

ALTERNATE MOTION – COUNCILLOR PRICE

ITEM: DIS035

TITLE: WATER SKIING ACTIVITIES ON LAKE MULLOCULLUP

DATE AND TIME RECEIVED: TUESDAY 15 AUGUST 2017 AT 9.53AM

DIS035: WATER SKIING ACTIVITIES ON LAKE MULLOCULLUP

VOTING REQUIREMENT: SIMPLE MAJORITY

THAT Council SUPPORT the gazettal of Lake Mullocullopp by the Department of Transport for the purpose of allowing the operation of speed boats, specifically for water skiing, subject to the following:

- (1) That City staff develop a system to issue a limited number of permits to allow controlled water skiing on the lake;**
- (2) That an annual fee of \$100 be imposed on any permits subject to the fee being introduced in accordance with section 6.16 to 6.19 of the Local Government Act;**
- (3) That City staff consult with the local Noongar Community and adequately address any concerns raised;**
- (4) An annual environmental monitoring program be developed by the City and the fees collected for permits be used to offset the ongoing cost of the program. The results of the monitoring shall be reviewed every four (4) years;**
- (5) Prior to the implementation of a permit system, that a policy be presented for Council consideration providing full detail of the conditions to be applied on permits, and the method by which it will be implemented.**

Councillor Reason:

The City has conducted extensive Community consultation on this item and reported respondents totalling 59; 46 who are in favour of permitting skiing on Lake Mullocullopp and 13 who are opposed to the activity.

The effect of prohibiting water skiing on Lake Mullocullopp is evidently punitive on families who live and work remotely and who are accustomed to accessing this naturally formed resource, and who have limited access to alternative recreational activities.

There is currently no evidence of negative environmental impacts on Lake Mullocullopp attributable to water skiing. There is also limited evidence of any environmental degradation of Lake Mullocullopp on a relative scale of degradation. Council should reasonably be expected to determine upon an evidence based decision process.

The amended motion proposes to both establish an evidence base as well as achieve a compromise for local community members affected by the determination.

If the priority is the environment, then the Council should support the establishment of an Annual Environmental program. It should also acknowledge the feedback delivered through the community consultation process.

Officer Comment (Executive Director Works and Services):

There are no issues with the proposed alternative motion. If Council is to allow skiing on Lake Mullocullopp in any form it is considered prudent to proceed with the gazettal process as this will provide an overarching regulatory process and the City administration can be satisfied that the activity can be undertaken safely on this waterbody.

In respect to the implementation of a permit system, the *City of Albany Property Local Law 2011 – Part 3* describes how permits are issued and gives the ability to the local government to impose a fee, provided that the fee is introduced in accordance with the requirements of the Local Government Act (as for all fees and charges). This includes providing local public notice etc.

A policy will need to be developed and adopted by Council which will provide all the detail required to implement a permit system. In general, the intent of this system will be to:

- limit the number of permits and develop an equitable system to assess permit applications;
- impose conditions to limit the likelihood of environmental damage;
- ensure that any litter is disposed of in a responsible manner; and
- impose any other lawful conditions Council deems appropriate.

An annual environmental monitoring program needs to be established specifically to monitor the effects of water skiing. A review of the data in four (4) years is considered appropriate however Council could reduce this time period if it wishes.