

SHIRE OF CARNARVON MINUTES

COUNCIL MEETING
TUESDAY 24TH MARCH
2020

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on

.....
as a true and accurate record

.....
Chairman

DISCLAIMER

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

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

To be noted that, in accordance with Regulation 11 of the Local Government (Administration) Regulations 1996, the minutes of the Council Meeting are a record of the decisions of the Council, any additional officers' advice, and explanatory notes as required. The minutes contain a **summary** of questions asked by members of the public and the answers given. The minutes **are not** a transcript of the proceedings of the meetings.

INFORMATION ON PUBLIC QUESTION TIME

The following information is provided should you wish to ask a question of Council at the Ordinary Meetings held on a monthly basis.

Please note that questions that have not been filled out on the Submission Form will not be accepted.

- The Local Government Act 1995 allows members of the public to ask questions in regard to any issue relating to the Shire.
- A maximum of 15 minutes will be allowed for public question time and the Presiding Member will allow a maximum of three (3) verbal/written questions per person.
- Prior to asking a question, the speaker must state his/her name and address.
- Members of the public are discouraged from asking questions which contain defamatory remarks, offensive language or questioning the competency of staff or Council members.
- The Presiding Member may nominate a member or officer to answer the question and may also determine that any complex questions requiring research be taken on notice and answered in writing.
- No debate or discussion is allowed to take place on any question or answer.
- A summary of each question asked and the response given will be included in the minutes of the meeting –

Local Government (Administration) Regulations 1996 – Pt 2, r.11 – (in part reads -)

11. Minutes, content of (Act s.5.25(1)(f))

The content of minutes of a meeting of a council or a committee is to include –

(e) a summary of each question raised by members of the public at the meeting and a summary of the response to the question.

Responses to questions that are taken on notice will be responded to as soon as possible.

- If you wish to ask a question, please complete the Public Question Time Submission Form at the back of this information sheet. Alternatively, questions can be submitted in writing to the Shire of Carnarvon 3 days prior to the meeting.

SPECIAL MEETINGS OF COUNCIL

Members of the public are welcome to attend a Special Meeting of Council if open, and ask questions of the Council within the allotted public question time ***subject to the questions being asked only relating to the purpose of the Special Meeting*** (s5.23 of the Act and regulation 12 (4) of the Local Government (Administration) Regulations 1996, the Department of Local Government and Communities Guide to Meetings and Governance Bulletin April 2014 and Guideline No. 3 Managing Public Question Time.)

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1.0 ATTENDANCES, APOLOGIES & APPLICATIONS FOR LEAVE OF ABSENCE

(The Local Government Act 1995 Section 2.25 provides that a Council may, by resolution, grant leave of absence to a member for Ordinary Council Meetings. The leave cannot be granted retrospectively and an apology for non-attendance at a meeting is not an application for leave of absence.)

2.0 PUBLIC AND ELECTED MEMBER QUESTION TIME

(In accordance with Section 5.24 of the Local Government Act 1995, a 15 minute public question time is made available to allow members of the public the opportunity of questioning Council on matters concerning them. All questions are to be provided on the Public Question Time Submission Form.)

2.1 QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING –

2.2 PUBLIC QUESTION TIME

3.0 DECLARATIONS OF INTEREST

(Councillors and Staff are reminded of the requirements of Section 5.65 of the Local Government Act 1995, to disclose any interest during the meeting or when the matter is to be discussed.)

4.0 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

5.0 CONFIRMATION OF MINUTES

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11.0 DATE OF NEXT MEETING

11.1 Next meeting of Council will be held on Tuesday 28th April 2020 commencing at 10.00am.

12.0 MATTERS FOR WHICH MEETING TO BE CLOSED TO MEMBERS OF THE PUBLIC

12.1 Regional Express – CONFIDENTIAL ITEM

13.0 CLOSURE



**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS, STUART STREET,
CARNARVON ON TUESDAY 24TH MARCH 2020**

The meeting was declared open by the Presiding Member at 10.04am

1.0 ATTENDANCES, APOLOGIES AND APPROVED LEAVE OF ABSENCE

Cr E Smith.....	Presiding Member/Shire President
Cr B Maslen.....	Councillor, Gascoyne/Minilya Ward
Cr J Nelson.....	Councillor, Town Ward
Cr A Fullarton.....	Councillor, Town Ward
Cr L Vandeleur.....	Councillor, Town Ward
Cr L Skender.....	Councillor, Plantation Ward
Mr D Burton.....	Chief Executive Officer
Mrs D Hill.....	Senior Executive Officer
Observers.....	Nil
Leave of Absence.....	Nil
Apologies.....	Cr K Pinner, Councillor, Town Ward Cr Simpson, Coral Bay Ward

2.0 PUBLIC AND ELECTED MEMBER QUESTION TIME

(In accordance with Section 5.24 of the Local Government Act 1995, a 15 minute public question time is made available to allow members of the public the opportunity of questioning Council on matters concerning them. All questions are to be provided on the Public Question Time Submission Form.)

Public Question Time commenced at 10.04am

2.1 QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING – 25TH FEBRUARY 2020

Mr Gooch from Manberry Station had submitted the following questions –

Given that the Carnarvon Shire is on Band 2 of the Local Government Band allocations.

Question 1 – What are the requirements to meet the Band 2 criteria and could I please have a copy of the job description form?

Answer - Previously the following items were considered for the banding of Local Government

- Major growth and development;
 - Significant social/economic issues;
 - Significant demand to service and support non-resident needs; -
 - Greater diversity of services delivered than normally provided by similar sized Local Governments;
 - Total expenditure;
 - Population; and
 - FTEs.

In 2012 the Tribunal also included:

- All Local Governments, irrespective of size, are subject to the same legislated compliance requirements;
- Despite the difference in size and scope between Local Governments, there is a great deal of commonality in the issues/challenges faced by CEOs including community expectations, social issues and major developments among others;
- An enhanced level of strategic planning and community involvement due to new government initiatives such as the *Integrated Planning and Reporting Framework* initiative, major resources or business developments and significant population growth present particular challenges to Local Governments;
- This enhanced level of strategic planning has led Local Governments to require a more proactive and influential role for their CEO;
- Royalties for Regions, while delivering much needed assistance to the regions, has raised expectations and demands on Local Governments; and
- Staff recruitment/retention/turnover and the consequences for organisational capability, particularly for smaller Local Governments, is a constant and pressing issue.

Local Government CEOs within the upper end of Band 3 to the upper end of Band 2 would typically be undertaking a role with the following characteristics:

- Focused on strategic management of the whole organisation with direct reports responsible for both operational and strategic management of their area's responsibility;
- Operational involvement is restricted to critical and high risk operational issues;
- Provide an integration of service delivery with necessity for cross-organisation coordination;
- Implement sophisticated integrated strategic management frameworks (planning, organisational performance, policy and consistency frameworks, etc.) that practically direct and guide Local Government priorities, focus and management; and
- Structured cyclical processes are in place for community and stakeholder consultation and engagement.

Extracts from Salaries and Allowances Tribunal Determination 2012

Question 2 - Given the poor local economical environment for the past 3 years in the Gascoyne area, does Carnarvon Shire still meet the Band 2 criteria and will the CEO actively pursue a review of Carnarvon's Band classification?

Answer - The Banding is determined by the Salaries and Allowances Tribunal. If Council wishes the Shires current banding to be reviewed, then it can be done.

Question 3 – Does the current CEO have any previous experience in a Band 2 position and what was his highest previous level achieved?

Answer - The CEO has had previous experience at a Senior Officer and Management level at a band 1 City Council and has over 10 years' experience as a CEO at a band 4 local government and now over 12 months at a band 2 Local Government.

2.2 PUBLIC QUESTION TIME

Public Question Time was closed at 10.04

3.0 DECLARATIONS OF INTEREST

(Councillors and Staff are reminded of the requirements of Section 5.65 of the Local Government Act 1995, to disclose any interest during the meeting or when the matter is to be discussed.)

Cr Eddie Smith (Impartiality/Financial Interest) – Item 8.3.1 – Carnarvon Speedway Remediation Works – Lot 1297 Speedway Road

4.0 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN WITHOUT DISCUSSION

Nil

5.0 CONFIRMATION OF MINUTES

5.1 ORDINARY MEETING OF COUNCIL – 25TH FEBRUARY 2020

FC 1/3/20

COUNCIL RESOLUTION

Cr Maslen/Cr Nelson

That the minutes of the Ordinary Meeting of Council held Tuesday 25th February 2020 be confirmed as a true record of proceedings subject to the following amendments –

- *FC 19/2/20 – to read “Council Resolution” deleting Officer’s Recommendation 1.*
- *Item 8.3.7 – Cr Maslen declared an Impartiality Interest in this item (to be notated)*
- *FC20/2/20 – To read “Moved Cr Fullarton/Cr Skender”.*

CARRIED
6/AO

5.2 SPECIAL MEETING OF COUNCIL – 11TH MARCH 2020

FC 2/3/20

COUNCIL RESOLUTION

Cr Vandeleur/Cr Maslen

That the minutes of the Special Meeting of Council held on 11th March 2020 be confirmed as a true record of proceedings.

CARRIED
F6/AO

5.3 AUDIT COMMITTEE MEETING – 11TH MARCH 2020

FC 3/3/20

COUNCIL RESOLUTION

Cr Vandeleur/Cr Maslen

That the minutes of the Audit Committee Meeting held on 11th March 2020 be confirmed as a true record of proceedings.

CARRIED
F6/AO

6.0 PRESENTATIONS, PETITIONS AND MEMORIALS

Mr Vince Catania – Heritage Precinct

Mr Catania addressed Council and advised that as a result of COVID-19 that plans to rejuvenate the Heritage Precinct will be placed on hold. The Café has been closed down until further notice.

Mr Vince Catania – Media Release COVID-19

Mr Catania presented a Media Release “Regional Communities Support Government to STOP tourist travel now”.

Tomahawk – Mr Tom Carmody

Mr Carmody addressed Council in regard to their Development Application for the unmanned fuel station at Lot 62 Banksia Drive, Coral Bay.

7.0 ANNOUNCEMENTS BY THE PRESIDENT WITHOUT DISCUSSION

Nil

8.0 DEPARTMENTAL REPORTS

8.1 GOVERNANCE

8.1.1 ACTIONS PERFORMED UNDER DELEGATED AUTHORITY FOR THE MONTHS OF FEBRUARY/MARCH 2020

Date of Meeting:	24 th March 2020
Location/Address:	3 Francis Street, Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	David Burton, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Summary of Item:

To report back to Council actions performed under delegated authority for the months' February/March 2020.

Description of Proposal:

Refer above.

Background:

To increase transparency this report has been prepared for Council and includes all actions performed under delegated authority for –

- Development Approvals issued
- Building Permits issued;
- Health Approvals issued;
- Affixing of Common Seal

Consultation:

Nil

Statutory Environment:

Local Government Act 1995 - Section 9.49A

Planning & Development Act 2005 – Part 10 Div. 2

TPS No. 10 – Section 2.4

Shire of Carnarvon Local Government Act Local Laws S.29

Health Act 1911 – S.107; Health Act 1911, Part VI

[Health \(Public Buildings\) Regulations 1992](#)

Relevant Plans and Policy:

Nil

Financial Implications:

There are no financial implications.

Risk Assessment:

Reporting requirement only.

Community & Strategic Objectives:

Goal 5: Civic

Strong and listening Council.

ITEM	OUTCOMES AND STRATEGIES
5.2	The Shire has a high standard of governance and accountability
5.2.6	Compliance with the Local Government Act 1995 and all other relevant legislation and regulations

Comment:

The following tables outline the action performed within the organisation relative to delegated authority for the months of January/February 2020 and are submitted to Council for information.

DELEGATIONS**LAND USE AND DEVELOPMENT**

Planning and Development Act (Local Planning Schemes) Regulations 2015 Schedule 2 Clause 68 Applications to use/develop land					
File Ref:	Applicati on Ref:	Subject Land (Incl. Scheme No)	Purpose	Applicant/ Proponent	Date Granted
A620	P28/19	Lot 61 (HN 24) Angelo Street, East Carnarvon	Caravan Park layout including 4 short stay units and 5 designated car parking bays	Barron Building Surveyor	19/02/2020

BUILDING (21/01/2020 – 16/03/2020)

Application No.	Owners Name	Lot & Street	Type of Building Work
B19/113	KEVIN JOHN LEAHY	LOT 600 - 603 (57) OLIVIA TCE CARNARVON	SECURITY FENCE AND SLIDING GATE
B19/146	PETER SAMUEL RYAN	LOT 8 (1) HEARN PL MORGANTOWN	ATTACH SOLAR ARRAY TO EXISTING ROOF
B19/148	GARY HUGH HORNHARDT	LOT 7 (215) ROBINSON ST MORGANTOWN	ATTACH SOLAR ARRAY TO EXISTING ROOF
B20/001	MANUEL MARCELINO DECANHA & MARIA DORES SEGREDO DALUZ PERRY	LOT 203 (12) LUKIS PL MORGANTOWN	INSTALLATION OF SOLAR PV SYSTEM ON PROPERTY
B20/003	JUSTIN RADCLIFFE	LOT 202 (22) CROWTHER ST SOUTH CARNARVON	INSTALLATION OF SOLAR PV SYSTEM ON PROPERTY
B20/006	VANDELEUR SUPERANNUATION PTY LTD	LOT 41 (135) BOUNDARY RD KINGSFORD	INSTALLATION OF SOLAR PV SYSTEM ON PROPERTY
B20/007	ANDREW FRANK VANDELEUR	LOT 607 (15) YARDI QU BROCKMAN	INSTALLATION OF SOLAR PV SYSTEM ON PROPERTY
B20/011	JOHN FRANCIS MC CLOY	LOT 21 (20) CAREY ST SOUTH CARNARVON	INSTALL SOLAR SYSTEM ON EXISTING SHED ROOF
B20/012	CORAL BAY INVESTMENTS PTY LTD	LOT 13 (20) ROBINSON ST CORAL BAY	CONSTRUCTION OF TWO SHORT STAY ACCOMMODATION UNITS - MODULAR BUILDINGS TO BE INSTALLED/FINISHED ON SITE
B20/013	KIM THOMAS GANE	LOT 50 (7) FINNERTY ST EAST CARNARVON	INSTALL 24 SOLAR PANELS FACING NORTH ON EXISTING SHED
B20/014	CRAIG WILLIAM CONDIE & KATHLEEN JOAN DONALD	LOT 82 (115) WILLIAM ST EAST CARNARVON	SHED WITH PART BOUNDARY FENCE
B20/015	JOHN FRANCIS & CHRISTINE MARIE KEARNEY	LOT 181 (736) SOUTH RIVER RD SOUTH PLANTATIONS	GROUND MOUNTED SOLAR SYSTEM NEAR HOUSE
B20/017	MUNDILLYA FARM PTY LTD	LOT 200 & 201(393) NORTH RIVER RD NORTH PLANTATIONS	INSTALL GROUND MOUNTED SOLAR SYSTEM
B20/018	KIM TU & LINH THI THU NGUYEN & CHI HUU MAI	LOT 96 (132) NORTH RIVER RD NORTH PLANTATIONS	INSTALL SOLAR SYSTEM ON EXISTING SHED
B20/020	ASHLEY LLOYD SHANNON	LOT 2 (18A) NORTON WAY MORGANTOWN	INSTALL SOLAR SYSTEM ON SHED
B20/021	DEAN JOHN & JODI MARIE RICHARDS	LOT 309 & 372 (291) MCGLADES RD NORTH PLANTATIONS	INSTALL ROOF MOUNT SOLAR SYSTEM
B20/022	LOHMAN NOMINEES PTY LTD	LOT 56 (427) ROBINSON ST EAST CARNARVON	ATTACH SOLAR ARRAY TO EXISITING ROOF
B20/023	ATF CARNARVON PROPRTY TRUST CYNARA ENTERPRISES PTY LTD	LOT 734 (72) WHITLOCK ST SOUTH CARNARVON	INSTALLATION OF 23 SOLAR PANELS ON EXISTING TIN SHED ROOF

