONMENT

9. 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

10. 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

11. 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

12. 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

13. Nil

STRATEGIC ALIGNMENT

14. 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

15. 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 February 2021 (*totalling \$4,060,264.14*).

COUNCIL RESOLUTION

ITEM 12.4.2

Res No: 06-0321

MOVED: Cr Niikkula

SECONDED: Cr Lake

That Council RECEIVES the report of payments made from the Municipal and Trust bank accounts during the month of February 2021 (*totalling \$4,060,264.14*).

CARRIED 6/0

ITEMS FOR INFORMATION ONLY

The following reports were recommended enbloc 11.1.1, 11.1.3, 12.1.1, 12.1.2, 12.4.2, 12.5.1

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 28 February 2021.

App #	Date Received	Lot	Property Address	Description	Decision	Decision Date
21/05	06/01/21	387	25 Corella Court	Single dwelling	Approved	06/03/21
21/15	27/01/21	39	14 Searaven Crescent	New shed to replace the existing	Approved	27/02/21
21/17	28/01/21	2	12A King Place	Single storey dwelling	Approved	22/02/21
21/18	02/02/21	1106	9 Campbell Wy	Renovation and extension to existing dwelling	Approved	27/02/21
21/20	05/02/21	131	42 Young Street	Steel framed carport & viewing deck	Approved	27/02/21
21/21	05/02/21		Osprey Stacks beach - Cape Range National Park	Public toilet block	Approved	08/02/21
21/22	09/02/21	37	6 Pelias Street, Cr Murat Road	Car wash, service station, office, laundrette & fence	Approved	23/02/21
21/23	09/02/21	180	14 Snapper Loop	Front boundary fence	Approved	27/02/21
21/24	10/02/21	198	Yardie Creek Caravan park - Yardie Creek Rd	Building approval - ablution block	Approved	15/02/21
21/25	15/02/21	1400	2 Carpenter Street	2 x storage sea containers at Exmouth District High School	Approved	06/03/21
21/26	22/02/21	829	1 Pelias Street	Alterations to storage area to tavern	Approved	05/03/21

21/27	22/02/21	217	21 Carpenter St	Side boundary fence	Approved	27/02/21
21/28	22/02/21	64	28 Searaven Crescent	Rear boundary fence	Approved	27/02/21
21/29	24/02/21	445	45 Madaffari Drive	Single dwelling (modular)	Approved	27/02/21
21/30	25/02/21	431	82 Madaffari Drive	Single dwelling	Processing	
21/32	26/02/21	1419	Willersdorf Road	Recreation Centre change rooms and toilets	Approved	02/03/21

Planning Decisions Issued

Summary of the planning decisions issued under delegation or outstanding up to 28 February 2021.

