

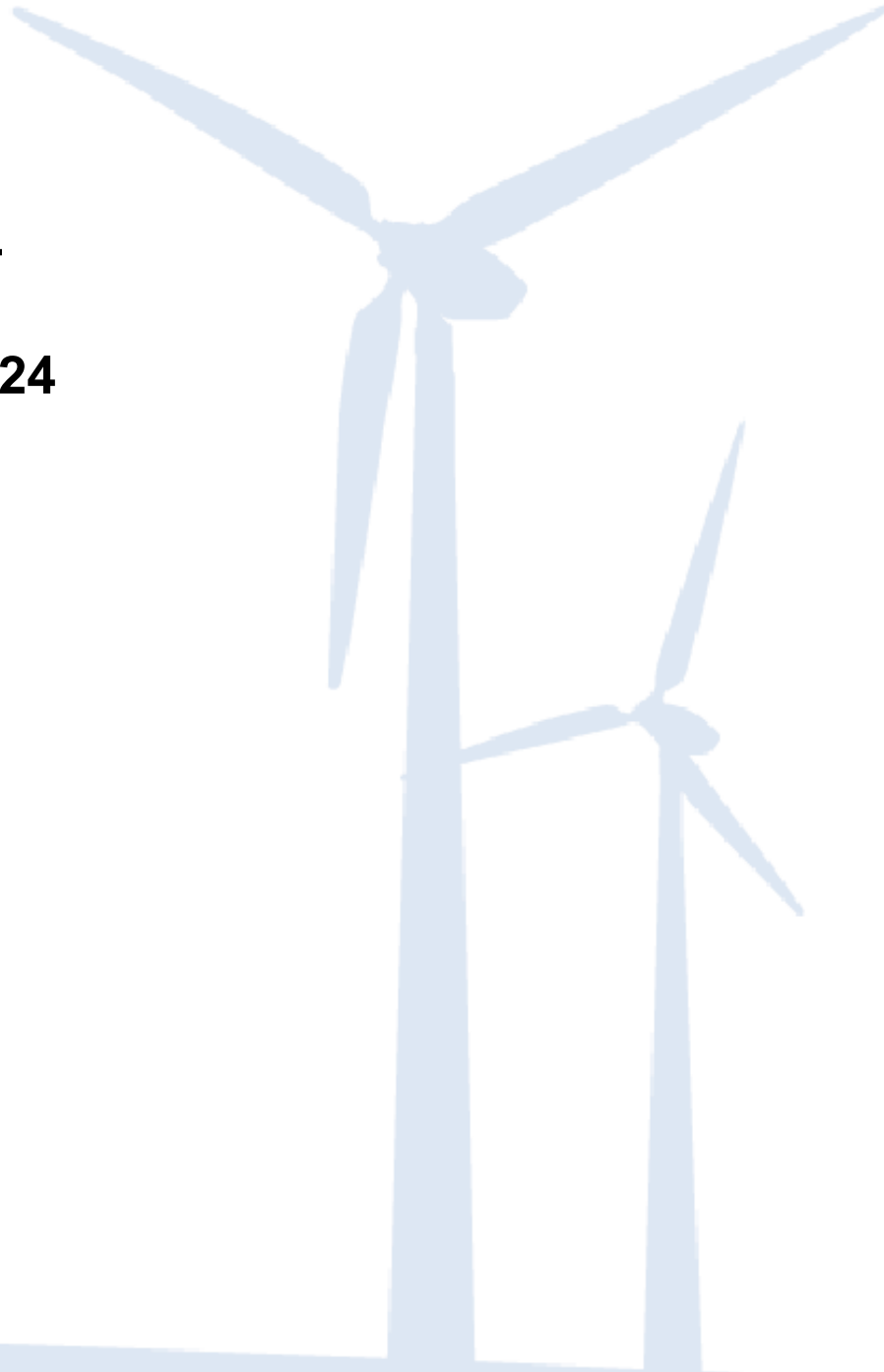


Shire of Esperance

ORDINARY COUNCIL

TUESDAY 28 MAY 2024

MINUTES



DISCLAIMER

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

ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

Council is committed to a code of conduct and all decisions are based on an honest assessment of the issue, ethical decision-making and personal integrity. Councillors and staff adhere to the statutory requirements to declare financial, proximity and impartiality interests and once declared follow the legislation as required.

ATTACHMENTS

Please be advised that in order to save printing and paper costs, all attachments referenced in this paper are available in the original Agenda document for this meeting.

RECORDINGS

The Meeting will be live streamed. The recording will be made publicly available as soon as practical following the meeting.

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SHIRE OF ESPERANCE

MINUTES

ORDINARY COUNCIL MEETING HELD IN COUNCIL CHAMBERS ON 28 May 2024. COMMENCING AT 4:00 PM

1. OFFICIAL OPENING

The Shire President declared the meeting open at 4:00pm and did an acknowledgement to country.

The Shire of Esperance acknowledges the Kepa Kurl Wudjari people of the Nyungar nation and Ngadju people who are the Traditional Custodians of this land and their continuing connection to land, waters and community. We pay our respects to Elders past, present and emerging and we extend that respect to other Aboriginal Australians today.

The President welcomed Councillors, staff, guests and members of the public to the meeting.

2. ATTENDANCE

Members

R Chambers	President	Town Ward
Cr J Obourne	Deputy President	Town Ward
Cr G Johnston		Town Ward
Cr S McMullen		Town Ward
Cr L de Haas		Town Ward
Cr W Graham		Rural Ward
Cr S Starcevich		Rural Ward
Cr S Flanagan		Town Ward
Cr C Davies		Town Ward

Shire Officers

Mr S Burge	Chief Executive Officer
Mr M Walker	Director Asset Management
Mr R Grieve	Director External Services
Mrs F Baxter	Director Corporate & Community Services
Mrs C Hoffrichter	Executive Assistant
Ms Christiane Smith	Manager Media and Communications

Members of the Public & Press

Geoff Vivian	Media - Esperance Weekender
Hayden Smith	Media – ABC
Ted Gray	Item 12.3.1 Partnership Agreement with Esperance Tjaltjraak Native Title Aboriginal Corporation and Questions on Standing Orders
Marrion Reeves	Item 12.3.1 Partnership Agreement with Esperance Tjaltjraak Native Title Aboriginal Corporation
Fran Wakeham	Item 12.3.1 Partnership Agreement with Esperance Tjaltjraak Native Title Aboriginal Corporation
Peter Bednall	Item 12.3.1 Partnership Agreement with Esperance Tjaltjraak Native Title Aboriginal Corporation
Victoria Castledine	Item 12.3.1 Partnership Agreement with Esperance Tjaltjraak Native Title Aboriginal Corporation

Manue Daniels	Item 12.3.1 Partnership Agreement with Esperance Tjaltjraak Native Title Aboriginal Corporation
Anne Bonney	Item 12.3.1 Partnership Agreement with Esperance Tjaltjraak Native Title Aboriginal Corporation
Jane Mulcock	Item 12.3.1 Partnership Agreement with Esperance Tjaltjraak Native Title Aboriginal Corporation
Tania Lowe	Observing
Thiraya Ibrahim	Observing
Jenelle Reynolds	Observing
Tania Klene	Observing
Dean Holst	Observing
Claire Holst	Observing
Glen Tyrell	Observing
Mary Bidstrup	Observing
Johnine Graham	Observing
Ken Mills	Observing
Yvette Manstead	Observing
Cindee Hargne	Observing
Natasha Burnett	Observing
Roz Buktehica	Observing
Helena Martin	Observing
Amanda Griggs	Observing
Jan Archer	Observing
Sam Boxer	Observing

3. APOLOGIES & NOTIFICATION OF GRANTED LEAVE OF ABSENCE

Nil

4. APPLICATIONS FOR LEAVE OF ABSENCE

MOTION

Moved: Cr McMullen

Seconded: Cr Obourne

O0524-049

Council Resolution

That Council accepts the below leave of absence:

Cr de Haas 17th – 19th June 2024

**CARRIED
F9 - A0**

5. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

As the Shire President I am disappointed with the number of racist comments that have been made on social media recently, there is no place for this in our community or any other. What I find even more concerning is the method that these comments are made, placing a post on social media that insights others to feel that they too can comment and continue to grow the noise, all from the protective veil of anonymity.

Not even having the courage to their name to show their true strength of character and conviction, but hiding behind an assume name and an assume profile. The administrators and moderators of these pages are not innocent in the decisions, procedures and processes they place, they create the environment for this activity to exist.

These comments have a real and lasting impact on people within our community, they cause a great amount of pain and fear, nobody has the right to make another person feel that way. We all need to call out these comments and demand that they are stopped. I am positive that this great community can rise above this behaviour and set an example of how it should be done.

In saying that I would like to thank the people who are in the gallery today, to having the courage to stand up, be seen and be here and heard. It's really great that we see that in the community, and it gives me heart that there is still good call to this community and we can grow above what we don't need here.

6. DECLARATION OF MEMBERS INTERESTS

6.1 Declarations of Financial Interests – Local Government Act Section 5.60a

Nil

6.2 Declarations of Proximity Interests – Local Government Act Section 5.60b

Nil

6.3 Declarations of Impartiality Interests – Admin Regulations Section 34c

Cr Obourne has declared an Impartiality Interest in item 12.3.2 as the applicant is known to her professionally.

Cr Johnston declared an impartiality Interest in item 12.4.3 as I was the original creator of the Facebook group “we oppose the proposed south coast marine park” and was one of the organisers of the marine park protest rallies.

Cr Johnston declared an Impartiality Interest in item 12.3.4 as she currently has a behavioural complaint in progress.

Cr Flanagan has declared an Impartiality Interest in Item 12.4.3 as he is employed as an advisor to the Shadow Minister for Fisheries.

Mr Walker declared an Impartiality Interest in Item 17.11 GSG Tender as the tenderer is a neighbour.

Pres Chambers has declared an Impartiality Interest in Item 12.4.3 as he is on the Community Reference Committee.

7. PUBLIC QUESTION TIME

1. Marrion Reeves – Funding for Aboriginal Jobs

I would like to ask, unsure how true it is, but apparently there is supposed to be funding going on for some aboriginal jobs out of town, I would like to know if council is funding this?

The Shire President advised he is unaware of any funding going on for this and referred to Mr Walker.

Mr Walker advised he is of the same view and is unaware of any funding.

2. Peter Bednall CEO of Tjaltjraak – Partnership Agreement with Esperance Tjaltjraak Native Title Aboriginal Corporation

Since Esperance Tjaltjraak came into existence around 8 years ago, it has contributed \$40m into the Esperance economy. This is through the creation of new jobs and our spend in local businesses.

Going forward, Econisis, an applied economics advisory practice, has found that the consolidated expenditure of ETNTAC entities over the next 10 years will contribute up to \$89 million to the Esperance economy. This impact will continue to support direct and indirect employment of up to 57 full time employees each year for the next decade.

In addition, if ETNTAC is able to successfully implement its Closing the Gap Model and associated programs, this will contribute a further \$113million in additional economic activity in Esperance. Or put another way, an additional 133 full time employees each year for the next decade.

Does the Council recognise that the proposed partnership agreement between the Shire and Tjaltjraak presents an opportunity for the Shire to have a seat at the table with Tjaltjraak in how that impact can be applied and maximised for the benefit of the whole community?

The Shire President responded, yes this is why we worked hard on this Partnership Agreement with Tjaltjraak. We understand that we need to work closely with the traditional owners of this area, they encompass a lot of territory and ground we work across our reserves and our other infrastructure assets. They are a key component to what we achieve in the community. Thank you very much for bringing those numbers forward.

3. Ted Gray – Standing Order and Partnership Agreement with Esperance Tjaltjraak Native Title Aboriginal Corporation

At the 23rd April Ordinary Council Meeting I presented questions to Council including questions concerning the proposed Draft Partnering Agreement between the Shire and ETNTAC. On Tuesday's Agenda Briefing I noted the questions on notice were not published in the agenda as required. It was also revealed that Councillors had not seen the questions on notice prior to the CEO providing me his response. Given that the elected members role regarding the governance for this local authority, should it not be a requirement that elected members consider and be informed on the subject matter for questions on notice provided to Council, especially before they vote on the item relating to those questions? I note standing Order 3.3 (3) which provides the CEO to provide written answers, but my point is should not have Councillors be informed before any written response is provided?

The Shire President advised those questions that came to Council, when they are on notice go to the administration for answers. I acknowledge those questions were not circulated in the agenda and that was rectified. They were circulated through the Council and there has been communication between Councillors and staff in regards to those questions prior to this meeting.

Mr Gray asked under the Local Government Act part of the general functions of Local Government requires that those functions must be performed in regard to needing to involve aboriginal people in the decision making process. My question relating to this is to do with the proposed partnering agreement, how will the Shire of Esperance involve other aboriginal people of the Shire of Esperance in this decision making process not just the corporation ETNTAC?

The CEO advised there is no prescribed process on how we would engage, it says holistically that we need to engage with aboriginal people. I think the partnering agreement is one way that we can engage with a core element of aboriginal people within our community, but there is definitely other ways through general communication, meetings and our strategic planning processes, workshops we have. There is definitely other ways, this partnership agreement is not the only way.

Mr Gray ask is the agreement intended to only deal with matters of native title?

The CEO responded no, it's not related to native title at all, its related to mutual projects that would benefit both organisations. There could be elements of native title, but generally it's going to be projects that have value to both organisations and the wider community.

Mr Gray asked who from the Shire of Esperance will participate in joint decision making, planning and management?

The CEO advised, the decision makers on behalf of the Shire are the Councillors, therefore the Councillors would make decisions on our behalf, I cannot speak on behalf of Tjaltjraak.

Mr Gray asked given that the document is called an agreement but states that it does not create legally enforceable or it's not a legally enforceable agreement does the Shire of Esperance believe that the agreement creates no expectations on behalf of ETNTAC or obligations on behalf of the Shire of Esperance even at the level of principle?

The CEO advised, the agreement is a good faith agreement we are both trying to work through those for the benefit of the community. I don't know that is any expectations that either organisations would expect and that's where we would need to communicate, if we have a project that we believe would be good to partner with Tjaltjraak we might offer that to them and they might do the same with us and then we would consider it. If you read the agreement, both organisations have a right to say no to a project, and if the organisation wants to continue on with that project they will have to do it on their own.

4. Victoria Castledine – Partnership Agreement with Esperance Tjaltjraak Native Title Aboriginal Corporation

I would like to congratulate the Shire and Tjaltjraak on reaching this agreement, I think this is a positive step forward. I believe as a community we are only strengthened and only developed based on relationships that we have and I think that can be supported by robust framework like the one that's proposed in this agreement. I think that it's a really positive thing as stated and I'm heartened to see the Shire has taken this step to engage with Tjaltjaark and I look forward to seeing all the benefits that will flow on not only for our First Nations people but also for the rest of our community that is supported by that. As a community we only thrive if we are all thriving and I look forward to seeing happen. I would like to congratulate the Shire and Tjaltjaark for taking this step.

5. Anna Bonney - Partnership Agreement with Esperance Tjaltjraak Native Title Aboriginal Corporation

Anna asked what long term outcomes would the Shire like to see for our First Nations families in this community?

The Shire President advised, I believe long term it was summed up in the documents and also in what Mr Bednall said around closing the gap, making sure that families in this community, all families are all productive and contributing to the community that we have. We have a fantastic community, in a fantastic area and I believe that with support and with purpose people can become that which is really important to community, and it's when we get to that point we will see this community flourish.

6. Manue Daniels - Partnership Agreement with Esperance Tjaltjraak Native Title Aboriginal Corporation

Manue asked for clarification if the partnership agreement would somehow give priority to traditional owners to get jobs through the Shire in any form of employment?

The CEO advised no priority would be given, the Shire has an open process we will and like to encourage aboriginal people to apply for our jobs and we will assist where we can, but I don't say we try and prioritise people and we take the best people fit for the job that we have.

Manue asked, just to clarify that would be the same process for everyone that would want to apply?

The CEO advised, yes that would be the same process for everybody.

Ted Grey submitted questions in writing to Council at the Ordinary Council Meeting on the 23 April 2024. These questions are relating to the following matters; 'Draft Partnering Agreement' – Shire of Esperance and Esperance Tjaltjraak and Dalyup - Fire Access Only Sign and Track, those questions were taken on notice and the responses have been provided.

- 1. Regarding 'Draft Partnering Agreement' – Shire of Esperance and Esperance Tjaltjraak**
Under the State Labor government an amendment was made to the *Local Government Act 1995* (LGA), operational on 1 July 2023, that included a form of 'Aboriginal Voice' which includes in the statement of the 'general functions' of local government (s. 3.1.(1A)) that those functions must be performed having regard (amongst other things) to the need to involve "Aboriginal people" in the decision-making processes.

The Local Government Act 1995 Section 3.1 – General Function includes having regard to the following

- (i) to recognise the particular interests of Aboriginal people; and*
- (ii) to involve Aboriginal people in decision making processes;*

- 2. Item 12.3.7 of the Ordinary Council Agenda 26 March 2024 included an attachment, namely a Draft Partnering Agreement dated 29 September 2023 between the Shire of Esperance (SOE) and Esperance Tjaltjraak (ETNTAC) (referred to here as the Agreement).**

I ask the following questions in regard to the Agreement:

- 2.1 The document is called an 'Agreement', but states that it 'does not create ... a legally enforceable agreement'. Does the SOE believe that the Agreement creates no expectations on behalf of ETNTAC or obligations on behalf of SOE, even at the level of principle? Is the conclusion that Asset Management Implications, Statutory Implications, Policy Implications and Environmental Considerations are 'Nil' because the SOE does not consider it is bound by the Agreement to consult with ETNTAC or to implement any of the views, opinions or advice of ETNTAC?

The CEO withdraw this report from the March OCM to offer the Councillors an opportunity to discuss the agreement proposed in more detail. Councillors who were not at the workshop held in September 2023 were able consider the outcomes more in depth.

A workshop was held for all Councillors on Tuesday the 26th of March to provide further background, and discuss the process around the partnership agreement.

The partnership agreement is an overarching agreement with its purpose to improve relationships and work together on projects that have mutual benefit for both organisations to enhance the Esperance community. As the partnership agreement is an overarching document however any projects between the two organisations that fall under the Agreement that have any asset management, policy or statutory implications will be incorporated into the Shire integrated planning and reporting framework.

The partnership agreement is consistent with the Shire of Esperance Council Plan- Outcome 3.1 with the objective to "Grow understanding and respect for cultural diversity, history and heritage. That objective also has a number of priority projects to assist in achieving the objective.

2.2 Does the SOE propose entering-into any 'partnering agreements' with other individuals or groups in the district?

The Shire of Esperance has entered into partnerships or MOU's with organisations in the past and will continue to do so in the future for the benefit of the Esperance community.

Esperance Tjaltjraak Native Title Aboriginal Corporation (ETNTAC) was registered by the Federal Court of Australia as the Native Title Body Corporate for the Esperance region on 6 September 2016 and is the representative body for our region in relation to Aboriginal Culture. It is hoped that the benefits of partnering will result in-

- Long term success and sustainability for the region as a whole*
- Greater understanding of each other*
- Greater capacity in the Community to deliver great outcomes*
- Economic benefits for both organisations as well as the Community*
- Increasing the Community's understanding and value First Nation People*

2.3 The agreement states 'The partners agree to: Keep confidential any information, which by its nature is confidential or which is specified as such at the time of disclosure by either partner information disclosed will be treated as confidential'. How does SOE reconcile this commitment with the procedures currently followed regarding its engagement with other people of the district in decision-making, such as ratepayers? What restrictions would the SOE place on any FOI (Freedom of Information requests) being made in regard to discussions, meetings and decisions involving the SOE and ETNTAC?

The Shire of Esperance follows Standard Meeting procedures. The Local Government Act outlines how meetings should be conducted and describes the roles of elected members, administration staff and the public. Any considerations which are confidential in nature regarding the Partnership will be considered in the same way any other confidential item is brought to Council.

2.4 Will agendas and minutes of engagements with ETNTAC be made and be publicly available?

The Shire currently operates a Reconciliation Action Plan Working Group. The terms of reference are available on the Shire's website:

<https://www.esperance.wa.gov.au/documents/1317/working-group-terms-of-reference>

There is no requirement to make the minutes of these meetings public.

3. Dalyup - Fire Access Only Sign and Track

I was out at Dalyup on 3rd April where only Napier Rd now intersects with South Coast Highway. Previously Murray Rd also intersected at South Coast Highway, opposite Napier Rd. It was the anniversary of the vehicle incident that claimed the life of Susanne van der Schoot in 2012. Subsequently, Murray Rd was closed at South Coast Highway to prevent access from there onto South Coast Highway. Access to Murray Rd is now via Chartwell Lane east of the former intersection. While I was at the Dalyup site I noticed that a short distance west along South Coast Highway down from the old Murray Rd intersection there is now a seemingly well used gravel track winding back towards Murray Rd with traffic sign in red on white background stating "FIRE ACCESS ONLY". Given that the Chartwell Lane road was done in part to mitigate the dangers of traffic entering onto South Coast Highway from Murray Rd, did the Shire of Esperance install the sign? If so, after what request and safety considerations did it undertake first. If it did not install the sign, does it know who did? For a sign situated on South Coast Highway is that a Shire of Esperance or Main Roads responsibility?

Yes, the Shire of Esperance installed and is responsible for the "Fire Access Only" sign for the "Fire Access Track". The Shire noticed there was a track, as indicated, being used approximately two years ago, we blocked off access to the track using large rocks. Approximately 6 months later there was a fire out at Dalyup around Murray Road, the blocked track impeded emergency services from accessing the fire. The local Dalyup Bush Fire Brigade requested the Shire to open up this track for emergency access, which we agreed to and installed the "Fire Access only" sign at the same time, identifying it is for emergency use only.

8. PUBLIC ADDRESSES / DEPUTATIONS

Nil

9. PETITIONS

Nil

10. CONFIRMATION OF MINUTES

Moved: Cr Flanagan
Seconded: Cr Starceвич

O0524-050

Council Resolution

That the Minutes of the Ordinary Council Meeting of the 23 April 2024 be confirmed as a true and correct record.

**CARRIED
F9 - A0**

11. DELEGATES' REPORTS WITHOUT DISCUSSION

The Presiding Member advised that there will be no delegates reports accepted this month in accordance with the Standing Orders

12. MATTERS REQUIRING A DETERMINATION OF COUNCIL

12.1 EXTERNAL SERVICES

Item: 12.1.1

Proposed Local Planning Policy - Farm Stay Accommodation

Author/s	Richard Hindley	Manager Development Services
Authorisor/s	Roy Greive	Director External Services

File Ref: D24/12769

Applicant

Internal

Location/Address

Shire of Esperance

Executive Summary

For Council to consider preparing the proposed Local Planning Policy – Farm Stay Accommodation.

Recommendation in Brief

That Council:

1. In accordance with Clause 4(1) of the Deemed Provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2) prepare the Local Planning Policy – Farm Stay Accommodation as contained in Attachment A.
2. Request the CEO to:
 - a) Advertise the Local Planning Policy – Farm Stay Accommodation for a period not less than 21 days, in accordance with Clause 4(2) of the Deemed Provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2).
 - b) Prepare a further report at the conclusion of the consultation period to review the proposed policy in light of any submissions made, in accordance with Clause 4(3) of the Deemed Provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2).

Background

The draft Local Planning Policy - Farm Stay Accommodation has been prepared to fulfill the following objectives:

1. Guide development of and provide opportunities for Farm Stay Accommodation in the 'Rural' zone to ensure it does not adversely impact on the rural character or amenity of the locality or that of surrounding landowners;
2. Facilitate a range of safe and secure short stay accommodation services within the rural areas;
3. Provide a balance between any existing land uses, long-term rural pursuits and Farm Stay Accommodation development, ensuring that the Farm Stay Accommodation development enterprises do not dominate and detrimentally impact rural land;
4. Ensure Farm Stay Accommodation development does not detrimentally impact upon the usability of rural land for rural uses;
5. Ensure Farm Stay Accommodation development does not detrimentally impact upon the environment;
6. Protect the existing rural character and streetscape of rural areas; and
7. Provide safe, secure and healthy accommodation environments within the Shire.

Officer's Comment

The draft Local Planning Policy – Farm Stay Accommodation is presented to Council for the purpose of seeking public comment as per Clause 4.(1) of the Deemed Provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2).

Clause 4.(1) of the Deemed Provisions requires the local government to resolve to prepare a local planning policy before it can be advertised.

Consultation

The draft Local Planning Policy – Farm Stay Accommodation was developed in consultation with the Shire's Coordinator of Environmental Health and Australia's Golden Outback's through the Esperance Tourism Development Manager.

As this policy is being prepared under Clause 4.(1) of the Deemed Provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2) it will need to be advertised not less than 21 days.

Financial Implications

Nil

Asset Management Implications

Nil

Statutory Implications

Clauses 3(5) and 67 of the Deemed Provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2

Planning and Development Act 2005

Caravan Parks and Camping Grounds Regulations 1997

Policy Implications

This item relates to policy development.

Local Planning Policies are guidelines used to assist the local government in making decisions under the Local Planning Scheme and may address land use as well as development requirements. Although Local Planning Policies are not part of the Local Planning Scheme they must be consistent with, and cannot vary, the intent of the Local Planning Scheme provisions. In considering an application for Planning Approval, the local government must have regard to a Local Planning Policy as required under Clauses 3(5) and 67 of the Deemed Provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2).

Strategic Implications

Council Plan 2022 – 2032

Built Environment

New developments that enhance the existing built environment

Environmental Considerations

Nil

Attachments

A. Draft Local Planning Policy - Farm Stay Accommodation

RECOMMENDATION AND DECISION

Item: 12.1.1 Proposed Local Planning Policy - Farm Stay Accommodation

Moved: Cr Obourne

Seconded: Cr de Haas

O0524-051

Council Resolution

That Council:

1. In accordance with Clause 4(1) of the Deemed Provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2) prepare the Local Planning Policy – Farm Stay Accommodation as contained in Attachment A.
2. Request the CEO to:
 - a) Advertise the Local Planning Policy – Farm Stay Accommodation for a period not less than 21 day`s, in accordance with Clause 4(2) of the Deemed Provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2).
 - b) Prepare a further report at the conclusion of the consultation period to review the proposed policy in light of any submissions made, in accordance with Clause 4(3) of the Deemed Provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2).

**CARRIED
F9 - A0**

Policy Name:	Local Planning Policy – Farm Stay Accommodation
Objective:	To provide a standardised process for assessing Farm Stay Accommodation on Rural zoned land outside of a townsite.
Key Words	Farm Stay, Farm Stay Accommodation
Statutory Compliance	Local Planning Scheme No. 24

1. Objective

The objective of the Local Planning Policy – Farm Stay Accommodation:

1. Guide development of and provide opportunities for Farm Stay Accommodation in the 'Rural' zone to ensure it does not adversely impact on the rural character or amenity of the locality or that of surrounding landowners;
2. Facilitate a range of safe and secure short stay accommodation services within the rural areas;
3. Provide a balance between any existing land uses, long-term rural pursuits and Farm Stay Accommodation development, ensuring that the Farm Stay Accommodation development enterprises do not dominate and detrimentally impact rural land;
4. Ensure Farm Stay Accommodation development does not detrimentally impact upon the usability of rural land for rural uses;
5. Ensure Farm Stay Accommodation development does not detrimentally impact upon the environment;
6. Protect the existing rural character and streetscape of rural areas; and
7. Provide safe, secure and healthy accommodation environments within the Shire.

2. Application of Policy

This policy applies to all Rural zoned land under Local Planning Scheme No. 24 outside of a Townsite.

3. Policy Provisions

3.1 General

- Pre-lodgment meetings with the Shire are encouraged

Table 1 – Development Standards

Proposals that fall entirely within the acceptable development will generally be Supported.

Proposals falling within performance standard will be required to be accompanied by relevant plans/information to address the policy objectives.

Proposals that do not satisfy acceptable or performance standards will generally not be supported.

Acceptable Development	Performance Standard
Location/Siting	
Farm Stay Accommodation that provides on-site tourism activities or within 20km of a developed townsite.	Farm Stay Accommodation that is in close proximity to tourism activities or natural features
Development located 100m from any highway, important regional road, or nominated tourist road	Development located so as to not appear visually intrusive within the streetscape Development location so as to not be adversely impacted upon by traffic noise
Development located 50m from the front boundary and 20m from the side and rear boundary	Development that would not impact on the visual amenity of surrounding landowners Development that would not adversely impact on the residential amenity of surrounding landowners
Development is associated with rural uses i.e. farm stay type development and will not result in land use conflict or adversely impact on rural uses or the ability for the site to be used for rural uses in the future	Development is separated from any rural uses occurring on the site so as to ensure there is no conflict between the two uses
Not located within either SCA4 – Public Drinking Water Source Protection Areas or SCA5 – Wetlands of Significance and Lake Warden Recovery Catchment	Development will need to meet the requirements of the Department of Water and Environmental Regulation and the Department of Biodiversity Conservation and Attractions.
Scale	
Lot size is a minimum of 50ha	Development on the lot by way of its location would not impact on the rural character or amenity of the locality or that of surrounding landowners
<ul style="list-style-type: none"> Maximum 20 guests in tents, self-contained caravans or self-contained campervans. Maximum 7 self-contained caravans and campervans. Maximum 28 consecutive days of stay in any 3 months. Tents are only permitted where ablutions are on-site that are accessible by the occupants. 	<p>Clustered developments that do not adversely impact on rural character or appear as residential development of a density beyond what could otherwise be considered in the area</p> <p>Tents are only permitted where ablutions are on-site that are accessible by the occupants.</p>
Where there is an existing rural use occurring on the same site, farm stay accommodation must be of a scale subservient to the rural use	Where there is an existing rural use occurring on the same site, farm stay accommodation must be demonstrated as having a direct benefit to the existing rural use.

Design	
Development that is in keeping with the surrounding landscape and character of the locality.	N/A
Development does not mimic residential urban form	
Services	
The scale of the development is such that traffic generation would not result in an undue level of dust or impact upon the road surface.	N/A
Suitable toilets and handwashing facilities must be made readily available to the development.	Self-contained caravans and campervans must be provided suitable facilities unless advertising of the development includes a notice for lack of facilities as per point (b) under Management.
A centrally located tap for use by all occupiers of potable water should be provided	Self-contained potable water supply
Dump Point	Compliance with any other approach permitted under the <i>Caravan Park and Camping Ground Act 1995</i>
Management	
(a) Adequate management plans should be put in place to ensure that onsite owners and managers of facilities are easily contactable, so that they can respond to issues that may arise at the premises immediately.	N/A
(b) Advertising material and other information sources about the facility, must specify each of the following amenities that is not provided for occupiers at the facility — (i) toilets; (ii) showers; (iii) hand basins; (iv) washing-up facilities; (v) laundry facilities; (vi) hot water for showering or for washing-up or laundry facilities; (vii) power points; (viii) lighting; (ix) Dump point (with directions to public dump point)	
Fire Prone Areas	
When a Farm Stay Accommodation is proposed in a bush fire prone area the area shall be modified to achieve a minimum BAL-29 standard.	N/A

Development Application Requirements

Where a development application for Farm Stay Accommodation the application should address the requirements under the application form checklist in addition to the following:

- Any accommodation in tents, caravans and campervans fall under the requirements of the *Caravan Park and Camping Ground Act 1995* and Regulations 1997, it is highly likely these will be classified as Nature-based Caravan Parks:
 - Not close proximity to an area that is built up with structures used for business, industry or dwelling-houses at intervals of less than 100m for a distance of 500m or more
 - Has been predominately formed by nature
 - Has limited or controlled artificial light and noise intrusion
- Site Plan (including but not limited to):
 - Existing Buildings
 - Waste Water systems
 - Site delineation
 - Designated Licence Area
- Drinking Water Quality Management Plan
- Waste Management Plan
- Operational Management Plan
- Emergency Management Plan
- Bushfire Attack Level Assessment – when in a fire prone area.

Caravan and Camping Ground Regulations 1997

When a development application receives approval under this Local Planning Policy, a nature-based park licence will be granted.

Item: 12.1.2

Policy Review - Compliance

Author/s	Richard Hindley	Manager Development Services
Authorisator/s	Roy Greive	Director External Services

File Ref: D24/12776

Applicant

Internal

Location/Address

N/A

Executive Summary

For Council to review the Compliance policy.

Recommendation in Brief

That Council adopt the Compliance policy inclusive of amendments, inclusions, rescissions and deletions as reviewed.

Background

A review of Council Policies is recommended to take place every two years, in line with Council elections to ensure that the Policies are in keeping with community expectations, relevance and current requirements.

The Compliance policy was not presented with the remainder of External Services at the January Ordinary Meeting of Council.

Officer's Comment

This year, the policy template has been modified to conform to a change in Shire branding and to meet requirements outlined within the recent regulation 17 review of Shire's systems and procedures.

The following is a summary of recommended changes to the policy. Please refer to Attachment A for policy details.

Policy Name	Recommended Amendments
Compliance	<ul style="list-style-type: none">• New Policy Number – 'POL 0066'• Change title from 'Compliance and Enforcement' to 'Compliance'.• Amend the first sentence of purpose to read 'To enable a standardised approach to compliance and enforcement, by – '• Delete the second '1976; in the dot point for <i>Dog Act 1976</i>.• Delete 'Enforcement Action may only be undertaken be an Officer with relevant delegation or authorisation.'• Replace in the Local Laws 'Shire of Esperance Health Local Law' it now refers to 'Shire of Esperance Local Laws'.

	<ul style="list-style-type: none">• Change responsible officer from 'Manager Development & Statutory Services' to 'Manger Development Services'.
--	--

Consultation

External Services

Governance and Corporate Support

Financial Implications

Nil

Asset Management Implications

Nil

Statutory Implications

Local Government Act 1995 s.2.7(2)(b) 'Determine the Local Government's policies'

Policy Implications

This item relates to the amendment of a policy.

Strategic Implications

Council Plan 2022 – 2032

Performance - Outcome 15. Operational excellence and financial sustainability

Objective 15.1. Provide responsible, agile and innovative planning and resource management.

Environmental Considerations

Nil

Attachments

A¹. Policy - POL 0066 - Compliance and Enforcement

RECOMMENDATION AND DECISION

Item: 12.1.2 Policy Review - Compliance

Moved: Cr Davies

Seconded: Cr Johnston

O0524-052

Council Resolution

That Council adopt the Compliance policy (Attachment A) inclusive of amendments, inclusions, rescissions and deletions as reviewed.

**CARRIED
F9 - A0**



POL 0066: Compliance

Purpose

To enable a standardised approach to compliance and enforcement, by -

1. Ensuring a consistent and proportionate approach to compliance and enforcement related matters;
2. Providing transparency, applying procedural fairness and upholding natural justice for all compliance and enforcement related matters;
3. Providing an educational, cooperative and collaborative process, aimed at achieving voluntary compliance; and
4. Guiding decision-making processes and subsequent actions to be taken.

To outline the Shire's approach to addressing compliance related issues and to ensure any decisions made for enforcement action are timely, consistent and reasonable. This Policy will apply to the Shire's compliance responsibilities with respect to the following Acts (and any subsidiary legislation made under the Acts) -

1. *Building Act 2011*;
2. *Bush Fires Act 1954*;
3. *Caravan Parks and Camping Grounds Act 1995*;
4. *Cat Act 2011*;
5. *Cemeteries Act 1986*;
6. *Dog Act 1976*;
7. *Emergency Management Act 2005*;
8. *Environmental Protection Act 1986* (Public Health component only);
9. *Food Act 2008*;
10. *Health (Miscellaneous Provisions) Act 1911*;
11. *Litter Act 1979*;
12. *Local Government Act 1995*;
13. *Local Government (Miscellaneous Provisions) Act 1960*;
14. *Planning and Development Act 2005*; and
15. *Public Health Act 2016*.

Responsible officers are not limited by this Policy in their use of discretion and the exercise of their functions. The full circumstances of each case will be considered and a decision made on the merits of each individual matter.

The Policy is intended to complement (not substitute) the below external references -

1. Compliance and Enforcement Guideline for Enforcement Agencies published by the Western Australian Department of Health for compliance and enforcement of the *Food Act 2008*, *Food Regulations 2009* and *Australia New Zealand Food Standards Code*; and
2. Compliance and Enforcement Policy published by the Department of Water and Environmental Regulation applicable to the *Environmental Protection Act 1986*, *Litter Act 1979* and related legislation.]

Deleted: Compliance and Enforcement

Deleted: common practice

Deleted: on

Deleted: actions

Deleted: 1976

Scope

[This Policy applies to all compliance and enforcement actions by any Officer with responsibilities under statutory or delegated authority for ensuring compliance with Western Australia state legislation and Shire of Esperance (the Shire) local laws.]

Definitions

Authorised Person: a person or a member of a class of persons who have statutory (including delegated) power or who are otherwise authorised to commence and carry out legal proceedings relating to an offence, as provided in the relevant legislation.

Compliance: acting in accordance with relevant legislation and lawful directions.

Enforcement: both action taken against parties in response to evidence of unlawful activity, and to the processes preceding such action: responding to allegations of breaches, inspecting, assessing and investigating potential unlawful activity. Enforcement also includes processes prior to making a decision not to enforce the law in particular circumstances, despite evidence or allegations of non-compliance.

Investigation: the process of establishing and analysing facts and applying fair and reasonable interpretations to determine whether a non-compliance or an offence have occurred and the person most likely responsible.

Offence: a form of non-compliance that is classified as an offence in legislation.

Officer: an employee of the Shire of Esperance.

Proactive Compliance: the commencement of compliance investigations into an activity without a written complaint.

Shire: the Shire of Esperance.

Standard of Proof: the desired standard of proof, to be applied to all relevant facts, is 'beyond a reasonable doubt', as required for a successful prosecution in criminal proceedings.]

Practice

Compliance and Enforcement Action

The Shire is required to administer its statutory responsibilities under applicable legislation in a transparent and fair manner in the interest of public health, safety, and amenity. The Compliance Matrix contained in this Policy is not a complete list of compliance matters the Shire may investigate under its responsibilities.

Each investigation into an alleged offence undertaken by the Shire will be assessed on a case-by-case basis as per this Policy. An Offence Category may be varied to ensure the response is appropriate under the circumstances and is proportionate to the nature of the offence, and the harm caused or likely to be caused. Where there is a deviation, the responsible Manager or Director will be informed to confirm the divergence from the Policy and proposed actions.

Conflict of Interest

Where a real or perceived conflict of interest may exist, the Officer affected will ensure the responsibility to investigate and respond is transferred to another appropriately-authorised person.

Investigation Process

Process of investigation -

1. Assess the information/allegation of alleged breach;
2. Determine the appropriate investigative approach;
3. Ensure the Officer has the appropriate powers and authority;
4. Plan the investigation;
5. Collect information and evidence;
6. Apply standard of proof;
7. Record all relevant information;
8. Prepare investigation documentation with any recommendation for enforcement action; then
9. Close investigation.

The investigation process must be read in conjunction with any statutory provisions and guidelines applicable to a particular investigation being undertaken.

Reactive Compliance Investigations

Reactive compliance investigations will be undertaken and prioritised based on the Offence Categories set out in this Policy.

In some circumstances compliance issues may be the result of neighbourhood disputes. The Shire may discontinue an investigation of a complaint where it can be reasonably ascertained the complaint is unsubstantiated or pertains to a civil matter. The Shire will not provide advice in relation to civil matters.

Proactive Compliance

Proactive compliance may be carried out in the following circumstances -

1. Audits of Approvals, Permits and/or Refusals;
2. Assessments conducted in response to Pre-Sale Report requests;
3. Education and awareness raising to encourage voluntary compliance;
4. Investigation of issues observed by officers during the course of work-related activities; and
5. Investigation of issues identified through annual work programs in which the principles outlined in the Policy will also be applied.

Conclusion of Investigation

At the conclusion of an investigation, officers shall use the most appropriate action based on this Policy in conjunction with the Compliance and Enforcement Matrix, unless approved otherwise by the appropriate Manager or Director.

Complainants and alleged offenders will be advised in writing, or another appropriate form of communication, of the investigation outcome (subject to confidentiality requirements) and the matter closed.

Offence Categories

Where an investigation is undertaken, and it is considered there is sufficient evidence to substantiate an allegation of a breach, the Shire will take the appropriate enforcement action. The action will be based on the specific circumstances of each individual case, with considerations to the Offence Categories.

Offence Categories

Minor: A breach of legislation, which has a minimal impact on the community, a person or the environment. The breach may be able to be resolved in a relatively short timeframe without any further impact once compliance has been reached.

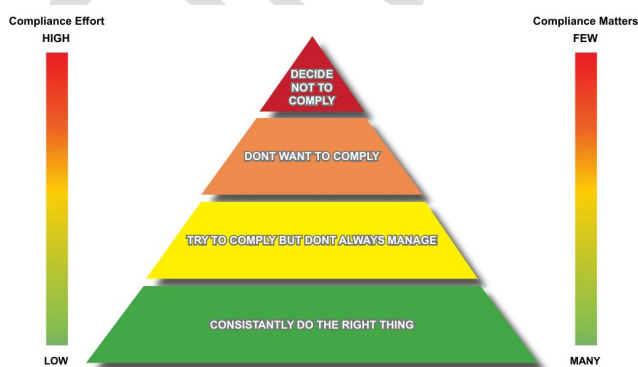
Moderate: A breach of legislation that may initially have minimal impact on the community, life, critical infrastructure, property, or the environment but if allowed to continue the impact may have a major or more significant impact. The breach may initially be able to be resolved with a formal warning, infringement, directions notice or order under relevant legislation.

Major: A breach of legislation that significantly affects or risks the health and safety of the community, life, critical infrastructure, property, or the environment. It may also be a case where the issue cannot be resolved in a short timeframe, or where the alleged offender is not willing to cooperate or negotiate in order to achieve compliance, which may lead to a prosecution action.

Offence Categories are a guide only and are subject to review during the investigation process. Enforcement actions contained in the above definitions are not exhaustive or limiting to each particular definition.

Enforcement Options

The Shire will apply a graduated and proportionate approach consistent with the below diagram:



Any enforcement action commenced is to be timely in order to provide the best chance of achieving a desired outcome.

Deleted: Enforcement action may only be initiated by an Officer with relevant delegated authority or authorisation.

Enforcement Options

At the conclusion of an investigation, officers shall use the most appropriate action. This may include one or more of the following enforcement options (listed in increasing order of severity) -

1. No enforcement action taken, or information provided on how to achieve compliance;
2. Referral to an external agency or relevant authority;
3. Request for retrospective approval (if applicable), or remedy in accordance with relevant legislation;
4. Formal Warning issued;
5. Penalty Infringement Notice issued;
6. Statutory Notices, Orders, or Declarations issued *;
7. Prosecution action commenced; or
8. A combination of the above.

* Notices, Directions or Orders may require, amongst other things, the land owner, occupier, or recipient to obtain subsequent approvals, cease the unapproved development, remove unapproved structures or undertake prescribed work.

Enforcement Action

Decisions on enforcement action may have regard to any or all of the following factors -

1. Whether there has been a failure to comply with any request, direction or notice;
2. Internal recommendations, including those made by the Development Coordination Unit;
3. Whether the breach or offence was committed wilfully or unknowingly;
4. Whether the breach or offence is ongoing;
5. Any mitigating or aggravating circumstances;
6. Any demonstrated history of non-compliance;
7. The length of time since the incident (including statutory time frames);
8. The potential short and long-term consequences of non-compliance; and
9. Legal precedents, advice received or the existence of an estoppel situation.

Circumstances Where No Enforcement Action Necessary

The Shire may take no enforcement action after an investigation, where -

1. It is considered that an educative approach through issuance of a written warning or verbal instruction to prevent continuance or reoccurrence of the matter is most appropriate;
2. There is insufficient evidence to prove non-compliance after reasonable attempts have been made to investigate the matter;
3. The individual or entity has remedied the alleged breach, discontinued or removed the unauthorised development or has obtained the relevant approval(s);
4. Having regard for the capacity of the alleged offender, it is determined that an alternative approach to achieving compliance is more appropriate;

5. The matter is considered trivial in nature, or would be an unreasonable use of the Shire's resources;
6. It is likely a consent would have been given for the activity if it had been sought; and
7. Considerable time has elapsed since the breach occurred, in circumstances where the potential for harm is minimal and the matter is minor in nature.

Acting in Default of Notices or Orders

Legislation may permit the Shire to undertake works as specified in a Notice or Order to restore the land as nearly as practicable to its condition immediately before the development started, or execute that work as it directed that person. The Shire may be entitled to recover its expenses in a court of competent jurisdiction.

Prosecution Actions

Initiation of Proceedings

The Shire may instigate prosecution proceedings under an Act, regulation or local law where the Shire considers the offence warrants such action. The Shire may also become involved in prosecution proceedings if -

1. At the election of the alleged offender;
2. Escalation following a court decision; or
3. Escalation following a State Administrative Tribunal (SAT) decision.

The Shire may consider the following when determining whether to initiate prosecution proceedings -

1. The seriousness and nature of the offence;
2. Legal advice received including the prospects of success;
3. Any evidence of contempt or disregard for the law;
4. Any public health or safety impacts resulting from the offence; and
5. Whether the prosecution is in the public interest.

Withdrawal of Proceedings

The Shire may consider the following factors when determining whether to withdraw from prosecution proceedings -

1. Legal advice received; or
2. The Chief Executive believes an appropriate level of compliance has been achieved; or
3. The matter has been settled out of court; or
4. An error of law or fact occurs; or
5. The owner or occupier of the land is deceased or cannot be located.

Right of Review and Appeals

Offenders will be notified in writing of their right to appeal a direction or decision of the Shire when applicable. Where a right of review is lodged with the State Administrative Tribunal or Shire, no further enforcement action will be taken until a determination has been made.

This does not prevent the Shire from pursuing other matters in instances where numerous non-compliances relate to the offender.

Disclosure of Information

Requests for information from members of the public in relation to compliance or enforcement matters will be handled in accordance with the Shire's Freedom of Information Statement.

Requests made pursuant to the Freedom of Information Act 1992 (FOI Act) will be handled in accordance with the processes set out in the FOI Act. Any decision to release or refuse to release information will be considered on a case-by-case basis in accordance with the provisions of the FOI Act.

Officers shall not release information on specific compliance and enforcement activities, such as active investigations to the public.

Delegations

Refer to Register of Delegations and Sub-delegations (as amended).

