



Agenda

Ordinary Council Meeting

12 December 2024

Notice of Meeting

Notice is hereby given that the next Ordinary Council Meeting of the Shire of Exmouth will be held on 12 December 2024, in the Mandu Function Room, Ningaloo Centre, 2 Truscott Crescent, Exmouth commencing at 4.00 pm.

A handwritten signature in black ink, appearing to be 'Ben Lewis', with a long horizontal stroke extending to the right.

Ben Lewis
CHIEF EXECUTIVE OFFICER

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.

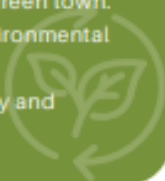
- Increase opportunities for smart and sustainable business ideas.
- Establish Exmouth as a vibrant, welcoming and environmentally aware destination.
- Promote Exmouth as a thriving economy based on its regional strength as a global environmental hotspot.



NATURAL ENVIRONMENT

Embrace natural sensitivities and promote positive change.

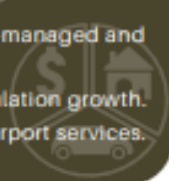
- Establish Exmouth as a clean and green town.
- Prepare Exmouth for changing environmental conditions.
- Increase awareness of sustainability and environmental issues.



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.



Disclosure of Interest Form

(Elected Members/Committee Members/Employees/Contractors)
Local Government Act 1995 (Section 5.65, 5.70, 5.71 & 5.71(B))

To: Chief Executive Officer

Name [Click here to enter text.](#)

Elected Member Committee Member Employee Contractor

Ordinary Council Meeting held on [Click here to enter text.](#)

Special Council Meeting held on [Click here to enter text.](#)

Committee Meeting held on [Click here to enter text.](#)

Other [Click here to enter text.](#)

Report No [Click here to enter text.](#)

Report Title [Click here to enter text.](#)

Type of Interest (*see overleaf for further information)

Proximity Financial Impartiality

Nature of Interest

[Click here to enter text.](#)

Extent of Interest (if intending to seek Council approval to be involved with debate and/or vote)

[Click here to enter text.](#)

Signed: _____ Date: [Click here to enter text.](#)

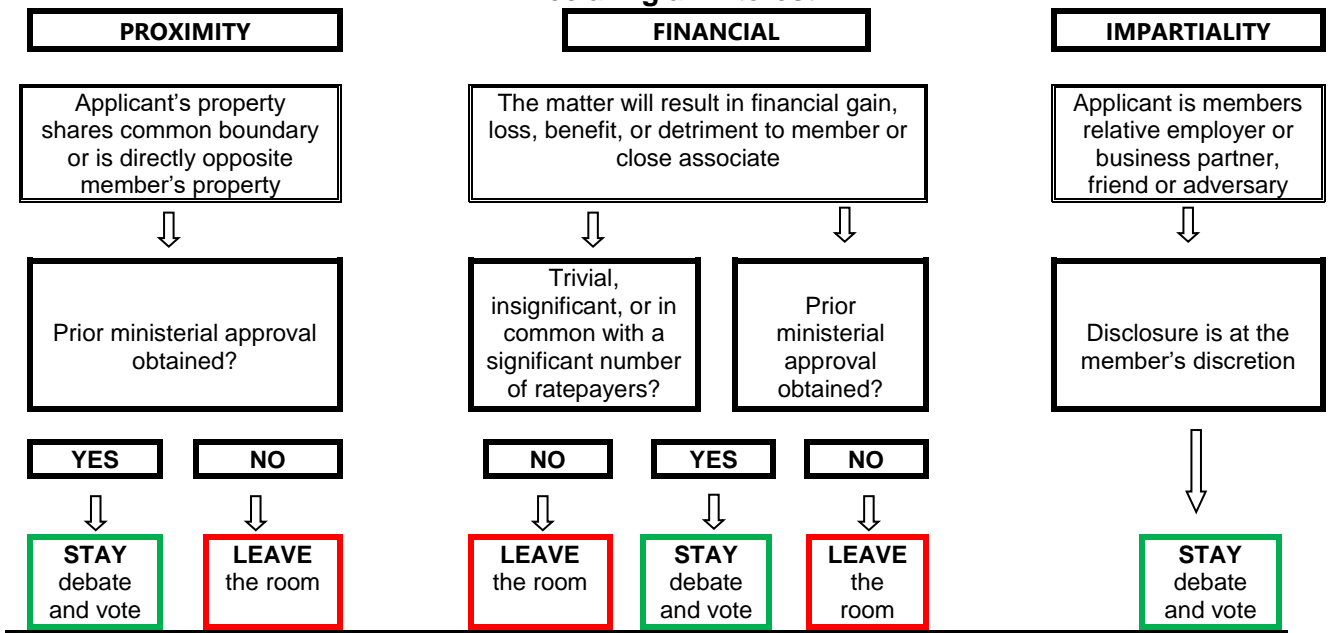
- **Note 1** - Elected Members/ Committee Members/Employees refer to the Disclosure of Interest Declaration card when disclosure is being read out at Council or Committee Meeting.
- **Note 2:** For Ordinary meetings of the Council, elected members and employees are requested to submit this completed form to the Chief Executive Officer prior to the meeting. Where this is not practicable, disclosure(s) must be given to the Chief Executive Officer prior to the matter being discussed.
- **Note 3:** Employees or Contractors disclosing an interest in any matter apart from at meetings, where there is a conflict of interest including disclosures required by s5.71 are required to submit this form to the CEO as soon as practicable.

CEO: _____ Signed: _____ Date: _____

OFFICE USE ONLY

Particulars recorded in Minutes Particulars recorded in Register

*** Declaring an Interest**



Local Government Act 1995 – Extract

s.5.60A - Financial Interest

A person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

s.5.60B – Proximity Interest

A person has a proximity interest in a matter if the matter concerns —

- (a) a proposed change to a planning scheme affecting land that adjoins the person's land; or
- (b) a proposed change to the zoning or use of land that adjoins the person's land; or
- (c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.

5.65 - Members' interests in matters to be discussed at meetings to be disclosed.

(1) A member who has an interest in any matter to be discussed at a council or committee meeting that will be attended by the member must disclose the nature of the interest:

(a) in a written notice given to the CEO before the meeting; or (b) at the meeting immediately before the matter is discussed. (Penalties apply).

(2) It is a defence to a prosecution under this section if the member proves that he or she did not know: (a) that he or she had an interest in the matter; or (b) that the matter in which he or she had an interest would be discussed at the meeting.

(3) This section does not apply to a person who is a member of a committee referred to in section 5.9(2)(f).

5.70 - Employees to disclose interests relating to advice or reports.

(1) In this section: 'employee' includes a person who, under a contract for services with the local government, provides advice or a report on a matter.

(2) An employee who has an interest in any matter in respect of which the employee is providing advice or a report directly to the council or a committee must disclose the nature of the interest when giving the advice or report.

(3) An employee who discloses an interest under this section must if required to do so by the council or committee, as the case may be, disclose the extent of the interest. (Penalties apply).

5.71 - Employees to disclose interests relating to delegated functions.

If, under Division 4, an employee has been delegated a power or duty relating to a matter and the employee has an interest in the matter, the employee must not exercise the power or discharge the duty and:

- (a) in the case of the CEO, must disclose to the mayor or president the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter; and (b) in the case of any other employee, must disclose to the CEO the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter. (Penalties apply)

5.71A. - CEOs to disclose interests relating to gifts in connection with advice or reports

(1) A CEO who has an interest relating to a gift in a matter in respect of which the CEO proposes to provide advice or a report, directly or indirectly, to the council or a committee must disclose the nature of the interest in a written notice given to the council.

(2) A CEO who makes a disclosure under subsection (1) must not provide the advice or report unless the CEO is allowed to do so under section 5.71B(2) or (6).

(3) A CEO who has an interest relating to a gift in a matter in respect of which another employee is providing advice or a report directly to the council or a committee must disclose the nature of the interest when the advice or report is provided.

Local Government (Administration) Regulations 1996 – Extract - In this clause and in accordance with Regulation 19AA "Interest" means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

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1. Declaration of Opening and Announcements

2. Attendance, Apologies and Approved Leave of Absence

Shire President M (Matthew) Niikkula	
Councillor J (Jackie) Brooks	Deputy Shire President
Councillor D (Darlene) Allston	
Councillor D (David) Gillespie	
Councillor T (Todd) Bennett	
Councillor K (Kristy) Devereux	
Councillor M (Mark) Lucas	
Mr Ben Lewis	Chief Executive Officer
Mr Ziggy Wilk	Chief Operations Officer
Mrs Vikki Lauritsen	Chief Financial Officer
Ms Michelle Head	Minute Taker

3. Response to Previous Public Questions Taken on Notice

Nil

4. Public Question Time

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

Council Consideration Towards Public

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

When a matter is listed on the Agenda and member/s of the public are in attendance to observe the determination of the matter, out of courtesy and at the discretion of the Shire President the matter is to be brought forward on the agenda and dealt with immediately to allow the public to observe the determination of the matter (again this obviates the need for the public to wait an indeterminate period of time).

5. Declarations of Interest

6. Applications for Leave of Absence

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

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

7. Confirmation of Minutes of Previous Meetings

That the Minutes and associated attachments of the Ordinary Council Meeting of the Shire of Exmouth held on 21 November 2024 be confirmed as a true and correct record of proceedings.

8. Announcements/ Reports of Elected Members

9. Announcements by the Presiding Person without Discussion

10. Petitions/ Deputation/Presentations/ Submissions

A deputation will be presented by Amanda Dorn and Brinkley Davies on behalf of the Animal Justice Party.

11. Matters Arising from Committees of Council

11.1.1 AUDIT COMMITTEE MEETING – 10 DECEMBER 2024

The Audit Committee Meeting is scheduled to occur on the 10 December 2024.

The unconfirmed minutes of the Audit Committee meeting will be recommended to Council at this Ordinary Council Meeting.

12. Reports of Officers

EXECUTIVE SERVICES

12.1.1 COUNCIL POLICY MANUAL REVIEW

File Reference	CM.PO.14
Reporting Officer	Coordinator Governance
Responsible Officer	Chief Executive Officer
Date of Report	27 November 2024
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	1. 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."