App #	Date Received	Lot	Property Address	Description.	Decision	Decision Date
PA32/19	13/03/19	Scheme Amendment 1 to LPS4			Deferred	07/06/19
DA54/20	12/08/20	Scheme Amendment No.2 to LPS4 - re-zoning of part Crown Reserve R50806 into 13 Koolinda Way			Processing	21/12/20
DA72/20	18/09/20	667	19 Stewart Street	Single House - Addition - Carport	Approved	17/02/21
DA89/20	23/10/20	198	Yardie Creek Road	16 new eco tent sites within existing Yardie caravan park	Deferred	05/11/20
DA92/20	29/10/20	445	45 Madaffari Drive	Single House	Approved	06/02/21
DA101/20	17/11/20	1	Heron Way	Single, ancillary dwelling, outbuilding	Deferred	17/11/20
DA108/20	01/12/20	346	35 Kestrel Place	Single House - Addition - Floating Jetty	Approved	24/02/21
DA113/20	08/12/20	460	12 Osprey Way	Single House, Ancillary Dwelling and Outbuilding	Deferred	06/01/21
DA118/20	15/12/20	14	14/30 Dugong Close	Holiday house	Processing	11/01/21
DA120/20	16/12/20	27	52 Mortiss Street	Single House - Retaining Wall	Approved	08/02/21
DA121/20	18/12/20	71	43 Nimitz Street	Holiday House	Approved	01/02/21
DA122/20	24/12/20	417	54 Madaffari Drive	Floating jetty	Deferred	20/01/21
DA124/20	24/12/20	410	34 Madaffari Drive	Single House - Addition - Floating Jetty	Deferred	24/12/20
DA8/21	29/01/21	103	5 Snapper Loop	Carport	Processing	29/01/21
DA1/21	04/01/21	649	22 Hall Street	Ancillary Dwelling	Approved	17/02/21
DA3/21	05/01/21	431	82 Madaffari Drive	Single House	Approved	06/02/21
DA5/21	07/01/21	829	1 Pelias Street	Liquor Store - Additions	Approved	17/02/21
DA7/21	01/02/21	500	1 Nimitz Street	Caravan park - Additions & alterations	Approved	04/02/21
DA9/21	02/02/21	33	9 Learmonth Street	Patio extension and carport	Processing	
DA10/21	04/02/21	318	Minilya-Exmouth Road	Ancillary dwelling	Processing	
DA11/21	05/02/21	1	1 Truscott Crescent	Signage on Murat Road	Processing	
DA12/21	08/02/21	307	22 Gnulli Court	Development - Jetty	Approved	22/02/21
DA13/21	08/02/21	314	36 Gnulli Court	Development - Jetty	Approved	22/02/21
DA14/21	08/02/21	458	8 Osprey Way	New single dwelling	Processing	
DA15/21	16/02/21	136	5 Redfin Court	Approval of Existing Development - Bed & Breakfast (1 room)	Processing	
DA19/21	24/02/21	187	35 Cobia Close	Single dwelling	Processing	
LP.PL.4.4	18/02021	LPS No.4 Amendment 4 - Service Commercial zone 'Additional Use' 'workforce accommodation' as a discretionary ('A') use			Processing	

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

App #	Date Received	Description.	Decision	Permit issued
PE3/21	02/02/2021	Wedding - Jansz Beach	Issued	16/02/21
PE4/21	08/02/2021	Wedding Light House Bay beach	Issued	16/02/21
PE5/21	09/02/2021	Electric hydrofoil surfboard lessons, supervised ride - Town Beach	Processing	09/02/21
PE6/21	16/02/2021	Tropicalia Juice Truck at Hunters carpark	Issued	12/03/21
PE7/21	24/02/2021	Juice Palace	Processing	05/03/21

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 28 February 2021; and
- Planning Decisions Issued up to 28 February 2021.

COUNCIL RESOLUTION

ITEM 12.5.1

Res No: 07-0321

MOVED: Cr Niikkula

SECONDED: Cr Lake

That Council note the following information items:

- **Register of Documents Stamped with the Shire of Exmouth Common Seal;**
- **Building Decisions Issued up to 28 February 2021; and**
- **Planning Decisions Issued up to 28 February 2021.**

CARRIED 6/0

NINGALOO TOURISM ADVISORY GROUP COMMITTEE

11.1.2 NINGALOO TOURISM ADVISORY GROUP TWO YEAR ACTION PLAN

File Reference:	n/a
Reporting Officer:	Executive Manager Commercial & Community
Responsible Officer:	Chief Executive Officer
Date of Report:	15 February 2021
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. Summary NTAG Action Plan 0321

PURPOSE

1. That the Ningaloo Tourism Advisory Group as a Committee of Council endorse the Ningaloo Tourism Advisory Group "Two Year Action Plan" and seek Council approval to authorise the Shire CEO to implement the action plan strategies.