Compliance Matrix

Offence Description	Statutory Authority	Offence Category		
		Minor	Moderate	Major
Building Services				
Building Regulations 2012				
Non-compliant pool barrier – non-compliant barrier	r50			X
Unauthorised building work	s9		X	
No Notice of Completion	s33	X		
Occupying a building without Occupancy Permit	s41		X	
Planning Services				
Planning & Development Act 2005				
Unauthorised land use1	s218		X	
Unauthorised development1	s218		X	
Extractive Industries				
No approval / major breach of conditions	s218			X
Ranger Services				
Dog Act 1976 & Cat Act 2011				
Unregistered animal (dog / cat)	Dog s7(1) Cats 5(1)	X		
Dog Act 1976				
Wandering dogs - private property (dog in a place without consent)	s33A(3)		X	
Dog attack - causing physical injury	s33D(1)			X
Dog attack - causing no physical injury	s33D(2A)		X	
Restricted breed or declared Dangerous Dog offences	s33E		X	
Dog causing a nuisance by barking	s38(5)		X	
Local Government (Miscellaneous Provisions) Act 1960				
Livestock - wandering at large – thoroughfare	s.484(1)			X

Litter Act 1979				
Illegal dumping	s 23		X	
Private Property Local Law				
Unsightly / untidy properties	Local Law		X	
Bush Fires Act 1954				
Fire – offences relating to fires in the open air during a Total Fire Ban	s22(B)2		X	
Failure to meet Fire Hazard Reduction Notice requirements	s33(3)		X	
Local Government (Uniform Local Provisions) Regulations 1996				
Interfering with, or taking anything from, land that is local government property without lawful authority	r. 5(1)		X	
Placing on a public thoroughfare anything that obstructs it without lawful authority	r. 6(1))		X	
Constructing anything on, over, or under a public thoroughfare or other public place that is local government property without lawful authority	r. 17(1))		X	
<u>Cat Local Law 2024</u>				
Cat not to be nuisance	2.1(4)		X	
Cat in cat prohibited area	2.2		X	
Keeping more than prescribed number of cats without a permit	3.2(1)(a) & (b)		X	
Keeping a cattery without a permit	3.2(1)(c)		X	
Failure to comply with permit condition	3.7(3)		X	
Environmental Health Services				
Health (Miscellaneous Provisions) Act 1911				
Construction or installation of apparatus for the treatment of sewage without the approval of the local government or Chief Health Officer	s107(2)		X	

Inhabiting or occupying a house that has been declared unfit for human habitation	s136F		X	
Failure to comply with a notice issued under Part V of the Health Act	s140(1)		X	
Open or use a public building without a valid certificate of approval	s178(4)		X	
Causing a nuisance and allowing it to continue	s182		X	
Carrying out an offensive trade in breach of the Health Act	s189		X	
Food Act 2008				
Handling and sale of unsuitable food	s18		X	
Failure to comply with requirements of authorised officers	s45		X	
Contravention of a prohibition order	s68			X
Failure to provide notification of conduct of food business	s107		X	
Environmental Protection Act 1986				
Unreasonable noise emissions from premises	s79		X	
Failure to comply with a Noise Abatement Direction	s81(2)		X	
Caravan Parks and Camping Grounds Act 1995				
Caravan park or camping ground not to be operated without licence	s6		X	
Failure to maintain a register of occupiers, copies of the act and regulations and facility rules if any on the premises	s13(1)(b) & (c)	X		
Failure to display a licence, conditions if any, a plan of the facility, facility rules if any and name, address and telephone number of a person to be contacted in an emergency.	s14(2)	X		
Obstructing an authorised Officer	s19		X	

Failure to comply with a works specification notice	s21		X	
Local Laws				
Shire of Esperance Local Laws				
Contravenes a provision of the local laws	Local Law	X		

Deleted: Health

[1] Where a non-compliant use or development (excluding signage) has occurred in Special Control Area (SCA)4, or SCA5, the offence automatically moves up one category.

The offences contained in the above Compliance Matrix are indicative only and do not form a complete list of compliance matters the Shire may investigate under its regulatory responsibilities.

End.

Document Information

Responsible Position	Manager Development Services
Risk Rating	Medium

Deleted: and Statutory

Referencing Documents

- Local Government Act 1995
- Acts and subsidiary legislation as listed in Purpose.

Revision History

Date	Version	CM Reference	Reason for Change	Resolution #	Next Review
Mar 2022	1	D17/11724	New policy	O0322-059	Mar 2024

12.2 ASSET MANAGEMENT

Item: 12.2.1

Esperance Indoor Stadium Repairs

Author/s	Mathew Walker	Director Asset Management
Authorisor/s	Felicity Baxter	Acting Chief Executive Officer

File Ref: D24/12722

Applicant

Internal

Location/Address

Greater Sports Ground

Executive Summary

For Council to consider authorising CEO to call a tender for the repair works of the Esperance Indoor Stadium sports flooring

Recommendation in Brief

That Council authorise the CEO to call a tender for the repair works of the Esperance Indoor Stadium sports flooring.

Background

A water leak from a burst pipe at the Esperance Indoor Stadium (EIS) was discovered in the early morning hours of Monday 29 April 2024. By the time the leak was discovered, water had already covered Courts 1 and 2 and partially covered Court 3. Shire staff, with the assistance of contractors, did their best to dry the courts, however by this stage water had seeped into and under the sports flooring.

Officers are currently working with our insurer and the sports floor supplier to determine the best course of action, this action this will require the full replacement of at least courts 1 and 2. Our insurer has advised us to continue to take all reasonable and practical steps to mitigate their losses and prepare for the reinstatement of the damaged flooring, including preparing a scope and documents for tendering the works.

Officer's Comment

The repair bill to replace the damaged sports flooring in the Esperance Indoor Stadium will be over the tender threshold of \$250,000 Ex GST, requiring the Local Government to call a public tender for the works. As part of Council's Delegations to the CEO "1.1 *Expressions of Interest, Tenders and Pre-qualified Suppliers (s.3.57)*" condition number 2 states "*Tenders may only be called where there is a budget allocation for the proposed goods or services*". Since the repair works are unbudgeted, a tender cannot be called without Council approval.

It is requested Council authorise the CEO to call a tender to replace the damaged sports flooring in the Esperance Indoor Stadium. This will enable Officers to proceed with the repair works in a timely fashion. Noting all tenders over \$250,000 Ex GST are required to be awarded by Council.

Consultation

LGIS

Financial Implications

The financial implications arising from this report will be further considered once tenders have been received and the insurance payout has been confirmed.

Asset Management Implications

Nil

Statutory Implications

The statutory implications associated with this item are Section 3.57 of the Local Government Act 1995 and Part 4 of the Local Government (Functions and General) Regulations 1996 state, amongst other requirements, that tenders are to be invited if the supply of goods or services is expected to be higher than \$250,000.

Policy Implications

Nil

Strategic Implications

Council Plan 2022 – 2032

Built Environment

Provide infrastructure and places that support the services we provide

Maintain the Shire's robust asset management practices and maintenance programs

Environmental Considerations

Nil

Attachments

Nil

RECOMMENDATION AND DECISION

Item: 12.2.1 Esperance Indoor Stadium Repairs

Moved: Cr Flanagan

Seconded: Cr Starceвич

O0524-053

Council Resolution

That Council authorise the CEO to call a tender for the repair works of the Esperance Indoor Stadium sports flooring.

**CARRIED
F9 - A0**

Item: 12.2.2

Request for Tanker Jetty Timber

Author/s	Jeanette Appleby	Supervisor Asset Administration
Authorisator/s	Mathew Walker	Director Asset Management

File Ref: D24/12845

Applicant

Ernie McCreed

Location/Address

3 Andrews Street

Executive Summary

For Council to consider the request from Ernie McCreed for Esperance Tanker Jetty Timber.

Recommendation in Brief

That Council donate 8 lengths of Grade 1 Esperance Tanker Jetty Timber deck planks to Ernie McCreed for the purpose of a parking buffer and to enhance the mural of the Tanker Jetty located at 3 Andrew Street Esperance.

Background

As part of the deconstruction of the Esperance Tanker Jetty, there has been some historic timber salvaged and stockpiled at the Shire Depot. Council has a Policy POL 0087: Esperance Tanker Jetty Timber that sets out how the Shire will distribute the timber for the community benefit.

Ernie McCreed the owner of 3 Andrew Street Esperance has requested 8 lengths of Grade 1 Esperance Tanker Jetty timber deck planks, 4.5m x 225mm x 100mm, to be used to build a buffer boundary for vehicles parking on the vacant lot next to 3 Andrews Street. The owners of the vacant lot, the Pier Hotel have granted permission. This will stop vehicles from backing into the wall with the newly painted mural of the tanker jetty and will enhance the large mural of the new tanker jetty. See attachment A for the request.

Officer's Comment

The request from Ernie McCreed meets the intent of Council Policy POL 0087: Esperance Tanker Jetty Timber, in distributing the timber for use in public projects, however since the request is not from a community group it cannot be determined by the CEO, it is referred to Council to make a decision.

In considering the Policy there are several criteria to consider:

- a. A sketch or diagram of the use for the timber – provided in the request
- b. The quantity of timber required, including grade and specimen – 8 grade 1 deck planks
- c. The projects connection to the Esperance Tanker Jetty – connection in relation to the Tanker Jetty mural located on the building of 3 Andrew Street Esperance.
- d. How the project will be accessible to the community – the mural is publicly viewable.
- e. Engineering or design certification if being incorporated into a building project – not applicable.

Given the request meets the intent of the policy to distribute Esperance Tanker Jetty Timber for public projects, it is recommended that Council approve the request and donate the grade 1 timber at no cost.

It is therefore proposed to donate Grade 1 Deck Plank in line with the policy.

Consultation

Nil

Financial Implications

Nil

Asset Management Implications

Nil

Statutory Implications

Nil

Policy Implications

POL 0087: Esperance Tanker Jetty Timber

Strategic Implications

Council Plan 2022 – 2032

Community Connection

A Community where everyone feels welcome, involved and connected to each other

Provide services, facilities and information that are inclusive and accessible

Environmental Considerations

Nil

Attachments

A[1](#). Ernie McCreed - Request for Jetty Timber

Officers recommendation was updated as requested by Council to include written approval from the owner to install the timber.

RECOMMENDATION AND DECISION

Item: 12.2.2 Request for Tanker Jetty Timber

Moved: Cr de Haas

Seconded: Cr Johnston

O0524-054

Council Resolution

That Council donate 8 length of Grade 1 Esperance Tanker Jetty Timber deck planks to Ernie McCreed for the purpose of a parking buffer and to enhance the mural of the Tanker Jetty located at 3 Andrew Street Esperance, subject to receiving written approval from the owner to install the timber on the private property.

**CARRIED
F9 - A0**

Ernie McCreed
3 Andrew Street
Esperance WA 6450

7 May 2024

Esperance Shire Council
ATTENTION : Shane Burge

Regards – Esperance Tanker Jetty Timbers

Being the owner of 3 Andrew Street, I decided to place a Mural of the Tanker Jetty on the side wall of the building.

This, being a Mural of the old Tanker Jetty, with permission granted by Esperance Shire Council.

I would like to acquire 8 lengths of Jetty Timber.

Purpose of the timbers is to build a buffer boundry parking on the vacant block it has become an issue. The vacant land next to 3 Andrew Street owned by the Pier Hotel has granted me permission to go ahead. Cars, Utes and bigger 4 x 4 vehicles are occasionally backing into the wall and Mural, damaging the wall and Mural.

I would like to acquire 8 lengths of Jetty Timber – 4.5m long by 22x10. Hopefully grade one timber.

The Mural has been very popular with Locals and Tourist, Cameras in action.

Feedback to myself from community and the appreciation for public artwork (Painted by local artist) that has been presented has been extremely grateful.

Not being a community group, but maybe under the Public Project Banner? the timbers could be applied at a no cost, this project certainly a match made in heaven with the Mural and the Jetty Timbers coming together.

The timbers complimenting the jetty in its pristine condition.

Yours Sincerely,



ERNIE MCCREED



12.3 CORPORATE & COMMUNITY SERVICES

Item: 12.3.1

Partnership Agreement with Esperance Tjaltjraak Native Title Aboriginal Corporation

Author/s	Sarah Walsh	Coordinator Governance & Corporate Support
Authoriser/s	Felicity Baxter	Director Corporate & Community Services

File Ref: D24/6526

Applicant

Esperance Tjaltjraak Native Title Aboriginal Corporation

Location/Address

N/A

Executive Summary

For Council to consider the partnership agreement with Esperance Tjaltjraak Native Title Aboriginal Corporation.

Recommendation in Brief

That Council enter into the partnership agreement with Esperance Tjaltjraak Native Title Aboriginal Corporation.

Background

The partnership agreement has been prepared in order to set out principles for how the Shire of Esperance and Esperance Tjaltjraak Native Title Aboriginal Corporation (ETNTAC) will work together to benefit our community by;

- Promoting and advocating on our shared interest and priorities;
- Seeking opportunities to celebrate our shared successes and good news stories;
- Learning from each other for better decision making by sharing appropriate knowledge and information; and
- Having regular and open dialogue with each other about our capacity to support and work together on our partnership.

Officer's Comment

- In the spirit of reconciliation, members from ETNTAC and the Shire came together for a two-day workshop to find ways to work together to build a greater understanding of one another and develop long term benefits for the region as a whole. Facilitated by Dixon Partnering Solutions (Dixon), the outcome has resulted in a Partnership Agreement which has been reviewed by the Board of ETNTAC to ensure the terms are acceptable and accurately reflect each party's intentions.
- A workshop was held for Councillors on Tuesday the 26th of March to give Councillors who weren't at the two-day workshop an opportunity to discuss the process and outcomes of the Partnership Agreement development prepared by Dixon. We are now formally presenting the agreement to Council for endorsement.

Consultation

Dixon Partnering Solutions
Esperance Tjaltjraak Native Title Aboriginal Corporation
Executive Management Team
Council

Financial Implications

Any projects or activities undertaken from this partnership agreement will be considered by Council as part of the annual budget process.

Asset Management Implications

Nil

Statutory Implications

Nil

Policy Implications

Nil

Strategic Implications

Council Plan 2022 – 2032

People - Outcome 3. A welcoming, inclusive and connected community

Objective 3.1. Grow understanding and respect for cultural diversity, history and heritage.

Environmental Considerations

Nil

Attachments

A¹. Partnership Agreement with ETNTAC & Shire

RECOMMENDATION AND DECISION

Item: 12.3.1 Partnership Agreement with Esperance Tjaltjraak Native Title Aboriginal Corporation

Moved: Cr Flanagan

Seconded: Cr Davies

O0524-055

Council Resolution

That Council enter into the partnership agreement with Esperance Tjaltjraak Native Title Aboriginal Corporation.

CARRIED

F6 – A3

Cr Graham, Cr Johnston, Cr Starcevich

Shire of Esperance and Esperance Tjaltjraak (ETNTAC)

Draft Partnering Agreement

29th September 2023



The Partners

The parties to this agreement are:

- Esperance Tjaltjraak (ETNTAC), and
- Shire of Esperance

The Purpose

The Shire of Esperance and Esperance Tjaltjraak (ETNTAC) recognise and respect each other's connection and commitment to Esperance Wudjari Country and will work together to benefit our Community. Our partnership recognises that we focus on the interests and protection of Esperance Wudjari Country and the people who live here.

What We Will Do Together and Why

As we work together we will undertake the following actions:

- Promote and advocate on our shared interest and priorities;
- Seek opportunities to celebrate our shared successes and good news stories;
- Learn from each other for better decision making by sharing appropriate knowledge and information.
- Have regular and open dialogue with each other about our capacity to support and work together on our partnership.

Our Aspirations – Our Future

The benefits of partnering with each other will result in:

- Long term success and sustainability for the region as a whole
 - Greater understanding of each other
 - Greater capacity in the Community to deliver great outcomes
 - Economic benefits for both organisations as well as the Community
 - Increasing the Community's understanding and value First Nation People
- Unified commitment to enhancing the local Esperance community for all community members with respectful and informed decision making between us.

	Caring for Country	Cultural and Social Inclusion and Wellbeing	Prosperity and Investment
Why We Are Partnering	Country is healthier when we work together applying our collective skills and knowledge to protect our natural environment and cultural landscape which we recognise is under increasing pressure.	Our Community is better when First Nations People and Culture are respected, embraced, included and celebrated as part of our shared past, present and future.	Esperance will reach its full potential if we close the gap in life outcomes between First Nations People and wider Community. Through Tjaltjraak and the Shire working together we can secure resources and shape investment to increase and sustain prosperity for the Community.
What We Will Do Together	<p>We will work together to:</p> <ul style="list-style-type: none"> Acknowledge and respect cultural heritage, Elder knowledge and wisdom. Work towards joint management of key parts of Wudjari country for mutually beneficial outcomes. Conserve our Natural Environment "Our Country" for everyone's benefit. Ensure First Nations People are involved in protecting and caring for Country. Undertake joint decision making, planning and management of Country. Integrate cultural burning practices into fire mitigation activities. Develop joint heritage management plans that meet the aspirations of First Nations People. 	<p>We will work together to:</p> <ul style="list-style-type: none"> Capture and share First Nations People contributions and stories. Advocate for the rejuvenation of Nulsen and the surrounding area. promote a culturally safe Community. Create and implement effective strategies relating to First Nations People and Cultural Heritage to communicate and engage the broad Community. Deliver and support public events that promote and celebrate First Nations culture 	<p>We will work together to:</p> <ul style="list-style-type: none"> Increase and sustain First Nations People participation in training and employment, including for the Shire. Support, engage and understand how to increase capacity for First Nations business opportunities.* Actively attract investment opportunities (e.g. \$, resources and infrastructure) for mutually beneficial outcomes.

*(Note, Shire to review procurement, internal processes for tenders (e.g. workshops, toolkits etc.) to overcome barriers e.g. Tender for Artworks.)

Working Together

We will work together by:

- Acting with integrity trust and respect;
- Being transparent and honest with each other;
- Saying 'no' when we need to;
- Recognising our differences in how we do business and make decisions;
- Develop connections and relationships that make us feel welcome;
- Putting issues on the table, discussing and resolving them;
- Aiming for the best outcomes for each partner;
- Listening to each other, asking questions and allowing time for thinking and learning;
- Modelling a positive and healthy relationship to lead our Community and influence our stakeholders;
- Recognising and celebrating the commitments and efforts we each bring to the partnership;
- Seeking clarification rather than making assumptions;
- Building consensus to decide what we'll jointly lobby and advocate for;
- Understanding each other's interests and priorities; and
- Sharing information and knowledge appropriately.

Partnership Management

The partners may agree at any time to add additional information to this agreement and to maintain it as a living document that underpins their relationship with each other.

Shire Councillors & Senior Management and Tjaltjraak Board & Senior Management will meet annually to have a yarnning circle.

Tjaltjraak CEO & Business Unit Leads and Shire CEO & Senior Management to meet two times per year as a minimum to monitor, evaluate and review the partnership (Partnership Health Check).

Term of the Agreement

This agreement will remain in place until either party sees fit to end the agreement by notifying the other.

Decision Making

Where decisions need to be made throughout the life of this agreement we will do so as equals.

Communication and Branding

We will endeavour to use joint logos and signage wherever possible to reinforce the joint working relationship between the Shire of Esperance and Esperance Tjaltjraak.

The partners also agree to develop relevant communications strategies in support of their working relationship and this agreement.

All media statements relevant to the Partnership will be released under a joint approvals process.

Confidentiality

The partners agree to:

- Keep confidential any information, which by its nature is confidential or which is specified as such at the time of disclosure by either partner; and
- Respect each other's intellectual property.

Managing Difference

The partners understand that at times they may differ in their views or in the specific actions that need to be taken.

Though the partners intend to give effect to this Agreement and to work together to honour the terms of the Agreement, they acknowledge that it does not create, and must not be construed as creating, a legally and enforceable contract.

In the event that significant differences are identified through the course of the relationship the Shire Councillors & Senior Management and Tjaltjraak Board & Senior Management will meet to have a yarning circle.

Signing Page

EXECUTED by the **Shire of Esperance**

Signature of Shire President

Print Full Name of Shire President

Signature of Chief Executive Officer

Print Full Name of Chief Executive Officer

EXECUTED by **Esperance Tjaltjraak (ETNTAC)**

Signature of Chairperson

Print Full Name of Chairperson

Signature of Chief Executive Officer

Print Full Name of Chief Executive Officer

Item: 12.3.2

Lease Renewal for The Old School Masters Residence

Author/s	Cherrie Vincent Sarah Walsh	Governance and Corporate Support Officer Coordinator Governance & Corporate Support
Authoriser/s	Felicity Baxter	Director Corporate & Community Services

File Ref: D24/12021

Applicant

Bistro Louis Pty Ltd

Location/Address

48 Dempster Street, Esperance



Executive Summary

For Council to consider entering into a new lease with Bistro Louis Pty Ltd for the Old School Masters Residence, Museum Village, portion of 48 Dempster Street, Esperance.

Recommendation in Brief

That Council enter into a new lease with Bistro Louis Pty Ltd for the Old School Masters Residence, Museum Village, portion of 48 Dempster Street, Esperance.

Background

Bistro Louis has been leasing the premises since May 2019 and the lease is due to expire in May 2024. A request has been received to enter into a new lease for a two year term with a further term option of three years.

Officer's Comment

Discussion with officers has determined that there are no concerns with the proposed renewal being approved.

Having a café within the Museum Village continues to attract a large number of patrons, which also assists to increase visitation to the other businesses in the area.

Consultation

Paul McKay
Coordinator Planning Services
Coordinator Building Services
Coordinator Environmental Health

Financial Implications

As per s.3.58(4)(c)(i) of the *Local Government Act 1995*, to determine the market value of the disposition we require a rental valuation to be carried out, not more than 6 months prior to the proposed disposition.

Council's Building and Property Agreements Policy stipulates that lease fees for the Museum Village are to be the average CBD rate, as determined by local real estate, less 20%. Recent discussion with local real estate agents has determined the current average CBD rent less 20% to be \$166/m² ex GST. As the property is 89.6m² in size, the annual rent for the property based on this valuation would be \$16,360.96 Inc GST.

Annual Rent \$16,360.96 Inc GST

Asset Management Implications

As per building maintenance schedule.

Statutory Implications

Local Government Act 1995 - Section 3.58 Disposing of Property
Commercial Tenancy (Retail Shops) Agreement Act 1985

Policy Implications

Building and Property Agreements

Strategic Implications

Council Plan 2022 – 2032

Prosperity - Outcome 12. A prosperous and diverse economy

Objective 12.1. Attract and retain diverse industries and enterprises to grow the economy and local jobs.

Environmental Considerations

Nil

Attachments

A. Lease Renewal - Bistro Louis

RECOMMENDATION AND DECISION

Item: 12.3.2 Lease Renewal for The Old School Masters Residence

Moved: Cr Starcevich

Seconded: Cr de Haas

O0524-056

Council Resolution

That Council enter into a lease for the Old School Masters Residence, Museum Village, portion of Lot 100, 48 Dempster Street Esperance to Bistro Louis, subject to;

- 1. The term of Lease being 2 years with a 3 year option;**
- 2. Annual rent being \$16,360.96 inc GST, subject to annual rent reviews based on CPI, and that Council consider this to be a true indication of the current market rental;**
- 3. All lease terms and conditions being as per Council's standard Commercial Lease (Retail Shop) template; and**
- 4. The disposition being advertised in accordance with s3.58 of the *Local Government Act 1995*.**

**CARRIED
F9 - A0**

Archived: Wednesday, 1 May 2024 4:02:40 PM
From: [Bistro Louis Esperance](#)
Mail received time: Thu, 25 Apr 2024 07:34:25
Sent: Thu, 25 Apr 2024 15:34:00
To: [Cherrie Vincent](#)
Subject: Lease renewal
Importance: Normal
Sensitivity: None

[Caution: External Email] This email was sent from outside the organisation - be cautious, particularly with links and attachments.

Hi Cherrie,

We would like to proceed with a lease renewal of 2 years with an additional 3 year option. How is this different to a straight up 5 year lease?

As part of the renewal, we'd like to incorporate the list of items we spoke of at your last site visit a couple of weeks ago.

Perhaps a phone chat would be good. I'm on

Cheers,

Paul McKay

Bistro Louis

Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.
<https://www.mailguard.com.au/mg>

[Report this message as spam](#)

Item: 12.3.3

Lease Surrender Request - Toowacka Campsite

Author/s	Cherrie Vincent Sarah Walsh	Governance and Corporate Support Officer Coordinator Governance & Corporate Support
Authoriser/s	Felicity Baxter	Director Corporate & Community Services

File Ref: D24/12173

Applicant

The Scout Association of Australia, Western Australian Branch

Location/Address

Reserve 37535, South Coast Highway, Lot 457 Monjigup, known as Toowacka Campsite



Executive Summary

For Council to consider surrendering the lease with The Scout Association of Australia, Western Australian Branch for the Toowacka Campsite.

Recommendation in Brief

For Council to consider surrendering the lease with The Scout Association of Australia, Western Australian Branch for the Toowacka Campsite.

Background

The Scout Association of Australia, Western Australian Branch began leasing the site in October 2022 with an aim to redevelop the site.

They have now reached out to us with a Surrender Request as the costs required to bring the site, which is quite rundown, to a point where it is a viable concern exceed the potential funding opportunities which have been investigated and are insufficient to support the initial investment in the site.

Officer's Comment

It is noted that at the time the premises was advertised, the applicants were made aware of the extent of works required to make the site compliant, and therefore the reasoning supplied by the tenant it is not a surprise.

At this stage, it is proposed that the site be readvertised for lease to determine if there are any parties who may be interested in taking on development of the site. If no responses are received, Council will need to determine the future of the site.

Consultation

The Scout Association of Australia, Western Australian Branch

Financial Implications

Lease Surrender Fee \$240.00 including GST.

Any outstanding invoices being paid prior to the surrender being finalised.

Asset Management Implications

Nil

Statutory Implications

Local Government Act 1995

Policy Implications

Building and Property Agreements Policy

Strategic Implications

Council Plan 2022 – 2032

Prosperity - Outcome 12. A prosperous and diverse economy

Objective 12.1. Attract and retain diverse industries and enterprises to grow the economy and local jobs.

Environmental Considerations

Nil

Attachments

A1. Lease Surrender Request Form - Toowacka

RECOMMENDATION AND DECISION

Item: 12.3.3 Lease Surrender Request - Toowacka Campsite

Moved: Cr de Haas

Seconded: Cr Graham

O0524-057

Council Resolution

That Council;

- 1. Surrender the lease with The Scout Association of Australia, Western Australian Branch for the Toowacka Campsite, Reserve 37535, South Coast Highway, Lot 457 Monjingup, subject to;**
 - a) Lease surrender fee of \$240 being payable; and**
 - b) Any outstanding invoices being paid prior to the surrender being finalised**
- 2. Request the CEO to investigate options for the site.**

**CARRIED
F9 - A0**

Surrender Request Leased Property



REQUEST DETAILS

Applicant Name:

Scout Association of Australia, Western Austr:

Phone/Mobile:

08 6240 7709

Email Address:

facilities@scoutswa.com.au

Business Name:

The Scout Association of Australia, Western Australian Branch

I wish to apply to the Shire of Esperance to surrender the lease for the following property:

PROPERTY DETAILS

Land: Part of Lot 457 on Plan 240214 being part of the land comprised in Reserve 37535.
Premises: That portion of the Land known as Toowacka Campsite, Lot 457 South Coast Highway, Monjilup.

PLEASE PROVIDE THE REASON FOR SURRENDERING THE LEASE

The costs required to bring the site, which is in a rundown condition, to a point where it is a viable concern exceed the potential funding opportunities which have been investigated and are insufficient to support the initial investment in the site.
The Esperance Shire has been contacted and are agreeable to the site being handed back with no detriment. The lease surrender form has been provided by the Shire.

Please note that applications may take up to 2 months to finalise due to reporting requirements.

All outstanding invoices must be paid and tenant's property must be removed from the property prior to a surrender request being finalised

Dougal Mayor

Digitally signed by Dougal Mayor
Date: 2024.05.01 13:52:39 +08'00'

Applicant's Signature

01/05/2024

Date

COR-06 Assignment Request Leased Property Reviewed 03 December 2020

Item: 12.3.4

Behaviour Complaints Committee

Author/s	Sarah Walsh	Coordinator Governance & Corporate Support
Authorisor/s	Felicity Baxter	Director Corporate & Community Services

File Ref: D24/12450

Applicant

Internal

Location/Address

N/A

Executive Summary

For Council to consider adopting the Behaviour Complaints Committee, and providing the Committee relevant authority to deal with behaviour complaints.

Recommendation in Brief

1. That Council adopts the Behaviour Complaints Committee, and appoint members and deputies to the Committee.
2. That Council endorse the Behaviour Complaints Management delegation, providing authority to the Committee for dealing with code of conduct behaviour complaints.
3. That Council endorse the amended Code of Conduct Behaviour Complaints Management Policy.

Background

The Shire of Esperance's Code of Conduct for Council Members, Committee Members and Candidates (Code of Conduct) states that a Behaviour Complaints Committee will be established for the purpose of dealing with complaints made under the Behaviour section of the Code of Conduct.

Officer's Comment

Under the Code of Conduct, the Shire is required to have a Behaviour Complaints Committee and therefore the attached Terms of Reference have been created. There does not appear to be a statutory requirement stating the number of Councillors required on the Committee, however WALGA has recommended a minimum of three. We have proposed five members and one deputy be appointed, with the Chair being the Shire President, or Deputy President in the event the Shire President is not available.

Advice from WALGA has determined that this particular Committee should be provided Delegated Authority to deal directly with any complaints received, so the Councillor involved has no part in the decision-making process. A draft delegation for this purpose is attached to this report.

It is noted that WALGA templates have been used as the basis for both the Terms of Reference and Delegation documents.

It has also been noticed that since the Code of Conduct Behaviour Complaints Management Policy was transferred to the new template in November 2023, references to clause numbering within the document no longer align. The clause numbering has now been adjusted and references updated to ensure this issue has been resolved.

Consultation

Chief Executive Officer
Director Corporate & Community Services
WALGA

Financial Implications

Nil

Asset Management Implications

Nil

Statutory Implications

Nil

Policy Implications

Code of Conduct Behaviour Complaints Management Policy

Strategic Implications

Council Plan 2022 – 2032

Performance - Outcome 14. Community confidence and trust in Council

Objective 14.1. Provide transparent, accountable and effective leadership.

Environmental Considerations

Nil

Attachments

- A. [Draft Terms of Reference - Behaviour Complaints Committee](#)
- B. [Draft Delegation - Behaviour Complaints Management](#)
- C. [Draft Policy - Code of Conduct Behaviour Complaints Management](#)

RECOMMENDATION AND DECISION

Item: 12.3.4 Behaviour Complaints Committee

MOTION

Moved: Cr Johnston

Seconded:

That council lay the item on the table until the June Ordinary Council Meeting to gather further information.

MOTION LAPSED

The motion lapsed due to lack of seconder.

MOTION

Moved: Cr Johnston

Seconded:

That Council engage with an independent consultant to sit on this committee to decrease conflicting decisions.

MOTION WITHDRAWN

Cr Johnston withdrew her motion

Moved: Cr Obourne

Seconded: Cr Starcevich

That Council;

1. Adopt the Behaviour Complaints Committee Terms of Reference;
2. Endorse the Behaviour Complaints Management Delegation;
3. Endorse the reviewed Code of Conduct Behaviour Complaints Management Policy; and
4. Appoint the following members to the Behaviour Complaints Committee;

Member	Cr Chambers (Chair) Cr Obourne Cr Cr Cr
Deputy	Cr

AMENDMENT

Moved: Cr Johnston

Seconded:

That Council;

1. Adopt the Behaviour Complaints Committee Terms of Reference (amended);
2. Endorse the Behaviour Complaints Management Delegation;
3. Endorse the reviewed Code of Conduct Behaviour Complaints Management Policy; and
4. Appoint 3 Committee members inclusive of the 1 independent person from a neighbouring Council to the Behaviour Complaints Committee;

Member	Cr Chambers (Chair) Cr Obourne Cr Cr Cr
Deputy	Cr

AMENDMENT LAPSED

The amendment lapsed due to lack of seconder

The original motion was put

Moved: Cr Obourne

Seconded: Cr Starcevich

O0524-058

Council Resolution

That Council;

1. **Adopt the Behaviour Complaints Committee Terms of Reference;**
2. **Endorse the Behaviour Complaints Management Delegation;**
3. **Endorse the reviewed Code of Conduct Behaviour Complaints Management Policy; and**
4. **Appoint the following members to the Behaviour Complaints Committee;**

Member	Cr Chambers (Chair) Cr Obourne Cr Davies Cr de Haas Cr Starcevich
Deputy	Cr McMullen

**CARRIED
F7 – A2**

Against Cr Flanagan, Cr Johnston

BEHAVIOUR COMPLAINTS COMMITTEE

<i>Document Status</i>	Draft	<i>Version No</i>	1
<i>Document Controller</i>	Director Corporate & Community Services	<i>Last Reviewed</i>	

Committee Type

Statutory Committee

Purpose

The Behaviour Complaints Committee is a Committee of Council established in accordance with s.5.8 of the *Local Government Act 1995* (the Act) for the purpose of dealing with Behaviour Complaints made under the Behaviour section of the Shire of Esperance's Code of Conduct for Council Members, Committee Members and Candidates (Code of Conduct).

The extent of authority provided to the Behaviour Complaints Committee is specified in the relevant Delegated Authority, and includes -

- Dismissing a behaviour complaint in accordance with clause 2.7 of the Code of Conduct and providing reasons for any such dismissal.
- Making a Finding as to whether an alleged complaint has or has not occurred, based upon evidence from which it may be concluded that it is more likely that the breach occurred than it did not occur [*clause 2.6(3) of the Code of Conduct*].
- Determining reasons for such a Finding.
- Where a Finding is made that a breach has occurred, determining -
 - To take no further action; or
 - Prepare and implement a plan to address the behaviour of the person to whom the complaint relates.

The extent of authority of the Behaviour Complaints Committee is limited by Condition of the Delegated Authority.

Membership

Chair – Shire President (or Deputy President if Shire President is unavailable)

The Complaints Committee is a Committee of Council Members only in accordance with s.5.9(2)(a) of the Act.

Membership of the Behaviour Complaints Committee will comprise of five Council Members, appointed by Council in accordance with s.5.10 of the Act.

In addition, one Council Member will be appointed as Deputy Committee Members in accordance with s.5.11A of the Act.

The Delegated Authority Condition prescribes that if an appointed Committee Member is identified in the Complaint as either the Complainant or the Respondent, they are to recuse themselves from the Committee's Function by providing an apology. They are to be replaced for the duration of the handling of the subject Complaint by a Deputy Committee Member, selected by the Chair of the Committee.

Meeting Frequency

Meetings are to be scheduled as required by the CEO or Behaviour Complaints Officer in consultation with the Committee Chair.

Delegated Authority

The Behaviour Complaints Committee will act under Delegated Authority in accordance with s.5.16 of the Act. The delegation is recorded in the Shire of Esperance Register of Delegations.

It is a Condition of Delegated Authority that the Behaviour Complaints Committee will be unable to exercise delegated authority if the Complainant or Respondent attend as a Complaints Committee Member.

Objectives

Complaints Behaviour Committee meetings are required to -

- be called and convened by the CEO, as required, in consultation with the Committee's Presiding Member;
- include public question time *[Admin.r.5]*
- make the Committee Notice Papers and Agenda publicly available *[s.5.94(p), s.5.96A(f)]*, with the exception of agenda content that relates to that part of the meeting which will be closed to members of the public under s.5.23(2) *[Admin.r. 14]*; and
- make Committee minutes publicly available *[s.5.94(n), s.5.96A(h)]*, with the exception of Minutes content that relates to that part of the meeting which was closed to the public or was determined as confidential under s.5.23(2).

Responsible Officer

Director Corporate & Community Services

Behaviour Complaints Management (r.12 & r.13)	
Function Delegated	<p>1. Authority to make a finding as to whether an alleged breach the subject of a complaint has or has not occurred, based upon evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur [Code of Conduct cl.2.6(1) and (3)].</p> <p>In making any finding the Committee must also determine reasons for the finding [Code of Conduct cl.2.6(7)].</p> <p>2. Where a finding is made that a breach has occurred, authority to:</p> <ol style="list-style-type: none"> take no further action [Code of Conduct cl.2.6(4)(a)]; or prepare and implement a plan to address the behaviour of the person to whom the complaint relates [Code of Conduct cl.2.6(4)(b), (5) and (6)]. <p>3. Authority to dismiss a complaint and if dismissed, the Committee must also determine reasons for the dismissal [Code of Conduct cl.2.7(1) and (2)].</p>
<i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.</i>	
Power being Delegated	<p><i>Local Government (Model Code of Conduct) Regulations 2021:</i></p> <p>Clause 12 Dealing with a complaint</p> <p>Clause 13 Dismissal of complaint</p>
Power originally assigned to	Local Government
Power to Delegate	<p><i>Local Government Act 1995</i></p> <p>s.5.16 Delegation of some powers and duties to certain committees</p>
Power Delegated to	Behaviour Complaints Committee
Council Conditions	<ol style="list-style-type: none"> The Committee will make decisions in accordance with the principles and specified requirements established in the Shire's Code of Conduct Behaviour Complaints Management Policy. That part of a Committee meeting which deals with a Complaint will be held behind closed doors in accordance with s.5.23(2)(b) of the Act. The Committee is prohibited from exercising this Delegation where a Committee Member in attendance at a Committee meeting is either the Complainant or Respondent to the Complaint subject of a Committee agenda item. In the event of (c) above, the Committee may resolve to defer consideration to a future meeting at which the conflicted Committee Member is absent and a Deputy Committee Member is in attendance. <p>NOTE TO CONDITIONS (C) AND (D): The purpose of this Condition is to require that a Committee Member who is identified as either the Complainant or Respondent is required to recuse themselves by notifying the Chair of their intention to be an apology for the meeting at which the Complaint is an agenda item.</p>
Power to Sub-Delegate	Nil

Behaviour Complaints Management (r.12 & r.13)	
Compliance Links	Behaviour Complaints Committee Terms of Reference Code of Conduct Behaviour Complaints Management Policy Code of Conduct for Council Members, Committee Members and Candidates
DELEGATION ADMINISTRATION	
Decision Reference	Decision Reference
1.	5.
2.	6.
3.	7.
4.	8.



POL 0048: Code of Conduct Behaviour Complaints Management

COUNCIL POLICY

Purpose

To establish, in accordance with clause 15(2) of the *Local Government (Model Code of Conduct) Regulations 2021* and clause 2.9(2) of the Shire of Esperance's Code of Conduct for Council Members, the procedure for dealing with complaints about alleged breaches of the behaviour requirements included in Division 2 of the Shire of Esperance's *Code of Conduct for Council Members, Committee Members and Candidates*.

To give result to the Shire's commitment to an effective, transparent, fair and accessible complaints handling process that supports high standards of behaviour of Council Members, Committee Members and Candidates.

Scope

This Policy applies to complaints made in accordance with clause 2.5 of the Shire's *Code of Conduct for Council Members, Committee Members and Candidates*.

This Policy applies to Council Members, Committee Members, Candidates and any person who submits a complaint in accordance with this Policy.

Definitions

Act: means the *Local Government Act 1995*.

Behaviour Complaints Officer: means a person authorised in writing under clause 2.5(3) of the Code of Conduct to receive complaints and withdrawals of complaints. The role of the Behaviour Complaints Officer is addressed in Part 2 ~~(b)-2~~ of this Policy.

Breach: means a breach of Division 2 of the Shire of Esperance's Code of Conduct for Council Members, Committee Members and Candidates.

Candidate: means a candidate for election as a Council Member, whose nomination has been accepted by the Returning Officer under s.4.49 of the Act, but does not include a Council Member who has nominated for re-election. A person is a Candidate from the date on which their nomination is accepted, until the Returning Officer declares the election result in accordance with s.4.77 of the Act.

Candidate Complaint: means a Complaint alleging a Breach by a Candidate. Candidate Complaints are dealt with in Part 3 ~~(b)-2~~ of this Policy.

Code of Conduct: means the Shire of Esperance's *Code of Conduct for Council Members, Committee Members and Candidates*.

Committee: means a committee of Council, established in accordance with s.5.8 of the Act.

Committee Member: means a Council Member, employee of the Shire of Esperance or other person who has been appointed by the Council to be a member of a Committee, in accordance with s.5.10(1) of the Act. A person is a Committee Member from the date on which they are appointed, until their appointment expires or is terminated by Council resolution.

Complaint: means a complaint submitted under clause 2.5 of the Code of Conduct.

Complainant: means a person who has submitted a Complaint in accordance with this Policy.

Complaint Assessor: means a person appointed by the Behaviour Complaints Officer in accordance with Part 2(b)-2 and Part 3(h)-8 of this Policy.

Complaint Documents: means the Complaint Form and any supporting information, evidence, or attachments provided by the Complainant.

Complaint Form: means the form approved under clause 2.5(2)(a) of the Code of Conduct.

Council: means the Council of the Shire of Esperance.

Council or Committee Meeting: means a formal meeting of Council or a Committee that is called and convened in accordance with the Act. It does not include informal meetings, such as working group meetings, workshops or briefings.

Council Member: means a person who is currently serving a term of office as an elected member of the Council in accordance with the Act.

Finding: means a finding made in accordance with clause 2.6(1) of the Code of Conduct as to whether the alleged Breach has or has not occurred.

Plan: means a Plan that may be prepared and implemented under clause 2.6(4)(b) of the Code of Conduct, to address the behaviour of the person to whom the complaint relates (the Respondent), if a Finding has been made that a Breach has occurred.

Response Documents: means the response provided by the Respondent to the Complaint, and includes any supporting information or evidence that is supplied.

Practice

1. Principles
 - a. Procedural fairness

The principles of procedural fairness, or natural justice, will apply when dealing with a Complaint under this Policy. In particular -

- i. the Respondent will be afforded a reasonable opportunity to be heard before any findings are made, or a plan is implemented;
- ii. the decision maker should be objective and impartial, with an absence of bias or the perception of bias; and
- iii. any findings made will be based on proper and genuine consideration of the evidence.

b. Consistency

The application of this Policy should lead to consistency in process and outcomes. While each Complainant and Respondent will be dealt with according to their circumstances, and each Complaint considered and determined on its merits, similar circumstances will result in similar decisions.

c. Confidentiality

The Shire of Esperance will take all reasonable steps to maintain confidentiality when dealing with the Complaint, in order to protect both the Complainant and Respondent.

Council Members, Local Government employees and contractors who have a role in handling a specific complaint will be provided with sufficient information to fulfil their role. They must manage this information securely, and must not disclose or inappropriately use this information.

Complainants will be advised of the level of confidentiality they can expect, and that breaches of confidentiality on their part may prejudice the progress of their Complaint.

In order to allow the Respondent to understand and respond to the complaint against them, the name of the Complainant will be provided to the Respondent, unless the Complainant provides appropriate reasons this should not occur.

The Complainant's contact information will not be provided to the Respondent.

The Complainant's name and contact information will not be included in any publicly available documents such as meeting agenda or minutes.

The Complainant should be aware that Complaint Documents may be subject to an FOI request, noting that they must be consulted before any documents are released, and exemptions may apply.

d. Accessibility

The Shire of Esperance will ensure that information on how to make a complaint, including this Policy, is available at the Shire's Administration Building and on the Shire website. The Shire will make information available in alternative formats if requested.

Any person wishing to make a complaint may contact the Behaviour Complaints Officer if they require assistance in completing the complaint form or otherwise navigating the complaints process.

The Shire of Esperance's Behaviour Complaints Officer is;

Director Corporate and Community Services

Phone: 08 9071 0693

Email: shire@esperance.wa.gov.au

2. Roles

a. Behaviour Complaints Officer

The Behaviour Complaints Officer is authorised in accordance with clause 2.5(3) of the Code of Conduct to accept complaints and withdrawal of complaints.

The Behaviour Complaints Officer is not an advocate for the complainant or the respondent. The Behaviour Complaints Officer provides procedural information and assistance to both Complainant and Respondent.

The Behaviour Complaints Officer will liaise with and provide administrative support to a Complaint Assessor appointed under this Policy.

The Behaviour Complaints Officer will liaise with the Local Government to facilitate the calling and convening of Council or Behaviour Complaints Committee meetings if required.

In undertaking their functions, the Behaviour Complaints Officer will apply the Principles of this Policy.

b. Complaint Assessor

The Complaint Assessor is appointed by the Behaviour Complaints Officer in accordance with Part 3.(h)8 of this Policy.

The Complaint Assessor is an impartial employee or third party who will undertake the functions specified in this Policy. In undertaking their functions, the Complaint Assessor will apply the Principles of this Policy.

The Complaint Assessor will liaise with the Behaviour Complaints Officer to manage the administrative requirements of dealing with the Complaint in accordance with this Policy.

3. Procedure

a. Making a complaint

Any person may make a Complaint alleging that a Council Member, Committee Member or Candidate has behaved in a way that constitutes a breach of Division 2 of the Code of Conduct.

A Complaint must be made within one (1) month after the alleged Breach.

A Complaint must be made by completing the Behaviour Complaint Form in full and providing the completed forms to the Behaviour Complaints Officer.

A Complaint must be made in accordance with the Behaviour Complaint Form and specify which requirement(s) of the Code of Conduct is alleged to have been breached.

A Complaint is required to include the name and contact details of the Complainant therefore anonymous complaints cannot be accepted.

Where a Complaint Form omits required details, the Behaviour Complaints Officer will invite the Complainant to provide this information in order for the Complaint to be progressed.

Where a Complaint is made more than 1 month after the alleged breach, the Behaviour Complaints Officer will give the Complainant written notice that the Complaint cannot be made.

b. Candidate Complaints

A Complaint in relation to a Candidate must be made in accordance with 3.1, above, but cannot be dealt with unless the Candidate is subsequently declared elected as a Council Member.

Within 7 days after receiving a Candidate Complaint, the Behaviour Complaints Officer will provide written notice -

- i. To the Complainant confirming receipt, and advising of the procedure for candidate complaints; and
- ii. To the Respondent, including a summary of the complaint, and advising of the procedure for candidate complaints.

No action will be taken until the results of the election are declared by the Returning Officer. If the respondent is elected, then the complaint will be dealt with in accordance with this Policy. Timeframes that would otherwise commence on the receipt of a Complaint will be taken to commence on the election date.

If the Respondent is not elected, the Behaviour Complaints Officer will provide the Complainant with notice that the Respondent has not been elected and that the Complaint cannot be dealt with.

c. Withdrawing a Complaint

A Complainant may withdraw their Complaint at any time before a Finding has been made in relation to the Complaint.

A Complainant may withdraw a Complaint by advising the Behaviour Complaints Officer in writing that they wish to do so.

After receiving a written withdrawal of the Complaint, the Behaviour Complaints Officer will take all necessary steps to terminate the process commenced under this Policy.

d. Notice to Complainant

Within 7 days after receiving a Complaint, the Behaviour Complaints Officer will provide written notice to the Complainant that -

- i. confirms receipt of the Complaint;
- ii. outlines the process that will be followed and possible outcomes;
- iii. explains the application of confidentiality to the complaint;
- iv. includes a copy of this Policy; and
- v. if necessary, seeks clarifications or additional information.

If the Complaint Form indicates that the Complainant agrees to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will advise the Complainant of the process in accordance with Part 3(f)-6 of this Policy.

e. Notice to Respondent

Within 14 days after receiving a Complaint, the Behaviour Complaints Officer will provide written notice to the Respondent that -

- i. advises that a Complaint has been made in accordance with the Code of Conduct and this Policy;
- ii. includes a copy of the Complaint Documents;
- iii. outlines the process that will be followed, the opportunities that will be afforded to the Respondent to be heard and the possible outcomes;
- iv. includes a copy of this Policy; and
- v. if applicable, advises that further information has been requested from the Complainant and will be provided in due course.

If the Complainant has agreed to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will ask the Respondent if they are also willing to participate in accordance with Part 3.(f)6 of this Policy.

f. Alternative Dispute Resolution

The Shire of Esperance recognises that Alternative Dispute Resolution may support both parties to reach a mutually satisfactory outcome that resolves the issues giving rise to the Complaint. Alternative Dispute Resolution requires the consent of both parties to the Complaint and may not be appropriate in all circumstances.

To commence the process, the Behaviour Complaints Officer will, as the first course of action upon receiving a complaint, offer the Complainant and the Respondent the option of Alternative Dispute Resolution. If both parties agree to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will pause the formal process.

The objective of Alternative Dispute Resolution will be to reach an agreed resolution that satisfies the Complainant that the formal process is no longer required, allowing them to withdraw the Complaint, in accordance with Part 3(c)-3 of this Policy. For example, an offer by a Respondent to issue a voluntary apology in response to a Complaint, even in the absence of a request from the Complainant, qualifies for consideration as Alternative Dispute Resolution.

