Agenda

Ordinary Council Meeting

31 July 2025

Notice of Meeting

Notice is hereby given that the next Ordinary Council Meeting of the Shire of Exmouth will be held on 31 July 2025, in the Mandu Function Room, Ningaloo Centre, 2 Truscott Crescent, Exmouth commencing at 4.00 pm.

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.

No responsibility whatsoever is implied or accepted by the Shire of Exmouth for any act, omission, statement or intimation occurring during the Council/Committee meetings or during formal/informal conversations with staff. The Shire of Exmouth disclaims any liability for any loss whatsoever and however caused arising out of reliance by any person or legal entity on any such act, omission, statement or intimation. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

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

Shire of Exmouth

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.

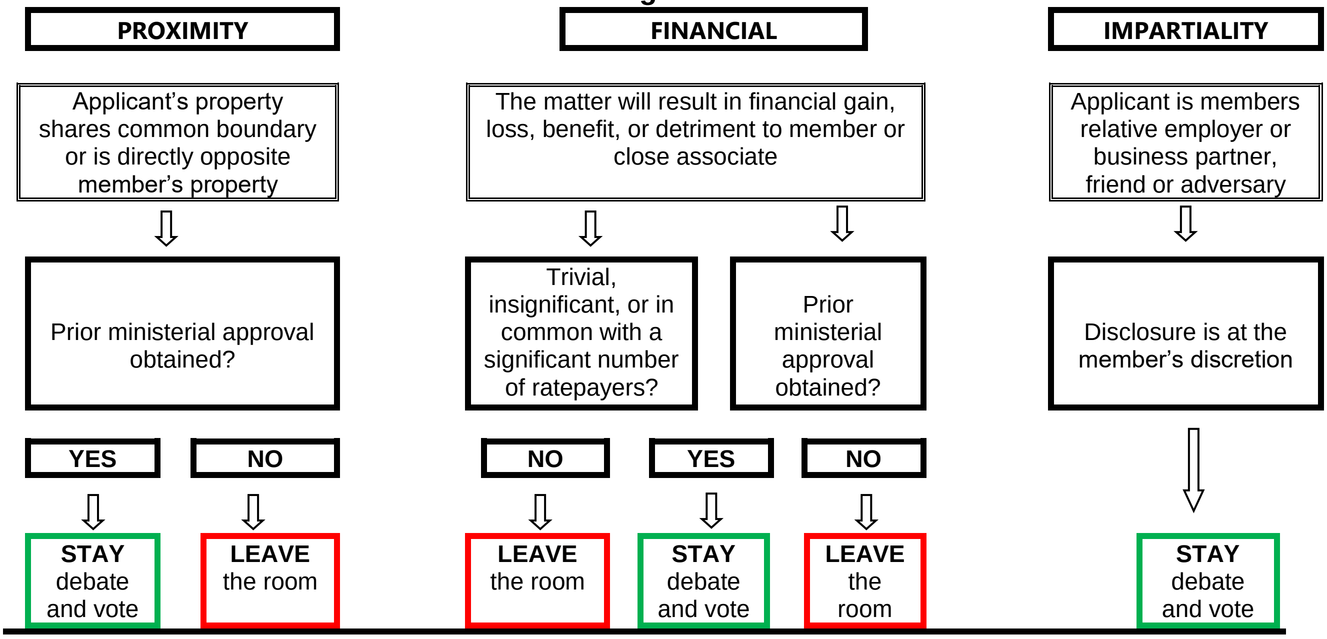
Signed:______________________________________ Date: Click here to enter text.

- ***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.

AGENDA INDEX

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 (David) Gillespie	
Councillor K (Kristy) Devereux	
Councillor M (Mark) Lucas	
Ben Lewis	Chief Executive Officer
Ziggy Wilk	Chief Operations Officer
Vikki Lauritsen	Chief Financial Officer
Michelle Head	Minute Taker

Approved Leave of Absence
Councillor D (Darlene) Allston (*CD04-0625*)

3. Response to Previous Public Questions Taken on Notice

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 26 June 2025 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

11. Matters Arising from Committees of Council

12. Reports of Officers

EXECUTIVE SERVICES

12.1.1 LOCAL PLANNING SCHEME NO 5

File Reference	LPS5
Reporting Officer	Chief Executive Officer
Responsible Officer	Strategic Planning Officer
Date of Report	2 July 2025
Applicant/Proponent	Shire of Exmouth
Disclosure of Interest	Nil
Attachment(s)	1. Map of the extent of Shire of Exmouth district.

Purpose

1. That Council, under the provisions contained in the *Planning and Development Act* 2005 and the *Planning and Development (Local Planning Schemes) Regulations* 2015, consider the preparation of a new Shire of Exmouth Local Planning Scheme No.5 (LPS No.5).

2. The preparation of a new LPS No.5 will include the concurrent preparation of a new Shire of Exmouth Local Planning Strategy (LPS).

Background

3. The Shires current Local Planning Scheme No.4 was adopted in March 2019 and the current Local Planning Strategy in April 2019.

4. It is a statutory requirement that local governments review their LPS every five years and within six months of that anniversary.

5. At its Ordinary Council meeting held 27 February 2025, Council considered a Report of Review, undertaken by Niche Planning Consultants and resolved (Council resolution No: 04-0225) the following:

That Council:

1. *Pursuant to Regulation 66(1) (b) and (c) of the Planning and Development (Local Planning Schemes) Regulations 2015 approve Shire of Exmouth Local Planning Scheme – Report of Review, December 2024 prepared by Niche Studio as per Attachment 1 of this report.*

2. *In accordance with Regulation 66(3) (a) and (b) of the Planning and Development (Local Planning Schemes) Regulations 2015 recommend to the Western Australian Planning Commission that:*
    a) *The Shire of Exmouth Local Planning Scheme No.4 (LPS4) requires review. A new Local*
    b) *Planning Scheme should be prepared; upon gazettal of the new Local Planning Scheme,*
    c) *Local Planning Scheme No.4 should be repealed.*
    d) *The Shire of Exmouth Local Planning Strategy 2019 should be reviewed. A new Local*
    e) *Planning Strategy should be prepared and upon the gazettal of the new Local Planning*
    f) *Strategy the previous version should be repealed.*

3. *Forward a copy of the Shire of Exmouth Local Planning Scheme – Report of Review, December 2024 prepared by Niche Studio to the Western Australian Planning Commission.*

6. On 27 June 2025 the Western Australian Planning Commission (WAPC) advised the Shire that it agreed with the recommendations of the Report of Review and supported the preparation of a new LPS No.5 and subsequently a new LPS.

Comment

7. The LPS No.4 and LPS has been reviewed by the Shire, planning consultants and the WAPC. All parties are of the view a new version should be commenced. The purpose of the Local Planning Strategy is to provide long term planning directions over a 10 year period and actions to manage the land use change and development.

8. A review of the LPS would address the following matters, as recommended in the Report of Review;
   a) Any updates to local state and regional planning policy which have not been addressed;
   b) Revise references to zones and reserves to align with the Model provisions;
   c) Ensure consistency with the objectives and goals set out in the Shires Strategic Community Plan and Corporate Business Plan;
   d) Ensure that objectives and strategies reflect the aspirations and needs of the community;
   e) Amend statistics information to include 2021 census data; and
   f) Ensure growth areas are still appropriate and that existing structure plans are appropriate and align with any changes made to the Local Planning Strategy.

9. The LPS No.4 Report of Review suggested the following considerations in a review of the document;
   a) Updates to legislation and Model provisions;
   b) Alignment of the consequential changes with the Local Planning Strategy;
   c) Potential to review the Special Use Zone and consolidate parts with the Model provisions; and
   d) Include Supplemental provisions that respond to the Shires planning requirements and community expectations where appropriate.

Consultation

10. Public notice requirements for the preparation of new local planning schemes are contained within the *Planning and Development (Local Planning Schemes Regulations) 2015* as follows;

    20. Notification of resolution

    (1) A local government must, as soon as is reasonably practicable after passing a resolution to prepare or adopt a local planning scheme, advertise the resolution as follows —
    (a) publish a notice in a form approved by the Commission in accordance with regulation 76A;
    (b)provide a copy of the published notice to the following persons or bodies for recommendations-
    (i) the local government of each district that adjoins the local government district;
    Planning and Development (Local Planning Schemes) Regulations 2015 Preparation or adoption of Local Planning Scheme Part 4;
    (ii) each licensee under the Water Services Act 2012 likely to be affected by the scheme;
    (iii) the chief executive officer of the department of the Public Service principally assisting in the administration of the Conservation and Land Management Act 1984;
    (iv) each other public authority likely to be affected by the scheme.

    (2) A local government must, on the provision of the published notice to a person or body referred to in subregulation (1)(b), request the person or body to provide to the local government within 21 days or such longer period as the local government allows, a memorandum in writing setting out any recommendations in respect of the resolution.

(3) If a person or body does not provide a memorandum within the time allowed under subregulation (2), the local government may determine that the person or body is to be taken to have no recommendations to make in respect of the resolution.

Statutory Environment

11. The statutory framework for the preparation of new local planning schemes are contained within the *Planning and Development Act 2005* and *Planning and Development (Local Planning Schemes Regulations) 2015* and as below;

Planning and Development Act 2005

s72 . Local government may prepare or adopt scheme

(1) Subject to section 71, a local government may —

(a) prepare a local planning scheme with reference to any land within its district, or with reference to land within its district and other land within any adjacent district;

Planning and Development (Local Planning Schemes Regulations) 2015

Part 3 — Local planning strategies

11. Requirement for local planning strategy for local planning scheme

(1) A local government must prepare a local planning strategy in accordance with this Part for each local planning scheme that is approved for land within the district of the local government.

(2) A local planning strategy must —

(aa) be prepared in a manner and form approved by the Commission; and

(a) set out the long-term planning directions for the local government; and

(b) apply any State or regional planning policy that is relevant to the strategy; and

(c) provide the rationale for any zoning or classification of land under the local planning scheme.

