



Minutes

Ordinary Council Meeting

14 December 2023

Confirmation of Minutes

I hereby certify that the Minutes and Attachments of the Ordinary Council Meeting held on 14 December 2023 are a true and accurate record of the proceedings contained therein.

Shire President

22/01/2024

Date

Disclaimer

The advice and information contained herein are given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

Please note that this agenda contains recommendations which have not yet been adopted by Council.

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

SNAPSHOT

Strategic Community Plan 2023-2033



Your Choice. Our Future.

VISION

A globally recognised community of guardians for our unique environment and culture as we pursue innovations for sustainable growth.

GOALS

The goals are organised in five strategic pillars: Social, Natural Environment, Built Environment, Economy, and Governance and Leadership.

SOCIAL

Nurture a friendly, safe and inclusive community spirit.

- Improve local community and visitor experiences.
- Ensure a full suite of services to meet the needs of families and individuals at all ages and stages of life.
- Build community cohesion and connectedness.



GOVERNANCE & LEADERSHIP

Foster open, transparent & accountable leadership, working collaboratively & in partnership with our community & stakeholders.

- Forward-thinking leadership for efficient & sustainable operations.
- Continued focus on transparent, accountable leadership & community & stakeholder engagement.
- Council & administration plan & lead with good governance.



ECONOMY

Enhance a robust, resilient & diversified economy that champions innovation.

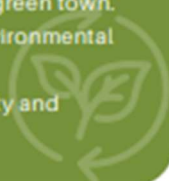
- Increase opportunities for smart and sustainable business ideas.
- Establish Exmouth as a vibrant, welcoming and environmentally aware destination.
- Promote Exmouth as a thriving economy based on its regional strength as a global environmental hotspot.



NATURAL ENVIRONMENT

Embrace natural sensitivities and promote positive change.

- Establish Exmouth as a clean and green town.
- Prepare Exmouth for changing environmental conditions.
- Increase awareness of sustainability and environmental issues.



BUILT ENVIRONMENT

Enable sustainable development and infrastructure that meets the needs of the community, visitors and industry.

- Infrastructure and assets are well-managed and maintained.
- Plan and cater for increased population growth.
- Revitalisation and expansion of airport services.



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1. Declaration of Opening and Announcements

The Shire President declared the meeting open at 4.00 pm.

The Shire President acknowledged the Traditional Owners of the land on which we meet, and paid respect to Elders past, present, and emerging.

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 offence to record the proceedings of this meeting and asked the gallery to switch off any recording devices, including phones.

The Shire President advised the gallery the meeting will be recorded by the Executive Secretary to compile an accurate record of the minutes only; and the recording and will be erased once they are confirmed.

2. Attendance, Apologies and Approved Leave of Absence

Shire President M (Matthew) Niikkula

Councillor D (Darlene) Allston

Councillor J (Jackie) Brooks

Deputy Shire President

Councillor D (David) Gillespie

Councillor T (Todd) Bennett

Councillor K (Kristy) Devereux

Mr Ben Lewis

Chief Executive Officer

Mr Mike Richardson

Executive Manager Infrastructure Services

Ms Michelle Head

Minute Taker

3. Response to Previous Public Questions Taken on Notice

Question taken on notice from the October Ordinary Council meeting received from Mr Alan Duncan.

Why did the shire refuse to put our advertising of the referendum of the general public?

The Shire President advised that following an investigation it become evident that there was a misunderstanding of Mr Duncan's request to place an advertisement on the Shire noticeboard and provided an apology to Mr Duncan. It was also noted that Shire was not advised from the Australian Electoral Commission where the polling place was being held.

4. Public Question Time

Questions received from Pauline Oldfield

I would like to raise the issue of the need for a Community Bus Service to enable the continuing independent living circumstances for many of the residents of the Community Housing units and others.

There have been a few long-time local residents recently who have had their driving licenses revoked, and as a result of this and the fact that seniors are unable to use their Government Issued Taxi/Fuel cards in Exmouth to access the Exmouth Taxi Services, they have become increasingly more isolated in their homes.

This is becoming more of an issue especially recently, as one resident walked down to the shopping centre in the middle of the day, during extremely high temperatures which could have resulted in

drastic consequences for that resident. I think we were extremely fortunate that this did not end in more tragic circumstances.

I think a reasonable solution would be to create a bi-weekly bus service that services the Community Housing units. This could even possible involve utilising the services of a private provider and/or a tariff payable by clients using it. These clients could also include other non-Community housing residents within the Senior Citizens community.

Thank you for your consideration of this issue and I would appreciate it if you are able to present the matter at the next Shire Council meeting on my behalf.

The Shire President advised the Shire acknowledges this type of service would be of benefit to the community and Council would consider the matter and look to advocate to the State Government and its various agencies to determine if this service could be considered.

In advocating to the State Government, Council would the outline the link to the strategic priorities within the Strategic Community Plan:

- 1.1.3 Promote holistic lifestyle choices, support the improvement of mental health outcomes, and uphold public health and safety.
- 1.2.1 Encourage and promote intergenerational programs that improve quality of life, such as; early childhood library services, youth development, home health care and a facility for the aged, including Aged Care Business Plan.
- 5.2.2 Continue to advocate for the community's vision and underpinning needs, such as housing, telecommunications and health services.
- 5.2.3 Consider the views and needs of the community and develop strategies to enable the community to contribute to Exmouth's future, including a Communications Strategy review.

5. Declarations of Interest

Nil

6. Applications for Leave of Absence

Nil

7. Confirmation of Minutes of Previous Meetings

That the Minutes and associated attachment of the Ordinary Council Meeting of the Shire of Exmouth held on 25 October 2023 be confirmed as a true and correct record of proceedings.

COUNCIL RESOLUTION

ITEM 7

Res No: 03-1223

MOVED: Cr Gillespie

SECONDED: Cr Brooks

That the Minutes and associated attachments of the Ordinary Council Meeting of the Shire of Exmouth held on 25 October 2023 be confirmed as a true and correct record of proceedings.