BACKGROUND

2. As per the NTAG terms of reference the Advisory Group was established to provide;
 - *"Advice and strategic oversight of the tourism development and marketing of the Ningaloo destination, and support the ongoing development and implementation of initiatives (infrastructure, marketing, events, tourism experiences) to achieve the strategic tourism and economic objectives of the Shire of Exmouth, and*
 - *Support the marketing success and financial sustainability of the Ningaloo Aquarium and Discovery Centre and ensure engagement with the broader region in driving the success of this important tourism asset".*
3. At the first NTAG meeting and strategic workshop held 21 October 2020 the Advisory Group agreed on the following Vision (NTAG workshop outcomes report);
 - "To better position Ningaloo as the number 1 visitor destination through leadership and investment in new infrastructure, experiences and marketing in order to maximise the sustainable social and economic benefits for the State and local community."*
4. As stated in the workshop outcomes report the next steps include;
 - To develop the roadmap/action plan for 2 years,
 - Further prioritise the actions and initiatives,
 - Assign responsibility and timing, and
 - Determine capacity to execute (for example the ability to manage change and build good investment cases).

COMMENT

5. The NTAG Committee requires a concise strategic document that will guide its activities over the next 2 year timeframe.
6. The objectives of the Action Plan are to;
 - Align stakeholders behind the action roadmap and the areas of greatest benefits to the region.
 - Establish a robust framework for reporting, prioritisation, risk and project management.
 - Kick start the implementation process through advising those with responsibility on project management planning.
7. The preparation of the 2 year NTAG Action Plan is also a key required outcome for the Shire of Exmouth Corporate Business Plan.
8. The 2 year action plan workshop will be held Monday 22 February prior to the NTAG Committee meeting to be held Tuesday 23 February.
9. At the conclusion of the workshop a draft action plan will be finalised and presented for consideration at the NTAG Committee meeting.

CONSULTATION

10. Nil

STATUTORY ENVIRONMENT

11. All Committees are established under provisions of Subdivision 2 – Committees and their meetings s. 5.8 to 5.18 of the *Local Government Act 1995*.

POLICY IMPLICATIONS

12. Nil

FINANCIAL IMPLICATIONS

13. The 2 year Action Pan strategies may seek to utilise funds from the Shire Tourism Development Reserve.

STRATEGIC IMPLICATIONS

14. 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

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. Simple Majority

NINGALOO TOURISM ADVISORY GROUP COMMITTEE RESOLUTION

ITEM 11.1.2

That the Ningaloo Tourism Advisory Group Committee recommends to Council that it;

- 1. Endorse the key action areas as detailed in the Ningaloo Tourism Advisory Group “Draft Two Year Action Plan”, and
- 2. Seek Council approval to authorise the Shire CEO to finalise the Draft Plan including recommended budget allocations.

CARRIED 4/0

NINGALOO TOURISM ADVISORY GROUP COMMITTEE RECOMMENDATION

ITEM 11.1.2

That Council acknowledges the Ningaloo Tourism Advisory Group Committee recommendation and that Council:

- 1. ENDORSE the key action areas as detailed in the Ningaloo Tourism Advisory Group “Draft Two Year Action Plan”, and
- 2. APPROVES to authorise the Shire CEO to finalise the Draft Plan including recommended budget allocations.

COUNCIL RESOLUTION

ITEM 11.1.2

Res No: 08-0321

MOVED: Cr Lucas

SECONDED: Cr Niikkula

That Council acknowledges the Ningaloo Tourism Advisory Group Committee recommendation and that Council:

- 1. ENDORSE the key action areas as detailed in the Ningaloo Tourism Advisory Group “Draft Two Year Action Plan”, and**
- 2. APPROVES to authorise the Shire CEO to finalise the Draft Plan including recommended budget allocations.**

CARRIED 6/0

The Shire President Niikkula declared an Impartiality and Financial interest in the following report and left the room at 4.53pm.

Deputy Shire President Dixon took responsibility of the Chair.

DEVELOPMENT SERVICES

12.2.1 AWARD OF TENDER: RFT 06/2021 PROVISION OF TRADE SERVICES - PLUMBING & DRAINAGE, GAS, ELECTRICAL, AIR-CONDITIONING, PEST CONTROL AND PAINTING

File Reference:	CM.TE.06.2021
Reporting Officer:	Manager Works
Responsible Officer:	Executive Manager Development Services
Date of Report:	16 March 2021
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. CONFIDENTIAL Tender Evaluation Report

PURPOSE

1. That Council consider the outcome of the Provision of Trades Services: Plumbing & Drainage, Gas, Electrical, Air-Conditioning, Pest Control and Painting Tender (RFT 06-2021).