Application No.	Owners Name	Lot & Street	Type of Building Work
B20/025	MICHAEL & JENNIFER LEE ARTHUR	LOT 35 (994) NORTH WEST COASTAL HWY KINGSFORD	INSTALL 11 SOLAR PANELS FACING WEST AND 12 FACING EAST
B20/056	TELSTRA CORPORATION PTY LTD	LOT 201 (7) JOHNSTON ST CARNARVON WA 6701	BOUNDARY FENCE
B20/057	DEPARTMENT FOR HOUSING	LOT 278 (21) MEIKLEJOHN CRES BROCKMAN	ERECT FENCE
B20/061	RAYMOND SIDNEY & SANDRA ANN MONCK	LOT 480 (14) RICHARDSON ST SOUTH CARNARVON	INSTALL SOLAR PANELS ON EXISTING SHED
B20/062	SUZANNE ELIZABETH JORDAN	LOT 4 (57) CLEAVER ST SOUTH CARNARVON	SOLAR PANEL INSTALLATION ON EXISTING CARPORT
B20/063	MAUREEN KAYE & MATHWEEN GEORGE COSH	LOT 3 (148) SOUTH RIVER ROAD, SOUTH PLANTATIONS	SOLAR PANELS ON SHED
B20/069	LUKE RICARD SKENDER & CAROLIEN CECILE PATRICIA CLAASSENS	LOT 73 (80) SHALLCROSS STREET, EAST CARNARVON	PINE LAP FENCE ON SOUTHERN BOUNDARY, PINE LAP FENCE ON EASTERN BOUNDARY

**SHIRE OF CARNARVON
STATUS REPORT
CURRENT AS AT MARCH 2020**

MINUTE REF	DETAIL	RESPONSIBLE OFFICER	STATUS	ANTICIPATED COMPLETION DATE
27/11/15	Proposed Engagement – Work for the Dole Program	David Burton	Officers are meeting with ABC Group on a regular basis to identify and progress specific projects. Draft MOU related to the Arboretum has been referred to ABC and the Carnarvon Tree Society for agreement prior to submitting to the Council.	Further discussions with the Tree Society indicate that they wish the original MOU for the Arboretum to remain unaltered. The relationship with the ABC Foundation in this regard is being discussed. We will be trying to progress this in July/August. Program now with Real Futures
SCM 1/8/16	Gascoyne Memorial Foundation – Access Arrangements for ILUs	Paul Lees	Relates to existing access arrangements over Shire land at the southern end of the site. Council has advised that it would like the matter to be formalised through the formation of an access easement in favour of GMF.	Shire officers are preparing the documentation associated with the application process.
20/8/16	Public Open Space Strategy	Paul Lees	The <u>draft</u> Public Open Space Strategy was completed by the Shire’s consultant; however, the document requires further Carnarvon-specific actions to make the document meaningful to the local setting. A project plan for the completion of the strategy has been developed and further work has recommenced on the project. The completion of the draft strategy will include further consultation.	Project is being progressed for completion by June 2020
16/9/16	The Shire’s Local Laws are overdue for review and do not reflect the	Paul Lees	Officers have commenced the engagement of a WA local law specialist to review the Shire’s local laws and commence drafting of new laws consistent with the State template.	It is expected that the review of the local laws

	current WA State standard for local law format.			will be completed by June 2020.
23/12/16	Notice of Removal of Houses – Lot 259, 1065 NRR	Dane Wallace	All three (3) buildings on site are of sub-standard construction and need to be removed. Shire officers will revisit the site to ascertain the current situation and obtain process for demolition of the remaining buildings.	Quotes will be obtained by end of March 2020 and the matter brought back to Council for budget consideration.
14/3/17	Signage – Heritage Walking Trail	David Nielsen	Work order for completion by internal staff issued.	March 2020
9/9/17	Revocation of Motion – Carnarvon Heritage Old Tramway Lease	Carolien Claassens	The Heritage Group has provided a Project Brief of the Revitalisation of the One Mile Jetty to the Carnarvon Town Tramway. The brief provided requires more work to in order for it to support an application for a new lease.	Timing is in the hands of the Heritage Committee Letter written to follow up on this.
16/9/17	Local Planning Scheme No.13	Paul Lees	Submissions received, modifications prepared and supported by Council, with all documentation sent to the DPLH who is reviewing the documentation.	The matter is now with the Department & WAPC for finalisation and approval by the Minister.
24/11/17	Bayview Coral Bay – Local Development Plan	Paul Lees	The applicant has requested that the draft Local Development Plan that has been publicly advertised be put on hold while other strategic matters relating to Coral Bay are finalised; the completion of LPS No. 13.	The final decision on LPS13 rests with the Minister.
10/1/18	Proposed Transfer of Management Order – CWA Lot 353	Paul Lees	The Department of Planning, Lands and Heritage have been advised of Council’s view (may be prepared to accept the land and buildings as freehold) and further discussions are proceeding.	The matter rests with the Department of Lands.
8/2/18	Closure of PAW – Lot 302 Wheelock Way	Paul Lees	Council has resolved that the Shire proceed with the process for the closure of the pedestrian accessway as outlined in the WAPC’s guideline, and the proposed infrastructure associated with the closure is included in the 2018/19 budget. The report has been finalised and sent to the WAPC for their consideration. Department staff are currently assessing the matter.	The decision on the closure rests with the WAPC. DPLH officers are working through their processes.
20/6/18	Lotteries House – Boundary Realignment	Paul Lees	Council on 26 June 2018 resolved to approve the Lotteries House boundary realignment, and to waive the fees relating to the related subdivision application	The timeframe for completion of the

			(re-alignment of the boundary to accommodate the extension to Lotteries House, and the amalgamation of Lots 111, 189 and 190). The subdivision application has been approved by WAPC and the Shire will now lodge the Deposited Plan with WAPC, who need to review, accept and issue titles.	subdivision rests with the WAPC.
9/8/18	MOU Amendment – Men’s Shed	Carolien Claassens	Awaiting response from Men’s Shed for the approval amended MoU. This matter is in the hands of the Men’s Shed.	MOU with Mens Shed.
13-14/8/18	St John Ambulance – Land Exchange	Paul Lees	Shire officers have lodged the subdivision application for the Robinson Street parcel as per Council’s resolution with the WAPC. The WAPC has now provided the Shire with the approval of the subdivision with conditions.	Shire officers will establish a project plan to address the conditions of subdivision relating to infrastructure provision/stormwater.
28/5/19	Cancellation of Dog Registration under Section 16(3)(A) of the Dog Act 1976	Paul Lees	The matter of the welfare and management of dogs associated with 95 Boor Street have been ongoing, with a number of infringements issued for non-compliance with the Dog Act 1976 over the last two years, and substantial Shire resources allocated to the matter. As an only option going forward the Council has directed the Shire’s authorised officer to cancel the registration of all dogs registered to the said owner. The Notice of Cancellation has been served to the registered owner, who has appealed the matter to the State Administration Tribunal.	The registered owner has withdrawn the appeal to SAT in the hope of a negotiated outcome. The alternative motion to Council was unsuccessful and the cancellation of the dog registrations stands. The owner is likely to reinstate the appeal with SAT.
12/8/19	Café – Carnarvon Airport	Carolien Claassens	The applicant has been advised about the approval of the change of business entity running the café and the approval of a portion of the structural maintenance. The applicant has requested to wait with advertising of the lease until further notice.	January 2020
15/8/19	Main Street Pathway and Parking Rearrangement	David Nielsen	Positive comments received on no parking on grass signs. Public consultation material being prepared.	March 2020
17/8/19	Draft Authorised Inquiry Report – DLGSC	David Burton	Response sent – waiting on final report.	Report to January Meeting.

				Training being organised.
11/9/19 18/11/19	Notice of Motion – Removal of Blowholes Shacks Assessed as n Dangerous Condition	David Burton Paul Lees	Approved by Council in September 2019 however Council has passed a new motion in 2019 to: revoke Motion FC11/9/19 – Removal of Blowholes Shacks assessed as being in a dangerous condition; the establishment of a committee to address the current condition of shacks and to resolve a development plan acceptable to all parties and stakeholders; that Council request the CEO to investigate the outcomes of the Blowholes workshop which requested clarification on State Planning Policy 2.6 (Coastal Planning); and Council instruct the CEO to re-issue leases to the registered shack owners commencing 1 July 2020 at the rate of \$1,000 per annum.	The committee is required to report back to Council within 8 months of the date of the resolution. Meetings as required by Council have commenced. Items for Blowholes development to go to Tender early March with return to Council for April/May 2020. Working with Committee to go ahead with program.
12/11/19	Health Studio Lot 56 Cleaver St – Retrospective Approval	John Meggitt	The application was approved with conditions by Council at the November 2019 Council meeting.	The owner has advised gym users of the need to comply with the restricted hours of operation.
8/12/19	Permanent Road Closure – Lot 12 NWCH	John Meggitt	The application was supported at the December 2019 Council meeting and the Shire has advised the Minister accordingly.	Timeframes for completion of the road closure rest with the Department.
15/12/19	Fascine Wall Structural Analysis	David Nielsen	Awaiting formal confirmation of funds release by DPIRD. Project planning underway.	Funding released and work being organised. June 2020
16/12/19	Community Growth Fund Applications	Jennifer MacKellin	February round completed. Applications for Iconic Events being received	The next round of applications will close on: 30 April

				Small Assistance & Community Support – 30 May Iconic Events – 30 April
18/12/19	Recording & Web Streaming of Council Meetings	Maurice Werder	Resolution FC 18/12/19 resolved to investigate the recording & web streaming of council meetings. Investigations into how other councils do it and decide on a model by Council resolution. Plan to incorporate into the 2020/2021 Budget.	To be researched in preparation of the Budget 2020/2021
17/12/19	Quarterly Budget Reports	Maurice Werder	Resolution FC 17/12/19 resolved that a budget Report be presented to Council on a Quarterly basis. Management plan is to present a COA / Job Variance Report as used by staff on an ongoing basis for expenditure monitoring, MYR, and Budget Planning.	YTD report to be presented for each Quarter going forward
19/12/19	Review of Provision of Legal Services	Maurice Werder	Resolution FC 19/12/19 resolved to review legal representation contracts request quotations. The RFQ was already in place, and closed on 08 January 2020, and is being evaluated. An extension of the RFQ using e-quotes is being actioned.	
20/12/19	Building Better Regions Fund Grant Application	Jennifer MacKellin	Application submitted. Awaiting outcome. The State is now contributing \$291k, which reduces our reliance on this grant to \$222k.	June 2020
21/12/19	Review of D001 Mobile Traders Policy	Maurice Werder	Resolution FC 21/12/19 resolved to review and update the current of D001 Mobile Traders Policy with reference to similar Shires.	In consultation with Development Services to update.
22/12/19	Budget Variation Club Development Project	Maurice Werder	Resolution FC 22/12/19 resolved to adopt the budget variations for matching expense and revenue for the Regional Every Club Funding Program.	Adopted by Council and to be actioned by Community Services.
4/1/20	Renewal of Lease – Lions Club	Maurice Werder Gloria Quinn	Resolved to lease the building to the Lions Club for a 1 year lease only	In communication with Lions Club about Deed of amendment
10/1/20	Lot 300 Olivia Tce – Progress Report	David Burton	Resolved that State Government to demolish buildings and remediate the site with possible purchase by Shire in the future.	Letter to be sent for resolution. Waiting for response.
19/1/20	Motorcycle Club – Building Insurance Waiver	Maurice Werder Gloria Quinn	Council approved the extension of the lease for a further 5 year period.	Awaiting signatures
24/1/20	Blowholes Conceptual Projects	Paul Lees	Council supports preparation of design concepts being developed. Concepts were presented at a Council workshop and are currently being modified to	The tender documentation has

			maximise community benefit. Open days have been held at the Shire offices for community input into the development concepts.	been finalised and circulated through the normal channels.
6/2/20	Policy Review C002 – Inclusion of Legal Services Panels	Maurice Werder	Service Provision for Legal Services	To be returned to Council.
7/2/20	Budget Variation – Area Promotions	Maurice Werder	Transfer funds for Area Promotion	Variation Noted COMPLETED
8/2/20	Response to Differential Rate Query with Department Local Government	Maurice Werder	Motion Lapsed	Waiting for Dept of LG Response
9/2/20	Shire of Carnarvon Compliance Audit Return 2019	Maurice Werder	Annual Compliance Audit Return	Submitted to Audit Committee March 2020 COMPLETED
10/2/20	DA – Hudson Circus	John Meggitt	Council approved the Development Application with the conditions as recommended on 25 February 2020.	The applicant has been forwarded the Notice of Determination. COMPLETED
11/2/20	Carnarvon Space & Technology Museum - Antennas	John Meggitt	Council approved the Development Application with the conditions as recommended on 25 February 2020.	The applicant has been forwarded the Notice of Determination. COMPLETED
12/2/20	LDP – Christian School	John Meggitt	Council approved the Local Development Plan application on 25 February 2020.	The applicant has been advised of the decision of Council. COMPLETED
13/2/20	DA – 2020 Kickstarters Dash	John Meggitt	Council approved the Development Application with the conditions as recommended on 25 February 2020.	The applicant has been forwarded the Notice of Determination. COMPLETED
15/2/20	DA – Oversize Shed Lot 1 William Street	John Meggitt	Council approved the Development Application with the conditions as recommended on 25 February 2020.	The applicant has been forwarded the Notice of Determination. COMPLETED

15/2/20	DA – Outbuilding for Storage – Lot 82 William St	John Meggitt	Council approved the Development Application with the conditions as recommended on 25 February 2020.	The applicant has been forwarded the Notice of Determination. COMPLETED
15/2/20	Gascoyne Hotel – Fence and Gate	John Meggitt	Council approved the Development Application with the conditions as recommended on 25 February 2020.	The applicant has been forwarded the Notice of Determination. COMPLETED
16/2/20	Australia Post – Mobile Trading Licence	John Meggitt	Council at the 25 February 2020 meeting resolved (i) “That Council resolve to work with the applicant Lisa Eveson, the local community and stakeholders, to find a suitable, safe vehicular friendly, compliant mobile trading site to operate the Australia Post service from. With special consideration given to operating at the Shire road reserve to the south of Baiyungu Aboriginal Corporation Village (BACV) workers accommodation Lot 308 and to the north of Lot 307 Coral Bay”; and (ii) “CEO be directed to establish the hard stand area south of the BACV for the use by mobile traders as a matter of priority to be completed on or before end of March 2020”.	The CEO has approved a mobile trader’s licence (under delegation) for the Australia Post contractor within the road reserve of Banksia Drive (north-eastern location) south of the BACV.
17/2/20	Review of Shire Tourism Strategy & Action Plan	Paul Lees	Council at the 25 February 2020 meeting agreed to “the release of the RFQ Brief Shire of Carnarvon Tourism Strategy and Action Plan and to the engagement of a suitably qualified expert to undertake the review of the August 2012 Addendum & Action Plan, noting that the RV Friendly Plan will be developed after the completion of the tourism strategy.	Shire officers are prepared to action the RFQ, however this matter may be brought back to Council in light of emerging actions surrounding the National health crisis.
18/2/20	Invitation to PANNZ Markets 2020	Paul Lees	Council provided approval for the Manager Carnarvon Civic Centre to travel to Auckland NZ to attend the PANNZ Markets 2020 event.	Event was successfully attended. COMPLETED
22/2/20	Road Asset Information – Budget Variation	David Nielsen	Pickup of Road Data.	Works to commence soon
25/2/20	Sale of Surplus Items by Auction	David Nielsen	Approved by Council at February 2020 Meeting.	Being advertised
27/2/20	Street Art – Request for Signage	Jennifer MacKellin	Meeting held with Sabrina Dowling Giudici	30 June 2020

			Quotes for small plaques still to be obtained. Discussion held with Ingarrda 13/03/2020, who supported progress on this matter and gave feedback.	
28/2/20	Aboriginal Community Engagement Officer	Jennifer MacKellin	Recruitment completed. Position to appear on new org. chart to be endorsed by Council through budget process.	COMPLETED

OFFICER'S RECOMMENDATION

That Council accept the Status Report and reports outlining the actions performed under delegated authority for the months January/February 2020.