(3) A local planning strategy may be prepared concurrently with the local planning scheme to which it relates.

Part 4 — Preparation or adoption of local planning scheme

Division 1 — Proposal to prepare or adopt local planning scheme

19. Resolution to prepare or adopt scheme

(1) A resolution of a local government to prepare or adopt a local planning scheme must be in a form approved by the Commission.

Part 6 — Review and consolidation of local planning schemes Division 1 — Review of local planning scheme

65. Review of local planning scheme

(1) A local government must carry out a review of each local planning scheme prepared by the local government —

(a) in the 5th year after the scheme is published in the Gazette under section 87(3) of the Act; and

(b) in the 5th year after the completion of each review carried out under this Division.

(2) Subregulation (1) applies to a local planning scheme that was published in the Gazette more than 5 years before the commencement of this regulation as if it were published in the Gazette on the day that is 3 years before the day on which this regulation comes into operation.

(3) The review must consider whether the local planning scheme is up-to-date and complies with these regulations.

(4) The review may be undertaken in conjunction with the preparation of a consolidation of a scheme under Part 5 Division 5 of the Act.

Policy Implications

12. Once LPS No.5 is completed the Shire will be reviewing all local planning policies in an overall policy review.

Financial Implications

13. The preparation of a new LPS No.5 has been identified in the 2025/26 Annual Budget as planning scheme review account No. 121006530.2100 (PLAN - Scheme Amendments GEN and has $100k allocated to it. This figure will enable commencement of the LPS for which allocation will also be required for the following financial year to complete the project.

Risk Management

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance	possible	major	moderate	Ensure a technically correct Scope of Works required
Financial	possible	major	low	As above, to ensure sound delivery of project.
Environmental	unlikely	minor	low	Assessment process to determine in future.
Reputational	possible	minor	moderate	Ensure a good communication strategy and inclusion in the project process.

Risk Matrix

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

Alternate Options

14. Council may decide to defer the progression of a new LPS No.5 and LPS, however it would not be advisable given the statutory requirements for review and the recommendations previously received in the Report of Review.

Strategic Alignment

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

Social	**Nurture a friendly, safe and inclusive community spirit** 1.1 Improve local community and visitor experiences. 1.3 Building Community cohesion and connectedness
Natural Environment	**Embrace natural sensitivities and promote positive change** 2.1 Establish Exmouth as a clean and green town 2.2 Prepare Exmouth for changing environmental conditions

Built Environment	**Enable sustainable development and infrastructure that meets the needs of the community, visitors and industry** 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
16. Simple Majority

Officers Recommendation **Item 12.1.1**

That Council resolve to:

1. Prepare a new Local Planning Scheme No.5 and a new Local Planning Strategy, in accordance with section 72 of the *Planning and Development Act* 2005 including forwarding the Form 1A, Resolution of a local government to prepare or adopt a new Local Planning Scheme.

2. Include reference to the entire area within the Shire of Exmouth as shown on the plan presented to Council of the local government at its meeting of 31 July 2025 as Attachment 1, to be referred to as the Scheme Map Area.

12.1.2 APPLICATION FOR SUBDIVISION – LOT 9510 MURAT ROAD EXMOUTH

File Reference	LP.SU.0.4
Reporting Officer	Strategic Planning Officer
Responsible Officer	Chief Executive Officer
Date of Report	9 July 2025
Applicant/Proponent	Exmouth Superlot Pty Ltd
Disclosure of Interest	Nil
Attachment(s)	1. Western Australian Planning Commission: Application for Subdivision 2. Appendix A (i & ii) – letter of landowner consent and Certificate of Title; 3. Appendix B (i & ii) – Plan of Subdivision – Freehold – TBB Plan: 24/049/008E, and Density Code Plan TBB Plan: 24/049/010C, both submitted for WAPC approval; 4. Appendix C (i & ii) – Environmental Technical Notes by Western Environmental and Nocterra; 5. Appendix D – Bushfire Management Plan; 6. Appendix E – Local Water Management Strategy; 7. Appendix F – POS Schedule; 8. Appendix G – Landscape Concept; 9. Appendix H – Transport Impact Assessment; 10. Appendix I – Servicing Strategy Report

Purpose

1. That Council consider an Application for Subdivision as requested by the Western Australian Planning Commission (WAPC) on Lot 9510 Murat Road, Exmouth commonly known as Super Lot D.

2. Whilst the WAPC is the determining authority for subdivisions, the local government is considered a referral agency for the recommending of certain subdivision conditions.

Background

3. The subject site is 17.89Ha and the subdivision proposes to create 173 lots. (See Application).

4. The proposed plan of subdivision (refer Appendix B) seeks approval for 158 residential lots, 15 non-residential lots (including nine composite live-work lots), four public open space/drainage sites, and nine road reserves. Two areas of road widening relate to Mortiss Street.

5. At its Ordinary Council meeting on 29 May 2025, Council considered Shire of Exmouth Local Planning Scheme Amendment No. 13 and resolved (Council resolution No: 04-0525) the following:

   That Council, pursuant to section 75 of the Planning and Development Act 2005 and Part 5, the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to:

   a) Support Amendment No. 13, to amend Shire of Exmouth Local Planning Scheme No. 4 by; 1. Rezoning Lot 9510 on Deposited Plan 55557 Exmouth from the Special Use Zone 7 to Urban Development Zone, 2. Deleting SU7 from Schedule 4 – Special Use Zones, 3. Deleting Lot 9510 on DP 5557 from A8 in Schedule 2-Additional Uses, and 4. Amending the scheme maps accordingly.

   b) Receive the schedule of submissions and support the officer recommendations as detailed in Attachment 2.

   c) Forward the amendment documentation, to the Western Australian Planning Commission with a request that the Minister for Planning grant approval to the amendment.

d) *Advise the Western Australian Planning Commission, Department Planning Lands and Heritage and the Proponent that it will require the preparation and endorsement of a Local Development Plan, for the development of Lot 9510 on Deposited Plan 5557, in accordance with the Shires Local Planning Scheme No.4 Urban Development zone provisions, prior to supporting subdivision of the land.*

6. Whilst the scheme amendment has been forwarded to the Department Planning, Lands and Heritage (DPLH) for Ministerial approval or otherwise, the Shire has now received a referral from the WAPC to consider the subdivision of the land.

Comment

7. Shire staff advise that the matter is presented to Council as the Delegation for the consideration of WAPC subdivision application can only be achieved if the proposal is consistent with the Shires Local Planning Scheme No 4.

8. The land is presently Special Use Zone for which development conditions prevail in the schedule.

9. The scheme amendment proposed the land be Urban Development Zone for which has not yet been approved.

10. In this regard, Shire staff is of the view that the WAPC subdivision application is premature however in the interests of facilitating the development the recommendation is to apply local government conditions that would apply to the development in anticipation of the scheme amendment approval.

11. Previously, Council resolved not to support such a WAPC application until the proponent had prepared a Local Development Plan (LDP).

12. The LDP is considered essential in the planning process to provide a reliable statutory framework to administer the land use and development particularly by identifying residential design codes and stipulating standards for lots fronting canals.

13. An alternate way to implement an LDP can be through the WAPC subdivision process, applied as a condition for which must be given local government (and in some cases WAPC) approval/clearance prior to new lot entitlement. This is reflected now as a condition of subdivision.

14. A Public Open Space (POS) schedule is provided for the subdivision application area (refer Appendix F) which confirms that the provision of POS is the equivalent of 6.17% of the subdivision area.

15. It is proposed the POS will include four lots with drainage basins and low level recreational areas, with the POS to be irrigated with mains water supply.

16. Shire staff note that the location of POS directly adjacent Murat Road (regional distributor road) is not optimal from a safety perspective and that it may be appropriate to require a fence.

17. Nine roads are included in the development and will consist of;
    a) Neighbourhood Connector B – 18m-20m, being proposed Road 1;
    b) Access Road B – 17.5m, being proposed Road 3 (unique dimension to achieve a tree arbor); and
    c) Access Road C – 15m-12.5m, being proposed Roads 2 and Roads 4-9.

18. With regard to the level of the site, the Proponent states in the attachments that;

As a result, to deliver necessary levels, its anticipated and likely that 0.8m of clean fill will be delivered across the site.

The lowest finished floor levels for habitable buildings within the subdivision application area will be set at 5.95mAHD, to account for the 500-year ARI ocean inundation level that includes future sea level rise, and addresses flood protection

19. The application area is partially classified as Bush Fire Prone. This has previously been discussed and is addressed in the BMP, which commits to certain measures by the developer including to;
    - Ensure that APZs are cleared around each stage of subdivision if the entirety of the development depicted in Figure 9 is not developed in a single stage.
    - Place Section 165 Notification on Title for all lots within Bushfire Prone Areas.
    - Construct road network as per plan in Figure 9.
    - Provide reticulated water supply to all lots and hydrants in accordance with Figure 9 and Water Corporation Design Standard DS 63.
    - Landowner/Builder responsibilities - Ongoing
    - Construct dwellings to relevant construction standard in AS 3959: 2018.

Consultation

20. The local government is a referral agency for the WAPC subdivision process whereby the local government is requested to provide a list of WAPC model conditions to the development to ensure the land is subdivided in a responsible manner.

21. The Local Development Plan may or may not be advertised and this will be determined once the LPD has been received and reviewed by the Shire.

Statutory Environment

22. *Planning and Development Act 2005*
    The SCA 5 – Floodplain requires building levels to achieve the minimum floor level of at least 0.5m above the 100-year ARI flood level for the location. Notably, the subdivision application exceeds the 100-year ARI level as it addresses the more stringent SPP 2.6 requirement, for consideration of 500-year ARI flood levels, and proposing all building floor levels at a minimum of 5.95mAHD to account for the 500year ARI ocean inundation level that includes future sea level rise. This is documented in the accompanying Local Water Management Strategy, refer Appendix E.