Comment

6. The review incorporated consultation with the Executive Leadership Team, Operational Leadership Team and various Shire staff to ensure compliance with legislation as well as meeting the requirements of the Shire of Exmouth.
7. This recent review of the Council Policy manual identified updates to position titles, directorates, Act and legislation references and grammatical and formatting.
8. The following new policies have been included:
 - Leases and Licences
 - On Street (Verge) Parking
9. The following policies include some minor amendments:
 - Temporary Accommodation – Private Residential Property
 - Temporary Accommodation – (Construction of a Dwelling)
 - Mobile Trading

Consultation

10. Executive Leadership Team
11. Operational Leadership Team

Statutory Environment

12. 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

13. If the officer’s recommendation is approved by Council current manual will be replaced.

Financial Implications

14. 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

15. Council has the option not to accept the officer’s recommendation.

Strategic Alignment

16. 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

17. Absolute Majority

Officers Recommendation	Item 12.1.1
<p>That Council:</p> <ol style="list-style-type: none"> 1. Revoke the existing Council Policy Manual – 14 December 2023 in its entirety; and 2. Approve the annual review of the Council Policy Manual – 12 December 2024 as at Attachment 1 to this report. 	

12.1.2 DELEGATION REGISTER REVIEW

File Reference	GV.AU.2
Reporting Officer	Coordinator Governance
Responsible Officer	Chief Executive Officer
Date of Report	27 November 2024
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 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.

9. The following delegations have been included into delegation register, both being delegations to Local Governments from State Government entities:
 - 12.1.3 - WA Planning Commission – Powers of Local Governments - s.15 of the *Strata Titles Act 1985*
 - 12.1.2 - Development Control – Powers of Local Government – Ningaloo Coast Regional Interim Development Order 2007 (DEL.208/14)

Consultation

10. Executive Leadership Team
11. Operational Leadership Team

Statutory Environment

12. *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

13. Nil

Financial Implications

14. 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

15. Nil

Strategic Alignment

16. 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

17. Absolute Majority

Officers Recommendation	Item 12.1.2
<p>That Council:</p> <ol style="list-style-type: none"> 1. REVOKE the existing Delegation Register – 14 December 2023 in its entirety; and 2. ADOPT the revised Delegation Register – 12 December 2024 as at Attachment 1 to this report. 	

12.1.3 ORDINARY COUNCIL MEETING DATES 2025

GV.CM.0	GV.CM.0
Reporting Officer	Coordinator Governance
Responsible Officer	Chief Executive Officer
Date of Report	28 November 2024
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	Nil

Purpose

1. That Council considers the proposed Ordinary Council meeting dates for 2025.

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 2024, Ordinary Council meetings occurred on the fourth Thursday of the month commencing at 4.00 pm, noting there was no meeting scheduled for January.

Comment

4. It is recommended that the current cycle of meetings held on the fourth Thursday of each month continues with the exception of the following months due to clashes with public and school holidays and other scheduled events and conferences:
 - April (Easter)
 - May (Extra week in May)
 - July (School holidays)
 - September (School holidays)
 - December (Christmas)
5. The proposed 2025 Ordinary Council meeting dates are as:
 - 27 February
 - 27 March
 - 30 April (Wednesday)
 - 29 May
 - 26 June
 - 31 July
 - 28 August
 - 18 September
 - 23 October
 - 27 November
 - 11 December

Consultation

6. Executive Leadership 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. Council may select alternate dates

Strategic Alignment

12. 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

5.2 Continued focus on transparent, accountable leadership and community stakeholder engagement

5.3 Council and administration plan and lead with good governance

Voting Requirements

13. Simple Majority

Officers Recommendation	Item 12.1.3
That Council APPROVES the following dates for Ordinary Council meetings for 2025 commencing at 4.00pm:	
<ul style="list-style-type: none"> • 27 February • 27 March • 30 April (Wednesday) • 29 May • 26 June 	

- 31 July
- 28 August
- 18 September
- 23 October
- 27 November
- 11 December

12.1.4 STRATEGIC COMMUNITY PLAN – MINOR REVIEW

File Reference	CM.PL.1
Reporting Officer	Coordinator Communications
Responsible Officer	Chief Executive Officer
Date of Report	29 November 2024
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	1. Strategic Community Plan and Corporate Business Plan 2023-2033 (2025 Update)

Purpose

1. That Council consider Shire of Exmouth's Strategic Community and Corporate Business Plan 2023-2033 attached as Attachment 1.

Background

2. The Strategic Community Plan is the highest-level planning document that the Shire possesses. It sets out the visions and priorities of the community and Council for the local government area. It forms the basis for the Shire's Integrated Planning and Reporting Framework and guides the development of all other strategies and plans produced by the Shire.
3. The Strategic Community Plan was endorsed by Council at the 15 December 2022 Ordinary Council Meeting following a major review. Section 19C of the *Local Government (Administration) Regulations 1996* specify:
 - i. *"(4) A local government is to review the current strategic community plan for its district at least once every 4 years.*
 - ii. *(5) In making or reviewing a strategic community plan, a local government is to have regard to:
(a) the capacity of its current resources and the anticipated capacity of its future resources;
and
(b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
(c) demographic trends*
 - iii. *(9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan"*
4. The Strategic Community Plan is a living document that has a partial review every two years and a major review every four years in order to reflect the community's changing aspirations and priorities as suggested by the [Department of Local Government, Sport and Cultural Industries \(DLGSC\) Integrated Planning and Reporting Framework \(IPRF\) Guidelines](#)
5. DLGSC's IPRF Guidelines go on to suggest that:

"A Minor Strategic Review is primarily a desktop exercise and usually focuses on resetting the Corporate Business Plan with consequential amendments to the core informing strategies as required. Assuming there are no major changes proposed, community engagement is discretionary. However, if significant changes are on the cards, then community engagement or consultation is expected. The degree of consultation or engagement should be reflective of the significance of the proposed change."

6. The Corporate Business Plan translates the aspirations and strategies of the Strategic Community Plan into operational priorities and indicates how they will be resourced over a four-year period and articulates how the Strategic Community Plan will be delivered through services, capital works, projects and activities. The Corporate Business Plan is reviewed annually as part of the budget process to ensure priorities are achievable and effectively timed. As part of this review, consideration is given to the Long Term Financial Plan and Council's Informing Strategies.
7. The new Strategic Community Plan will be applicable for the period 2023-2033. It is recommended that the Council adopt the Strategic Community Plan 2023-2033 and give public notice of its adoption.

Comment

8. Strategic Community and Corporate Business Plans:
 - a. Are for a minimum of ten (10) and four (4) years respectively.
 - b. Identifies and prioritises the principal strategies and activities the council will undertake in response to the aspirations and objectives identified within the Strategic Community Plan following the elements of the IPRF.
 - c. States the services, operations and projects that a local government will deliver over the period of the plan, the method for delivering these and the associated costs within a Corporate Business Plan.
 - d. References resourcing considerations within informing strategy documents such as asset management, workforce, long-term financial plans and other key documents.
 - e. Is adopted by an absolute majority.
9. The Strategic Community Plan and Corporate Business Plan are to be reviewed every four (4) years / annually, respectively. This is because it is the main "driver" for the local government's long-term financial plan and its annual budget. On adoption of such reviews (or modifications) public notice is to be given.
10. The 2022 major review, facilitated by the independent consultancy Localise, included consideration of legislative requirements, research, trends, and future forecasts, community consultation, and Council direction on key priorities.
11. The Shire has engaged an independent consultant, Localise, for the 2024 minor review to ensure an all-compassing objective review process.
12. Following a Council workshop, the progress on the Shire's Strategic Community Plan and Corporate Business Plan was surveyed amongst key personnel and Councillors.
13. The review identified minor changes to update demographic & statistical information, a new message from the Shire President and Chief Executive Officer, updated dates throughout, plus some minor grammatical text changes. More significantly, the review recognised the need to include a provisional Long Term Financial Plan reflecting updated expected costs and revenue.

Consultation

14. Localise – Independent consultancy specialised in Local Government
15. Executive Leadership Team
16. Shire staff
17. Community via the Community Perception Survey 2024

Statutory Environment

- 18. *Local Government Act 1995* - s. 5.56
- 19. *Local Government (Administration) Regulations 1996* - s. 19C, 19D

Policy Implications

- 20. Nil

Financial Implications

- 21. Resource requirements will need to be considered as part of future budgetary processes.

Risk Management

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Compliance/Performance Non-compliance with LG Act 1995, DLGSC IPR Framework Guidelines, LG (A) Regulations 1996	Unlikely	Minor	Low	Review CBP annually. Review SCP bi-annually as per statutory requirements.
Reputational Negative public comment should it be perceived that Council is ignoring the feedback from the community	Possible	Moderate	Moderate	Provide transparency around the data collection and direct injection into the document

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

- 22. Council has the option not to accept the officer’s recommendation.

Strategic Alignment

- 23. 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

- 24. Absolute Majority

Officers Recommendation	Item 12.1.4
That Council ACCEPT the Strategic Community Plan 2023-2033 as per Attachment 1.	

12.1.5 COMMUNITY PERCEPTION SURVEY 2024

File Reference	CR.CO.2
Reporting Officer	Coordinator Communications
Responsible Officer	Chief Executive Officer
Date of Report	29 November 2024
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	1. Community Perception Survey 2024 – Survey Results

Purpose

1. That Council receives the results of the 2024 Shire of Exmouth Community Perception Survey.

Background

2. Community Perception Surveys (CPS) are used by local governments around the State to measure the importance of various Council services to residents and ratepayers and customer satisfaction with how these services are being provided.
3. The CPS is part of the Shire's ongoing commitment to listening to the community and making informed decisions; it forms part of the Shire's commitment to:
 - a. Continue to advocate for the community's vision and underpinning needs, such as housing, telecommunications and health services;
 - b. Consider the views and needs of the community and develop strategies to enable the community to contribute to Exmouth's future;
 - c. Continue to apply principles of good governance, openness and transparency,
 - d. Support and encourage an inclusive community, as outlined in the Strategic Community Plan 2023-2033.
4. Feedback gathered through the bi-annual survey provides information on which services are essential to the community and how the Shire as an organisation is performing.