FC 4/3/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Maslen/Cr Vandeleur

That Council accept the Status Report and reports outlining the actions performed under delegated authority for the months January/February 2020.

CARRIED

F6/AO

8.1.2 ANNUAL REPORT AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2019

Date of Meeting:	24 th March 2020
Location/Address:	N/A
Name of Applicant:	Shire of Carnarvon
Name of Owner:	N/A
Author/s:	David Burton, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	18 December 2018

Summary:

In accordance with the *Local Government Act, 1995* the Council is required to present to the electors' the following:

- The Report of the Shire President for the year ended 30 June 2019;
- The Report of the CEO for the year ended 30 June 2019;
- The Annual Report and Financial Statements for the year ended 30 June 2019; and
- The Auditors Report for the Financial Statements for the year ended 30 June 2019.

These reports are contained within one document titled the 2018/19 Annual Report which will be made available on the Shire's website, and at the Administration Office and Carnarvon Regional Library.

Background:

As required by legislation, the Annual Financial Report for the year ending 30 June 2019 was submitted in draft to the Shire Auditor, reviewed and subsequently considered by the Shire Audit Committee on the 11th March 2020 in accordance with *Section 6.4 (3) of the Local Government Act, 1995*.

A final draft of the Annual Report for 2018/19, incorporating the Annual Financial Report, is now presented for Council consideration and acceptance. A copy of this report is presented as **Schedule 8.1.2**

Consultation:

Nil.

Statutory Environment:

Section 5.53 of the *Local Government Act, 1995* requires the Local Government to prepare an Annual Report for an Annual Electors Meeting, inclusive of the Shire President Report, CEO Report, Annual Financial Statements and Auditors Report for each financial year.

Section 5.54 of the *Local Government Act, 1995* also prescribes:

5.54. Acceptance of annual reports

- (1) *Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.*
** Absolute majority required.*
- (2) *If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.*

The Auditor's Report was received on the 27th February 2020.

Section 5.27 of the *Local Government Act, 1995* requires the Local Government to convene an Annual Electors meeting once every financial year, as outlined below:

5.27. Electors' general meetings

- (1) *A general meeting of the electors of a district is to be held once every financial year.*
- (2) *A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.*
- (3) *The matters to be discussed at general electors' meetings are to be those prescribed.*

Further, Regulation 17 of the Local Government (Administration) Regulations 1996, states voting on matters at the Annual General Meeting of Electors is to be conducted as follows:

- (1) *Each elector who is present at a general or special meeting of electors is entitled to one vote on each matter to be decided at the meeting, but does not have to vote.*
- (2) *All decisions at a general or special meeting of electors are to be made by a simple majority of votes.*
- (3) *Voting at a general or special meeting of electors is to be conducted so that no voter's vote is secret.*

Relevant Plans and Policy:

Nil.

Financial Implications:

Nil.

Risk Assessment:

As prescribe by Section 5.54 of the *Local Government Act, 1995* the Council needs to accept by resolution the Annual Report before 26th April 2020 and then proceed to convene an Annual Electors Meeting within 56 days from acceptance. Failure to adhere to this requirement will result in a breach of the legislation.

Strategic Implications:

Goal 5: Civic

Strong and listening Council.

ITEM	OUTCOMES AND STRATEGIES
5.2	The Shire has a high standard of governance and accountability
5.2.6	Compliance with the Local Government Act 1995 and all other relevant legislation and regulations

Voting Requirements

Simple majority.

Comment

Following acceptance of the 2018/19 Annual Report it is suggested that Council convene an Annual Electors Meeting on Tuesday 14th April 2020. It is viewed this date will afford sufficient notice for the Electors Meeting, and allow for any matters arising to be presented to Council at the April 2020 Ordinary Meeting for consideration.

OFFICER'S RECOMMENDATION

That Council:

1. *Pursuant to Section 5.54 of the Local Government Act, 1995 receive and accept the Annual Report for the year ended 30 June 2018, incorporating the Shire President Report, CEO Report, Financial Statements and Auditors Report, presented Schedule 8.1.2 of this report, with copies of the Annual Report 2018/19 to be made available on the Shire website electronically, and at the Shire Administration Centre and Carnarvon Regional Library in hard copy.*
2. *In accordance with Section 5.27 of the Local Government Act, 1995 set the date for the 2018/19 Annual Electors Meeting to be held on Tuesday 14th April 2020 commencing at 5.30pm in the Council Chambers Stuart Street Carnarvon, with notice of the meeting to be:*
 - *published in two editions of the Midwest Times Newspaper,*
 - *publicised on the Shire Website, Facebook page, and Carnarvon radio;*
 - *presented on the Shire Administration Centre reception, Carnarvon Regional Library and Coral Bay Supermarket (subject to the owner's consent).*

FC 5/3/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Maslen/Cr Nelson

That Council:

1. *Pursuant to Section 5.54 of the Local Government Act, 1995 receive and accept the Annual Report for the year ended 30 June 2018, incorporating the Shire President Report, CEO Report, Financial Statements and Auditors Report, presented Schedule 8.1.2 of this report, with copies of the Annual Report 2018/19 to be made available on the Shire website electronically, and at the Shire Administration Centre and Carnarvon Regional Library in hard copy.*
2. *In accordance with Section 5.27 of the Local Government Act, 1995 set the date for the 2018/19 Annual Electors Meeting to be held on Tuesday 14th April 2020 commencing at 5.30pm in the Council Chambers Stuart Street Carnarvon, with notice of the meeting to be:*
 - *published in two editions of the Midwest Times Newspaper,*
 - *publicised on the Shire Website, Facebook page, and Carnarvon radio;*
 - *presented on the Shire Administration Centre reception, Carnarvon Regional Library and Coral Bay Supermarket (subject to the owner's consent).*

CARRIED
F6/A0

8.2 CORPORATE SERVICES

FC 6/3/20

COUNCIL RESOLUTION

Cr Nelson/Cr Fullarton

That Items 8.2.1 and 8.2.3 be considered en-bloc.

CARRIED
F6/A0

FC 7/3/20

COUNCIL RESOLUTION

Cr Vandeleur/Cr Fullarton

That Items 8.2.1 and 8.2.3 as follows, be adopted by Council –

8.2.1 ACCOUNTS FOR PAYMENT 29 FEBRUARY 2020

File No:	ADM0186
Date of Meeting:	24 March 2020
Location/Address:	Shire of Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	Dallas Wood Harris – Relieving Creditors Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Summary of Item:

To present the listing of accounts paid from the Municipal Fund and Trust Fund in accordance with the requirements of the Local Government (Financial Management) Regulations 1996.

Description of Proposal:

N/A

Background:

Council has previously delegated to the CEO the exercise of its power under Financial Management Regulation 12 to make payments from Municipal Fund and Trust Fund.

Consultation:

Nil

Statutory Environment:

Local Government Act 1995 – Section 5.42

Local Government (Financial Management) Regulations 1996 – Regulations 12 and 13

Relevant Plans and Policy:

All accounts are paid as per the Shire of Carnarvon's 2019/2020 Budget.

Financial Implications:

Ongoing management of Council funds by providing Council with sufficient information to monitor and review payments made.

Community & Strategic Objectives:

ITEM	OUTCOMES AND STRATEGIES
5.2	The Shire has a high standard of governance and accountability
5.2.1	Robust decision-making by culturally aware, well-informed and supported Councillors
5.2.3	Risks are well managed
5.2.6	Compliance with the Local Government Act 1995 and all other relevant legislation and regulations
5.4	Sound financial and asset management
5.4.4	Financial transactions are accurate and timely

Comment:

Accounts paid to 29 February 2020 are listed in *Schedules 8.2.1.(a) and 8.2.1.(b)*.

OFFICER'S RECOMMENDATION

That Council

- a) *Receive the list of payments, as per Schedule 8.2.1 (a) totalling \$603,567.38 as presented for the month of February 2020 incorporating;*

<i>Payment Reference from:</i>	<i>Payment Reference to:</i>	<i>Payment Type</i>	<i>Payment Amount</i>
<i>DD37465</i>	<i>DD37564</i>	<i>Bank Direct</i>	<i>\$69,479.43</i>
<i>47111</i>	<i>47125</i>	<i>Muni Cheques</i>	<i>\$45,537.76</i>
<i>7492</i>	<i>7494</i>	<i>Trust Cheques</i>	<i>\$514.22</i>
<i>EFT29911</i>	<i>EFT30137</i>	<i>Muni EFT</i>	<i>\$485,409.22</i>
<i>EFT29942</i>	<i>EFT30138</i>	<i>Trust EFT</i>	<i>\$2,626.75</i>

- b) *Receive the list of credit card payments, as per Schedule 8.2.1 (b), totalling \$2,200.29 as presented.*

- c) *Note Sundry Creditors as at 29 February 2020 \$374,718.71*

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

That Council

- a) *Receive the list of payments, as per Schedule 8.2.1 (a) totalling \$603,567.38 as presented for the month of February 2020 incorporating;*

<i>Payment Reference from:</i>	<i>Payment Reference to:</i>	<i>Payment Type</i>	<i>Payment Amount</i>
<i>DD37465</i>	<i>DD37564</i>	<i>Bank Direct</i>	<i>\$69,479.43</i>
<i>47111</i>	<i>47125</i>	<i>Muni Cheques</i>	<i>\$45,537.76</i>

7492	7494	Trust Cheques	\$514.22
EFT29911	EFT30137	Muni EFT	\$485,409.22
EFT29942	EFT30138	Trust EFT	\$2,626.75

- b) Receive the list of credit card payments, as per Schedule 8.2.1 (b), totalling \$2,200.29 as presented.
c) Note Sundry Creditors as at 29 February 2020 \$374,718.71

8.2.3 INVESTMENTS AS AT 29 FEBRUARY 2020

File No:	ADM0186
Date of Meeting:	24 March 2020
Location/Address:	Shire of Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	Jodie Anderson, Acting Manager Finance
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Summary of Item:

To report the Council details of surplus funds invested to 29 February 2020.

Description of Proposal:

N/A

Background:

Nil.

Consultation:

Takes place with Financial institutions prior to renewal of investments.

Statutory Environment:

Section 6.14 of the *Local Government Act 1995* grants Council the power to invest surplus funds.

Relevant Plans and Policy:

The investment report is produced in accordance with Council's investment policy.

Financial Implications:

Nil.

Risk Assessment:

No risk identified.

Community & Strategic Objectives:

ITEM	OUTCOMES AND STRATEGIES
5.2	The Shire has a high standard of governance and accountability
5.2.1	Robust decision-making by culturally aware, well-informed and supported Councillors
5.2.3	Risks are well managed

5.2.6	Compliance with the Local Government Act 1995 and all other relevant legislation and regulations
5.4	Sound financial and asset management
5.4.4	Financial transactions are accurate and timely

Comment:

The attached monthly report on investments (*Schedule 8.2.3*) has been compiled in accordance with the reporting framework included as part of Council's investment policy.

OFFICER'S RECOMMENDATION

That Council receive the investments report, as at 29 February 2020 as per Schedule 8.2.3.

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

That Council receive the investments report, as at 29 February 2020 as per Schedule 8.2.3.

CARRIED
F6/AO

8.2.2 FINANCIAL ACTIVITY STATEMENT 29 FEBRUARY 2020

File No: ADM0186
Date of Meeting: 24 March 2020
Location/Address: Shire of Carnarvon
Name of Applicant: Shire of Carnarvon
Name of Owner: Shire of Carnarvon
Author/s: Jodie Anderson, Acting Manager Finance
Declaration of Interest: Nil
Voting Requirements: Simple Majority

Summary of Item:

In accordance with Regulation 34 of the Local Government (Financial Management) Regulations, the Shire Administration is required to prepare a monthly Statement of Financial Activity for approval by Council.

Description of Proposal:

N/A

Background:

This report provides elected members with information about operating and capital revenues and expenditures. It also links operating results with balance sheet items and reconciles with the end of month balances.

Consultation:

Nil

Statutory Environment:

Local Government (Financial Management) Regulation 34.

34. Financial activity statement required each month (Act s. 6.4)

(1A) In this regulation —

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —
 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
 - (b) budget estimates to the end of the month to which the statement relates; and
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing —
 - (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and
 - (b) an explanation of each of the material variances referred to in sub regulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown —
 - (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —
 - (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

Relevant Plans and Policy:

Corporate Business Plan 2018 - 2022

Financial Implications:

Nil.

Risk Assessment:

Council would be contravening the Local Government Act should these statements not be received.

Community & Strategic Objectives:

ITEM	OUTCOMES AND STRATEGIES
5.2	The Shire has a high standard of governance and accountability
5.2.1	Robust decision-making by culturally aware, well-informed and supported Councillors
5.2.3	Risks are well managed

ITEM	OUTCOMES AND STRATEGIES
5.2.6	Compliance with the Local Government Act 1995 and all other relevant legislation and regulations
5.4	Sound financial and asset management
5.4.4	Financial transactions are accurate and timely

Comment:

Attached as **Schedule 8.2.2** for consideration is the completed Statement of Financial Activity for the period ended 29 February 2020.

In accordance with the Local Government (Financial Management) Regulations, a report must be compiled on variances greater than the percentage agreed by Council which is currently plus (+) or minus (-) of 10%, or \$10,000, whichever is the higher.

OFFICER'S RECOMMENDATION

That Council, in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996, receive the Statement of Financial Activity for the period ended 29 February 2020 as per Schedule 8.2.2.

FC 8/3/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Vandeleur/Cr Nelson

That Council, in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996, receive the Statement of Financial Activity for the period ended 29 February 2020 as per Schedule 8.2.2.

LOST
FO/A6

(Note to Minute – Councillors were not confident of the information provided in regard to variances and requested that more detailed explanation be provided.)

8.2.4 STATUTORY BUDGET REVIEW 29 FEBRUARY 2020

File No: ADM0027
Date of Meeting: 24 March 2020
Location/Address: Shire of Carnarvon
Name of Applicant: Shire of Carnarvon
Name of Owner: Shire of Carnarvon
Author/s: Maurice Werder, Executive Manager Corporate Services
Jodie Anderson, Acting Manager Finance
Declaration of Interest: Nil
Voting Requirements: Absolute Majority

Summary of Item:

This report presents a review of the 2019/2020 Budget as required by regulation and seeks variation to the allocation of funds where considered necessary for operational purposes.

Description of Proposal:

The report reviews the performance of income and expenditure for the current fiscal year and presents adjustments to accommodate the operations of the Shire over the coming four month period.