If Alternative Dispute Resolution is commenced, both the Complainant and Respondent may decline to proceed with the process at any time. The process may also be terminated on the advice of a third party who is aiding the Local Government, such as a facilitator or mediator.

If Alternative Dispute Resolution is terminated or does not achieve an agreed outcome that results in the withdrawal of the Complaint, the Behaviour Complaints Officer will resume the formal process required under this Policy.

g. Order of Complaints

Complaints will normally be dealt with in the order in which they are received.

If more than one Complaint is received that relates to the same alleged behaviour, the Behaviour Complaints Officer may decide to progress those Complaints concurrently.

h. Appointment of Complaints Assessor

If Alternative Dispute Resolution is not commenced, is terminated or does not achieve an agreed outcome resulting in the withdrawal of the Complaint, the Behaviour Complaints Officer will appoint a suitably qualified and experienced Complaint Assessor. The Complaints Assessor may be either an Employee of the Shire of Esperance or a third party appointed in accordance with the Shire's Purchasing Policy.

The Behaviour Complaints Officer will endeavour to appoint a Complaint Assessor within a reasonable period. The Behaviour Complaints Officer will provide written notice of the appointment to the Complainant and the Respondent.

i. Search of Local Government Records

The Complaint Assessor may request the Behaviour Complaints Officer to search for any relevant records in the Shire's Record Management System.

In particular, if the behaviour is alleged to have occurred at a Council or Committee Meeting, the Behaviour Complaints Officer will be requested to identify any Local Government records that provide evidence that may support a decision as to whether -

- i. the behaviour occurred at a Council or Committee Meeting,
- ii. the behaviour was dealt with by the person presiding at the meeting, and/or
- iii. the Respondent has taken remedial action in accordance with the Shire of Esperance's *Standing Orders Local Law 2015*.

The Complaints Assessor must provide the Respondent with a copy of any records that are identified. In addition, where a clarification or additional information has been sought from the Complainant by either the Behaviour Complaints Officer or the Complaint Assessor, copies must also be provided to the Respondent.

j. Assessment of the Complaint

The Complaint Assessor will undertake an assessment of the Complaint in accordance with the process outlined in the Notices given under Part 3(d).4 and Part 3(e).5 of this Policy.

The Complaint Assessor must ensure that the Respondent is provided with a reasonable opportunity to be heard before forming any opinions, or drafting the Complaint Report or recommendations.

k. Complaint Report

The Complaint Assessor will prepare a Complaint Report that will -

- i. outline the process followed, including how the Respondent was provided with an opportunity to be heard;
- ii. include the Complaint Documents, the Response Documents and any relevant Local Government Records as attachments; and

- iii. include recommendations on each decision that may be made by Council; and
- iv. include reasons for each recommendation, with reference to Part 4 of this Policy.

If the Complaint Report recommends that a Plan is prepared and implemented in accordance with clause 2.6(4)(b) of the Code of Conduct and Part 4.~~(d)~~4 of this Policy, the Complaint Report must include a Proposed Plan.

The Respondent and Claimant will be provided with a draft copy of the Complaint Report, and an opportunity to make submissions, before the Complaint Assessor finalises the Complaint Report.

The Complaint Assessor will liaise with the Behaviour Complaints Officer to include the Complaint Report in the Agenda for a meeting of Council. The Behaviour Complaints Officer will be responsible for preparation of an Officer Report with the Complaint Report provided as a confidential attachment. The recommendations of the Complaint Report will be provided as the Officer Recommendations.

I. Complaints Committee Meeting

The Agenda will be prepared on the basis that the part of the meeting that deals with the Complaint Report will be held behind closed doors in accordance with s.5.23(2) of the Act.

The Behaviour Complaints Committee will consider the Complaint Report and attachments and give due regard to the recommendations.

In accordance with Regulation 11(d)(a) of the *Local Government (Administration) Regulations 1996*, reasons for any decision that is significantly different from the Officer Recommendation must be recorded in the meeting minutes.

If the behaviour that is the subject of the Complaint is alleged to have occurred at a Council or Committee Meeting, the Behaviour Complaints Committee will determine whether or not to dismiss the Complaint in accordance with clause 2.7 of the Code of Conduct and Part 4.~~(b)~~2 of this Policy.

If the Behaviour Complaints Committee dismisses a Complaint, the Behaviour Complaints Officer must give the Complainant and the Respondent written notice of the decision and the reasons for the decision in accordance with clause 2.7(2) of the Code of Conduct. This concludes the process for this Complaint.

If the Complaint is not dismissed, the Behaviour Complaints Committee will consider the Complaint and make a Finding as to whether the alleged Breach that is the subject of the Complaint has or has not occurred, in accordance with clause 2.6 of the Code of Conduct and Part 4.~~(c)~~-3 of this Policy.

If the Behaviour Complaints Committee finds that the alleged Breach did not occur, the Behaviour Complaints Officer must give the Complainant and the Respondent written notice of the Finding and the reasons for the Finding in accordance with clause 2.6(7)(a) of the Code of Conduct. This concludes the process for this Complaint.

If the Behaviour Complaints Committee finds that the alleged breach did occur, the Committee will decide whether to take no further action in accordance with clause 2.6(4)(a) of the Code of Conduct or prepare a plan to address the behaviour in accordance with clause 2.6(4)(b) of the Code of Conduct and Part 4(d).4 of this Policy.

If the Behaviour Complaints Committee decides to take no further action, the Behaviour Complaints Officer must give the Complainant and the Respondent written notice of this decision and the reasons for the Finding in accordance with clause 2.6(7)(a) of the Code of Conduct. This concludes the process for this Complaint.

If the Behaviour Complaints Committee decides to prepare a Plan, the Committee will first consult with the Respondent in accordance with clause 2.6(5) of the Code of Conduct. The Behaviour Complaints Committee will consider any submissions made by the Respondent before preparing and implementing a Plan.

m. Compliance with Plan Requirement

The Behaviour Complaints Officer will monitor the actions in timeframes set out in a Plan.

Failure to comply with a requirement included in a Plan is a minor breach under section 5.105(1) of the Act and clause 3.9 of the Code of Conduct.

The Behaviour Complaints Officer must provide a report advising Council of any failure to comply with a requirement included in a Plan.

4. Decision Making

a. Objective and Principles

All decisions made under this Policy will reflect the Policy Objectives and the Principles included in Part 1 of this Policy.

b. Dismissal

The Behaviour Complaints Committee must dismiss a Complaint in accordance with clause 2.7(1)(a) and (b) of the Code of Conduct if it is satisfied that -

- i. the behaviour to which the Complaint relates occurred at a Council or Committee Meeting; and
- ii. either —
 1. the behaviour was dealt with by the person presiding at the meeting; or
 2. the Respondent has taken remedial action in accordance with the Shire of Esperance's Standing Orders Local Law 2015

c. Finding

A Finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.

This may involve first considering whether the behaviour occurred, on the balance of probabilities, and then whether that behaviour constituted a breach of a requirement of Division 2 of the Code of Conduct.

d. Action

In deciding whether to take no further action, or prepare and implement a Plan, the Complaints Committee may consider -

- i. the nature and seriousness of the breach(es);
- ii. the Respondent's submission in relation to the contravention;
- iii. whether the Respondent has breached the Code of Conduct knowingly or carelessly;
- iv. whether the Respondent has breached the Code of Conduct on previous occasions;
- v. likelihood or not of the Respondent committing further breaches of the Code of Conduct;
- vi. personal circumstances at the time of conduct;
- vii. need to protect the public through general deterrence and maintain public confidence in Local Government; and
- viii. any other matters which may be regarded as contributing to the conduct or mitigating its seriousness.

e. Plan Requirements

The Proposed Plan may include requirements for the Respondent to do one (1) or more of the following -

- i. engage in mediation;
- ii. undertake counselling;
- iii. undertake training;
- iv. take other action the Complaints Committee considers appropriate (e.g. an apology).

The Proposed Plan should be designed to provide the Respondent with the opportunity and support to demonstrate the professional and ethical behaviour expected of elected representatives expressed in the Code of Conduct.

The Proposed Plan may also outline -

- a. the actions to be taken to address the behaviour(s);
- b. who is responsible for the actions;
- c. any assistance the Local Government will provide to assist achieve the intent of the Plan; and
- d. a reasonable timeframe for the Plan action(s) to be addressed by the Respondent.

Any requirements identified within a Plan will be arranged by the Shire in accordance with the Elected Member Professional Development Policy once adopted.

.....End.....

Document Information

Responsible Position	Executive Assistant
Risk Rating	High

Referencing Documents

- *Local Government Act 1995*
- *Local Government (Administration) Regulations 1996*
- *Local Government (Model Code of Conduct) Regulations 2021*
- *Council Members, Committee Members and Candidates Code of Conduct*

Revision History

Date	Version	CM Reference	Reason for Change	Resolution #	Next Review
May 2021	1	D21/17096	New policy	O0521-146	May 2023
Jan 2022	2	D21/17096[v2]	Biennial review, no change	O0122-012	Jan 2024
Jan 2024	3	D21/17096[v3]	Minor rewording	O0124-004	Jan 2026

Item: 12.3.5

Annual Review of the Delegated Authority Register 2024/2025

Author/s	Sarah Walsh	Coordinator Governance & Corporate Support
Authorisor/s	Felicity Baxter	Director Corporate & Community Services

File Ref: D24/12545

Applicant

Internal

Location/Address

Shire of Esperance

Executive Summary

For Council to review its delegations to the Chief Executive Officer and Authorised Persons in accordance with the requirements of Section 5.46(2) of the *Local Government Act 1995*.

Recommendation in Brief

That Council endorse the Delegated Authority Register 2024/20245

Background

Section 5.42 of the *Local Government Act 1995* (the Act) provides authority to a local government to delegate to the CEO any of its powers or the discharge of any of its duties under the Act other than those referred to in section 5.43.

Section 5.46(2) requires that at least once every financial year, delegations are to be reviewed by the delegator. Council last reviewed its delegations at the Ordinary Council Meeting 27 June 2023 (Resolution No. O0623-117), and therefore a formal review by Council is now required.

A full copy of the proposed Delegated Authority Register 2024/2025 is attached for the information of Elected Members.

Officer's Comment

Whilst section 5.46(2) of the Act requires delegations to be formally reviewed annually, this does not preclude local governments from amending or enabling new delegations on an ad-hoc basis as required throughout the year. During the course of the 2023/2024 financial year the following amendments were made to the register after the full review was completed.

August and November 2023: Amended the following Delegations to reflect position title changes for delegates due to organisational restructures.

5.3 *Bush Fires Act 1954* Offences and infringements – appoint additional officers to have this authority

6.2 *Food Act 2008* – Prohibition Orders

6.3 *Food Act 2008* – Registration of Food Business

12.1 *Health (Miscellaneous Provisions) Act 1911* – Appointment of Deputies

The purpose of this annual review is for Council to consider its delegations to the Chief Executive Officer and Authorised Persons, and determine their ongoing suitability. Delegations to the CEO are at the discretion of Council. Council may elect to make changes to the delegations, these will be recorded and alterations to the register made accordingly.

The delegation template has been updated this year to conform with changes to the Shire's branding. Policy reference numbers have also been removed throughout the register, as these are no longer current. Minor changes to formatting, position titles and references within 'compliance links' and 'power being delegated' sections have occurred.

Other changes include;

- 1.12:
 - Amend wording in council conditions, Activities local law section to allow for permits to be approved or refused.
- 4.1:
 - Part a) - remove reference to commercial zone and value, and include point relating to single house developments.
 - Part b) – remove policy reference number. Add last three points.

Please refer to the attachments for a full summary of changes for this year's review.

Consultation

Executive Management Team
Middle Management Team

Financial Implications

Nil

Asset Management Implications

Nil

Statutory Implications

Local Government Act 1995

Building Act 2011

Public Health Act 2016

Planning and Development Act 2005

Bush Fires Act 1954

Food Act 2008

Dog Act 1976

Cat Act 2011

Local Government (Miscellaneous Provisions) Act 1960

Land Administration Act 1997

Local Government (Financial Management) Regulations 1996

Local Government (Uniform Local Provisions) Regulations 1996

Health (Miscellaneous Provisions) Act 1911

Health (Asbestos) Regulations 1992

Building Regulations 2012

Policy Implications

Nil

Strategic Implications

Strategic Community Plan 2022 - 2032

Performance - Outcome 15. Operational excellence and financial sustainability

Objective 15.1. Provide responsible, agile and innovative planning and resource management.

Environmental Considerations

Nil

Attachments

A↓. Delegated Authority Register Summary of Changes

B⇒. Reviewed Delegated Authority Register 2024/25 - *Under Separate Cover*

RECOMMENDATION AND DECISION

Item: 12.3.5 Annual Review of the Delegated Authority Register 2024/2025

Moved: Cr Graham
Seconded: Cr Flanagan

O0524-059

Council Resolution

That Council endorse the proposed *Delegated Authority Register 2024/2025 - Council to Chief Executive Officer & Authorised Persons.*

**CARRIED
F9 - A0**

Council to Authorised Persons (Register)		
Number	Delegation	Comment
Local Government Act 1995		
1.1	Expressions of Interest, Tenders and Pre-qualified Suppliers (s.3.57)	Remove policy reference number
1.2	Agreement as to payment of rates and service charges (s.6.49)	No change
1.3	Powers of entry (s3.28 & s3.34)	No change
1.4	Certain provisions about land (s.3.25, s3.26 & s.3.27)	No change
1.5	Enforcement and legal proceedings (s.9.11, 9.13, 9.16, 9.19, 9.20 & 9.24)	No change
1.6	Closing certain thoroughfares to vehicles (s.3.50)	No change
1.7	Declaring a vehicle as an abandoned vehicle wreck (s.3.40A)	No change
1.8	Disposing of confiscated or uncollected goods (s.3.47)	Remove policy reference number
1.9	Disposing of property (s.3.58)	Remove policy reference number
1.10	Investment of funds (s.6.14)	Remove policy reference number
1.11	Local government may require lessee to pay rent (s.6.60)	No change
1.12	Local laws administration (s.3.18)	Amend wording in council conditions, Activities local law section to allow for permits to be approved or refused.
1.13	Objection to the rate record (s.6.76)	No change
1.14	Partial closure of thoroughfare for repairs and maintenance (s.3.50A.)	No change
1.15	Power to remove, impound goods and recover expenses (s.3.39 & s.3.48)	No change
1.16	Power to write off debts (s.6.12)	Remove policy reference number
1.17	Rates or service charges recoverable in court (s.6.56)	Remove policy reference number
1.18	Disposal of sick or injured animals(s.3.47A)	No change
1.19	Reserves under control of Local Government (s.3.54)	No change

Building Act 2011		
2.1	Appointment of Authorised Persons (s.96 & s.99)	No change
2.2	Powers pursuant to the Building Act 2011	No change
Public Health Act 2016		
3.1	Appointment of Environmental Health Officer (s.17)	No change
3.2	Designation of Authorised Officers (s.24)	No change
Planning and Development Act 2005		
4.1	General administration powers	Part a) - remove reference to commercial zone and value, and include point relating to single house developments. Part b) – remove policy reference number. Add last three points. Amend reference to dog local law in ‘power being delegated’ section.
Bush Fires Act 1954		
5.1	Appointment of Bush Fire Control Officers (s.38)	Remove policy reference numbers
5.2	Fire break maintenance (s.33)	Remove policy reference numbers
5.3	Offences and infringements (s.59 & s.59A)	Remove policy reference numbers, add Community Emergency Services Manager position.
5.4	Withdrawal of infringements (s.59A)	No change
5.5	Varying prohibited burning times (s.17)	No change
Food Act 2008		
6.1	Appoint Authorised Officers (s.122 & s.126)	No change
6.2	Prohibition orders (s.65, s.66 & s.67)	No change
6.3	Registration of food business (s.110 & s.112)	No change
6.4	Prosecutions (s.125)	No change
Dog Act 1976		
7.1	Appoint Registration Officers (s.3)	No change
7.2	Keeping of dogs (number of) (s.26)	Amend reference to dog local law in ‘compliance links’ section.

Cat Act 2011		
8.1	Cat Registrations	Include Cat Local Law in 'compliance links' section.
8.2	Cat Control Notices	Include Cat Local Law in 'compliance links' section.
8.3	Recovery of Costs - Destruction of Cats	No change
8.4	Prosecutions	No change
Local Government (Miscellaneous Provisions) Act 1960		
9.1	Establishing pounds and appointing poundkeepers and Rangers (s.449)	No change
Local Government (Financial Management) Regulations 1996		
10.1	Payment of accounts (r.12)	No change
Local Government (Uniform Local Provisions) Regulations 1996		
11.1	Permission to have gate across public thoroughfare (r.9)	No change
11.2	Private works on, over, or under public places (r.17)	No change
11.3	Requirement to construct and repair crossing (r.13)	Remove policy reference number
11.4	Dangerous excavation in or near public thoroughfare (r.11)	No change
11.5	Obstruction of footpaths and thoroughfares (r.5, r.6, r.7A, r.7)	No change
Health (Miscellaneous Provisions) Act 1911		
12.1	Appointment of Deputies (s.26)	Remove Manager Ranger & Emergency Services and add Environmental Health Officer
Health (Asbestos) Regulations 1992		
13.1	Appoint Authorised and Approved Officers (r.15D)	No change
Building Regulations 2012		
14.1	Appoint Approved and Authorised Officers (r.70)	No change

Item: 12.3.6

Annual Review of Council Plan

Author/s	Sarah Walsh	Coordinator Governance & Corporate Support
Authorisor/s	Felicity Baxter	Director Corporate & Community Services

File Ref: D24/12546

Applicant

Internal

Location/Address

Shire of Esperance

Executive Summary

For Council to consider adopting the Council Plan 2022-2032 as revised.

Recommendation in Brief

That Council adopt the Council Plan 2022-2032 as revised.

Background

The Integrated Planning and Reporting Framework provides a suite of strategic plans that ensure local governments plan responsibly and sustainably for their community. These plans detail our resourcing capabilities for operational services and major projects, maintenance of community assets and predicted long term financial expectations.

During the 2022 major review of the Strategic Community Plan it was agreed to combine the Corporate Business Plan to become the consolidated Council Plan. As a result we are now required to undertake an annual review of the Corporate Business Plan items within the Council Plan in line with the *Local Government Act 1995*.

The Corporate Business Plan elements identify Council priorities and detail current services, future operations and major projects expected to be undertaken by the Shire over the next four years, and outline the operational activities that will be undertaken to achieve the desired strategic outcomes.

Officer's Comment

This year's review of the Council Plan has focused on the Corporate Business Plan elements, including updates for the priority action status, financial information and workforce resources, along with Strategic Community Plan elements such as updating statistics, community survey references, and recent achievements and current situation information on the theme summary pages.

The reviewed document was discussed with the Executive Management Team (EMT) and Council during April with relevant changes being made.

The financial information on page 38 from the Long Term Financial Plan will be incorporated when the current review is completed.

Consultation

Directors
Managers
Council

Financial Implications

Funds required in order to undertake actions noted within the Plan.

Asset Management Implications

As noted within the Plan.

Statutory Implications

Local Government Act 1995 – s.5.56 Plan for the Future

Local Government (Administration) Regulations 1996 – 19DA

Policy Implications

Nil

Strategic Implications

Council Plan 2022 – 2032

Performance - Outcome 15. Operational excellence and financial sustainability

Objective 15.1. Provide responsible, agile and innovative planning and resource management.

Environmental Considerations

Nil

Attachments

A⇒. Council Plan Review 2024 - Tracked Changes - *Under Separate Cover*

B⇒. Council Plan Review 2024 - Publication - *Under Separate Cover*

RECOMMENDATION AND DECISION

Item: 12.3.6 Annual Review of Council Plan

Moved: Cr Davies

Seconded: Cr McMullen

O0524-060

Council Resolution

That Council;

- 1. Adopt the Council Plan 2022-2032 as revised, subject to inclusion of financial summary information as determined by the Long-Term Financial Plan; and**
- 2. Requests the Chief Executive Officer give local public notice of the reviewed plan as per the requirements of the *Local Government Act 1995*.**

**CARRIED
F9 - A0**

Item: 12.3.7

Management Agreement Renewal - Munglinup Beach Campground

Author/s	Cherrie Vincent Sarah Walsh	Governance and Corporate Support Officer Coordinator Governance & Corporate Support
Authoriser/s	Felicity Baxter	Director Corporate & Community Services

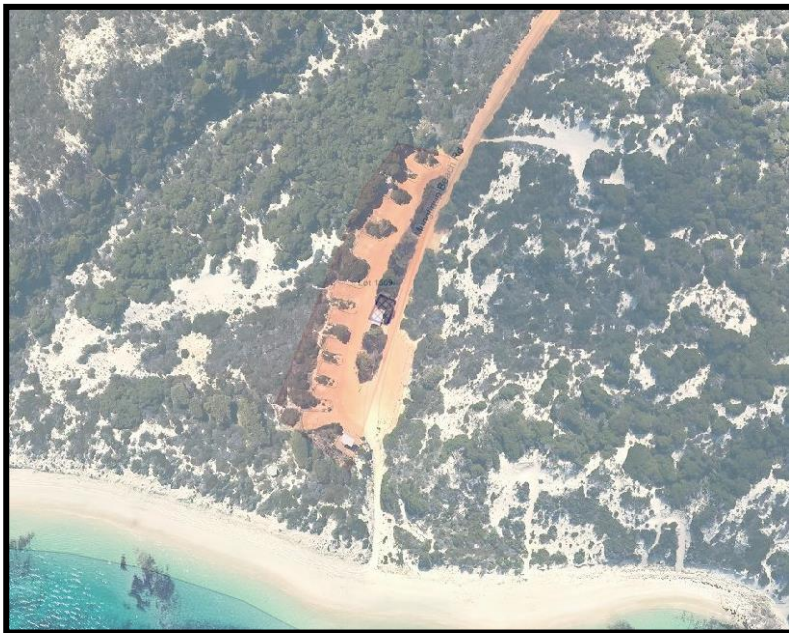
File Ref: D24/12600

Applicant

D.L Berryman and R.A Jamieson trading as Munglinup Beach Caravan Park

Location/Address

Part Lot 1509, on Deposited Plan 34310, Reserve 32337, also known as Munglinup Beach Campground.



Executive Summary

For Council to consider renewing the management agreement with the owners of the Munglinup Beach Caravan Park for the management of the Munglinup Beach Campground for a 5 year term.

Recommendation in Brief

That Council enter into a new management agreement of 5 years with the owners of the Munglinup Beach Caravan Park over the Munglinup Beach Campground.

Background

The Munglinup Beach Campground has been managed by the owners of the Caravan Park for a management fee, since 2003. Originally the Shire conducted all inspections and maintenance of the site. This arrangement was amended in 2017, to give maintenance responsibility to the Caravan Park owners. The management fee was discontinued, and instead the campground fees collected were retained by the Caravan Park owners with the management agreement being reviewed every 2 years.

With the current management agreement due to expire 30 June 2024, the owners of the Caravan Park have been contacted to confirm if they would like to renew the arrangement. Verbal confirmation on the 7 May 2024 been received requesting to renew the agreement for a 5 year term upon expiry, rather than 2 years as it has been previously.

Officer's Comment

After consultation with both the Caravan Park owners and the Manager Parks and Environment, it is recommended to renew the arrangement for a further 5 year term rather than the original 2 year term.

The Manager Parks and Environment has advised that the arrangement is working well, and Shire staff haven't reported concerns with the site.

Consultation

Munglinup Beach Caravan Park
Manager Parks and Environment
Coordinator Governance and Corporate Support

Financial Implications

All takings from the Munglinup Beach Campground are retained by the applicant.

Asset Management Implications

As per building maintenance schedule.

Statutory Implications

Local Government Act 1995

Policy Implications

Asset Management
Building and Property Agreements

Strategic Implications

Council Plan 2022 – 2032

Place - Outcome 9. Attractive and welcoming places

Objective 9.3. Provide quality community facilities, parks and spaces.

Environmental Considerations

Nil

Attachments

Nil

RECOMMENDATION AND DECISION

Item: 12.3.7 Management Agreement Renewal - Munmlinup Beach Campground

Moved: Cr Flanagan
Seconded: Cr Starceвич

O0524-061

Council Resolution

That Council;

- 1. Enter into a new Management Agreement for the Munmlinup Beach Campground with D.L Berryman and R.A Jamieson trading as Munmlinup Beach Caravan Park; and**
- 2. The term of the agreement being 5 years.**

CARRIED
F9 - A0

Item: 12.3.8

Lease Renewal Request - Communication Tower Lot 2112 Helms Drive

Author/s	Sarah Walsh	Coordinator Governance & Corporate Support
Authorisor/s	Felicity Baxter	Director Corporate & Community Services

File Ref: D24/12777

Applicant

Amplitel Pty Ltd

Location/Address

Lot 2112 Helms Drive, Pink Lake, Reserve 45368



Executive Summary

For Council to consider entering into a new lease with Amplitel Pty Ltd for Lot 2112 Helms Drive, Pink Lake.

Recommendation in Brief

That Council to enter into a new lease with Amplitel Pty Ltd for Lot 2112 Helms Drive, Pink Lake.

Background

The current lease for the site began in August 2020 and was initially between the Shire of Esperance and Telstra Corporation Limited, with Council agreeing to reassign the lease to Amplitel in December 2021.

The lease is due to expire 31 July 2025, however Amplitel are looking to upgrade the service offered from the site and therefore have requested that a new lease be entered into which will provide longer tenure to make the upgrade project viable.

Officer's Comment

Generally lease expiries are reviewed 3-4 months in advance, however as Amplitel are looking to upgrade their facility it is appropriate to review the arrangement early to assist with viability of the project, noting that the new arrangement will commence upon expiry of the current lease.

In 2020 when the lease was last renewed, Telstra requested that the rent remain at \$550 inc GST per annum due to limited services provided at the site, being fixed line only. This was laid on the table by Council for further negotiations to occur. After further discussion, Council eventually agreed to keeping the rent at \$550 per annum, subject to a shorter tenure so rent could be renegotiated at an earlier point in time.

As the services on site are to be upgraded to provide more than fixed line services, a higher rent will be expected for the lease going forward. Amplitel's initial rent proposed was \$5,500 inc GST, however the 2020 valuation we obtained for the site determined the rent value at \$10,340 inc GST, so we have advised Amplitel that we would expect the rent to be consistent with this valuation.

Amplitel have amended their proposal to offer \$6,600 inc GST rent per annum and also increased the escalation from 2% per annum to be 3% per annum, which is consistent with other communication tower leases we have.

To support this rent proposal, Amplitel has advised that government support through the Mobile Black Spot Program has made the upgrade project possible, however if Council were to charge rent at the valuation amount, the project would not be commercially viable.

As the upgrade will provide better 4G and 5G connectivity to the wider community, it is recommended that the lesser amount of \$6,600 inc GST rent per annum with annual increases of 3% be approved.

Consultation

Amplitel Pty Ltd
Chief Executive Officer
Director Corporate & Community Services

Financial Implications

Annual rent: \$6,600 inc GST, subject to 3% annual increases
Lease preparation fee \$630 inc GST

Asset Management Implications

Nil – land only lease arrangement, Amplitel are responsible for all structures on site.

Statutory Implications

Local Government Act 1995 - Section 3.58 Disposing of Property

Policy Implications

Building and Property Agreements Policy

Strategic Implications

Council Plan 2022 – 2032

Place - Outcome 7. Responsible planning and development

Objective 7.1. Enable access to land and development opportunities to meet local needs.

Environmental Considerations

Nil

Attachments

- A. Initial Amplitel Lease Request
- B. Amplitel Lease Request

RECOMMENDATION AND DECISION

Item: 12.3.8 Lease Renewal Request - Communication Tower Lot 2112 Helms Drive

Moved: Cr McMullen

Seconded: Cr de Haas


O0524-062

Council Resolution

That Council enter into a lease with Amplitel Pty Ltd for Lot 2112 Helms Drive, Pink Lake, subject to;

- 1. The term of lease being 5 years, with 3x 5 year further term options;**
- 2. Annual rent being \$6,600 inc GST per annum, subject to 3% annual increases;**
- 3. Lease preparation fee of \$630 inc GST being payable;**
- 4. Lease commencement date to be 1 August 2025;**
- 5. Amplitel to provide appropriate lease template; and**
- 6. The disposition being advertised in accordance with s3.58 of the *Local Government Act 1995*.**

**CARRIED
F9 - A0**

Archived: Thursday, 9 May 2024 11:18:39 AM
From: [REDACTED]
Mail received time: Tue, 16 Apr 2024 05:01:50
Sent: Tuesday, 16 April 2024 1:01:52 PM
To: [Corporate Support](#)
Subject: Re: Lease - Esperance DA036 | Amplitel - JDE 31361500
Importance: Normal
Sensitivity: None
Attachments:
[Outlook-A black an.png](#) 

[Caution: External Email] This email was sent from outside the organisation - be cautious, particularly with links and attachments.

Hi Sarah,

No worries at all, I am glad we can finally move forward with this matter.

Amplitel are currently in the process of obtaining approval to construct a 30m Monopole within the existing site. The new monopole has proposed antennas which will provide 4G and 5G connectivity to the wider connectivity. I have attached snips for your reference (LTE = 4G and NR = 5G).

As you can understand, due to the substantial cost of constructing new infrastructure, Amplitel will only move forward once long-term tenure is secured at this site.

Amplitel are seeking to renew the lease at \$5,000 for an additional 20-year term.

I have reviewed some recently completed sites in the area and based on my findings, I am pleased to present you with the following proposal:

Rent	\$5,000 + GST per annum <i>(this aligns with other blackspot sights agreed with DPLH)</i>
Escalator	2.00%
Term	20 Years
Options	Break dates every 5 years
Commencement Date	01 August 2025
Document	Amplitel's Template Lease
Legal Fees	To be paid by Amplitel (Capped at \$1,500)
Amplitel's Requirements	This offer is subject to Amplitel's final approval

If you are agreeable to the proposed rental and terms, please respond to this email and I will escalate this to my client for their endorsement.

I look forward to hearing from you.

Best regards,
Jamie

Jamie Easter
Transaction Manager

JLL as managing agent for Amplitel

M [REDACTED]
W www.amplitel.com.au
E [REDACTED]

Level 41, 242 Exhibition St
Melbourne, VIC 3000



This email may contain confidential information.
If I've sent it to you by accident, please delete it immediately

General

From: Corporate Support <CorporateSupport@esperance.wa.gov.au>
Sent: Wednesday, April 10, 2024 5:49 PM
To: [REDACTED]
Subject: RE: Lease - Esperance DA036 | Amplitel - JDE 31361500

You don't often get email from corporatesupport@esperance.wa.gov.au. [Learn why this is important](#)

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Hi Jamie,

Apologies for the delay on responding to you on this one.

I have been advised that we can commence the renewal process early as requested.

Could you please advise the following;

1. Length of term which Amplitel are requesting;
2. Whether the proposed upgrades will provide for greater services to be available in the area or if this tower will continue to only provide land line/fixed line communications; and
3. Proposed rent for the site.

Please note that there will be a lease preparation fee payable as per Council's Schedule of Fees and Charges for this transaction, and that all Landgate lodgement fees will be the responsibility of Amplitel.

Should you have any queries, please let me know.

Kind regards,



Sarah Walsh

Coordinator Governance and Corporate Support
Shire of Esperance | Administration Building

T (08) 9071 0672

E Sarah.Walsh@esperance.wa.gov.au

A PO Box 507, 77 Windich Street, Esperance WA 6450

W www.esperance.wa.gov.au



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From: [REDACTED]
Sent: Thursday, 29 February 2024 9:40 AM

To: Sarah Walsh <Sarah.Walsh@esperance.WA.gov.au>
Subject: Lease - Esperance DA036 | Amplitel - JDE 31361500

[Caution: External Email] This email was sent from outside the organisation - be cautious, particularly with links and attachments.

Hi Sarah,

I hope you're having a great week.

Firstly, I thought I would reach out to introduce myself. I believe Cody was in communication with you regarding the lease renewal for the above-mentioned site. Since then, Cody has moved on from the Amplitel team, so I now take carriage of this matter.

Secondly, I understand that the Council do not wish to discuss the renewal until the end of 2024 (due to a lease expiry 31/05/2025).

I have been made aware that Amplitel are considering doing some upgrades to the tower on this site. In order for these upgrades to progress, Amplitel will need to have secured long-term tenure at this site. Are you happy to bring the renewal discussion forward?

Look forward to hearing from you.

Best regards,

Jamie Easter
Transaction Manager
JLL as managing agent for Amplitel

M [REDACTED]
W www.amplitel.com.au
E [REDACTED]

Level 41, 242 Exhibition St
Melbourne, VIC 3000



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General

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<https://www.mailguard.com.au/mg>

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Archived: Thursday, 9 May 2024 11:15:57 AM
From: [REDACTED]
Mail received time: Thu, 9 May 2024 00:55:49
Sent: Thursday, 9 May 2024 8:55:49 AM
To: [Corporate Support](#)
Subject: Re: Lease - Esperance DA036 | Amplitel - JDE 31361500
Importance: High
Sensitivity: None
Attachments:
[Outlook-A black an.png](#) 

[Caution: External Email] This email was sent from outside the organisation - be cautious, particularly with links and attachments.

Hi Sarah,

Thanks for your quick response, I really appreciate it.

There are certain parts of Australia, which includes this site in Pink Lake WA, where the economics for mobile coverage don't support investment without some form of Government support. This is where the Government's co investment programs such as the Mobile Black Spot Program (MBSP) have been critical and have supported commercial operators to successfully deliver mobile coverage. The nature of this program being beneficial and advantageous to the Pink Lake wider community and council constituents.

The reality is that with this program, Amplitel are now able to upgrade the infrastructure to provide 4G and 5G connectivity to the wider community however the rental you have proposed (\$9,400 plus GST) does not make it a commercially viable project. The proposed commencing rental of \$5,00 plus GST is to keep it consistent with other black spot sites in WA.

In the spirit of moving the matter forward, I would be happy to seek endorsement for a commencing rental at \$6,000 escalating at 3%. Our updated lease offer is as follows:

Rent	\$6,000 + GST per annum
Escalator	3.00%
Term	20 Years
Options	Break dates every 5 years
Commencement Date	01 August 2025
Document	Amplitel's Template Lease
Legal Fees	To be paid by Amplitel (Capped at \$1,500)
Amplitel's Requirements	This offer is subject to Amplitel's final approval

Please let me know if this is agreeable to council.

Best regards,
Jamie

Jamie Easter
Transaction Manager
JLL as managing agent for Amplitel

M + [REDACTED]
W www.amplitel.com.au
E [REDACTED]

Level 41, 242 Exhibition St
Melbourne, VIC 3000

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If I've sent it to you by accident, please delete it immediately

General

From: Corporate Support <CorporateSupport@esperance.wa.gov.au>
Sent: Thursday, May 9, 2024 10:17 AM
To: [REDACTED]
Subject: RE: Lease - Esperance DA036 | Amplitel - JDE 31361500

[External Email] This email was sent from outside the organisation – be cautious, particularly with links and attachments.

Hi Jamie,

We have reviewed the proposed terms put forward by Amplitel for the lease renewal at Lot 2112 Helms Drive.


With regard to the rent proposed, the Shire believes that this should be more aligned with a valuation and what we are receiving for other commercial communication towers. The previous valuation we obtained for the site when the lease was last renewed in 2020 determined the rent for the site to be \$10,340 inc GST, so we would expect the rent to be consistent with this valuation.

With regard to escalations, we propose 3% increases annually also for consistency with other commercial communication tower leases we currently have in place.

Should you have any queries, please do not hesitate to contact me.

Kind regards,



Sarah Walsh
Coordinator Governance and Corporate Support
Shire of Esperance | Administration Building
T (08) 9071 0672
E Sarah.Walsh@esperance.wa.gov.au
A PO Box 507, 77 Windich Street, Esperance WA 6450
W www.esperance.wa.gov.au
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From: [REDACTED]
Sent: Thursday, 9 May 2024 6:39 AM
To: Corporate Support <CorporateSupport@esperance.wa.gov.au>
Subject: Re: Lease - Esperance DA036 | Amplitel - JDE 31361500

[Caution: External Email] This email was sent from outside the organisation - be cautious, particularly with links and attachments.

Item: 12.3.9

Financial Services Report - April 2024

Author/s	Roselyn Hamilton	Manager Financial Services
Authoriser/s	Felicity Baxter	Director Corporate & Community Services

File Ref: D24/12790

Attachments

[A1.](#) Monthly Financial Services Report - April 2024

RECOMMENDATION AND DECISION

Item: 12.3.9 Financial Services Report - April 2024

Moved: Cr de Haas

Seconded: Cr Starceвич

O0524-063

Council Resolution

That Council receive the attached report entitled Monthly Financial Services Report for the month of April 2024.

**CARRIED
F9 - A0**



SHIRE OF ESPERANCE

MONTHLY FINANCIAL MANAGEMENT REPORTS

(Incorporating Statement of Financial Activity)

APRIL 2024

CORPORATE & COMMUNITY SERVICES



CONTENTS – Monthly Financial Report

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3. Statement of Financial Activity (Nature or Type)	4
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5. Statement of Financial Position (Balance Sheet)	6
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Compilation Report

MANAGER FINANCIAL SERVICES
COMPILATION REPORT

MEETING DATE	: 28 th May 2024
ACCOUNTING PERIOD	: The period ended 30 th April 2024
COMPILATION DATE	:9th April 2024
CONTENTS	: Monthly Financial Report

OVERVIEW

(Source:- Summary of Reporting Programs page 2:1 and graphical progressive snapshot/Liquidity graph.)

The Statement of Financial Activity by reporting program is presented on page 3 and shows a surplus as at 30 April of \$16,410,310.

Rates Collected

Rates collected at the end of April were 103.14% this is presented on page 17. Collections at the same time last year was 103.55%.

Fees and Charges

The draft Schedule of Fees and Charges for 2024/2025 have been sent out to Managers and Directors.

Meetings with responsible officers have occurred during the month of April, with some outstanding items to be reviewed.

Compilation Report

Working Capital (Note 1- page 7)

The Council is solvent and I do not consider there any other matters of liquidity that I would bring to Council's attention.

Current surplus at the end of April is \$16,410,310. The surplus is shown on the bottom of the Statement of Financial Activity on page 3 and also on the bottom of Composition of Net Current Funding Position on page 7. It represents our ability to meet the short-term demands of our suppliers.

Unrestricted cash at bank is \$14,905,983 and this is shown on page 7. Reserve balance is \$31,926,456 as per page 6.

Tamsen Kirby
Assistant Accountant

STATEMENT OF FINANCIAL ACTIVITY

BY REPORTING PROGRAM

For the Period Ended 1 April to 30 April 2024



DESCRIPTION	2022/2023 Budget (A)	YTD Budget (B)	YTD Actuals (C)	Variance	
				Amount \$ (C-B)	% (C/B)
Operating Income					
03 - General Purpose Funding	(35,513,902)	(34,485,709)	(34,817,477)	(331,768)	101%
04 - Governance	(343,098)	(194,969)	(207,334)	(12,365)	106%
05 - Law, Order & Public Safety	(1,287,748)	(1,080,577)	(718,093)	362,484	66%
07 - Health	(72,500)	(60,410)	(63,791)	(3,381)	106%
08 - Education & Welfare	(6,274,573)	(5,080,470)	(5,016,634)	63,836	99%
10 - Community Amenities	(6,350,501)	(5,396,063)	(5,473,944)	(77,881)	101%
11 - Recreation & Culture	(2,880,406)	(2,161,433)	(2,416,991)	(255,558)	112%
12 - Transport	(2,162,544)	(1,559,520)	(1,209,516)	350,004	78%
13 - Economic Services	(973,320)	(717,870)	(564,175)	153,695	79%
14 - Other Property & Services	(1,292,900)	(626,119)	(533,327)	92,792	85%
Income Total	(57,151,492)	(51,363,140)	(51,021,282)	341,858	
Expense					
03 - General Purpose Funding	609,518	346,783	312,467	(34,316)	90%
04 - Governance	2,790,941	2,191,455	2,123,089	(68,366)	97%
05 - Law, Order & Public Safety	2,854,386	2,332,709	2,075,800	(256,909)	89%
07 - Health	527,096	435,210	374,808	(60,402)	86%
08 - Education & Welfare	6,697,050	5,459,237	4,358,856	(1,100,381)	80%
10 - Community Amenities	7,488,162	5,892,838	4,816,728	(1,076,110)	82%
11 - Recreation & Culture	16,314,305	13,489,944	12,559,315	(930,629)	93%
12 - Transport	26,736,155	22,295,900	19,031,789	(3,264,111)	85%
13 - Economic Services	2,291,361	1,773,783	1,608,020	(165,763)	91%
14 - Other Property & Services	1,399,788	1,972,667	1,463,902	(508,765)	74%
Expense Total	67,708,762	56,190,526	48,724,775	(7,465,751)	
Operating Total	10,557,270	4,827,386	(2,296,507)	(7,123,893)	
Capital Income					
04 - Governance	(232,438)	(41,500)	(14,545)	26,955	35%
05 - Law, Order & Public Safety	(1,228,252)	(348,252)	(465,917)	(117,665)	134%
07 - Health	(15,000)	0	0	0	0%
08 - Education & Welfare	(693,488)	(679,488)	(284,146)	395,342	42%
10 - Community Amenities	(3,809,815)	(31,000)	(182,585)	(151,585)	589%
11 - Recreation & Culture	(8,230,724)	(2,438,652)	(2,710,655)	(272,003)	111%
12 - Transport	(17,142,995)	(11,479,742)	(11,398,407)	81,335	99%
13 - Economic Services	(125,000)	0	0	0	0%
14 - Other Property & Services	(9,134,446)	(309,470)	(681,364)	(371,894)	220%
Income Total	(40,612,158)	(15,328,104)	(15,737,620)	(409,516)	
Expense					
04 - Governance	347,141	234,142	235,500	1,358	101%
05 - Law, Order & Public Safety	1,724,448	281,954	60,933	(221,022)	22%
07 - Health	45,000	0	0	0	0%
08 - Education & Welfare	763,488	612,900	706,715	93,815	115%
10 - Community Amenities	3,726,864	3,601,751	1,348,083	(2,253,668)	37%
11 - Recreation & Culture	9,594,276	4,495,807	1,937,311	(2,558,496)	43%
12 - Transport	31,049,354	24,970,605	18,124,663	(6,845,942)	73%
14 - Other Property & Services	8,159,259	6,111,620	1,011,636	(5,099,984)	17%
15 - Funds Transfer	3,916,015	0	987,561	987,561	
Expense Total	59,325,845	40,308,779	24,412,402	(15,896,377)	
Capital Total	18,713,687	24,980,675	8,674,783	(16,305,892)	
Grand Total	29,270,957	29,808,061	6,378,275	(23,429,786)	
Loss on Asset Disposals	(130,124)	(99,533)	(6,106)		
Profit on Asset Disposals	672,538	46,000	17,273		
Provisions and Accrual	(212,700)	0	42,866		
Movement of Non-Current Receivable	0	0	(12,680)		
Less; Surplus (Deficit) B/Fwd	4,075,261	4,075,261	4,075,261		
(Surplus)/Deficit	5,210	4,414,901	(16,410,310)		

STATEMENT OF FINANCIAL ACTIVITY

BY NATURE or TYPE

For the Period Ended 1 April to 30 April 2024



DESCRIPTION	2022/2023 Budget (A)	YTD Budget (B)	YTD Actuals (C)	Variance	
				Amount \$ (C-B)	% (C/B)
Operating Income					
Fees & Charges	(10,702,035)	(9,372,793)	(9,337,021)	35,772	100%
Interest Earnings	(2,147,000)	(1,518,546)	(1,751,475)	(232,929)	115%
Operating Grants & Subsidies	(6,438,577)	(5,033,020)	(5,372,077)	(339,057)	107%
Profit on Asset Disposals	(672,538)	(46,000)	(17,273)	28,727	38%
Rates	(25,401,667)	(25,301,667)	(25,190,605)	111,062	100%
Reimbursements	(1,029,747)	(794,226)	(720,384)	73,842	91%
Contributions & Donations Operating	(1,534,855)	(1,148,172)	(738,323)	409,849	64%
Reserve Transfers into Muni	(9,225,073)	(8,148,716)	(7,894,124)	254,592	97%
Income Total	(57,151,492)	(51,363,140)	(51,021,282)	341,858	
Expense					
Allocations	(920,489)	(594,497)	(809,801)	(215,304)	136%
Depreciation	25,520,200	21,264,366	18,754,676	(2,509,690)	88%
Insurance	914,137	922,901	887,856	(35,045)	96%
Interest Expense	87,674	63,013	54,057	(8,956)	86%
Loss on Asset Disposals	130,124	99,533	6,106	(93,427)	6%
Material & Contracts	17,797,187	14,975,012	10,545,572	(4,429,440)	70%
Other Expenditure	1,031,740	585,557	727,998	142,441	124%
Utility Charges	1,424,607	1,180,879	1,051,550	(129,329)	89%
Employment Expenses	21,723,582	17,693,762	17,506,759	(187,003)	99%
Expense Total	67,708,762	56,190,526	48,724,775	(7,465,751)	
Operating Total	10,557,270	4,827,386	(2,296,507)	(7,123,893)	
Capital Income					
Non-Operating Grants & Subsidies	(25,179,202)	(13,881,872)	(14,499,983)	(618,111)	104%
Proceeds from Disposals	(1,939,629)	(755,732)	(799,332)	(43,600)	106%
Proceeds from New Debentures	(2,500,000)	0	0	0	0%
Reimbursements	(5,906)	(5,906)	(5,906)	(0)	100%
Reserve Transfers into Muni	(10,796,685)	(684,594)	(274,252)	410,342	40%
Self Supporting Loan Principle Received	(190,736)	0	(158,147)	(158,147)	0%
Income Total	(40,612,158)	(15,328,104)	(15,737,620)	(409,516)	
Expense					
Material & Contracts	44,464,199	32,076,201	16,123,387	(15,952,814)	50%
Purchase of Assets	4,823,248	3,197,002	2,979,483	(217,519)	93%
Repayment of Debentures	245,549	138,256	185,247	46,991	134%
Reserve Transfers from Muni	3,916,015	0	987,561	987,561	
Employment Expenses	5,876,834	4,897,320	4,136,724	(760,596)	84%
Expense Total	59,325,845	40,308,779	24,412,402	(15,896,377)	
Capital Total	18,713,687	24,980,675	8,674,783	(16,305,892)	
Grand Total	29,270,957	29,808,061	6,378,275	(23,429,786)	
Depreciation	(25,520,200)	(21,264,366)	(18,754,676)		
Loss on Asset Disposals	(130,124)	(99,533)	(6,106)		
Profit on Asset Disposals	672,538	46,000	17,273		
Provisions and Accrual	(212,700)	0	42,866		
Movement of Non-Current Receivable	0	0	(12,680)		
Less; Surplus (Deficit) B/Fwd	4,075,261	4,075,261	4,075,261		
(Surplus)/Deficit	5,210	4,414,901	(16,410,310)		

**SHIRE OF ESPERANCE
MUNICIPAL FUND
Income Statement
Month Ending 30 April 2024**



	2023-24 BUDGET \$	2023-24 ACTUALS \$	VARIANCE \$	VARIANCE %
Operating Revenue				
Fees & Charges	(10,702,035)	(9,337,021)	(1,365,014)	87.2%
Interest Earnings	(2,147,000)	(1,751,475)	(395,525)	81.6%
Non-Operating Grants & Subsidies	(25,179,202)	(14,499,983)	(10,679,219)	57.6%
Operating Grants & Subsidies	(6,438,577)	(5,372,077)	(1,066,500)	83.4%
Profit on Asset Disposals	(672,538)	(17,273)	(655,265)	2.6%
Rates	(25,401,667)	(25,190,605)	(211,062)	99.2%
Reimbursements	(1,035,653)	(726,290)	(309,363)	70.1%
Contributions & Donations Operating	(1,534,855)	(738,323)	(796,532)	48.1%
Operating Revenue Total	(73,111,527)	(57,633,047)	(15,478,480)	
Operating Expense				
Allocations	(920,489)	(809,801)	(110,688)	88.0%
Depreciation	25,520,200	18,754,676	6,765,524	73.5%
Insurance	914,137	887,856	26,281	97.1%
Interest Expense	87,674	54,057	33,617	61.7%
Loss on Asset Disposals	130,124	6,106	124,018	4.7%
Material & Contracts	17,797,187	10,545,572	7,251,615	59.3%
Other Expenditure	1,031,740	727,998	303,742	70.6%
Utility Charges	1,424,607	1,051,550	373,057	73.8%
Employment Expenses	21,723,582	17,506,759	4,216,823	80.6%
Operating Expense Total	67,708,762	48,724,775	18,983,987	
CHANGE IN NET ASSETS RESULTING FROM OPERATIONS				
(SURPLUS)/DEFICIT	(5,402,765)	(8,908,272)	3,505,507	

**SHIRE OF ESPERANCE
MUNICIPAL FUND**
Statement of Financial Position
Month Ending 30 April 2024
Compared to 30th June 2023



	30/04/2024	30/06/2023
	\$	\$
Current Assets		
Cash and Cash Equivalents	46,832,439	47,438,125
Trade and Other Receivables	4,275,999	3,016,069
Inventories	1,590,400	1,609,486
Current Assets Total	52,698,838	52,063,680
Current Liabilities		
Trade and Other Payables	(1,378,769)	(2,479,097)
Current Portion of Long Term Borrowings	(69,086)	(245,549)
Provisions	(3,660,902)	(3,733,245)
Other	(138,537)	(3,378,442)
Current Liabilities Total	(5,247,293)	(9,836,333)
Non Current Assets		
Other Receivables	1,483,927	1,639,214
Inventories- Non Current	2,830,744	2,830,744
Property, Plant and Equipment	102,950,874	103,709,727
Infrastructure	592,546,533	587,948,318
Non Current Assets Total	699,812,077	696,128,003
Non Current Liabilities		
Long Term Borrowings	(2,016,175)	(2,016,175)
Provisions- Non Current	(6,371,995)	(6,371,995)
Non Current Liabilities Total	(8,388,169)	(8,388,170)
Net Assets	738,875,453	729,967,180
Equity		
Reserves- Cash Backed	(31,926,455)	(39,107,270)
Revaluation Surplus	(376,780,596)	(376,780,596)
Retained Surplus	(330,168,402)	(314,079,314)
Equity Total	(738,875,453)	(729,967,180)

SHIRE OF ESPERANCE

COMPOSITION OF NET CURRENT FUNDING POSITION



Month Ending 30 April 2024

	30/04/2024	30/06/2023
	\$	\$
Current Assets		
Cash and Cash Equivalents	14,905,983	8,140,118
Trade and Other Receivables	4,243,410	2,914,531
Inventories	605,046	624,132
Current Assets Total	19,754,440	11,678,781
Current Liabilities		
Trade and Other Payables	(1,378,769)	(5,747,215)
Current Portion of Long Term Borrowings	(8,784)	(8,784)
Provisions	(1,818,041)	(1,847,521)
Other	(138,537)	0
Current Liabilities Total	(3,344,130)	(7,603,520)
Total	16,410,310	4,075,261

VARIANCES
BY REPORTING PROGRAM



For The Period Ended 30 April 2024

Material Variances as per the Statement of Financial Activity:

DESCRIPTION	YTD Budget (B)	YTD Actuals (C)	Variance			Variance explanations (Variances are explained if equal or greater than \$100,000 or 10% of the year to date budget amount - AASB 1031)
			Amount \$ (C-B)	% (C/B)		
Operating Income						
03 - General Purpose Funding	(34,485,709)	(34,817,477)	(331,768)	101%	↑	Variation is due to timing differences with the receipt of quarterly FAGs income and interest earnings tracking higher than budget.
05 - Law, Order & Public Safety	(1,080,577)	(718,093)	362,484	66%	↓	Variation is due to timing differences concerning 50% balance of Emergency Management grants.
11 - Recreation & Culture	(2,161,433)	(2,416,991)	(255,558)	112%	↑	Variation is a combination of increases in BOILC admissions and swim school enrolments, overflow camping being open longer than expected, bringing in more income and LotteryWest grant received earlier than budgeted.
12 - Transport	(1,559,520)	(1,209,516)	350,004	78%	↓	Reimbursement from DOT for bus stop upgrades not received. Also a 2 month delay in receiving of Airport landing fees.
13 - Economic Services	(717,870)	(564,175)	153,695	79%	↓	Variation is due to timing differences concerning wild dog contributions and Community Water Supplies Partnership Program.
14 - Other Property & Services	(626,119)	(533,327)	92,792	85%	↓	Variation is due to adjustments to private works invoicing in March and timing difference in relation to transfers from reserves.