CARRIED 6/0

For: SP Niikkula, Cr Brooks, Cr Allston, Cr Bennett, Cr Devereux, Cr Gillespie

8. Announcements/ Reports of Elected Members

Councillor Devereux	09/11 Community & Sporting Grants meeting 11/11 MC at Remembrance Day 14/11 Councillor Member Essentials training at WALGA Meeting Procedures 21/11 Santos & Woodside Exmouth Community Reference Groups End of Year BBQ Sundowner 05/12 Exmouth Volunteer Day Thank You event 07/12 Exmouth Chamber of Commerce Xmas event
Councillor Bennett	09/11 Community & Sporting Grants meeting 21/11 Santos and Woodside Exmouth Community Reference Groups End of Year BBQ Sundowner
Councillor Brooks	14/11 Turtle Release (Kimosabi) at Town Beach Councillor Brooks acknowledged the recent passing of long term Exmouth resident, Mr Wolf John. Mr John worked for the Shire of Exmouth for a period of 17 years. On behalf Council, Councillor Brooks passed on condolences to Jan, David, Casey, Joe and family.
Councillor Allston	Attended the Australian Local Government Women's Association WA Branch meeting and taken on the role of Vice-President Country.

9. Announcements by the Presiding Person without Discussion

The Shire President read the following report to the gallery

"Well here we are at the final council meeting of 2023.

Before we all break for the holiday period, it is a good opportunity to reflect some incredible events and major achievements that the Shire of Exmouth have delivered, in partnership with our community and major stakeholders.

The Total Solar Eclipse in April, was obviously the standout, consuming the Lion's share of every part of our organisation. It was a spectacular event, beamed live to the world, showcasing the wonders of our region. The success can be attributed to not only our external partners like Tourism WA and the State Government, but more aptly to the fantastic organisational skills, the huge work ethic and the volunteering culture of Team Exmouth. To the Entire Shire staff involved... Council and Community couldn't be prouder.

After years of hard work by a multitude of organisations, Exmouth finally had a taste of direct East – West flights, with Qantas trialing the Learmonth – Melbourne route through the winter months. Whilst it was great to open new avenues of visitation to our town, it also gave our locals a chance to experience a different destination to Perth for a holiday. It was definitely an important milestone, and, even though Qantas have unfortunately cancelled the continuation next year, it gave us all a taste of things to come.

We have worked hard to strengthen our relationships with the Chamber of Commerce, the School, Defence, and local government departments as well as providing greater support for our Community and sporting groups. These important partnerships are integral for our community to all be on the same path, sharing the journey and capitalizing on the best outcomes for our town.

Over the last few months, Council has enjoyed many briefing sessions by the Executive team, giving us a great insight into what is being done, how it is being done, where we need improvement and most of all, how we best serve the community we represent. We are all very excited for the coming year.

On behalf of Council, I wish the entire Exmouth Community, past and present, a Safe and Happy Christmas, and a prosperous New Year”.

10. Petitions/ Deputation/Presentations/ Submissions

Nil

11. Matters Arising from Committees of Council

11.1.1 AUDIT COMMITTEE MEETING – 12 DECEMBER 2023

A complete version of the unconfirmed minutes of the Audit Committee meeting are available on the Shire of Exmouth website [Audit Committee Meeting Minutes](#)

AUDIT COMMITTEE RESOLUTION	ITEM 11.1.1
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That the Audit Committee recommends to Council that it:

1. Receive the 2022/23 Annual Financial Report; and
2. Receive the Audit Opinion for the Year Ended 30 June 2023.

AUDIT COMMITTEE RECOMMENDATION	ITEM 11.1.1
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That Council notes the Audit Committee recommendation and resolves to:

1. Receive the 2022/23 Annual Financial Report; and
2. Receive the Audit Opinion for the Year Ended 30 June 2023.

COUNCIL RESOLUTION	ITEM 11.1.1
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Res No: 04-1223

MOVED: Cr Gillespie

SECONDED: Cr Bennett

That Council notes the Audit Committee recommendation and resolves to:

- 1. Receive the 2022/23 Annual Financial Report; and**
- 2. Receive the Audit Opinion for the Year Ended 30 June 2023.**

CARRIED 6/0

For: SP Niikkula, Cr Brooks, Cr Allston, Cr Bennett, Cr Devereux, Cr Gillespie

12. Reports of Officers

EXECUTIVE SERVICES

COUNCIL RESOLUTION

ITEM 12.1.1, 12.4.1, 12.4.2, 12.4.3, 12.4.4

Res No: 05-1223

Shire President Niikkula **MOVED** a motion that the following Agenda items are moved enbloc:

- 12.1.1 Affixing Common Seal under Delegated Authority
- 12.4.1 - Financial Statement for the Period Ending 31 October 2023
- 12.4.2 - List of Accounts for Period Ending 31 October 2023
- 12.4.3 - Financial Statement for the Period Ending 30 November 2023
- 12.4.4 - List of Accounts for Period Ending 30 November 2023

SECONDED: Cr Brooks

CARRIED by SIMPLE MAJORITY 6/0

For: SP Niikkula, Cr Brooks, Cr Allston, Cr Bennett, Cr Devereux, Cr Gillespie

12.1.1 AFFIXING COMMON SEAL UNDER DELEGATED AUTHORITY

File Reference	GV.AU.1
Reporting Officer	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Date of Report	23 November 2023
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	Nil

Purpose

1. To advise Council of the documents that have had the Shire of Exmouth common seal affixed under delegated authority since the last council meeting on the 25 October 2023.

Background

2. There have been five documents that have had the Shire's common seal affixed under delegated authority since the last Council meeting.

Comment

3.

Document	Details	Parties
Contract Variation	Employment Contract	Shire of Exmouth and employee
Sub Lease	Learmonth Airport Café	Shire of Exmouth and Sara Darielle Dunnett
Memorandum of Understanding	Extension of MOU: 13/05/23 – 04/08/23	Shire of Exmouth and Department of Local Government Sport & Cultural Industries.
Memorandum of Understanding	Extension of MOU: 06/11/23 – 06/05/24	Shire of Exmouth and Department of Local Government Sport & Cultural Industries.
Contract Agreement	Construction of Learmonth Airport Breakout Room	Shire of Exmouth and Norcape Building Company

Consultation

4. Nil

Statutory Environment

5. Local Government Act 1995, Part 9, Division 3, s9.49A (1)(2) Execution of Documents

(1) A document is duly executed by a local government if —

(a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or

(b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.

(2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.

(3) The common seal of the local government is to be affixed to a document in the presence of —

(a) the mayor or president; and

(b) the CEO,

each of whom is to sign the document to attest that the common seal was so affixed.