Background:

The Local Government Act and Regulations require a local government to review its annual budget between 1 January and 31 March in each year.

The Budget Variation document (*Schedule 8.2.4 Statutory Budget Review Variations*) has been considered by all senior staff in the Shire to ensure its contents are agreed upon and validated.

During the budget review process, there were a number of amendments identified. These budget variations have been listed in the attached schedule to accommodate unforeseen situations that have arisen, grant variations, reallocation of works and services, etc., since the Original Budget was adopted. Rather than repeat these amendments in this Report, Council is referred to the Budget Variation document (*Schedule 8.2.4 Statutory Budget Review Variations*) for discussion and consideration.

Consultation:

As is mentioned in the detail above under the "Background" section of this report, consultation was sought between the Finance team and all senior staff through the annual statutory budget review process.

Statutory Environment:

It is a legislative requirement for Council to review its annual Budget between 1 January and 31 March under the *Local Government Act, 1995* and subsidiary Local Government (Financial Management) Regulations, 1996. Regulation 33A of the Local Government (Financial Management) Regulations 1996 state:

33A Review of budget

- (1) Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the Council.
- (3) A Council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.
* Absolute Majority required
- (4) Within 30 days after a Council has made a determination, a copy of the review and determination is to be provided to the Department.

Relevant Plans and Policy:

Corporate Business Plan 2018 - 2022

Financial Implications:

As part of finalising the calculations for the 2019/2020 Annual Budget and the Corporate Business Plan, it is anticipated that Council will have a surplus at the end of this current financial year. To maintain this position and ensure that we are still in a surplus position come the 30th June 2020, it is important to undertake a thorough review of our current budget to date and address any changes to our current work programs, our core business delivery in the provision of services and ongoing projects - these changes will result in a variation to our budget for the remainder of the financial year and may impact our carried forward balance going into the next financial year.

Risk Assessment:

Should the Council not adopt the proposed variations there is risk of over expenditure occurring on some line items in the Budget and/or a deficiency in funds to complete specific projects or tasks.

Community & Strategic Objectives:

The proposed recommendation aligns with the Strategic Community Plan 2018 – 2028 in the following ways:

Goal 5: Civic

Strong and listening Council.

ITEM	OUTCOMES AND STRATEGIES
5.2	The Shire has a high standard of governance and accountability
5.2.1	Robust decision-making by culturally aware, well-informed and supported Councillors
5.2.2	Highly capable executive leadership and management
5.2.3	Risks are well managed
5.2.6	Compliance with the Local Government Act 1995 and all other relevant legislation and regulations
5.4	Sound financial and asset management
5.4.4	Financial transactions are accurate and timely

Comment:

In addition to the statutory budget review, the Shire must address the variation between the anticipated surplus and the actual surplus determined at the completion of Council's 2018/2019 audit.

Council had estimated a surplus of \$4,272,063 as stated in the 2019/2020 annual budget. However, upon completion of Council's end of year audit and finalisation of the annual financial report, the actual surplus to Council was \$4,316,025. This has resulted in a variation increase of \$43,962 to the closing financial balance for the 2018/19 financial year. This is addressed in the Budget Review.

The increase in the opening surplus balance (brought forward from the 2018/2019 financial year) is a timing variance between the anticipated closing balance as at the end of the 2018/2019 year and what the actual closing balance was for the 2018/2019 year once all accounting adjustments had been made and all accounts were finalised (as per the final audited figures).

This occurs because estimates are made to allow the adoption of the new budget within compliance timelines, but some processes are still ongoing and not finalised until after that adoption. When the annual reconciliation between audited and unaudited financials is undertaken, this is identified and adjusted for at the Mid-Year Review.

The 2019/20 budget was adopted on 30th August 2019, based on figures as at the end of June 2019. Between then and when the Audit was signed off on 27th February 2020, a number of processes occurred that adjusted the June 2019 "bottom line". These adjustments included the accrual of employee benefits and provisions, accounting for the movements of restricted cash, adjustments to depreciation as part of the Fair Value process, adjustments for the new AASB Accounting Standards, particularly AASB 16 Leases, and the finalisation of invoices for operational and capital accounts, mainly in relation to expenditure on maintenance works and asset renewals.

During the budget review process, Executive staff were advised that they would need to identify cost savings in our accounts in the form of decreasing expenditure or increasing our revenue to make up for the increase in the carried forward closing surplus from 2018/2019. This has been achieved and is reflected in the attached schedule. Also included in the schedule for Council's consideration is a list of budget variations that reflect the transfers to and from accounts that will either exceed or not meet budget expectations, and some new grant incomes and associated works.

OFFICER'S RECOMMENDATION

That Council:

1. Pursuant to Regulation 33A of the Local Government (Financial Management) Regulations 1996, adopt the 2019/2020 budget review for the period ending 29 February 2020 and the budget variations as listed in Schedule 8.2.4 Statutory Budget Review Variations to this report.

2. Forward a copy of the statutory budget review to the Department of Local Government after presentation of this report at the Ordinary Council Meeting due to be held on the 24 March 2020.

Voting Requirements
Absolute majority

FC 9/3/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Vandeleur/Cr Maslen

That Council:

1. Pursuant to Regulation 33A of the Local Government (Financial Management) Regulations 1996, adopt the 2019/2020 budget review for the period ending 29 February 2020 and the budget variations as listed in Schedule 8.2.4 Statutory Budget Review Variations to this report.
2. Forward a copy of the statutory budget review to the Department of Local Government after presentation of this report at the Ordinary Council Meeting due to be held on the 24 March 2020.

CARRIED BY ABSOLUTE MAJORITY

F6/A0

8.2.5

POLICY REVIEW C002 - PURCHASING - LEGAL SERVICES PANELS

Date of Meeting	24 March 2020
Location/Address	Shire of Carnarvon
Name of Applicant	Shire of Carnarvon
Name of Owner	Shire of Carnarvon
Author/s	Maurice Werder, Executive Manager Corporate Services
Declaration of Interest	Nil
Voting Requirements	Absolute Majority
Previous Reports	25 February 2020; 28 January 2020; 17 December 2019; 26 November 2019;

Summary of Item

This report presents:

1. Access to the Legal Services RFQ for Council information,
2. Update the *Corporate Policy C002 – Purchasing* to enable the access to Legal Services to improve operational efficiency by allowing the use of Legal Services Panels.

Description of Proposal 1

The 25 February Ordinary Council Meeting contained an agenda item to provide for the provision of utilising a panel for legal services. The Officer's Recommendation was replaced with this Council Resolution.

FC 6/2/20

COUNCIL RESOLUTION

Cr Nelson/Cr Fullarton

That Council review the legal representation contract and request quotations from other providers.

LOST

F3/A4

Crs' Nelson, Simpson & Fullarton voted for the motion.

At the 17 December Ordinary Council Meeting this Council Resolution was presented as item 9.3 Review of Provision of Legal Services.

COUNCIL RESOLUTION & COUNCILLOR'S RECOMMENDATION

Cr Nelson/Fullarton

That Council review the legal representation contract and request quotations from other providers.

CARRIED

F7/A0

Following the OCM of 17 December, an RFQ to include additional Legal Services providers was lodged on the WALGA VendorPanel eQuotes platform for General Legal Services and for Debt Recovery Legal Services. The evaluation of the applicants resulted in the identification of a preferred provider of Debt Recovery Legal Services. However, for the two equally preferred providers of General Legal Services there were different specific skills for one that the other provider was not as experienced in. In order to secure the most appropriate Legal Services for the Shire on specific issues, a panel of approved suppliers was recommended to be used on the VendorPanel eQuotes platform.

Review the legal representation contract

To meet the requirements to review the legal representation contract, the submissions, evaluation and decision documents can be made available to the Elected Members at the Shire premises. As the submissions may be considered Commercial in Confidence by the Legal Services Providers the document is not provided in an electronic form or is not to be removed from Shire premises. A hard copy will be available for access at the Shire.

Description of Proposal 2

Currently the Shire is in the position where the previous Legal Services Contract completed and there is no new General Legal Services contract in place. To secure the most appropriate Legal Services for the Shire on specific issues, a panel of approved suppliers was recommended to be used on the VendorPanel eQuotes platform. To enable this to happen the amended *Corporate Policy C002 – Purchasing* will need to be adopted

Description of Amended Policies

In policy C002 – Purchasing a clause was added to provide for the provision of utilising a panel for legal services and to define clarity and improve functionality:

Shire of Carnarvon Exemptions from the Provision of Multiple Quotes.

Legal Services

16. Procurement of Legal Services from the WALGA Preferred Supply Arrangements (PSAs) for Legal Services (not including Debt Recovery Services) is exempt from seeking multiple quotes for a value up to \$50,000. A formal RFQ and / or Public Tender will be required for Legal Services regarding a specific case, if this case is expected to be more, or worth more than \$50,000.

Note: The numbering of clauses following the inserted Legal Services Panel clause now reflect this addition.

Consultation

The review of this policy has been undertaken by the evaluation panel following the Legal Services RFQ process.

Statutory Environment

As provided under the Local Government Act 1995, Section 2.7(2)(b), the role of Council is to “determine the local government’s policies”.

Financial Implications

There are no significant direct financial implications for the current budget as a result of the adoption of this proposed amended policy.

Risk Assessment

A regular review and update of the Shire Policies avoids the risk of the documents becoming outdated. Any adverse issues from policy use, application, interpretation or changing circumstances will be brought back to Council for review. Relevant and related staff have been provided with WALGA'S eQuotes webinar training to increase and share the knowledge and skills required for efficient operation of the online systems.

Community & Strategic Objectives:

Objective 5: Civic Strong and listening Council

ITEM	OUTCOMES AND STRATEGIES
5.2	The Shire has a high standard of governance and accountability
5.2.3	Risks are well managed
5.2.6	Compliance with the Local Government Act 1995 and all other relevant legislation and regulations

Comment

To meet the requirements Council Resolution and Councillor's Recommendation FC 19/12/19, the submissions, evaluation and decision documents for the Legal Services Contract can be made available to the Elected Members at the Shire premises.

In order to ensure that clear direction is provided, as a need is identified, policies need to be reviewed to address any adverse issues from changing circumstances and to seek Council adoption of the updated policy. Table 1 in the officer's recommendation lists the amended policy to be endorsed by Council. **Schedule 8.2.5 Policy Review – C002 – Purchasing** contains the full text of the policy due for adoption.

OFFICER'S RECOMMENDATION 1

That Council approve that the submissions, evaluation and decision documents for the Legal Services Contract can be made available to the Elected Members at the Shire premises.

*Voting Requirements
Simple majority*

OFFICER'S RECOMMENDATION 2

That Council in accordance with Section 2.7(2)(b) of the Local Government Act 1995:

Adopt the following Corporate policy as listed in Table 1 below and as presented in the attached 'Schedule 8.2.5 Policy Review – C002 – Purchasing' to this report, that will then form part of the Shire of Carnarvon Policy Manual:

TABLE 1:

<i>Policy No. - Policy</i>
<i>Corporate:</i>
<i>C002 - Purchasing</i>

*Voting Requirements
Absolute majority*

FC 10/3/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION 1

Cr Maslen/Cr Vandeleur

That Council approve that the submissions evaluation and decision documents for the Legal Services Contract can be made available to the Elected Members at the Shire premises.

CARRIED
F6/AO

FC 11/3/20

COUNCIL RESOLUTION

Cr Maslen/Cr Fullarton

That Standing Orders Section 13 be suspended at 10.35am to seek further clarification in regard to the proposed policy.

CARRIED
F6/AO

FC 12/3/20

COUNCIL RESOLUTION

Cr Smith/Cr Fullarton

That Standing Orders Section 13 be resumed at 10.44am.

CARRIED
F6/AO

FC 13/3/20

COUNCIL RESOLUTION

Cr Smith/Cr Fullarton

That the meeting be adjourned for 15 minutes and reconvene at 10.45am for the purpose of obtaining confidential tender documents relative to legal services provision.

CARRIED
F6/AO

FC 14/3/20

COUNCIL RESOLUTION

Cr Vandeleur/Cr Maslen

That the meeting be reconvened at 11.04am.

CARRIED
F6/AO

FC 15/3/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION 2

Cr Skender/Cr Maslen

*That Council in accordance with Section 2.7(2)(b) of the Local Government Act 1995:
Adopt the following Corporate policy as listed in Table 1 below with the following amendment -
\$150,000 and above – the following wording to be added "Audit Committee to endorse tender documents prior to advertising", and as presented in the attached 'Schedule 8.2.5 Policy Review – C002 – Purchasing' to this report, that will then form part of the Shire of Carnarvon Policy Manual:*

TABLE 1:

Policy No. - Policy
Corporate:
C002 - Purchasing

CARRIED BY ABSOLUTE MAJORITY
F6/A0

8.3 DEVELOPMENT SERVICES

8.3.1 CARNARVON SPEEDWAY REMEDIATION WORKS – LOT 1297 (NO. 59) SPEEDWAY RD., BROWN RANGE

11.16am – President Smith declared a Impartial/Financial Interest in this item as he is a member of the Carnarvon Speedway Club. He left the meeting.

11.16am – Cr Maslen assumed the Chair.

FC 16/3/20

COUNCIL RESOLUTION

Cr Fullarton/Cr Nelson

That Cr Smith be permitted to stay for the discussion only and is to refrain from voting on the matter.

CARRIED
F5/0

11.17am – President Smith returned to the meeting and resumed the Chair.

File No:	A 3010, P09/20
Date of Meeting:	24 March 2020
Location/Address:	Lot 1297 (No. 59) Speedway Road, Brown Range
Name of Applicants:	Erin Harnett, Secretary Carnarvon Speedway Association Jace Kempton, President Carnarvon Speedway Association
Name of Owner:	Crown Reserve vested with the Shire of Carnarvon
Author:	John Meggitt, Principal Planner
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

This application for remediation works has been lodged in response to a complaint regarding unauthorised dumping of waste material to the outer edge of the area which forms the raised eastern bank of the circuit perimeter at the Carnarvon Speedway. The proposed works are intended to remediate the site by removing loose building materials, scrap metals and car bodies and consolidating and covering the exposed bank.



Figure 1. Site of the unauthorised

Background:

In addition to the complaints received by Shire staff, the Environmental Protection Authority has also made enquiries with the Shire in regard to waste material at the site. An inspection of the site revealed that a considerable amount of unauthorised dumping of waste materials has been undertaken for some time. See Figures 1. and 2.

The site has been examined by the Shire’s Environmental Health Officer, Executive Manager Infrastructure Services and Principal Planner. It was apparent that the intent of the dumping has been to allow the Speedway to establish a viewing area for patrons and a ‘pits’ area for racing teams. The viewing area has been capped with clean fill however the exposed material at the edge of the bank indicates that much of the fill comprises scrap building materials including concrete, piping, scrap metals and cables.

It was observed that the bank appears to be stable and from the appearance of the materials left exposed that dumped rubbish is largely comprised of inert non-toxic materials.



Ordinary Council Meeting Minutes 24 Marc 2020
 Figure 2. Unauthorised dumping at the Carnarvon Speedway

The entire removal of the waste materials from the bank would not be practical and the financial cost would be beyond the capacity of the club to address. On the basis that the fill does not represent a danger to the community it is considered that the best option would be for the Speedway Association to ensure that no further dumping takes place and that the remediation works as proposed are undertaken.

The proposed remediation is to include the following activities:

- The removal of car bodies, scrap metals and other loose rubbish from the base of the bank to the Shire run landfill;
- Covering the eastern exposed edge of the bank with clean fill; and
- Planting of vegetation to stabilise the edge of the bank.