BACKGROUND

2. A private consultant was engaged on behalf of the Shire of Exmouth to manage the RFT 06-2021 Provision of Trade Services. Previously the Shire engaged WALGA however they no longer offer this service and therefore Lange Consultancy advertised, received and assessed the tender submissions independent of the Shire.

COMMENT

3. The Confidential evaluation report is included as Attachment 1.
4. Since 2011 the Shire has tendered the Shire's electrical and plumbing services. The purpose of this process was to ensure that the Shire managed the associated acquisition in accordance with the Local Government Act 1995, and that contractors were provided an opportunity via a competitive tender process to provide cost efficiencies and effective delivery of service to the Shire.

CONSULTATION

5. Nil

STATUTORY ENVIRONMENT

6. Local Government Act 1995 Part 3, Division 3, section 3.55

POLICY IMPLICATIONS

7.

- Procurement Policy – 2.7
- Regional Price Preference – 2.12
- Asset Management Policy – 2.14

FINANCIAL IMPLICATIONS

8. As per Annual Shire Budget

RISK MANAGEMENT

9. Identified risks:

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance Delayed response to urgent maintenance	Almost certain	Major	High	Contract specifies required response times.
Financial Price variations negatively impacting budgeting	Likely	Moderate	High	Contract enables fixed pricing.
Reputational Community concerns regarding poorly maintained infrastructure	Likely	Moderate	High	Contract specifies required response times.

ALTERNATE OPTIONS

10. Council may refuse to award all or some services of the tender.

STRATEGIC IMPLICATIONS

11. 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

12. Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 12.2.1

That Council:

1. **AWARD** the contract for Tender RFT 06-2021 Provision of Trades Services: Plumbing & Drainage, Gas, Electrical, Air-Conditioning, Pest Control and Painting as per the recommendation in the Confidential Evaluation Report; and
2. **RECORD** the recommendation for Tender RFT 06-2021 Provision of Trades Services: Plumbing & Drainage, Gas, Electrical, Air-Conditioning, Pest Control and Painting as provided in the Confidential Evaluation Report in the meeting minutes.

COUNCIL RESOLUTION

ITEM 12.2.1

Res No: 09-0321

MOVED: Cr Lucas

SECONDED: Cr Mounsey

That Council:

1. **AWARD** the contract for Tender RFT 06-2021 Provision of Trades Services: Plumbing & Drainage, Gas, Electrical, Air-Conditioning, Pest Control and Painting as per the recommendation in the Confidential Evaluation Report; and
2. **Tender RFT 06-2021 Provision of Trades Services: Plumbing & Drainage, Gas, Electrical, Air-Conditioning, Pest Control and Painting as provided in the Confidential Evaluation be awarded to the following:**
 - **Plumbing & Drainage – Exy Plumbing and Contracting**
 - **Gas - Exy Plumbing and Contracting**
 - **Electrical – Network Power Solutions**
 - **Air-Conditioning – Network Power Solutions**
 - **Pest Control – Joseph Zanick Family Trust**
 - **Painting – not to award**

CARRIED by ABSOLUTE MAJORITY 5/0

Noted this process was completed by an external contractor.

The Shire President returned to the room at 4.58pm and took control of the Chair.

12.2.2 AWARD OF TENDER: RFT 05/2021 YARDIE CREEK ROAD EDGE SEAL AND WIDENING

File Reference:	CM.TE.05.2021
Reporting Officer:	Manager Works
Responsible Officer:	Executive Manager Development Services
Date of Report:	8 March 2021
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. CONFIDENTIAL Tender submission

PURPOSE

1. That Council award the Tender 05/2021 Yardie Creek Road – Edge Seal to the sole tenderer for the total sum as per the confidential tender submission Attachment 1.