Policy Implications

6. Nil

Financial Implications

7. Nil

Risk Management

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational) – That executed documents would be void if the common seal was not affixed in accordance with the requirements of the <i>Local Government Act 1995</i>	Almost Certain	Major	Extreme	Council to endorse the use of the common seal

Risk Matrix

Consequence \ Likelihood	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Almost Certain (5)	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely (4)	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible (3)	Low (3)	Moderate (5)	Moderate (9)	High (12)	High (15)
Unlikely (2)	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare (1)	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Alternate Options

8. Nil

Strategic Alignment

9. This item is relevant to the Council's approved Strategic Community Plan and Corporate Business Plan 2023 – 2033.

Governance & Leadership	<p>Foster open, transparent & accountable leadership, working collaboratively and in partnership with our community and stakeholders</p> <p>5.1 Forward-thinking leadership for efficient and sustainable operations</p> <p>5.2 Continued focus on transparent, accountable leadership and community stakeholder engagement</p> <p>5.3 Council and administration plan and lead with good governance</p>
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Voting Requirements

10. Simple Majority

Officers Recommendation Item 12.1.1

That Council ACCEPT that the common seal has been affixed under delegated authority to the following documents:

Document	Details	Parties
Contract Variation	Employment Contract	Shire of Exmouth and employee
Sub Lease	Learmonth Airport Café	Shire of Exmouth and Sara Darielle Dunnett
Memorandum of Understanding	Extension of MOU: 13/05/23 – 04/08/23	Shire of Exmouth and Department of Local Government Sport & Cultural Industries.
Memorandum of Understanding	Extension of MOU: 06/11/23 – 06/05/24	Shire of Exmouth and Department of Local Government Sport & Cultural Industries.
Contract Agreement	Construction of Learmonth Airport Breakout Room	Shire of Exmouth and Norcape Building Company

12.4.1 FINANCIAL STATEMENT FOR PERIOD ENDING 31 OCTOBER 2023

File Reference	FM.FI.0
Reporting Officer	Manager Finance
Responsible Officer	As above
Date of Report	6 December 2023
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	1. Monthly Financial Report as at 31 October 2023

Purpose

1. That Council accepts the financial report for the financial period ending 31 October 2023.

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 31 October 2023, the operating revenue is on target. The variances mainly relate to the timing of aviation income, the financial assistance grant being paid in advance and the timing of term deposits maturities.
4. Operating expenditure is under budget by \$1,294,114 (17.66%). Variances are due to the timing of maintenance and operational projects. Employee costs are tracking under budget as a result of vacancies.
5. The capital expenditure program is under way and is tracking under budget. Council has expended \$1,346,207 of the proposed capital budget of \$10.5m. The timing and milestone requirements also impact our capital revenue which is tracking under budget.
6. Rates were levied on 31 July 2023. Rates collected as at 31 October 2023 were 73.8% - on a par with the rates collection for the same period last year.

Consultation

7. Nil

Statutory Environment

8. Section 6.4 of the *Local Government Act 1995* provides for the preparation of financial reports.
9. 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 nature/type level, variance commentary considers the most significant items that comprise the variance.

Policy Implications

10. Nil

Financial Implications

11. Nil

Risk Management

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.

Risk Matrix

Consequence Likelihood	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Almost Certain (5)	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely (4)	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible (3)	Low (3)	Moderate (5)	Moderate (9)	High (12)	High (15)
Unlikely (2)	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare (1)	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Alternate Options

12. Nil

Strategic Alignment

13. This item is relevant to the Council’s approved Strategic Community Plan and Corporate Business Plan 2023 – 2033.

Governance & Leadership	<p>Foster open, transparent & accountable leadership, working collaboratively and in partnership with our community and stakeholders</p> <p>5.1 Forward-thinking leadership for efficient and sustainable operations</p> <p>5.2 Continued focus on transparent, accountable leadership and community stakeholder engagement</p> <p>5.3 Council and administration plan and lead with good governance</p>
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Voting Requirements

14. Simple Majority

Officers Recommendation	Item 12.4.1
That Council RECEIVES the financial report for the financial period ending 31 October 2023.	

12.4.2 LIST OF ACCOUNTS FOR PERIOD ENDING 31 OCTOBER 2023

File Reference	FM.FI.0
Reporting Officer	Manager Finance
Responsible Officer	As above
Date of Report	6 December 2023
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	1. List of Accounts for period ending 31 October 2023

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 1).

Payments

Municipal Fund totalling \$1,932,406.70
Incorporating cheques, direct debits, electronic payments and credit cards.

Trust Fund totalling \$NIL
Incorporating electronic payments.

Total Payments: \$1,932,406.70

Consultation

5. Nil

Statutory Environment

6. 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

7. CS001 (Procurement)
8. CS002 (Regional Price Preference Policy)
9. CS004 (Corporate Transaction Cards)
10. CS008 (Investments)
11. CS012 (Reserve Funds)

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

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.

Risk Matrix

Consequence \ Likelihood	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Almost Certain (5)	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely (4)	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible (3)	Low (3)	Moderate (5)	Moderate (9)	High (12)	High (15)
Unlikely (2)	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare (1)	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Alternate Options

13. Nil

Strategic Alignment

14. This item is relevant to the Council's approved Strategic Community Plan and Corporate Business Plan 2023 – 2033.

Governance & Leadership

Foster open, transparent & accountable leadership, working collaboratively and in partnership with our community and stakeholders

- 5.1 Forward-thinking leadership for efficient and sustainable operations
- 5.2 Continued focus on transparent, accountable leadership and community stakeholder engagement
- 5.3 Council and administration plan and lead with good governance

Voting Requirements

15. Simple Majority

Officers Recommendation	Item 12.4.2
That Council RECEIVES the report of payments made from the Municipal and Trust bank accounts during the month of October 2023 (totalling \$1,932,406.70).	

12.4.3 FINANCIAL STATEMENT FOR PERIOD ENDING 30 NOVEMBER 2023

File Reference	FM.FI.0
Reporting Officer	Manager Finance
Responsible Officer	As above
Date of Report	6 December 2023
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	1. Monthly Financial Report as at 30 November 2023

Purpose

1. That Council accepts the financial report for the financial period ending 30 November 2023.

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 1).