Comment

5. The Shire has undertaken an extensive community engagement campaign to inform residents and ratepayers about the survey via social, digital and traditional media to enable participation.
6. The survey was made available both online and in hardcopy forms, ensuring broad accessibility.
7. Over 600 responses were collected, representing diverse demographics and a wide range of community perspectives. The participation in 2024 was significantly higher than previous years as shown below:
 - a. Participation 2018: 272
 - b. Participation 2020: 362
 - c. Participation 2022: 323
 - d. Participation 2024: 620
8. These included the survey measured 19 service areas in terms of their importance and performance. The survey also asked respondents what service areas their highest priorities over the next four years were. These included:

9.

Building compliance and control	Bushfire Control and emergency services
Community development, incl. grants, events, club development	Community engagement and communication
Environmental health and mosquito control	Exmouth Aerodrome and Learmonth Airport
Library & information services	Parks, gardens, ovals, beaches, and cemeteries
Prevention of illegal camping, incl. overflow caravan park	Ranger services, incl. animal control and pound
Recreation Centre and sporting facilities	Regional and economic development
Roads, streets, pathways, parking facilities. Traffic control, street lighting	Street trees and general amenities
Swimming pool and spray park	Tourism and the Ningaloo Visitor Centre
Town halls, Civic Centre and Ningaloo Centre	Town Planning
Waste management, kerbside collection & recycling	

10. Respondents were asked to rate the importance of the services from their perspective. The top six are very similar to the previous survey, albeit in a different order. The main exception is that environmental health and mosquito control is considerably less important in the current survey.

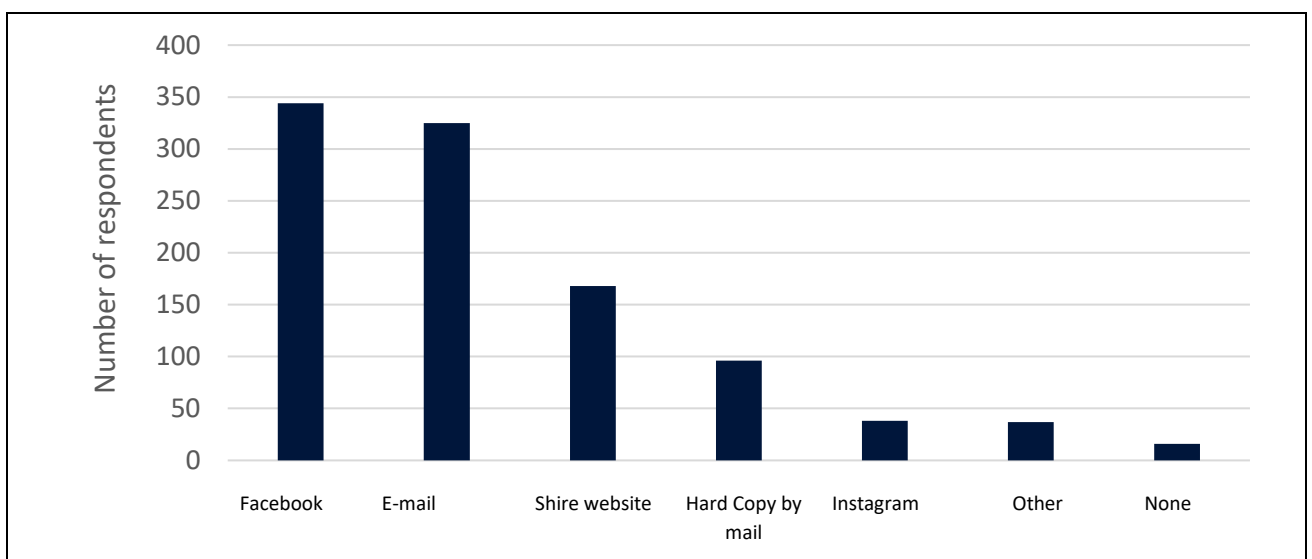
11. Respondents were asked to rate the performance of the services from their perspective. The top six are the same as in the previous survey, in a slightly different order. Five of the lowest six are the same. Waste management is higher this time, and ranger services are lower.

12. The rating of the importance and performance of each service area was given a weighted average between a possible low score of 1 and a high score of 5. The table below shows the gap between what is important and how it is performing, ranked according to the size of the gap. The eight biggest gaps are the same as in the last survey, however in a different order.

Service Area	Importance	Performance	Difference
Prevention of illegal camping, incl. overflow caravan park	4.40	2.07	-2.33
Town planning	4.30	2.85	-1.44
Ranger services, incl. animal control and pound	4.08	2.79	-1.30
Waste management, kerbside collection & recycling	4.42	3.18	-1.24
Community engagement and communication	4.34	3.16	-1.18
Roads, streets, pathways, parking facilities, traffic control, street lighting	4.27	3.13	-1.14
Parks, gardens, ovals, beaches, and cemeteries	4.39	3.28	-1.11
Environmental health and mosquito control	4.25	3.27	-0.98
Recreation centre and sporting facilities	4.26	3.29	-0.97

Street trees and general amenity	4.15	3.23	-0.92
Regional & economic development	3.99	3.14	-0.85
Community development, incl. grants, events, club development	4.16	3.48	-0.68
Exmouth Aerodrome and Learmonth Airport	4.18	3.55	-0.63
Building compliance and control	3.78	3.27	-0.51
Bushfire control and emergency services	4.38	4.00	-0.38
Swimming pool and spray park	3.95	3.76	-0.18
Town halls, Civic Centre and Ningaloo Centre	3.65	3.73	0.08
Library & information services	3.77	3.97	0.20
Tourism and the Ningaloo Visitor Centre	3.68	4.03	0.35

13. The survey invited respondents to advise (up to) three things that the Shire should focus on for improvement in the next four years. The top three are the same as in the previous survey:
- Prevention of illegal camping, incl. overflow caravan park (383)
 - Waste Management, kerbside collection and recycling (184)
 - Roads, streets, pathways, parking facilities, traffic control, street lighting (153)
14. The survey also gathered important information on local liveability factors: The combined score of good and very good for the "Shire of Exmouth as a place to live" is 74%. This is a significant improvement on the previous survey's score of 59%.
15. The combined score of good and very good for the overall performance rating of the Shire of Exmouth is 59%. This is an improvement of the previous survey's score of 42%.
16. The survey also questioned the preferred way of communication with the Exmouth community



17. The Survey also included an open comment/feedback section; the summary of those comments is as follows:
- a. Community and Social Needs
 - i. Concerns about limited healthcare services and aged care facilities.
 - ii. Desire for more effective youth engagement.
 - iii. Calls for more family-friendly spaces, improved recreational facilities, and social events for residents.

 - b. Illegal/Free Camping
 - i. Frustration about environmental degradation and stretched ranger services due to illegal camping.
 - ii. Recommendations for designated affordable camping sites with basic amenities to alleviate the issue.
 - iii. Requests for stricter enforcement of camping laws and greater collaboration with other agencies.

 - c. Infrastructure and Services
 - i. Desire for better maintained and more modern public amenities, including playgrounds, parks, shade, public toilets, and recreational facilities.
 - ii. Requests for upgrades to roads and street lighting.

 - d. Recycling and Environmental Concerns
 - i. Desire for improved recycling facilities, including glass, cardboard, and plastic.
 - ii. Emphasis on protecting Exmouth's pristine natural environment, including the Ningaloo Reef and Exmouth Gulf.
 - iii. Would like more educational initiatives to promote sustainable practices among residents and visitors.

 - e. Tourism vs. Local Needs
 - i. Mixed sentiments about the focus on tourism (seasonal), with some feeling it overshadows the (year-round) needs of residents.
 - ii. Calls for balancing tourism development with preserving Exmouth's identity and environment.
 - iii. Suggestions for introducing levies or fees for tourists to fund local infrastructure and services.

 - f. Economic Development
 - i. Mixed opinions on industrial development, with some supporting economic diversification and others prioritising environmental preservation; suggestions for sustainable economic strategies that balance growth with Exmouth's unique identity.
 - ii. Calls for better partnerships with state and federal governments to secure funding for local projects.

 - g. Housing and Accommodation
 - i. Concerns about limited affordable housing for workers and permanent residents.

- ii. Frustration with the dominance of short-term rentals, such as Airbnb, exacerbating the housing crisis.
 - iii. Suggestions to release more land for residential development.
- h. Shire Governance and Transparency
- i. Concerns about lack of communication and transparency in budgeting, rate increases, and project execution.
 - ii. Dissatisfaction with Shire management, communication, and decision-making processes.
 - iii. Calls for better community engagement through diverse communication channels (e.g., hard-copy notices and video calls for council meetings).

18. The survey offered the opportunity for residents and ratepayers to register their contact details for future community engagement sessions and information sessions about Strategic Plans. 346 survey participants signed up for this opportunity.

Consultation

- 19. Localise – Independent consultancy specialised in Local Government
- 20. Community Members (Residents & Ratepayers)
- 21. Visitors
- 22. Shire Staff

Statutory Environment

- 23. Integrated reporting framework

Policy Implications

- 24. Nil

Financial Implications

- 25. Resource requirements will need to be considered as part of future budgetary processes.

Risk Management

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational Negative public perception towards the Shire if results are not acknowledged	Unlikely	Major	Moderate	Publish Results and engage with survey participants following the publication.

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

- 26. Council has the option not to accept the officer's recommendation.

Strategic Alignment

- 27. 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

28. Simple Majority

Officers Recommendation	Item 12.1.5
That Council:	
1. RECEIVE the results of the 2024 Community Perception Survey; and	
2. PUBLISH the results of the 2024 Community Perception Survey on the Shire's website.	

12.1.6 ALTERNATIVE KINGS BIRTHDAY PUBLIC HOLIDAY DATE 2025

File Reference	GR.SL.14
Reporting Officer	Chief Executive Officer
Responsible Officer	As above
Date of Report	2 December 2024
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	Nil

Purpose

1. That Council consider the alternative date for the King’s Birthday public holiday in 2025 as 30 June 2025.

Background

2. The Governor has declared that the Celebration Day for the Anniversary of the Birthday of the Reigning Sovereign (King’s Birthday public holiday) will be observed in 2025 on Monday 29 September.
3. Local governments may request that the public holiday be celebrated on an alternative day of significance within their districts, instead of the date proclaimed as the public holiday for the rest of the State.
4. Local governments interested in having an alternative date declared for the King’s Birthday public holiday in 2025 should provide a written request to the Department of Mines, Industry Regulation and Safety which contains:
 - the boundaries of the area that will be affected by the change (if it is other than the local government’s boundaries)
 - the reason/s for the alternative date
 - the consultation process undertaken to arrive at the alternative date.
5. Written requests should be submitted no later than Friday 20 December 2024.