Financial Assistance

The Speedway Association is a not for profit organisation and is considered to be an important part of the Carnarvon community. In this context the Association has requested assistance with undertaking the remediation works. Discretion exists for financial assistance to be provided through the allocation of up to \$1,000 of "in-kind" support in accordance with Policy IS005 - Private Works Policy.

Furthermore, the Shire can make available 1,000cu m of fill from its stockpile adjacent to the Speedway and 1,000cu m of river sand from the Shire's river sand pit to assist with the remediation.

Consultation:

There is no requirement for consultation on this matter.

Statutory Environment:

Shire of Carnarvon Local Planning Scheme No. 10

The Shire of Carnarvon Local Planning Scheme No. 10 (LPS 10) identifies the lot as zoned "Parks and Recreation" reserve. The use of the land for a speedway is consistent with this reserve designation.

Relevant Plans and Policy:

Shire of Carnarvon Community Private Works Policy IS005.

The policy allows for the CEO to consider, and at his discretion approve, applications from community groups and local sporting organisations for in-kind works contributions by Council on a case by case basis up to a value of \$1,000.

Financial Implications:

Apart from the proposed funding through the Private Works Policy, there are no additional financial implications to be considered by the Shire of Carnarvon in relation to the officer's recommendation.

The land is vested with the Shire of Carnarvon, if the appropriate remediation works are not carried out by the Speedway Association then ultimately the Crown could require that the Shire takes full responsibility for the work.

Risk Assessment:

There are no identified risks to the Shire from the approval of the remediation works, however there is a reputational risk for the Shire not to take action on the evidence of unapproved works resulting from a complaint.

Community & Strategic Objectives:

The proposal accords with the following Shire desired outcomes as expressed in the *Community Strategic Plan 2018-2028*.

Objective 1: Economic

A strong and growing economy, with a thriving regional centre, abundant business opportunities and jobs.

ITEM	Outcomes and Strategies
1.2	Thriving tourism industry within the district/region
1.2.1	Promote the district of the Shire of Carnarvon as a tourism destination within the wider Coral Coast tourism region
1.2.2	Support the development and promotion of tourism attractions in the district of the Shire of Carnarvon

Objective 3: Social

Healthy, safe and resilient community, where everyone belongs

ITEM	Outcomes and Strategies
3.1	Active community
3.1.1	Provision of sport and recreation facilities
3.1.2	Support and promote opportunities for sport and recreation clubs to increase meaningful participation

Comment:

The Speedway Association has indicated a willingness to carry out the required remediation work through its membership network and to ensure that no further unauthorised dumping takes place at the site. The Shire has the potential to support the club through a Community Support Grant which is to cover the cost of fuel and the use of Shire earthmoving equipment.

It is recommended that the Council approve the proposed remediation of the Speedway site as recommended below and provide \$1,000 of in-kind support in accordance with Policy IS005 for Private Works for community groups and local sporting organisations and fill material from the Shire's stockpiles.

OFFICER'S RECOMMENDATION

Pursuant to Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and Shire of Carnarvon Local Planning Scheme 10, grant development approval for the CARNARVON SPEEDWAY REMEDIATION WORKS subject to the following conditions:

- 1. The proposed remediation works shall be generally consistent with the details of the application as lodged by the Carnarvon Speedway on 12 March 2019 for remediation works.*

Note: The Speedway Association is to ensure that no further unauthorised dumping of materials takes place at the Speedway site;

- 2. The remediation works are to include the removal of scrap metals, loose building materials and car bodies from the base of the eastern speedway bank with waste materials removed from the site to be taken to the Brown Range Rubbish Tip;*
- 3. The exposed eastern speedway bank is to be covered with clean fill, consolidated and revegetated;*
- 4. That the Shire supports the allocation of up to \$1,000 of in-kind support in accordance with Policy IS005 - Private Works for the use of Shire earthmoving equipment (by Shire licensed staff on a voluntary basis).*

Note: the allocated funds may be used to pay dumping fees at the Shire landfill;

- 5. The Shire approves an allocation of up to 1,000cu m of stockpile material located adjacent to the speedway site (Shire owned stockpile) and up to 1,000cu m of river sand from the Shire's river sand pit to assist with cover and remediation;*
- 6. That the Speedway Association shall complete the works by 30 November 2020; and*

7. Upon conclusion of the works that the Speedway Association shall consult with the Executive Manager Infrastructure Services for an inspection of the works and undertakes any further remediation works as directed to complete the project.

Advice Notes

- i. Arrangements should be made with the Executive Manager Infrastructure Services, for the proposed usage of Shire earthmoving equipment and regarding access to the Shire's fill stockpiles.

FC 17/3/20

COUNCIL RESOLUTION

Cr Maslen/Cr Vandeleur

That the matter lay on the table and be referred to the April 2020 Ordinary Meeting of Council.

CARRIED

F4/A1

Cr Fullarton voted against the motion

(Note to Minute – Council requested that further consideration be given in regard to costs)

**8.3.2 PEOPLE'S PARK CARAVAN PARK UPGRADE – LOTS 12 & 13
(NO. 20) ROBINSON STREET, CORAL BAY**

File No:	A3577, P03/20
Date of Meeting:	24 March 2020
Location/Address:	Lot 12 & 13 (No. 20) Robinson Street, Coral Bay
Name of Applicant:	Allerding and Associates
Name of Owner:	Coral Bay Investments Pty Ltd
Author/s:	John Meggitt, Principal Planner Andrew Karagoglou, Planning Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

This item relates to an application for Development Approval on Lot 12 and 13 (No. 20) Robinson Street, Coral Bay otherwise known as People's Park Caravan Park. The applicant is seeking approval for the upgrading of the existing administration, commercial facilities, the development of parking for 41 vehicles and the provision of fourteen (14) additional caravan sites and a manager's residence. See Figure 1. For the plans refer to Schedule 8.3.2 (a).

Description of Proposal:

The additional caravan sites will be located to the south of the existing retail facilities and parking. A playground and shade shelter/seating is proposed adjacent to the new sites. The area of the caravan sites ranges from 90m² to 109m². The sites will be connected to electricity and water supplies, with the inclusion of ensuite pods connected to the existing sewer network. It is intended that these pods will reduce the additional patronage to existing ablutions.

The commercial facilities proposed for Lot 12 are to replace existing facilities which are in poor condition; the building will be a single storey structure with a building height of 4.1m and a finished floor level of 4.2m AHD, comprising the following components:

- Caravan park reception (24m²) and office (18m²).
- Tour centre with a proposed floor area of 96m².

- Ablutions with a proposed floor area of 33m².
- Storeroom with a proposed floor area of 92m².
- A mini mart with a proposed floor area of 122m².
- Café with a proposed floor area of 121m².
- Take away with a proposed floor area of 40m².
- Gift shop with a proposed floor area of 26m².
- Thirty-eight (38) parking bays plus 3 bays in the road reserve.

The proposed commercial development will be connected and accessible by an elevated deck extending the length of the centre. A rear elevated landing will also provide access from the car parking area.

The proposed manager’s residence will be located at the southern boundary of Lot 13. The manager’s residence has a total floor area of 122.86m² with an overall height of 3.8m.

The maximum number of beds as per the 2011 Overall Development Plan (ODP) is 534. This figure includes the total number of accommodation sites and is based on the assumption that every caravan site/cabin will be fully occupied.

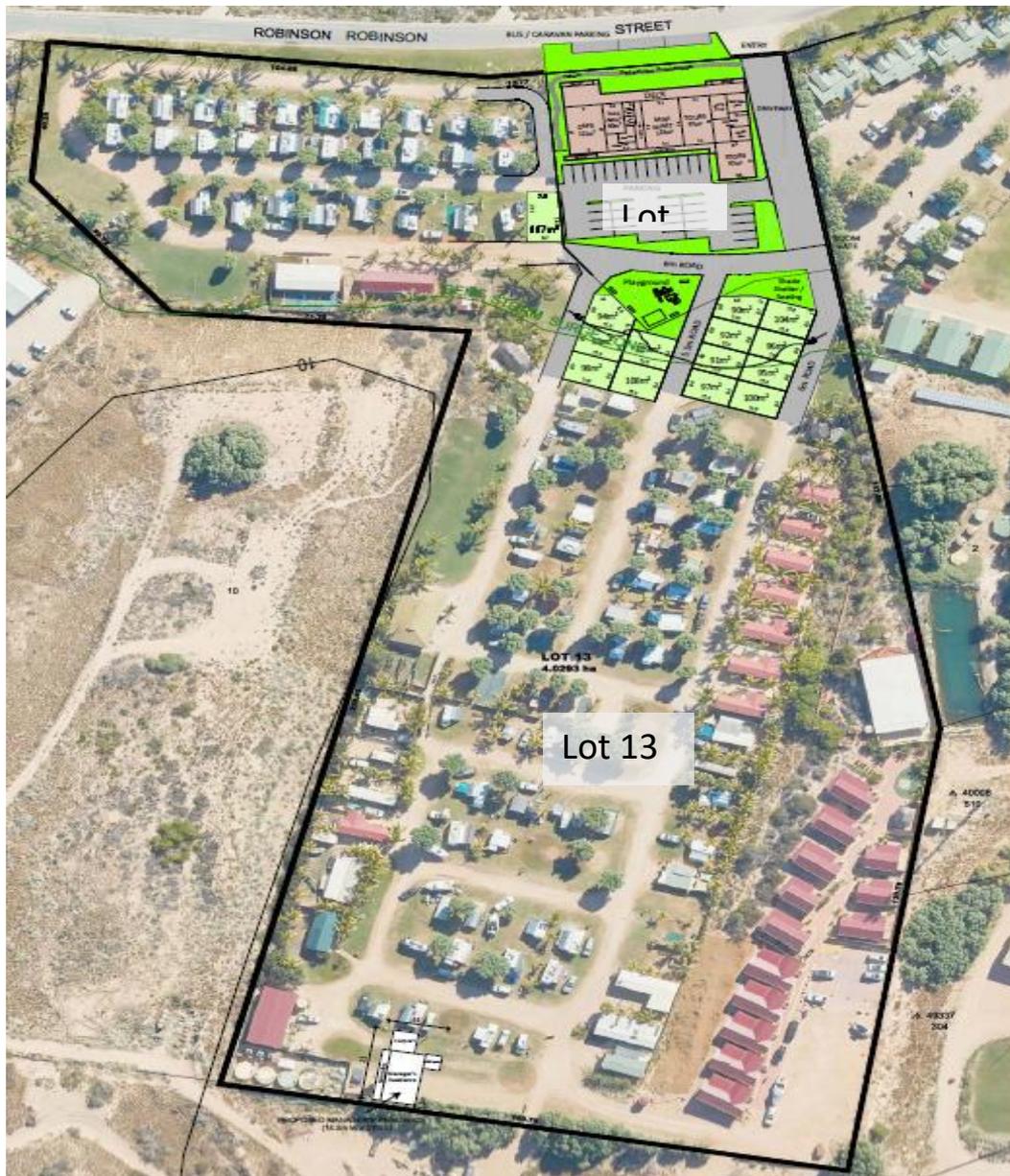


Figure 1. Site development concept plan

Background:

People’s Park is an established caravan park developed on a 4.029 ha site and is subject to an Overall Development Plan (ODP) for Lots 11 and 12, approved by the Shire in March 2011. The current and proposed commercial facilities are located on Lot 12. The application as lodged, comprises of the following elements: administration and commercial facilities with frontage to Robinson Street, fourteen (14) additional caravan sites and a manager’s residence.

A separate ODP for a shopping precinct on Lot 12 was approved on 28 February 2012. This ODP is reflected in the Coral Bay Settlement Structure Plan (2014) (the CBSSP), see Figure 2. This ODP was for a proposed redevelopment of the Coral Bay Shopping Village. The current proposal is of a smaller scale than in the approved ODP. The current proposal provides for a greater provision of parking with 38 on site bays, compared to the ODP’s design of 6 bays. An additional three (3) parking bays are proposed to be located within the Robinson Street Reserve.

A portion of the Robinson Street frontage for Lots 12 and 13 is contained within the ‘Storm Surge Special Control Area’ (SCA) under the CBSSP. The plan states that a vertical sea level rise of 0.9m has been applied when considering the setback distance and elevation to allow for the impact of coastal processes over a 100 year timeframe. This has resulted in a storm surge level of 4.1m AHD.

The policies position for the Storm Surge SCA is ‘no habitable buildings should be permitted to be developed within the Special Control Area unless suitable flood mitigation mechanisms are incorporated into the design and construction.’.

To address this matter the proposed administration, commercial facilities and caravan sites ground floor levels will be raised above 4.1 AHD. This AHD has been adopted as a benchmark for the structure plan, based on the Department of Transport’s vertical sea level rise of 0.9m. The shopping centre will be constructed with a finished floor height 4.2m AHD. on stumps to allow for the dispersion of water under the building should this be necessary.

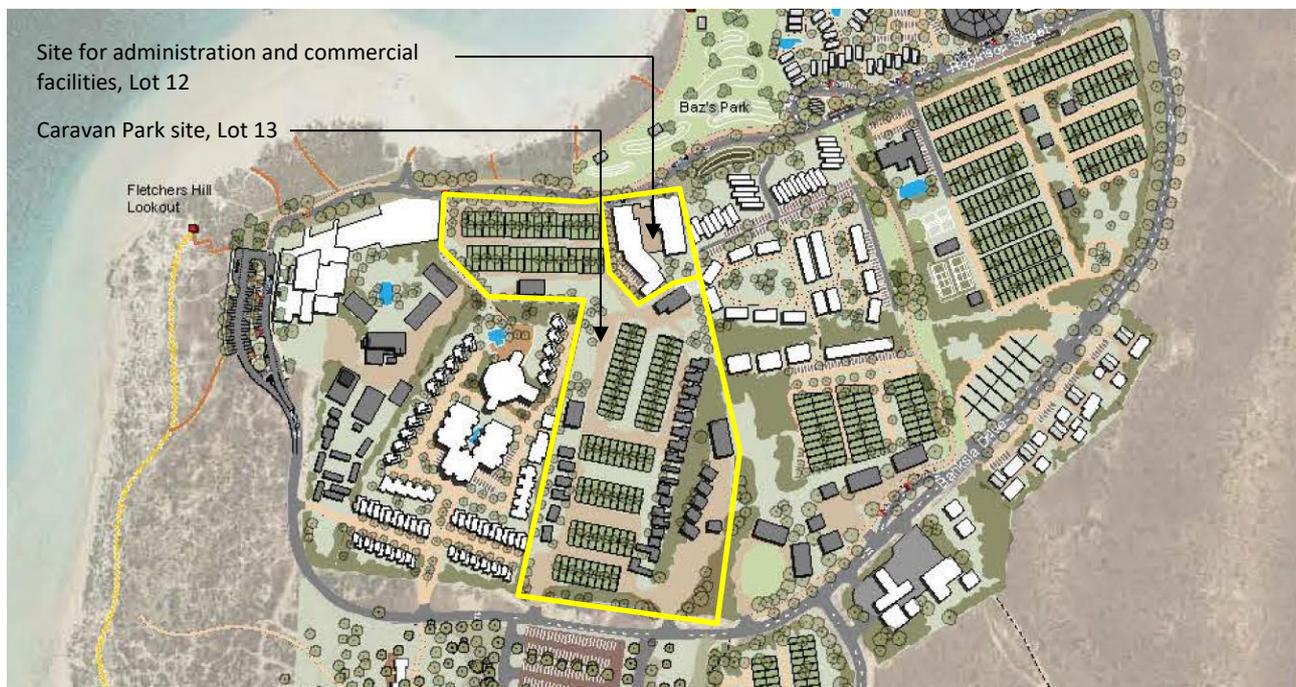


Figure 2. Coral Settlement Structure Plan (2014), incorporating the People’s Park Caravan Park ODP.