Comment

3. As at 30 November 2023, the operating revenue is on target. The variances mainly relate to the timing of aviation income, the financial assistance grant being paid in advance and the timing of term deposits maturities.
4. Operating expenditure is under budget by \$1,470,804 (16.41%). Variances are due to the timing of maintenance and operational projects. Employee costs are tracking under budget as a result of vacancies.
5. The capital expenditure program is under way and is tracking under budget. Council has expended \$1,457,782 of the proposed capital budget of \$10.5m. The timing and milestone requirements also impact our capital revenue which is tracking under budget.
6. Rates were levied on 31 July 2023. Rates collected as at 30 November 2023 were 79.6% - nearly on a par with the rates collection for the same period last year.

Consultation

7. Nil

Statutory Environment

8. Section 6.4 of the *Local Government Act 1995* provides for the preparation of financial reports.
9. 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 nature/type level, variance commentary considers the most significant items that comprise the variance.

Policy Implications

10. Nil

Financial Implications

11. Nil

Risk Management

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.

Risk Matrix

Consequence Likelihood	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Almost Certain (5)	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely (4)	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible (3)	Low (3)	Moderate (5)	Moderate (9)	High (12)	High (15)
Unlikely (2)	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare (1)	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Alternate Options

12. Nil

Strategic Alignment

13. This item is relevant to the Council’s approved Strategic Community Plan and Corporate Business Plan 2023 – 2033.

Governance & Leadership	<p>Foster open, transparent & accountable leadership, working collaboratively and in partnership with our community and stakeholders</p> <p>5.1 Forward-thinking leadership for efficient and sustainable operations</p> <p>5.2 Continued focus on transparent, accountable leadership and community stakeholder engagement</p> <p>5.3 Council and administration plan and lead with good governance</p>
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Voting Requirements

14. Simple Majority

Officers Recommendation	Item 12.4.3
That Council RECEIVES the financial report for the financial period ending 30 November 2023.	

12.4.4 LIST OF ACCOUNTS FOR PERIOD ENDING 30 NOVEMBER 2023

File Reference	FM.FI.0
Reporting Officer	Manager Finance
Responsible Officer	As above
Date of Report	6 December 2023
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	1. List of Accounts for period ending 30 November 2023

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 1).

Payments

Municipal Fund totalling \$1,036,879.32
Incorporating cheques, direct debits, electronic payments and credit cards.

Trust Fund totalling \$NIL
Incorporating electronic payments.

Total Payments: \$1,036,879.32

Consultation

5. Nil

Statutory Environment

6. 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

7. CS001 (Procurement)
8. CS002 (Regional Price Preference Policy)
9. CS004 (Corporate Transaction Cards)
10. CS008 (Investments)
11. CS012 (Reserve Funds)

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

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.

Risk Matrix

Consequence \ Likelihood	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Almost Certain (5)	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely (4)	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible (3)	Low (3)	Moderate (5)	Moderate (9)	High (12)	High (15)
Unlikely (2)	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare (1)	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Alternate Options

13. Nil

Strategic Alignment

14. This item is relevant to the Council's approved Strategic Community Plan and Corporate Business Plan 2023 – 2033.

Governance & Leadership	<p>Foster open, transparent & accountable leadership, working collaboratively and in partnership with our community and stakeholders</p> <p>5.1 Forward-thinking leadership for efficient and sustainable operations</p> <p>5.2 Continued focus on transparent, accountable leadership and community stakeholder engagement</p> <p>5.3 Council and administration plan and lead with good governance</p>
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Voting Requirements

15. Simple Majority

Officers Recommendation	Item 12.4.4
That Council RECEIVES the report of payments made from the Municipal and Trust bank accounts during the month of November 2023 (totalling \$1,036,879.32).	

12.1.2 ORDINARY COUNCIL MEETING DATES 2024

GV.CM.0	GV.CM.0
Reporting Officer	Executive Secretary
Responsible Officer	Chief Executive Officer
Date of Report	23 November 2023
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	Nil

Purpose

1. That Council considers the proposed Ordinary Council meeting dates for 2024.

Background

2. Council is required to give local public notice of Ordinary Council meetings prior to the beginning of the year in which the meetings are held per reg.12(1) of the *Local Government (Administration) Regulations 1996*.
3. In 2023, Ordinary Council meetings occurred on the fourth Thursday of the month commencing at 4.00 pm, noting there was no meeting scheduled for January or April (due to the Total Solar Eclipse).

Comment

4. It is recommended that the current cycle of meetings held on the fourth Thursday of each month continues with the exception of March, April and September which coincide with public and school holidays.
5. The proposed 2024 Ordinary Council meeting dates are as:
 - 22 February
 - 21 March
 - 18 April
 - 23 May
 - 27 June
 - 25 July
 - 22 August
 - 19 September
 - 24 October
 - 21 November
 - 12 December

Consultation

6. Executive Management Team
7. Shire President

Statutory Environment

8. Local Government Act s 5.25 (1)(G)
(g) *the giving of public notice of the date and agenda for council or committee meetings*
6. Local Government (Administration) Regulations 1996 Reg. 12(1)(2)(a)
(1) *In this regulation —*
meeting details, for a meeting, means the date and time when, and the place where, the meeting is to be held.

- (2) The CEO must publish on the local government's official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held —
(a) ordinary council meetings;

Policy Implications

9. Nil

Financial Implications

10. Nil

Risk Management

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Not meeting local government act requirements by failing to confirm and advertise future OCM dates.	Unlikely	Major	Moderate	Council to endorse the future OCM calendar for the 2024 calendar year.