Comment

6. Notice of the Governor’s declaration was provided by the Department of Local Government, Sport and Cultural Industries on Monday 2 December 2024.
7. The Ningaloo Sky Festival is a new initiative which the Shire of Exmouth, in collaboration with several partners, will be held as a bi annual community event scheduled for 27-29 June 2025. The festival will feature a blend of ticketed and free community events aiming to showcase the best of Exmouth while supporting the economic and social fabric of the region.
8. A community survey was released on 2 December 2024 via social media and the Shire website to give the Exmouth community their say on the matter. The survey will close on the 19 December 2024.

Consultation

9. Executive Leadership Team
10. Shire President and Council Members
11. Public notice and survey

Statutory Environment

12. *Public and Banking Public Holidays Act 1972*

Policy Implications

13. Nil

Financial Implications

14. Nil

Risk Management

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational – There may be negative feedback from the community for moving the public holiday without adequate consultation	Possible	Insignificant	Low	Undertake a public survey to seek the community's feedback

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

15. Council may determine not to support the officer's recommendation there by observing the Kings Birthday public holiday in 2025 on Monday 29 September 2025.

Strategic Alignment

16. 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 1.1 Improve local community and visitor experiences.
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

17. Simple Majority

Officers Recommendation	Item 12.1.6
That Council make a submission to the Department of Mines, Industry Regulation and Safety, requesting the Kings Birthday Public Holiday be observed on Monday 30 June 2025, to coincide with the Ningaloo Sky Festival, subject to the majority of community support at the completion of the community survey.	

12.1.7 AWARD OF TENDER - RFT 03-2024 SALE AND DEVELOPMENT OF LOT 72 MARLIN TERRACE, EXMOUTH

File Reference	CM.TE.04-24/25
Reporting Officer	Strategic Planning Officer
Responsible Officer	Chief Executive Officer
Date of Report	26/11/2024
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	1. CONFIDENTIAL - RFT 03-2024 Recommendation Report

Purpose

1. That Council award Tender 03-2024 for the sale of Lot 72, Marlin, Terrace, Exmouth on Deposited Plan 56044 being the whole of the land comprised in Certificate of Title 2725 Folio 812. as per the recommendation in Confidential Attachment 1.

Background

2. The Shire advertised RFT 03-2024 Sale and Development of Lot 72 Marlin Terrace, Exmouth, seeking a suitably qualified proponent to develop the site in accordance with the Special Use conditions of the land as defined in the Shires Local Planning Scheme No.4 - Special Use Zone.
3. The subject land is 4621 square metres in area and is currently vacant land.
4. The property is located within Precinct B of the Exmouth Marina Development and has frontage to the main canal with eight moorings and jetties that are subject to jetty licence.
5. The Shires Local Planning Scheme No 4 indicates the property has a zoning of Special Use (SU6). The dry portion of the property is within Precinct 6 and 7 (Tourist Commercial Mixed Use) whilst the moorings and jetties is located in Precinct 10 (Private Moorings).
6. The site is considered a strategically important site due to its location and any development will have high visibility in such location.
7. The objective of the land sale is to realise a reasonable sale price and deliver a good development on the land in a timely manner by creating a termed contract for its substantial commencement, among other matters.

Comment

8. The sale lot sits adjacent to Reserve 50357 for which is 2891 square metres in area and is very strategic particularly as it links into the walk bridge.
9. The tender submission includes a portion of the Public Open Space (POS) to be developed concurrently with the built form at Lot 72, Marlin Terrace, Exmouth.
10. Council will consider the proposed concept plans as provided for the land and the POS acknowledging that only a portion of the POS would be funded by the proponent.
11. The tender is for the conditional sale of the land.
12. Since the closing date the Shire has extended the tender consideration period whilst the Shire and the proponent considered the concept plans in more detail.

13. The submission addressed all areas of the qualitative criteria with a demonstrated development methodology and excellent development experience to address the requirements of the site.
14. The received offer of purchase price is reasonable if the works to the adjacent POS are provided as indicated to compliment the general vicinity.

Consultation

15. The Shire has liaised with its solicitors in relation to the tender document and Conditional Contract of Land Sale.

Statutory Environment

16. *Local Government Act 1995, Section 3.57*
17. *Local Government (Function and General) Regulations 1996 Part 4, Division 2 Section 14*

Policy Implications

18. CS001 – Procurement

Financial Implications

19. If the tender is not awarded the land will remain in situ until it is sold for development.

Risk Management

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Financial requirement to place sale proceeds in Reserve Account until the development has been substantially commenced; In the event of default the Shire may repurchase the land at sale value. Renewal scope increases due to neglected asset management	Possible	Moderate	Low	Engage Shire Solicitors to undertake appropriate legal documents for conditional sale, binding land owner to undertake contractual obligations.
Statutory Development process including Public Notice may alter the form of development at site and POS as indicated on the Concept Plan.	Possible	Moderate	Moderate	Reiterate that this matter is limited to the land sale and the Shire is acting as the Seller not the approving body as a result of this transaction.
Development of partial POS whereby the balance of POS ought to be developed.	Almost certain	Moderate	Moderate	Council consider budget item for development of the remaining POS land within the next 2-3 years.

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

20. Council can determine to accept or refuse the Tender.

Strategic Alignment

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

Built Environment	Enable sustainable development and infrastructure that meets the needs of the community, visitors and industry
	3.1 Infrastructure and assets are well-managed and maintained
	3.2 Plan and cater for increased population growth
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

22. Simple Majority

Officers Recommendation

Item 12.1.7

That Council:

1. AWARD Tender RFT 03/2024 – Sale and Development of Lot 72 Marlin Terrace, Exmouth described as Deposited Plan 56044 being the whole of the land comprised in Certificate of Title 2725 Folio 812 to North West Regional Developments Pty Ltd as per the recommendation in Confidential Attachment 1; and
2. APPROVE the Chief Executive Officer to apply the common seal of the Shire of Exmouth to the contractual documents to effect the land sale and conditions as provided by the Shires solicitors between the Shire and North West Regional Developments Pty Ltd.

OPERATIONS AND INFRASTRUCTURE SERVICES

12.2.1 AWARD OF TENDER - RFT 07-24/25 PROVISION OF BITUMINOUS SPRAY SEALING WORKS

File Reference	RFT07-24/25
Reporting Officer	Manager Assets and Engineering
Responsible Officer	Chief Operations Officer
Date of Report	2 December 2024
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	1. CONFIDENTIAL Recommendation Report - RFT 07-24/25

Purpose

1. That Council award of RFT 07-24/25 -Provision of Bituminous Spray Sealing Works as per the recommendation in Confidential Attachment 1.

Background

2. The Shire advertised RFT 07-24/25 Provision of Bituminous Spray Sealing Works, seeking a suitably qualified contractor to carry out bitumen spray seals on the Shire’s road network. Over the life of the contract, works will include reseals of existing sealed roads and the provision of new seals on existing unsealed road sections.
3. The objective of bitumen spray seals including initial application and reseals is to:
 - Provide a durable road surface, protecting the underlying pavement;
 - Bond to the underlying surface (whether gravel or existing bitumen seal); and
 - Waterproof the pavement.
4. This contract is for an initial period of three (3) years, with an option to extend for a further two (2) one (1) + one (1) year periods, to be exercised at the discretion of the Shire and Chief Executive Officer.
5. The proposed sealing works to be carried out progressively over the life of the contract include the following roads:
 - Yardie Creek Road – Progressively reseal from SLK 28.6 (National Park pay gate) to Yardie Creek
 - Murat Road – Progressively reseal sections of Murat Rd from Town, north to Yardie Creek Road
 - Mildura Wreck Road – Progressively reseal full length of road.
 - Pace Retreat – Reseal full length of road at increased seal width of 6m.
 - Town Roads – Progressively reseal Town Roads, including Canals and Preston St Subdivision
 - Town Car Parks – Reseal public car parks as required.
6. Council approved a capital budget of \$1,234,000 to facilitate edge repair works and progressive resealing on Yardie Creek Road, comprised of Regional Road Group Funding, Local Roads and Community Infrastructure Funding and Shire Reserve Funds. \$1,011,916 was spent on extensive edge repair works. A further \$850,000 of additional Regional Road Group funding has since been committed to Yardie Creek Road since the capital budget was adopted by Council. As such, there is \$1,072,084 of additional funding remaining to be spent on resealing of Yardie Creek Road in FY 2024/25 that can be allocated during Budget Review.
7. Council approved a capital budget of \$240,000 for the progressive resealing of Murat Road.

8. Council approved a capital budget of \$815,000 for road renewal works which will include resealing of both Town roads and other nominated roads on the North West Cape.
9. It is intended that annual sealing programs will be carried out with a single mobilisation each financial year.

Comment

10. RFT 07-24/25 Provision of Bituminous Spray Sealing Works was advertised in the West Australian Newspaper and Shire website on the 12 October, Shire noticeboards on 14 October, Pilbara News on 16 October and closed on 4 November 2024.
11. Four tender submission were received from the following contractors:
 - Fulton Hogan
 - Bitumen Sealing Services (Corps Pavement Services)
 - M&S Civil & Mining
 - Advanced Clean and Seal
12. While all four submissions addressed the qualitative criteria of the tender, the submissions of Fulton Hogan and Corps Pavement Services were of a superior quality.
13. Combined with the pricing schedules for the various seal types requested, Fulton Hogan were assessed as the best overall value for money. Refer to attached recommendation report for consensus scoring and scenario pricing.

Consultation

14. No consultation has taken place, although Department of Biodiversity, Conservation and Attractions (DBCA) will be advised of work dates within the Cape Range National Park and temporary traffic management arrangements.
15. Once the sealing program is established, public communications will be shared with the community indicating roads to be impacted.