Consultation:

The administration, commercial development and additional caravan sites are 'AA' uses under Local Planning Scheme 11. The managers residence is an 'IP' use; the Scheme does not require an 'AA' and 'IP' uses to be advertised.

The application was internally referred to the Executive Manager Infrastructure Services regarding parking. This has been addressed through conditions provided by the Executive Manager Infrastructure Services.

Statutory Environment:Planning and Development Act 2005

Part 5, Local Planning Schemes is in force under this Act and has the objective of making suitable provision for improvement, development, and use of the land as described in the local planning scheme area.

Planning and Development (Local Planning Schemes) Regulations 2015

Section 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* specify the matters to be considered by a local government when considering a development application. The matters relevant to this application have been carefully considered in the assessment of the application.

Local Planning Scheme No. 11

The subject lots are zoned "Coral Bay Settlement Zone" under the provisions of the Shire of Carnarvon's Local Planning Scheme No. 11 (LPS11). Development proposals within the zone are to be assessed with consideration and context of the directions set by the approved Structure Plan and having regard to the general goals and provisions included within the Scheme.

LPS 11, Schedule No. 2 of the Coral Bay Precinct Plan divides the Coral Bay Settlement Zone into individual planning precincts. The Coral Bay Precinct Plan classes Lot 12 as 'Tourism Retail Precinct'. The goal set for the Tourism Retail Precinct is to promote a mix of tourist related retail activities.

The development is classified under the use classes of 'car park', 'office' and 'shop'. All proposed uses are 'AA' uses.

Lot 13 is classed as 'Tourism Precinct'. The goal set for the tourism precinct is to promote development of a variety of short stay accommodation facilities and associated amenities consistent with the overall theme and scale of Coral Bay. The development is classified under the use classes of 'caravan park' and 'caretakers house'.

A caravan park is classified as an 'AA' use within the Tourism Precinct. *'AA' means that the local government may, at its discretion permit the use.*

The managers residence is classified under the use class of 'caretakers house' and is classified as an 'IP' use. *'IP' means a use that is not allowed unless such use is incidental to the predominant use as decided and approved by local government.*

Draft Local Planning Scheme No. 13

The draft Local Planning Scheme No. 13 (LPS13) indicates Lot 12 zoned 'Commercial' and Lot 13 zoned 'Tourism'

The scheme objectives for commercial being:

- To provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites;
- To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades;
- To ensure that development is not detrimental to the amenity of adjoining owners or properties in the locality.

The scheme objectives for Tourism being:

- To promote and provide for tourism opportunities;
- To provide for a variety of holiday accommodation styles and associated uses, including retail and service facilities where those facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area;
- To encourage the location of tourist facilities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities.

It is considered that the development proposal complies with the requirements of LPS13. The proposed shopping centre provides for commercial outlets and also provides for tourist information and booking facilities. The additional caravan sites provide for increased holiday accommodation styles. Overall the proposal encourages the location of tourist facilities utilizing the existing road service of Robinson Street and other existing utility services.

Caravan Parks and Camping Grounds Act 1995

This act provides for the regulation of caravanning and camping facilities, including standards in respect of caravans/campers, and to control and license caravan parks and camping grounds.

Clause 13 of the Act Duties of the license holder

- (1) *A person licensed to operate a facility must ensure that –*
 - (a) *a manager or other responsible person –*
 - (i) *resides in or near the facility;*
 - (ii) *is responsible for the supervision of the facility;*
 - (iii) *is accessible at all times in case of an emergency; and*
 - (iv) *where the facility is a caravan park, is available at the office of the caravan park during normal office hours.*

Relevant Plans and Policy:

State Planning Policy 3.7 – Planning in Bushfire Prone Areas

SPP 3.7 Planning in Bushfire Prone Areas (SPP 3.7) directs how land use should address bushfire risk management in Western Australia. It applies to all land which has been designated as bushfire prone by the Fire and Emergency Services (FES) Commissioner.

Lot 12 and 13 Robinson Street, Coral Bay are identified as being within a Bushfire Prone Area.

Based on the BAL assessment for the caravan sites on Lot 13 and the shopping precinct on Lot 12, the shopping centre will need to be constructed to a BAL rating of 19 as detailed in AS 3959-2018. This is only a guideline and can be implemented at the discretion of the applicant, as AS 3959- 2018 does not apply to Class 6 buildings. The caravan sites do not involve the construction of buildings, so AS3959 does not apply.

Based on the BAL assessment for the managers residence on Lot 13, it is advised that it be constructed to a BAL rating of 29 as detailed in AS3959-2018. This is advisory and advice from a qualified building surveyor should be sought.

State Planning Policy 6.3 – Ningaloo Coast

SPP 6.3 applies to all land within the Ningaloo Coast policy area. The objective of the policy is to provide guidance on acceptable and sustainable development. The policy seeks to protect the remote values of Coral Bay. The proposal is consistent with this policy.

Ningaloo Coast Regional Strategy Carnarvon to Exmouth 2004

The Ningaloo Coast Regional Strategy Carnarvon to Exmouth (NCRS) is a strategic land use plan that sets a planning framework for sustainable tourism and land use within the Ningaloo coast study area which includes

Coral Bay. The proposed development has been assessed in line with section 1.4 Planning and Environmental Guidelines for sustainable tourism on the Ningaloo Coast. The proposal aligns with the strategy's guidelines.

Coral Bay Settlement Structure Plan 2014

The Coral Bay Settlement Structure Plan (CBSSP) provides strategic guidance to land use and development within the Coral Bay Settlement area. Lot 13 is identified within the 'Tourism' zone of the CBSSP. Lot 12 is identified as 'Commercial' under the CBSSP. In the plan the lots are referred to as existing tourism accommodation. The objective for existing tourism accommodation sites is stated as:

"To carefully manage existing tourism accommodation sites as the primary economic driver in Coral Bay."

The CBSSP provides further clarity on the use of Caretaker's: *Workers' accommodation can be provided by proprietors of caravan parks on site, however, only for management staff, in accordance with the Caravan Camping Grounds Act 1995.*

Planning Bulletin 49/2014 Caravan Parks

The purpose of this bulletin is to provide guidance on matters to be taken into consideration in planning for caravan parks, including the development of new or redevelopment of existing parks. It supports the provisions of caravan parks within Western Australia by facilitating greater flexibility in the design and composition of new or redeveloped caravan parks, while delivering quality land use planning outcomes.

Financial Implications:

There are no identified risks associated with the officer's recommendation.

Risk Assessment:

There are no identified risks as part of the officers' recommendation.

Community & Strategic Objectives:

The proposal accords with the following Shire desired outcomes as expressed in the *Community Strategic Plan 2018-2028*.

Objective 1: Economic

A strong and growing economy, with a thriving regional centre, abundant business opportunities and jobs.

ITEM	Outcomes and Strategies
1.2	Thriving tourism industry within the district/region
1.2.1	Promote the district of the Shire of Carnarvon as a tourism destination within the wider Coral Coast tourism region
1.2.2	Support the development and promotion of tourism attractions in the district of the Shire of Carnarvon
1.2.3	Support the development and promotion of cultural tourism in the district of the Shire of Carnarvon

Objective 2: Natural and built environment

A sustainable natural and built environment that meets current and future community needs

ITEM	Outcomes and Strategies
2.7	Regulated land use to meet the current and future needs of the community
2.7.1	Incorporate appropriate planning controls for land use planning and development
2.7.2	Adopt appropriate land use planning and building regulation practices

Comment:

The proposed upgrade of the Peoples Park Caravan Park entails the replacement of the existing administration and commercial buildings, and a new dwelling for the park manager. There will be an increase

in facilities for tourist and visitors through the additional caravan park sites. The upgraded facilities will enhance the visitor experience and provide an improved amenity to visitors.

Currently the site contains an informal parking area on the Robinson Street frontage. The current proposal for 38 bays is comparable to the existing provision and is considered to be consistent to the scale of the redevelopment. The proposed parking in Robinson Street is likely to impact on the circulation of pedestrians; it is proposed that the three (3) bays indicated on the plans are excluded from the approval.

In typical urban environments, development of this nature requires sealed surfacing for parking and manoeuvring areas.

The proposed new facilities entail uses which were envisioned for the site under the CBSSP, and the scale and location of the development is also consistent with the requirements of the Structure Plan. The increased occupancy bed numbers which will accrue from the additional caravan park sites are within the maximum number of beds allowed for under the approved Outline Development Plan and the CBSSP.

The proponents have addressed the potential for the site to be impacted by storm surge events through the fixing of a minimum floor level of 4.1m AHD for the administrative and commercial building site and the new caravan bays.

The proposal is consistent with the provisions of the Coral Bay Settlement Structure Plan, Local Planning Scheme No. 11 and the draft Local Planning Scheme No. 13. The officer's recommendation is that the application be approved subject to the conditions outlined below.

OFFICER'S RECOMMENDATION

Pursuant to Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Shire of Carnarvon Local Planning Scheme No. 11 grant development approval for application P03/20 for a CARAVAN PARK UPGRADE INCORPORATING A NEW ADMINISTRATIVE AND COMMERCIAL CENTRE, FOURTEEN (14) CARAVAN BAYS AND A MANAGERS RESIDENCE at LOT 12 (No. 28) & LOT 13 (No. 20) ROBINSON STREET CORAL BAY', subject to the following conditions:

- 1. The development is to be generally in accordance with the approved plans dated 12 March 2020, 19 November 2019 (A102 & A103) and 29 March 2019 (A101, A102, A103 & A104) including any amendments placed thereon by the Shire of Carnarvon and except as may be modified by any other conditions of this approval or with prior written approval of the Shire of Carnarvon.*
- 2. Prior to the commencement of works, the applicant is to submit, and have approved to the satisfaction of the Executive Manager Infrastructure Services, a detailed parking plan design which complies with the Australian Standard AS/NZS 2890 and AS/NZS 1428, including one (1) ACROD bay, aisle widths, circulation areas, driveway/s and points of ingress and egress. The carpark development must be in accordance with this plan.*
- 3. The vehicle crossover to Robinson Street is to be constructed to meet the standards set out in the Shire of Carnarvon Vehicle Crossover Construction Specification P-IS001C.*
- 4. Prior to the development of the Lot 12 Robinson Street the applicant is to provide a sealed hardstand surface to vehicle parking, and associated maneuvering and circulation areas, to the satisfaction of the Executive Manager Infrastructure Services.*
- 5. No parking bays are to be located within the Robinson Street road reserve. The bays illustrated in the Site Concept Plan dated 03.02.2020 are to be excluded from this approval.*
- 6. Prior to occupation of the development, a suitably screened bulk bin area for refuse is to be provided to the specifications and satisfaction of the Shire of Carnarvon.*
- 7. Prior to occupation of the development, it is to be connected to a reticulated water supply to the requirements of the Water Corporation and the satisfaction of the Shire of Carnarvon prior to occupation of the development.*
- 8. A landscaping plan is required to be submitted at the building licence stage which outlines the proposed species and location of vegetation.*

Advice Notes:

- i) *If the development the subject of this approval is not substantially commenced within a period of two (2) years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.*
- ii) *The applicant is to lodge a demolition application prior to undertaking the demolition of the existing commercial and administrative facilities on Lot 12.*
- iii) *A separate application being made for all advertising signs in accordance with the Shire's Local Law relating to Signs and Other Advertising Devices and Local Planning Policy No. 18 – Advertising and Signage.*
- iv) *If an applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of determination.*
- v) *This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011 and the Health Act 1911. It is the responsibility of the applicant to determine any necessary approvals required and obtain such approvals prior to the commencement of development and use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire of Carnarvon Building Services on (08) 9941 0000.*

FC 18/3/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Fullarton/Cr Nelson

Pursuant to Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Shire of Carnarvon Local Planning Scheme No. 11 grant development approval for application P03/20 for a CARAVAN PARK UPGRADE INCORPORATING A NEW ADMINISTRATIVE AND COMMERCIAL CENTRE, FOURTEEN (14) CARAVAN BAYS AND A MANAGERS RESIDENCE at LOT 12 (No. 28) & LOT 13 (No. 20) ROBINSON STREET CORAL BAY, subject to the following conditions:

- 1. The development is to be generally in accordance with the approved plans dated 12 March 2020, 19 November 2019 (A102 & A103) and 29 March 2019 (A101, A102, A103 & A104) including any amendments placed thereon by the Shire of Carnarvon and except as may be modified by any other conditions of this approval or with prior written approval of the Shire of Carnarvon.*
- 2. Prior to the commencement of works, the applicant is to submit, and have approved to the satisfaction of the Executive Manager Infrastructure Services, a detailed parking plan design which complies with the Australian Standard AS/NZS 2890 and AS/NZS 1428, including one (1) ACROD bay, aisle widths, circulation areas, driveway/s and points of ingress and egress. The carpark development must be in accordance with this plan.*
- 3. The vehicle crossover to Robinson Street is to be constructed to meet the standards set out in the Shire of Carnarvon Vehicle Crossover Construction Specification P-IS001C.*
- 4. Prior to the development of the Lot 12 Robinson Street the applicant is to provide a sealed hardstand surface to vehicle parking, and associated manoeuvring and circulation areas, to the satisfaction of the Executive Manager Infrastructure Services.*
- 5. No parking bays are to be located within the Robinson Street road reserve. The bays illustrated in the Site Concept Plan dated 03.02.2020 are to be excluded from this approval.*
- 6. Prior to occupation of the development, a suitably screened bulk bin area for refuse is to be provided to the specifications and satisfaction of the Shire of Carnarvon.*
- 7. Prior to occupation of the development, it is to be connected to a reticulated water supply to the requirements of the Water Corporation and the satisfaction of the Shire of Carnarvon prior to occupation of the development.*
- 8. A landscaping plan is required to be submitted at the building licence stage which outlines the proposed species and location of vegetation.*

Advice Notes:

- i) *If the development the subject of this approval is not substantially commenced within a period of two (2) years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.*
- ii) *The applicant is to lodge a demolition application prior to undertaking the demolition of the existing commercial and administrative facilities on Lot 12.*
- iii) *A separate application being made for all advertising signs in accordance with the Shire's Local Law relating to Signs and Other Advertising Devices and Local Planning Policy No. 18 – Advertising and Signage.*
- iv) *If an applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of determination.*
- v) *This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011 and the Health Act 1911. It is the responsibility of the applicant to determine any necessary approvals required and obtain such approvals prior to the commencement of development and use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire of Carnarvon Building Services on (08) 9941 0000.*
- vi) *The proponent to identify where the current caretakers residence is and what will this residence be repurposed to.*

CARRIED
F6/AO

(Note to Minute – Council added Advice Note (vi) as they want to ensure that there is only one caretake's residence provided.)

8.3.3 EXTENSION TO CARNARVON MEDICAL SERVICE ABORIGINAL CORPORATION COMMUNITY SUPPORT BUILDING

File No:	A740, P04/20
Date of Meeting:	24 March 2020
Location/Address:	Lot 56 (22) Egan Street, Carnarvon
Name of Applicant:	Paul Porter
Name of Owner:	CAMS Aboriginal Corporate
Author/s:	John Meggitt, Principal Planner Andrew Karagoglou, Planning Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

This item relates to an application for development approval for an extension to the existing building located on Lot 56 (22) Egan Street, Carnarvon, which is currently used for community support by the Carnarvon Medical Service Aboriginal Corporation (CMSAC).