VARIANCES
BY REPORTING PROGRAM



For The Period Ended 30 April 2024

Material Variances as per the Statement of Financial Activity:

DESCRIPTION	YTD Budget (B)	YTD Actuals (C)	Variance			Variance explanations (Variances are explained if equal or greater than \$100,000 or 10% of the year to date budget amount - AASB 1031)
			Amount \$ (C-B)	% (C/B)		
Expense						
05 - Law, Order & Public Safety	2,332,709	2,075,800	(256,909)	89%	↓	Variation is due to fire mitigation works tracking below budget.
07 - Health	435,210	374,808	(60,402)	86%	↓	A temporary position vacancy has resulted in employee costs tracking below budget. Position has now been filled.
08 - Education & Welfare	5,459,237	4,358,856	(1,100,381)	80%	↓	YTD underspend on Home Care budget due to staff vacancies and temporary reduction in programs due to building works. Additional expenses to come with move into new building.
10 - Community Amenities	5,892,838	4,816,728	(1,076,110)	82%	↓	Variation is due to timing differences concerning various waste facility expenditure items. James Street Precinct project expenses are behind budget expectations to date. Building maintenance and operations work on Public Toilets & BBQ's is slower than budget. GVRCC Climate Change Coordinator now employed directly by GVRCC.
11 - Recreation & Culture	13,489,944	12,559,315	(930,629)	93%	↓	Building operations costs on sporting complexes and Surf Club Building Compliance and coastal infrastructure expenditure under budget expectations.
12 - Transport	22,295,900	19,031,789	(3,264,111)	85%	↓	Capitalisation of new plant has yet to commence. Timing difference with Airport landside building maintenance.
13 - Economic Services	1,773,783	1,608,020	(165,763)	91%	↓	Variation is due to wild dog control contractor and various general administrative expenses are tracking under budget to date.
14 - Other Property & Services	1,972,667	1,463,902	(508,765)	74%	↓	Vehicle costs are over budget YTD. Timing difference with some of the overhead recovery. Building maintenance expenditure on Depot Stores under budget expectations.

VARIANCES
BY REPORTING PROGRAM



For The Period Ended 30 April 2024

Material Variances as per the Statement of Financial Activity:

DESCRIPTION	YTD Budget (B)	YTD Actuals (C)	Variance			Variance explanations (Variances are explained if equal or greater than \$100,000 or 10% of the year to date budget amount - AASB 1031)
			Amount \$ (C-B)	% (C/B)		
Capital Income						
04 - Governance	(41,500)	(14,545)	26,955	35%	↓	Proceeds on sale of vehicle was less than budgeted. No capital grants received for IT services.
05 - Law, Order & Public Safety	(348,252)	(465,917)	(117,665)	134%	↑	Recognising Condungup fire shed grant income for 2024.
08 - Education & Welfare	(679,488)	(284,146)	395,342	42%	↓	Variation is due to timing difference with transfer of funds from reserves.
10 - Community Amenities	(31,000)	(182,585)	(151,585)	589%	↑	Recognising LRCI Rd 3 ECC disabled toilet grant income.
11 - Recreation & Culture	(2,438,652)	(2,710,655)	(272,003)	111%	↑	Variance due to balance of capital grants timing difference. Recognising CERMP sand backpass income for 2024.
14 - Other Property & Services	(309,470)	(681,364)	(371,894)	220%	↑	Variation is due to early sale of SLIP lots and 2 x Hockey Place blocks.

VARIANCES
BY REPORTING PROGRAM



For The Period Ended 30 April 2024

Material Variances as per the Statement of Financial Activity:

DESCRIPTION	YTD Budget (B)	YTD Actuals (C)	Variance			Variance explanations (Variances are explained if equal or greater than \$100,000 or 10% of the year to date budget amount - AASB 1031)
			Amount \$ (C-B)	% (C/B)		
Expense						
05 - Law, Order & Public Safety	281,954	60,933	(221,022)	22%	↓	Work has not commenced on Grass Patch and Condingup BFB sheds.
08 - Education & Welfare	612,900	706,715	93,815	115%	↑	EHC building & infrastructure projects progressing quicker than budgeted.
10 - Community Amenities	3,601,751	1,348,083	(2,253,668)	37%	↓	New waste management site and transfer station project clearing works commenced however project not yet underway.
11 - Recreation & Culture	4,495,807	1,937,311	(2,558,496)	43%	↓	Work continues on Sand Backpass Pipeline project although behind budget timing. Work is yet to commence on civic centre accessibility upgrade, LRCI Mountain Bike Piggery XC and Jumps and Lalor Park upgrades.
12 - Transport	24,970,605	18,124,663	(6,845,942)	73%	↓	Road & Street projects are tracking behind budget YTD. Airport CCTV and lighting upgrade is continuing.
14 - Other Property & Services	6,111,620	1,011,636	(5,099,984)	17%	↓	Flinders development work and Ocean Street development is behind budget expectations. Construction of 4 units is yet to commence.
15 - Funds Transfer	0	987,561	987,561		↑	Reserve transfers are ahead of budget due to interest received on investments.

**Shire of Esperance
For the Period Ended 30 April 2024**

BUDGET AMENDMENTS

Amendments to original budget since budget adoption. (Surplus)/Deficit

Account #	Description	Council Ref	Net Change	Amended Budget Running Balance
	2023/24 Budget Estimated (Surplus)/Deficit			22,000
W4311	Unit Construction	O0823-158	1,600,000	1,622,000
01-7490-955-902	Land Development Reserve	O0823-158	(1,600,000)	22,000
W3913	Condingup Fire Brigade Shed	O0823-166	310,000	332,000
01-8100-150-763	Fire Prevention - Capital Grants	O0823-166	(310,000)	22,000
W4411	Bus Stop Upgrades	O1023-184	205,100	227,100
01-3930-125-230	Bus Stop Upgrades income	O1023-184	(205,100)	22,000
	Budget Review Amendments (Net)	O0324-034	(16,790)	5,210
Amended Budget as per Council Resolution (1)				5,210

(1) Budget (Surplus)/Deficit position as per the Statement of Financial Activity.

**Shire of Esperance
For the Period Ended 30 April 2024**

RECEIVABLES STATUS

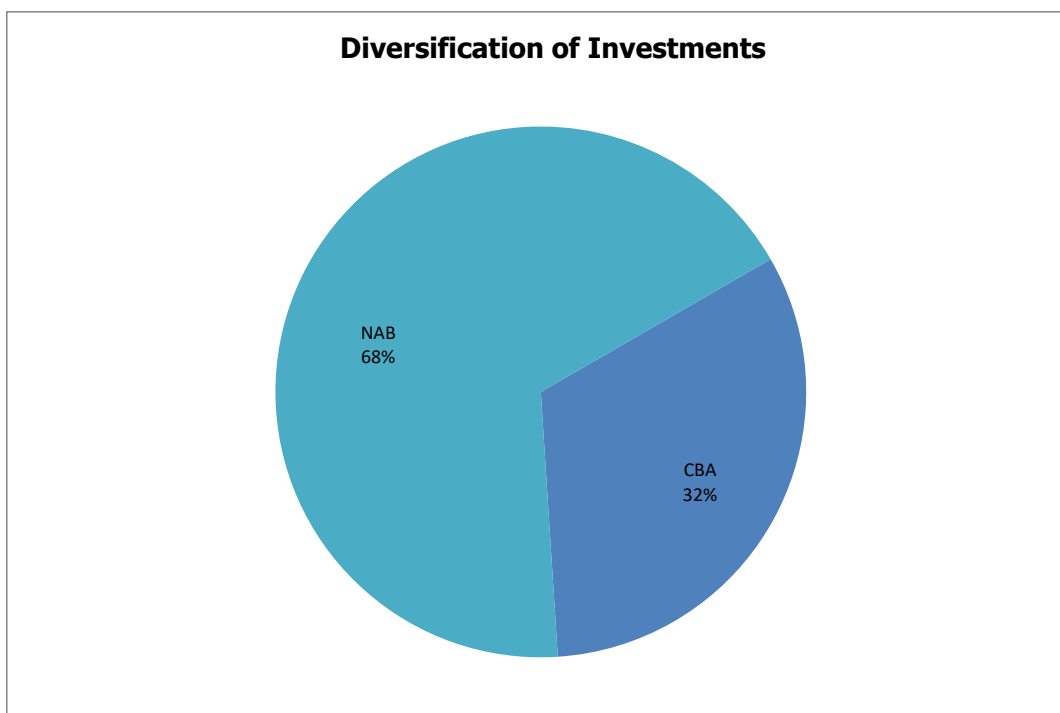
	Current	ATO	30 Days	60 Days	90 Days	90+Days	Total
General Receivables	531,747	0	2,959,499	121,261	3,391	29,659	3,645,556
Category							
Government Grants						\$0	A
Contributions & Reimbursements						\$480	B
Loan Repayments						\$0	C
Fees and Charges						\$28,512	D
Private Works						\$667	E
Proceeds Sale of Assets						\$0	F
						\$29,659	

Amounts shown above include GST (where applicable)

90+Days Represented by:

A	<i>Government Grants:</i>		
		\$0	
	Total (A)	\$0	
B	<i>Contributions & Reimbursements:</i>		
		-\$57	Electricity reimbursement
		-\$354	Water reimbursement
		\$674	Workers comp reimbursements
		\$217	Staff payroll reimbursements
	Total (B)	\$480	
C	<i>Loan Repayments:</i>		
		\$0	
	Total (C)	\$0	
D	<i>Fees & Charges:</i>		
		\$2,290	Museum Village charges
		\$601	Civic Centre hire
		\$1,769	BOILC fees
		\$563	Annual lease fee
		\$132	Airport fees
		\$23,157	Wylie Bay Waste charges
	Total (D)	\$28,512	
E	<i>Private Works:</i>		
		\$667	
	Total (E)	\$667	
F	<i>Proceeds Sale of Assets:</i>		
		\$0	
	Total (F)	\$0	

Cash Investments as at 30 April 2024

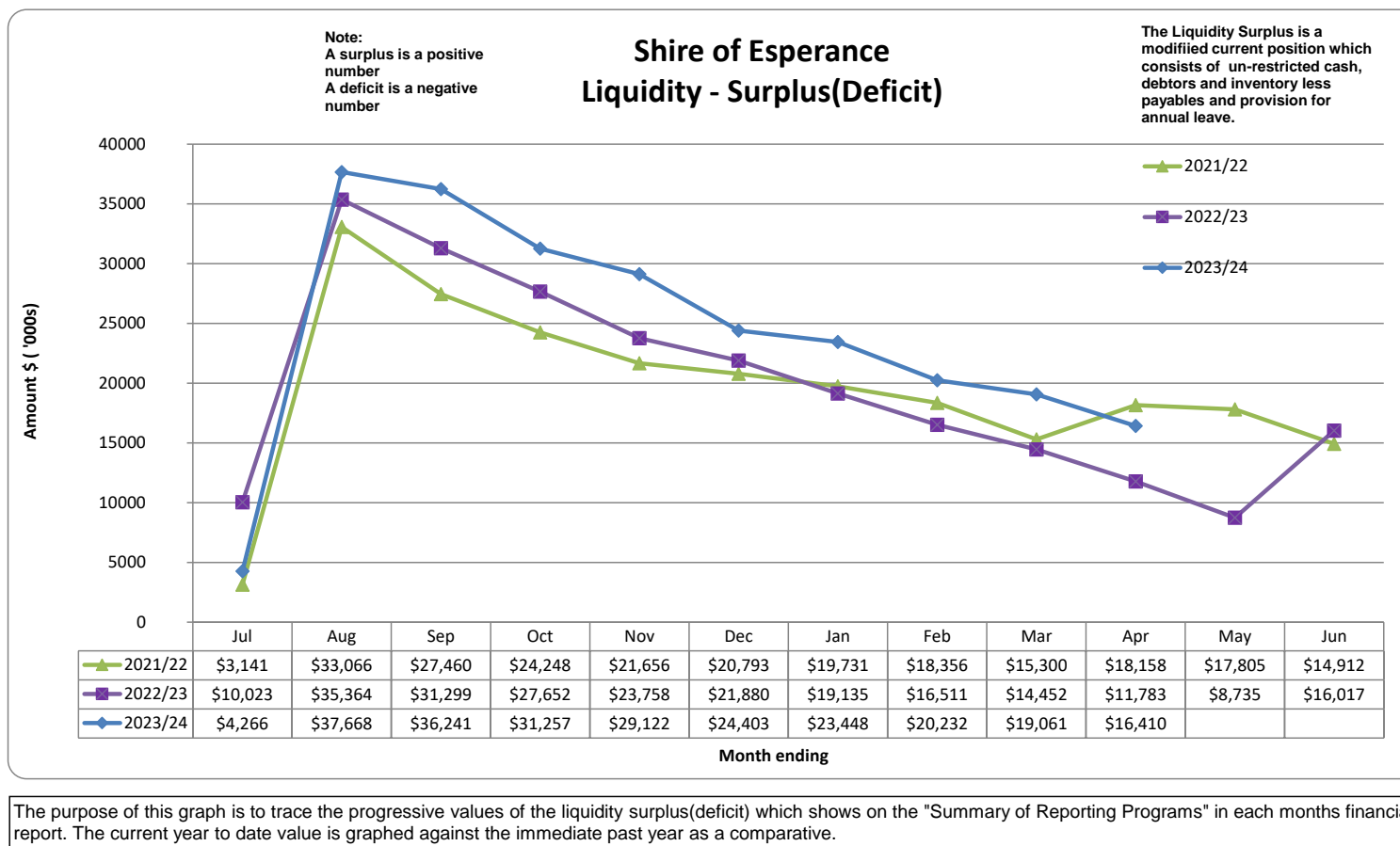


Finance Institution	Amount	Rate	Term	Maturity	Type of Investment
NAB	\$ 4,000,000	5.05%	120	21-May-24	Term Deposit - Reserve
NAB	\$ 4,000,000	5.05%	120	28-May-24	Term Deposit - Reserve
CBA	\$ 4,000,000	5.19%	180	04-Jun-24	Term Deposit - Reserve
NAB	\$ 4,000,000	5.05%	90	04-Jun-24	Term Deposit - Reserve
NAB	\$ 3,000,000	5.05%	120	19-Jun-24	Term Deposit - Reserve
NAB	\$ 4,000,000	4.50%	60	21-Jun-24	Term Deposit - Reserve
NAB	\$ 4,000,000	5.05%	120	26-Jun-24	Term Deposit - Reserve
NAB	\$ 4,000,000	5.20%	180	14-May-24	Term Deposit - Muni
NAB	\$ 4,000,000	5.05%	90	13-Jun-24	Term Deposit - Muni
CBA	\$ 5,873,727	4.35%	N/A	N/A	Business Online Saver - Muni
CBA	\$ 85	0.25%	N/A	N/A	Cash Deposit A/C - Muni
CBA	\$ 4,923,062	4.35%	N/A	N/A	Business Online Saver - Reserves
CBA	\$ 1,811	0.25%	N/A	N/A	Cash Deposit A/C - Reserves
	\$ 45,798,685				

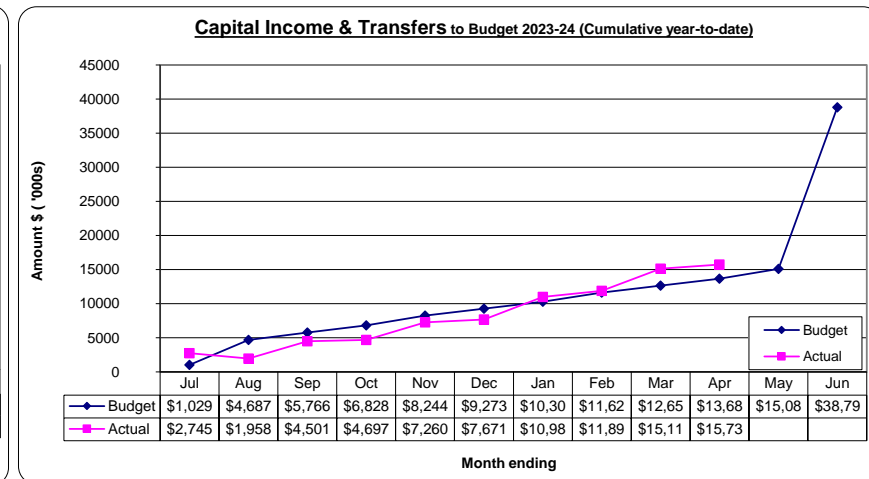
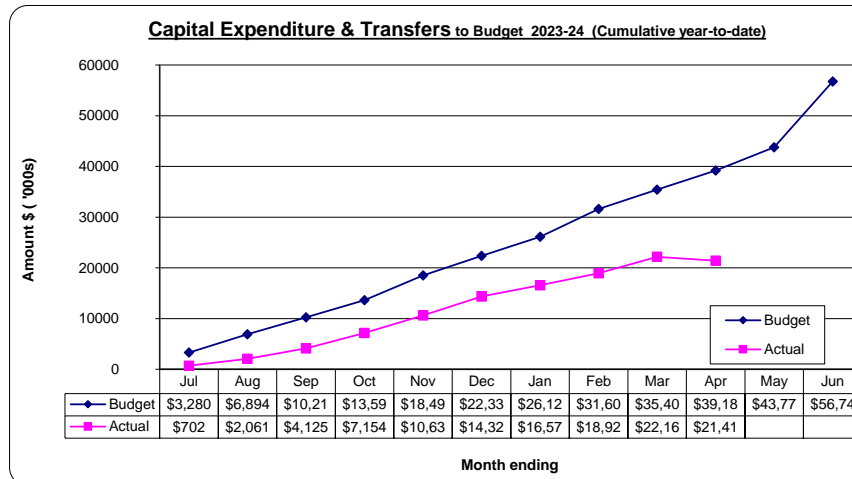
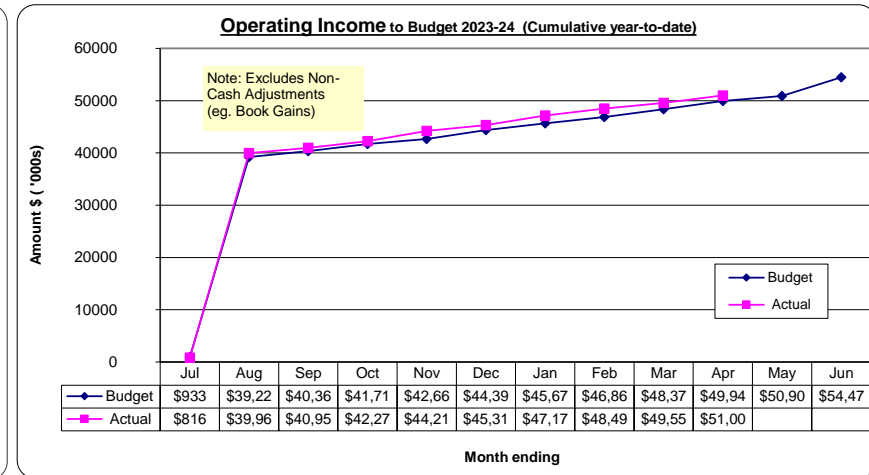
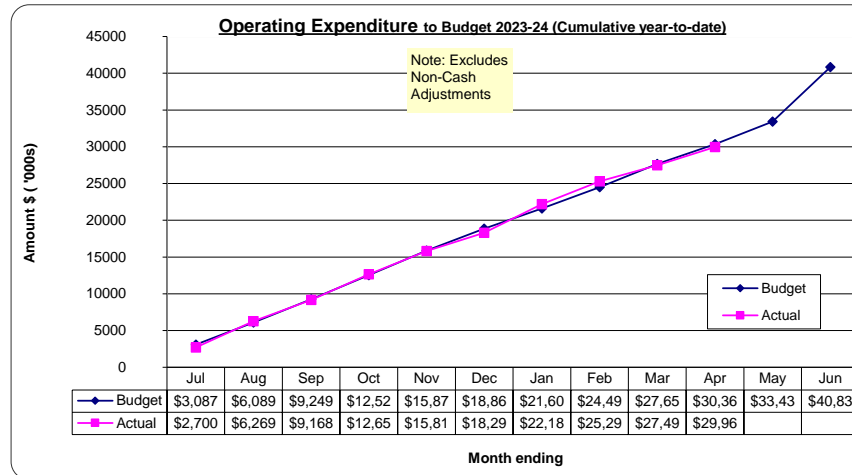
Investment Interest Earnings

	Budgeted Amount	YTD Interest
Municipal	\$ 950,000	749,020
Reserve	\$ 1,100,000	900,134

Note: Maximum 80% with any one institution



Shire of Esperance - Progressive Budget Snap-Shot





OTHER REPORTS AND GRAPHS

SHIRE OF ESPERANCE

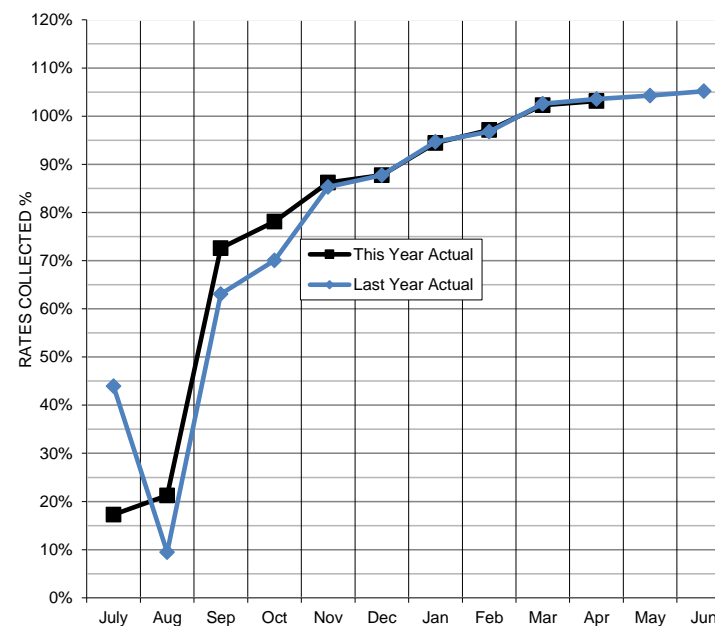
SUMMARY OF RATE, RUBBISH AND ESL CHARGE DEBTORS AS AT 30th April 2024

Outstanding Rates 2023/24

Arrears at 1st July 2023	69,802
Pensioner Deferred Rates at 1st July 2023	101,408
Rates Levied for 2023/24	28,784,176
Penalty Interest charged to Overdue	34,590
Receipts for Current Rates	(28,030,350)
Prepayments	(1,866,537)
Total Current and Arrears Outstanding	(906,911)
% Collected	103.14%

Pensioners on Instalments	4,095
Non Pensioners on Instalments	26,478
Pensioners with Due Date 30/6/2024	(26,300)
Outstanding with no Instalment Option	157,619
Prepayments	(1,070,680)
Rates Raised for 2024	1,878
Total Current and Arrears Outstanding	(906,911)

RATES COLLECTION PROGRESS (2023/2024)



**SHIRE OF ESPERANCE
TRUST FUNDS
as at 30 April 2024**

Funds held at balance date over which the Municipality has no control and which are not included in the financial statements are as follows:

Details	Balance 30-Jun-2023	Balance 30-Apr-24
Contributions to Public Open Space	203,130	210,477
Other	1,679	1,679
General Bonds - Interest Bearing	63,487	478,144
Totals	268,296	690,300



**PAYMENT OF ACCOUNTS LISTING
(PAID UNDER DELEGATED
AUTHORITY)**

SHIRE OF ESPERANCE
THE ACCOUNTS REFERRED TO IN THE SCHEDULE AND SUMMARISED BELOW HAVE BEEN PAID
FOR THE PERIOD ENDING 30th APRIL 2024

MUNICIPAL FUND

CHEQUES

ACTUAL PAYMENTS:	Cheques: 027755-27758	\$1,642.21
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EFT

ACTUAL PAYMENTS:	Transaction No's: E4622 - E4633	\$4,869,113.10
------------------	---------------------------------	----------------

CREDIT CARDS

ACTUAL PAYMENTS:	Transactions: 27/03/2024 - 26/04/2024	\$29,423.36
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PAID UNDER THE DELEGATED

AUTHORITY TO CEO

MUNICIPAL TOTAL:	\$4,900,178.67
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***ESTIMATE % LOCAL PAYMENTS
(INCLUDING CREDIT CARDS)***

\$ 4,325,387.71	88.27%
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TRUST FUND

CHEQUES

ACTUAL PAYMENTS:	Cheques : -	\$0.00
------------------	-------------	--------

EFT

ACTUAL PAYMENTS:	Transaction No's:	\$0.00
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TRUST TOTAL:	\$0.00
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TOTAL:	\$4,900,178.67
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Shire of Esperance

List of accounts due by Council submitted to the Ordinary Council Meeting held on 28 May 2024 for confirmation in respect to accounts already paid.

Tran Amount

Municipal Fund - Cheque Payments

<i>EFT Ref / Cheque No</i>	<i>Date</i>	<i>Creditor</i>	<i>Payee</i>	<i>Description</i>	<i>Amount</i>
C27755	04/04/2024	386	Shire of Esperance - Petty Cash	Petty cash recoup	\$102.10
C27756	19/04/2024	100	Landgate	Title searches	\$406.00
C27757	19/04/2024	386	Shire of Esperance - Petty Cash	Petty cash recoup - Library	\$66.40
C27758	19/04/2024	6695	Shire of Augusta-Margaret River	Contribution LSL – P Paff	\$1,067.71
Total Creditor payments made by Cheque from Municipal Fund					1,642.21

Municipal Fund - EFT Payments

<i>EFT Ref / Cheque No</i>	<i>Date</i>	<i>Creditor</i>	<i>Payee</i>	<i>Description</i>	<i>Amount</i>
E4622	03/04/2024	33	Australian Services Union (ASU)	Payroll Deduction	\$416.00
E4622	03/04/2024	140	Esperance Shire Staff Jackpot	Payroll Deduction	\$600.00
E4622	03/04/2024	144	Esperance Staff Social Club	Payroll Deduction	\$240.00
E4622	03/04/2024	154	LGRCEU	Payroll Deduction	\$88.00
E4622	03/04/2024	1963	Child Support Agency	Payroll Deduction	\$3,658.28
E4623	04/04/2024	-	Kath Guest t/as Heart of the Mallee	***** C A N C E L L E D *****	\$0.00
E4623	04/04/2024	-	Cemeteries & Crematoria Association	***** C A N C E L L E D *****	\$0.00
E4623	04/04/2024	1	Australian Taxation Office	Payroll Deduction	\$188,309.33
E4623	04/04/2024	126	Esperance Electrical Service	Electrical services	\$2,949.00
E4623	04/04/2024	440	Wesfarmers Kleenheat Gas Pty Ltd	Bottled gas - EHC	\$197.49
E4623	04/04/2024	505	Esperance Plumbing Service	Plumbing services	\$3,586.80
E4623	04/04/2024	977	Lewis Lewis Properties Pty Ltd	GVROC Dinner	\$581.70
E4623	04/04/2024	1250	Hoeys Exhaust Centre	Exhaust modification	\$296.00
E4623	04/04/2024	1315	Gibson Soak Water Co	Bottled water – Wylie Bay Facility	\$110.00
E4623	04/04/2024	1470	Express Yourself Printing Esperance	Business cards and stationery	\$594.00

Shire of Esperance

List of accounts due by Council submitted to the Ordinary Council Meeting held on 28 May 2024 for confirmation in respect to accounts already paid.

Tran Amount

Municipal Fund - EFT Payments

<i>EFT Ref / Cheque No</i>	<i>Date</i>	<i>Creditor</i>	<i>Payee</i>	<i>Description</i>	<i>Amount</i>
E4623	04/04/2024	1695	Bay of Isles Mini-Excavators	Portaloo hire – Overflow campground	\$1,860.00
E4623	04/04/2024	1981	Esperance Sportspower	Staff uniforms	\$4,197.60
E4623	04/04/2024	2113	Banksia Medical and Health	Pre-employment medicals, vaccinations	\$2,662.00
E4623	04/04/2024	2496	Professionals Esperance Real Estate	Rent	\$2,380.00
E4623	04/04/2024	2905	Anglican Parish of Esperance	Hall hire for Winter Wonderland	\$1,555.00
E4623	04/04/2024	3055	Esperance Golf Club (Inc)	Small grant funding	\$1,000.00
E4623	04/04/2024	3268	Esperance Clay Target Club	Small grant funding	\$2,000.00
E4623	04/04/2024	3305	Metro Count	Road cleats	\$363.00
E4623	04/04/2024	3526	Southern Suspension & 4 X 4 Centre	Replace faulty beacons BFB vehicle	\$1,570.10
E4623	04/04/2024	3534	Local Government Professionals	Chat GPT and Contract Management courses	\$1,100.00
E4623	04/04/2024	3736	Easisalary Pty Ltd	Novated lease employer ITC - Feb 2024	\$397.00
E4623	04/04/2024	3797	LED Esperance	Electrical supplies	\$194.59
E4623	04/04/2024	3835	WA Local Government Association	Training - Cr Johnston and Z Sheffield-van Mierlo	\$1,633.50
E4623	04/04/2024	3938	C K Mader	Rent	\$600.00
E4623	04/04/2024	4276	Modern Teaching Aids Pty Ltd	Craft for Easter – BOILC creche	\$575.85
E4623	04/04/2024	4308	Esperance Motor Group	2021 Ford Ranger hub cap	\$225.76
E4623	04/04/2024	4496	M C Siemer	Volunteer travel reimbursement	\$68.25
E4623	04/04/2024	4618	JJ's Holiday Cottage	Bookeasy sales - Accommodation	\$1,083.60
E4623	04/04/2024	4989	Woolworths Group Limited	Consumables	\$1,544.77
E4623	04/04/2024	5042	Officeworks Business Direct	Stationery	\$1,116.31
E4623	04/04/2024	5164	Esperance Beachfront Resort	Bookeasy sales - Accommodation	\$562.50
E4623	04/04/2024	5175	Goldies Place	Bookeasy sales - Accommodation	\$619.20
E4623	04/04/2024	5253	T-Quip	New plant item – Bull reverse 2000 double hitch	\$21,648.00

Shire of Esperance

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Municipal Fund - EFT Payments

<i>EFT Ref / Cheque No</i>	<i>Date</i>	<i>Creditor</i>	<i>Payee</i>	<i>Description</i>	<i>Amount</i>
E4623	04/04/2024	5389	S P Flanagan	Councillor payment 01/01/24 - 31/03/24	\$5,070.00
E4623	04/04/2024	5393	Esperance Eagle View Accommodation	Bookeasy sales - Accommodation	\$1,677.00
E4623	04/04/2024	5604	Esperance Milk Supply	Milk order - Admin & Depot	\$141.13
E4623	04/04/2024	5622	Subway Esperance	Catering - Library	\$60.00
E4623	04/04/2024	5767	Seek Limited	Advertising for vacant positions	\$781.00
E4623	04/04/2024	5791	W J & F J Graham	Councillor payment 01/01/24 - 31/03/24	\$5,070.00
E4623	04/04/2024	5796	Pink Lake IGA	Consumables	\$92.55
E4623	04/04/2024	6009	McLeods Barristers & Solicitors	Legal advice	\$1,771.00
E4623	04/04/2024	6164	Data 3 Limited	Microsoft cloud and Sophos APX 320	\$2,805.69
E4623	04/04/2024	6176	Market Creations Pty Ltd	Media Libraries module implementation	\$1,122.00
E4623	04/04/2024	6221	PFD Food Services Pty Ltd	Consumables - EHC	\$186.55
E4623	04/04/2024	6495	MCM Protection Pty Ltd	Locking of toilet blocks – February 2024	\$1,602.70
E4623	04/04/2024	6552	Esperance Bird and Animal Park	Bookeasy sales - Accommodation	\$154.80
E4623	04/04/2024	7250	Esperance CWA Holiday Units	Bookeasy sales - Accommodation	\$3,469.67
E4623	04/04/2024	7479	La Cabane Retreat	Bookeasy sales - Accommodation	\$215.00
E4623	04/04/2024	7715	TD Contractors A/L Removal	Earthworks – Gibson	\$1,377.75
E4623	04/04/2024	7879	Drillers Ridge Pty Ltd - 8 Taylor S	Bookeasy sales - Accommodation	\$688.00
E4623	04/04/2024	8024	C A Poole	Bookeasy sales - Accommodation	\$739.60
E4623	04/04/2024	8303	Liquor Barons Esperance	Refreshments – Depot	\$373.96
E4623	04/04/2024	8380	Jade William & Leticia Hurley t/as	Bookeasy sales - Accommodation	\$903.00
E4623	04/04/2024	8506	Le Grand Chateau Esperance	Bookeasy sales - Accommodation	\$963.20
E4623	04/04/2024	8717	Western Irrigation Pty Ltd	Design of drainage system upgrade	\$45,188.00
E4623	04/04/2024	8783	The Trustee for Recherche Medical	Pre-employment screening	\$50.00

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<i>EFT Ref / Cheque No</i>	<i>Date</i>	<i>Creditor</i>	<i>Payee</i>	<i>Description</i>	<i>Amount</i>
E4623	04/04/2024	8800	South Regional TAFE	Training – S Harp	\$83.55
E4623	04/04/2024	8948	TenderLink.com	Pre-qualified supply panel advertising	\$2,032.80
E4623	04/04/2024	8955	Esperance Laundry and Linen	Blanket wash - EHC	\$29.40
E4623	04/04/2024	8972	Dunn's Cleaning Service Pty Ltd	Cleaning – Cascade house and public toilets	\$4,990.00
E4623	04/04/2024	8991	K Keogh	Rates refund	\$1,208.57
E4623	04/04/2024	9100	On Duty Diesel and Mechanical	Mechanical services and repairs to various plant	\$15,948.90
E4623	04/04/2024	9108	Bay of Isles Chiropractic Centre	Chiropractic appointments - EHC	\$65.00
E4623	04/04/2024	9147	Key Pest and Weed Control	General pest maintenance – Various sites	\$1,915.65
E4623	04/04/2024	9156	Bluemar Pty Ltd	Ocean Street development design works	\$33,448.55
E4623	04/04/2024	9163	Esperance Combined Tyres & Mechanic	Tyres various vehicles and replacing truck tyres	\$12,214.45
E4623	04/04/2024	9175	S P McMullen	Councillor payment 01/01/24 - 31/01/24	\$5,070.00
E4623	04/04/2024	9207	Datacom Systems (AU) Pty Ltd	Printer toner	\$296.46
E4623	04/04/2024	9218	Avantgarde Technologies Pty Ltd	Veeam cloud connect backup	\$3,893.56
E4623	04/04/2024	9270	William Govans t/as Bills Doors & Servicing	Door servicing & repairs – Various sites	\$5,326.21
E4623	04/04/2024	9274	Gibson Soak Hotel	Volunteer & staff meals - EHC	\$54.45
E4623	04/04/2024	9306	Drake-Brockman Building	Home Care Day Centre upgrade claim 7	\$150,801.54
E4623	04/04/2024	9308	Florissons Home Furnishers	Office drawers for admin office	\$780.00
E4623	04/04/2024	9357	Pathwest Laboratory Medicine WA	Drug and alcohol testing	\$429.00
E4623	04/04/2024	9400	Rapid Global Nominee Pty Ltd	Induct & contractor management services	\$1,098.90
E4623	04/04/2024	9414	Chadwick Mobile Auto Electrics	Supply & fit jumper leads	\$154.85
E4623	04/04/2024	9415	J Bell	Poster delivery for 2 shows – Civic Centre	\$400.00
E4623	04/04/2024	9456	Esperance Luxe Floral and Home Co.	Wreath - ANZAC Day & condolences flowers	\$185.00
E4623	04/04/2024	9466	Esperance Glass	Office tinting - EHC	\$528.00

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E4623	04/04/2024	9503	EcoValley Honey - Winton Hughes Was	Consignment sales	\$48.80
E4623	04/04/2024	9531	Seas It All Pty Ltd	Bookeasy sales - Accommodation	\$2,477.50
E4623	04/04/2024	9619	K S Maslin	Social Media workshop	\$744.00
E4623	04/04/2024	9639	Avon Waste	Rubbish & recycling collections	\$47,006.55
E4623	04/04/2024	9641	Aussie Broadband Pty Ltd	Aussie broadband internet	\$507.00
E4623	04/04/2024	9642	Delnorth Pty Ltd	Steelflex guideposts x 500	\$19,404.00
E4623	04/04/2024	9645	TPG Network Pty Ltd	TPG internet charges	\$130.90
E4623	04/04/2024	9671	R P Western	Consignment sales	\$5.56
E4623	04/04/2024	9765	The Perth Mint	2024 Citizenship ceremony coins	\$264.00
E4623	04/04/2024	9807	R G Chambers	Councillor payment 01/01/24 - 31/03/24	\$15,080.00
E4623	04/04/2024	9808	J L Obourne	Councillor payment 01/01/24 - 31/03/24	\$7,312.50
E4623	04/04/2024	9832	RAC Tourism Assets Pty Ltd	Bookeasy sales - Accommodation	\$64.00
E4623	04/04/2024	9838	Blue Haven Shell Studio Accommodation	Bookeasy sales - Accommodation	\$590.70
E4623	04/04/2024	9946	Global Drone Solutions	Drone training x 4 attendees	\$11,980.00
E4623	04/04/2024	10026	C M Stones	Rates refund	\$2,448.54
E4623	04/04/2024	10046	M Magennis	Reimbursement - Les Mills Release 128	\$59.53
E4623	04/04/2024	10115	MBIT Technologies Pty Ltd	Business SMS service	\$11.00
E4623	04/04/2024	10176	B H Harper	Reimbursement - Working With Children application	\$87.00
E4623	04/04/2024	10269	Lite N' Easy Pty Ltd	Meal preparation & delivery - EHC	\$2,462.86
E4623	04/04/2024	10298	Mackenzie Refrigeration & Air Conditioning Service	Electrical services	\$112.75
E4623	04/04/2024	10309	C T Davies	Councillor payment 01/01/24 - 31/03/24	\$5,070.00
E4623	04/04/2024	10358	Esperance Weekender	Advertisements – Shows, public notices, & coastal safety	\$1,360.00
E4623	04/04/2024	10416	J M Smith	Rent	\$600.00

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E4623	04/04/2024	10437	A E Davies	Reimbursement - Les Mills Release 128	\$59.53
E4623	04/04/2024	10554	L P De Haas	Councillor payment 01/01/24 - 31/03/24	\$5,070.00
E4623	04/04/2024	10564	WA Girl Macrame	Consignment sales	\$13.56
E4623	04/04/2024	10608	Guardian Safety Pendants Pty Ltd	Monthly pendant monitoring - EHC	\$49.00
E4623	04/04/2024	10619	C N Smith	Reimbursement - Exhibitor fee Condingup Fair	\$20.00
E4623	04/04/2024	10649	Bitumen Distribution Pty Ltd	Bitumen emulsion supplies	\$22,176.00
E4623	04/04/2024	10651	Louise Stewart Brown Creative Artwork	Consignment sales	\$101.44
E4623	04/04/2024	10702	JLM Surveys Pty Ltd	Surveys for 2024-25 works - Fisheries & Boydells Rd	\$14,064.25
E4623	04/04/2024	10757	In Motion Esperance	Pre-employment assessments	\$1,080.00
E4623	04/04/2024	10760	N L Curtis	Rent	\$1,100.00
E4623	04/04/2024	10848	Retravision Esperance – JAPMR Pty L	Minor equipment – EHC & Library	\$6,185.94
E4623	04/04/2024	10859	BM Electrical WA Pty Ltd (Griffs Electrical)	Switchboard replacement - Airport	\$885.50
E4623	04/04/2024	10868	Rolled with love	Monthly carer fee - EHC	\$2,621.25
E4623	04/04/2024	10942	Thorp Realty Pty Ltd	Rent	\$2,240.00
E4623	04/04/2024	10956	MBL Food & Packaging T/A South Coast	Consumables & supplies	\$3,547.55
E4623	04/04/2024	10957	Light Application Pty Ltd	Lighting repairs & labour – Civic Centre	\$4,385.13
E4623	04/04/2024	10985	Rebecca Staunton Physiotherapy	Physiotherapy services - EHC	\$3,113.00
E4623	04/04/2024	11030	JMAC Building	Construction on Salmon Gums CWA building	\$9,454.41
E4623	04/04/2024	11035	Absolute Hot Water & Gas	Black St reticulation upgrade and West Beach storm water	\$6,883.21
E4623	04/04/2024	11048	P M Timms	Reimbursement - Salary sacrifice laptop	\$848.00
E4623	04/04/2024	11053	David Macdermott T/A Mermaid Leather	Consignment sales	\$24.00
E4623	04/04/2024	11072	Caldertech Australia Pty Ltd	Freight for welding machine	\$665.08
E4623	04/04/2024	11110	Esperance Outdoor Power Equipment	Parts & supplies	\$75.00

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E4623	04/04/2024	11119	Esperance Lutheran Church	Rates refund	\$1,930.72
E4623	04/04/2024	11191	Bay Diversified Pty Ltd	Town curb side & caltrop spraying	\$11,292.72
E4623	04/04/2024	11215	Wavecrest Village Tourist Park	Bookeasy sales - Accommodation	\$543.60
E4623	04/04/2024	11244	Motel Brothers Pty Ltd T/as The Jet	Bookeasy sales - Accommodation	\$261.00
E4623	04/04/2024	11307	Jonas Leisure Pty Ltd	Envibe POS system project completion - BOILC	\$16,489.00
E4623	04/04/2024	11322	G M Johnston	Councillor payment 01/01/24 - 31/03/24	\$5,070.00
E4623	04/04/2024	11330	S Starcevich	Councillor payment 01/01/24 - 31/03/24	\$5,070.00
E4623	04/04/2024	11333	Bronson Safety Pty Ltd	Safety equipment	\$4,067.38
E4623	04/04/2024	11355	T M Bareli	Consignment sales	\$195.00
E4623	04/04/2024	11356	Good Chat Designs	Consignment sales	\$150.00
E4623	04/04/2024	11384	CNE Ag Innovations Pty Ltd	Service parts	\$448.14
E4623	04/04/2024	11395	Dr Fallon	Pre-employment medical	\$187.00
E4623	04/04/2024	11401	Levi's Woodworking	Consignment sales	\$8.00
E4623	04/04/2024	11410	Aspect Solutions Pty Ltd	Cleaning - EHC	\$181.50
E4623	04/04/2024	11416	M J Cawley	Volunteer travel reimbursement - EHC	\$273.00
E4623	04/04/2024	11426	G Bowen & MJ Gonzalez t/as Twilight	Removalist fees – EHC (office move)	\$550.00
E4623	04/04/2024	11427	Equipsy Pty Ltd	Custom shower base - EHC	\$682.00
E4623	04/04/2024	11429	D L Curnow	Rates refund	\$692.22
E4623	04/04/2024	11432	Hanna Instruments Pty Ltd	Parts & supplies	\$433.96
E4623	04/04/2024	11434	Justin Freind TA Bel Canto Performing Arts	Performance fee - Morning Melodies 14/03	\$200.00
E4623	04/04/2024	11437	R E Hamilton	Reimbursement – LG conference travel	\$473.50
E4623	04/04/2024	11438	N Dionisio	Refund for Leisure Centre membership	\$48.50
E4623	04/04/2024	11440	B J Taylor	Rates refund	\$611.24