Policy Implications

23. Refer to the Western Australian Planning Commission Model Subdivision Conditions.

Financial Implications

24. The development will result in freehold lot creation for which will attract local government rates. The Shire will need to ensure that the development is undertaken in the correct manner and that all civil infrastructure being delivered is to an appropriate standard. The Shire will become the land manager of those civil assets including public open space, drainage, roads and pathways and therefore will incur ongoing maintenance obligations in the future.

Risk Management

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance	possible	moderate	moderate	Shire to ensure the subdivision is supervised by consulting civil engineer.
Financial	possible	major	high	Ensure appropriate inputs by developer.

Environmental	possible	moderate	moderate	Ensure drainage design caters appropriately for the land and that the land is geotechnically suitable for development ie stabilised appropriately.
Reputational	Possible	minor	moderate	This parcel of land is proposed to be removed from the Special Use zone and development will then be in accordance to the provisions of the Urban Development zone. The Shire will have less input on the design of built form which will be guided by the RCodes.

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

25. Council may refuse to support the WAPC referral request however there is nothing to gain by doing so.

Strategic Alignment

26. 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

27. Simple Majority

Officers Recommendation **Item 12.1.2**

That Council support the subdivision of Lot 9510 Murat Road, Exmouth, subject to the successful approval of Shire of Exmouth Local Planning Scheme No.13 and subject to the following conditions:

1. Uniform open fencing constructed at the Public Open Space Area adjacent to Murat Road to the satisfaction of the local government for safety purposes. (B2)

2. Engineering drawings and specifications are to be submitted, approved and works undertaken in accordance with the approved engineering drawings, specifications and approved plan of subdivision for grading and or stabilisation of the site to ensure that;
   a) Lots can accommodate their intended use and
   b) Finished ground levels at the boundaries of the lots the subject of this approval match or otherwise coordinate with the existing and or proposed finished ground levels of the land abutting. (D1)

3. Engineering drawings and specifications are to be submitted and approved and works undertaken in accordance with the approved engineering drawings and specifications and approves plan of subdivision for the filling and or draining of the land, including ensuring that stormwater is contained on site or appropriately treated and connected to the local drainage system. Engineering drawings and specifications are to be in accordance with an approved Urban Water Management Plan (UWMP) for the site or to the satisfaction of the Western Australian Planning Commission if an UWMP does not exist.
   Advice; Da1
   Note that all development levels will be required to be a minimum of at least 5.95AHD. (D3)

4. Prior to the commencement of subdivision works the landowner/applicant is to provide a pre-works geotechnical report certifying that the land is physically capable of development or advising how the land is to be remediated and compacted to ensure it is capable of development and in the event that remediation works are required the landowner/applicant is to provide a post geotechnical reports certifying that all subdivisional works have been carried out in accordance with the pre-works geotechnical report. (D5)

5. Suitable arrangements being made with the local government for connection of the land to the comprehensive district drainage system at the landowner/applicants cost. (D7)

6. Drainage easements and reserves as may be required by the local government for drainage infrastructure being shown on the diagram or plan of survey (deposited plan) as such, granted free of cost and vest in the local government under Sections 152 and 167 of the Planning and Development Act 2005. (D8)

7. A management plan detailing how risk of drainage, erosion and sedimentation or other environmental impacts into nearby water bodies/reserves will be minimised during subdivision is to be;
   a) Prepared by the landowner/applicant
   b) Implemented during subdivisional works. (D9)

8. Information is to be provided to demonstrate that the measures contained in Section 6; Table 7 of the Bushfire management plan have been implemented during subdivisional works. This should include a completed Compliance Certificate prepared by the bushfire planning practitioner. (F1)

9. A notification pursuant to Section 165 of the Planning and Development Act 2005 is to be placed on the certificate of title of the proposed lots with a BAL rating of 12.5 or above advising of the existence of a hazard. Notice of this notification is to be included on the diagram or plan of survey. (F2)

10. Local Development Plan being prepared and approved for the lots on the plan that address the following;
    a) Residential design codes
    b) Land use restrictions/conditions for land fronting the marina/canal waters

c) Noise buffering if required (composite lots)
d) Response to canal revetment and ongoing land holder maintenance (possibly by covenant)
e) Clarification on retaining walls and fencing

Note- The Applicant has suggested the below list of LDP inclusions at this time;

Non-Residential Lots (Lots 159, 169-173)

- Site access, parking and storage arrangements
- Proposed zoning

Composite Lots (160-168)

- Residential to Road 7 (north), non-residential to Mortiss Street.
- R-Code densities.

Residential Lots:

- R-Code densities (refer main plan for details)

Residential Lots - specific details where required.

- Garage locations and site access: lots that may benefit from coordination of garages and driveways, particularly near key intersections - i.e. Lots 140-143;
- Setback requirements, if any modify the R-Codes, i.e. Lots 31-47;
- Lots abutting POS: surveillance of the POS and fencing treatments - i.e. Lots 8-9, 40-41, 47, 143, 173;
- Canal frontages: canal setbacks, retaining wall, and relevant requirements - i.e. Lots 31-47;
- Addressing local community requirements: for example, on-site storage of boat trailers, caravans, etc. and built form requirements for outbuildings / carports / garages / parapet walls (if applicable).
- Based on current DoT advice - no boat moorings allowed for Lots 35-47 (within the industrial waterway to the immediate east of the properties). Jetty and boat moorings permissible for Lots 31-35 (within the north waterway). (L3)

11. The landowner/applicant shall make arrangements to ensure that prospective purchasers of lots subject of a Local Development Plan are advised in writing that Local Development Plan provisions apply. (L4)

12. The proposed reservations shown on the approved plan of subdivision being shown on the diagram or plan of survey (deposited plan) as reserves and vested in the Crown under Sections 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without any payment of compensation by the Crown. (R2)

13. The landowner/applicant shall make a payment to the local government for the sum equivalent to the value of 3.83% being portion of the land that would otherwise be provided as open space in accordance with Section 153 and 155 of the Planning and Development Act 2005. Advice Note code; Ra1 (R3)

14. Arrangements being made for the proposed public open space to be developed by the landowner/applicant to a minimum standard and maintained for two summers through the implementation of an approved landscaping plan providing for the development and maintenance of the proposed public open space in accordance with the principles of Liveable Neighbourhoods and dark sky principles. Advice Note code; Ra2 (R4)

15. Engineering drawing and specifications are to be submitted, approved and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications to ensure that those lots not fronting an existing road are provided with frontage to a constructed road connected by a constructed road to the local road system and such roads are constructed and drained at the landowner/applicant costs. Add Advice Note Code Ta2, Ta3 (T1)

16. Engineering drawings and specifications are to be submitted and approved and subdivisional works undertaken for construction of roads in accordance with the approved plan of subdivision, engineering drawings and specifications to ensure that;
    a) Street lighting in accordance with dark sky principles is installed on all new subdivisional roads to the standards of the licensed service provider or
    b) demonstrate how the developer will ensure that it can (as advised in Application) educate purchasers and building designers in perpetuity of the below commitments;
        - Reduced colour temperature on external lighting (2700K or lower).
        - Mounting of lights as low as reasonably practicable to reduce light spill.
        - Use low intensity lighting.
        - Turn off unnecessary lights to reduce sky glow and light spill, particularly during turtle nesting season.
        - Tint windows that face Town Beach and are unobstructed.
        - Further implementation of best practise lighting design where appropriate.
    c) Roads that have been designed to connect with existing or proposed roads abutting the subject land are coordinated so the road reserve location and width connect seamlessly. Add Advice Condition Code Ta6 (T2)

17. Engineering drawings and specifications are to be submitted, approved and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications for the provision of shared paths through and connecting to the application area either in accordance with the local development plan or to the satisfaction of the local government. A shared path on Mortiss Street will be required. The approved shared paths are to be constructed by the landowner/applicant. (T3)

18. All local streets within the subdivision being truncated in accordance with the WAPC Liveable Neighbourhoods Policy and DC1.7 General Road Planning. (T11)

19. Engineering drawings and specifications are to be submitted, approved, and works undertaken in accordance with the approved engineering drawings, specifications and approved plan of subdivision, for all earthworks, retaining walls, revetments, path works and tie ins to existing rock revetment walls, for all lots fronting the existing canal/waterway to ensure that:
    a) The interface between individual lots and the canal/waterway is consistent;
    b) All lots are adequately protected against tidal surge;
    c) Direct run-off from all lots to waterway is appropriately contained and minimised; and
    d) All waterway revetment and edge walls are completely contained within the residential lots for future maintenance purposes.

20. S165 Planning and Development Act 2005 "Notification of Hazard"-reiteration of previous canal provisions;
    a) A notification pursuant to Section 165 of the Planning and Development Act 2005 is to be placed on the certificate of title of the proposed lots advising of the existence of a hazard or other factor. Notice of this notification is to be included in the diagram or plan of survey deposited plan. The notification should at a minimum state:
    b) The lots are located within an area affected by cyclonic events, tidal surge and stormwater discharge into the canals. Any buildings and structures on the lot must be certified by a suitable

qualified structural engineer at the property owners cost to withstand a Wind Region D and Terrain Category 2 cyclonic events and any development below 5.95AHD and forward of the canal setback line must be certified as being located above the tidal surge, astronomical tide and stormwater discharge associated with a 1 in 100 year storm event.

c) The marina canals receive stormwater discharge, which may affect the lot. Prior to the issuing of approval for boat mooring or jetty structures the property owner must engage a suitably qualified engineer at their own cost to certify that the structure is capable of withstanding stormwater discharge velocity flows and tidal surge for a 1 in 100 year storm event.
d) Vessels using the canals and outer boat harbour must obey the Standard Operating Procedures and the Exmouth Marina Cyclone Contingency Plan (and any amendments thereto) produced by the Department of Planning and Infrastructure and the Shire of Exmouth.
e) Masters and owners of vessels using the canals are advised that jetties and bollards may not have sufficient strength to accommodate loadings created by moored craft during cyclone events and it is not advisable to leave craft moored to jetties during a cyclone.
f) Lot owners are required to maintain a drainage depression or swale behind the top of the revetment wall edge to capture any runoff from the batters and to assist with reducing the potential for nutrient discharge into the canals.