Risk Matrix

Consequence \ Likelihood	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Almost Certain (5)	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely (4)	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible (3)	Low (3)	Moderate (5)	Moderate (9)	High (12)	High (15)
Unlikely (2)	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare (1)	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Alternate Options

11. Nil

Strategic Alignment

12. This item is relevant to the Council's approved Strategic Community Plan and Corporate Business Plan 2023 – 2033.

Governance & Leadership	<p>Foster open, transparent & accountable leadership, working collaboratively and in partnership with our community and stakeholders</p> <p>5.2 Continued focus on transparent, accountable leadership and community stakeholder engagement</p> <p>5.3 Council and administration plan and lead with good governance</p>
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Voting Requirements

13. Simple Majority

Officers Recommendation	Item 12.1.2
That Council endorse the following dates for Ordinary Council meetings for 2023 commencing at 4.00pm:	
<ul style="list-style-type: none"> • 22 February • 21 March • 18 April • 23 May • 27 June • 25 July • 22 August • 19 September • 24 October • 21 November • 12 December 	

COUNCIL RESOLUTION

ITEM 12.1.2

Res No: 06-1223

MOVED: Cr Gillespie

SECONDED: Cr Allston

That Council endorse the following dates for Ordinary Council meetings for 2023 commencing at 4.00pm:

- **22 February**
- **21 March**
- **18 April**
- **23 May**
- **27 June**
- **25 July**
- **22 August**
- **19 September**
- **24 October**
- **21 November**
- **12 December**

CARRIED by SIMPLE MAJORITY 6/0

For: SP Niikkula, Cr Brooks, Cr, Allston, Cr Bennett, Cr Devereux, Cr Gillespie

12.1.3 COUNCIL POLICY MANUAL REVIEW

File Reference	CM.PO.14
Reporting Officer	Executive Secretary
Responsible Officer	Chief Executive Officer
Date of Report	28 November 2023
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	Council Policy Manual

Purpose

1. That Council considers the reviewed Council Policy Manual for adoption as per Attachment 1.

Background

2. Council policy set governing principles and guide the direction of the organisation to align with community values and aspirations. These policies have a strategic, external focus and align with the mission, vision, and strategic direction of the Shire.
3. An annual review (financial year) of all Council policies is undertaken to adhere to the Shire of Exmouth Compliance Calendar, which is the basis of the Compliance Audit Return submitted to the Department of Local Government, Sport and Cultural Industries annually.
4. The *Local Government Act 1995* empowers Council in the determination of policy under s2.7 Role of Council - "(2) (b) determine the local government's policies."
5. In December 2022 the Council Policy manual underwent a major review which was conducted by local government consultant, Mr Steve Tweedie. The review incorporated consultation with the Executive Management Team and Shire staff to ensure compliance with legislation as well as meeting the requirements of the Shire of Exmouth.

Comment

6. This recent review of Council Policy manual was a desktop review which identified minor updates to position titles, Act and legislation references and grammatical and formatting.
7. The following updates were identified:

New		
ES020	Council Members Communications and Social Media policy	
Removed		
ES017	Councillor Contact with Shire Employees	Covered in Councillor Induction program.
ES019	Citizenship Ceremonies	Covered by the Australian Citizenship Ceremonies Code which follows the requirements of the Australian Citizenship Act 2007.
CS0007	Significant Accounting Policy	Council is required to meet accounting standards, these standards are a legislative requirement and therefore a policy is not required.
CS005	Recovery of Rates	Process is captured in CS011 Debt Recovery Policy
CEG001	Temporary Accommodation – Ningaloo Eclipse Event	Ningaloo Eclipse Event has occurred, and the policy is no longer required.

CEG003	Community Sports and Recreation Facilities Funding (CSRFF) Small Grant	This policy was created and implemented in 2019. Council does not have the financial resources to assist clubs. The removal of this policy does not preclude clubs and organisations from applying for interest free loans through policy CS015.
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Consultation

8. Executive Management Team

Statutory Environment

9. *Local Government Act 1995 s.2.7(2)(b)*

2.7. Role of council

(1) *The council —*

(a) *governs the local government's affairs; and*

(b) *is responsible for the performance of the local government's functions.*

(2) *Without limiting subsection (1), the council is to —*

(a) *oversee the allocation of the local government's finances and resources; and*

(b) *determine the local government's policies.*

Policy Implications

10. If the officer's recommendation is approved by Council current manual will be replaced.

Financial Implications

11. Nil

Risk Management

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Non-compliance with LGA Act 1995; annual review of policy.	Almost Certain	Moderate	High	Undertake an annual review of all council policies.

Risk Matrix

Consequence \ Likelihood	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Almost Certain (5)	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely (4)	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible (3)	Low (3)	Moderate (5)	Moderate (9)	High (12)	High (15)
Unlikely (2)	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare (1)	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Alternate Options

12. Council may consider declining the recommendation provided by the reporting officer.

Strategic Alignment

13. This item is relevant to the Council's approved Strategic Community Plan and Corporate Business Plan 2023 – 2033.

Governance & Leadership	<p>Foster open, transparent & accountable leadership, working collaboratively and in partnership with our community and stakeholders</p> <p>5.1 Forward-thinking leadership for efficient and sustainable operations</p> <p>5.2 Continued focus on transparent, accountable leadership and community stakeholder engagement</p> <p>5.3 Council and administration plan and lead with good governance</p>
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Voting Requirements

14. Absolute Majority

Officers Recommendation	Item 12.1.3
That Council:	
1. Revoke the existing Council Policy Manual – 15 December 2022 in its entirety; and	
2. Approve the annual review of the Council Policy Manual – 14 December 2023 as at Attachment 1 to this report.	

COUNCIL RESOLUTION	ITEM 12.1.3
Res No:	07-1223
MOVED:	Cr Gillespie
SECONDED:	Cr Allston
That Council:	
1. Revoke the existing Council Policy Manual – 15 December 2022 in its entirety; and	
2. Approve the annual review of the Council Policy Manual – 14 December 2023 as at Attachment 1 to this report.	
CARRIED by ABSOLUTE MAJORITY 6/0	
For: SP Niikkula, Cr Brooks, Cr, Allston, Cr Bennett, Cr Devereux, Cr Gillespie	

12.1.4 DELEGATION REGISTER REVIEW

File Reference	GV.AU.2
Reporting Officer	Executive Secretary
Responsible Officer	Chief Executive Officer
Date of Report	29 November 2023
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	1. Delegation Register

Purpose

1. That Council considers the annual review of the Shire of Exmouth's Delegation Register for adoption as per Attachment 1.