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E4624	08/04/2024	9640	M D Cronin	Boxthorn removal & treatment	\$7,573.50
E4624	08/04/2024	11443	E R Wharemate	Rates refund	\$1,500.00
E4625	09/04/2024	11447	S R Liddelow	Payroll payment	\$2,979.07
E4626	10/04/2024	32	Australia Post	Postage	\$3,202.52
E4626	10/04/2024	2562	Commonwealth Bank of Australia	Multiple merchant fees - March 2024	\$5,525.94
E4626	10/04/2024	7576	Les Mills Asia Pacific	Contract fees - Body Pump, Body Balance & Body Attack	\$735.89
E4626	10/04/2024	7580	BP Australia Pty Ltd (6791)	Air BP refuelling	\$450.16
E4626	10/04/2024	9321	Superchoice Services Pty Limited	Superannuation – March 2024	\$251,307.55
E4627	12/04/2024	260	Horizon Power	Electricity charges	\$43,566.16
E4627	12/04/2024	290	Telstra	Telephone charges	\$1,155.00
E4627	12/04/2024	392	Water Corporation	Water usage charges	\$2,645.49
E4628	17/04/2024	4073	Cemeteries & Crematoria Association	Membership renewal	\$240.00
E4629	18/04/2024	-	EcoValley Retreat	***** CANCELLED *****	\$0.00
E4629	18/04/2024	1	Australian Taxation Office	Payroll Deduction	\$179,201.08
E4629	18/04/2024	62	Building and Construction Industry	BCITF levy 01/03/24 - 31/03/24	\$3,004.53
E4629	18/04/2024	73	CJD Equipment Pty Ltd	Parts & equipment	\$1,259.87
E4629	18/04/2024	100	Landgate	Title searches	\$1,006.50
E4629	18/04/2024	126	Esperance Electrical Service	Electrical services including replacement of auto flush system	\$5,095.00
E4629	18/04/2024	187	Ixom Operations Pty Ltd	Cylinder & gas charges	\$1,818.30
E4629	18/04/2024	395	BOC Gases	Cylinder & gas charges	\$467.76
E4629	18/04/2024	440	Wesfarmers Kleenheat Gas Pty Ltd	Bottled gas – EHC & Stadium	\$2,016.88
E4629	18/04/2024	505	Esperance Plumbing Service	Plumbing services including replace pumps at Castletown toilets	\$10,922.65
E4629	18/04/2024	536	Landgate	Rural UV's	\$91.60

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E4629	18/04/2024	571	St John Ambulance Association in WA	First Aid training x 3	\$510.00
E4629	18/04/2024	800	Civica Pty Limited	Consultancy services milestone 1 – External Services	\$28,710.00
E4629	18/04/2024	1083	Airport Lighting Specialists Pty Ltd	Lighting spares - Airport	\$444.84
E4629	18/04/2024	1197	Six Mile Hill Bush Fire Brigade	Reimbursement – Phone bill	\$290.20
E4629	18/04/2024	1250	Hoeys Exhaust Centre	Gas fitting repairs to bitumen trailer	\$162.60
E4629	18/04/2024	1271	Department of Transport	Disclosure of information fees – March 2024	\$26.40
E4629	18/04/2024	1470	Express Yourself Printing Esperance	Stationery & printing, flyers EVC & verge collection flyers	\$3,433.00
E4629	18/04/2024	1695	Bay of Isles Mini-Excavators	Plant hire & grease trap service	\$940.00
E4629	18/04/2024	1981	Esperance Sportspower	Staff uniforms - EHC	\$876.00
E4629	18/04/2024	2113	Banksia Medical and Health	Pre-employment medicals	\$1,408.00
E4629	18/04/2024	2317	Southern Cross Austereo Pty Ltd	Radio advertising	\$2,354.00
E4629	18/04/2024	2496	Professionals Esperance Real Estate	Rent	\$2,380.00
E4629	18/04/2024	2763	Esperance Lock & Shoe Service	Key & lock supplies	\$192.00
E4629	18/04/2024	3142	Australian Museums and Galleries	Annual membership	\$261.00
E4629	18/04/2024	3227	Esperance Fire Services	Hire & testing of fire extinguishers	\$1,568.60
E4629	18/04/2024	3478	Avis Car Hire	Car hire – Multiple vehicles across 6 months	\$17,553.91
E4629	18/04/2024	3532	Esperance Bay Holiday Park	Bookeasy sales - Accommodation	\$210.70
E4629	18/04/2024	3534	Local Government Professionals	Governance fundamental module - M Cooke	\$560.00
E4629	18/04/2024	3545	ASB Marketing Pty Ltd	Fight the Bite promotional clothing	\$443.74
E4629	18/04/2024	3604	Kelyn Training Services	Traffic management training	\$620.00
E4629	18/04/2024	3736	Easisalary Pty Ltd	Novate lease employer ITC March 2024	\$418.00
E4629	18/04/2024	3752	Securepay Pty Ltd	Monthly charge	\$73.48
E4629	18/04/2024	3835	WA Local Government Association	Procurement & contract essentials course – P Timms	\$638.00

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E4629	18/04/2024	3938	C K Mader	Rent	\$600.00
E4629	18/04/2024	4148	Bay of Isles Community Outreach Inc	Confidential shredding	\$25.00
E4629	18/04/2024	4276	Modern Teaching Aids Pty Ltd	Creche furniture - BOILC	\$1,532.91
E4629	18/04/2024	4308	Esperance Motor Group	New vehicle purchases (2), repairs and services	\$135,041.33
E4629	18/04/2024	4315	Australasian Performing Right	Background music licence – Admin Building	\$534.77
E4629	18/04/2024	4321	The Royal Life Saving Society (WA)	Lifeguard & First Aid training - BOILC	\$1,512.00
E4629	18/04/2024	4567	WA Police Service	Volunteer police checks - EHC	\$34.00
E4629	18/04/2024	4618	JJ's Holiday Cottage	Bookeasy sales - Accommodation	\$2,287.60
E4629	18/04/2024	4699	Esperance Care Services Inc	Rags	\$150.00
E4629	18/04/2024	4755	LGIS Insurance Broking - JLT	Insurance contract works – Condingup Fire Shed	\$1,768.75
E4629	18/04/2024	4889	City of Albany	Migration fee to join regional WA Library consortium	\$4,283.40
E4629	18/04/2024	4989	Woolworths Group Limited	Consumables & supplies	\$1,638.77
E4629	18/04/2024	5042	Officeworks Business Direct	Stationery & supplies	\$251.74
E4629	18/04/2024	5165	Driftwood Apartments	Bookeasy sales - Accommodation	\$495.00
E4629	18/04/2024	5175	Goldies Place	Bookeasy sales - Accommodation	\$1,238.40
E4629	18/04/2024	5262	Arrow Bronze	Plaque for Adventureland Park	\$685.43
E4629	18/04/2024	5393	Esperance Eagle View Accommodation	Bookeasy sales - Accommodation	\$4,945.00
E4629	18/04/2024	5412	Mr Carpet	Cleaning services - EHC	\$181.50
E4629	18/04/2024	5559	BookEasy Australia Pty Ltd	Bookeasy bookings - March 2024	\$724.89
E4629	18/04/2024	5604	Esperance Milk Supply	Milk orders – Admin & Depot	\$319.05
E4629	18/04/2024	5622	Subway Esperance	Catering – Library & BOILC	\$172.00
E4629	18/04/2024	5686	Dan Paris Photography	Esperance books for resale	\$680.00
E4629	18/04/2024	5767	Seek Limited	Advertisement for vacant positions	\$962.50

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<i>EFT Ref / Cheque No</i>	<i>Date</i>	<i>Creditor</i>	<i>Payee</i>	<i>Description</i>	<i>Amount</i>
E4629	18/04/2024	5796	Pink Lake IGA	Consumables	\$483.18
E4629	18/04/2024	5877	Castletown Chemist	Chemist supplies - EHC	\$266.00
E4629	18/04/2024	5896	Toyota Financial Services	Lease payment	\$443.81
E4629	18/04/2024	5991	Esperance Smash Repairs Pty Ltd	Motor vehicle insurance claim	\$1,993.35
E4629	18/04/2024	6009	McLeods Barristers & Solicitors	Legal advice	\$1,179.85
E4629	18/04/2024	6024	SeatAdvisor Pty Ltd	Ticket sales - March 2024	\$250.59
E4629	18/04/2024	6098	R M Hindley	Jackpot winnings pay 21	\$150.00
E4629	18/04/2024	6164	Data 3 Limited	iLand Secure Cloud M365 backup – March 2024	\$1,123.98
E4629	18/04/2024	6178	SB Hazelden & SM Henning TA Seascope	Bookeasy sales - Accommodation	\$1,883.40
E4629	18/04/2024	6221	PFD Food Services Pty Ltd	Consumables - EHC	\$116.05
E4629	18/04/2024	6342	Loff's Feed and Saddlery	Supplies & parts	\$41.80
E4629	18/04/2024	6494	Rustic Retreat Esperance	Bookeasy sale - Accommodation	\$2,144.96
E4629	18/04/2024	6495	MCM Protection Pty Ltd	Locking of toilets - March	\$1,602.70
E4629	18/04/2024	6552	Esperance Bird and Animal Park	Bookeasy sales - Accommodation	\$963.20
E4629	18/04/2024	7126	Elite Gym Hire	Gym equipment - BOILC	\$68.94
E4629	18/04/2024	7174	Green Frog Studios	Site visit, briefing & artwork conceptual proposal - Lost at Sea Memorial	\$7,260.00
E4629	18/04/2024	7250	Esperance CWA Holiday Units	Bookeasy sales - Accommodation	\$5,272.66
E4629	18/04/2024	7258	Chamber of Commerce and Industry WA	Consulting - Review of WHS policies	\$4,867.50
E4629	18/04/2024	7425	Esperance Cleaning Service	Cleaning Overflow Camping & Indoor Stadium - March 2024	\$34,012.00
E4629	18/04/2024	7438	Independence Australia	Nursing products - EHC	\$3,386.43
E4629	18/04/2024	7460	Auscoinswest	Souvenir coins for resale - EVC	\$288.20
E4629	18/04/2024	7479	La Cabane Retreat	Bookeasy sales - Accommodation	\$215.00
E4629	18/04/2024	7703	Talis Consultants	Myrup WTS detailed designs & organics options review	\$75,416.44

Shire of Esperance

List of accounts due by Council submitted to the Ordinary Council Meeting held on 28 May 2024 for confirmation in respect to accounts already paid.

Tran Amount

Municipal Fund - EFT Payments

<i>EFT Ref / Cheque No</i>	<i>Date</i>	<i>Creditor</i>	<i>Payee</i>	<i>Description</i>	<i>Amount</i>
E4629	18/04/2024	7704	Vorgee Pty Ltd.	Swimming equipment - BOILC	\$4,237.20
E4629	18/04/2024	7744	J C Ramsell	Jackpot winnings pay 21	\$150.00
E4629	18/04/2024	7879	Drillers Ridge Pty Ltd T/A 8 Taylor S	Bookeasy sales - Accommodation	\$1,470.60
E4629	18/04/2024	8057	SB Hazelden & SM Henning	Bookeasy sales - Accommodation	\$838.50
E4629	18/04/2024	8117	Foxtel Cable Television Pty Limited	Foxtel subscription - April 2024	\$105.00
E4629	18/04/2024	8181	Archival Survival Pty Ltd	Archival supplies - Library	\$4,433.17
E4629	18/04/2024	8303	Liquor Barons Esperance	Ice	\$50.00
E4629	18/04/2024	8380	Jade William & Leticia Hurley	Bookeasy sales - Accommodation	\$1,333.00
E4629	18/04/2024	8474	South East Fire and Safety	Fire equipment testing & servicing	\$2,404.75
E4629	18/04/2024	8497	The Print Shop Bunbury	Various printing posters and forms	\$1,122.00
E4629	18/04/2024	8506	Le Grand Chateau Esperance	Bookeasy sales - Accommodation	\$619.20
E4629	18/04/2024	8567	Esperance Mobility Sales & Service	Equipment - EHC	\$250.00
E4629	18/04/2024	8663	Commercial Aquatics Australia Pty L	Aquatic equipment - BOILC	\$891.00
E4629	18/04/2024	8783	The Trustee for Recherche Medical	Pre-employment medicals	\$100.00
E4629	18/04/2024	8800	South Regional TAFE	Cert IV Business - P Timms	\$182.40
E4629	18/04/2024	8914	Cleanaway Pty Ltd	Rubbish & recycling collections	\$456.28
E4629	18/04/2024	8955	Esperance Laundry and Linen (The	Laundry services	\$361.50
E4629	18/04/2024	8972	Dunn's Cleaning Service Pty Ltd	Cleaning public toilets & barbeques – March 2024	\$24,711.71
E4629	18/04/2024	9003	Rural Traffic Services Pty Ltd	Traffic control	\$16,091.41
E4629	18/04/2024	9028	Terry White Chemmart Esperance	Chemist supplies - EHC	\$441.80
E4629	18/04/2024	9075	WA Library Supplies	Archive storage - Library	\$1,330.50
E4629	18/04/2024	9127	Unicare Health	Aged care equipment - EHC	\$543.90
E4629	18/04/2024	9138	Department of Biodiversity Conserva	Holiday park passes	\$7,020.00

Shire of Esperance

List of accounts due by Council submitted to the Ordinary Council Meeting held on 28 May 2024 for confirmation in respect to accounts already paid.

Tran Amount

Municipal Fund - EFT Payments

<i>EFT Ref / Cheque No</i>	<i>Date</i>	<i>Creditor</i>	<i>Payee</i>	<i>Description</i>	<i>Amount</i>
E4629	18/04/2024	9141	Apex Rubber Stamp Co	Stamp - Airport	\$51.26
E4629	18/04/2024	9147	Key Pest and Weed Control	General pest maintenance	\$275.00
E4629	18/04/2024	9163	Esperance Combined Tyres & Mechanic	Tyre repairs and parts	\$8,962.50
E4629	18/04/2024	9207	Datacom Systems (AU) Pty Ltd	Electronic supplies	\$1,035.57
E4629	18/04/2024	9270	William Govans t/as Bills Doors & Servicing	Various door repairs & labour	\$12,688.83
E4629	18/04/2024	9274	Gibson Soak Hotel	Volunteer & staff meals	\$47.50
E4629	18/04/2024	9330	Coastal Climate Choice Pty Ltd	Council Meeting Room aircon relocation & various servicing	\$4,451.01
E4629	18/04/2024	9400	Rapid Global Nominee Pty Ltd	Integration annual license fee	\$451.00
E4629	18/04/2024	9451	The Choppin Block Butchers	Meat for kitchen - EHC	\$395.04
E4629	18/04/2024	9531	Seas It All Pty Ltd	Bookeasy sales - Accommodation	\$2,783.10
E4629	18/04/2024	9540	North Metropolitan Tafe	Diploma of Project Management - K Schofield	\$821.90
E4629	18/04/2024	9564	South East Auto & Heavy Diesel	Parts and supplies	\$202.72
E4629	18/04/2024	9578	Department of Mines, Industry	Building services levies 01/03/24 - 31/03/24	\$3,109.74
E4629	18/04/2024	9602	P J & M E Grobler	Rates refund	\$503.47
E4629	18/04/2024	9638	BTECH Electrical Services	Electric TV trolley	\$1,975.05
E4629	18/04/2024	9639	Avon Waste	Rubbish & recycling collections	\$49,010.58
E4629	18/04/2024	9671	R P Western	Consignment sales	\$20.00
E4629	18/04/2024	9676	Mega Phones	Monthly pendant monitoring - EHC	\$425.00
E4629	18/04/2024	9727	G R MacDonald & D M Gillespie	Refund for building application fee	\$110.00
E4629	18/04/2024	9838	Blue Haven Shell Studio Accommodation	Bookeasy sales - Accommodation	\$1,216.90
E4629	18/04/2024	9848	APPARATUS: Public Art and Cultural	Consultancy services for Lost at Sea Memorial	\$1,650.00
E4629	18/04/2024	9857	D J Kennedy	Gardening - EHC	\$264.00
E4629	18/04/2024	9894	Calibre Care	Lifting hoist - EHC	\$7,416.60

Shire of Esperance

List of accounts due by Council submitted to the Ordinary Council Meeting held on 28 May 2024 for confirmation in respect to accounts already paid.

Tran Amount

Municipal Fund - EFT Payments

<i>EFT Ref / Cheque No</i>	<i>Date</i>	<i>Creditor</i>	<i>Payee</i>	<i>Description</i>	<i>Amount</i>
E4629	18/04/2024	9946	Global Drone Solutions	Drone training	\$2,995.00
E4629	18/04/2024	9976	Aviation ID Australia Pty Ltd	ASIC application - S Liddelow	\$280.00
E4629	18/04/2024	10036	D J Coyne	Shower insert measurement - EHC	\$200.00
E4629	18/04/2024	10191	Silver Podiatry	Podiatry services - EHC	\$170.00
E4629	18/04/2024	10218	D B Ambrose	Gardening services- EHC	\$813.22
E4629	18/04/2024	10269	Lite N' Easy Pty Ltd	Meal preparation & delivery - EHC	\$2,220.36
E4629	18/04/2024	10358	Esperance Weekender	Advertising – Public notices	\$936.00
E4629	18/04/2024	10416	J M Smith	Rent	\$600.00
E4629	18/04/2024	10466	35 Degrees South	Services for Grass Patch BFB land amalgamation	\$3,355.00
E4629	18/04/2024	10518	Townzies Turf and Gardens	Gardening services - EHC	\$891.00
E4629	18/04/2024	10564	WA Girl Macrame	Consignment sales	\$59.16
E4629	18/04/2024	10617	RTSM Consulting	Road safety audits	\$5,500.00
E4629	18/04/2024	10649	Bitumen Distribution Pty Ltd	Supply & deliver CRS emulsion	\$24,717.00
E4629	18/04/2024	10749	Safety Barriers Wa Pty Ltd	Traffic management	\$43,874.46
E4629	18/04/2024	10757	In Motion Esperance	Pre-employment functional assessments	\$180.00
E4629	18/04/2024	10760	N L Curtis	Rent	\$1,100.00
E4629	18/04/2024	10848	Retravision Esperance – JAPMR Pty Ltd	Various white goods and vacuum bags	\$1,786.00
E4629	18/04/2024	10859	BM Electrical WA Pty Ltd (Griffs Electrical)	Electrical services	\$2,541.00
E4629	18/04/2024	10867	Department of the Premier and Cabin	Dog, Cat & Cemeteries Local Law Gazettal updates	\$3,693.30
E4629	18/04/2024	10942	Thorp Realty Pty Ltd	Rent	\$2,240.00
E4629	18/04/2024	10956	MBL Food & Packaging T/A South Coast	Consumables and supplies	\$3,324.20
E4629	18/04/2024	10958	Newsxpress Esperance Lottery Centre	Stationery and copy paper	\$1,010.40
E4629	18/04/2024	10985	Rebecca Staunton Physiotherapy	Physio services - EHC	\$3,113.00

Shire of Esperance

List of accounts due by Council submitted to the Ordinary Council Meeting held on 28 May 2024 for confirmation in respect to accounts already paid.

Tran Amount

Municipal Fund - EFT Payments

<i>EFT Ref / Cheque No</i>	<i>Date</i>	<i>Creditor</i>	<i>Payee</i>	<i>Description</i>	<i>Amount</i>
E4629	18/04/2024	11022	Dynamic Machining Pty Ltd	Parts & supplies	\$38.50
E4629	18/04/2024	11030	JMAC Building	Salmon Gums restoration CWA building	\$7,339.88
E4629	18/04/2024	11048	P M Timms	Jackpot winnings pay 20	\$150.00
E4629	18/04/2024	11053	David Macdermott T/A Mermaid Leather	Consignment sales	\$63.96
E4629	18/04/2024	11058	Howat WA Pty Ltd T/A The Weed Terminator	Mitigation Activity Fund works	\$33,247.50
E4629	18/04/2024	11114	Cappello Family Trust T/A Esperance	Ice for the Winter Wonderland event	\$5,500.00
E4629	18/04/2024	11118	Gymnastics Direct	Gym and creche equipment	\$6,444.00
E4629	18/04/2024	11176	Tunstall Healthcare	Care alert services - EHC	\$79.85
E4629	18/04/2024	11191	Bay Diversified Pty Ltd	Weed spraying curb side	\$5,651.47
E4629	18/04/2024	11205	Sparkle Sisters Esperance	Supplies for Winter Wonderland event	\$1,400.00
E4629	18/04/2024	11244	Motel Brothers Pty Ltd T/as The Jetty Resort	Bookeasy sales - Accommodation	\$896.40
E4629	18/04/2024	11278	C W Henderson	Rates refund	\$1,583.86
E4629	18/04/2024	11316	BreezeConnect	Monthly subscription SMS service	\$48.50
E4629	18/04/2024	11354	M.S Purnell & M.J Purnell	Gardening services - BOILC	\$400.00
E4629	18/04/2024	11355	T M Bareli	Consignment sales	\$65.00
E4629	18/04/2024	11356	Good Chat Designs	Consignment sales	\$125.00
E4629	18/04/2024	11401	Levi's Woodworking	Consignment sales	\$8.00
E4629	18/04/2024	11436	Oz Ring P/L t/as Play Hard Sports	Football netting	\$7,810.00
E4629	18/04/2024	11439	Kath Guest t/as Heart of the Mallee	Consignment sales	\$20.00
E4629	18/04/2024	11441	B S Graham	Jackpot winnings pay 20	\$150.00
E4629	18/04/2024	11442	A Nelson	Refund of swimming lessons	\$74.00
E4629	18/04/2024	11444	G Phee	Refund for cancelled show - Beatles/Stones	\$207.00
E4629	18/04/2024	11445	C Forsyth	Refund for cancelled show - Beatles/Stones	\$138.00

Shire of Esperance

List of accounts due by Council submitted to the Ordinary Council Meeting held on 28 May 2024 for confirmation in respect to accounts already paid.

Tran Amount

Municipal Fund - EFT Payments

<i>EFT Ref / Cheque No</i>	<i>Date</i>	<i>Creditor</i>	<i>Payee</i>	<i>Description</i>	<i>Amount</i>
E4629	18/04/2024	11446	National Disability Support Partner	Refund for overpayment NDIS - EHC	\$507.42
E4629	18/04/2024	11449	K Silver	Rates refund	\$3,601.51
E4629	18/04/2024	11450	J Montemayor	Beach School - One & All Program	\$300.00
E4630	22/04/2024	325	Easton WJ & V	Hire of earthmoving plant	\$5,880.60
E4630	22/04/2024	1469	Beachwind Enterprises Pty Ltd	Hire of earthmoving plant	\$149,958.60
E4630	22/04/2024	6014	Esperance Tree Lopping	Pruning and removal of trees and stumps	\$9,982.50
E4630	22/04/2024	6636	Esperance Earthworks Pty Ltd	Hire of earthmoving plant	\$217,901.20
E4630	22/04/2024	7522	Jacka Trenching and Fencing	Traffic control	\$7,865.00
E4630	22/04/2024	8230	Ballantyne Earthmoving	Hire of earthmoving plant and labour	\$371,847.30
E4630	22/04/2024	8317	Titan Contracting	Mowing services	\$64,137.96
E4630	22/04/2024	10615	Quaintrelle (WA) Pty Ltd T/A	Hire of street sweeper	\$37,601.70
E4631	24/04/2024	26	Blackwoods Atkins	Parts & equipment	\$3,486.85
E4631	24/04/2024	47	B E Stearne & Co Pty Ltd	Reticulation supplies	\$755.18
E4631	24/04/2024	63	Bunnings Ltd	Hardware & supplies	\$12,027.68
E4631	24/04/2024	112	Esperance Ag Services	Parts & equipment	\$1,576.94
E4631	24/04/2024	281	Bluescope Distribution P/L	Steel supplies & fabrication	\$89.10
E4631	24/04/2024	287	Swans Veterinary Services	Veterinary services	\$752.45
E4631	24/04/2024	323	Westrac Equipment Pty Ltd	Plant parts & repairs	\$14,405.76
E4631	24/04/2024	325	Easton WJ & V	Hire of earthmoving plant	\$18,978.30
E4631	24/04/2024	707	Haslams	Protective clothing	\$11,853.90
E4631	24/04/2024	1259	South East Petroleum	Fuel supplies	\$150,810.53
E4631	24/04/2024	1291	Sharpe Brothers Pty Ltd	Mulch	\$4,840.00
E4631	24/04/2024	1307	Feature Paints	Paint supplies	\$829.70

Shire of Esperance

List of accounts due by Council submitted to the Ordinary Council Meeting held on 28 May 2024 for confirmation in respect to accounts already paid.

Tran Amount

Municipal Fund - EFT Payments

<i>EFT Ref / Cheque No</i>	<i>Date</i>	<i>Creditor</i>	<i>Payee</i>	<i>Description</i>	<i>Amount</i>
E4631	24/04/2024	1337	Sussex Industries Pty Ltd	Supplies for construction	\$2,860.00
E4631	24/04/2024	1461	Kip & Steve's Mechanical Repairs	Parts & labour for truck repairs	\$6,588.73
E4631	24/04/2024	1469	Beachwind Enterprises Pty Ltd	Hire of earthmoving plant	\$973.50
E4631	24/04/2024	1485	Freight Lines Group	Freight charges	\$20,472.99
E4631	24/04/2024	1575	GPC Asia Pacific Pty Ltd/Repco	Auto supplies	\$1,446.88
E4631	24/04/2024	2005	Trility Solutions Pty Ltd - Hydrame	Major service to chlorination system	\$16,052.40
E4631	24/04/2024	2246	Cutting Edges Pty Ltd	Parts and supplies	\$10,114.50
E4631	24/04/2024	2333	Winc Australia Pty Limited	Stationery	\$3,388.57
E4631	24/04/2024	2469	Coates Hire	Lighting tower hire	\$7,911.58
E4631	24/04/2024	2693	Worth Kerbing	Kerbing services	\$13,191.20
E4631	24/04/2024	3774	Goodchild Enterprises	Battery supplies	\$1,043.90
E4631	24/04/2024	3834	Dicks Electronics	Electronic supplies	\$889.85
E4631	24/04/2024	3898	Tutt Bryant Equipment	Parts & supplies	\$1,615.29
E4631	24/04/2024	4210	Farm & General EOPP	Parts & supplies	\$12,634.63
E4631	24/04/2024	4647	Marketforce - Omnicom	Local government notices	\$647.26
E4631	24/04/2024	5253	T-Quip	Parts & supplies	\$342.60
E4631	24/04/2024	5471	InfraBuild Trading Pty Ltd	Annealed wire for baler and freight – Wylie Bay	\$12,347.86
E4631	24/04/2024	6183	Kleen West	Cleaning items and consumables	\$9,048.86
E4631	24/04/2024	6407	Dell Australia Pty Limited	Dell keyboard and mouse combo	\$85.67
E4631	24/04/2024	6714	Holcim Pty Ltd	Aggregate & kerbmix supplies	\$259,638.51
E4631	24/04/2024	6873	WT Hydraulics	Workshop consumables, labour & materials	\$2,206.12
E4631	24/04/2024	7522	Jacka Trenching and Fencing	Traffic control	\$6,140.75
E4631	24/04/2024	8267	Valvoline (Australia) Pty Ltd	Oil products for mobile plant	\$19,510.69

Shire of Esperance

List of accounts due by Council submitted to the Ordinary Council Meeting held on 28 May 2024 for confirmation in respect to accounts already paid.

Tran Amount

Municipal Fund - EFT Payments

<i>EFT Ref / Cheque No</i>	<i>Date</i>	<i>Creditor</i>	<i>Payee</i>	<i>Description</i>	<i>Amount</i>
E4631	24/04/2024	8959	Topsigns	Signage supply & installation	\$1,772.10
E4631	24/04/2024	9022	AFGRI Equipment Australia Pty Ltd	Parts and supplies	\$25,853.37
E4631	24/04/2024	9170	ThermoAir	Air conditioning services	\$974.80
E4631	24/04/2024	9210	McIntosh & Son W.A.	Parts & loader repairs	\$21,305.85
E4631	24/04/2024	9464	Air Filter Dry Clean Systems WA	Air filter services	\$1,054.85
E4631	24/04/2024	9503	EcoValley Honey - Winton Hughes	Consignment sales	\$95.20
E4631	24/04/2024	9574	Clarke & Stokes Agri services Pty Lt	Reticulation parts & supplies	\$4,841.24
E4631	24/04/2024	9657	Super Cheap Auto Pty Ltd	Tools and supplies	\$200.98
E4631	24/04/2024	10120	Wastetrans WA	Glass for recycling	\$702.24
E4631	24/04/2024	10313	Asphalt In A Bag	Asphalt products	\$3,575.00
E4631	24/04/2024	10431	Skipper Transport Parts	Parts & supplies	\$1,032.53
E4631	24/04/2024	10701	Esperance Truck Pro Pty Ltd	Vehicle parts and services	\$1,194.80
E4631	24/04/2024	10741	Esperance Rural Supplies - Elders	Parts & consumables	\$322.97
E4631	24/04/2024	10993	Etech WA Pty Ltd T/As Esperance Communication	Electronic supplies & services including photocopier maintenance	\$10,381.74
E4631	24/04/2024	11082	South East Petroleum - BFB Accounts	Fuel supplies - January & March	\$894.91
E4631	24/04/2024	11160	Sigma Chemicals	Pool supplies - BOILC	\$1,434.40
E4631	24/04/2024	11378	Auscor Pty Ltd	Jetty CP survey – Site testing	\$5,428.50
E4631	24/04/2024	11397	Manco engineering Australia Pty Ltd	Door locks and accessories bins – Wylie Bay Facility	\$993.93
E4631	24/04/2024	11406	Leonora Medical Health T/A Pier St	Pre-employment medical assessments	\$263.00
E4631	4/04/2024	11418	WAJ & Associates Pty Ltd TA FCAR	Annual software updates	\$1,100.00
E4631	24/04/2024	11430	Australian Physiotherapy Equipment	Home Care equipment - EHC	\$60.45
E4632	26/04/2024	32	Australia Post	Postage	\$1,798.68
E4632	26/04/2024	2562	Commonwealth Bank of Australia	Various bank fees - March 2024	\$1,157.80

Shire of Esperance

List of accounts due by Council submitted to the Ordinary Council Meeting held on 28 May 2024 for confirmation in respect to accounts already paid.

Tran Amount

Municipal Fund - EFT Payments

<i>EFT Ref / Cheque No</i>	<i>Date</i>	<i>Creditor</i>	<i>Payee</i>	<i>Description</i>	<i>Amount</i>
E4632	26/04/2024	7580	BP Australia Pty Ltd (6791)	Air BP refuelling	\$599.82
E4632	26/04/2024	9997	Sandwai Pty Ltd	Sandwai monthly admin & mobile user	\$2,248.40
E4632	26/04/2024	11364	Ezidebit Pty Ltd	BOILC Ezidebit services	\$1,106.28
E4633	30/04/2024	33	Australian Services Union (ASU)	Payroll Deduction	\$367.00
E4633	30/04/2024	140	Esperance Shire Staff Jackpot	Payroll Deduction	\$600.00
E4633	30/04/2024	144	Esperance Staff Social Club	Payroll Deduction	\$248.00
E4633	30/04/2024	154	LGRCEU	Payroll Deduction	\$88.00
E4633	30/04/2024	1963	Child Support Agency	Payroll Deduction	\$3,591.74
Total Creditor payments made by EFT from Municipal Fund					3,650,204.40

Municipal Fund - EFT Wage Payments

<i>EFT Ref / Cheque No</i>	<i>Date</i>	<i>Payee</i>	<i>Description</i>	<i>Amount</i>
Bulk EFT	11/04/2024	Payroll (Net)	Wages for 28/03/2024 to 10/04/2024 (Period 21)	\$589,168.15
Bulk EFT	25/04/2024	Payroll (Net)	Wages for 11/04/2024 to 24/04/2024 (Period 22)	\$629,740.55
Total Employee Wage payments made by EFT from Municipal Fund				\$1,218,908.70

SHIRE OF ESPERANCE				
List of accounts direct debited from Council's Municipal Fund submitted to the Ordinary Council Meeting meeting held on 28/05/2024 for confirmation in respect to accounts already paid.				
DATED	CREDITOR	NAME	PARTICULARS	AMOUNT
27/03/2024	Aged Community Primary Care	Felicity Baxter	Medical training	\$150.00
31/03/2024	Go Fax	Felicity Baxter	Fax licence	\$29.85
2/04/2024	Sonic Health Plus	Felicity Baxter	Pre-employment medical	\$315.70
2/04/2024	Geelong Medical and Health Management	Felicity Baxter	Pre-employment medical	\$299.00
4/04/2024	Intuit Mailchimp	Felicity Baxter	Media notifications subscription	\$204.10
8/04/2024	Canva	Felicity Baxter	Marketing online graphic subscription	\$1,564.20
9/04/2024	Microsoft	Felicity Baxter	Cloud subscription	\$2.05
15/04/2024	Aged Community Primary Care	Felicity Baxter	Refund for medical training	-\$150.00
16/04/2024	Starlink	Felicity Baxter	Standard and mobile subscription - April	\$1,460.00
19/04/2024	Sonic Health Plus	Felicity Baxter	Pre-employment medical	\$315.70
19/04/2024	Sonic Health Plus	Felicity Baxter	Pre-employment medical	\$315.70
27/03/2024	Wattle Grove Motel	Chantelle Hoffrichter	Accommodation - S Southern	\$148.50
27/03/2024	Rex Airlines	Chantelle Hoffrichter	Refund overcharge for Cr Johnston	-\$683.30
27/03/2024	Rex Airlines	Chantelle Hoffrichter	Refund overcharge for Cr Johnston	-\$683.30
27/03/2024	Rex Airlines	Chantelle Hoffrichter	Refund overcharge for Cr Johnston	-\$683.30
28/03/2024	Esperance Lock & Shoe Service	Chantelle Hoffrichter	Key copy for noticeboard	\$10.00
28/03/2024	The Choppin Block	Chantelle Hoffrichter	Neville Mulgat award	\$400.00
28/03/2024	Rex Airlines	Chantelle Hoffrichter	Flight for Z Sheffield-van Mierlo	\$724.97
28/03/2024	Rex Airlines	Chantelle Hoffrichter	Flight for D Hardwick	\$672.04
28/03/2024	Rex Airlines	Chantelle Hoffrichter	Refund for flight for D Hardwick	-\$672.04
31/03/2024	Facebook	Chantelle Hoffrichter	Facebook advertising	\$12.59
4/04/2024	Rex Airlines	Chantelle Hoffrichter	Flight for P Timms	\$866.85
5/04/2024	Rex Airlines	Chantelle Hoffrichter	Flight for K Edmeades WALGA training	\$827.44
8/04/2024	Rex Airlines	Chantelle Hoffrichter	Flight for M Bidstrup	\$672.04
8/04/2024	Country Comfort	Chantelle Hoffrichter	Accommodation - S Bowyer	\$338.31
9/04/2024	Airbnb	Chantelle Hoffrichter	Accommodation - M Brown	\$3,571.51
11/04/2024	Holiday Inn West Perth	Chantelle Hoffrichter	Accommodation - P Timms	\$396.87
12/04/2024	Ingot Hotel	Chantelle Hoffrichter	Accommodation - S Bowyer	\$1,001.86
15/04/2024	K-mart	Chantelle Hoffrichter	Milk frother for staff lunch room	\$32.00
15/04/2024	Rex Airlines	Chantelle Hoffrichter	Flight for Z Sheffield-van Mierlo	\$755.37
17/04/2024	Flywire	Chantelle Hoffrichter	Women in Leadership conference - Cr Osbourne	\$1,392.19

SHIRE OF ESPERANCE				
List of accounts direct debited from Council's Municipal Fund submitted to the Ordinary Council Meeting meeting held on 28/05/2024 for confirmation in respect to accounts already paid.				
DATED	CREDITOR	NAME	PARTICULARS	AMOUNT
18/04/2024	Woolworths	Chantelle Hoffrichter	Consumables - Chambers	\$178.05
18/04/2024	Busselton Motel	Chantelle Hoffrichter	Accommodation - S Sinclair	\$182.70
20/04/2024	The Sebel Mandurah	Chantelle Hoffrichter	Accommodation - S Harp	\$971.36
20/04/2024	Kings Park Motel	Chantelle Hoffrichter	Accommodation - C Webster	\$510.00
21/04/2024	Busselton Motel	Chantelle Hoffrichter	Accommodation - S Sinclair	\$365.40
22/04/2024	Rex Airlines	Chantelle Hoffrichter	Flight - K Schofield	\$827.44
24/04/2024	Rex Airlines	Chantelle Hoffrichter	Flight - D Doulis	\$797.03
24/04/2024	Rex Airlines	Chantelle Hoffrichter	Flight - B Guest	\$797.03
3/04/2024	Department of Transport	Erica Austen	NDIS screening application fee	\$145.00
5/04/2024	Department of Transport	Erica Austen	NDIS screening application fee	\$145.00
9/04/2024	Netflix	Erica Austen	CBDC client entertainment	\$16.99
12/04/2024	Flickr Candles	Erica Austen	Bereavement flowers	\$70.00
17/04/2024	Officeworks	Erica Austen	Stationery	\$98.87
17/04/2024	Kolor Kode	Erica Austen	Stationery	\$261.25
17/04/2024	Xero AU	Erica Austen	Monthly subscription	\$65.00
18/04/2024	Interact Learning Pty Ltd	Erica Austen	Fire warden training	\$77.00
22/04/2024	Australian Institute of Building Surveyors	Richard Hindley	BCA 2022 webinar	\$77.00
23/04/2024	Australian Institute of Building Surveyors	Richard Hindley	Virtual event - Housing	\$460.00
9/04/2024	Riccardo's Pizza	Ashley Peczka	Catering for training night	\$350.00
28/03/2024	Red Dot Store	Shane Tobin	One & All craft	\$4.00
28/03/2024	The Reject Shop	Shane Tobin	One & All craft	\$5.50
28/03/2024	Woolworths	Shane Tobin	One & All craft	\$7.50
2/04/2024	South Coast Foodservice	Shane Tobin	Civic Centre re-stock - Consumables	\$306.73
3/04/2024	Riccardo's Pizza	Shane Tobin	Meal for volunteers	\$212.00
8/04/2024	Top Signs	Shane Tobin	Community signage	\$778.80
12/04/2024	Facebook	Shane Tobin	Post for 'Cameo Rascale Entertainment'	\$50.00
24/04/2024	Bunnings	Shane Tobin	Pegs for Anzac Day	\$66.44
26/04/2024	South Coast Foodservice	Shane Tobin	Civic Centre re-stock - Consumables	\$339.91
2/04/2024	Woolworths	Karen Voyatzis	Food - MOW kitchen	\$284.86
2/04/2024	Woolworths	Karen Voyatzis	Food - MOW kitchen	\$227.62
4/04/2024	Woolworths	Karen Voyatzis	Food - MOW kitchen	\$262.03

SHIRE OF ESPERANCE				
List of accounts direct debited from Council's Municipal Fund submitted to the Ordinary Council Meeting meeting held on 28/05/2024 for confirmation in respect to accounts already paid.				
DATED	CREDITOR	NAME	PARTICULARS	AMOUNT
8/04/2024	Woolworths	Karen Voyatzis	Food - MOW kitchen	\$347.17
10/04/2024	Woolworths	Karen Voyatzis	Food - MOW kitchen	\$19.20
10/04/2024	Woolworths	Karen Voyatzis	Food - MOW kitchen	\$262.78
15/04/2024	Woolworths	Karen Voyatzis	Food - MOW kitchen	\$264.48
16/04/2024	Woolworths	Karen Voyatzis	Food - MOW kitchen	\$168.90
19/04/2024	Woolworths	Karen Voyatzis	Food - MOW kitchen	\$227.23
22/04/2024	Woolworths	Karen Voyatzis	Food - MOW kitchen	\$173.44
23/04/2024	Woolworths	Karen Voyatzis	Food - MOW kitchen	\$117.56
16/04/2024	Department of Biodiversity	Matthew Walker	Flora taking licence - K Walkerden	\$60.00
22/04/2024	Department of Biodiversity	Matthew Walker	Flora taking licence - J Waters	\$60.00
24/04/2024	Bunnings	Matthew Walker	Farewell present - L Goodfield	\$300.00
24/04/2024	Boulevard News	Matthew Walker	Farewell card - L Goodfield	\$14.99
28/03/2024	Local Government	Shane Burge	Refund - Chat GPT course	-\$155.00
8/04/2024	Nespresso	Shane Burge	Coffee machine staff room	\$1,098.90
10/04/2024	Anything and Everything	Roy Greive	Farewell gifts for overflow camping staff	\$298.41
18/04/2024	Centre for Environmental Training	Roy Greive	Landfill management training - S Sincliar	\$2,144.35
24/04/2024	Australian Institute of Building Surveyors	Roy Greive	Virtual event - Housing	\$460.00
27/03/2024	Gnowangerup Roadhouse	Mel Ammon	Fuel - Travel to Perth for training	\$109.02
27/03/2024	BP express	Mel Ammon	Fuel - Travel back to Esperance for training (in Perth)	\$131.30
28/03/2024	The Deli King	Mel Ammon	Catering	\$350.00
2/04/2024	Woolworths	Mel Ammon	Catering	\$56.64
5/04/2024	Twilio Sendgrid	Mel Ammon	BOILC POS monthly subscription	\$140.78
15/04/2024	Vend POS	Mel Ammon	Visitors POS monthly subscription	\$139.30
17/04/2024	The Deli King	Mel Ammon	Catering	\$86.50
		Commonwealth Bank	Total Credit Card Purchases 27/03/2024 - 26/04/2024	29,423.36

12.4 EXECUTIVE SERVICES

Item: 12.4.1

Information Bulletin - May 2024

Author/s	Chantelle Hoffrichter	Executive Assistant
Authorisor/s	Felicity Baxter	Acting Chief Executive Officer

File Ref: D24/12792

Applicant

Internal

Strategic Implications

Council Plan 2022-2032

Performance

Outcome 15. Operational excellence and financial sustainability.

Objective 15.1. Provide responsible, agile and innovative planning and resource management.