21. Transfer of Land Act S70 Notification on Title
    a) Notice of this notification is to be included in the diagram or plan of survey deposited plan. The notification should at a minimum state:
    b) Lot owners are responsible for the ongoing maintenance of the revetment/canal walls, private moorings/jetties in a structurally sound condition.
    c) The canal walls are not to be altered, extended or removed without prior written approval of the Shire of Exmouth.
    d) Lot owners are responsible for the stability of the interface between the lot and the water of the canal which is required to be maintained to the satisfaction of the waterway’s manager, being the Shire of Exmouth.

CORPORATE AND COMMERCIAL SERVICES

12.3.1 SHIRE OF EXMOUTH ANNUAL BUDGET 2025/26

File Reference	FM.FI.0
Reporting Officer	Chief Financial Officer
Responsible Officer	Chief Executive Officer
Date of Report	18 July 2025
Applicant/Proponent	Nil
Disclosure of Interest	1. 2025/26 Statutory Budget (Incl. Schedule of Fees & Charges)
Attachment(s)	2. Statement of objects and reasons 3. Submissions to Notice of Intention to Levy Differential Rates 4. Capital Projects 5. Reserve Movements 2025/26

Purpose

1. That Council adopt the Annual Budget for Municipal, Trust and Reserve Funds for the 2025/2026 financial year, together with supporting schedules, including imposition of rates and minimum payments, adoption of fees and charges, setting of Elected Members fees for the year, and other consequential matters arising from the budget papers.

Background

2. Council is required to prepare and adopt by absolute majority and in the form and manner prescribed, an annual budget for the financial year ending on the 30 June by no later than 31 August each year in accordance with Section 6.2 of the *Local Government Act 1995*.

3. As per section 6.2(4) the annual budget is to incorporate:
   a) Estimated expenditure proposed to be incurred;
   b) Information relating to the rates and service charges that will apply;
   c) Fees and charges proposed to be imposed;
   d) Particulars of borrowings and other financial accommodation proposed to be entered into;
   e) Amounts to be set aside, or used from reserve accounts;
   f) Particulars of proposed land transactions and trading undertakings;
   g) Other matters as are prescribed.

Comment

4. The presented budget for 2025/2026 is a balanced budget.

5. This Budget document has been prepared in accordance with the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and *Australian Accounting Standards*.

   <u>RATES & MINIMUM PAYMENTS 2025/26</u>

6. The Shire of Exmouth may impose differential general rates on rateable land within the Municipality of Exmouth in accordance with section 6.33 of the *Local Government Act 1995.*

7. At the 12 June 2025 Special Council meeting council resolved the following:

COUNCIL RESOLUTION **ITEM 12.1.2**

Res No: **02-0625**

MOVED: **Cr Gillespie**
SECONDED: **Cr Devereux**

That Council:

1. **Endorse the following proposed differential rates and minimum payments for the 2025/26 financial year, for the purpose of giving local public notice of its intention to impose differential general rates and minimum payments for the 2025/26 financial year; and**

Rate Category	Rate in the Dollar ($)	Minimum Payment ($)
GRV Residential	0.0885	1500
GRV Business/Other	0.1050	1500
GRV Accommodation General	0.1068	1500
GRV Holiday Homes / Marina	0.1328	1500
GRV Vacant Land	0.1770	1500
UV Rural	0.1071	1500
UV Mining	0.2142	490
UV Aquaculture	0.1478	490

Rate Category	Rate in the Dollar ($)	Minimum payment ($)
GRV Marina Specified Area	0.0170	Nil

2. **Adopt the Shire of Exmouth Statement of Objects and Reasons as contained in Attachment 1; and**

3. **Invite submissions from electors and ratepayers on the proposed rates and minimum payments and any related matters, as required under s.6.36 of the *Local Government Act 1995*.**

CARRIED by SIMPLE MAJORITY 6/0
For: President Niikkula, Cr Brooks, Cr Allston, Cr Devereux, Cr Gillespie, Cr M Lucas

SUBMISSIONS 2025/26

8. Council have received 73 submissions for consideration representing approximately 4% of rated properties. Details of the submissions are provided in Attachment 3.

Comments for submissions:

Acknowledge high-rate increase and communication in 2024/25

9. Whilst the Shire met all legislative requirements in advertising and imposing the 2024/25 rate, Council has acknowledged during Ordinary Council meetings throughout the year that the impact of the increase could have been better communicated.

10. This year Council has published a revised Rating Strategy including an animated information video and letters issued to each individual property. The letters included both information regarding the changes to the differential rates as well as information on how to calculate your rates and object to your rate if required.

11. The 2025/26 Notice of Intention to Levy Differential Rates and request for submissions has been promoted multiple times through various medias during the submission period.

12. Exmouth property owners and community members are able to follow the Shire of Exmouth social media pages, check the Shire website for updates, review Council agendas and minutes available on the Shire website and attend Council meetings where possible, to keep themselves updated. Property owners should also ensure they read the information printed on both sides of the issued rates notice and contact the Shire Rates Officer should they have any future queries with regards to their specific rates account.

13. In general, Council maintains that the 2024/25 rate revenue was an appropriate amount of revenue to ensure future sustainability. Whilst improvements to services and facilities may not be evident immediately, Council and Shire administration continue to work towards improvements in strategic planning, staff retention and asset and facility management along with existing service delivery, all of which have associated costs.

14. Whilst the asset management plans are being progressed, the Shire continues to work through developing and updating its integrated plans and strategies, noting that this also requires considerable resources and time to finalise and implement. The 2024/25 and 2025/26 budget is based on an assumed % of asset value required for maintenance and renewal. Acknowledging the age and condition of most buildings and infrastructure within the Shire, it was evident that the existing level of revenue prior to 2024/25 was not sufficient to implement any maintenance improvements. A reversal of the 2024/25 rate increase will render the asset management plans redundant if the Shire does not have sufficient reserves and finances to implement.

15. Council does acknowledge the financial burden on rate payers and has again agreed to waive the administration charge and instalment interest charge for rate payers electing to pay via one of the available instalment methods.

16. Council also note that any reduction in the rate revenue in 2025/26 will likely require rate increases above CPI over the next 3 to 5 years to recuperate.

17. Future rate increases will be reviewed with the Long-Term Financial Plan once the 2025/26 Budget is adopted to confirm the base year. The Long-Term Financial Plan is based on many assumptions and endorsement of the Long-Term Financial Plan by Council does not constitute an irrevocable commitment to any particular revenue, project or service, nor to its timing.

Strategic Planning

18. The Strategic Community Plan is updated every 4 years with a minor review every 2 years. The next major review is scheduled for 2026/27 and consultation will be budgeted in that year.

19. Asset Management plans are ongoing with further asset condition reports and consultants budgeted in 2025/26.

20. The Long-Term Financial Plan will be reviewed once the Budget is adopted.

21. The Economic Development and Tourism Strategy is underway with completion expected December 2025/January 2026.

22. The Recreation Master Plan is budgeted to be finalised 2025/26.

23. The Public Health and Wellbeing Plan (PHP) is in progress (public survey closes September 2025)

Why use Gross Rental Valuations when calculating rates?

24. Western Australian Local Governments are regulated under the *Local Government Act 1995* (LGA). This Act differs to regulations applied to other States across Australia.

25. In accordance with s6.28 of the LGA the Minister is to determine the method of valuation of land to be used by a local government as the basis for a rate.

26. In accordance with s6.32 of the LGA, a local government may impose a rate either uniformly or differentially.

27. The Shire of Exmouth chooses to impose a rate differentially. This allows the Shire to differentiate between the rate charged to residential, business, short term accommodation providers, mining, aquaculture and rural properties.

28. Gross Rental Value (GRV) is the method determined by the Minister to value land, this value is provided to the Shire via Landgate. The rate in dollar imposed by the Shire is then used to determine the percentage of that value to be applied to rates revenue.

Home Businesses categorised as Business/other

29. Council has Home Occupation and Home Business Guidelines, which operate under the *Town Planning and Development Regulations 2015*. These guidelines outline what approvals are to be issued when operating a business, service or profession within a residential property.

30. The Shire will further review the definition of Home Occupation.

31. The aim of rating Home Business related properties under the Business/Other category is to capture properties that are not purely residential and provide equity in the treatment of businesses across the Shire.

32. The Shire encourages reporting of any suspected non-compliance in property use or unregistered businesses for follow-up and to further ensure equity in treatment. Unregistered short-term accommodation providers can also be reported to the State Short Term Rental Accommodation register where significant penalties may be imposed.

33. The Shire also encourages utilisation of the 'Business Hub' as an alternative to a residential premise to support local entrepreneurs, existing businesses and artists to increase internal capacity and explore business ideas that expand the local economy.

Increase in minimum rates

34. Minimum rates are imposed to ensure all property owners make a meaningful contribution towards funding Shire services. As minimum rated properties have not had the same impact as other properties previously effected by the GRV increase, the 2025/26 increase to minimum rates is not considered unreasonable

Tourism related properties rated higher than residential (submissions received both for and against)

35. The proposed differential rating strategy rates business-related properties approximately 20% higher than residential properties and accommodation properties are rated 50% higher. Whilst the Holiday Home rate was not proposed to increase in 2025/26, the differential between Residential and Holiday Homes has increased. Any further reduction in the base rate (residential) will result in reductions to the other rates as the proposed differentials of 20% and 50% are maintained.

Phasing of Accommodation properties previously rated under the General category into one Accommodation category.