Statutory Environment

16. *Local Government Act 1995, Section 3.57*
17. *Local Government (Function and General) Regulations 1996 Part 4, Division 2 Section 14*

Policy Implications

18. CS001 – Procurement

Financial Implications

19. The budget allocation for the current year has been endorsed in the 2024/25 adopted budget. Future budget allocations will be subject to annual budget approval.

Risk Management

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Financial Renewal scope increases due to neglected asset management	Almost Certain	Major	Extreme	Engage contractors and carry out works to adequately preserve the assets
Reputational Negative perception	Likely	Moderate	High	Engage contractors to complete works and

of the Shires ability to maintain assets				improve the standard of the roads
Performance – Further deterioration of the road condition if the tender is not awarded, creating a major safety concern and non-compliance with Main Road standards	Almost Certain	Major	Extreme	Complete the required road works

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

20. That Council does not accept the officer’s recommendation.

Strategic Alignment

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

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>
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

22. Simple Majority

Officers Recommendation	Item 12.2.1
That Council:	
<ol style="list-style-type: none"> 1. AWARD tender RFT 07-24/25 - Provision of Bituminous Spray Sealing Works to Fulton Hogan for the provision of bituminous spray sealing works on nominated Shire roads for an initial period of 3 years; and 2. APPROVE the Chief Executive Officer to apply the common seal of the Shire of Exmouth to the contract between the Shire of Exmouth and Fulton Hogan. 	

12.2.2 EXMOUTH RECYCLE CENTRE EXPANSION

File Reference	ED. PJ.123
Reporting Officer	Manager Works
Responsible Officer	Chief Operations Officer
Date of Report	10 December 2024
Applicant/Proponent	Nil
Disclosure of Interest	Ben Lewis, Chief Executive Officer
Attachment(s)	1. Exmouth Recycling Development Plan 2. CONFIDENTIAL: Exmouth Recycle Centre Costings

Purpose

1. That Council considers the Exmouth Recycle Centre Development Plan and proposed funding options.

Background

2. In 2016 the Shire of Exmouth took possession of the old transfer station from the State which has predominantly been used as storage for record archiving, cyclone storage and a general dumping ground for minor equipment and supplies that don't seem to have any other place.
3. In 2019 the Shire entered into a Memorandum of Understanding (MOU) with the Exmouth Freemasons to undertake container recycling and as such part of the facility has been provided to the Freemasons to use for processing and temporary storage of recyclable materials.
4. Over recent years, there has been continual discussions regarding use of the site and how it could be transformed into a recycling centre.
5. In July 2023, Council provided in-principal support to allow the Exmouth Freemasons to continue to operate out of the facility. However, at the time, Council agreed with the Administration's recommendation that an overall development plan for the entire site, needed to be undertaken.
6. The reason for this was to address a number of areas of operational concerns to the organisation being:
 - Long term potential use for the site
 - The consideration of using the site as a large-scale recycling centre
 - Dedicated storage
 - Dedicated compliant archive storage
 - Reduction of our landfill
 - Achieving the aspirations outlined in Council's Waste Resource Strategy 2022 -2027
 - Aligning with the State's Waste Strategy

Comment

7. The attached plans provide detail of the proposed development of the site, dedicated predominately for recycling with future expansion and storage as an ancillary use.
8. As it can be seen from the attached plans, the proposed development allows for a staged construction approach in order to assist with funding opportunities and a gradual expansion of recyclable commodities.

9. The delivery of proposed expansion project is programmed in 3 stages with completion expected by the end of June 2027.
10. Stage 1 includes construction and operation of horizontal baler facility along with conversion of the old power station to process carboards, paper, plastic bottles, glass bottles and cans. Stage 1 will be completed by the end of June 2025 to meet grant obligations.
11. Key items in Stage 1 of the master plan include:
 - Convenient access to the site as a drive through from Nimitz Street,
 - Separate disposal sections for different types of recyclable items,
 - Refurbishment of amenities building with kitchen and shower/toilet for centre personnel, and
 - Fire hydrant with water tanks installations.
12. Stage 2 includes:
 - Upgrade hardstands, driveways and parking areas
 - Security fence construction
 - Site electrical upgrade
13. Stage 3 includes:
 - Additional sheds to accommodate cyclone storage and dedicated archive storage for the Shire record keeping.
14. As part of Council's commitment to recycling, the administration was successful in securing grant funding from the State Government to purchase a horizontal baler and construct a recycling and storage facility to house the baler at the Exmouth Recycle Centre.
15. The Deed provides a grant of \$255,000 and is subject to the following terms, conditions and milestones:
 - Purchase and install a CM Series Horizontal Baler or equivalent
 - Construct storage facility to house the baler at the Bring It Centre
 - Create 2 new jobs.
 - Process at least 150 tonnes per annum of cardboard and freight it to Perth for recycling.
 - Installation and commissioning is due end of May 2025
 - The baler is to reach full operation by 31 December 2025.
16. The biggest risk to the future operation of the centre is an inability to attract and recruit operational personnel. The baler operations alone require two Waste Site Attendants.
17. The Shire has advertised for a Waste Site Attendant positions repeatedly since April this year and have only successfully recruited one of four positions available.
18. To mitigate the risk of not being able to staff the facility, it is proposed that the Shire engage a third party to operate the Centre.
19. WA Government's Grant Management has supported engaging a Not for Profit organisation to operate the Centre.
20. As such, it is recommended to expand the existing MOU agreement between the Shire of Exmouth and the Exmouth Freemasons to operate the facility on behalf of the Shire.

21. The Shire can allocate the budget required to create two positions (a condition of the grant) over two years to assist in manning the facility.
22. As the true output, operating costs and potential revenue from the Exmouth Recycling Centre are currently unknown, it is recommended that the Not for Profit organisation is initially engaged via a memorandum of understanding on a 3 year trial period. During this time data will be collected through key performance indicators and financial reports to assess the most suitable method of funding the facility and sharing the costs and/or benefits with the operators (ie. via lease or licence).
23. The proposed three year memorandum of understanding should include:
 - a) Peppercorn rent or licence
 - b) Shire to fund 50% of the transport costs (50/50 share with NFP)
 - c) Shire to pay building and plant insurances
 - d) NFP to provide Public Liability, workers compensation and/or volunteer insurance cover
 - e) Shire to pay utilities
 - f) NFP to staff the facility
 - g) Minimum opening hours
 - h) Education programs to be run

Statutory Environment

24. *Local Government Act 1995* - Section 6.11- Reserve accounts.
25. *Local Government Act 1995* - Section 6.20 – Power to Borrow

Financial Implications

26. Total capital costs to develop the Exmouth Recycling Centre facility are estimated at \$2.53m.
27. Grant funding has been secured for \$255,000 (Recycling Modernisation Fund) for the baling machine.
28. The Shire of Exmouth 2024/25 adopted budget already includes a \$65,000 transfer from Plant Reserve to go towards funding a new forklift (\$40k) and Baler (\$25k).
29. Costs have been separated into 3 stages to prioritise stage 1 works required for basic operations and to meet grant funding obligations by 30 June 2025.
30. The costs are staged as follows:
 - a) 2024/25 Stage 1 - \$1.142m
 - includes Baler & Forklift already included in adopted budget \$212,850
 - b) 2025/26 Stage 2 - \$0.948m
 - c) 2025/26 Stage 3 - \$0.437m
31. Itemised works and estimated costs are listed in Confidential Attachment 2.
32. After considering already budgeted grant and reserve funding, the balance of funds required for Stage 1 (prior to 30 June 2025) is estimated at \$822k.
33. It is proposed that \$600k be transferred from the Waste Reserve to allow for tender and procurement of major items to occur in a timely manner.

34. The remaining balance in the Waste Reserve after drawing \$600k will be approximately \$766,809.
35. It is anticipated that the remaining \$222k could be funded from potential savings identified during Budget Review (to be adopted by Council in March 2025).
36. Approximately \$1.385m will be required in the 2025/26 financial year to complete stages 2 and 3.
37. It is proposed the Shire apply for loan borrowings to fund Stages 2 and 3.
38. If further Grant funding becomes available, the Shire will reduce the drawdown on the loan.

Consultation

39. In accordance with the *Local Government Act 1995* s6.20, if a local government proposes to exercise a power to borrow and details of that proposal have not been included in the annual budget for that year – the local government must give one month’s local public notice of the proposal and the resolution to exercise that power must be by absolute majority

Risk Management

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Financial Loss of Grant Funding Inability to fund project	Possible	Moderate	Moderate	Draw on Reserve funds to deliver Stage 1 of the project as required by Grant timeline. Apply for loan funding Stages 2 and 3
Financial – risk that Council cannot meet the debt service coverage ratio	Possible	Major	High	Liaise with State Treasury to determine a gradual drawdown process and obtain external funding to further reduce the loan requirement
Performance Inability to recruit Centre operational staff.	Almost Certain	Major	Extreme	Outsource the operations of the facility and provide support as required.
Performance – the Exmouth Freemasons cannot meet the service demand due to volunteer workers	Possible	Moderate	Moderate	Council provides the funding allocated in the current budget as part of the funding agreement (for staff resourcing) to the Freemasons to employ staff
Reputational – The facility doesn’t meet the community’s expectations	Unlikely	Minor	Low	Undertake an extensive communication program to educate the community on the gradual staged approach to recycling
Reputational - negative public perception of the Shire outsourcing the operations rather than operating in-house	Possible	Moderate	Moderate	Educate the community that the Shire cannot attract staff resources and without outsourcing, the project would be placed on hold.
Reputational – An elected member is using his position to get Council to financially support a development he is financially involved in	Possible	Major	High	All financial declarations of interest are submitted, and the elected member leaves the room and takes no part in any discussion
Reputational – Council is providing a Shire owned facility at a significantly reduced rent well below market value	Possible	Moderate	Moderate	Council can justify the assistance by explaining the greater need of recycling services to the 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

40. Council has the option not to accept the officer’s recommendation.

Strategic Alignment

41. 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> <p>1.3 Building Community cohesion and connectedness</p>
Natural Environment	<p>Embrace natural sensitivities and promote positive change</p> <p>2.1 Establish Exmouth as a clean and green town</p> <p>2.2 Prepare Exmouth for changing environmental conditions</p> <p>2.3 Increase awareness of sustainability and environmental issues</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