Background

2. Local Governments are empowered under a number of sections of State Government legislation (Acts and Regulations) to perform certain duties and exercise certain powers.
3. In many instances, legislation empowers the Chief Executive Officer (CEO) or another officer of the Local Government to perform duties, but often the Act or Regulations (particularly the *Local Government Act 1995*) default to the Local Government Council with the ability to delegate some of its powers and duties to the CEO in order to expedite the effective operations and implementation of the Shire's functions.
4. The local government cannot delegate the following powers or duties to the CEO:
 - a. any power or duty that requires a decision of an absolute majority of the council;
 - b. accepting a tender that exceeds an amount determined by the local government (currently at \$500,000 as set by Council);
 - c. appointing an auditor;
 - d. acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government (currently \$500,000 for acquisitions and \$20,000 for disposal).
 - e. any of the local government's powers under s.5.98, 5.98A, 5.99, 5.99A, 5.100 or 5.129 of the Act relating to payments and gifts to council members;
 - f. borrowing money on behalf of the local government;
 - g. hearing or determining an objection of a kind referred to in section 9.5 of the Act;
 - h. the power under s.9.49A(4) of the Act to authorise a person to sign documents on behalf of the local government;
 - i. any power or duty that requires the approval of the Minister or the Governor;
 - j. such other powers or duties as may be prescribed by regulation.
5. Delegations granted under s.5.42 of the Act are to be in writing and may be general or as otherwise provided in the instrument of delegation.

Comment

6. The delegation register is required to be reviewed and presented to Council for adoption in accordance with s. 5.46(2) *Local Government Act 1995*.
7. This recent review of the delegation register identified minor updates, such as position titles, Act, legislation and council policy references, as well as grammatical and formatting updates.
8. The following new delegations were proposed:

6.1.8 - Keeping of Multiple Dogs	The express power to delegate this duty is derived from the <i>Dog Act 1976</i> and provides delegation to the CEO to determine applications to keep between three and six dogs on a property.
10.1.1 – Power of Local Government to Destroy Vegetation or Premises in Cyclone Area	The express power to delegate this duty is derived from the <i>Emergency Management Act 2005</i> and provides delegation to the CEO to carry out the powers and the function of the local government during a cyclone under Part 3 Division 3 of the Act.
12.3.2 – Traffic Management – Events on Roads	The express power to delegate this duty is derived from the <i>Main Roads Act 1930</i> and provides authorisation to the Shire of Exmouth and its representatives to erect, establish, display or take down such road signs for the purpose of an event.

9. The register is based on the WALGA template to ensure that uniformity is consistent throughout. The delegations, as presented, are current and consistent with the legislation. They are pertinent to the day to day functions/operations and will allow the organisation to operate efficiently, effectively, and productively in the interest of good governance.

Consultation

10. Executive Management Team

Statutory Environment

11. *Local Government Act 1995*

5.46. Register of, and records relevant to, delegations to CEO and employees

(1) *The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.*

(2) *At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*

(3) *A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.*

5.42. Delegation of some powers and duties to CEO

(1) *A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —*

(a) *this Act other than those referred to in section 5.43; or*

(b) *the Planning and Development Act 2005 section 214(2), (3) or (5).*

(2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation*

5.43. Limits on delegations to CEO

A local government cannot delegate to a CEO any of the following powers or duties —

(a) *any power or duty that requires a decision of an absolute majority of the council;*

(b) *accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*

(c) *appointing an auditor;*

(d) *acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*

(e) *any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A, 5.100 or 5.129;*

(f) *borrowing money on behalf of the local government;*

(g) *hearing or determining an objection of a kind referred to in section 9.5;*

- (h) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
- (i) any power or duty that requires the approval of the Minister or the Governor;
- (j) such other powers or duties as may be prescribed.

Policy Implications

12. Nil

Financial Implications

13. Nil

Risk Management

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance – The Delegation Register is not endorsed by Council would result in non-compliance with the Local Government Act.	Almost Certain	Moderate	High	The review will ensure compliance in reviewing the delegation manual annually.

Risk Matrix

Consequence Likelihood	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Almost Certain (5)	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely (4)	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible (3)	Low (3)	Moderate (5)	Moderate (9)	High (12)	High (15)
Unlikely (2)	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare (1)	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Alternate Options

14. Nil

Strategic Alignment

15. This item is relevant to the Council’s approved Strategic Community Plan and Corporate Business Plan 2023 – 2033.

Governance & Leadership	<p>Foster open, transparent & accountable leadership, working collaboratively and in partnership with our community and stakeholders</p> <p>5.1 Forward-thinking leadership for efficient and sustainable operations</p> <p>5.2 Continued focus on transparent, accountable leadership and community stakeholder engagement</p> <p>5.3 Council and administration plan and lead with good governance</p>
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Voting Requirements

16. Absolute Majority

Officers Recommendation	Item 12.1.4
<p>That Council:</p> <ol style="list-style-type: none"> 1. Revoke the existing Delegation Register – 15 December 2022 in its entirety; and 2. Adopt the revised Delegation Register – 14 December 2023 as at Attachment 1 to this report. 	

COUNCIL RESOLUTION

ITEM 12.1.4

Res No: 08 -1223

MOVED: Cr Allston

SECONDED: Cr Devereux

That Council:

- 1. Revoke the existing Delegation Register – 15 December 2022 in its entirety; and**
- 2. Adopt the revised Delegation Register – 14 December 2023 as at Attachment 1 to this report.**

CARRIED by ABSOLUTE MAJORITY 6/0

For: SP Niikkula, Cr Brooks, Cr, Allston, Cr Bennett, Cr Devereux, Cr Gillespie

12.1.5 COUNCIL MEMBER CHARTER

File Reference	GV.CO.0 (ICR52810)
Reporting Officer	Coordinator Communications & Marketing
Responsible Officer	Chief Executive Officer
Date of Report	5 December 2023
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	Shire of Exmouth Council Member Charter

Purpose

1. That Council considers the Shire of Exmouth Council Member Charter for endorsement as per Attachment 1.

Background

2. The role of a Councillor is a unique, complex, yet privileged position that can make a real difference in people's lives by focusing on improving social, economic and environmental well-being.
3. To enhance outcomes for Council Members as Councillors, it is imperative that all members collaborate in a manner that prioritises the community's best interests, safety, and well-being.
4. The Shire of Exmouth Council Member Charter serves as a guiding vision for the Council, fostering a sense of unity and teamwork. It provides a reference point for decision-making and guides day-to-day behaviour for all Council Members, including:
 - a. Ensuring buy-in from all Council Members.
 - b. Building a collegiate Council working for the community.
 - c. Holding all Council Members accountable.
 - d. Clarifying roles and responsibilities within the Shire.
 - e. Demonstrating the Council's purpose to the Shire of Exmouth Administration, community and all other stakeholders.
 - f. Providing clarity and reducing confusion in cases where conflicts may arise.
 - g. Setting the standard for the Shire of Exmouth on how to behave.
5. Council Members unanimously committed to upholding the principles outlined in the Shire of Exmouth Council Member Charter.