36. The highest impact of the changes to differential categories relates to properties previously rated under the General category being consolidated into one Accommodation rate. Having received significant backlash from the 2024/25 rates increase, Council opted to phase in any further significant increases.

Rate burden relative to Pensioners.

37. The Australian Government has implemented Age Pension reforms in April 2025 as a step towards enhancing financial support for retirees in Australia and to address the rising cost of living. Council notes the Pensioner rebate is a fixed amount and does not increase as a percentage of rates.

38. The proposed residential rate is a reduction to the prior year rate in the dollar, however the Shire has no other means to differentiate a pensioner property. Pension registered properties do not incur interest on late payments. Where the rebate is insufficient to ensure payment prior to the end of the financial year, pensioners are also eligible to defer rates.

Specified Area rate on canal properties

39. Revenue raised from the Marina Specified Area rate is held in Reserve for the specific purpose of canal maintenance and environmental monitoring and cannot be used for any other purpose. The general residential rate for Marina properties has been reduced in-line with all other residential properties.

Aquaculture differentiation from rural into mining.

40. Though some activities may not directly align to significant aquaculture activity, the land is zoned aquaculture. The Rating Strategy will be updated to refer to zoning.

Alternative revenue suggestions

41. Rates revenue is less than 30% of total operating revenue. Other revenue sources include user fees & charges, grant funding and interest earnings.

42. The Shire continues to advocate for grant funding, however such funding is competitive and usually tied to specific capital works or operational projects and generally requires a % of Shire contribution to be eligible.

43. Only untied funding, such as the Financial Assistance Grants, can be used to cover general increase in costs incurred to meet all regulatory requirements and provide the general services to the community.

44. The Shire does impose user fees and charges where users of a particular service or facility can be easily identified, and the fee effectively administered. Suggestion for boat ramp fees, parking fees and shower fees will be considered as part of the respective asset renewals.

45. The differential rate proposed on accommodation properties is effectively a 'bed tax' on such properties to cover tourism related expenditure.

PAYMENT OPTIONS

46. Payment options are available to ratepayers for the payment of rates and service charges as follows:
    i) Option 1 (Full payment)
        - Full amount of rates and charges including arrears, to be paid on or before 15 September 2025 or 35 days after the date of service appearing on the rate notice, whichever is the later.

ii) Option 2 (Two instalments)
- First instalment to be made on or before 15 September 2025 or 35 days after the date of service appearing on the rate notice, whichever is later and including all arrears and half the current rates and service charges; and
- Second instalment to be made on or before 24 November 2025, or 2 months after the due date of the first instalment, whichever is later.

iii) Option 3 (Four instalments)
- First instalment to be made on or before 15 September 2025 or 35 days after the date of service appearing on the rate notice, whichever is later and including all arrears and half the current rates and service charges; and
- Second instalment to be made on or before 24 November 2025, or 2 months after the due date of the first instalment, whichever is later.
- Third instalment to be made on or before 09 February 2026, or 2 months after the due date of the second instalment, whichever is later; and
- Fourth instalment to be made on or before 13 April 2026, or 2 months after the due date of the third instalment, whichever is later.

47. Council have opted to again, waive the administration charge and instalment interest charge for rate payers electing to pay via one of the available instalment methods.

48. The penalty interest rate on charges that remain overdue after the due date is 11%.

49. The penalty interest rate will not apply to ratepayers who enter into a payment arrangement with Council under a Financial Hardship application as set out in Council Policy CS012 Financial Hardship Policy.

50. The Shire of Exmouth acts as a collection agent on behalf of the State Government in collecting the Emergency Services Levy that is levied on rate payers. These rates are set by State Government, and a penalty rate of 11% has been set on overdue ESL amounts.

FEES AND CHARGES 2025/26

51. The fees and charges have been adopted by Council at the Special Council Meeting held 12th June 2025 to take effect 1st July 2025.

52. Interest charges on overdue Rates will be added to the 2025/26 Schedule of Fees and Charges once adopted with this Budget.

CAPITAL WORKS 2025/26

53. The Shire's planned capital works budget for 2025/26 is $6.957m. These projects are funded through grants, reserves and general revenue as per the table 1 and table 2 below.

i) Table 1: Capital Works 2025/26 by Funding Source

Capital Expenditure Funding	Grants & Contributions	Reserve Funds	General Revenue	Total
Buildings Specialised	75,000	688,118	286,666	1,049,784
Buildings - Non-Specialised	0	0	70,000	70,000
Furniture & Equipment	15,000	124,000	5,000	144,000
Plant & Equipment	0	1,348,000	105,775	1,453,775
Infrastructure - Roads	1,734,423	602,279	130,281	2,466,983
Infrastructure - Other	68,449	1,087,302	617,051	1,772,802
TOTAL	**1,892,872**	**3,849,699**	**1,214,773**	**6,957,344**

ii) The following table lists the capital projects budgeted for the 2025/26 financial year (per Attachment 4)

CAPITAL EXPENDITURE PROJECTS - 2025/26

Capital Project Description	Cfwd Budget	2025/26 Budget	Total 2025/26 Budget	FUNDING Grants & Contributions	FUNDING Reserve	FUNDING Opening Surplus (Cfwd)	FUNDING 25/26 General Revenue
	$	$	$	$	$	$	$
Recycling Centre - Buildings & Infrastructure	302,552	842,368	1,144,920	75,000	849,920	166,300	53,700
Recycling Centre - Horizontal Baler	15,775	-	15,775			15,775	0
Recycling Centre - Plant & Equipment	-	90,000	90,000				90,000
Airport - Internal Terminal Light Replacement	6,000	-	6,000			6,000	0
Airport - Main Switch Board Replacement	49,612	-	49,612			49,612	0
Airport - Secondary Switchboard Replacement	210,000	-	210,000		160,000	50,000	0
Airport - Scoping - Airconditioner Replacement	-	50,000	50,000				50,000
Airport & Heliport - Fire Panel & Emergency Lighting	-	90,000	90,000		90,000		0
Airport - Passenger Terminal Seating Banks of 4 Seats	-	9,000	9,000		9,000		0
Airport - Replace Baggage Carousel	-	115,000	115,000		115,000		0
Airport - Carpark Design and construction	-	90,000	90,000		45,000		45,000
Airport - Airside Apron Lighting & Lighting Tower	-	155,000	155,000		77,500		77,500
Airport - LV Replacement - 2x Commuter Bus	98,880	3,120	102,000		102,000		0
Airport - Plant Replacement - Kubota	-	35,000	35,000		35,000		0
Aerodrome Fencing	-	30,000	30,000				30,000
Qualing Scarp Fencing	80,000	35,000	115,000		80,000		35,000
Toilet Block Renewal - Wobiri	45,500	-	45,500			45,500	0
Information Kiosk - Big Prawn	-	18,000	18,000	9,000			9,000
Business Hub - Power Supply Rectification works	45,554	-	45,554			45,554	0
Depot - Distribution Board replacement & Power Upgrade	-	25,000	25,000				25,000
Rec Centre - Powerboard	-	15,000	15,000				15,000
EDHS Hard Courts Lights Upgrade	20,000	-	20,000		10,000	10,000	0
Talanjee Oval - Lights Upgrade	165,000	-	165,000	59,449	100,000	5,551	0
Library - Sensory seating instalment	-	20,000	20,000	15,000			5,000
NADC - Washdown Shower & Security screening for Chillers	-	30,000	30,000		30,000		0
Staff Housing - renewals (Aircons / fencing / flooring / bathrooms/kitchens)	-	70,000	70,000				70,000
Bore Enclosure - Federation Park	-	45,000	45,000				45,000
Irrigation Controller Replacements	-	100,000	100,000				100,000
Waste Water - Chlorine Gas Lines	-	20,000	20,000				20,000
Waste Water Treatment Plant - valve & controller renewals	-	20,000	20,000				20,000
Light Vehicle Replacement	190,720	425,280	616,000		616,000		0
Plant Replacement - Tipper Truck	82,400	12,600	95,000		95,000		0
Plant Replacement - Rubbish Truck (Incl. Camera System)	-	500,000	500,000		500,000		0
Murat Road Reseal	-	315,000	315,000	208,366	106,634		0
Yardie Creek Road	106,961	138,039	245,000	161,389	83,611		0
Town Road + Kerbing Renewals	187,932	1,259,051	1,446,983	1,272,168	174,815		0
Truscot / Murat Shared Path (Footpath from Murat Bike Park to Town Beach)	130,281	219,719	350,000	52,500	167,219	130,281	0
Carpark - Maidstone (onstreet) - line marking	-	30,000	30,000		30,000		0
Beach Access tracks - Resheeting	-	80,000	80,000	40,000	40,000		0
Drainage Improvements (Town)	-	100,000	100,000		100,000		0
Carpark - Bonefish (Lefroy Park)	-	120,000	120,000		120,000		0
Carpark - Kennedy / Learmonth reseal & layout	-	50,000	50,000		50,000		0
Marina Bridge - Lighting	-	63,000	63,000		63,000		0
	1,737,167	**5,220,177**	**6,957,344**	**1,892,872**	**3,849,699**	**524,573**	**690,200**

OTHER MAJOR PROJECTS – Operating (non-capital)

54. Continuation of Town Planning Scheme Review / Amendment
55. Finalisation of Public Health Plan
56. Finalisation of Economic Development and Tourism Strategy
57. Finalisation of Communications Strategy Review
58. Finalisation of Recreation Master Plan
59. Enterprise Reporting Program (ERP) renewal – 2yr project
60. Finalisation of Shire Website and Intranet Development
61. Regulation 5 and 17 Audits (as required by Regulation)
62. End of Life and Rehabilitation assessment for the Qualing Scarp Facility
63. Scoping of Bundegi boat ramp, Learmonth jetty and carpark renewal / upgrades
64. Cape Range Crossing – Flora & Fauna report
65. Scoping CCTV and security requirements across multiple Shire facilities
66. 2x Road Safety Audits

RESERVES 2025/26

67. The Shire is budgeting a $2.36m net transfer to reserves for 2025/26 (Attachment 5). This includes $762k in interest revenue on Reserve term deposits.