42. Absolute Majority

Officers Recommendation	Item 12.2.2
<p>That Council APPROVES:</p> <ol style="list-style-type: none"> 1. The Exmouth Recycle Centre Development Plan, 2. The staged approach for implementation and requirement for future budgets, 3. Engaging the Exmouth Freemasons through an Memorandum of Understanding to operate the facility, subject to the following conditions: <ol style="list-style-type: none"> a. Peppercorn rent or licence b. Shire to fund 50% of the transport costs (50/50 share with NFP) c. Shire to pay building and plant insurances d. NFP to provide Public Liability, workers compensation and/or volunteer insurance cover e. Shire to pay utilities f. NFP to staff the facility g. Minimum opening hours h. Education programs to be run 	

4. The required budget variation to the current budget for 2024/25, including Reserve transfer as follows and acknowledge the remaining funds required for Stage 1 will be allocated during Budget Review:

Description	Current Budget	Increase/ Decrease	Revised Budget
Transfer from Waste Reserve	130,000	600,000	730,000
Capital Expenditure - Baler	255,000	(82,150)	172,850
Capital Expenditure – Recycling Centre Shed 1	0	87,150	82,150
Capital Expenditure – Recycling Centre – Shed 2	0	395,000	395,000
Capital Expenditure – Recycling Centre Infrastructure (fencing, fire tanks, pumps, crossovers etc)	0	200,000	200,000

5. To authorise the Chief Executive Officer to provide local public notice of the proposal to borrow funds for Stages 2 and 3 in accordance with the *Local Government Act 1995* s6.20.

12.2.3 PROPOSED EXTENSION TO EXISTING TAVERN – LOT 829 (1) PELIAS STREET, EXMOUTH

File Reference	A56, DA75/24
Reporting Officer	Chief Executive Officer
Responsible Officer	Chief Operations Officer
Date of Report	2 December 2024
Applicant/Proponent	Tom Seeley
Disclosure of Interest	Nil
Attachment(s)	1. Development Plans

Purpose

- 1. That Council consider a development proposal for extension to existing tavern involving an outdoor seating area and new bar counter on Lot 829 (1) Pelias Street, Exmouth.

Background

- 2. The subject site is located on land zoned Service Commercial, and the exiting tavern includes a bottle shop, restaurant and bar area with approved car parking of 43 car bays.
- 3. Approval is sought for an outdoor and bar area to the rear of the existing building.
- 4. The outdoor seating area aims to be family friendly, incorporating local artwork and cultural displays.
- 5. To facilitate the new outdoor seating area the existing car parking area has been reconfigured and the total car parking provided for the site is 44 car bays.



Figure 1 – Subject Site

Comment

6. The development proposal is assessed in accordance with the provisions of Local Planning Scheme No 4 (LPS4) and Council consideration is sought for car parking.
7. The subject venue aims to extend the dining and bar area externally with a proposed outdoor seating area. The proposed extension to the tavern and liquor licence requires additional car parking under LPS4. The proposal requires an additional 32 car parking bays.
8. The applicant has provided the following justification for the existing car parking provided:

"During peak season trading surveys have shown a maximum customer turnover of 150-160 people per night between the hours of 5:30-8:30pm. Out of this maximum number approximately 70% walked to the venue, it is suspected due to the close proximity of two Caravan parks and excellent walking path access between these caravan parks and the venue. The above numbers mean approximately 30% of customers drove.

In addition to the above it was also found that there were no more than 80-90 people in the Tavern dining at one time.

*If we apply the above mentioned 30% amount to the 80-90 people present at one time we get 24-27 people arriving by car. It was also found that on average there were two people per car. This would mean **12-14** car parking spaces would be required.*

During the peak period mentioned above there would be an average of 8 Staff (8 parking spaces required) which would be mostly accommodated using the parking spaces adjacent Pelias Street."

9. In assessing the application, the administration is of the opinion that:
 - The development will improve the venues appeal to families, that would walk from neighbouring caravan parks; and
 - The peak dining times are at lunch time and in the evenings between 6 and 8pm, therefore would not adversely affect the adjoining properties.
10. In addition, a survey of car parking was undertaken and is included in the attached drawings. It is also acknowledged that the existing carpark rarely, if at all, reaches capacity.
11. With regard to the parking shortfall, Council has the following options:
 - Can require the parking bays be provided,
 - Waive the requirement for the additional parking bays
 - Use the verge parking policy for additional parking spaces (OIS012)
 - Use the provisions under the Scheme to take a cash-in-lieu for the reduction in carparking.
12. Verge Parking Policy (OIS012)

The verge parking policy allows the proponent of an existing premise in the Service Commercial Zone to use the verge for additional parking bays. However, this is not applicable for this proposal as the proponent already has been granted an approval to use the road verge as part of previous developments on the site.
13. Cash-in-lieu

Clause 4.28 of the TPS4, provides for Cash – in – lieu for a parking variation.

"The local government may accept a payment of cash-in-lieu of part, or all, of a minimum parking requirement provided that the local government is satisfied that suitable public parking facilities exist,

or are planned, within reasonable proximity to the land in respect of which a cash-in-lieu arrangement is made, and to which the cash in lieu payment can be utilised..."

14. However, for reasons discussed in this report, the demand on parking during peak periods, does not exceed the existing number of bays currently provided, causing an actual shortfall. As such, the cash-in-lieu option may not be a primary option in this case.
15. It is the opinion of the administration that given history has shown the existing carpark does not reach capacity due to the large number of patrons walking to the premise, and the anticipation that the proposal is intended to provide an outdoor area for families which isn't likely to increase the number of patrons attending, the option to waive the carparking requirement is the recommended option for Council to consider.

Consultation

16. The proposal was advertised to the adjoining neighbours and no written submissions received.
 Internal Referrals:
- Environmental Health - The proposal is subject to the provisions of the *Liquor Control Act 1988*.
 - Engineering - The car parking dimensions are subject to the Australian Standards for parking and access.

Statutory Environment

17. Shire of Exmouth Local Planning Scheme No. 4
 18. *Planning and Development (Local Planning Schemes) Regulations 2015*
 19. *Planning and Development Act 2005*

Policy Implications

20. Local Planning Policy 1 – Colour Palette for Development

Financial Implications

21. Nil

Risk Management

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational the new development has an adverse impact on the surrounding area.	Unlikely	Moderate	Moderate	Statutory objectives as discussed above have been applied and are reflected in the conditions of approval.
Reputational - a precedent may be set.	Likely	Minor	Moderate	As discussed in the report, the proposal is unique and is considered on merit.

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

22. Council may resolve to:
1. Refuse the proposal on the grounds of non-compliance with Local Planning Scheme No. 4;
 2. Required the proponent to provide the required number of carparking bays;

3. Apply a cash-in-lieu for the carparking shortfall

Strategic Alignment

23. 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
	1.1 Improve local community and visitor experiences.
Economy	Enhance a robust, resilient and diversified economy that champions innovation
	4.1 Increase opportunities for smart and sustainable business ideas
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

24. Simple Majority

Officers Recommendation

Item 12.2.3

That Council resolve to APPROVE the development proposal for extension to existing tavern involving an outdoor seating area and new bar counter on Lot 829 (1) Pelias Street, Exmouth.
subject to the following conditions:

1. The development being carried out in accordance with the stamped approved plans (DA75/24), and the Shire of Exmouth *Local Planning Scheme Number 4*, including any annotations detailed thereon by the Shire.
2. A landscaping plan detailing the size, species and location of trees/shrubs shall be submitted for approval in writing prior to occupation of outdoor eating area and implemented within six (6) months of completion or occupancy of use or within the next available planting season, to the satisfaction of the Shire of Exmouth.
Advice:
The landscaping plan shall include details of the proposed vegetation species and location, and proposed reticulation layout.
3. All parking spaces shall be marked out and maintained in good repair, to the satisfaction of the Shire of Exmouth.

12.2.4 PROPOSED SINGLE HOUSE – LOT 96 (19) BLUEFIN COVE, EXMOUTH

File Reference	A1759, DA52/24
Reporting Officer	Town Planner
Responsible Officer	Chief Operations Officer
Date of Report	3/12/2024
Applicant/Proponent	Vision Design and Drafting
Disclosure of Interest	Nil
Attachment(s)	1. Development Plans

Purpose

1. That Council consider a development proposal for a Single House on Lot 96 (19) Bluefin Cove, Exmouth.

Background

2. The subject site is zoned Special Use 6 (SU6), Area B, Precinct 3, and the proposal is for a Single House.
3. The development proposal is in accordance with the provisions of Local Planning Scheme No 4 (LPS4) except for the proposed roof pitch, which is the subject of this report.