BACKGROUND

2. Yardie Creek Road is the entrance road to the Cape Range National Park and the main access road to visitor attractions that are located on the west side of the Cape Range. It is the main road to Tantabiddi Boating facilities that is heavily utilised during the peak tourist season and is also access to accommodation options on the west side.
3. Historically the Council has utilised own source funding and regional road group funding to undertake minor shoulder works on an annual basis.
4. Council was successful in obtaining State Blackspot funding for the 2020/21 financial year to a total of \$200,00.00 additional to the annual expenditure from Federal Government Roads to Recovery and State Government Regional Road Group funding bringing the total for Yardie Creek Road maintenance for this financial year to \$679,000.00.

COMMENT

5. Tendering Process – The Request for Tender was advertised for public submissions in the West Australia Newspaper, Pilbara News, Shire public notice boards, Shire website and social media platforms with a closing date of Monday 15th February 2021.
6. Safe Roads Australia was the only potential contractor that contacted the Shire directly and undertook a site inspection.
7. After the closing date one (1) submission (Attachment 1) was received and reviewed by Executive Manager Development Services and Manager Works.

8. Executive Manager Development Services undertook a thorough qualitative assessment and spoke directly to the contractor to ascertain the level of expertise and ability to undertake these types of works.
9. The scope of works is a specialised field and requires the plant and machinery fit for purpose. There are minimal contractors within Western Australia that provides this service.

CONSULTATION

10.
 - Main Roads Western Australia – Regional Road Group & State Blackspot
 - Federal Government – Roads to Recovery

STATUTORY ENVIRONMENT

11. 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.*

POLICY IMPLICATIONS

12.
 - Procurement Policy 2.7
 - Regional Price Preference Policy 2.12
 - Risk Management Policy 2.13
 - Asset Management Policy 2.14

FINANCIAL IMPLICATIONS

13. The project budget comprises of:

a. Grant and Contribution Funded	\$565,000
b. Shire of Exmouth Contribution	\$114,000
Total Project Budget Excluding GST	<u>\$679,000</u>

RISK MANAGEMENT

14. Insert identified risks implications

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational) Unsafe road	Almost certain	Major	High	Contract works will repair unsafe road edges
Financial Delayed repairs will increase future repair costs	Likely	Major	High	Contract will ensure timely repairs
Reputational Poor road conditions will generate community complaints	Likely	Moderate	High	Contract will ensure timely repairs

ALTERNATE OPTIONS

15. Council may refuse to award the tender.

STRATEGIC ALIGNMENT

16. 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

17. Absolute Majority

OFFICER'S RECOMMENDATION

ITEM 12.2.2

That Council:

1. AWARDS the contract for Tender RFT 05/2021, to Safe Roads WA as per the quoted price included in the Confidential Attachment 1.
2. AUTHORISE the Acting Chief Executive Officer to approve variations within 10% variation of the total project budget.

COUNCIL RESOLUTION

ITEM 12.2.2

Res No: 10-0321

MOVED: Cr Lucas

SECONDED: Cr Lake

That Council:

1. **AWARDS the contract for Tender RFT 05/2021, to Safe Roads WA as per the quoted price included in the Confidential Attachment 1.**
2. **AUTHORISE the Acting Chief Executive Officer to approve variations within 10% variation of the total project budget.**

CARRIED by ABSOLUTE MAJORITY 6/0

COMMERCIAL AND COMMUNITY

12.3.1 COMMUNITY SPORTING AND RECREATION FACILITIES FUND: SMALL GRANTS APPLICATION - EXMOUTH GOLF CLUB INC

File Reference:	GS.PR.1
Reporting Officer:	Acting Executive Manager Commercial and Community
Responsible Officer:	As above
Date of Report:	14 March 2021
Applicant/Proponent:	Nil
Disclosure of Interest:	Nil
Attachment(s):	1. CONFIDENTIAL – CSRFF Small Grants Application

PURPOSE

1. That Council supports the Exmouth Golf Club Inc's Community Sporting and Recreation Facility Fund (CSRFF) Small Grants funding application for submission to the Department of Local Government, Sport, and Cultural Industries.