Description of Proposal:

The proposed single storey extension will have a floor area of 57m², being 5.6m (w) x 14.2m (l), and having an overall height of 2.7m with a roof pitch of 6 degrees. Refer to Schedule 8.3.3 (a) for the proposed plans.

Background:

The subject site is zoned ‘commercial’ under the Shire of Carnarvon Local Planning Scheme No. 10. The existing building is currently used as a home support building by the CMSAC and is located adjacent to the CMSAC Medical Centre. The proposed extension is for an art and breakfast room. The application details and plans can be found at Schedule 8.3.3 (a).

Consultation:

Local Planning Scheme No. 10 does not require the application to be publicly advertised.

Statutory Environment:Shire of Carnarvon Local Planning Scheme No. 10

The subject site is zoned commercial under the Shire of Carnarvon Local Planning Scheme No. 10.

The proposed use of ‘medical clinic’ is defined under LPS 10 as: ‘premises in which facilities are provided for the practice of more than one medical practitioner or dental practitioner, physiotherapist, chiropractor or masseur’. Medical Clinic is a ‘P’ use under LPS 10 Table 1 – Zoning Table.

“P” means that the use is permitted provided it complies with the relevant standards and requirements laid down in the Scheme and all conditions (if any) imposed by the local government in granting planning consent”.

Relevant Plans and Policy:

There are no Shire policies or plans relevant to this application.

Financial Implications:

There are no identified financial implications relating to the approval of this application.

Risk Assessment:

There are no identified risks associated with the officer’s recommendation.

Community & Strategic Objectives:

The proposal accords with the following Shire desired outcomes as expressed in the *Community Strategic Plan 2018-2028*.

Objective 1: Economic

A strong and growing economy, with a thriving regional centre, abundant business opportunities and jobs.

ITEM	Outcomes and Strategies
1.1	Local business growth
1.1.1	Work with the Gascoyne Development Commission, Chamber of Commerce, Aboriginal Corporations and local businesses to identify opportunities for business growth

Objective 2: Natural and built environment

A sustainable natural and built environment that meets current and future community needs

ITEM	Outcomes and Strategies
2.7	Regulated land use to meet the current and future needs of the community
2.7.1	Incorporate appropriate planning controls for land use planning and development
2.7.2	Adopt appropriate land use planning and building regulation practices

Objective 5: Civic
Strong and listening Council.

ITEM	Outcomes and Strategies
5.6	The Shire advocates on behalf of its community
5.6.1	The Shire develops partnerships with government and non-government organisations to achieve positive outcomes for the region

Comment:

The proposed minor extension to the CMSAC community support building will provide improved amenity to the centre staff and users without compromising the services offered by the centre. The extension will be used as an art therapy space and breakfast room. It is consistent with the requirements of the scheme. It is recommended that the application be approved subject to the following conditions.

OFFICER'S RECOMMENDATION

Pursuant to Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Shire of Carnarvon Local Planning Scheme No. 10 grant development approval for application P04/20 for 'a art/breakfast room extension to the CMSAC community support building AT 56 ON 300714 HN 22 EGAN STREET, CARNARVON' subject to the following conditions:

- 1. The development is to be generally in accordance with the approved plans dated 12 February 2020 (attached), including any amendments placed thereon by the Shire of Carnarvon and except as may be modified by any other conditions of this approval or with prior written approval of the Shire of Carnarvon.*

Advice Notes

- i. If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.*
- ii. If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.*
- iii. Access and facilities for people with disabilities must be provided at all times to the building internally through the building in accordance with AS1428.1 2009.*
- iv. The development is to comply with the National Construction Code Series.*
- v. This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011 and the Health Act 1911. It is the responsibility of the applicant to determine any necessary approvals required and obtain such approvals prior to the commencement of development and use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire of Carnarvon Building Services and Environmental Health Departments on (08) 9941 0000.*

FC 19/3/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Fullarton/Cr Maslen

Pursuant to Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Shire of Carnarvon Local Planning Scheme No. 10 grant development approval for application P04/20 for 'a art/breakfast room extension to the CMSAC community support building AT 56 ON 300714 HN 22 EGAN STREET, CARNARVON' subject to the following conditions:

- 1. The development is to be generally in accordance with the approved plans dated 12 February 2020 (attached), including any amendments placed thereon by the Shire of Carnarvon and except as may be modified by any other conditions of this approval or with prior written approval of the Shire of*

Carnarvon.

Advice Notes

- i. *If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.*
- ii. *If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.*
- iii. *Access and facilities for people with disabilities must be provided at all times to the building internally through the building in accordance with AS1428.1 2009.*
- iv. *The development is to comply with the National Construction Code Series.*
- v. *This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011 and the Health Act 1911. It is the responsibility of the applicant to determine any necessary approvals required and obtain such approvals prior to the commencement of development and use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire of Carnarvon Building Services and Environmental Health Departments on (08) 9941 0000.*

CARRIED
F6/AO

8.3.4 NORWESTA CARAVAN PARK CAFÉ CHANGE TO DEVELOPMENT CONDITIONS TO ALLOW GENERAL PUBLIC USE OF RESTAURANT – LOT 61, NO. 24 ANGELO STREET, EAST CARNARVON

File No:	A620, P08/20
Date of Meeting:	24 March 2020
Location/Address:	Lot 61 (No. 24) Angelo Street, East Carnarvon
Name of Applicant:	Northern Assets Pty Ltd
Name of Owner:	Northern Assets Pty Ltd
Author/s:	John Meggitt, Principal Planner Andrew Karagoglou, Planning Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

This item relates to an application for a change to the original development approval for a café (called the Norwesta Café) at the Norwesta Caravan Park at Lot 61 Angelo Street, East Carnarvon to be open to the general public. A 'Restaurant/Café/Eating House' is an 'AA' use meaning the Local Government may, at its discretion, permit the use.

In 2015 the applicant received development approval for a Campers Kitchen & Park Café (Restaurant/Café/Eating House) incidental to the primary use of the site as a Caravan Park. This approval restricted the use of the park café to booked caravan guests, and invited guests.

Description of Proposal:

The lot is zoned 'Tourist Accommodation' under the Shire of Carnarvon Local Planning Scheme No. 10. The café is located in the north-west area of the Norwesta Lifestyle Caravan Park; adjacent to the northern boundary. It is contained in two transportable buildings, with an associated alfresco dining area.

The café includes the sale of pizza, pasta, breakfast/brunch items, cakes, coffee and other beverages.

The cafés proposed trading times/days are:

- Peak period (Mid May to end of September) 8:30am-9:30pm 7 days a week;
- In the off season (October to mid-May) Friday and Saturday nights 5pm-8:30pm and Saturday/Sunday mornings 8:30am to 12 noon.

Background:

The approval granted for the Campers' Kitchen & Park Café (Restaurant/Café/Eating House) in November 2015 was incidental to the primary use of the site as a Caravan Park. The conditions of approval included the following;

'The use of the park café shall be restricted to booked caravan guests and, if management permits, their invited guests. The use shall not be open to the general public unless a request is submitted in writing to modify this condition of approval.'

The café has been operating open to the public for some time with no complaints received from the Shire. The business has been advertised on Facebook and local radio. The previous approval did not indicate the hours of trading. Currently the cafe trades at the following times:

- In the peak period Wednesday – Sunday 8:30am to 1:30pm and 5pm to 7:30pm
- In the off-season Friday and Saturday nights 5pm-7:30pm and Saturday/Sunday mornings 8:30am to 12 noon.

The new proposed trading times for the peak season of 8:30am to 9:30pm 7 days a week is considered to be an intensification of the use. The potential exists that the amenity of the owner of the adjoining residential property (72 Angelo Street) is adversely impacted from the change of use from a small scale café to a café operating daily to the general public for five months of the year. The associated alfresco dining area of the café is located 4m from the side property boundary of 72 Angelo Street.

In accordance with LPS 10 Development and Car Parking Standards, for a Café/Restaurant/Eating Houses/Take-Away & Fast Food Outlets the parking requirements are: 1 car parking space (cps)/4 seats + 1 cps/5m² of waiting area. Based on the amount of restaurant seating the parking requirement is twenty-two (22) car parking bays. There are currently eight (8) dedicated parking spaces adjacent to the single bed units and an additional 17 café and tent site parking bays on site.

If the onsite parking is at capacity, patrons to the cafe will park in Angelo Street which has a 16 metre verge with a relatively low density residential environment to the north and west of the subject land. The use of the informal verge parking is deemed to have minimal impact on neighbouring properties and the operation of Angelo Street. The neighbouring properties to the west of the informal verge parking are over 20 metres from the site and would not be significantly impacted.

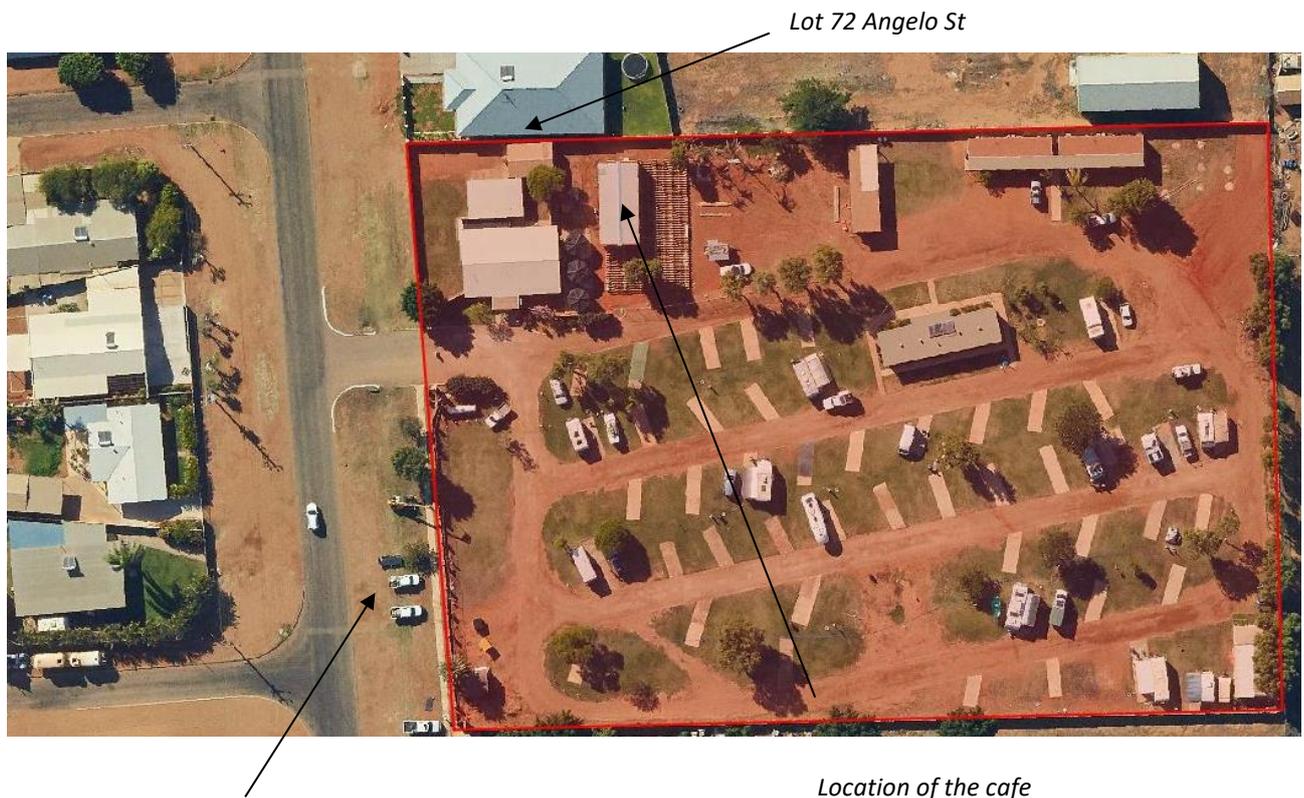


Figure 1: Aerial photo showing informal off-site parking, café and 72 Angelo St

Consultation:

There is no requirement for an ‘AA’ use to be advertised prior to the local authority making a determination on the application. However, a letter of support for the revised operating hours has been received from the adjacent property owner at Lot 72 Angelo Street.

Statutory Environment:

Planning and Development Act 2005

As defined under the Act, ‘Development’ means the *development or use of any land*. The use of land in this instance being a restaurant/café/eating house.

Planning and Development (Local Planning Schemes) Regulations 2015

Part 9 – Procedure for dealing with applications for development approval. Clause 67. Matters to be considered by local government.

Shire of Carnarvon Local Planning Scheme No. 10

Under LPS 10, Lot 61 Angelo Street is zoned ‘Tourist Accommodation’ with an R Code of R12.5.

The proposed use of ‘Restaurant’ is defined under LPS 10 as: ‘shall have the same interpretation as Eating House except that the expression “Licensed Restaurant” shall have the same meaning ascribed to it in the Liquor Control Act 1988.’

‘Eating house’ means ‘any house, building or structure or any part thereof in which meals are served to the public for gain or reward.’

The term does not include:

- (a) Any premises in respect of which an hotel license, a tavern license, a restaurant license or wine house license has been granted under the Liquor Control Act, 1988, or
- (b) Any boarding house, lodging house or hostel, or
- (c) Any building or other structure used temporarily for serving meals to the public at any fair, show, military encampment, races, or other public sports games or amusements.

Restaurant/Café/Eating House is a 'AA' use under LPS 10 Table 1 – Zoning Table.

“AA” means that the local government may, at its discretion, permit the use.

Shire of Carnarvon Draft Local Planning Scheme No. 13

Under Draft LPS 13, the subject lot is zoned 'Tourism.' The scheme objectives for the Tourism zone are:

- To promote and provide for tourism opportunities;
- To provide for a variety of holiday accommodation styles and associated uses, including retail and service facilities where those facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area.
- To encourage the location of tourist facilities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities.

Relevant Plans and Policy:

Shire of Carnarvon – District Structure Plan Report: East Carnarvon and Kingsford 2015

The vision for the East Carnarvon and Kingsford site is:

The structure Plan will 'complete' the existing community to form a well serviced, structured and legible neighbourhood with a comprehensive range of strategically located land uses. The Plan will enrich employment and tourism opportunities available within Carnarvon as well as foster a diverse and dynamic blend of residential lifestyle types. Natural and cultural features will, where possible be protected, enhanced and integrated within the development to form an intrinsic part of its character and sense of place.

Financial Implications:

There are no identified risks associated with the office's recommendation.

Risk Assessment:

There are no identified risks associated with the approval of the application.

Community & Strategic Objectives:

The proposal accords with the following Shire desired outcomes as expressed in the *Community Strategic Plan 2018-2028*.

Objective 1: Economic

A strong and growing economy, with a thriving regional centre, abundant business opportunities and jobs.

ITEM	Outcomes and Strategies
1.1	Local business growth
1.2	Thriving tourism industry within the district/region
1.2.2	Support the development and promotion of tourism attractions in the district of the Shire of Carnarvon

Objective 2: Natural and built environment

A sustainable natural and built environment that meets current and future community needs

ITEM	Outcomes and Strategies
2.7	Regulated land use to meet the current and future needs of the community
2.7.1	Incorporate appropriate planning controls for land use planning and development
2.7.2	Adopt appropriate land use planning and building regulation practices

Comment:

The proposed increased trading times will result in an intensification of the proposed use as a café. The operation has the potential to impact the adjacent property Lot 72 Angelo Street and the neighbouring properties on Angelo Street. It is essential that the noise emitted from the café does not exceed the prescribed standards set out in the Environmental Protection (Noise) Regulations 1997.