68. In addition to interest earned being transferred into the relevant reserve, the following Reserve Transfers have been budgeted:
    a. Marina Canal Reserve –
        i. Transfer in - $112k raised per the Marina Specified Area rate
        ii. Transfer out - $30k in Environmental monitoring costs

    b. Leave Reserve
        i. No transfers (other than interest) as this reserve is considered adequate to cover current leave liabilities

    c. Aviation Reserve
        i. Transfer in - $470k cash back of depreciation to smooth funding requirements on future renewals
        ii. Transfer out - $496k to fund a portion of capital projects at the airport and aerodrome

    d. Building Infrastructure Reserve
        i. Transfer in - $500k approximately 50% cash back of depreciation to provide for renewals in line with consumption of asset. This 50% transfer assumes grant, borrowings or other funding would be available to cover the balance of renewals. This is likely an inadequate transfer to reserve, further work on Shire asset management plans will assist in developing a reserve strategy for future building renewals.

    e. Community Development Reserve
        i. No transfers in budgeted for 2025/26. Funds from this reserve were used to fund a portion of the 2024/25 Sky Festival and will likely be drawn upon again for the biennial event in 2026/27.
        ii. $110k transfer out to fund Talanjee Oval light upgrades completed in July and 50% of EDHS Hardcourt lights upgrade.

    f. Community Interest Free Loans Reserve
        i. Transfer in - $41k in proceeds received on current outstanding loans.
        ii. Transfer out – no funds budgeted but the Shire is happy to take applications from eligible Community groups during the year.

g. Heritage Reserve – NEW Reserve to assist with the major renewal maintenance of Heritage Assets.
    i. Comment: Shire Heritage Assets (predominantly the Vlamingh Head Lighthouse) require major renewal works, this Reserve is set up to set aside funds over time for the purpose of meeting the Shire contribution should Heritage or other funding become available to enable the required works.
    ii. Transfer in - $100k

h. Employee Vacancy Reserve – NEW Reserve to ensure adequate funds are available to finance employee costs
    i. Comment: Historically, Council has budgeted for a full workforce and has consistently performed under budget due to staff vacancies.
    ii. This Reserve is set up to allow the Shire to budget an assumed vacancy rate in future Budgets, freeing up funds for other projects and operations.
    iii. Whilst no funds are initially budgeted to be transferred in or out this year, should savings in salary and wages be identified as part of the 2025/26 Budget Review, it is anticipated to transfer the realised saving into the Employee Vacancy Reserve.
    iv. Should future salary and wages budgets be inadequate by achieving a lower turnover rate than assumed in the budget process, the funds within this reserve can be used to cover the deficit.

i. Insurance / Natural Disaster Reserve
    i. No transfers in or out budgeted for 2025/26. This reserve balance is considered adequate to cover excess on insurance claims in the event of a natural disaster.

j. Land Acquisition Reserve
    i. Transfer in - $700k estimated proceeds on sale of property

k. Marina Village Reserve
    i. Transfer in - $200k cash back of depreciation to provide for renewals in line with consumption of infrastructure within the Marina Village
    ii. Transfer out - $63k in capital renewals within the Marina Village

l. Mosquito Management Reserve
    i. No transfers in or out currently budgeted for 2025/26. Shire to review CLAG agreement.

m. Ningaloo Centre Reserve
    i. Transfer in - $200k - 50% cash back of depreciation to provide for renewals in line with consumption of asset. This 50% transfer assumes grant, borrowings or other funding could be available to cover the balance of renewals. This is potentially an inadequate transfer to reserve, further work on Shire asset management plans will assist in developing a reserve strategy for future NVC renewals.
    ii. Transfer out - $30k in capital works for aquarium washdown facility and asset security.

n. Plant Reserve
    i. Transfer in - $430k - cash back of depreciation to smooth funding requirements on future renewals
    ii. Transfer in - $185k in estimated proceeds from sale of plant & equipment to fund future renewals
    iii. Transfer out - $1.35m for current year capital plant replacements (includes plant replacements carried over from FY25)

o. Public Radio Infrastructure Reserve
    i. No transfers in or out budgeted for 2025/26.

p. Rehabilitation Reserve
    i. No transfers in our out budgeted for 2025/26.

q. Roads Reserve
    i. Transfer in $1.14m - 50% cash back of depreciation to provide for renewals in line with consumption of asset. This 50% transfer in has assumed grant or other funding could be available to cover the balance of renewals, though is worth noting not all Shire roads are eligible for funding.
    ii. Transfer out $872k – current year capital road works.

r. Shire Staff Housing Reserve
    i. Transfer In - $150k to fund future major staff housing projects to assist in ability to align timing with land availability and grant funding opportunities.
    ii. $150k – cash back of depreciation to provide for renewals in line with consumption of asset.

s. Swimming Pool Reserve
    i. Transfer in – $800k – to fund future major renewal of the Paltridge Memorial Swimming Pool and ensure Shire has adequate funds to meet potential Grant obligations.

t. Tourism Development Reserve
    i. Transfer out – $55k budget for expenditure on Development of Economic Development and Tourism Strategy.

u. Town Planning Scheme Reserve
    i. Transfer out - $150k budget for expenditure on Town Planning Scheme Amendment
    ii. This Reserve will need to be topped up over the next 5 years to provide for the next Scheme Review.

v. Waste and Recycle Management Reserve
    i. Transfer in - $520k to fund future works in providing waste and recycle services to the Shire of Exmouth
    ii. Transfer out - $930k capital works related to the development of the Exmouth Recycling Centre and fencing the Qualing Scarp Facility.

w. Unspent Grants and Contributions Reserve
    i. Transfer out - $12k budgeted expenditure on Turtle rehabilitation from balance of grant funding.

69. This will result in an estimated Reserve closing balance of $26m at 30 June 2026.

Material Variance Reporting for 2025/26

70. Each financial year a Local Government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances. It is recommended that this be set at $25,000 or 10%.

Budget 2025/26

71. Table below provides a summary of the proposed budget.

SHIRE OF EXMOUTH STATEMENT OF FINANCIAL ACTIVITY FOR THE YEAR ENDED 30 JUNE 2026	2025/26 Budget	2024/25 Actual	2024/25 Budget
OPERATING ACTIVITIES	$	$	$
Revenue from operating activities			
General rates	6,833,471	7,002,514	6,964,291
Rates excluding general rates	112,633	111,680	109,721
Grants, subsidies and contributions	1,521,023	1,973,846	2,247,400
Fees and charges	13,870,960	15,596,245	12,366,000
Interest revenue	902,400	940,891	235,000
Other revenue	516,900	692,291	349,500
Profit on asset disposals	68,450	457,405	0
Fair value adjustments to financial assets at fair value through profit or loss	0	(5,327)	0
	23,825,837	26,769,545	22,271,912
Expenditure from operating activities			
Employee costs	(9,991,070)	(8,273,509)	(9,022,650)
Materials and contracts	(8,155,077)	(8,024,236)	(7,722,800)
Utility charges	(1,081,290)	(971,415)	(1,106,500)
Depreciation	(5,228,435)	(5,091,407)	(5,025,500)
Finance costs	(168,307)	(87,659)	(86,215)
Insurance	(796,527)	(819,412)	(776,500)
Other expenditure	(643,847)	(558,101)	(637,176)
Loss on asset disposals	(252,782)	(1,450,000)	0
	(26,317,335)	(25,275,739)	(24,377,341)
Non cash amounts excluded from operating activities	5,412,767	6,089,329	5,025,500
Amount attributable to operating activities	**2,921,269**	**7,583,135**	**2,920,071**
INVESTING ACTIVITIES			
Inflows from investing activities			
Capital grants, subsidies and contributions	1,892,872	2,767,104	2,132,000
Proceeds from disposal of property, plant and equipment	886,840	2,223,291	2,730,000
	2,779,712	4,990,395	4,862,000
Outflows from investing activities			
Right of use assets received - non cash	(1,919,745)	0	0
Payments for property, plant and equipment	(2,937,559)	(1,373,708)	(812,000)
Payments for construction of infrastructure	(4,239,785)	(3,376,750)	(3,977,000)
	(9,097,089)	(4,750,457)	(4,789,000)
Non-cash amounts excluded from investing activities	1,919,745	0	0
Amount attributable to investing activities	**(4,397,632)**	**239,938**	**73,000**
FINANCING ACTIVITIES			
Inflows from financing activities			
Proceeds from new leases - non cash	1,919,745	0	0
Proceeds from community loans	40,567	35,567	35,567
Transfers from reserve accounts	4,316,699	1,551,661	2,089,000
	6,277,011	1,587,228	2,124,567
Outflows from financing activities			
Repayment of borrowings	(393,087)	(379,571)	(379,571)
Payments for principal portion of lease liabilities	(131,717)	(4,971)	(5,000)
Payments for community loans	0	(30,000)	0
Transfers to reserve accounts	(6,460,441)	(8,234,812)	(4,733,067)
	(6,985,245)	(8,649,354)	(5,117,638)
Non-cash amounts excluded from financing activities	(1,919,745)	0	0
Amount attributable to financing activities	**(2,627,979)**	**(7,062,126)**	**(2,993,071)**
MOVEMENT IN SURPLUS OR DEFICIT			
Surplus at the start of the financial year	4,104,342	3,343,520	0
Amount attributable to operating activities	2,921,269	7,583,135	2,920,071
Amount attributable to investing activities	(4,397,632)	239,938	73,000
Amount attributable to financing activities	(2,627,979)	(7,062,126)	(2,993,071)
Surplus/(deficit) remaining after the imposition of general rates	**0**	**4,104,467**	**(0)**

72. The proposed budget for 2025/26 starts with an opening surplus of $4.1m consisting of:
    a. $1.211m of 2025/26 Financial Assistance Grants prepaid in June 2025.
    b. $525k in carried forward capital works expected to be completed in 2025/26.
    c. $715k in other projects carried forward to 2025/26 including
        i. Finalisation of CHRMAP
        ii. Finalisation of Water Management Strategy
        iii. Finalisation of Town Planning Scheme Amendment – ongoing
        iv. Finalisation of Enterprise Bargaining Agreement and HR Policy Review
        v. Finalisation of Economic Development and Tourism Strategy
        vi. Finalisation of Communications Strategy
        vii. Finalisation of Reconciliation Action Plan
        viii. Shire website update and intranet development
        ix. HR and Records System to be incorporated into 2025/26 ERP upgrade
        x. ICT hardware upgrade
        xi. Balance of higher than current budget operating revenue (predominantly Aviation) and lower than current budget employee costs (vacancies) and materials and contracts.