BACKGROUND

2. The CSRFF administered by the Department of Local government, Sport and Cultural Industries (DLGSCI) has three funding streams including: • Small Grants – projects from \$7,500 to \$300,000 (ex GST); Annual Grants – projects from \$301,000 to \$500,000 (ex GST); and Forward Planning Grants – projects up to \$2m (ex GST).
3. The CSRFF program is an annual \$12 million program. All three streams are often oversubscribed and clubs may need to reapply on a number of occasions to be successful.
4. Applicants must be either a local government or a not-for-profit sport, recreation or community organisation incorporated under the WA Associations Incorporation Act 1987 and have an Australian Business Number (ABN). Clubs must demonstrate equitable access to the public on a short term and casual basis.
5. The land on which the facility is to be developed must be one of the following:
 - Crown reserve
 - Land owned by a public authority
 - Municipal property
 - Land held for public purposes by trustees under a valid lease, title or trust deed that adequately protects the interests of the public.

6. Small grants will be awarded to projects involving a basic level of planning. The total project cost for small grants must not exceed \$300,000 (ex GST).
7. Examples of CSRFF small grant projects:
 - Cricket pitch and practice wickets
 - Storage upgrades
 - Changerooms refurbishments
 - Safety fences for sport and recreation facilities, i.e. ballistic sports
 - Small floodlighting projects
 - Court surface conversion
 - Large scale dams, water collection systems and pipelines for distribution (maximum grant offered is \$60,000)
 - Various planning studies to a maximum grant amount of \$25,000
8. The minimum CSRFF small grant awarded is \$2,500 (ex GST) and the maximum CSRFF small grant awarded is \$100,000 (ex GST). Note: The maximum CSRFF small grant awarded may increase to 50% funding if a development bonus is approved.
9. The Local Government has an opportunity to assess all relevant applications and, if there is more than one application for a round, to rank applications in priority order for the municipality.
10. Whilst there is no obligation for Local Government to contribute to the community sporting projects, local government is viewed as a key funding partner in supporting improved community sporting amenities.
11. The Department of Local Government, Sport and Cultural Industries CSRFF application form calls for applications to be initially submitted to the Local Government within which the project proposal is located.
12. An element of the assessment process involves Council consideration and priority ranking of applications received.
13. The applications are then submitted to the Department of Sport and Recreation on behalf of the applicants by 31 March 2021.
14. Once the assessment process from Local Government Authorities are complete, all applications received from Western Australian organisations are then assessed by the relevant State Sporting Association and the Department of Local Government Sport and Cultural Industries CSRFF Committee against a number of criteria, with the final decision on funding being at the discretion of the Minister for Sport and Recreation.

COMMENT

15. The grant guidelines require Council to provide a ranking for the projects.

16. The Department of Local Government, Sport and Cultural Industries provides guidance for Local Government Authorities to assess each submission.
17. This assessment uses the following criteria and a project rating of satisfactory/unsatisfactory or not relevant:
 - Project justification
 - Design
 - Planned approach
 - Financial viability
 - Community consultation
 - Coordination
 - Management planning
 - Potential to increase physical activity
 - Access and opportunity
 - Sustainability
18. With overall project rating, being:
 - Well planned and needed by municipality
 - Well planned and needed by applicant
 - Needed by municipality, more planning required
 - Needed by applicant, more planning required
 - Idea has merit, more planning work needed
 - Not recommended.
19. Projects are ranked on the strength of the application, participation numbers, ability to increase physical activity and potential impact as well as consultation with the Department of Local Government, Sport and Cultural Industries and the applicant.
20. For this CSRFF Small Grants Round, the Shire of Exmouth has received one application: from the Exmouth Golf Club Inc.
21. Project Title: Machinery Shed Extension – Motorised Cart Shed
22. Project Description: The project involves an extension to the eastern end of the existing machinery shed which will provide a purpose-built storage area for golf club members motorised golf carts and additional storage space for the Golf Club's minor equipment such as lawn mowers etc. A number of members are retired and of an age and physical condition that prevents them from being able to walk a round of golf. Currently, some members are storing their motorised carts in a small shed that was previously being used for golf course maintenance equipment. (A significant number of golf clubs in Western Australia provide such protection for members who own motorised carts.)
23. In assessing the Exmouth Golf Club Inc's CSRFF Small Grants application, it is believed that this project - total project cost of \$62,858.89 (incl GST) - is financially viable for the Club with the Club having the capacity to manage this project well; to manage the requirements for funding