Attachments

- A. Information Bulletin - May 2024
- B. Council Priorities Summary - Corporate Performance - April 2024

RECOMMENDATION AND DECISION

Item 12.4.1 Information Bulletin – May 2024

Moved: Cr Obourne

Seconded: Cr de Haas

O0524-064

Council Resolution

That Council accepts:

- 1. Information Bulletin – May 2024**
- 2. Council Priorities Summary – Corporate Performance – April 2024**

**CARRIED
F9 - A0**

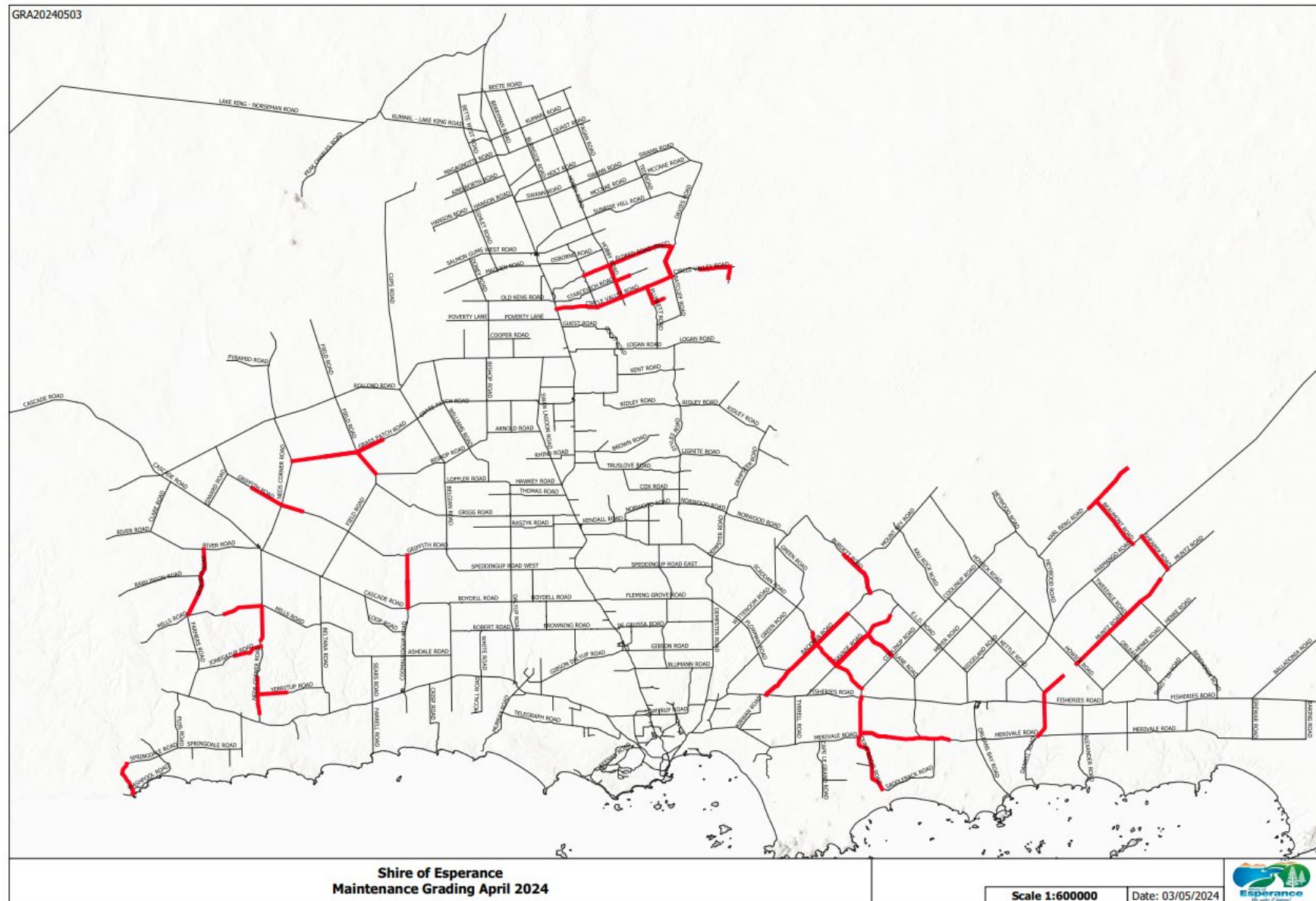


INFORMATION BULLETIN

ORDINARY COUNCIL MEETING

May 2024

we make it
happen



Approval Date	Permit Number	Name & Address of Owner	Builder Name & Address	Reg No	Situation of Building	Type of Work	Materials of External Walls	Roof Covering	Main Material of Floor	No of Buildings	Floor Area Sq.M	Cost \$ Excluding Land
19/04/2024	17768		Dr C N McCaffrey Lot 77 Twilight Beach Road WEST BEACH WA 6450	OB1013458	Lot: 77 Pln: 226440 215 Twilight Beach Road WEST BEACH	Building Permit - Re-Issued to Owner/Builder BA19	Steel	Steel	Concrete	1	99.0	118,470.00
30/04/2024	18198		Shire of Esperance Windich Street ESPERANCE WA 6450		Lot: 400 Pln: 411484 27 Black Street ESPERANCE	Occupancy Permit - Esperance Homecare Class 9b/5	Brick, double	Steel	Concrete	1		
12/04/2024	18414		B M Andrew 258 Connolly Street WEST BEACH WA 6450	BC103265	Lot: 2102 Pln: 192574 Twilight Beach Road WEST BEACH	Occupancy Permit-Surf Club-Class 7b Storage Building & Retaining Wall	Brick, double	Steel	Concrete	1	182.0	
01/04/2024	18435		Eikon Group Pty Ltd t/a Dixon Construction 71 The Esplanade ESPERANCE WA 6450	BC14605	Lot: 21 Pln: 300915 67 Dempster Street ESPERANCE	Class 6 Retail Building Comprising of 3 x Units	Concrete or stone	Steel	Concrete	3	669.0	1,394,271.00
23/04/2024	18438		Auspan Building Systems PTY LTD 15 Corbett Street GNOWANGERUP WA 6335		Lot: 1214 Pln: 211613 3,967 Neds Corner Road CASCADE	Occupancy Permit - Class 7b Agricultural Farm Shed	Steel	Steel	Concrete	1	1008.0	
01/04/2024	18471		R G Moore 80 George Street SOUTH KALGOORLIE WA 6430		Lot: 88 D: 79892 37 Downes Street PINK LAKE	Sea Container 15.6m2	Steel	Steel	Timber		16.0	3,000.00
12/04/2024	18520		J M Puna Tullaroon Close MYRUP WA 6450		Lot: 1056 Pln: 58988 3 Waterlily Way CASTLETOWN	Water Tank 23000L	Other	Other	Other	1		4,000.00
05/04/2024	18521		D Lloyd 95 Keenan Road PINK LAKE WA 6450		Lot: 2 D: 69199 95 Keenan Road PINK LAKE	New Shed 54m2 & Demolish Existing	Steel	Steel	Concrete	1	54.0	14,000.00
17/04/2024	18522		Wrinkly Tin & Cladding Company Pty Ltd 3 Corry Street ESPERANCE WA 6450		Lot: 908 Pln: 49174 13 Saison Street CASTLETOWN	Shed 81m2	Steel	Steel	Concrete	1	81.0	19,800.00
01/04/2024	18528		C G Johnson PO Box 1494 ESPERANCE WA 6450		Lot: 63 Pln: 1853 5 Norseman Road CASTLETOWN	Retaining Wall				1		18,000.00
01/04/2024	18529		C G Johnson PO Box 1494 ESPERANCE WA 6450		Lot: 64 Pln: 1853 7 Norseman Road CASTLETOWN	Retaining Wall				1		18,000.00
17/04/2024	18531		Great Southern Pool Service PO Box 574 NARROGIN WA 6312		Lot: 21 Pln: 22684 Cudgee Close MYRUP	Pool - Private & Associated Fencing				1		65,545.00
10/04/2024	18534		A S Parker Lot 99 Anderson Street GIBSON WA 6448		Lot: 1 Pln: 46108 364 Barook Road PINK LAKE	Shed Additions - Lean-To 72m2	Steel	Steel	Other	1	72.0	10,000.00
23/04/2024	18536				Lot: 119 Pln: 42943 24 Sanctuary Crescent PINK LAKE	Shed 70m2	Steel	Steel	Concrete	1	70.0	19,500.00
10/04/2024	18542		S F Hodges 112 Stable Road CHADWICK WA 6450		Lot: 761 D: 63015 112 Stable Road CHADWICK	Shed/Garage for Motorhome Storage 65m2 & 23,000L Water Tank Shed/Garage for Motorhome Storage 65m2 & 23,000L Water Tank	Steel Other	Steel Other	Concrete	1 1	56.0 23000.0	19,950.00 5,000.00

Approval Date	Permit Number	Name & Address of Owner	Builder Name & Address	Reg No	Situation of Building	Type of Work	Materials of External Walls	Roof Covering	Main Material of Floor	No of Buildings	Floor Area Sq.M	Cost \$ Excluding Land
15/04/2024	18543		C&S McMahon Pty Ltd 19 Scanlon Street CHADWICK WA 6450	BC103541	Lot: 122 D: 36808 69 Norseman Road CASTLETOWN	Class 10a Shed Relocation and Installation of Internal Walls 128m2	Steel	Steel	Concrete	1	128.0	40,000.00
16/04/2024	18544		Reliable Asset Maintenance 9 McGrath Place NORANDA WA 6062	BC 104191	Lot: 881 P/D: P217292 Bandy Creek Road BANDY CREEK	Patio Freestanding 74m2		Steel	Concrete	1	74.0	18,000.00
10/04/2024	18546		Greg Horan Construction Pty Ltd Lot 9 Connolly Street PINK LAKE WA 6450	BC14356	Lot: 249 Pln: 69443 8 Asken Turn BANDY CREEK	Shed 81m2	Steel	Steel	Concrete	1	81.0	38,000.00
29/04/2024	18548		T S Crosby 3 McGlade Way CASTLETOWN WA 6450		Lot: 1055 Pln: 58988 5 Waterlily Way CASTLETOWN	Fence (Masonry)				1		5,000.00
03/04/2024	18549		Auspan Building Systems PTY LTD 15 Corbett Street GNOWANGERUP WA 6335	BC12984	Lot: 366 Pln: 212170 1,657 Henke Road HOWICK	Farm Shed for Machinery Storage 480m2 (Class 7b)	Steel	Steel	Other	1	480.0	147,340.00
03/04/2024	18550		Glenkindie Pty Ltd PO Box 2272 ESPERANCE WA 6450	BC103055	Lot: 276 Pln: 209894 2,343 Wittenoom Road WITTENOOM HILLS	Internal Modifications to Dwelling & Convert Garage to Habitable Room	Brick, double	Steel	Concrete	1	153.0	400,000.00
04/04/2024	18554		WA Country Builders 96-102 Stirling Terrace ALBANY WA 6330	BC11422	Lot: 88 Pln: 7698 Lane Road CONDINGUP	Dwelling with Alfresco, Verandahs and Garage 359m2	Brick, veneer	Steel	Concrete	1	359.0	557,008.00
23/04/2024	18555		Wheatbelt Steel 98 Byfield Street NORTHAM WA 6401	103186	Lot: 6 Pln: 400375 South Coast Highway EAST MUNGLINUP	Shed - Open Front Machinery Storage 382m2	Steel	Steel	Other	1	382.0	128,293.00
09/04/2024	18556		L J Hughes 225 Goldfields Road CASTLETOWN WA 6450	BC102424	Lot: 903 Pln: 425379 12 Shelden Road CHADWICK	Class 9b Church 2076m2		Steel	Concrete	1	2076.0	8,000,000.00
12/04/2024	18557		WA Country Builders 96-102 Stirling Terrace ALBANY WA 6330	BC11422	Lot: 1057 Pln: 58988 1 Waterlily Way CASTLETOWN	Dwelling with Alfresco, Porch & Attached Garage 269m2	Brick, veneer	Fibre Cement	Concrete	1	270.0	522,295.00
15/04/2024	18558		Auspan Building Systems PTY LTD 15 Corbett Street GNOWANGERUP WA 6335	BC12984	Lot: 384 Pln: 212175 1,513 Muntz Road HOWICK	Storage Building (Class 7b) - Fodder Shed 1440m2	Steel	Steel	Concrete	1	1440.0	310,938.00
22/04/2024	18562		J O Pokela 20 Harris Road MONJINGUP WA 6450		Lot: 154 Pln: 12626 33 Treasure Road SINCLAIR	Dwelling Alterations - Remove Walls and Install Roof Supporting Beams				1		8,500.00
17/04/2024	18563		Auspan Building Systems PTY LTD 15 Corbett Street GNOWANGERUP WA 6335	BC12984	Lot: 1883 Pln: 172813 Truslove Road SCADDAN	Farm Shed For Machinery Storage (Class 7b) 840m2	Steel	Steel	Other	1	840.0	165,000.00
23/04/2024	18566		Drake-Brockman Building and Construction Pty Ltd 201 Beech Street CASTLETOWN WA 6450	BC101783	Lot: 1035 Pln: 38050 Voile Lane CASTLETOWN	Dwellings x 4 with Garages & Alfresco Areas 764m2	Brick, double	Steel	Concrete	4	764.0	1,677,775.00
29/04/2024	18570		Auspan Building Systems PTY LTD 15 Corbett Street GNOWANGERUP WA 6335	BC12984	Lot: 15 Pln: 44886 35,058 Coolgardie-Esperance Highway GIBSON	Storage Building (Class 7b) - 315m2	Steel	Steel	Concrete	1	315.0	130,776.00
30/04/2024	18572		Auspan Building Systems PTY LTD 15 Corbett Street GNOWANGERUP WA 6335	BC12984	Lot: 1829 Pln: 209678 Grigg Road LORT RIVER	Storage Building (Class 7b) - Stock Yard Cover 1116m2	Steel	Steel	Other	1	1116.0	235,459.00

Approval Date	Permit Number	Name & Address of Owner	Builder Name & Address	Reg No	Situation of Building	Type of Work	Materials of External Walls	Roof Covering	Main Material of Floor	No of Buildings	Floor Area Sq.M	Cost \$ Excluding Land
30/04/2024	18573		S A Howe 21 Doak Place CASTLETOWN WA 6450		Lot: 20 Pln: 9421 16 Peppermint Grove WEST BEACH	Alfresco Area 29.44m2	Fibre Cement	Steel	Timber	1	29.0	17,880.00

Total number of Building Permits: 32 \$14,111,800.00

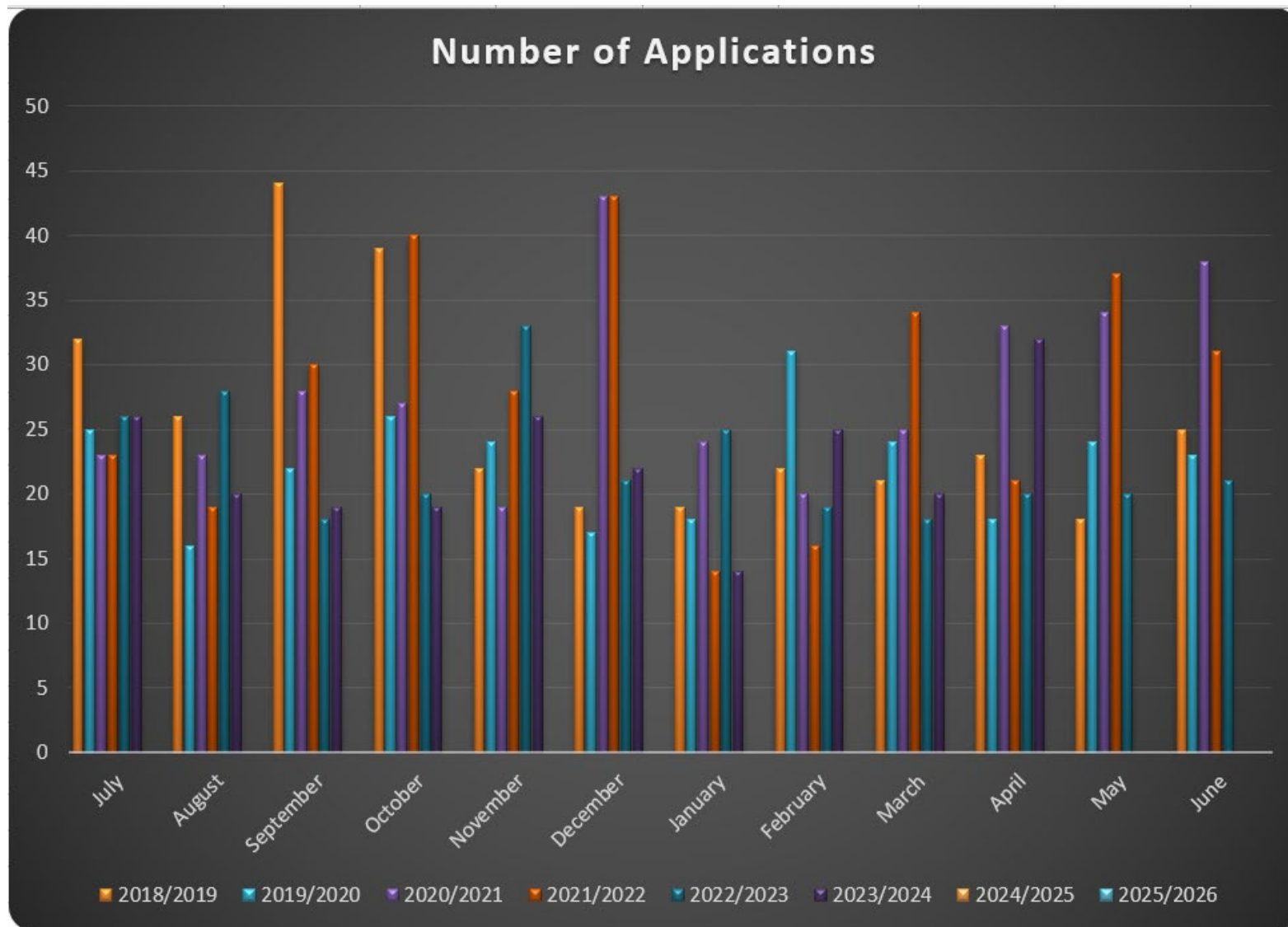
Total number of Licences/Certificates Reported: 32 \$14,111,800.00

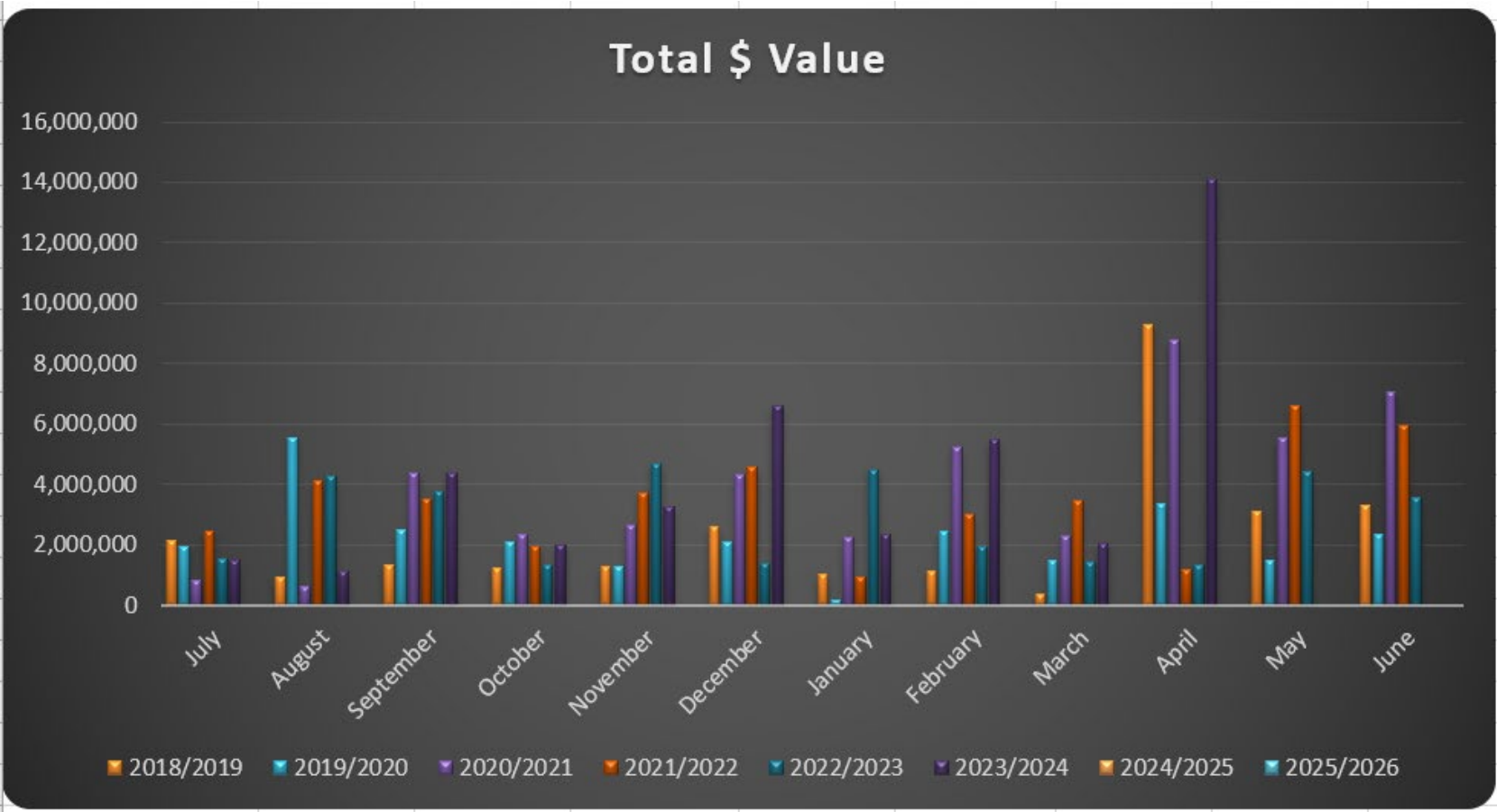
I certify to the best of my knowledge and belief, the particulars given in this return are a true and complete record of proposed building operations known to this local authority.

Coordinator Building Services – Angela Belworthy – 1st May 2024

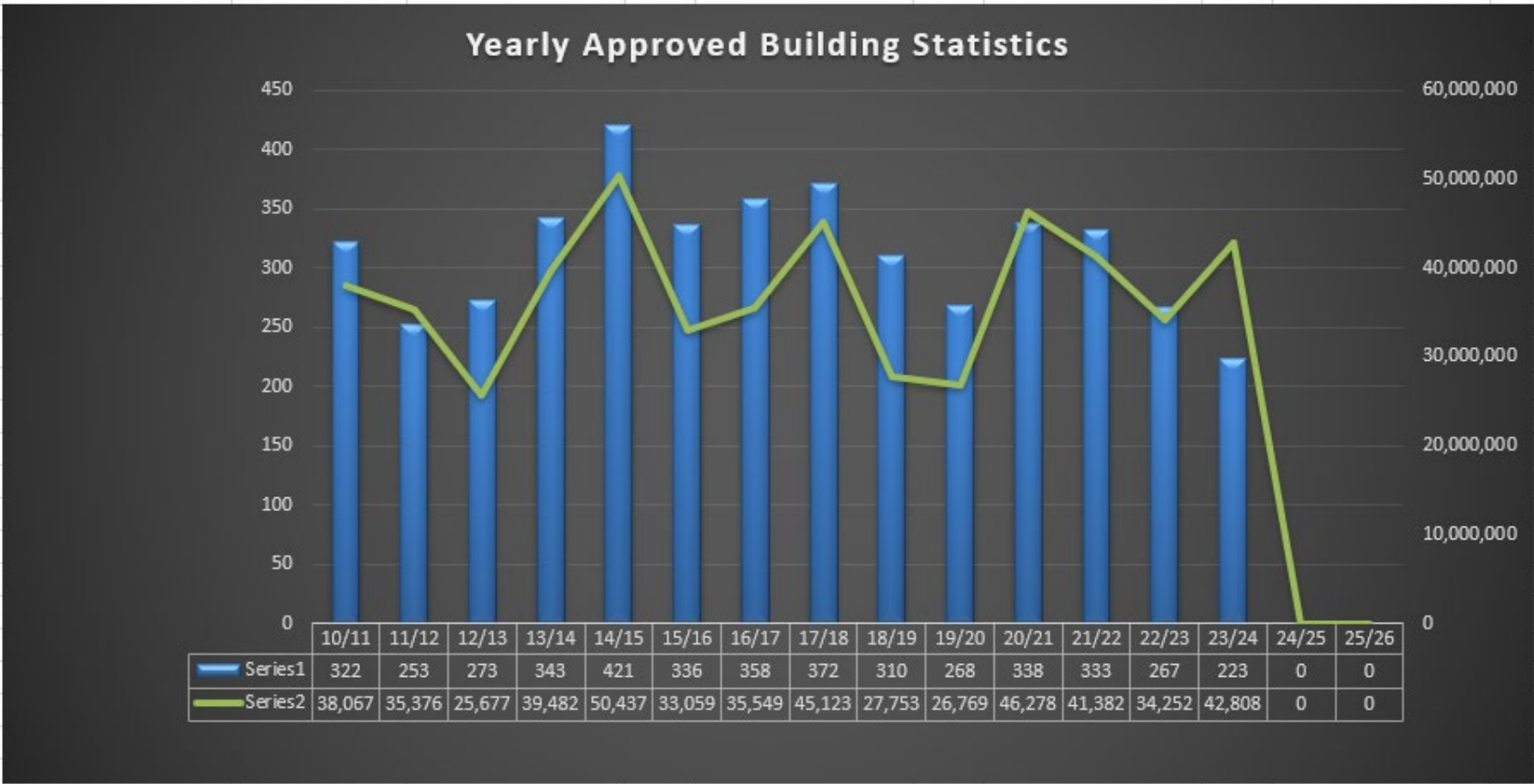
Building Statistics April 2024

Monthly Building Statistics 2023-24																					
Month		July		August		September		October		November		December		January		February		March		April	
Classification	Work	Num	Value	Num	Value	Num	Value	Num	Value	Num	Value	Num	Value	Num	Value	Num	Value	Num	Value	Num	Value
1) Dwelling	New	4	\$418,560	8	\$300,000	3	\$1,302,836	1	\$300,000	4	\$1,349,149	4	\$3,468,806	5	\$2,140,138	8	\$3,099,315	1	\$225,000	4	\$2,875,548
	Alter	2	\$150,000			2	\$495,000	2	\$37,500	2	\$147,242	3	\$129,000	1	\$100,000	4	\$330,500	8	\$484,500	2	\$408,500
	Demo			3	\$39,000	1	\$15,000	1	\$55,000												
	Unauth	1	\$100,000																		
2) Two or more sole occupancy Units	New																				
	Alter																				
	Demo																				
	Unauth																				
3) Residential Building	New																				
	Alter																				
	Demo			1	\$250,000											1	\$15,000				
	Unauth																				
4) Caretakers Dwelling	New																				
	Alter																				
	Demo																				
	Unauth																				
5) Office Building	New							2	\$962,000	2	\$700,000	2	\$260,000					1	\$666,000		
	Alter																				
	Demo																				
	Unauth																				
6) Retail	New					1	\$171,000					1	\$0							1	\$1,394,271
	Alter	1	\$70,000					1	\$40,000			1	\$1,230,000			1	\$38,184				
	Demo																				
	Unauth																				
7) Carpark or Storage	New	3	\$447,630	1	\$163,020	4	\$1,629,507	2	\$333,026	4	\$272,658					3	\$1,506,615	2	\$339,070	7	\$989,513
	Alter																				
	Demo							1	\$100,000	1	\$45,000							1	\$3,720		
	Unauth																				
8) Laboratory/ Workshop	New																				
	Alter																				
	Demo																				
	Unauth																				
9) Health-care, Assembly or Aged care Building	New			1	\$200,000			1	\$0			1	\$1,100,000							2	\$8,000,000
	Alter							1	\$40,114												
	Demo																				
	Unauth													2	\$27,350						
10) Non-habitable	New	13	\$261,405	6	\$162,570	7	\$756,354	6	\$114,531	12	\$712,274	8	\$382,849	4	\$59,457	5	\$379,000	6	\$158,720	14	\$393,968
	Alter	1	\$35,000					1	\$12,000			1	\$10,000	2	\$21,444	3	\$108,727	1	\$173,727	2	\$50,000
	Demo									1	\$12,350										
	Unauth	1	\$3,200			1	\$26,500					1	\$10,000								
SUB TOTAL		24	\$1,382,595	20	\$1,114,590	18	\$4,369,697	19	\$1,994,171	26	\$3,238,673	21	\$6,580,655	14	\$2,348,389	25	\$5,477,341	20	\$2,050,737	32	\$14,111,800
Unauthorised TOTAL		2	\$103,200	0	\$0	1	\$26,500	0	\$0	0	\$0	1	\$10,000	0	\$0	0	\$0	0	\$0	0	\$0
Totals		26	\$1,485,795	20	\$1,114,590	19	\$4,396,197	19	\$1,994,171	26	\$3,238,673	22	\$6,590,655	14	\$2,348,389	25	\$5,477,341	20	\$2,050,737	32	\$14,111,800





		Yearly Comparison											
		2018 - 2019		2019 - 2020		2020 - 2021		2021 - 2022		2022 - 2023		2023 - 2024	
Classification	Work	Num	Value	Num	Value	Num	Value	Num	Value	Num	Value	Num	Value
1) Dwelling	New	33	\$12,193,831	31	\$12,413,292	75	\$30,156,486.00	63	\$21,593,598.00	48	\$17,896,912.00	42	\$15,479,352.00
	Alter	27	\$1,543,310	27	\$1,651,836	29	\$2,452,032.00	31	\$2,876,818.00	16	\$1,135,152.00	26	\$2,282,242.00
	Demo	1	\$8,000	5	\$68,000	7	\$128,500.00	5	\$106,930.00	1	\$49,698.00	5	\$109,000.00
	Unauth	7	\$301,000	3	\$329,800	4	\$58,000.00	7	\$316,269.00	5	\$200,000.00	1	\$100,000.00
2) Two or more sole occupancy Units	New	0	\$0	0	\$0	0	\$0.00	1	\$0.00	0	\$0.00	0	\$0.00
	Alter	0	\$0	0	\$0	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
	Demo	0	\$0	0	\$0	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
	Unauth	0	\$0	0	\$0	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
3) Residential Building	New	0	\$0	0	\$0	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
	Alter	0	\$0	0	\$0	0	\$0.00	0	\$0.00	0	\$0.00	1	\$15,000.00
	Demo	0	\$0	0	\$0	0	\$0.00	0	\$0.00	0	\$0.00	1	\$250,000.00
	Unauth	0	\$0	0	\$0	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
4) Caretakers Dwelling	New	0	\$0	0	\$0	0	\$0.00	1	\$203,163.00	0	\$0.00	0	\$0.00
	Alter	0	\$0	0	\$0	0	\$0.00	0	\$0.00	0	\$0.00	1	\$0.00
	Demo	0	\$0	0	\$0	0	\$0.00	0	\$0.00	0	\$0.00	1	\$0.00
	Unauth	0	\$0	0	\$0	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
5) Office Building	New	2	\$530,000	2	\$0	4	\$0.00	5	\$748,896.00	0	\$0.00	7	\$2,588,000.00
	Alter	4	\$28,000	6	\$1,699,076	6	\$326,000.00	1	\$160,000.00	0	\$0.00	0	\$0.00
	Demo	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0.00	0	\$0.00
	Unauth	0	\$0	1	\$5,000	0	\$0	0	\$0	0	\$0.00	0	\$0.00
6) Retail	New	2	\$22,000	3	\$88,000	4	\$200,000	10	\$854,102	6	\$305,000	3	\$1,565,271.00
	Alter	6	\$399,898	0	\$0	8	\$1,255,837	3	\$609,095	0	\$0.00	4	\$1,378,184.00
	Demo	0	\$0	0	\$0	1	\$5,000	0	\$0	0	\$0.00	0	\$0.00
	Unauth	0	\$0	0	\$0	1	\$18,500	0	\$0	0	\$0.00	0	\$0.00
7)Carpark or Storage	New	5	\$989,422	6	\$518,584	14	\$2,399,396	36	\$5,010,649	26	\$6,329,283	26	\$5,681,039.00
	Alter	2	\$109,700	6	\$2,434,500	4	\$3,780,093	3	\$28,800	0	\$0.00	0	\$0.00
	Demo	0	\$0	1	\$120,000	1	\$34,760	0	\$0	0	\$0.00	3	\$148,720.00
	Unauth	1	\$25,000	1	\$50,000	1	\$20,001	3	\$27,000	0	\$0.00	0	\$0.00
8) Laboratory/ Workshop	New	3	\$410,500	4	\$1,934,544	7	\$944,742	2	\$313,130	0	\$0.00	0	\$0.00
	Alter	0	\$0	0	\$0	6	\$243,282	1	\$25,000	0	\$0.00	0	\$0.00
	Demo	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0.00	0	\$0.00
	Unauth	1	\$3,000	0	\$0	0	\$0	0	\$0	0	\$0.00	0	\$0.00
9) Health-care, Assembly or Aged care Building	New	1	\$7,954,650	2	\$128,000	7	\$0	0	\$0	3	\$271,609	3	\$8,000,000.00
	Alter	8	\$90,900	5	\$1,981,701	1	\$0	1	\$78,827	1	\$1,088,700	3	\$1,340,114.00
	Demo	0	\$0	1	\$19,000	0	\$0	0	\$0	0	\$0.00	2	\$1,340,114.00
	Unauth	0	\$0	0	\$0	1	\$5,000	0	\$0	0	\$0.00	0	\$0.00
10) Non-habitable	New	122	\$2,423,198	98	\$2,603,490	98	\$3,486,463	139	\$7,912,721	120	\$3,050,809	81	\$3,381,128.00
	Alter	53	\$401,925	47	\$544,727	44	\$555,532	15	\$392,941	17	\$182,740	11	\$410,898.00
	Demo	3	\$47,500	4	\$59,300	1	\$89,000	2	\$60,500	0	\$0.00	1	\$12,350.00
	Unauth	29	\$271,190	15	\$120,800	14	\$120,000	4	\$64,000	14	\$405,350	3	\$39,700.00
SUB TOTAL		272	\$27,152,834	248	\$26,264,050	317	\$46,057,123	319	\$40,975,170	248	\$33,647,333	219	\$42,668,648
Unauthorised TOTAL		38	\$600,190	20	\$505,600	21	\$221,501	14	\$407,269	19	\$605,350	4	\$139,700
Totals		310	\$27,753,024	268	\$26,769,650	338	\$46,278,624	333	\$41,382,439	267	\$34,252,683	223	\$42,808,348





we make it
happen

Council Plan Summary

April 2024

Shire of Esperance

Council Plan April 2024

People

A safe community

Action Code	Action Name	Comments	Responsible Officer Position
1.1.1	Advocate for increased police presence	Increase in Police is currently constrained by lack of staff housing through the state governments GROH program.	Chief Executive Officer
1.1.2	Advocate for improved access to safe, affordable accommodation and support services for vulnerable people (such as people affected by domestic violence, homeless people, people with mental health issues and young offenders)	Continual advocacy as the opportunity arise with State Government.	Chief Executive Officer
1.2.1	Advocate for animal welfare organisations, such as RSPCA, to have a greater presence in Esperance to respond to local animal welfare issues.	Ongoing	Director External Services

A healthy and active community

Action Code	Action Name	Comments	Responsible Officer Position
2.1.1	Advocate for improved access to health services with a focus on attracting and retaining local GPs, visiting specialists, telehealth services, and mental health support services	Continual advocacy as the opportunity arises.	Chief Executive Officer

Shire of Esperance

Council Plan April 2024

Action Code	Action Name	Comments	Responsible Officer Position
2.2.1	Lead implementation of the Esperance Greater Sports Ground Redevelopment Masterplan	Two reversible netball / basketball rings have been installed at the outdoor courts.	Director Asset Management
2.2.2	Provide a third soccer pitch at the Greater Sports Ground	Not started, will work on funding applications in the coming months.	Director Asset Management
2.2.3	Review Graham Mackenzie Stadium Redevelopment plans	Negotiation with preferred contractor completed.	Manager Asset Planning
2.2.4	Develop a Bay of Isles Leisure Centre Management Plan	Have appointed Optimum Planning Consultancy to develop a Strategic Overview of the Leisure Centre for the next 10 years to better enable budgeting requirements and a way forward for recognising potential opportunities going forward	Manager Recreation and Culture
2.3.1	Design and construct an integrated community and cultural complex in the James Street Cultural Precinct to co-locate the library, museum and visitor centre	Ongoing	Director External Services
2.3.2	Facilitate James Street Cultural Precinct Advisory Groups focusing on the requirements for a new library, museum and visitor centre	Completed.	Director External Services
2.3.3	Implement the Interpretation Plan for Esperance Museum, including an Aboriginal interpretive section	Ongoing	Manager Recreation and Culture
2.3.4	Review library technology upgrade requirements including the Library Electronic Management System	IT Staff are working with the library team to check and correct the data that will be imported to the new LMS. A test site has been provided by Civica so that Library	Manager Information Services

Shire of Esperance

Council Plan April 2024

Action Code	Action Name	Comments	Responsible Officer Position
		staff can familiarise themselves with the layout and functions.	
2.4.1	Explore sustainable funding sources to attract, manage and support local volunteers	We are awaiting a variation in contract agreement from our overarching funders, which will boost the annual funding we have available for the next three years.	Volunteer Resource Centre Coordinator
2.4.2	Explore options to recognise, reward and incentivise volunteers	Our plans for National Volunteer Week are cementing, we will be hosting a Night At The Museum for Esperance volunteers, with warm food, games, and a search-and-find will take place, giving attendees the chance to wander around one of the prominent volunteer-including organisations in town after dark. We will also be looking to launch our new website during this week and are on track to do so.	Volunteer Resource Centre Coordinator

A welcoming, inclusive and connected community

Action Code	Action Name	Comments	Responsible Officer Position
3.1.1	Provide an Aboriginal Heritage Agreement to guide respectful consultation with Traditional Owners	Consultation is planned in the near future with Esperance Tjaltjraak Native Title Aboriginal Corporation (ETNTAC) to look at progressing the development of a heritage agreement.	Manager Parks & Environment
3.1.2	Provide assistance with events, activities and promotions to encourage greater awareness and participation in NAIDOC Week	The Community Development Team met with Tjaltjraak to see how we can support NAIDOC week 2024. They plan the have an Esperance NAIDOC week this year (not during the national dates in July). It will be held from the 10th to the 17th of August 2024 and is planned to be an annual week of celebration that the community	Community Development & Events Manager

Shire of Esperance

Council Plan April 2024

Action Code	Action Name	Comments	Responsible Officer Position
		can help support. Our team will help host a NAIDOC disco at the Civic Centre.	
3.1.3	Facilitate Aboriginal dual naming of significant places	As opportunities arise	Director Asset Management
3.1.4	Partner with traditional custodians to develop cultural trails with maps and interpretive signs to raise awareness, knowledge and understanding about local Aboriginal history and stories	Not Started. Due to commence 2024 calendar year.	Manager Parks & Environment
3.1.5	Establish and strengthen relationships with local Aboriginal Stakeholders and organisations	A partnership agreement with ETNTAC to work together to benefit out community will be put to Council in May.	Director Corporate and Community Services
3.2.1	Advocate for increased child care services through promotional campaigns	Nothing further to report at this time.	Chief Executive Officer
3.2.2	Review youth needs to establish any gaps in youth services and facilities (such as access to drop in spaces, mentoring and mental health support services)	Our new Youth and Community Development trainee will drive all things youth related into the future. Along with the support from our Community development team.	Community Development & Events Manager
3.3.1	Advocate for improved aged care facilities and palliative care	Home Care to move into the new day centre in early May.	Chief Executive Officer
3.3.2	Advocate for community and care services to support active aging in home	Nothing to report in this space from other areas.	Manager Aged Care & Disability Services
3.3.3	Upgrade Esperance Home Care Centre	Completed	Manager Asset Planning

Shire of Esperance

Council Plan April 2024

Action Code	Action Name	Comments	Responsible Officer Position
3.3.4	Provide flexible working arrangements at Esperance Home Care Centre to attract and retain staff		Manager Aged Care & Disability Services
3.3.5	Review NDIS registration arrangements for Esperance Home Care		Manager Aged Care & Disability Services
3.3.6	Partner with local service providers to develop a campaign to attract community support workers to address current staff shortages	We attend the Hospital discharge meeting on a Wednesday, conferring with the staff as needed on other days. the monthly meeting with the EACF and the hospital is now regular, discussing the needs of clients both for permanent and respite beds. Whilst not local, we had a meeting with a similar service operating from a LGA to discuss incident reporting, sharing processes and reporting structures.	Manager Aged Care & Disability Services
3.3.7	Advocate for local shops, hospitality and entertainment venues to improve access and employment opportunities for people with disability	Ongoing as an opportunity arises. Current Disability Access and Inclusion Plan outlines the actions the Shire is progressing. Forms part of business as usual when discussions happen with building development applications.	Chief Executive Officer
3.3.8	Provide appropriate level of ACROD parking bays	Parking design projects continue to be assessed to determine ACROD requirements.	Manager Asset Development
3.3.9	Provide improved beach access for people with disability	Will continue to work on opportunities.	Director Asset Management
3.3.10	Implement actions and initiatives resulting from DAIP discussions and forums	Staff appointed to membership of the DAIP.	Manager Development Services

Shire of Esperance

Council Plan April 2024

Planet

The natural environment is valued, protected and enjoyed

Action Code	Action Name	Comments	Responsible Officer Position
4.1.1	Partner with Traditional Owners to manage culturally sensitive nature reserves	Works have continued with Esperance Tjaltjraak Native Title Aboriginal Corporation (ETNTAC) to manage and rehabilitate areas in the Tjaltjraak Boodja Park and Wharton Beach, and also within the Twilight Beach fire scar.	Manager Parks & Environment
4.1.2	Seek Government funding and support for the recovery of the colour and ecological health of Pink Lake and surrounding wetlands	Not Started. Due to commence 2024 calendar year. A potential funding opportunity has been identified and an application has been submitted to the Australian Government Grants Program.	Manager Parks & Environment
4.1.3	Provide a Coastal Hazard Risk Management Adaption Plan (CHRMAP) for West Beach	Not Started. Due to commence when funding is secured.	Manager Parks & Environment
4.1.4	Review the Coastal Management Plan	A draft of the Coastal Management Plan has been received from the consultant. The draft is currently under internal review. The Environmental Services Team in Asset Management are progressing the review.	Manager Parks & Environment
4.1.5	Implement the Dempster Head Management Plan	Works are continuing at Dempster Head to implement actions from the Management Plan.	Manager Parks & Environment
4.1.6	Install sand backpassing infrastructure	Works currently in progress, we have received a further clearing permit to enable us to install the pipeline closer to the ocean for future footpath upgrades.	Director Asset Management

Shire of Esperance

Council Plan April 2024

Action Code	Action Name	Comments	Responsible Officer Position
4.1.7	Implement the Lake Monjigup Reserve Management Plan	Development of the Pet Cemetery is underway and works are ongoing in the Nature Park area.	Manager Parks & Environment
4.1.8	Provide a new Weed Management Strategy	Not Started. Due to commence 2024 calendar year.	Manager Parks & Environment
4.1.9	Advocate on behalf of the community for the State's plans for a Marine Park	Currently drafting the Shire submission for 'Have your say' on the Proposed South Coast Marine Park. Statements from Shire President and Shire put out about being respectful during the debate around the proposed Park and how the Shire is representative of the whole community with many diverse views.	Chief Executive Officer
4.2.1	Provide a new Trails Master Plan	With Parks and Reserves for review	Asset Administration Supervisor
4.2.2	Upgrade Piggery Mountain Bike trails - stage 1	Erosion areas along the track have been inspected. Toilet block has been ordered for the site. A site plan and design has been completed and trail design consultants inspected the site in February and have provided a scope of works for the upgrade. The Shire is currently finalising a implementation schedule with the trail builders and the Esperance Mountain Bike Association with works scheduled to commence towards the end of May.	Manager Parks & Environment

Shire of Esperance

Council Plan April 2024

Shared responsibility for climate action and sustainability

Action Code	Action Name	Comments	Responsible Officer Position
5.1.1	Undertake annual carbon emissions audit and carbon emission reduction actions	Not started	Director Asset Management
5.1.2	Install renewable energy (solar PV and battery storage) on council buildings where feasible	Awaiting strategic plan from Save energy	Manager Asset Planning
5.1.3	Facilitate adoption of best practice energy efficiency measures across all council buildings, and support community facilities to adopt these measures	Changes to buildings will be assessed on a case by case basis and as budget and opportunities arise. Building energy efficiency is considered as part of the building approvals process in line with State Government guidelines.	Chief Executive Officer
5.1.4	Trial eco-friendly vehicles as options become viable	Currently evaluating the Electric vehicle for Home Care - Toyota BZX4. Taken in another two Hybrid vehicles to Fleet for Managers in the Admin building. Still one Full Electric for Home Care in the current budget - waiting for stock to be released - short supply - there is word one may be available shortly which we have a hold on.	Technical Officer Fleet
5.1.5	Support installation of electric charging stations to encourage and facilitate greater use of electric vehicles and e-rideables	Completed.	Chief Executive Officer
5.2.1	Introduce a third-bin kerbside collection program for Food Organics and Garden Organics (FOGO)	Not due to commence until July 2025.	Manager Waste & Environmental Health
5.2.2	Provide a Community Drop Off and Transfer Station at Myrup Truck Wash	Not due to start until 2025/26.	Manager Waste & Environmental Health

Shire of Esperance

Council Plan April 2024

Action Code	Action Name	Comments	Responsible Officer Position
	and Liquid Waste Facility to encourage sustainable waste management		
5.2.3	Advance Esperance's Waste Revolution education platform to improve waste diversion rates and promote a circular waste economy	In April the Waste team attended a Consistant Communication Collective meeting where the topic was keeping E-Waste out of landfill. The Waste team are focusing on E-waste separation during the Verge Side Bulk Waste collection.	Manager Waste & Environmental Health

Greater community readiness and resilience to cope with natural disasters and emergencies

Action Code	Action Name	Comments	Responsible Officer Position
6.1.1	Implement the Bush Fire Risk Management Plan including accessing funding opportunities within the State Government's Mitigation Activity Fund	Mitigation treatments, as per the Bushfire Risk Management Plan, are progressing. Prescribed burns are dependant on environmental conditions and will commence once conditions are suitable. Acquittal of 23/24 funding progresses as treatments are completed. Application for Round 1 of 24/25 MAF funding submitted.	Manager Ranger & Emergency Services
6.1.2	Facilitate innovative initiatives and networks to help build drought resistance and resilience	Currently working to install the tanks at Grass Patch, however prior to them being installed, we will get them inspected since they have been in storage for a long period of time, Officers are also working on a target program to drill water bores in the agricultural areas, when we can engage a driller.	Director Asset Management
6.1.3	Advocate for more emergency services personnel in Esperance	Nothing further to report this month. Advocacy as the opportunity arises.	Chief Executive Officer

Shire of Esperance

Council Plan April 2024

Action Code	Action Name	Comments	Responsible Officer Position
6.1.4	Facilitate coastal safety measures in partnership with the Coastal Safety Working Group	Coastal Safety Working Group to next meet early May to discuss outstanding items and plan for next season. BEN sign project almost complete.	Manager Ranger & Emergency Services
6.1.5	Advocate for appropriate coastal safety infrastructure and resources	LEMC meeting scheduled for early May, with Coastal Safety Working Group meeting to precede LEMC meeting.	Manager Ranger & Emergency Services

Shire of Esperance

Council Plan April 2024

Place

Responsible planning and development

Action Code	Action Name	Comments	Responsible Officer Position
7.1.1	Design and Construct Flinders Subdivision stage 3	On hold to find an onsite clean fill source.	Director Asset Management
7.1.2	Advocate for provision of adequate, affordable utilities and communications infrastructure to support population and economic growth	Telstra have confirmed that 3 new micro towers are to be installed in Pink Lake South, Myrup and Bandy Creek. Myrup and Bandy Creek towers are expected to come on-line by August and Pink Lake South by November. A small cell will be placed at Salmon Beach to improve coverage in that black spot primarily for emergency services.	Chief Executive Officer
7.1.3	Develop an Esperance Cemetery Master Plan	To be completed by Asset Management	Manager Waste & Environmental Health
7.1.4	Design and construct Shark Lake Industrial Park subdivision stage 2	Design and estimate have been undertaken. Next step is to undertake a Major Land Transaction Business Plan	Director Asset Management

Access to adequate, safe and affordable housing for everyone

Action Code	Action Name	Comments	Responsible Officer Position
8.1.1	Advocate for more social and low-income housing for vulnerable people (including seniors, people with disability and low-income earners)	Awaiting outcome from the State Budget in relation to Workers Accommodation application.	Chief Executive Officer

Shire of Esperance

Council Plan April 2024

Action Code	Action Name	Comments	Responsible Officer Position
8.1.2	Advocate for a new lifestyle village for seniors	Contact was made again with lifestyle village providers to see if further information and assistance can be provided for them to consider Esperance as a priority location.	Chief Executive Officer
8.1.3	Advocate for greater availability of housing to meet community needs (e.g. land and property owners to build apartments, villas, units, and mixed use developments) including engagement with State Government on housing management practices (e.g. GROH housing)	Construction of staff housing at Voile Lane has commenced. Awaiting State Budget to see if funding allocated towards workers accommodation project.	Chief Executive Officer

Attractive and welcoming places

Action Code	Action Name	Comments	Responsible Officer Position
9.1.1	Implement the CBD Concept Landscaping Design	Additional native plants will be planted in the Andrew Street island garden beds. Additional trees will also be planted in the CBD area. A trial bin surround will also be installed in Post Office Square to get community feedback on the design before being rolled out throughout the CBD. Additional seats are currently being manufactured and will be installed in the CBD as soon as possible.	Manager Parks & Environment
9.2.1	Provide attractive and welcoming entrances into Esperance	Ongoing work with Main Roads.	Director Asset Management

Shire of Esperance

Council Plan April 2024

Action Code	Action Name	Comments	Responsible Officer Position
9.2.2	Facilitate more tree planting across the Shire	Tree planting program is continuing. The Street Tree Strategy was presented back to Council and endorsed following the public comment period. Trees will be planted over Winter.	Manager Parks & Environment
9.3.1	Implement Civic Centre improvements	Waiting on redesign to be completed	Manager Asset Planning
9.3.2	Implement the Playgrounds and Public Open Space Strategic Plan 2015-2025	Planning and consultation has commenced for the playground upgrades budgeted for the 2023/24 financial year. Works are currently underway on the upgrade at the Gibson Community Park. The dirt jump bike track at Gibson is nearing completion. A shade shelter has been installed at Treasure Road Playground. Additional play items have also been installed in Adventureland Park.	Manager Parks & Environment
9.3.3	Prepare a new 10 year plan for Playgrounds and Public Open Space Strategic Plan 2025-2035	Not Started. Due to start early in the 2024 calendar year. The annual playground audit will inform the review.	Manager Parks & Environment

Safe, affordable, accessible and sustainable transport systems

Action Code	Action Name	Comments	Responsible Officer Position
10.1.1	Implement the Esperance 2050 Cycling Strategy	As per budget, with Harbour Road shared path to commence this year.	Manager Parks & Environment
10.1.2	Construct sealed shoulders along the tourist loop and Fisheries Road (Norseman Road to Dempster Road) to improve safety for cyclists and vehicles		Manager Asset Operations