73. Revenue from operating activities is increasing annually. The main year on year fluctuations result from the availability of operational grant funding (particularly the early payment of Financial Assistance Grants) and increased Fees & Charges revenue.

74. Fees and Charges revenue from Learmonth Airport and Heliport operations are expected to be more conservative in 2025/26 after a very high level of activity in 2024/25. Whilst revenue from the airport and heliport is somewhat volatile it is expected to continue to be a large contributor to Council's revenue with approximately 40% of Council's operational income being generated from its operations. Council revenue is significantly impacted by fluctuation in travellers moving through the Learmonth Airport and Heliport servicing both the tourism and oil and gas industry. The risk in a reduction in revenue generated from the Airport will be further considered as part of the Economic Development and Tourism Strategy.

75. Increasing costs continue to be a concern for Council with increases in insurance (offset by reduction in major event insurance), consultant, contractor, materials and utilities costs. The Shire of Exmouth has a large asset base and rising costs have a substantial impact on Councils ability to continue to renew its assets and ensure assets are kept in an acceptable condition.

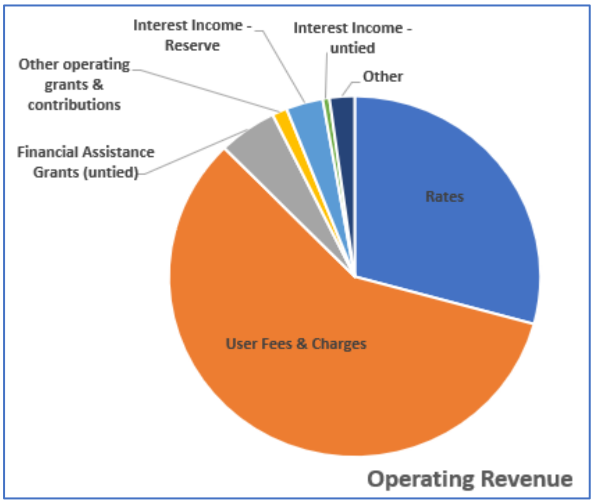
76. Employee costs continue to increase as the Shire finalises its Enterprise Bargaining Agreement. Staff retention continues to impact the Shire. Vacant positions create undue stress on existing staff as well resulting in increases to recruitment and training costs and impacting on service and efficiency. Employee costs increased significantly from 2023/24 to 2024/25 as the Shire has improved employee remuneration as part of ongoing EBA negotiations as well as improvements in staff training and occupational health and safety. The Shire Enterprise Bargaining Agreement is expected to be finalised in July and will be in place 2025/26 to 2027/28.

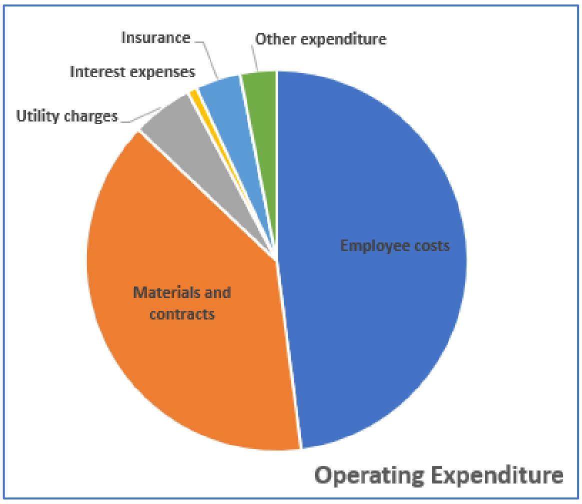
77. The Australian Government's planned increase to the Superannuation Guarantee (SG) rate is set to reach its final legislated milestone in 2025/26, the rate increases from 11.5% to 12% of an employee's ordinary time earnings.

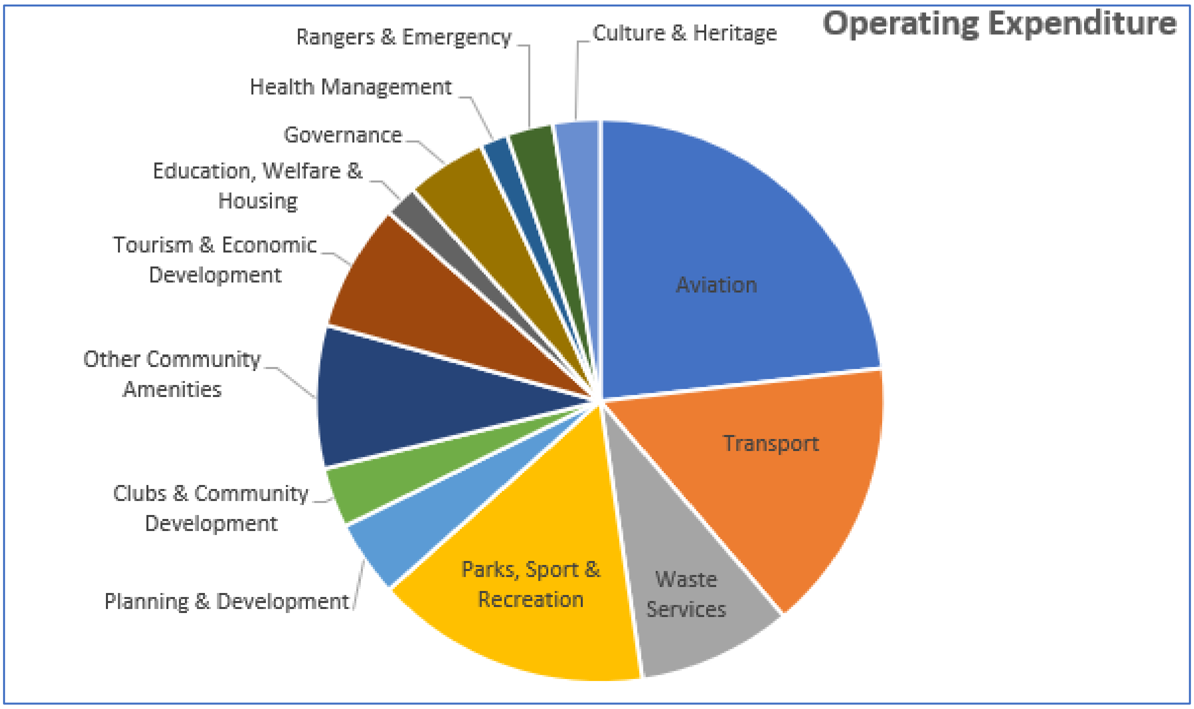
78. Workers compensation insurance premiums (included in Employee costs) have also increased across the sector.

79. Materials and contracts costs are expected to increase. However overall cost increases are partially offset by the biennial event included in the 2024/25 forecast and not replicated in the 2025/26 Budget. The next Biennial event is schedule for 2026/27 with both grant funding and reserve funding.

80. The below charts demonstrate the break-up of Operating Revenue and Expenditure







Consultation

81. Shire Officers – develop draft operational budgets and scoping of proposed projects
82. Councillors – various Budget and Strategic briefing workshops
83. Community – Objectives identified through the Strategic Community Plan
84. Electors and Rate Payers - Rate in the dollar advertised with appropriate submission period
85. Public notice is mandatory under section 6.36 of the *Local Government Act 1995*, before imposing any differential rates or minimum payments.

86. An elector or ratepayer has 21 days from the date of public notice to make submissions in respect of the proposed rates and minimum payments and any related matters. Council is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.
87. Submissions received and reviewed by Council

Statutory Environment

88. Section 6.2 of the *Local Government Act 1995* requires Council to prepare an annual budget.
89. Part 3, *Local Government (Financial Management) Regulations 1996*
90. Australian Accounting Standards

Policy Implications

91. Nil.

Financial Implications

92. All financial implications have been included in the budget report as detailed in Attachment 1.
93. The presented budget for 2025/2026 is a balanced budget.

Risk Management

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance (operational) – Council is required to prepare and adopt a budget by 31 August., in the form and manner prescribed, a budget for its municipal fund for the financial year ending on 30 June next following that 31 August	Unlikely	Moderate	Medium	Council to adopt the budget before 31 August

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

94. Council may adopt the 2025/26 Annual Budget and list any changes in the resolution.
95. Council may defer the adoption of the 2025/26 Annual Budget to a later date and list the reasons.

Strategic Alignment

96. 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

97. Absolute Majority.

Officers Recommendation **Item 12.3.1**

That Council RESOLVES to:

Budget 2025/26

1. ADOPT the Budget as contained in Attachment 1 for the 2025/2026 financial year pursuant to the provisions of Section 6.2 of the *Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996*.

General and Minimum Rates, Instalment Payment and Interest

2. ADOPT the Statement of Objects and Reasons for Proposed Rates and Minimum Payments as per attachment 2.

3. NOTE the submissions in relation to the published notice of intention to impose rates in accordance with Section 6.36(4) of the *Local Government Act 1995*.