this project; and to make contributions to an asset replacement fund over time. Additionally, the outcome of this project will enable the Club to assist its current membership and also provide an incentive to attract new members. This project is well planned and needed by the applicant and is rated satisfactory.

24. The planning and building approvals for this project will be able to be provided by the Club and assessed by the Shire of Exmouth once the Club has secured the total amount of funding required to undertake this project.

25. A copy of the full application (confidential) is attached.

CONSULTATION

26.

- Exmouth Golf Club Inc
- Department of Local Government, Sport and Cultural Industries Regional Officer, Gascoyne Region.

STATUTORY ENVIRONMENT

27. Local Government Act 1995

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

29. The Exmouth Golf Club Inc with the submission of its DLGSCI CSRFF Small Grants application for the Machinery Shed Extension – Motorised Cart Shed project is not seeking funding assistance from the Shire of Exmouth as the Club has applied for 50 per cent funding of its total project from DLGSCI which includes the development bonus.

RISK MANAGEMENT

30. Identified risks:

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational)	Unlikely	Minor	Low	The Exmouth Golf Club Inc has the managerial expertise and experience at committee level to be able to undertake well the performance of this project.
Financial	Possible	Moderate	Medium	The Exmouth Golf Club Inc has in place several financial scenarios to ensure the project is able to be completed if DLGSCI approves funding. If DLGSCI does not approve funding, the project though may not be able to be undertaken until sufficient external funding is obtained.
Environmental	Rare	Insignificant	Very Low	Due to the type of project the Exmouth Golf Club Inc is undertaking, environmental risk is expected to be extremely rare.

Reputational	Unlikely	Minor	Low	The Exmouth Golf Club Inc has a very good reputation in managing its golf course and associated facilities. It is expected that the outcome of its current CSRFF application will be able to be completed well.
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ALTERNATE OPTIONS

- 31. The club does not have sufficient finances to fully fund the project nor is it an option the club states in its CSRFF application for those members that would benefit by the extension of the shed to then fully fund the project. The club believes this is not an option to expect a limited number of predominantly senior aged members requiring the use of carts to be able to provide the funds for the project.

- 32. If the Exmouth Golf Club Inc does not receive funding from DLGSCI for this project, then it would need to consider fully funding the extension of the shed and/or seek funding from other sources including from the Shire of Exmouth whether by grant or loan.

STRATEGIC ALIGNMENT

33. 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

34. Simple Majority

OFFICER’S RECOMMENDATION

ITEM 12.3.1

That Council SUPPORTS the submission of the Exmouth Golf Club Inc’s CSRFF Small Grants application to the Department of Local Government, Sport and Cultural Industries.

COUNCIL RESOLUTION

ITEM 12.3.1

Res No: 11-0321

MOVED: Cr Mounsey

SECONDED: Cr Lake

That Council SUPPORTS the submission of the Exmouth Golf Club Inc's CSRFF Small Grants application to the Department of Local Government, Sport and Cultural Industries.

CARRIED 6/0

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

Nil

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

Nil

15. MATTERS TO BE CONSIDERED BEHIND CLOSED DOORS

Nil

16. CLOSURE OF MEETING

The Shire President close the meeting at 5.05pm and thanked the gallery for their attendance.