Shire of Esperance

Council Plan April 2024

Action Code	Action Name	Comments	Responsible Officer Position
10.1.3	Provide safety measures along The Esplanade and Fisheries Road to improve pedestrian crossings		Manager Asset Operations
10.2.1	Develop a Road Safety Strategy	Road Safety Management Plan has been endorsed by Council, officers will work through the actions.	Director Asset Management
10.2.2	Advocate for Main Roads to provide road upgrades and more passing lanes	As opportunities arise.	Director Asset Management
10.2.3	Advocate to Main Roads WA to undertake a Corridor Upgrade Plan for Harbour Road from Mungan Street to Barney Hill, including South Coast Hwy Intersection upgrade, Pink Lake Road Intersection Upgrade and the Barney Hill Realignment	Ongoing, No update from Main Roads WA.	Director Asset Management
10.2.4	Implement the Shire of Esperance Road Construction and Maintenance Program		Manager Asset Operations
10.3.1	Implement the Esperance Town Centre Parking, Traffic and Pedestrian Strategy	Have had requests for more / improved ACROD bays that the team will implement over the coming months.	Director Asset Management
10.3.2	Pursue opportunities to secure land to link Dempster Street and RSL public car parks	No progress.	Director Asset Management
10.3.3	Provide options to accommodate additional parking within the verge area between The Esplanade and Yacht Club	Concept design complete, will require budget.	Director Asset Management
10.3.4	Provide upgrade to Forrest Street Road and streetscape.	Currently finalising design for Forrest/Windich carpark area	Manager Asset Development

Shire of Esperance

Council Plan April 2024

Action Code	Action Name	Comments	Responsible Officer Position
10.4.1	Investigate options for local ride share services	Nothing to report for this month	Manager Economic Development
10.4.2	Implement the Esperance Airport Masterplan (including an upgrade to the main runway, replacement of the runway lighting system, and additional apron space)	Scope of works for developing business case to attract funding for the upgrade complete. Design works underway. Additional budget bids for capital improvements, new carpark, CCTV upgrade and small additions in the terminal have been requested.	Manager Economic Development
10.4.3	Construct new Airport runway	Due to commence 2025/26.	Director Asset Management

Shire of Esperance

Council Plan April 2024

Prosperity

Access to quality education and lifelong learning opportunities

Action Code	Action Name	Comments	Responsible Officer Position
11.1.1	Advocate for South Regional TAFE to develop and promote specialist courses in relevant areas	Nothing further to report this month.	Chief Executive Officer
11.1.2	Advocate for urgent upgrades and a rebuild of Esperance Senior High School	Recent media releases by the State Government is positive in that money is being provided to complete project definition plans for the Esperance Senior High School to determine a strategic program for the refurbishment and upgrade of the aged campus.	Chief Executive Officer
11.1.3	Facilitate discussions with universities to explore options for a remote student services campus in Esperance	Nothing further to report this month.	Chief Executive Officer
11.1.4	Facilitate an annual review of the Goldfields Designated Area Migration Agreement to ensure it remains relevant to the community	New DAMA in place with additional 20 employment types added to the agreement.	Manager Economic Development

A prosperous and diverse economy

Action Code	Action Name	Comments	Responsible Officer Position
12.1.1	Provide an Economic Development Strategy for the Shire of Esperance	No further update	Manager Economic Development

Shire of Esperance

Council Plan April 2024

Action Code	Action Name	Comments	Responsible Officer Position
12.1.2	Support proponents in priority industry sectors to establish businesses and develop projects in Esperance	Continued support for these industries through the Manager Economic Development.	Chief Executive Officer
12.1.3	Promote Esperance as a suitable centre for research and development, and pilot projects	Consideration should be given by the State Government to locate a Marine Research Facility in Esperance with the introduction of the Proposed South Coast Marine Park.	Chief Executive Officer
12.1.4	Advocate for a shared work space facility in Esperance where start-ups, small businesses and visitors can be co-located to network and support one another	Nothing to report this month.	Manager Economic Development

A vibrant and welcoming tourism destination

Action Code	Action Name	Comments	Responsible Officer Position
13.1.1	Implement the Esperance Tourism Strategy	Tourism working group met on the 30th of April. Review of Strategic Plan undertaken and priorities for next 12 months identified. Overall good progress being made with the implementation of the strategies and new Tourism Manger has been settled well into the role.	Manager Economic Development
13.1.2	Fund a Tourism Development Manager (4 year contract) in partnership with Australia's Golden Outback	Completed.	Manager Economic Development

Shire of Esperance

Council Plan April 2024

Action Code	Action Name	Comments	Responsible Officer Position
13.1.3	Provide more digital marketing and advertising opportunities to promote local experiences at Council facilities (eg. Esperance Airport)	Investigations are ongoing into the best digital infrastructure to possibly replace paper noticeboards. This will be a budget bid if it is a viable option.	Manager Marketing & Communications
13.2.1	Advocate for development of a 4 to 5 star accommodation offering	RAC has commenced their caravan park expansion project, expected to be complete before the next tourist season.	Chief Executive Officer
13.2.2	Implement the recommendations from the Tourist and Worker Accommodation Study	The CEO has advocated for funding support for the key worker accommodation project in various forums, notably a meeting held with the Minister for Housing, John Carey. The project has also been included with the WA Regional Capitals Alliance priority list for advocacy at State and Federal government level. Preliminary work around additional potential risks of the project as identified by Council at the January OCM is being undertaken.	Manager Economic Development
13.2.3	Advocate for Traditional Owners to develop and promote cultural heritage tourism activities	Waiting on advice from Water Corporation regarding the water supply and how it interacts with 9/10-mile site and whether they have any thoughts on reclassification from P1 -P2.	Manager Economic Development
13.2.4	Advocate for the development and promotion of tourism experiences	Tourism working group met and review of Strategic Plan and priorities for next 12 months identified.	Manager Economic Development
13.2.5	Develop wayfinding and interpretive tourism signage	Not started.	Director Asset Management

Shire of Esperance

Council Plan April 2024

Performance

Community confidence and trust in Council

Action Code	Action Name	Comments	Responsible Officer Position
14.1.1	Provide Integrated Planning and Reporting (IPR) framework documents and reviews	Review of Council Plan progressing. EMT review and Council briefing during April. Plan will be put to May OCM.	Governance & Corporate Support Coordinator
14.1.2	Provide public reports on progress towards achievement of priority projects and outcomes	Provided quarterly report to Council.	Governance & Corporate Support Coordinator

Operational excellence and financial sustainability

Action Code	Action Name	Comments	Responsible Officer Position
15.1.1	Review the Long Term Financial Plan and informing plans per IPR framework	Council have met for a second workshop to review the LTFP. Councillors reviewed key assumptions and decisions agreed to. Updates to the timing of key projects, and funding impacts of existing projects were discussed. Considerations for partial loan funding of projects to spread the intergenerational costs for Myrup Transfer Station; James Street Precinct; Flinders Stage 3 and the Graham Mackenzie Stadium proposals.	Director Corporate and Community Services
15.1.2	Review and implement initiatives to improve internal business efficiencies and service delivery (such as more online services and digital forms)	The IT team have collaborated with the Media team to start planning the new Intranet. The IT team is also working with the Asset Management team to import the data into a new GIS Database so that the ESRI project continues to progress.	Manager Information Services

Shire of Esperance

Council Plan April 2024

A well informed and engaged community

Action Code	Action Name	Comments	Responsible Officer Position
16.1.1	Implement the Communication and Engagement Strategy	Develop and manage the Shire of Esperance website - Work began on the new Esperance Volunteer Resource Centre landing page and layout. If all goes to plan this will be launched on National Volunteer Week. Manager of Marketing & Communications has begun priority list on what Shire facilities and services will need a landing page and appropriate budget for this. Digital Training was undertaken with the Civic Centre Coordinator and Rangers Services. Through the development of templates, comprehensive branding guidelines and a shared use media library, we will aim to strengthen the Shire's brand and visual identity online, in publications and promotional materials. We will have strong, consistent and engaging marketing assets to ensure wide participation and awareness of Shire events, programs and services.	Manager Marketing & Communications
16.1.2	Provide a new website with improved functionality	Complete.	Manager Marketing & Communications
16.1.3	Provide regular forums and events to inform and engage the community about local issues and council decisions (such as pop-up booths at local community events)	Advocated strongly for DBCA to install an information centre around submissions for the Proposed South Coast Marine Park.	Chief Executive Officer
16.1.4	Conduct a biennial community survey to assess community priorities and benchmark performance levels	Due to commence 2024/25.	Manager Marketing & Communications

Item: 12.4.2

Esperance Jetty - s43 Prohibition on Fishing (Wire Trace) Order

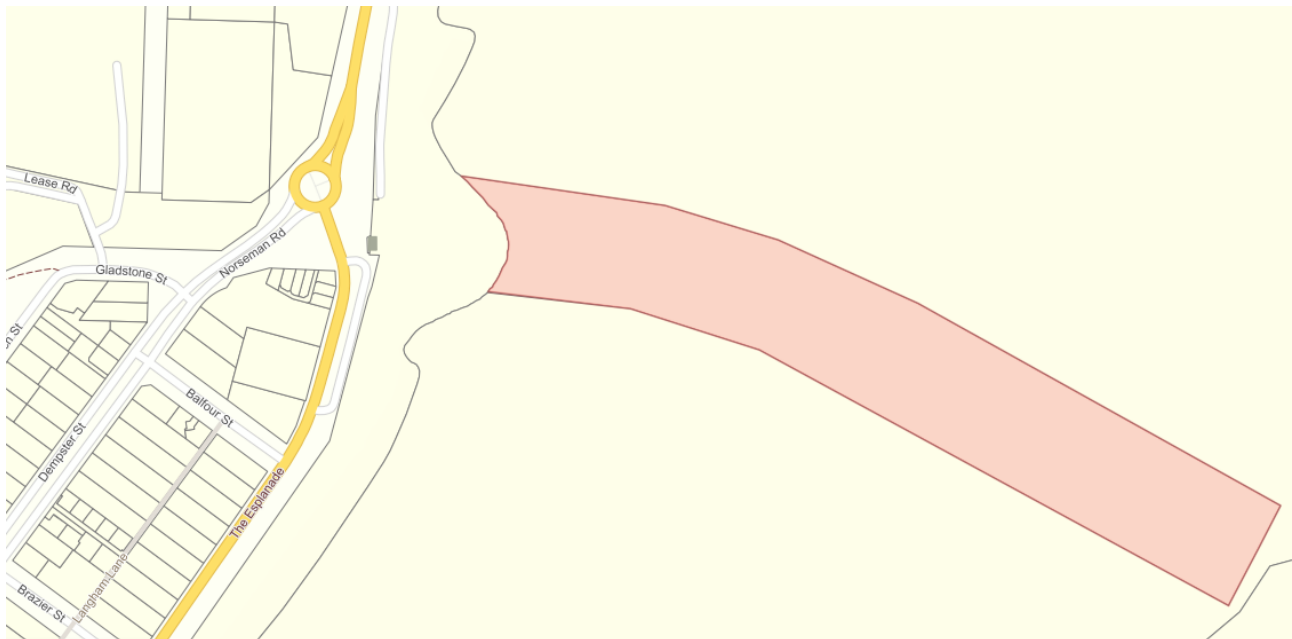
Author/s	Shane Burge	Chief Executive Officer
Authorisor/s	Shane Burge	Chief Executive Officer

File Ref: D24/12887

Applicant

Shire of Esperance

Location/Address



Executive Summary

For Council to consider and provide advice back to the Minister for Fisheries on proposed wire trace prohibition order around the Esperance Jetty to restrict shark fishing.

Recommendation in Brief

That Council requests the CEO to advise the Minister for Fisheries of support for the Esperance Tanker Jetty and immediate surrounds to be included in a s43 Prohibition on Fishing (Wire Trace) Order.

Background

Shark fishing in and around the Esperance Jetty (the Jetty), a highly popular location for recreational water activities, came into prominence following increasing reports, and media coverage of sharks being targeted from the jetty. This raised safety concerns for water users and swimmers who also use this area for recreational purposes. It is believed that fishing activities including the use of berley and blood attracts sharks into the area.

The State Government is responsible for the regulation of fishing activities under the Fish Resources Management Act 1994 (the Act). In February 2022, the State Government announced they were reviewing the Act to expand shark fishing restrictions in all nearshore waters within the Perth metropolitan area.

On 3 November 2023, the Prohibition on Fishing (Wire Trace) Order 2022 (the Order) came into effect, prohibiting the use of wire trace (meaning a length of steel or metal wire or chain that is attached to, or is part of, a fishing line) within 800 metres of shore from 5kms North of Two Rocks Marina to Tim's Thicket Beach (south of Mandurah).

In mid 2023 the Shire President wrote to the Minister for Fisheries to request consideration of Esperance being included in any areas of expansion of the shark beach fishing legislation due to the incompatibility of shark fishing and other water pursuits in key recreational areas.

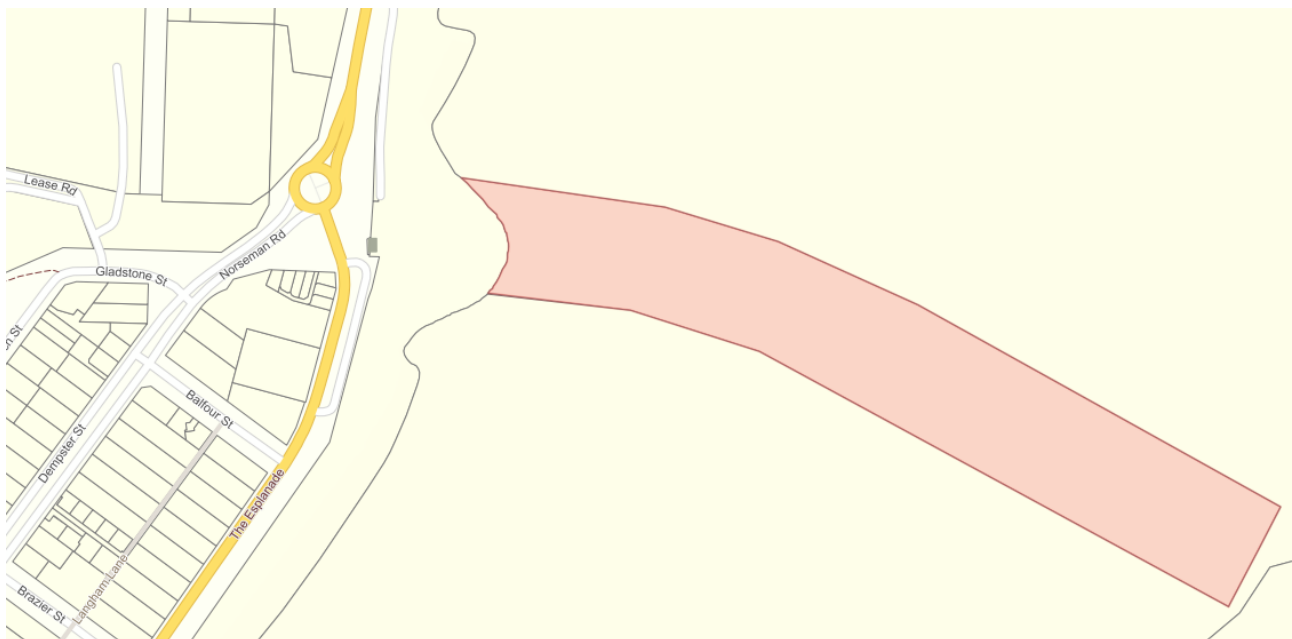
During late 2023 and early 2024 the Shire has been in discussions with the Department of Primary Industries and Regional Development (DPIRD) on how an extension to the Prohibition on Fishing (Wire Trace) Order could assist the Shire of Esperance. The Shire has recently received correspondence from DPIRD (attached) that proposes the Esperance Tanker Jetty to be included in the wire trace prohibition order.

Officer's Comment

Due to the complaints from member of the public and the incompatible nature of shark fishing from a key piece of recreational infrastructure, the proposed restrictions on shark fishing from the Esperance Tanker Jetty and immediate adjacent areas would appear to be a suitable solution.

Although the Esperance Tanker Jetty is proposed at this time, if there is a need in the future this area could be expanded to other areas if required.

The proposed restricted area is parcel number 14866 within Reserve 27318 and this also covers the dive trail that extends out from the end of the Esperance Tanker Jetty.



Fishing for sharks in this key recreational coastal area is considered incompatible with community values, and importantly community safety.

The State is responsible for the regulation of fishing activities under the Act but has requested the assistance of the Shire in understanding the appropriateness of introducing a wire trace fishing ban in the waters surrounding the Esperance Jetty, and in any other recreational waters in the district. Having considered the written requests that have been received, it is recommended the Council support the inclusion of an area around the Esperance Jetty in the Order.

Consultation

Councillors
Recfishwest

Financial Implications

Nil

Asset Management Implications

Nil

Statutory Implications

The following pieces of legislation apply as noted above:

- Fish Resources Management Act 1994
- Prohibition on Fishing (Wire Trace) Order 2022

Policy Implications

Although not directly related the Shire does have a Shark Hazard Response policy that provides direction for responding to shark interactions and shark sightings.

Strategic Implications

Council Plan 2022 – 2032

Natural Environment

A community that values and protects our natural environment

Environmental Considerations

Nil

Attachments

A. DPIRD Correspondence

RECOMMENDATION AND DECISION

Item: 12.4.2 Esperance Jetty - s43 Prohibition on Fishing (Wire Trace) Order

Officer's Recommendation

That Council requests the CEO to advise the Minister for Fisheries of support for the Esperance Tanker Jetty and immediate surrounds to be included in a s43 Prohibition on Fishing (Wire Trace) Order.

MOTION

Moved: Cr McMullen
Seconded: Cr Obourne

O0524-065

Council Resolution

That Council lay this item on the table until the June 2024 Ordinary Council Meeting to allow further clarification on Wire Trace.

CARRIED
F8 – A1
Against Cr Chambers

Reason: Cr McMullen would like the CEO to seek further clarification on Wire Trace to allow for small species of fish to still be caught.

From: Liv Rynvis [REDACTED]
Sent: Thursday, 9 May 2024 2:36 PM
To: Shane Burge <Shane.Burge@esperance.wa.gov.au>
Subject: RE: [EXT] - Shark Fishing in Esperance

Hi Shane,

Following on from our meeting on 22 April 2024.

DPIRD have now consulted with Recfishwest and will be providing advice to the Minister on proposed regional locations for inclusion in the wire trace prohibition.

Based on our discussions, DPIRD have proposed the **Esperance Tanker Jetty** be included in the wire trace prohibition. No other locations within the Shire of Esperance have been proposed for inclusion in the Order.

DPIRD note the Shire of Esperance may wish to discuss this proposal at the Council Meeting in May.

We will keep in touch over the progress of this matter and any further work in this space.

Please reach out if you have any questions.

Kind regards,

Liv Rynvis | Fisheries Management Officer
Offshore-Pelagic and Demersal Finfish Resources
Fisheries and Agriculture Resource Management
Department of Primary Industries and Regional Development
1 Nash Street, Perth WA 6000
t +61 (08) 6552 1937 | w dpiird.wa.gov.au
Fish for the Future

From: Liv Rynvis
Sent: Friday, April 19, 2024 12:04 PM
To: Shane Burge <Shane.Burge@esperance.wa.gov.au>
Subject: RE: [EXT] - Shark Fishing in Esperance

Hi Shane,

Just touching base regarding feedback on the proposed locations for wire trace restrictions in the Shire of Esperance area.

It would be great to meet with you again to discuss this. DPIRD are interested in finalising the potential locations for inclusion within the expanded wire trace prohibition, supported by the Council.

Following a discussion and consultation with Recfishwest, DPIRD will be providing consolidated advice to the Minister on this matter.

DPIRD are available to meet early next week or the week following, let me know if there is a day and time that works best for you.

Kind regards,

Liv Rynvis | Fisheries Management Officer
Offshore-Pelagic and Demersal Finfish Resources
Fisheries and Agriculture Resource Management
Department of Primary Industries and Regional Development
1 Nash Street, Perth WA 6000
t +61 (08) 6552 1937 | w dpiird.wa.gov.au

Item: 12.4.3

Shire of Esperance Proposed South Coast Marine Park Submission

Author/s	Christiane Smith	Manager Marketing & Communications
Authorisor/s	Felicity Baxter	Acting Chief Executive Officer

File Ref: D24/12954

Applicant

Internal

Location/Address

N/A

Executive Summary

Since 2021

Recommendation in Brief

For Council to endorse the Shire of Esperance Proposed South Coast Marine Park Submission.

Background

In 2019, the State Government announced a plan to create five million hectares of new national and marine parks and conservation reserves across Western Australia. In 2021 the consultation and engagement process started for the proposed South Coast Marine Park, stretching more than 1,000km along the coast from Bremer Bay eastward to the South Australian border, encompassing over 1.3million hectares of marine environment.

Over this time, State Government Ministers and Department of Biodiversity, Conservation and Attractions Managers and Park Planners have met with Shire Councillors and Staff to explain the planning process and to hear concerns and feedback on the major project.

The third and final public consultation phase opened for four months on the 16 February 2024, with West Australians being urged to 'Have Their Say' on the indicative management plans for the proposed park. In an effort to ensure that the Shire's submission reflected the diverse views of the community, the Shire Council strategically employed the Council Plan as a framework to integrate community and professional recommendations. This approach underscores the Shire's commitment to a balanced and inclusive advocacy process that honors the voices of our community.

Officer's Comment

The Shire of Esperance exists to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity. The eight Councillors and Shire President represent different communities within our diverse region. Informal consultation has been taking place within the community for over three years, with feedback, complaints, and opinions given to Councillors and Staff being considered when building this submission.

It is the Shire's job to represent our community as a whole, and advocate to the State Government for a marine park that will enhance our community and industries, and welcome new opportunities. The final submission will be tabled at the May Ordinary Council Meeting to allow for final adjustments.

Consultation

Council workshops on the 16 April, 7 May 2024, 14 May 2024
Manager Parks & Reserves
Community Stakeholder Groups

Financial Implications

N/A

Asset Management Implications

N/A

Statutory Implications

N/A

Policy Implications

N/A

Strategic Implications

Council Plan 2022 – 2032

Leadership

Community confidence and trust in Council

Environmental Considerations

N/A

Attachments

Shire of Esperance - Proposed South Coast Marine Park Submission

RECOMMENDATION AND DECISION

Item: 12.4.3 Shire of Esperance Proposed South Coast Marine Park Submission

Moved: Cr Starcevich

Seconded: Cr Flanagan

O0524-066

That Council endorse the Shire of Esperance Proposed South Coast Marine Park Submission as tabled.

**CARRIED
F8 – A1**

Against Cr Johnston

REFERENCE D24/14310
ENQUIRIES Shane Burge (08) 9071 0666
DATE 28 May 2024



Planning Unit
Aboriginal Engagement, Planning & Lands Branch
Department of Biodiversity, Conservation & Attractions
Locked Bag 104
BENTLEY DELIVERY CENTRE WA 6893

Shire of Esperance – Proposed South Coast Marine Park Submission

To whom it may concern,

Shire of Esperance acknowledges the WA Labor State Government election commitment to establishing the proposed South Coast Marine Park.

We appreciate the Minister for Environment and the Department of Biodiversity, Conservation and Attractions (DBCA) decision to delay the plans release and extend the statutory consultation period. This has empowered our community to contribute meaningful submissions.

Our interaction with the DBCA Marine Park Planning Team over the recent months has been highly constructive, and we wish to acknowledge the regular meetings facilitating a transparent and effective dialogue. The flexible approach by DBCA, with the implementation of vital engagement support to our community by the way of the DBCA Information Station at Lotteries House, is to be commended.

The Shire of Esperance exists to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity¹. To ensure the Shire's submission reflects the diverse views of the community, the Shire Council strategically employed the Council Plan as a framework to integrate community and organisational recommendations. This approach underscores the Shire's commitment to a balanced and inclusive advocacy process that honors the voices of our community.

¹ Our plan for the future – Shire of Esperance Council Plan 2022-2023

Employment and Development² - Economy

The Shire of Esperance strongly advocates for a balanced approach to terrestrial and marine planning and conservation, one that facilitates diversity of business and industry whilst safeguarding our environment and social values.

The Shire believes that the current draft of the South Coast Marine Park plan and associated zoning fails to adhere to Councils expectation of a balanced approach to planning, and does not reflect the well-balanced Marine Park the Government has been promising.

This is primarily due to the absence of vital triple bottom line information; scientific data analysis that underpins the reason for proposed sanctuary zoning size and placement, and a thorough socio-economic analysis. Without this information, the magnitude of impacts on the commercial and recreational fishing sectors, associated businesses and the social values of the community is unknown, which has led to some very divisive opinions and mental health issues within the Esperance community.

Recommendation:

- 1. We urge for the release of comprehensive socio-economic impact assessment and scientific reports that substantiate the planning and management decisions prior to the gazetting of the South Coast Marine Park.**
- 2. It is vital that the State Government continue to work with impacted fishing and associated maritime industry to review the size and positioning of sanctuary zones to reduce impacts on industry.**
- 3. A 'Community Support Package' is swiftly released to help transition the Esperance community to maximise the social and economic opportunities of the proposed Marine Park, and to offset the negative impacts to industry, small business and families.**
- 4. The success and sustainable management of the proposed South Coast Marine Park, along with the satisfaction of all stakeholders, will require significant resources in the region for at least ten years. It is important to employ new park management staff directly in the towns adjacent to the park, including Esperance. Additionally, whenever possible, new equipment, facilities, and any capital works should be purchased and contracted locally.**

Connection to Wadarn Boodja³

The Shire of Esperance supports the engagement and role of Traditional Owners as joint managers of the proposed Marine Park, in particular around the cultural management zones. We respect Aboriginal knowledge and connection to Country, and appreciate the significant work they will undertake as joint managers of the South Coast Marine Park.

² Proposed Wudjari Marine Park indicative joint management plan: Employment and development

³ Proposed Wudjari Marine Park indicative joint management plan: Connection to Wadarn Boodja

The Shire welcomes the funding in the 2024 State Budget that will support Aboriginal land and sea Country rangers, joint management coordinators and trainees. However, continued funding from the State Government is essential to enable Esperance Tjaltjraak Native Title Aboriginal Corporation (ETNTAC) and other Traditional Owner groups to fulfil their role as joint managers of the South Coast Marine Park into the future.

Recommendation

The State Government guarantees an ongoing funding commitment to ETNTAC and other Traditional Owner groups to ensure the organisations can successfully fulfil their joint management obligations now and into the future.

Clarification

In the Wudjari Marine Park joint management plan (the Plan) Appendix 2⁴ refers to 'special Wudjari places that are important to the Wudjari people'. However, this document was not included in the Plan. We believe this document is crucial for facilitating an informed public discussion and for educating our community and Council about the significance of these areas. The Shire urgently requests clarification from the DBCA why Appendix 2 was not included in the Plan.

Caring for Country⁵ - Environment and Conservation

The Shire of Esperance is committed to environmental conservation and aspires to preserve our natural environment for the enjoyment of all⁶. We recognise through our Council Plan, that protecting our environment and fostering climate action and environmental sustainability is a shared responsibility—one that we are fully dedicated to upholding. We believe a balanced Marine Park can add value to our focus on this aspiration.

However, our Council is at an impasse regarding the proposed zoning schemes due to the lack of detailed scientific information from DBCA. There is scepticism that due to the vast area and high energy environment with large swells generated by the Southern Ocean, very little research exists on our marine ecosystem, including fish stocks.

It is crucial for us to have access to comprehensive data to offer informed feedback that reflects the best interests and addresses the concerns of our community and the environment. Equally it is imperative that once the Marine Park is established the community is informed on how the State Government will resource and undertake further scientific research, assessment and reporting of how the marine ecosystem is progressing.

⁴ Proposed Wudjari Marine Park indicative joint management plan: Special Wudjari places and ancient cultural corridors

⁵ Proposed Wudjari Marine Park indicative joint management plan: Management Objective: Enhance, maintain and conserve a healthy sea-Country, including marine biodiversity and ecological integrity.

⁶ Our plan for the future: Shire of Esperance Council Plan 2022-2032

The Shire of Esperance supports sanctuary zones that complement the Commonwealths South-West Corner Marine Park's National Parks zone, aligning with existing legislation and resource capabilities.

The Shire of Esperance has a number of reserves that abut proposed sanctuary and cultural management zones. The Shire has undertaken a review and analysis of Shire managed reserves and infrastructure adjacent to the proposed Marine Park zones. Appendix 1 is included with this submission to provide comprehensive feedback on how proposed zones interact with these reserves, the community values and use of these reserves. Appendix 1 suggests alternative options recommendations and opportunities to enhance the Marine Park zoning⁷.

Recommendation:

- 1. That DBCA review the size and positioning of proposed sanctuary zones based on spatial data and catch rates, and work with industries and stakeholders that will be negatively impacted by the proposed sanctuary zones to achieve triple bottom line outcomes supportive of industry, stakeholder and conservation goals.**
- 2. To truly engage and earn the backing of our community, it is essential that sanctuary zones are established on a foundation of robust scientific evidence and clear reasoning. The projected conservation outcomes of these sanctuary zones need to be clearly articulated to the community and stakeholders.**
- 3. The State Government commits to a dedicated research team for the South Coast Marine Park based in the region and outlines to the community how this will be resourced and how the work will be reported back to the community.**

People on Country⁸ - Industry

The State Government must address the potential impacts on regional industry, particularly concerning commercial fishing and the size and positioning of proposed sanctuary zones. The Esperance region already has a lack of diverse industry types and employment opportunities. To diminish the industry count further will have an impact on the economic performance, population and wellbeing of the region as a whole.

The fishing industry is a cornerstone of the South Coast region's economic and social structure. The introduction of sanctuary zones, as outlined in the proposed Marine Park plan, is poised to negatively affect both commercial and recreational fishing activities. While we recognise the environmental benefits these zones intend to provide, there is a significant lack of clarity regarding the extent of their impact on current fishing practices. Feedback from industry stakeholders indicates a detrimental effect, yet this has not been adequately detailed in the plan.

⁷ Appendix 1 Shire of Esperance Reserves and Infrastructure

⁸ Proposed Wudjari Marine Park indicative joint management plan: Management Objective: Provide equitable and sustainable opportunities for recreational and commercial activities by allowing opportunities to safely utilise the marine environment as a source of income, food and enjoyment.

The commercial fishing sector has also raised concerns about significant delays that have occurred in providing legislated financial compensation with the establishment of other Western Australian Marine Parks.

Moreover, the Plan does not sufficiently articulate existing risks which require the establishment of sanctuary zones of this size, nor does it explain how these zones will mitigate such risks effectively.

Depending on the size of the impact on commercial fishers in the South Coast region, there could be a flow on impact that will change the socio-economic profile of the region. This could result from reduced viability of the businesses that directly rely on the industry, and the potential loss of people employed in the industry and the businesses that directly support it. If these impacts are significant, they could cause population to move away from the region⁹.

Given the above statement, from the 'social and economic value of the South Coast region Final Report', and the importance of the fishing industry to our region¹⁰, it is imperative that a thorough assessment of the socio-economic impacts be conducted prior to the gazetting of the Marine Park. This will allow stakeholders to better understand investment prospects, offset possible impacts, and more reliably identify opportunities a Marine Park could bring to the Esperance region.

Recommendation:

- 1. It is vital the State Government continue to work with impacted fishing and associated maritime industry to review the size and positioning of sanctuary zones to reduce impacts on industry.**
- 2. Where industry is negatively affected, the Shire of Esperance strongly urge the State Government to expedite support (compensation, transition support) to businesses, not just license holders, negatively impacted by the park's establishment. This support is crucial for sustaining local business and the community during the transition period.**
- 3. The Shire of Esperance advocate for a consistent 200-metre offshore buffer, adjacent to all sanctuary zones, along all existing beach access and infrastructure currently used for recreational activities. Coastal 4wd driving, fishing and camping are cherished and foundational recreational activities to this region, and as such, we strongly recommend that every sanctuary zone accommodates recreational fishing which supports these pastimes.**
- 4. To reduce confusion and maintain uniformity for residents and visitors, we recommend the 200-metre offshore buffer, adjacent to all sanctuary zones, be applied across the Mamang Maambakoort Marine Park, Wudjari Marine Park, Western Bight Marine Park and Mirning Marine Park. This will allow for safe recreational and commercial activities and provide consistency across the South Coast Marine Park.**

⁹ The social and economic value of the South Coast region Final Report

¹⁰ The social and economic value of the South Coast region Final Report

Understanding Country¹¹ - Research and Education

The Shire advocates for the State Government to allocate adequate resources and infrastructure for the Marine Park's implementation, encompassing management, research, equipment, and facilities in the Esperance Region. This investment is essential to maximising the park's benefits for Traditional Owners, local residents, businesses, and visitors.

It is important that the Wudjari Marine Park management plan encourages community and local industry involvement in research and education programs¹². This will help to facilitate access to quality education, training and development opportunities in the Esperance region, as well as attract diverse industries.

Recommendation:

- 1. Realising the unique opportunities a Marine Park could bring to the region, we urge the State Government to fund the development of a research facility in the Esperance Region.**
- 2. The establishment of a regional university link, like Kalgoorlie and Broome, which will allow for research and education programs at a higher education level.**
- 3. Set aside adequate funding to implement an interpretive signage and marketing strategy across the whole Marine Park, adding to the visitor and community education experience¹³.**

Plan implementation and operation¹⁴ - Infrastructure

The Shire can appreciate the new opportunities a Marine Park could bring to our communities and region. The Shire of Esperance actively plans for high quality infrastructure to serve local needs, including access to adequate, safe and affordable housing. We develop attractive and welcoming places, deliver efficient and safe road network, and public and shared transport services¹⁵. With a substantial Marine Park, implementation of new or upgrades to established infrastructure will be needed to manage the possible economic and tourist growth of the region.

Recommendation:

We strongly urge the State Government to undertake a 'Community and Industries Opportunities Report' to better understand investment prospects, offset possible impacts, and identify the opportunities that a Marine Park could bring to the Esperance region.

¹¹ Proposed Wudjari Marine Park indicative joint management plan: Management Objective: Encourage and promote research and monitoring and the sharing of Knowledge from Traditional Owners, scientists and local community to guide and inform best-practice management.

¹² Proposed Wudjari Marine Park indicative joint management plan: Cultural and evidence-based management. Management Strategies, point 7.

¹³ Proposed Wudjari Marine Park indicative joint management plan: Cultural and evidence-based management. Management Strategies, point 8.

¹⁴ Proposed Wudjari Marine Park indicative joint management plan: Plan implementation and operation

¹⁵ Our plan for the future: Shire of Esperance Council Plan 2022-2032

The Shire of Esperance stands behind the principles of economic, social and environmental stewardship and cultural respect. The above comments and recommendations are genuine views from the community about the Marine Park and We trust that the State Government will consider these concerns with the gravity they warrant and take prompt action to support our community through this significant change.

In trust of these views and recommendations being considered, the Shire of Esperance stands ready to support a well-balanced Marine Park that is equitable and beneficial for all. We look forward to continuing our work with the State Government and the DBCA Marine Park Planning Team to realise a Marine Park that truly reflects the aspirations of our diverse community.

Regards

Ron Chambers

Shire President

Appendix 1 – Shire of Esperance Reserves and Infrastructure

Appendix 2 – Connecting to the Council Plan

**Appendix 1 Analysis and Recommendations
Shire of Esperance Reserves and Infrastructure – South Coast Marine Plans**



Analysis and Recommendations Shire of Esperance Reserves and Infrastructure – South Coast Marine Plans

The Shire of Esperance (the Shire) manages reserves and infrastructure that are within proximity to the proposed sanctuary and cultural management zones. The Shire has undertaken a review and analysis of Shire managed reserves and infrastructure, associated community and community values, and use of these reserves and infrastructure in relation to the proposed Marine Park Management Plans and zoning.

Appendix 1 (the Appendix) provides a comprehensive feedback on how the proposed zones impact Shire managed reserves and infrastructure, and the values and use of these reserves and infrastructure by our community. The Appendix also puts forward alternate options, recommendations and opportunities to enhance Marine Park zoning.

General Analysis and Recommendations:

- The Shire of Esperance advocate for a consistent 200-metre offshore buffer, from proposed sanctuary zones, along all existing beach access and infrastructure, i.e. rock bolts, currently used for recreational activities. Coastal 4WD driving, fishing and camping are cherished and foundational recreational activities to this region, and as such, we strongly recommend that every sanctuary zone accommodates recreational beach fishing, which supports these pastimes.
- To reduce confusion and maintain uniformity for residents and visitors, we recommend the 200-metre offshore buffer, from proposed sanctuary zones, be applied across the Mamang Maambakoort Marine Park, Wudjari Marine Park, Western Bight Marine Park and Mirning Marine Park. This will provide consistency across the South Coast Marine Park.
- The South Coast Marine Park zoning needs to be reviewed to align with the terrestrial reserve boundaries. The mapping in the proposed indicative joint management plans shows marine park zoning overlapping into terrestrial reserve boundaries managed by the Shire of Esperance and others.
- The Shire of Esperance seeks clarification on proposed zoning that continues into estuarine and creek environments, and how this proposed zoning can be applied to systems that are beyond the highwater mark and are not permanently open to the marine environment.
- The Shire of Esperance seeks clarification on why Appendix 2, which refers to Cultural Management Zones, was not included in the proposed Wudjari Marine Park indicative joint management plan. The absence of Appendix 2 from the Wudjari Marine Park joint management plan is a matter of concern: we believe this document is vital to educate our community on the importance of these zones and ensure a well-informed public discussion.

Analysis and recommendations on Shire reserves, community values and infrastructure in relation to proposed marine park zoning is provided in Table 1 & 2. Due to the absence of triple bottom line information; scientific data analysis that underpins the reason for each proposed sanctuary zoning size and placement, and a thorough socio-economic report the analysis to balance these zonings; recommendations are focused on management implications around Shire of Esperance managed reserves and infrastructure.

The Shire of Esperance will be more than happy to work further with the DBCA Marine Park Planning Team on any points of clarification or to discuss further any information or recommendations in the Appendix and submission on the proposed South Coast Marine Park.

Appendix 1 Analysis and Recommendations
Shire of Esperance Reserves and Infrastructure – South Coast Marine Plans



Table 1. Wudjari Marine Park

<u>Location</u>	<u>SoE Reserve</u>	<u>DBCA Marine Park Zone</u>	<u>Community Values and Infrastructure</u>	<u>DBCA Wudjari Marine Park Implications and Notes</u>	<u>SoE Recommendations</u>
Munglinup	R 32337 R 32338 Class C Camping and Recreation	Munglinup Warden special purpose zone (cultural management) Munglinup sanctuary zone	<ul style="list-style-type: none"> • Camping and coastal recreation. • 4wd beach driving • Beach fishing including inlet area and west of Oldfield river and inlet. • Near shore fishing with beach launching small boats and kayaks. 	<ul style="list-style-type: none"> • Sanctuary Zone starts approximately 600m west of Oldfield river and inlet and covers beach, implications on values associated with beach fishing west of campground and fishing when mouth of river is open. • Sanctuary Zone starts approximately 800m offshore from campground, implications on values associated with near shore fishing with beach launching small boats and kayaks. • Shire of Esperance campground and reserve outside sanctuary zone with sanctuary zone approximately 800m offshore and 2500m west from campsite and beach access. 	<ul style="list-style-type: none"> • Recommend moving Sanctuary Zone 200m offshore to allow for beach fishing and Sanctuary Zone offshore to allow for nearshore fishing.
Quagi Beach	R 40943 Class C Camping and Recreation	Quagi special purpose zone (cultural management)	<ul style="list-style-type: none"> • Camping and coastal recreation. • Beach fishing and rock fishing. 	<ul style="list-style-type: none"> • No direct implications, special purpose zone. 	<ul style="list-style-type: none"> • Support the proposed zoning.

Appendix 1 Analysis and Recommendations
Shire of Esperance Reserves and Infrastructure – South Coast Marine Plans



<u>Location</u>	<u>SoE Reserve</u>	<u>DBCA Marine Park Zone</u>	<u>Community Values and Infrastructure</u>	<u>DBCA Wudjari Marine Park Implications and Notes</u>	<u>SoE Recommendations</u>
Tjaltjraak Boodja Park (Duke of Orleans Bay)	R 41097 Class C Recreation	Victoria Harbour Beach to Hammer Head offshore sanctuary zone	<ul style="list-style-type: none"> Coastal Recreation. 4wd beach driving. Beach fishing and rock fishing. Near shore fishing with beach launching small boats and kayaks. Boat launching offshore fishing Duke of Orleans Bay boat ramp and Nares Island. Commercial caravan park within the reserve. 	<ul style="list-style-type: none"> Sanctuary Zone covers two sheltered bays within the Hammerhead area with potential implications on values with shore based fishing, near shore fishing with small boats and kayaks. The Victoria Harbour offshore sanctuary zone may potentially impact offshore fishing facilitated from infrastructure at the Duke of Orleans Bay boat ramp and Nares Island and beach access in the reserve. 	<ul style="list-style-type: none"> Recommend moving Sanctuary Zone 200m offshore to allow for beach fishing and rezone the Sanctuary Zone offshore outside the sheltered bays of the Hammerhead area to allow for nearshore fishing. The southern exposed area of the Hammerhead that is harder to access may be more suitable to include within the proposed sanctuary zone. Review the size and positioning of the zoning to minimise the impact on smaller fishing boats and safe boating opportunities in close proximity to boat launching infrastructure.
Tjaltjraak Boodja Park (Membinup)	R 41097 Class C Recreation	Membinup special purpose zone (cultural management) Membinup Beach offshore sanctuary zone	<ul style="list-style-type: none"> Coastal Recreation. 4wd, informal self-sufficient camping. Beach fishing and rock fishing. Near shore fishing with beach launching small boats and kayaks. Boat launching offshore fishing Duke of Orleans Bay boat ramp and Nares Island. 	<ul style="list-style-type: none"> No direct implications Membinup, special purpose zone. Membinup Beach offshore sanctuary zone may potentially impact offshore fishing facilitated from infrastructure at the Duke of Orleans Bay boat ramp and Nares Island and beach access in the reserve. The sanctuary zone appears to not include no offshore areas adjacent to islands or minimal bombies. 	<ul style="list-style-type: none"> No direct recommendations for the Membinup special purpose zone (cultural management) Review the size and positioning of the Membinup Beach offshore sanctuary zone to minimise the impact on smaller fishing boats and safe boating opportunities in close proximity to boat launching infrastructure.

Appendix 1 Analysis and Recommendations
Shire of Esperance Reserves and Infrastructure – South Coast Marine Plans



<u>Location</u>	<u>SoE Reserve</u>	<u>DBCA Marine Park Zone</u>	<u>Community Values and Infrastructure</u>	<u>DBCA Wudjari Marine Park Implications and Notes</u>	<u>SoE Recommendations</u>
Kennedy Beach	R 40772 Class C Recreation and camping	Kennedy Beach and offshore sanctuary zone	<ul style="list-style-type: none"> • Coastal Recreation. • 4wd, informal self-sufficient camping. • Beach fishing and rock fishing. • Near shore fishing with beach launching small boats and kayaks. 	<ul style="list-style-type: none"> • Sanctuary Zone covers Kennedy Beach shoreline and headlands implications on values with shorebased fishing, near shore fishing with small boats and kayaks. 	<ul style="list-style-type: none"> • Recommend moving Sanctuary Zone 200m offshore to allow for beach fishing and Sanctuary Zone offshore to allow for nearshore fishing. • Tagon Beach, Little Tagon, Dolphin Cove and the headland at Thomas River more suitable to include within the proposed sanctuary zone as a shore and near shore zone and is within the Cape Arid National Park. • Management Plan references Recherche Archipelago Nature Reserve and sanctuary zone will provide complementarity but it is unclear how sanctuary zoning on the near shore and shore recreation areas will be complementary. • Complementary zoning to national parks would be more appropriate in achieving this outcome.

Appendix 1 Analysis and Recommendations
Shire of Esperance Reserves and Infrastructure – South Coast Marine Plans



<u>Location</u>	<u>SoE Reserve</u>	<u>DBCA Marine Park Zone</u>	<u>Community Values and Infrastructure</u>	<u>DBCA Wudjari Marine Park Implications and Notes</u>	<u>SoE Recommendations</u>
Woody Island		Kepa Kurl sanctuary zone	<ul style="list-style-type: none"> • Ecotourism and recreational values Woody Island. • Recreational fishing and nearshore boat and kayak, snorkelling and shorebased diving, spearfishing. Shearwater Bay is valued for nearshore fishing, snorkelling and Skinny Dip Bay is valued for nearshore fishing, snorkelling, including spearfishing. • Shire of Esperance boat launching facilities and infrastructure Esperance Bay and DoT Bandy Creek. Near shore boating and recreational fishing values for smaller boats. 	<ul style="list-style-type: none"> • Recreational fishing and nearshore boat and kayak, snorkelling and shorebased diving, spearfishing impacts at Woody Island. • Potential impacts on safe boating and recreational fishing by smaller vessels using the islands for shelter and protection and easy access from Esperance Bay and Bandy Creek infrastructure and facilities. • Potential impact on commercial fishing operations but detailed analysis and assessment can not be undertaken as social economic study and report has not been undertaken to quantify the value and impact. 	<ul style="list-style-type: none"> • Potential conservation outcomes with the zoning of the island group but in-depth analysis can not be undertaken as a detailed scientific study or report for justification has not been provided. • Conservation outcomes with the zoning to link with eco-tourism and education opportunities with the island and natural environment. • For a community values balance recommend making Shearwater Bay, Woody Island general use zone, aligning with its current use. • Recommend making Skinny Dip Bay, Woody Island a general use zone aligning with its current use. • Review the size and positioning of the zoning to minimise the impact on smaller fishing boats and safe boating opportunities in close proximity to boat launching infrastructure.

Appendix 1 Analysis and Recommendations
Shire of Esperance Reserves and Infrastructure – South Coast Marine Plans



<u>Location</u>	<u>SoE Reserve</u>	<u>DBCA Marine Park Zone</u>	<u>Community Values and Infrastructure</u>	<u>DBCA Wudjari Marine Park Implications and Notes</u>	<u>SoE Recommendations</u>
Figure Eight Island		West Group Islands sanctuary zone	<ul style="list-style-type: none"> Shire of Esperance boat launching facilities and infrastructure Esperance Bay and DoT Bandy Creek. Near shore boating and recreational fishing values for larger boats. 	<ul style="list-style-type: none"> Potential conservation outcomes with the zoning of the island group but in-depth analysis can not be undertaken as a detailed scientific study or report for justification has not been provided. Potential impact on commercial fishing operations but detailed analysis and assessment can not be undertaken as social economic study and report has not been undertaken to quantify the value and impact. 	<ul style="list-style-type: none"> Recommend a combination of sanctuary zoning and multi-use zoning may offer a balanced approach for the community to provide boating access to northern sheltered areas of the island group.
Termination Island		Termination Island sanctuary zone	<ul style="list-style-type: none"> Shire of Esperance boat launching facilities and infrastructure Esperance Bay and DoT Bandy Creek. Near shore boating and recreational fishing values for larger boats. 	<ul style="list-style-type: none"> Potential conservation outcomes with the zoning of the island group but in-depth analysis can not be undertaken as a detailed scientific study or report for justification has not been provided. Potential impact on commercial fishing operations but detailed analysis and assessment can not be undertaken as social economic study and report has not been undertaken to quantify the value and impact. 	<ul style="list-style-type: none"> Recommend a combination of sanctuary zoning and multi-use zoning may offer a balanced approach for the community to provide boating access to northern sheltered areas of the island group.

Appendix 1 Analysis and Recommendations
Shire of Esperance Reserves and Infrastructure – South Coast Marine Plans



<u>Location</u>	<u>SoE Reserve</u>	<u>DBCA Marine Park Zone</u>	<u>Community Values and Infrastructure</u>	<u>DBCA Wudjari Marine Park Implications and Notes</u>	<u>SoE Recommendations</u>
Cape Le Grand		Cape Le Grand sanctuary zone	<ul style="list-style-type: none"> • Recreational values with Cape Le Grand being a developed national park. Camping, beach and rock fishing, 4wd beach driving. 	<ul style="list-style-type: none"> • Impacts beach and rock fishing Hellfire Bay and Thistle Cove. • Potential impacts on safe boating and recreational fishing by smaller vessels using the islands for shelter and protection and easy access from beach launching from Lucky Bay. • Potential conservation outcomes with the zoning of the island group but in-depth analysis can not be undertaken as a detailed scientific study or report for justification has not been provided. 	<ul style="list-style-type: none"> • Recommend moving Sanctuary Zones 200m offshore to allow for beach and rock fishing Hellfire Bay and Thistle Cove to support current activities undertaken in the area. • Review the size and positioning of the zoning to minimise the impact on smaller fishing boats and safe boating opportunities in close proximity to infrastructure.