Comment

6. The Shire of Exmouth Council Member Charter provides Council Members with a robust framework, that is flexible to local needs, ensures effective leadership, equips members with the support they need, and provides resilience in times of challenge.
7. This collective adherence to the Shire of Exmouth Council Member Charter aims to enhance decision-making within the Council and create a secure environment that empowers all Council Members to fully support and accomplish the established Council Goals guided by the Strategic Community Plan 2023-2033, and consequently its reviewed versions as per the *Local Government Act 1995* – s.5.56 and the Local Government (Administration) Regulations 1996 - s. 19C, 19D.

Consultation

8. Council Members
9. Executive Management Team
10. Shayne Silcox Strategic Leadership Consultant

Statutory Environment

11. Nil

Policy Implications

12. Nil

Financial Implications

13. Nil

Risk Management

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance Ineffective Council Meetings and insufficient/delayed decision-making process.	Almost Certain	Major	Extreme	Adopt a robust framework, that is flexible to local needs, ensures effective leadership, equips members with the support they need, and provides resilience in times of challenge
Financial Delayed administrative actions due to delayed decision-making, missing approvals, and risk of missing essential deadlines or lobbying opportunities while limited revenue streams accessible to the Shire.	Possible	Catastrophic	Extreme	All Council Members unanimously commit to upholding the principles outlined in the Shire of Exmouth Council Member Charter and create a secure environment that empowers all Council Members to fully support and accomplish the established Council Goals guided by the Strategic Community Plan.
Reputational Council is perceived as lacking unity and efficiency, making some question its ability to effectively govern the Shire.	Possible	Minor	Moderate	All Council Members unanimously commit to upholding the principles outlined in the Shire of Exmouth Council Member Charter, uphold and support decisions made by Council publicly and lead by example for the Exmouth community.

Risk Matrix

Consequence \ Likelihood	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Almost Certain (5)	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely (4)	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible (3)	Low (3)	Moderate (5)	Moderate (9)	High (12)	High (15)
Unlikely (2)	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare (1)	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Alternate Options

14. Council may consider declining the recommendation provided by the reporting officer.

Strategic Alignment

15. This item is relevant to the Council's approved Strategic Community Plan and Corporate Business Plan 2023 – 2033.

Social | **Nurture a friendly, safe and inclusive community spirit**
1.3 Building Community cohesion and connectedness

Governance &
Leadership

Foster open, transparent & accountable leadership, working collaboratively and in partnership with our community and stakeholders

- 5.1 Forward-thinking leadership for efficient and sustainable operations
- 5.2 Continued focus on transparent, accountable leadership and community stakeholder engagement
- 5.3 Council and administration plan and lead with good governance

Voting Requirements

16. Absolute Majority

Officers Recommendation

Item 12.1.5

That Council endorse and sign the Shire of Exmouth Council Member Charter as per Attachment 1.

COUNCIL RESOLUTION

ITEM 12.1.5

Res No: 09 -1223

MOVED: Cr Brooks

SECONDED: Cr Bennett

That Council endorse and sign the Shire of Exmouth Council Member Charter as per Attachment 1.

CARRIED by ABSOLUTE MAJORITY 6/0

For: SP Niikkula, Cr Brooks, Cr, Allston, Cr Bennett, Cr Devereux, Cr Gillespie

INFRASTRUCTURE SERVICES

12.3.1 AWARD TENDER RFT 06/2023 PROVISION OF CLEANING SERVICES

File Reference	CM.TE.06.2023
Reporting Officer	Executive Manager Infrastructure Services
Responsible Officer	As above
Date of Report	5 December 2023
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	1 - Confidential Evaluation Report

Purpose

1. That Council awards Tender 06/2023 Provision of Cleaning Services as per the recommendation in the Confidential Evaluation Report – (Attachment 1)

Background

2. At its May 2019 Ordinary Council Meeting, Council awarded a request for tender for the Provision of Cleaning Services to HT Services for the cleaning of the Ningaloo Centre for a 3-year period and they remain the incumbent contractor.
3. For the Shires public amenity and infrastructure cleaning Council entered into a separate contract with Kleenit in January 2020 also for a 3-year tenure.
4. Unfortunately, Kleenit withdrew from its contract in January 2022 and HT Cleaning Services have been performing the public amenity and infrastructure cleaning in an interim capacity until a new cleaning contract can be formalised.
5. Most of the Shires other buildings not included in the current contract were cleaned by the depot staff. This has recently changed, and HT Cleaning Services are currently undertaking the cleaning of these Shire assets primarily because of the impact cleaning was having on the ability for depot staff to perform the key activities of their operational roles.
6. The Learmonth Airport (arrival and departure lounges and heliport) and Partridge Memorial Swimming Pool are the only Shire assets which are still cleaned by in-house labour. Cleaning activities are performed by the airport screening staff and pool Duty Manager as part of their operational duties.
7. The original contract with HT Cleaning Services has expired and Shire officers have taken the opportunity to consolidate all the organisations cleaning requirements into the scope of work of one contract.

Comment

8. The outsourcing of its cleaning services allows for the opportunity for Council to provide an important cleaning regime for its building assets.
9. Not only is good cleaning a critical maintenance element but it delivers a level of professionalism to the presentation of its public facilities.

10. Removing cleaning from the activities of Shire staff provides greater operational flexibility, negates the need to use staff after hours (i.e. town centre mall cleaning) and allows staff to focus on the key aspects of their roles.
11. RFT 06/2023 Provision of Cleaning Services was uploaded to the Shire of Exmouth TenderLink portal and advertised in the West Australian newspaper on 23 September 2023. It was also advertised in the Pilbara News on 28 September 2023.
12. The tender period closed 2pm, 20 October 2023 and 4 submissions were received.
13. The evaluation of the tender submissions can be viewed in the Confidential Evaluation Report (Attachment 1)

Consultation

14. Shire asset and operational managers

Statutory Environment

15. s3.57 of the *Local Government Act 1995*
16. *Local Government Regulation 1996* (Function and General) Part 4, Division 2 section 14.