4. ADOPT differential rates, based on zoning of the land and the purpose for which the land is used, with the imposition of rates in the dollar and minimum payments for the 2025/26 financial year as follows:

Rate Category	Rate in the Dollar ($)	Minimum Payment ($)
GRV Residential	0.0885	1500
GRV Business / Other	0.1050	1500
GRV Accommodation General	0.1068	1500
GRV Holiday Homes / Accommodation Marina	0.1328	1500
GRV Vacant Land	0.1770	1500
UV Rural	0.1071	1500
UV Mining	0.2142	490
UV Aquaculture	0.1478	490

5. ADOPT the specified area rates on rateable land within the Shire of Exmouth in accordance with Section 6.33 of the *Local Government Act 1995* as follows:

Rate Category	Rate in the Dollar ($)	Minimum Payment ($)
GRV Specified Area Rate	0.0170	N/A

6. ENDORSE the dates for payment of instalment options as:
   i) Option 1 (Full payment)
      - Full amount of rates and charges including arrears, to be paid on or before 15 September 2025 or 35 days after the date of service appearing on the rate notice, whichever is the later.

   ii) Option 2 (Two instalments)
      - First instalment to be made on or before 15 September 2025 or 35 days after the date of service appearing on the rate notice, whichever is later and including all arrears and half the current rates and service charges; and
      - Second instalment to be made on or before 24 November 2025, or 2 months after the due date of the first instalment, whichever is later.

   iii) Option 3 (Four instalments)
      - First instalment to be made on or before 15 September 2025 or 35 days after the date of service appearing on the rate notice, whichever is later and including all arrears and half the current rates and service charges; and

- Second instalment to be made on or before 24 November 2025, or 2 months after the due date of the first instalment, whichever is later.
- Third instalment to be made on or before 09 February 2026, or 2 months after the due date of the second instalment, whichever is later; and
- Fourth instalment to be made on or before 13 April 2026, or 2 months after the due date of the third instalment, whichever is later.

7. Pursuant to section 6.45 (3) of the *Local Government Act 1995* and regulation 67 of the *Local Government (Financial Management) Regulations199*6, Council IMPOSE an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of $0 for each instalment after the initial instalment is paid.

8. Pursuant to section 6.45(4)(e) of the *Local Government Act 1995*, IMPOSE an interest rate of 0% where the owner has elected to pay rates and service charges through an instalment option.

9. Pursuant to section 6.51 (1) of the *Local Government Act 1995* IMPOSE an interest rate of 11% for rates as provided for in regulation 70 of the *Local Government (Financial Management) Regulations 1996* and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.

Elected Members Superannuation

10. RESOLVE to make superannuation contributions for council members in accordance with the *Local Government Amendment Act 2024,* s5.99B to 5.99E.

11. NOTE council members may choose to 'opt out' of receiving superannuation contributions.

Fees and Charges 2025/26

12. Pursuant to Section 6.16 of the *Local Government Act 1995* and other relevant legislation, ADOPT the Fees and Charges (as amended) and included as per attachment 1 for the Financial Year ending 30 June 2026.

Material Variance Reporting for 2025/26

13. In accordance with regulation 34(5) of the *Local Government (Financial Management) Regulations 1996,* ADOPT the level to be used in the statements of financial activity in for reporting 2025/26 material variances shall be the greater of:
    i) 10%; or
    ii) $25,000

Reserves

14. ADOPT the new Reserve funds in accordance with s6.11 of the *Local Government Act 1995* as follows:

Reserve Fund Name	Purpose
Heritage Reserve	to fund major renewal maintenance of Heritage Assets
Employee Vacancy Reserve	to ensure adequate funds are available to finance employee costs.

12.3.2 LIST OF ACCOUNTS FOR PERIOD ENDING 30 JUNE 2025

File Reference	FM.FI.0
Reporting Officer	Chief Financial Officer
Responsible Officer	As above
Date of Report	13 July 2025
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	1. List of Accounts for period ending 30 June 2025

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

4. 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 $3,830,502.59 Incorporating cheques, direct debits, electronic payments and credit cards.
Trust Fund	totalling $NIL Incorporating electronic payments.
Total Payments:	$3,830,502.59

Consultation

5. Nil

Statutory Environment

6. Payments are to be made in accordance with Part 6, Division 4 of the *Local Government Act 1995*.
7. In accordance with Regulation 13 of 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

8. CS001 (Procurement)
9. CS002 (Regional Price Preference Policy)
10. CS004 (Corporate Transaction Cards)
11. CS005 (Investments)
12. CS009 (Reserve Funds)

Financial Implications

13. 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

14. Nil

Strategic Alignment

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

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

Voting Requirements

16. 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 June 2025 (totalling $3,830,502.59).

12.3.3 APPOINTMENT OF BUSHFIRE CONTROL OFFICERS

File Reference	ES.AP.1
Reporting Officer	Manager Community and Emergency Services
Responsible Officer	Chief Financial Officer
Date of Report	8 July 2025
Applicant/Proponent	Nil
Disclosure of Interest	Nil
Attachment(s)	Nil

Purpose

1. That Council appoint persons to the positions of Bush Fire Control Officers.

Background

2. In accordance with the *Bush Fire Act 1954* the local government may appoint individuals to be the Chief Bush Fire Control Officer, the Deputy Chief Bush Fire Control Officer and the Bush Fire Control Officers.

3. At the Ordinary Council meeting held on 22 August 2024 Council approved (Council resolution 03-0824) the following:

    That Council:

    1. *RESCIND Council Resolution No 09-0324 dated 21 March 2024, 12.3.4 Appointment of Bush Fire Control Officers.*

    2. *APPROVE the appointment of the Deputy Chief Bush Fire Control Officer and Bush Fire Control Officer to undertake the full duties under Section 39(1) (a – i) of the Bush Fire Act 1954 as recommended by the Department of Fire and Emergency Services:*

Deputy Chief Bush Fire Officer	*Tracey Cooper*
Bush Fire Control Officer	*Matthew Barry*

    3. *APPROVE the appointment of the following persons to the position of Bush Fire Control Officer limited to the duties under Section 39 (1) (a – e) of the Bush Fire Act 1954 only:*

Bush Fire Control Officer	*Murray Swarbrick*
Bush Fire Control Officer	*Grace Williams*
Bush Fire Control Officer	*Emily Gibson*

Comment

4. The Shire of Exmouth has a Memorandum of Understanding with the Department of Fire and Emergency Services (DFES) under the *Bush Fires Act 1954* for management and control of bush fires and Emergency Services in the Pilbara.

5. Under this MOU the appointment and roles and responsibilities of the Chief Bush Fire Control Officer, the Deputy Chief Bush Fire Control Officer and Bush Fire Officers are specified.

6. The Emergency Services Commissioner appoints a person employed within the Department of Fire and Emergency Services to act as the Chief Bush Fire Control Officer in accordance with section 38A of the *Bush Fires Act 1954*.

7. The appointment of the Deputy Bush Fire Control Officer and the Bush Fire Control Officers is the responsibility of the Shire of Exmouth.

8. The appointment of the following persons to the position of Bush Fire Control Officer limited to the duties under Section 39(1)(a – e) of the *Bush Fire Act 1954* only are supported by the Chief Bush Fire Control Officer, DFES and the Shire of Exmouth:

Bush Fire Control Officer	Emily Gibson
Bush Fire Control Officer	Kerry Forsyth
Bush Fire Control Officer	Camille Lema

9. The limitations placed by restricting authority to only sections (a-e) removes the necessity to take charge of a bushfire brigade at a fire while still authorising the officers to undertake firebreak inspections.

Consultation

10. Department of Fire and Emergency Services
11. Shire of Exmouth Volunteer Bush Fire Brigade
12. Shire of Exmouth Volunteer Fire and Rescue

Statutory Environment

13. *Bush Fires Act 1954*
    - Part IV, Division 1, Section 38 outlines Council's process to appoint a Bush Fire Control Officer.
    - Section 38A – FES Commissioner may designate person employed in department as Chief Bush Fire Control Officer
14. Shire of Exmouth Bush Fire Brigades Local Law 2020

Policy Implications

15. Nil

Financial Implications

16. Nil

Risk Management

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Performance - Reduced ability for the Shire to undertake its compliance obligations under the *Bush Fire Act 1954*	Likely	Major	High	Reduced risk if there is a good pool of trained staff to be drawn upon for compliance duties.
Financial - Shire could be liable for insurance claims if compliance not undertaken.	Possible	Major	High	Inspection and compliance will assist in reducing the spread of fire.
Environmental - Significant damage to flora and fauna from bush fires.	Likely	Major	High	Inspection and compliance will assist in reducing the spread of fire.
Reputational - Poor community perception if fires are proven to be from poor Shire management.	Likely	Major	High	Continued compliance will assist in reducing the spread of fire and improve the Shires bush fire management operations.

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

17. Council may choose the following alternative options:
    - Amend the proposed nomination list, or
    - Reject the proposed nomination list

Strategic Alignment

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

Natural Environment	**Embrace natural sensitivities and promote positive change** 2.2 Prepare Exmouth for changing environmental conditions
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
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

Voting Requirements

19. Simple Majority

Officers Recommendation **Item 12.3.3**

That Council:

1. RESCIND Council Resolution 03-0824 dated 22 August 2024, 12.3.7 - Appointment of Deputy Bush Fire Control Officer and Bush Fire Control Officer.

4. APPROVE the appointment of the Deputy Chief Bush Fire Control Officer and Bush Fire Control Officer to undertake the full duties under Section 39(1) (a – i) of the *Bush Fire Act 1954 as* recommended by the Department of Fire and Emergency Services:

Deputy Chief Bush Fire Officer	Tracey Cooper
Bush Fire Control Officer	Matthew Barry

2. APPROVE the appointment of the following persons to the position of Bush Fire Control Officer limited to the duties under Section 39 (1) (a – e) of the *Bush Fire Act 1954* only:

Bush Fire Control Officer	Emily Gibson
Bush Fire Control Officer	Kerry Forsyth
Bush Fire Control Officer	Camille Lema

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

16. Closure of Meeting