Appendix 1 Analysis and Recommendations
Shire of Esperance Reserves and Infrastructure – South Coast Marine Plans

Table 2. Western Bight Marine Park

<u>Location</u>	<u>SoE Reserve</u>	<u>DBCA Marine Parks Zone</u>	<u>Community Values and Infrastructure</u>	<u>DBCA Western Bight Marine Park Implications and Notes</u>	<u>SoE Recommendations</u>
Israelite Bay	R 3805 Class C Recreation	Israelite Bay (south) sanctuary zone Bilbunya Beach (central) sanctuary zone	<ul style="list-style-type: none"> • Coastal Recreation. • 4wd, informal self-sufficient camping. • Beach fishing. 	<ul style="list-style-type: none"> • Israelite Bay (south) sanctuary zone covers shoreline and will impact beach fishing values. • Bilbunya Beach (central) sanctuary zone covers approximately 6000m shoreline and has some shoreline areas excluded from the sanctuary zone (middle 3000m approximately). Sanctuary zoning will impact beach fishing values. 	<ul style="list-style-type: none"> • Recommend moving Sanctuary Zones 200m offshore to allow for beach fishing and Sanctuary Zone offshore to allow for nearshore fishing.

Appendix 2 Analysis and Recommendations
Shire of Esperance Council Plan – South Coast Marine Park



The Shire of Esperance exists to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

To ensure the Shire's submission reflects the diverse views of the community, the Shire Council strategically employed the Council Plan as a framework to integrate community and organisational recommendations.

The Community Scorecard enables Council to keep in touch with the wishes of local residents, determine priorities and make the best decisions possible on behalf of the community in line with our Council Plan. The Scorecard provides broad information regarding community opinions on services and facilities throughout the Shire. Councillors and Shire officers frequently refer to the results to support decision making and strategic planning. Community views and comments are highly valued and guide future planning activities.

In 2023, 1,267 residents completed the MARKYT Community Scorecard, underscoring the Shire's commitment to a balanced and inclusive advocacy process that honors the voices of our community.

Appendix 2 shows the connection between what has been stated in the submission and how it aligns with the Shire of Esperance Council Plan and community stakeholder feedback.

The Shire of Esperance welcomes the opportunity to work with the Department of Biodiversity, Conservation and Attractions Marine Park Planning Team on any points of clarification, or to discuss further any information or recommendations in Appendix 2 and the Submission on the proposed South Coast Marine Park.

Appendix 2 Analysis and Recommendations
Shire of Esperance Council Plan – South Coast Marine Park



Table 1. People: A healthy, inclusive, active and safe place to live

<u>Comment</u>	<u>Recommendation</u>	<u>Community Value</u>	<u>Reference</u>
There is concern around the potential future changes to coastal driving, camping and fishing access to public areas.	The Shire of Esperance recommends a consistent 200-metre offshore buffer along all existing beach access and infrastructure currently used for recreational activities. We strongly recommend that every sanctuary zone accommodates recreational near shore fishing which supports these pastimes.	Coastal 4wd driving, fishing and camping are cherished and foundational recreational activities to this region. Outdoor recreation, nature-based tourism and adventure recreation make a huge contribution to the health, wealth, wellbeing and happiness of individuals and communities in Western Australia. It builds resilience, fosters a spirit of identity and builds family and community structures. It also contributes greatly to the State's economy.	Community Stakeholders Proposed Wudjari Marine Park indicative joint management plan: 6.2 <i>Recreational fishing</i> Shire of Esperance Council Plan 2022-2032 Outcome 3.1 - <i>A welcoming, inclusive and connected community</i> Department of Local Government, Sport and Cultural Industries More People More Active Outdoors: A framework for Outdoor Recreation in Western Australia 2019
The Wudjari Marine Park embodies a vision where the Aboriginal community in Esperance thrives, living and working on their ancestral lands in roles that hold deep cultural and personal meaning. This initiative not only honours their traditional	We strongly urge the State Government to undertake a 'Community and Industries Opportunities Report' to better understand investment prospects, offset possible impacts, and identify the opportunities	Grow understanding and respect for cultural diversity, history and heritage.	Community Stakeholder Proposed Wudjari Marine Park indicative joint management plan: 4 <i>Connection to Wadarn Boodja</i>

Appendix 2 Analysis and Recommendations
Shire of Esperance Council Plan – South Coast Marine Park



<u>Comment</u>	<u>Recommendation</u>	<u>Community Value</u>	<u>Reference</u>
connection to the land but also fosters a sustainable future, aligning with their values and aspirations. It is a forward-thinking approach that promises empowerment and continuity of their rich heritage.	that a Marine Park could bring to the Esperance region.		Shire of Esperance Council Plan Outcome 3.1 - <i>A welcoming, inclusive and connected community</i>
Removal/relocation of the Membinup Sanctuary zone because of its proximity to the Duke boat ramp which also happens to be the last boat ramp before the South Australian border	Review the size and positioning of the Membinup Beach offshore sanctuary zone to minimise the impact on smaller fishing boats and safe boating opportunities in close proximity to infrastructure.	The Duke of Orleans Bay is a popular holiday location for local residents and visitors. Coastal recreation, beach and rock fishing, and boating are valued pastimes.	Community Stakeholder
Opportunities that arise from the proposed South Coast Marine Park is the growth of Aboriginal opportunities and within this taking the lead in Closing the Gap in the Esperance Community.	We strongly urge the State Government to undertake a 'Community and Industries Opportunities Report' to better understand investment prospects, offset possible impacts, and identify the opportunities that a Marine Park could bring to the Esperance region.	Improve access to quality health services, education and employment	Community Stakeholder Shire of Esperance Council Plan 2022-2032 Outcome 2.1 <i>Improve access to quality health services</i>
Advocate for holistic closing the gap initiatives (such as access to affordable housing) so this community enjoys acceptable levels of health and wellbeing	We strongly urge the State Government to undertake a 'Community and Industries Opportunities Report' to better understand	Continue to grow as a strong, connected community. Meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.	Community Stakeholder Shire of Esperance Council Plan 2022-2032

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Shire of Esperance Council Plan – South Coast Marine Park



<u>Comment</u>	<u>Recommendation</u>	<u>Community Value</u>	<u>Reference</u>
needed to take up the opportunities from the marine park as they arise.	investment prospects, offset possible impacts, and identify the opportunities that a Marine Park could bring to the Esperance region.		Outcome 8: <i>Access to adequate, safe and affordable housing for everyone</i>
Preferred Removal of sanctuary zone at the Duke ranging from Hammerhead to Victoria Harbour however at the very least there must be a 200m setback from the shore at Hammerhead. This is for recreational purposes of the many people that frequent this popular holiday spot.	Review the size and positioning of the zoning to minimise the impact on smaller fishing boats and safe boating opportunities in close proximity to infrastructure.	The Duke of Orleans Bay is a popular holiday location for local residents and visitors. Coastal recreation, beach and rock fishing, and boating are valued pastimes.	Community Stakeholder

Appendix 2 Analysis and Recommendations
Shire of Esperance Council Plan – South Coast Marine Park



Table 2. Planet: Our natural environment is conserved for everyone to enjoy

<u>Comment</u>	<u>Recommendation</u>	<u>Community Value</u>	<u>Reference</u>
Environmental conservation & Protection	The DBCA review the size and positioning of proposed sanctuary zones, and work with industries that will be negatively impacted by the proposed sanctuary zones to achieve outcomes that will support industry, stakeholder and conservation goals that will achieve triple bottom line outcome.	<p>Protecting our environment and fostering climate action and environmental sustainability is a shared responsibility—one that we are fully dedicated to upholding, and believe a balanced marine park can add value to.</p> <p>However, we find ourselves at an impasse regarding the proposed zoning schemes due to the lack of detailed scientific information from DBCA. It is crucial to have access to comprehensive data to offer informed feedback and make decisions that reflect the best interests of our community and the environment.</p>	<p>Proposed Wudjari Marine Park indicative joint management plan: Management Objective: <i>Enhance, maintain and conserve a healthy sea-Country, including marine biodiversity and ecological integrity.</i></p> <p>Shire of Esperance Council Plan 2022-2032 Outcome 4. <i>The natural environment is valued, protected and enjoyed</i> Outcome 5. <i>Shared responsibility for climate action and sustainability</i></p>
The Shire of Esperance (the Shire) has a number of reserves that abut proposed sanctuary and cultural management zones, the coastal reserves and infrastructure managed by the Shire are Class C Reserves for the purpose of Recreation. The Shire has undertaken a review and analysis of Shire managed reserves and infrastructure, associated community and	Appendix 1	The Shire of Esperance is custodian of 3 Nature Based Campgrounds and 27 Beach Reserves. Most coastal reserves are accessible and have been enjoyed by generations of the public.	<p>Shire of Esperance Council Plan Outcome 4.1. <i>Sustainably care for, preserve and enhance natural habitats</i> 4.1.4 <i>Review the Coastal Management Plan</i></p>

Appendix 2 Analysis and Recommendations
Shire of Esperance Council Plan – South Coast Marine Park



<u>Comment</u>	<u>Recommendation</u>	<u>Community Value</u>	<u>Reference</u>
community values, and use of these reserves and infrastructure in relation to the proposed marine park zones.			
When it comes to fish and fish stocks, the tale of the cod fishery is one which is a cautionary fable. But climate change is the new thing...precautionary principles are allowing for that...It is the collapse of the cod fishery that lurks in the memory of conservation biologists: the catch may be high, but what is the reality?	<p>It is essential that sanctuary zones are established on a foundation of robust scientific evidence and clear reasoning. The projected conservation outcomes of these sanctuary zones need to be clearly articulated to the community and stakeholders.</p> <p>The State Government commits to a dedicated research team for the South Coast Marine Park based in the region and outlines to the community how this will be resourced and how the work will be reported back to the community.</p>	Protecting our environment and fostering climate action and environmental sustainability is a shared responsibility.	<p>Community Stakeholder</p> <p>Shire of Esperance Council Plan 2022-2032 Outcome 4. <i>The natural environment is valued, protected and enjoyed</i> Outcome 5. <i>Shared responsibility for climate action and sustainability</i></p>

Appendix 2 Analysis and Recommendations
Shire of Esperance Council Plan – South Coast Marine Park



Table 3. Place: High quality planning and infrastructure serves local needs

<u>Comment</u>	<u>Recommendation</u>	<u>Community Value</u>	<u>Reference</u>
Depending on the size of the impact on commercial fishers in the South Coast region, there could be a flow on impact that will change the socio-economic profile of the region. This could result from reduced viability of the businesses that directly rely on the industry, and the potential loss of people employed in the industry and the businesses that directly support it. If these impacts are significant, they could cause population to move away from the region.	As the magnitude of the impacts are unknown, the Shire requests the State Government to immediately undertake an in-depth socio-economic assessment once the planning process is complete and prior to the gazettement of the marine park.	The Shire believes that the current draft of the South Coast Marine Park indicative joint management plans do not reflect the well-balanced Marine Park the Government has been promising. We anticipate parts of our economy will be restricted rather than enhanced. This is primarily due to the absence of vital triple bottom line information; scientific data analysis that underpins the reason for proposed sanctuary zoning size and placement, and a thorough socio-economic analysis.	The social and economic value of the South Coast region Final Report
Where commercial fishing may be impacted, the Fishing and Related Industries Compensation (Marine Reserves) Act 1997 (FRICMA) compensation scheme will provide financial relief to those affected fishers.	Compensation and support for negatively impacted sectors is promptly provided to support business and the community with the establishment of the park.	The Esperance region already has a lack of diverse industry types and employment profile. To diminish the industry count further will have an impact on the economic performance, population and wellbeing of the region as a whole.	Community Stakeholder
	Provide appropriate funding into the region that will support the infrastructure needed to implement a marine park e.g. Signage, parking, shelters,	The Shire of Esperance actively plans for high quality infrastructure to serve local needs, including access to adequate, safe and affordable housing. We develop attractive and welcoming places, deliver efficient and safe road network, and public and shared transport services	Shire of Esperance Council Plan 2022-2032 Outcome 9: <i>Attractive and welcoming place</i>

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<u>Comment</u>	<u>Recommendation</u>	<u>Community Value</u>	<u>Reference</u>
With new staff working within the Marine Park, where will they live?	State Government to provide appropriate funding into the regions that will support Worker Accommodation for proposed research purposes.	The Shire can appreciate the new opportunities a Marine Park could bring to our communities and region. The Shire of Esperance actively plans for high quality infrastructure to serve local needs, including access to adequate, safe and affordable housing. With a substantial Marine Park, implementation of new or upgrades to established infrastructure, including housing, will be needed to manage the possible growth of the region.	Shire of Esperance Council Plan 2022-2032 Outcome 8: <i>Access to adequate, safe and affordable housing for everyone</i>
Our on-land processing facilities are not only used for the processing, freezing and storage of fish but also house the only high capacity cold/freezer storage for 400kms, and the only commercial quantity ice production and storage for 400kms.	We strongly urge the State Government to undertake a 'Community and Industries Opportunities Report' to better understand investment prospects, offset possible impacts, and identify the opportunities that a Marine Park could bring to the Esperance region.		Community Stakeholder Shire of Esperance Council Plan 2022-2032 Outcome 12.1: <i>Attract and retain diverse industries and enterprises to grow the economy and local jobs</i>

Table 4. Prosperity: Growing and thriving, the Esperance region is a great place to live, work, invest and visit

<u>Comment</u>	<u>Recommendation</u>	<u>Community Value</u>	<u>Reference</u>
A prosperous and diverse economy and community	We still believe that a balance can be found between protecting the unique cultural and environmental values whilst	The Wudjari Marine Park embodies a vision where the Aboriginal community in Esperance thrives, living and working on their ancestral lands in roles that hold deep cultural and personal meaning. This initiative not only honours their traditional connection to the land	Community Stakeholder Proposed Wudjari Marine Park indicative joint

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Shire of Esperance Council Plan – South Coast Marine Park



<u>Comment</u>	<u>Recommendation</u>	<u>Community Value</u>	<u>Reference</u>
	supporting recreational and commercial users	but also fosters a sustainable future, aligning with their values and aspirations. It is a forward-thinking approach that promises empowerment and continuity of their rich heritage.	management plan: Introduction
Proposed zoning scheme will have a severe impact on local commercial fishers.	Where industry is negatively affected, the Shire of Esperance strongly urge the State Government to expedite support (compensation, transition support) to businesses, not just license holders, negatively impacted by the park's establishment. This support is crucial for sustaining local business and the community during the transition period.		Community Stakeholder Proposed Wudjari Marine Park indicative joint management plan: 6.3 <i>Commercial fishing</i>
There are concerns around wording in the joint management plan of potential future changes, including restricting further area from public access. Business needs to be assured it can plan for a future unobstructed by more change. There is currently no confidence in the economic future for the commercial and recreational fishing industries.	Given statements from the 'social and economic value of the South Coast region Final Report', and the importance of the fishing industry to our region, it is imperative that a thorough assessment of the socio-economic impacts be conducted prior to the gazetting of the Marine Park.		Community Stakeholder Shire of Esperance Council Plan 2022-2023 Outcome 12: <i>A prosperous and diverse economy</i>

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<u>Comment</u>	<u>Recommendation</u>	<u>Community Value</u>	<u>Reference</u>
Support for marine training and research facilities available to serve the whole community, and create spaces to enable sharing of information and celebration of Wudjari sea country values with the community.	State Government to provide appropriate funding into a regional research facility - making all efforts to have people live, work and invest in this region.	Access to quality education, training and development opportunities in the Esperance region is important to the development of the region.	Proposed Wudjari Marine Park indicative joint management plan: 7.1.4 <i>Cultural and evidence-based management. Management Strategies</i> Shire of Esperance Council Plan 2022-2032 Outcome 11 <i>Access to quality education and lifelong learning opportunities</i>
Commercial Fishing Industry: Direct employment – 80 people Indirect employment – restaurants, tourism, freight, goods & services industries. Sustainable Fisheries - Dept Fisheries – assess risks as low to negligible. Proposed zoning scheme will force out 60%-80% local commercial fishers, leading to severe operational and economic challenges.	the State Government continue to work with impacted fishing and associated maritime industry to review the size and positioning of sanctuary zones to reduce impacts on industry. Where industry is negatively affected, the Shire of Esperance strongly urge the State Government to expedite support (compensation, transition support) to businesses, not just license holders, negatively impacted by the park's establishment. This support is crucial for	The fishing industry is the backbone of the South Coast region's economy and social fabric. It is interdependent and has cross-community benefits, such as providing essential services such as emergency response, fisheries science data collection, scientific studies, cold storage, and large-scale ice supplies (the closest being 400km away). The availability of fresh, high-quality, local seafood greatly benefits local businesses and boosts tourism.	Community Stakeholder Shire of Esperance Council Plan 2022-2032 Outcome 12.1: <i>Attract and retain diverse industries and enterprises to grow the economy and local jobs</i>

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<u>Comment</u>	<u>Recommendation</u>	<u>Community Value</u>	<u>Reference</u>
	sustaining local business and the community during the transition period.		
The fishing industry we have in the region supports all areas of the community. The State Government can still implement a marine park while supporting our critical fishing industry.	It is vital the State Government continue to work with impacted fishing and associated maritime industry to review the size and positioning of sanctuary zones to reduce impacts on industry.	The Esperance commercial fishing industry is small, sustainable and inter-generational. With 12 commercial fisheries operating in the region, the connection and services they provide to the isolated community is vital.	Proposed Wudjari Marine Park indicative joint management plan: 6.3 <i>Commercial Fishing</i> Shire of Esperance Council Plan 2022-2032 Outcome 12: <i>A prosperous and diverse economy</i>
Facilitate access to quality education, training and development opportunities	Realising the unique opportunities a Marine Park could bring to the region, we urge the State Government to fund the development of a research facility in the Esperance Region. The establishment of a regional University link, like Kalgoorlie and Broome, which will allow for research and education programs at a higher education Level.		Shire of Esperance Council Plan 2022-2032 Outcome 11 <i>Access to quality education and lifelong learning opportunities</i>
Infrastructure and Industry Opportunities	We strongly urge the State Government to undertake a 'Community and Industries Opportunities Report' to better understand	With a substantial Marine Park, implementation of new or upgrades to established infrastructure will be needed to manage the possible economic and tourist growth of the region.	Shire of Esperance Council Plan 2022-2032 Outcome 12: <i>A prosperous and diverse economy</i>

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<u>Comment</u>	<u>Recommendation</u>	<u>Community Value</u>	<u>Reference</u>
	investment prospects, offset possible impacts, and identify the opportunities that a Marine Park could bring to the Esperance region.	There may also be new industry or Aquaculture opportunities that will offset any disruption to the Commercial Fishing Industry.	
Opportunities & offsetting the possible changes How good for tourism?	A 'Community Support Package' is swiftly released to help transition the Esperance community to maximise the social and economic opportunities of the proposed Marine Park, and to offset the negative impacts to industry, small business and families.		The social and economic value of the South Coast region Final Report Shire of Esperance Council Plan Outcome 12: <i>A prosperous and diverse economy</i>
If the current plan were implemented we feel there would be two directions we could take in regards to the business. Option 1. Significant expansion Which would require massive investment to purchase/build a large fishing vessel that has the capacity to hold fish in refrigerated recirculating cold water tanks (usually between 20 to 50 ton per catch) this type of vessel allows you to fish throughout the zone while keeping the catch at a	It is vital the State Government continue to work with impacted fishing and associated maritime industry to review the size and positioning of sanctuary zones to reduce impacts on industry. Where industry is negatively affected, the Shire of Esperance strongly urge the State Government to expedite support (compensation, transition support) to businesses, not		Community Stakeholder Shire of Esperance Council Plan Outcome 12: <i>A prosperous and diverse economy</i>

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<u>Comment</u>	<u>Recommendation</u>	<u>Community Value</u>	<u>Reference</u>
<p>constantly cold temperature until landing. There would also need to be massive investment in on land processing to be able to process this amount of fish on arrival.</p> <p>But with the many millions of dollars required to do this, and the ever looming review periods for the marine parks (which the outer boundary is proposed to encompass all state water). We feel this would not be a wise move.</p> <p>Option 2. Downsize/closure With significant amounts of our catch coming from the proposed sanctuary zones we would be forced to downsize/close, with less product being caught and produced, our share of the nationwide market would reduce, with a less profitable business less money would be invested in it.</p>	<p>just license holders, negatively impacted by the park's establishment. This support is crucial for sustaining local business and the community during the transition period.</p>		



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Table 5. Performance: We have a clear direction for the future and a robust plan to make it happen

<u>Comment</u>	<u>Recommendation</u>	<u>Community Value</u>	<u>Reference</u>
<p>There are concerns around wording in the joint management plan of potential future changes, including restricting further area from public access. Business needs to be assured it can plan for a future unobstructed by more change.</p> <p>There is currently no confidence in the economic future for the commercial and recreational fishing industries.</p>	<p>Given statements from the 'social and economic value of the South Coast region Final Report', and the importance of the fishing industry to our region, it is imperative that a thorough assessment of the socio-economic impacts be conducted prior to the gazetting of the Marine Park.</p>		<p>Community Stakeholder</p> <p>Shire of Esperance Council Plan 2022-2023 Outcome 12: <i>A prosperous and diverse economy</i></p>
<p>Success of the Park</p>	<p>The State Government commit to adequately resourcing the indicative joint management plans, in the regions, for the 10 years of the Plan.</p>	<p>The Management Plan notes that the implementation of all strategies is ultimately subject to resource availability. We strongly believe that for the proposed South Coast Marine Park to be successful, sustainably managed and to achieve satisfaction for all stakeholders, the indicative joint management plans will need to be significantly resourced in the regions for the 10 years of the Plan. This will allow for industry confidence, and a clear direction for the future.</p>	<p>Proposed Wudjari Marine Park indicative joint management plan: 9 Implementation and operation</p> <p>Shire of Esperance Council Plan Outcome 4.1. <i>Sustainably care for, preserve and enhance natural habitats</i> 4.1.4 <i>Review the Coastal Management Plan</i></p>
<p>Depending on the size of the impact on commercial fishers in the South Coast region, there could be a flow on impact that will</p>	<p>As the magnitude of the impacts are unknown, the Shire requests the State Government to immediately</p>	<p>The Shire believes that the current draft of the South Coast Marine Park indicative joint management plans do not reflect the well-balanced Marine Park the Government has been promising. We anticipate parts</p>	<p>The social and economic value of the South Coast region Final Report</p>

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<u>Comment</u>	<u>Recommendation</u>	<u>Community Value</u>	<u>Reference</u>
change the socio-economic profile of the region. This could result from reduced viability of the businesses that directly rely on the industry, and the potential loss of people employed in the industry and the businesses that directly support it. If these impacts are significant, they could cause population to move away from the region.	undertake an in-depth socio-economic assessment once the planning process is complete and prior to the gazetting of the marine park.	of our economy will be restricted rather than enhanced. This is primarily due to the absence of vital triple bottom line information; scientific data analysis that underpins the reason for proposed sanctuary zoning size and placement, and a thorough socio-economic analysis. Without this information Council cannot appropriately forecast its own organisational Long Term Financial Plan.	Shire of Esperance Council Plan 2022-2032 Outcome 15: <i>Operational excellence and financial sustainability</i>
Transparency, Respect & Accountability	Support the Management objective - Wudjari people and the wider community work together to create a new, holistic management model for the proposed marine park that better aligns customary and contemporary management.	The Shire of Esperance looks forward to continuing our partnership with the Wudjari people, and working in a transparent, respectful and accountable way.	Proposed Wudjari Marine Park indicative joint management plan: Management Objective 9.1.2
This process hasn't been transparent - making feedback difficult.	To foster unity and clarity, we urge for the release of comprehensive socio-economic impact assessment and scientific reports that substantiate the planning and management decisions.	Our residents expect to be informed and are eager to be engaged in any projects or business that affects them. The Shire of Esperance strives to provide authentic, relevant and effective engagement and communications with our community, and advocate to any stakeholders that are falling behind in this area. We believe that the proposed marine park process hasn't been transparent, making engagement difficult.	Shire of Esperance Council Plan 2022-2023 Outcome 16: <i>A well informed and engaged community</i>
Feels that the Shires process has been unclear, methodology has been flawed. Bias representation		The Shire of Esperance exists to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.	Community Stakeholder Shire of Esperance Council Plan 2022-2032

Appendix 2 Analysis and Recommendations
Shire of Esperance Council Plan – South Coast Marine Park



<u>Comment</u>	<u>Recommendation</u>	<u>Community Value</u>	<u>Reference</u>
of Council. May not be valid nor represent the whole community.		<p>To ensure the Shire's submission reflects the diverse views of the community, the Shire Council strategically employed the Council Plan as a framework to integrate community and Organisational recommendations. The Council Plan is advised by the biannual Community Scorecard, with 1,267 residents completing the 2023 Scorecard.</p> <p>This approach underscores the Shire's commitment to a balanced and inclusive advocacy process that honors the voices of our community.</p>	

13. REPORTS OF COMMITTEES

Nil

14. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

15. MEMBERS QUESTIONS WITH OR WITHOUT NOTICE

1. Cr Obourne - Vaping Epidemic Affecting Young People

Cr Obourne asked, It is my understanding that Bottle Shops are required to submit a Development Application and Social Impact Assessment to gain Shire approval to trade. Is this correct?

Mr Greive advised, bottle shops need to submit a public interest assessment and that is through Racing, Gaming and Liquor as a apart of their liquor licencing application.

If so, can a similar approach be taken in the Shire of Esperance to address the vaping epidemic that threatens the health and futures of our young people?

Mr Greive advised, nicotine vapes and E cigarettes has been illegal in Australia for a number of years and under the Medicines and Poisons Act 2014, selling nicotine vapes could attract a maximum penalty of \$45,000. Only registered pharmacies can provide nicotine vapes as prescribed by a medical practitioner. The harms of vaping and nicotine dependants are very serious especially for young people, and if any knows of anyone selling these, please contact the Department of Health at vape.report@health.wa.gov.au

2. Cr Obourne – James Street Swimming Facility

Cr Obourne asked, It is my understanding the James Street Swimming Facility has been in a state of disrepair since at least late 2023. Despite multiple approaches to Council by community members, the issues have still not been rectified and my questions today are:

1. What repairs have taken place in the past 12 months?
2. What repairs are still required?
3. What is the timeframe for the JSSF to be fully repaired and in good working order?
4. And finally, how is the Shire keeping the community informed of these issues and the timeframes?

Mr Walker advised, the repairs have taken place and monitored the pontoons, we have removed the back pontoons as they were starting to fail as advised from the pontoon manufacturer. We have removed the lane ropes that are broken, note they are lane ropes designed for indoor swimming pools, not designed for outdoor facilities we have. We are currently investigating other options, I agree with Councillors sentiment, it has been out of action for a long time and its something we do need to focus on and get it back to a useable state.

With regard to what repairs are still required, we have only just received a quote back from the pontoon manufacturer on Friday so we are still working our way through that formal letter that we have received. We are trying to work on some resolutions, potentially those resolutions may include not returning those back pontoons to where they previously were. We are looking at making lane ropes that would be suitable for the environment. We don't want to put the same lane ropes in again particularly around breakage and cleaning of the algae that grows on them, we are trying to work our way through that, unfortunately we haven't had a lot of luck sourcing these in Australia and there are some products in America we are trying to get our hands on but is proving problematic but we are still trying to go down that path.

Time frames, I can't give you those at this stage, we have only just received the information on Friday regarding the pontoons and we are still trying to work on the lane ropes. Information to the community hasn't been enough, we do need to get some timeframes, but we will be in a better position to update the community once we have gone through everything provided from the manufacturer. We don't want to give the community expectations or promises we can't deliver.

3. Cr McMullen - Proposed South Coast marine Park Submission

Cr McMullen asked when will the Shire of Esperance submission for the Proposed South Coast Marine Park Submission be available for the public to access online?

The CEO advised it will be available tomorrow for people to read along with a media release.

16. URGENT BUSINESS APPROVED BY DECISION

Nil

17. PUBLIC QUESTION TIME

1. Manue Daniels – Proposed South Coast Marine Statement.

I was unable to find the Draft Shire of Esperance's South Coast Marine Submission in the agenda which is disappointing but it also might be the process when dealing with that matter in Council. It makes it difficult to ask a question or provide comments tonight, however I wanted to thank Council and all staff for making that submission happen, I have full confidence in the capability of Council to present a balance approach that will cater for the community views as well as supporting the social economic values that contributes to the economy of our town. It has been a very challenging issue for our town and I am very thankful to the Shire for dedicating the time and resources to make a representation on that issue and make it available to the community before closing time for their submission.

18. MATTERS BEHIND CLOSED DOORS

Officer's Comment:

It is recommended that the meeting is behind closed doors for the following items, in accordance with section 5.23(2) of the Local Government Act 1995.

Moving behind closed doors

Moved: Cr McMullen

Seconded: Cr Johnston

O0524-067

Council Resolution

That the meeting proceed behind closed doors in accordance with section 5.23(2) of the Local Government Act 1995, to consider the following items, which are considered confidential for the reasons indicated.

17.1 0564-24 - Prequalified Supplier Panel - Wild Dog Control

This report is considered confidential in accordance with the Local Government Act 1995, as it relates to a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting (Section 5.23(2)(c)).

17.2 0562-24 - Prequalified Supplier Panel - Traffic Management

This report is considered confidential in accordance with the Local Government Act 1995, as it relates to a matter that if disclosed, would reveal a trade secret, where the trade secret is held by, or is about, a person other than the local government (Section 5.23(2)(e)(i)).

17.3 0558-24 - Prequalified Supplier Panel - Plant Hire

This report is considered confidential in accordance with the Local Government Act 1995, as it relates to a matter that if disclosed, would reveal a trade secret, where the trade secret is held by, or is about, a person other than the local government (Section 5.23(2)(e)(i)).

17.4 0565-24 - Prequalified Supplier Panel - Gravel Supply

This report is considered confidential in accordance with the Local Government Act 1995, as it relates to a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting (Section 5.23(2)(c)).

17.5 0563-24 - Prequalified Supplier Panel - Professional Services

This report is considered confidential in accordance with the Local Government Act 1995, as it relates to a matter that if disclosed, would reveal a trade secret, where the trade secret is held by, or is about, a person other than the local government (Section 5.23(2)(e)(i)).

17.6 0561-24 - Prequalified Supplier Panel - Parks and Reserve Management

This report is considered confidential in accordance with the Local Government Act 1995, as it relates to a matter that if disclosed, would reveal a trade secret, where the trade secret is held by, or is about, a person other than the local government (Section 5.23(2)(e)(i)).

17.7 0560-24 - Prequalified Supplier Panel - Workshop Services

This report is considered confidential in accordance with the Local Government Act 1995, as it relates to a matter that if disclosed, would reveal a trade secret, where the trade secret is held by, or is about, a person other than the local government (Section 5.23(2)(e)(i)).

17.8 0559-24 - Prequalified Supplier Panel - Building Services

This report is considered confidential in accordance with the Local Government Act 1995, as it relates to a matter that if disclosed, would reveal a trade secret, where the trade secret is held by, or is about, a person other than the local government (Section 5.23(2)(e)(i)).

17.9 0568-24 Supply, Installation & Repair of Tyres

This report is considered confidential in accordance with the Local Government Act 1995, as it relates to a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting (Section 5.23(2)(c)).

17.10 0567-24 Supply & Placement of Hotmix Asphalt

This report is considered confidential in accordance with the Local Government Act 1995, as it relates to a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting (Section 5.23(2)(c)).

17.11 0552-24 Graham MacKenzies Stadium Replacement - Design and Construct

This report is considered confidential in accordance with the Local Government Act 1995, as it relates to a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting (Section 5.23(2)(c)).

**CARRIED
F9 - A0**

All members of the public left the chambers at 6:02pm and did not return.

Cr McMullen requested the following items relating to the prequalified supplier panels be considered en bloc.

The Presiding Member read aloud the following Resolutions

RECOMMENDATION AND DECISION

EN BLOC

Moved: Cr McMullen

Seconded: Cr Flanagan

00524-068

Council Resolution

That Council adopt the Officers Recommendations for the following items en bloc:

- | | |
|-------|---|
| 17.1 | 0564-24 – Prequalified Supplier Panel – Wild Dog |
| 17.2 | 0562-24 – Prequalified Supplier Panel – Traffic Management |
| 17.3 | 0558-24 – Prequalified Supplier Panel – Plant Hire |
| 17.4 | 0565-24 – Prequalified Supplier Panel – Gravel Supply |
| 17.5 | 0563-24 – Prequalified Supplier Panel – Professional Services |
| 17.6 | 0561-24 – Prequalified Supplier Panel – Parks and Reserves Management |
| 17.7 | 0560-24 – Prequalified Supplier Panel – Workshop Services |
| 17.8 | 0559-24 – Prequalified Supplier Panel – Building Services |
| 17.9 | 0568-24 – Supply, Installation & Repair of Tyres |
| 17.10 | 0567-24 – Supply & Placement of Hotmix Asphalt |

**CARRIED
F9 - A0**

RECOMMENDATION AND DECISION

17.1 0564-24 - Prequalified Supplier Panel - Wild Dog Control

Moved: Cr McMullen

Seconded: Cr Flanagan

00524-069

Council Resolution

That Council

- 1. Accept the following applicants for appointment to 0564-24 Prequalified Supplier Panel – Wild Dog Control as per the rates detailed in the attachment “Schedule of Rates, conditional upon the applicant’s compliance with the Shire of Esperance Contractor Management System:**
 - i. JA & KL Miller T/A Pharkarwee Trading**
 - ii. SA Green Contracting**
- 2. Advise all Applicants in their notice of acceptance that the mere existence of a Panel does not compel the Shire to purchase exclusively from such Panel. The Shire reserves the right to purchase equivalent goods and/or services available under the Panel from the open market during the period of which the Panel is established and they make no guarantee that any goods and/or services will be purchased from pre-qualified suppliers on the Panel during the 2024/25 financial year.**

**CARRIED
F9 - A0**

RECOMMENDATION AND DECISION

17.2 0562-24 - Prequalified Supplier Panel - Traffic Management

Moved: Cr McMullen

Seconded: Cr Flanagan

O0524-070

Council Resolution

That Council

- 1. Accept the following applicants for appointment to 0562-24 Prequalified Supplier Panel – Traffic Management as per the rates detailed in the attachment “Schedule of Rates, conditional upon the applicant’s compliance with the Shire of Esperance Contractor Management System:**
 - i. Jacka Trenching & Fencing**
 - ii. Rural Traffic Services Pty Ltd**
 - iii. Titan Contracting Australia Pty Ltd**
- 2. Advise all Applicants in their notice of acceptance that the mere existence of a Panel does not compel the Shire to purchase exclusively from such Panel. The Shire reserves the right to purchase equivalent goods and/or services available under the Panel from the open market during the period of which the Panel is established and they make no guarantee that any goods and/or services will be purchased from pre-qualified suppliers on the Panel during the 2024/25 financial year.**

**CARRIED
F9 - A0**

RECOMMENDATION AND DECISION

17.3 0558-24 - Prequalified Supplier Panel - Plant Hire

Moved: Cr McMullen

Seconded: Cr Flanagan

O0524-071

Council Resolution

That Council

- 1. Accept the following applicants for appointment to 0558-24 Prequalified Supplier Panel – Plant Hire as per the rates detailed in the attachment “Schedule of Rates, conditional upon the applicant’s compliance with the Shire of Esperance Contractor Management System:**
 - i. AF & SP Ridgway**
 - ii. EVMA T/A Ballantyne Earthmoving**
 - iii. Beachwind Enterprises T/A Larmour Earthmoving**
 - iv. Coates Hire Operations**
 - v. Elpha Contracting**
 - vi. Enviro Civil Services**
 - vii. Esperance Earthworks**
 - viii. Lindsay Burnett Bulldozing**
 - ix. Milcharm**
 - x. Murrpar Pty Ltd T/A MLP Civil**
 - xi. Stabilised Pavements of Australia**
 - xii. TD Contractors**
 - xiii. The Weed Terminator**
 - xiv. W.J & V Easton**
- 2. Advise all Applicants in their notice of acceptance that the mere existence of a Panel does not compel the Shire to purchase exclusively from such Panel. The Shire reserves the right to purchase equivalent goods and/or services available under the Panel from the open market during the period of which the Panel is established and they make no guarantee that any goods and/or services will be purchased from pre-qualified suppliers on the Panel during the 2024/25 financial year.**

**CARRIED
F9 - A0**

RECOMMENDATION AND DECISION

17.4 0565-24 - Prequalified Supplier Panel - Gravel Supply

Moved: Cr McMullen

Seconded: Cr Flanagan

00524-072

Council Resolution

That Council

- 1. Accept the following applicants for appointment to 0565-24 Prequalified Supplier Panel – Gravel Supply as per the rates detailed in the attachment “Schedule of Rates, conditional upon the applicant’s compliance with the Shire of Esperance Contractor Management System:**
 - i. EVMA T/A Ballantyne Earthmoving**
 - ii. Beachwind Enterprises T/A Lamour Earthmoving**
 - iii. Esperance Earthworks**
- 2. Advise all Applicants in their notice of acceptance that the mere existence of a Panel does not compel the Shire to purchase exclusively from such Panel. The Shire reserves the right to purchase equivalent goods and/or services available under the Panel from the open market during the period of which the Panel is established and they make no guarantee that any goods and/or services will be purchased from pre-qualified suppliers on the Panel during the 2024/25 financial year.**

**CARRIED
F9 - A0**

RECOMMENDATION AND DECISION

17.5 0563-24 - Prequalified Supplier Panel - Professional Services

Moved: Cr McMullen

Seconded: Cr Flanagan

00524-073

Council Resolution

That Council

- 1. Accept the following applicants for appointment to 0563-24 Prequalified Supplier Panel Professional Services as per the rates detailed in the attached "Schedule of Rates", conditional upon the applicant's compliance with the Shire of Esperance Contractor Management System:**
 - i. Bio Diverse Solutions**
 - ii. Blumar**
 - iii. Katie White T/A Caladenia**
 - iv. Enhanced Design & Drafting**
 - v. JLM Surveys**
 - vi. Lowanna Holding Trust T/A AMSS**
 - vii. Land Insights**
 - viii. M. and P.M. Anderson T/A 35 Degrees South**
 - ix. Garry Middle T/A Vision Environment**
 - x. Wells Building Design & Consultants**
- 2. Advise all Applicants in their notice of acceptance that the mere existence of a Panel does not compel the Shire to purchase exclusively from such Panel. The Shire reserves the right to purchase equivalent goods and/or services available under the Panel from the open market during the period of which the Panel is established and they make no guarantee that any goods and/or services will be purchased from pre-qualified suppliers on the Panel during the 2024/25 financial year.**

**CARRIED
F9 - A0**

RECOMMENDATION AND DECISION

17.6 0561-24 - Prequalified Supplier Panel - Parks and Reserve Management

Moved: Cr McMullen

Seconded: Cr Flanagan

O0524-074

Council Resolution

That Council

- 1. Accept the following applicants for appointment to 0561-24 Prequalified Supplier Panel Parks & Reserve as per the rates detailed in the attached "Schedule of Rates", conditional upon the applicant's compliance with the Shire of Esperance Contractor Management System:**
 - i. EVMA Pty T/A Ballantyne Earthmoving**
 - ii. Bay Diversified**
 - iii. CPC Engineering**
 - iv. Enviro Civil Services**
 - v. Elpha Contracting WA**
 - vi. Esperance Farmlet Services – Mark Cronin**
 - vii. Esperance Tjaltjraak Services**
 - viii. Esperance Tree Lopping**
 - ix. Intelife Group**
 - x. KPWC T/A Key Pest and Weed Control**
 - xi. Reed Family Trust T/A Esperance Turf and Landscape**
 - xii. TD Contractors**
 - xiii. Titan Contracting Australia**
- 2. Advise all Applicants in their notice of acceptance that the mere existence of a Panel does not compel the Shire to purchase exclusively from such Panel. The Shire reserves the right to purchase equivalent goods and/or services available under the Panel from the open market during the period of which the Panel is established and they make no guarantee that any goods and/or services will be purchased from pre-qualified suppliers on the Panel during the 2024/25 financial year.**

**CARRIED
F9 - A0**

RECOMMENDATION AND DECISION

17.7 0560-24 - Prequalified Supplier Panel - Workshop Services

Moved: Cr McMullen

Seconded: Cr Flanagan

00524-075

Council Resolution

That Council

- 1. Accept the following applicants for appointment to 0560-24 Prequalified Supplier Panel – Workshop Services as per the rates detailed in the attachment “Schedule of Rates, conditional upon the applicant’s compliance with the Shire of Esperance Contractor Management System:**
 - i. CPC Engineering**
 - ii. DMS Diesels**
 - iii. Esperance Mobile Welding**
 - iv. GMN Mechanical**
 - v. Mike Henley Mechanical**
 - vi. On Duty Deiseal and Mechanical**
 - vii. Rory Maxwell T/A Close Contracting**
 - viii. Rotech Systems T/A Rotech Auto Electrical and Air Conditioning**
 - ix. TP Warr Enterprise T/A South East Auto & Heavy Diesel**
 - x. Ultimate Enterprises Esperance**
- 2. Providing advice to all Applicants that the mere existence of a Panel does not compel the Shire to purchase exclusively from such Panel. The Shire reserves the right to purchase equivalent goods and/or services available under the Panel from the open market during the period of which the Panel is established and they make no guarantee that any goods and/or services will be purchased from pre-qualified suppliers on the Panel during the period of which the Panel is established.**

**CARRIED
F9 - A0**

RECOMMENDATION AND DECISION

17.8 0559-24 - Prequalified Supplier Panel - Building Services

Moved: Cr McMullen

Seconded: Cr Flanagan

00524-076

Council Resolution

That Council

- 1. Accept the following applicants for appointment to 0559-24 Prequalified Supplier Panel – Building Services as per the rates detailed in the attachment “Schedule of Rates, conditional upon the applicant’s compliance with the Shire of Esperance Contractor Management System:**
 - i. Ambreeze T/A Esperance Fire Services**
 - ii. Bay of Isles Mini Excavators**
 - iii. Bluemar Pty Ltd T/A Esperance Testing and Tagging**
 - iv. BM Electrical WA T/A Griffs Electrical**
 - v. Close Solutions T/A South East Fire and Safety**
 - vi. Coastal Climate Choice**
 - vii. Dhueys Electrical**
 - viii. Dunn’s Cleaning Service**
 - ix. Esperance Cabinets**
 - x. Esperance Cleaning Services**
 - xi. Esperance Electrical Service**
 - xii. Esperance Glass**
 - xiii. Esperance Plumbing Service**
 - xiv. Hollowpool T/A North Oz Electrical Contracting**
 - xv. Jim Macmillan T/A JMAC Building**
 - xvi. Key Pest & Weed Control**
 - xvii. KO & TD MACKEAN T/A Absolute Hot Water Gas**
 - xviii. Rise N Shine Group**
 - xix. Ryga T/A Thermo Air**
 - xx. The SG &NF Mackenzie Family Trust T/A Mackenzies Electrical**
 - xxi. Trinity Holdings (WA) T/A Trinity Painting and Decorating**
 - xxii. South Coast Test and Tag**
 - xxiii. Wayne Herbert Painting**
- 2. Advise all Applicants in their notice of acceptance that the mere existence of a Panel does not compel the Shire to purchase exclusively from such Panel. The Shire reserves the right to purchase equivalent goods and/or services available under the Panel from the open market during the period of which the Panel is established and they make no guarantee that any goods and/or**

services will be purchased from pre-qualified suppliers on the Panel during the 2024/25 financial year.

CARRIED
F9 - A0

RECOMMENDATION AND DECISION

17.9 0568-24 Supply, Installation & Repair of Tyres

Moved: Cr McMullen

Seconded: Cr Flanagan

O0524-077

Council Resolution

That Council awards Request for Tender 0568-24 Supply, Installation & Repair of Tyres to Esperance Combined Tyres Pty Ltd as per the schedule of rates, for a period of 2 years from 1 July 2024, with a 2 year option to extend subject to satisfactory performance.

CARRIED
F9 - A0

RECOMMENDATION AND DECISION

17.10 0567-24 Supply & Placement of Hotmix Asphalt

Moved: Cr McMullen

Seconded: Cr Flanagan

O0524-078

Council Resolution

That Council awards Request for Tender 0567-24 Supply & Placement of Hotmix Asphalt to Hosmar Pty Ltd T/A Total Asphalt as per the schedule of rates, for a period of 2 years from 1 July 2024, with a 2-year option to extend subject to satisfactory performance.

CARRIED
F9 - A0

RECOMMENDATION AND DECISION

17.11 0552-24 Graham MacKenzies Stadium Replacement - Design and Construct

MOTION

Moved: Cr Obourne
Seconded: Cr McMullen

O0524-079

That Council:

1. Does not award Request for Tender 0552-24 Graham Mackenzie Stadium Replacement - Design and Construct; and
2. Continues to use the GMS as per current management plan.
3. Reallocates \$2,934,368 in LRCL funding to the Rural Roads Program.
4. Rescopes the GMS Replacement Project in 2 years, commencing July 2026, giving due consideration to both a more cost-effective outcome and after a comprehensive public consultation process, including but not limited to key stakeholders and all GSG user groups.

LOST
F4 – A5

Against Cr Chambers, Cr Flanagan, Cr de Haas, Cr Davies, Cr Johnston

SUSPENSION OF STANDING ORDERS

Moved: Cr Flanagan
Seconded: Cr McMullen

O0524-080

That Standing Orders be suspended to allow for discussion of Item 17.11 Graham MacKenzie Stadium Replacement – Design and Construct

**CARRIED
F9 - A0**

RESUMPTION OF STANDING ORDERS

Moved: Cr Davies
Seconded: Cr Flanagan

O0524-081

That Standing Orders be resumed.

**CARRIED
F9 - A0**

MOTION

Moved: Cr Obourne
Seconded:

That Council

1. Does not award Request for Tender 0552-24 Graham Mackenzie Stadium Replacement – Design and Construct; and
2. Proceed to demolish the Graham Mackenzie Stadium to resolve the ongoing structural issues, excluding the ablution block.

MOTION LAPSED

Motion lapsed due to lack of seconder.

The original motion was put

17.11 0552-24 Graham MacKenzies Stadium Replacement - Design and Construct

Moved: Cr Flanagan
Seconded: Cr de Haas

O0524-082

That Council

Council Resolution

1. Award Request for Tender 0552-24 Graham Mackenzie Stadium Replacement – Design and Construct to Drake-Brockman Building and Construction Pty Ltd, for the three-court option, as per revised offer; and
2. Commit the additional funds required in the 2024-25 budget.

**CARRIED
F6 – A3**

Cr Obourne, Cr Starcevich and Cr Graham

Coming from behind closed doors

Moved: Cr Flanagan
Seconded: Cr McMullen

O0524-083

That the meeting come from behind closed doors.

**CARRIED
F9 - A0**

The Presiding Member read aloud the above Resolutions

19. **CLOSURE**

The President declared the meeting closed at 6:45pm.

These Minutes were confirmed at a meeting held on _____

Signed _____

Presiding Member at the meeting at which the Minutes were confirmed.

Dated _____