Policy Implications

17. CS001 Procurement Policy
18. CS002 Regional Price Preference Policy

Financial Implications

19. The costs associated with the award of this tender is accommodated in the operational budgets of the various asset managers within the Shires 2023/24 budget.
20. The tender format is a schedule of rates and as such the annual cost of cleaning will be determined by the regularity and frequency of works the contractor is asked to undertake.

Risk Management

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<u>Performance</u> Irregular or poor cleaning can increase maintenance or reduce the life of the asset	Likely	Moderate	High	Regular good quality cleaning will improve the life of the asset
<u>Financial</u> Irregular or poor cleaning can increase maintenance and shorten renewal intervals increasing whole of life costs	Likely	Major	High	Regular good quality cleaning will improve the life of the asset
<u>Environmental</u> Poor cleaning can impact the health and wellbeing of staff and public	Possible	Moderate	Moderate	Regular good quality cleaning will contribute to minimising health and wellbeing risks
<u>Reputational</u> Public complaints regarding unclean public facilities	Almost Certain	Moderate	High	Regular good quality cleaning will minimise public complaints

Risk Matrix

Consequence \ Likelihood	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Almost Certain (5)	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely (4)	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)

Possible (3)	Low (3)	Moderate (5)	Moderate (9)	High (12)	High (15)
Unlikely (2)	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare (1)	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Alternate Options

21. Council may decide to not accept the officer's recommendation and refuse to award the tender.

Strategic Alignment

22. This item is relevant to the Council's approved Strategic Community Plan and Corporate Business Plan 2023 – 2033.

Social	<p>Nurture a friendly, safe and inclusive community spirit</p> <p>1.1 Improve local community and visitor experiences.</p> <p>1.2 Ensure a full suite of services to meet the needs of families and individuals at all ages and stages of life</p>
Built Environment	<p>Enable sustainable development and infrastructure that meets the needs of the community, visitors and industry</p> <p>3.1 Infrastructure and assets are well-managed and maintained</p> <p>3.2 Plan and cater for increased population growth</p> <p>3.3 Revitalisation and expansion of airport services</p>
Economy	<p>Enhance a robust, resilient and diversified economy that champions innovation</p> <p>4.1 Increase opportunities for smart and sustainable business ideas</p> <p>4.2 Establish Exmouth as a vibrant, welcoming and environmentally aware destination</p>
Governance & Leadership	<p>Foster open, transparent & accountable leadership, working collaboratively and in partnership with our community and stakeholders</p> <p>5.1 Forward-thinking leadership for efficient and sustainable operations</p> <p>5.2 Continued focus on transparent, accountable leadership and community stakeholder engagement</p> <p>5.3 Council and administration plan and lead with good governance</p>

Voting Requirements

23. Absolute Majority

Officers Recommendation	Item 12.2.1
That Council	
<ol style="list-style-type: none"> AWARD the contract for Tender 06/2023 Provision of Cleaning Services to HT Cleaning Services accepting their tendered schedule of rates; and APPROVE the Chief Executive Officer to apply the common seal of the Shire of Exmouth to the contract between the Shire and HT Cleaning Services. 	

COUNCIL RESOLUTION

ITEM 12.2.1

Res No: 10 -1223

MOVED: Cr Gillespie

SECONDED: Cr Brooks

That Council

- 1. AWARD the contract for Tender 06/2023 Provision of Cleaning Services to HT Cleaning Services accepting their tendered schedule of rates; and**
- 2. APPROVE the Chief Executive Officer to apply the common seal of the Shire of Exmouth to the contract between the Shire and HT Cleaning Services.**

CARRIED by ABSOLUTE MAJORITY 6/0

For: SP Niikkula, Cr Brooks, Cr, Allston, Cr Bennett, Cr Devereux, Cr Gillespie

CORPORATE SERVICES

12.4.5 ANNUAL REPORT AND ANNUAL ELECTORS MEETING DATE

File Reference	FM.FI.0
Reporting Officer	Manager Finance
Responsible Officer	As above
Date of Report	6 December 2023
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	1. 2022/2023 Annual and Financial Report

Purpose

1. That Council consider accepting the Annual Report for the year ending 30 June 2023 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. Legislatively, Council is required 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 6 December 2023.
4. Both reports were presented to the Audit Committee on the 12 December 2023 and the committee have reviewed the reports and have recommended them to Council.
5. Council is required to publicly advertise the Annual Report 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 8 February 2024.
6. It is recommended the Annual Electors Meeting be held on 8 February 2024 commencing at 6pm in the Mandu Function Centre at the Ningaloo Centre, Truscott Crescent Exmouth.

Consultation

7. 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

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.

Risk Matrix

Consequence Likelihood	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Almost Certain (5)	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely (4)	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible (3)	Low (3)	Moderate (5)	Moderate (9)	High (12)	High (15)
Unlikely (2)	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare (1)	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Alternate Options

11. Nil

Strategic Alignment

12. This item is relevant to the Council's approved Strategic Community Plan and Corporate Business Plan 2023 – 2033.

Governance & Leadership	<p>Foster open, transparent & accountable leadership, working collaboratively and in partnership with our community and stakeholders</p> <p>5.1 Forward-thinking leadership for efficient and sustainable operations</p> <p>5.2 Continued focus on transparent, accountable leadership and community stakeholder engagement</p> <p>5.3 Council and administration plan and lead with good governance</p>
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Voting Requirements

13. Absolute Majority

Officers Recommendation	Item 12.4.5
That Council:	
1. ACCEPT the Annual Report for the financial year ended 30 June 2023; 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 8 February 2024 commencing at 6.00 pm.	

COUNCIL RESOLUTION	ITEM 12.4.5
Res No:	11-1223
MOVED:	Cr Gillespie
SECONDED:	Cr Bennett
That Council:	
1. ACCEPT the Annual Report for the financial year ended 30 June 2023; 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 8 February 2024 commencing at 6 pm.

CARRIED by ABSOLUTE MAJORITY 6/0

For: SP Niikkula, Cr Brooks, Cr, Allston, Cr Bennett, Cr Devereux, Cr Gillespie

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 acknowledged the efforts of the Executive Manager Infrastructure Services, Mike Richardson. He thanked Mike for all he has done for the Shire of Exmouth over the past four plus years and wished him all the best in his next job.

The Shire President advised the next Ordinary Council meeting is on the 22 February 2024, wished everyone a safe and happy Christmas and declared the meeting closed at 4.42pm.