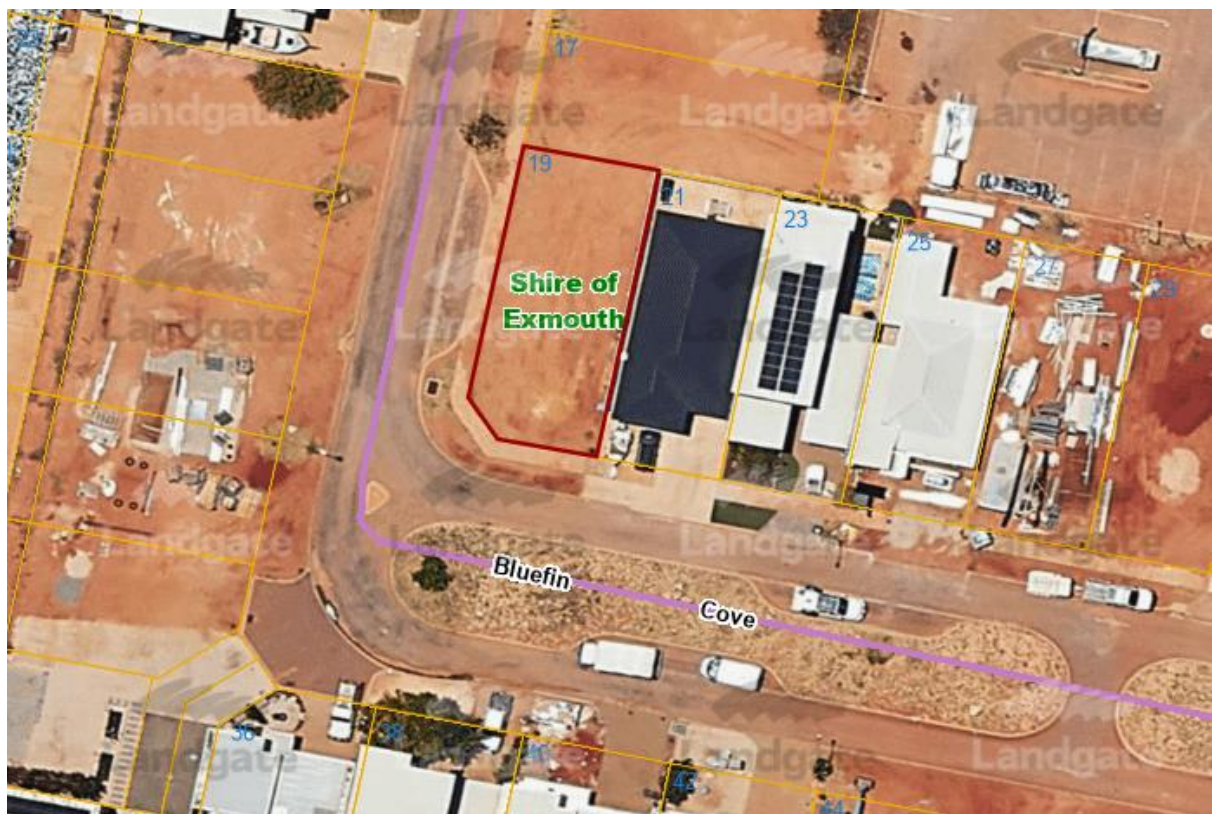


Figure 1 – Subject Site

Comment

4. Approval is sought under LPS4 clause 4.32 – Variations to site and development requirements, which provides for an application to be considered under the deemed provisions of *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations).

LPS4 4.32.4

The local government may only approve an application for development approval under this clause if the local government is satisfied that —

- a) approval of the proposed development would be appropriate having regard to the matters that the local government is to have regard to in considering an application for development approval as set out in clause 67 of the deemed provisions; and*
- b) the non-compliance with the additional site and development requirement will not have a significant adverse effect on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.*

5. The Regulations under clause 67 provides guidance for local government consideration of a development application.

CI 67

(m) the compatibility of the development with its setting, including —

- (i) the compatibility of the development with the desired future character of its setting; and*
- (ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*

(n) the amenity of the locality including the following —

- (i) environmental impacts of the development;*
- (ii) the character of the locality;*
- (iii) social impacts of the development;*

6. Approval is sought for the single storey dwelling to have a roof pitch of 5 degrees in lieu of 35 degrees.
7. The assessment of this element of the development is considered on streetscape amenity and the character of the immediate area. State Planning Policy 7.3 - Residential design Codes, Vol 1 (R Codes) provides guidance under the Design Principles for streetscape under clause 5.1.2 and is the basis for the assessment.
8. Buildings set back from street boundaries.
- The proposed dwelling is setback to meet the Deemed to Comply provisions of the R Codes.
 - The proposed dwelling complies with the LPS4 regarding setbacks from street and side boundaries.
9. Given the above, a consistent street rhythm and appropriate siting of the dwelling on the lot is achieved.
10. Buildings mass and form
- The bulk and scale of the proposed dwelling has similar massing to the adjoining single storey dwelling, providing an increased wall height to facilitate the roof design – which falls away from the adjacent single storey dwelling at the eastern boundary.
 - The façade treatment is like other dwellings in the area, providing two different materials, as required by LPS4.
11. Given the that the bulk, scale, façade treatment and siting of the dwelling are consistent with the immediate area, the roof design on this single storey dwelling will not be out of keep in this location.

12. When considered against Design Principles, the dwelling will not detract from the amenity of the area and can be supported.



Figure – 2 Montage showing existing site, front façade and a streetscape image

Consultation

13. Advertising was undertaken in accordance with *Planning and Development (Local Planning Schemes) Regulations 2015*, no written submissions received.

Statutory Environment

- 14. Shire of Exmouth Local Planning Scheme No. 4
- 15. *Planning and Development (Local Planning Schemes) Regulations 2015*
- 16. *Planning and Development Act 2005*
- 17. State Planning Policy 7.3 - Residential design Codes, Vol 1

Policy Implications

18. Nil

Financial Implications

19. Nil

Risk Management

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational the new development has an adverse impact on the surrounding area.	Rare	Minor	Low	Statutory objectives as discussed above have been applied and are reflected in the conditions of approval.

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

20. Council may resolve to refuse the proposal on the grounds of non-compliance with Local Planning Scheme No. 4.

Strategic Alignment

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

Built Environment	<p>Enable sustainable development and infrastructure that meets the needs of the community, visitors and industry</p> <p>3.2 Plan and cater for increased population growth</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

22. Simple Majority

Officers Recommendation	Item 12.2.4
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That Council resolve to APPROVE the development proposal for Single House on Lot 96 (19) Bluefin Cove, Exmouth. subject to the following conditions:

1. All water draining from roofs, driveways, communal streets and other impermeable surfaces shall be directed to garden areas, sumps or rainwater tanks within the development site where climactic and soils conditions allow for the effective retention of stormwater on-site.
2. The new crossover shall not exceed 4.5m in width and be setback a minimum of 0.75m from the side boundary and constructed to the specification’s levels and satisfaction of the Shire of Exmouth in accordance with Council Policy - 7.6 – Vehicle Crossover.
Advice:
An application for Verge Enhancement and/or Crossover works will need to be lodged with the Shire prior to works being undertaken.
3. External colours shall be in accordance with the Shire of Exmouth’s Local Planning Policy No. 1 - Colour Palette for Developments. In this regard, prior to lodging an application for a building permit, a schedule of materials and colours to be used on the buildings/structures hereby approved shall be submitted for approval and implemented to the satisfaction of the Shire of Exmouth.
4. No fencing is permitted along the front boundary, or forward of the building line on the side boundaries.
5. Side boundary fencing behind the building line shall be a maximum 1.8m in height from natural ground level and shall be constructed in one or a combination of the following:

Material	Colour
Colorbond Steel	Terrace or Similar
Painted / Rendered Masonry	Limestone or Similar
Limestone	Natural

12.2.5 RFT 09-24/25 REPLACEMENT OF LEARMONTH AIRPORT SWITCHBOARD – TENDER AWARD AND REQUEST FOR ADDITIONAL FUNDING

File Reference	RFT09-24/25
Reporting Officer	Chief Operations Officer
Responsible Officer	As above
Date of Report	2 December 2024
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	1. CONFIDENTIAL Recommendation Report – RFT 09-24/25

Purpose

1. That Council award RFT 09-24/25 – Replacement of Learmonth Airport Switchboard as per the Recommendation in Confidential Attachment 1.

Background

2. As a result of ongoing electrical maintenance works within the terminal, it was identified and reported that both the main switchboard and secondary distribution board at Learmonth Airport civil terminal are non-compliant with existing Australian Standards and require replacement.
3. These replacement works were planned and scheduled to be undertaken in the current financial year.
4. Council adopted a combined budget of \$400,000 for financial year 2024/25 for the replacement of the main switchboard and secondary distribution board as below.
 - Main Switchboard Replacement: \$240,000
 - Secondary Switchboard Replacement: \$160,000
5. The Shire advertised RFT 09-24/25 for the Replacement of Learmonth Airport Switchboards, seeking suitably qualified electrical contractors to replace both the main and secondary switchboards, servicing the civil terminal.
6. The objective of switchboard replacements are to:
 - Address safety issues with existing boards.
 - Increase capacity for future expansions
7. This tender is for a single mobilisation and one-off project.
8. There is an anticipated lead time of 3 to 5 months for the construction of the switchboards, prior to installation. To try and ensure that the project can be completed during the 2024/25 financial year, award of the tender is a priority.

Comment

9. RFT 09-24/25 Replacement of Learmonth Airport Switchboards was advertised in the West Australian Newspaper and Shire website on the 12 October, Shire noticeboards on 14 October, Pilbara News on 16 October and closed on 25 November 2024.
10. Three tender submissions were received from the following contractors:
 - Network Power Solutions
 - 26 North Electrical
 - Electrical Intelligence Group (EIG)

11. Of the three submissions, both Network Power Solutions and Electrical Intelligence Group comprehensively addressed the qualitative criteria, while 26 North Electrical submission was less comprehensive.
12. Based on the tender evaluation completed and considering both the qualitative criteria and pricing, it is recommended that the tender be awarded to Network Power Solutions.

Consultation

13. Nil

Statutory Environment

14. *Local Government Act 1995* Part 6 Division 4 s6.8(1) requires the local government not to incur expenditure from its municipal fund for an additional purpose except where the expenditure – (b) is authorised in advance by resolution*
 “additional purpose” means a purpose for which no expenditure estimate is included in the local governments annual budget.
 * Requires an absolute majority of Council

Whilst an estimate of the capital expenditure was included in the 2024/25 Adopted Budget, the variation to the budgeted amount is above the adopted materiality threshold.

1. *Local Government Act 1995*, Section 3.57
2. *Local Government (Function and General) Regulations 1996* Part 4, Division 2 Section 14

Policy Implications

15. CS001 – Procurement

Financial Implications

16. The adopted budget was based on cost estimates with a regional factor applied. In order to cover the project and contingencies, the adopted budget needs to be increase to \$500,000.
17. Revenue from Airport operations is currently higher than budgeted and sufficient to fund the additional cost required to complete the planned capital works.

Risk Management

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Finance - Risk of exceeding the budget.	Possible	Moderate	Moderate	Project plan and management implementation.
Performance – Risk of interruptions to existing operations	Likely	Major	High	Adequate planning and scheduling based on detailed risk assessments

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

18. The Council do not approve the officer’s recommendation.

Strategic Alignment

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

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>
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

20. Absolute Majority

Officers Recommendation	Item 12.2.5																				
That Council APPROVES:																					
<ol style="list-style-type: none"> 1. The Award of RFT 09-24/25 Replacement of Learmonth Airport Switchboards to Network Power Solutions; 2. The Chief Executive Officer to apply the common seal of the Shire of Exmouth to the contract between the Shire of Exmouth and Network Power Solutions; and 3. The Budget Amendment to the 2024/25 Adopted Budget as follows: 																					
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Description</th> <th style="text-align: center;">Current Budget</th> <th style="text-align: center;">Increase / Decrease</th> <th style="text-align: center;">Revised Budget</th> </tr> </thead> <tbody> <tr> <td>Capex - Airport - Main Switchboard Replacement</td> <td style="text-align: right;">240,000</td> <td style="text-align: right;">50,000</td> <td style="text-align: right;">290,000</td> </tr> <tr> <td>Capex - Airport - Secondary Switchboard Replacement</td> <td style="text-align: right;">160,000</td> <td style="text-align: right;">50,000</td> <td style="text-align: right;">210,000</td> </tr> <tr> <td>Revenue - AVIATION - Fees - RPT Security</td> <td style="text-align: right;">-1,700,000</td> <td style="text-align: right;">-50,000</td> <td style="text-align: right;">-1,750,000</td> </tr> <tr> <td>Revenue - AVIATION - Fees - RPT Pax Fee</td> <td style="text-align: right;">-2,800,000</td> <td style="text-align: right;">-50,000</td> <td style="text-align: right;">-2,850,000</td> </tr> </tbody> </table>	Description	Current Budget	Increase / Decrease	Revised Budget	Capex - Airport - Main Switchboard Replacement	240,000	50,000	290,000	Capex - Airport - Secondary Switchboard Replacement	160,000	50,000	210,000	Revenue - AVIATION - Fees - RPT Security	-1,700,000	-50,000	-1,750,000	Revenue - AVIATION - Fees - RPT Pax Fee	-2,800,000	-50,000	-2,850,000	
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Capex - Airport - Main Switchboard Replacement	240,000	50,000	290,000																		
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CORPORATE AND COMMERCIAL SERVICES

12.3.1 FINANCIAL STATEMENT FOR THE PERIOD ENDING 30 NOVEMBER 2024

File Reference	FM.FI.0
Reporting Officer	Manager Finance
Responsible Officer	Chief Financial Officer
Date of Report	3 December 2024
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	1. Monthly Financial Report for period ending 30 November 2024

Purpose

1. That Council accepts the financial report for the financial period ending 30 November 2024.

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 (Attachment 1).

Comment

3. As of 30 November 2024, the operating revenue is above budget by \$725,955 (5.13%). The variances mainly relate to the seasonal timing of ticket and merchandise sales at the NADC and overflow facility as well as increased operations at the heliport.
4. Operating expenditure is below budget by \$1,364,666 (13.06%). This variance relates to timing of maintenance and operational projects, timing of utilities invoicing and timing of the Learmonth Airport lease invoicing. Employee costs are below budget due to staff vacancies.
5. Capital expenditure is below budget. Council has expended \$1,805,173 of the proposed capital budget of \$4.8M. Timing of expenditure on projects also impacts the timing of proceeds from capital grants, subsidies and contributions as detailed in Note 13 and further details of capital projects can be found in Note 5 of the Monthly Financial Report.
6. Rates were levied on 24 July 2024. Rates collected as of 30 November 2024 was 76.6%, compared to 95.8% for the same period last year. This is due to many ratepayers opting to pay via instalments.
7. The audit of the 2023/24 Annual Financial Statements is now complete and to be presented to Council at the December ordinary Council Meeting. The opening surplus for 2024/25 is higher than budgeted predominantly due to the prepayment of Financial Assistance Grants in June 2024 as well as some final payments for capital projects being carried forward into 2024/25 as identified in note 4.

Consultation

8. Nil

Statutory Environment

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

of \$25,000 or 10% whichever is greater. As this report is composed at a nature/type level, variance commentary considers the most significant items that comprise the variance.

Policy Implications

11. Nil

Financial Implications

12. 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	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

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 12.3.1
That Council RECEIVES the financial report for the financial period ending 30 November 2024.	

12.3.2 LIST OF ACCOUNTS FOR PERIOD ENDING 30 NOVEMBER 2024

File Reference	FM.FI.0
Reporting Officer	Manager Finance
Responsible Officer	Chief Financial Officer
Date of Report	3 December 2024
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	1. List of Accounts for period ending 30 November 2024

Purpose

1. That Council receives a list of payments made since the prior Ordinary Council Meeting list of payments report.

Background

2. *Local Government (Financial Management) Regulations 1996*, Regulation 13 (3) requires a list of payments to be presented to Council 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

Council has given delegated authority that allows the Chief Executive Officer to approve payments from Council's bank accounts either via cheque or electronic lodgement (Attachment 1).

Payments

Municipal Fund totalling \$1,629,422.95
Incorporating cheques, direct debits, electronic payments and credit cards.

Trust Fund totalling \$NIL
Incorporating electronic payments.

Total Payments: \$1,629,422.95

Consultation

4. Nil

Statutory Environment

5. 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

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

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational – That Council does not receive the list of payments.	Rare	Insignificant	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

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 12.3.2
That Council RECEIVES the report of payments made from the Municipal and Trust bank accounts during the month of November 2024 (totalling \$1,629,422.95).	

12.3.3 ANNUAL REPORT AND ANNUAL ELECTORS MEETING DATE

File Reference	FM.FI.0
Reporting Officer	Manager Finance
Responsible Officer	Chief Financial Officer
Date of Report	27 November 2024
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	Nil

Purpose

1. That Council consider the Annual Report for the year ending 30 June 2024 and set a date for convening an Annual Electors Meeting.

Background

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

Comment

3. Council are to accept the annual report by 31 December after the financial year or if the Auditor's report is not available by this date, no later than 2 months after the Auditor's report becomes available. The Annual Financial Report and Audit Opinion Report were received on 27 November 2024.
4. Both reports will be presented to the Audit Committee at their meeting on 10 December 2024 to review and recommend to Council.
5. It is required to then advertise that the Annual Report is available for the community to view for a period of 14 days, after which an Annual Electors Meeting can be held. However, this must be within 56 days of accepting the annual report, therefore the meeting cannot be held later than 8 February 2025.
6. It is recommended the Annual Electors Meeting be held on 6 February 2025 commencing at 6pm in the Mandu 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. Additional communication via electronic means will be facilitated.

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 12.3.3
That Council:	
<ol style="list-style-type: none"> 1. ACCEPT the Annual Report for the financial year ended 30 June 2024; and 2. APPROVE the Annual Electors Meeting scheduled to be held in the Mandu Mandu Function Centre at the Ningaloo Centre, Truscott Crescent Exmouth on 6 February 2025 commencing at 6.00 pm. 	

12.3.4 NINGALOO SKY FESTIVAL

File Reference	RC.EV.9
Reporting Officer	Manager Community & Emergency Services
Responsible Officer	Chief Financial Officer
Date of Report	2 December 2024
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	1. CONFIDENTIAL - Ningaloo Sky Event Budget

Purpose

1. That Council consider a budget amendment for the Ningaloo Sky Festival.

Background

2. As part of the 2024/25 Adopted Budget, Council committed to holding a Bi-Annual community event.
3. The inaugural Bi-Annual Ningaloo Sky Festival is being held on the 27/28/29 June 2025.
4. The festival will bring together a celebration of tourism and community with a range of ticketed and free events.
5. In the 2024/25 annual budget council approved the following budget allocations for the Ningaloo Sky Festival.

Ningaloo Sky Festival	Reserve	General	Grants & Sponsorship
\$ 470,000.00	\$ 181,000.00	\$ 50,000.00	\$ 239,000.00

Comment

6. Significant planning has already been undertaken and discussions with several vendors are underway.
7. A revised cost forecast has been developed per Confidential Attachment 1.
8. Based on discussions with potential vendors and the proposed program, the forecasted costs are higher than the adopted budget.

Consultation

9. Nil

Statutory Environment

10. *Local Government Act 1995* s 6.11 Part 6 Division 4 s6.8(1) requires the local government not to incur expenditure from its municipal fund for an additional purpose except where the expenditure –
 (b) is authorised in advance by resolution*
 "additional purpose" means a purpose for which no expenditure estimate is included in the local governments annual budget.
 * Requires an absolute majority of Council

Whilst an estimate of the operating expenditure for the festival was included in the 2024/25 Adopted Budget, the variation to the budgeted amount is above the Adopted materiality threshold.

Policy Implications

11. CS010 Reserve Funds

Financial Implications

12. The current balance of the Community Development Fund Reserve as of 2 December 2024 is \$917,919.14.

13. The 2024/25 Adopted Budget assumes \$470,000 in grant and sponsorship funding. To date \$34,000 has been confirmed with the major funding applications not expected to be announced until February 2025. Any unlikely shortfall in funding will be assessed as part of the Budget Review and potentially funded from a further transfer from the Community Development Reserve.

14. The forecast grant and sponsorship funding currently varies to budget by (\$6,500), staff are continuing to seek further grants and sponsorship to reduce Councils' financial contribution.

Risk Management

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Unable to secure quality suppliers for the festival could reduce the outcomes	Possible	Minor	Moderate	Securing quality suppliers early will result in a better experience for the community.
Grants and sponsorship funds do not get approved	Unlikely	Major	High	Shire officers continue ongoing consultation with funding partners to avoid unexpected grant refusal
Reputational	Possible	Moderate	Moderate	Shire officers deliver a festival that meets the needs of the 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

15. Council do not approve the Officers recommendation.

Strategic Alignment

16. 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>1.3 Building Community cohesion and connectedness</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>

Voting Requirements

17. Absolute Majority

Officers Recommendation

Item 12.3.4

That Council APPROVE to Amend the 2024/25 Adopted Budget for the Bi Annual event as follows:

Description	Current Budget	Increase/ Decrease	Revised Budget
Bi-Annual Event - Ningaloo Sky Festival	470,000	54,500	524,500
Community Development Reserve - Transfer from	(181,000)	(54,500)	(235,500)

13. Elected Members Motions of which Previous Notice has Been Given

14. New Business of an Urgent nature introduced by Decision of Meeting

15. Matters to be considered Behind Closed Doors

15.1.1 AMENDMENT OF LEASE - LOT 320 (24) MAIDSTONE CRESCENT EXMOUTH

16. Closure of Meeting