Table 2 of LPS 10 advocates the existing café requires 1 car parking space for every 4 seats. Overall this equates to a requirement of 22 car parking bays for the proposed café use. There are currently 8 visitor parking bays available, and an additional 17 café and tent site parking bays.

It is considered that additional parking can be adequately addressed through off site informal verge parking on Angelo Street without having an adverse impact on the amenity of residents on Angelo Street. On this basis the proposed change of use of the café from being exclusively for patrons to being open to the public is supported.

OFFICER'S RECOMMENDATION

That Council,

Pursuant to Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Shire of Carnarvon Local Planning Scheme No. 10 grant development approval for the (NORWESTA CARAVAN PARK CAFÉ TO BE OPEN TO THE GENERAL PUBLIC) on Lot 61 (HN 24) Angelo Street, East Carnarvon, subject to the following conditions:

1. *The café use shall only be open between the hours of 0830 to 2130 Monday to Sunday (May to September), 1700 to 2030 Friday to Saturday, and between 0830 to 1200 Saturday and Sundays (October to May).*

Advice Notes

- i. *If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.*
- ii. *If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.*
- iii. *This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011 and the Health Act 1911. It is the responsibility of the applicant to determine any necessary approvals required and obtain such approvals prior to the commencement of development and use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire of Carnarvon Building Services and Environmental Health Departments on (08) 9941 0000.*
- iv. *The café adjoins a sensitive noise receptor (dwelling at Lot 72 Angelo Street). Noise emitted from the café must not exceed the prescribed standards set out in the Environmental Protection (Noise) Regulations 1997.*

FC 20/3/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Maslen/Cr Nelson

That Council,

Pursuant to Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Shire of Carnarvon Local Planning Scheme No. 10 grant development approval for the (NORWESTA CARAVAN PARK CAFÉ TO BE OPEN TO THE GENERAL PUBLIC) on Lot 61 (HN 24) Angelo Street, East Carnarvon, subject to the following conditions:

1. *The café use shall only be open between the hours of 0830 to 2130 Monday to Sunday (May to September), 1700 to 2030 Friday to Saturday, and between 0830 to 1200 Saturday and Sundays (October to May).*

Advice Notes

- i. *If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.*

- ii. *If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.*
- iii. *This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011 and the Health Act 1911. It is the responsibility of the applicant to determine any necessary approvals required and obtain such approvals prior to the commencement of development and use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire of Carnarvon Building Services and Environmental Health Departments on (08) 9941 0000.*
- iv. *The café adjoins a sensitive noise receptor (dwelling at Lot 72 Angelo Street). Noise emitted from the café must not exceed the prescribed standards set out in the Environmental Protection (Noise) Regulations 1997.*

CARRIED
F6/A0

8.3.5 UNMANNED FUEL STATION – LOT 62 (NO. 45) BANKSIA DR., CORAL BAY

File No:	A4047, P06/20
Date of Meeting:	24 March 2020
Location/Address:	Lot 62 (No. 45) Banksia Drive, Coral Bay
Name of Applicant:	Tomahawk Property
Name of Owner:	Crown Reserve
Author/s:	John Meggitt, Principal Planner
Declaration of Interest:	Nil
Voting Requirements:	Simple majority
Previous Report:	Nil

Summary of Item:

This Development Application is for a proposed vehicle refueling station and associated signage, lighting and landscaping at Lot 62 Banksia Drive, on the corner of Monck Head Drive, Coral Bay. It is intended that the development will replace the existing Refuel fuel station at the adjacent site at Lot 64 Banksia Drive which is also operated by the proponent; however the operator wishes to have this facility fully operational before decommissioning the existing temporary fuel facility.

Description of Proposal:

The applicant has identified the following works: an unmanned fuel bowser fill point, underground fuel tank, two crossovers, signs and resurfacing. It is proposed that the facility would operate 24 hours per day, 7 days a week. See Schedule - 8.3.5(a) – Unmanned Fuel Station Site Plan.

Background:

Lot 62 has an area of approximately 1ha. The facility will be the sole fuel supply point for vehicle and boats in Coral Bay. The proponent intends that the site would remain unsealed with the lot being covered with crushed road base. The applicant has indicated that a future Stage 2 application will provide for secure boat park and incidental retail facilities at the site. Stage 2 does not form part of this application.

Existing fuel station
Lot 64



Figure 1. Lot 62 Banksia Drive

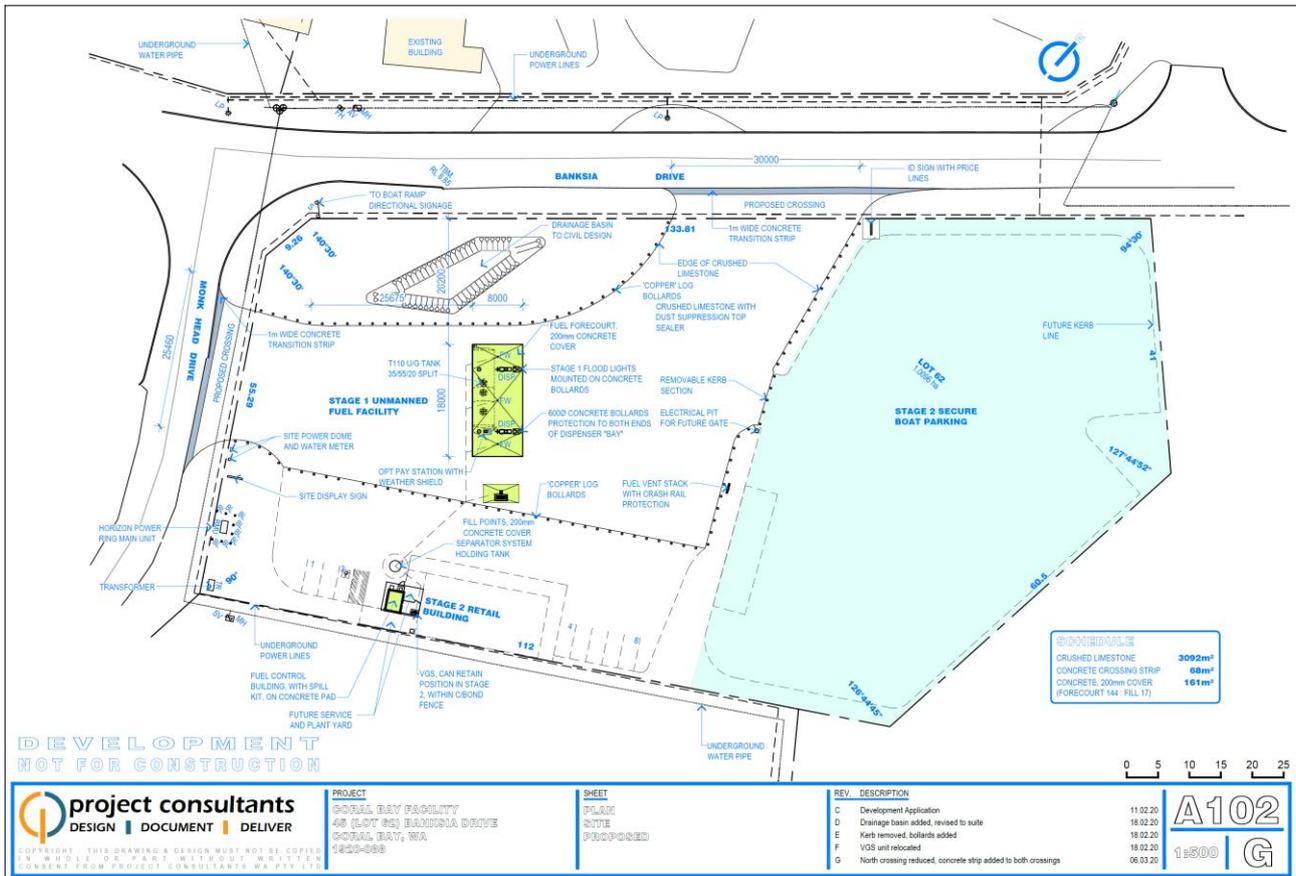


Figure 2. Development Plan

The applicant has provided the following reports as part of the application:

- Traffic Management;
- Geotechnical;

- Landscaping;
- Tank Information; and
- Bushfire Management.

The Traffic Management Report concludes that the site is well located for the expected user profile that tourist activity in Coral Bay will demand of such a facility. It is stated that there are no design issues identified with the proposed facility that would impose limits or hazard to other traffic within the precinct and that there are no issues that would preclude its approval in its current form.

Currently Banksia Drive has the capacity for only 19 metre single fuel trailers which are to be used to service the fuel station. It is anticipated that if and when the road is upgraded that the B-Double trucks will be used to provide fuel to the site. The truck 'swept paths' have been modelled for B-double trucks to ensure that the site can support the larger trucks once future improvements are made to Banksia Drive.

The Bushfire Management Report identifies that the determined Bushfire Attack Level as an Installed Asset Protection Zone (APZ) is BAL – 12.5 which is at the bottom end of the APZ scale. This designation does not preclude the development of the site for a service station.

The proponent is intending to clear the entire site as part of this development to ensure BAL compliance notwithstanding that a large part of the site will be utilised for secure boat parking which does not form part of this development application. This cleared area will require dust suppression in the interim period, and a condition is recommended to address this matter.

The Geotechnical report states that the soil grading curves were uniform across all three test locations and that with good compaction techniques and monitoring, safe bearing capacity of 150 kPa should be readily available. The report concludes that the soils on the site are considered suitable for the proposed construction.

A single underground 'Permatank' fuel storage tank is proposed for the site, the tank will have a capacity of 110kL with a split of 55kL of diesel, 35kL of ULP and 20kL of premium ULP. The 'Permatank' is a double-wall fiberglass jacketed tank with a steel inner shell.

Landscaping is proposed in the vicinity of the drainage basin, the perimeter of this area is to be plated with native vegetation with watering during the establishment phase via the use of water truck irrigation or hand watering.

The development includes the construction of two signs being located adjacent to each of the property's crossovers. A sign to be located adjacent to the Banksia Drive crossover is described as the 'ID sign' which is a 6.80m tall illuminated pylon sign that will include digital, changing values for price and the Caltex logos. A sign to be located adjacent to the Monck Head Drive is described as the 'sign display sign' which is a 4.8m non illuminated painted sign. See Schedule - 8.3.5(b) – Unmanned Fuel Station Signage.

Consultation:

LPS 11 does not require public notification (advertising) of the proposal. A copy of the application was forwarded to Main Roads WA for comment as Monck Head Drive is owned by the Department of Transport. The advice was forwarded to the applicant and relevant matters were incorporated in the revised Traffic Study Report. The Department of Transport has reviewed the report and provided suggestions with regards to vehicular access and improvements to traffic management in Coral Bay.

Statutory Environment:

Planning and Development Act 2005

As defined under the Act, '*development*' means the development or use of any land. The development and use of the land in this instance being works relating to the storage, distribution and sale of aviation fuel.

Therefore, the proposal is not exempt from requiring development approval under the *Planning and Development Act 2005*.

Coral Bay Settlement Structure Plan (2014)

The site is identified in the Coral Bay Settlement Structure Plan as a site for future Industrial - Service Trades use as follows:

To provide land for 'Service Trades' and secure a site for fuel retail.

The Department of Lands indicated that it is prepared to transfer the lot to freehold and privately sell the land provided development of the site as a service station and fuel outlet has been demonstrated as feasible and will commence immediately after settlement.

Shire of Carnarvon Local Planning Scheme No. 11

The site is zoned 'Service Trades Precinct' under the Scheme and 'service station' and 'trailer park' uses are identified as an "AA" uses meaning that the Council may, at its discretion, permit the uses.

Draft Local Planning Scheme No. 13

The subject site has the proposed zoning 'Service Commercial'.

The objective of the reserve is 'To accommodate commercial activities which because of the nature of the business, require good vehicular access and/or large sites.'

Relevant Plans and Policy:

Policy Statement No. 18 – Advertising and Signage

The general requirements under the policy are:

- Displays on signs shall be directly related to the business name, products, and/or services within the tenancy.
- Sites with two street frontages are permitted to have signage facing each of the related streets maximum of three (3) signs facing each frontage).

The proposed signage is consistent with the policy and with the general community expectations for signage for a fuel station.

Financial Implications:

There are no identified financial implications relating to the officer's recommendations.

Risk Assessment:

There are no identified risks associated with the officer's recommendation.

Community & Strategic Objectives:

The proposal accords with the following Shire desired outcomes as expressed in the *Community Strategic Plan 2018-2028*.

Objective 1: Economic

A strong and growing economy, with a thriving regional centre, abundant business opportunities and jobs.

ITEM	Outcomes and Strategies
1.1	Local business growth
1.1.1	Work with the Gascoyne Development Commission, Chamber of Commerce, Aboriginal Corporations and local businesses to identify opportunities for business growth
1.1.2	Work with the agriculture, aquaculture and fishing industries to improve their viability and profile
1.2	Thriving tourism industry within the district/region
1.2.1	Promote the district of the Shire of Carnarvon as a tourism destination within the wider Coral Coast tourism region

1.2.2	Support the development and promotion of tourism attractions in the district of the Shire of Carnarvon
1.2.3	Support the development and promotion of cultural tourism in the district of the Shire of Carnarvon

Comment:

The proposed unmanned fuel station will provide an essential service to the Coral Bay community and visitors and tourists. The facility will replace the existing station on the adjacent Lot 64 and be operational 24 hours per day 7 days a week.

A large part of the site has been allocated for a future boat parking area which does not form part of this application. The proponent is intending to clear the entire site as part of the development to ensure BAL compliance. This area will require dust suppression in the interim period.

The proponent proposes gravel surfacing with ongoing dust suppression for vehicle access and manoeuvring areas. Considering the high level of vehicle movements and dry windy nature of the location it is considered appropriate that manoeuvring and parking areas be sealed.

The previous unmanned fuel site was unsealed however that was a temporary site as opposed to this permanent site. The locality is exposed to the prevailing southerly winds and is near caravan and camping grounds. A requirement for a sealed surface is therefore recommended by the Executive Manager Infrastructure Services as a development approval condition to provide a standard quality of development for the site.

The proposal is consistent with the development provisions for the site set out in the Coral Bay Settlement Structure Plan, Local Planning Scheme No. 11 and with the draft Local Planning Scheme No. 13. It is recommended that the proposal be supported subject to the conditions set out below:

OFFICER'S RECOMMENDATION

Pursuant to clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Shire of Carnarvon Local Planning Scheme No. 11 grant development approval for application P06/20 for the 'DEVELOPMENT OF AN UNMANNED FUEL BOWSER INCLUDING A FILL POINT, UNDERGROUND TANK, TWO CROSSOVERS, SIGNS AND RESURFACING' subject to the following conditions:

1. *The development is to be generally in accordance with the plans submitted by Tomahawk Property except as otherwise varied and approved by this determination.*
2. *Vehicle crossovers to Monck Head Drive and Banksia Drive shall be constructed to meet the standards set out in the Shire of Carnarvon Vehicle Crossover Construction Specification P-IS001C.*
3. *That the applicant provides a sealed hardstand surface, or other alternative stable surface to the satisfaction of the Executive Manager Development Services, to all internal vehicle access and manoeuvring areas of the Stage 1. Development site to the satisfaction of the Executive Manager Infrastructure Services.*
4. *The applicant is required to provide dust suppression material to the area to be cleared for the Stage 2. secure boat parking area and shall obtain the approval of the Executive Manager Infrastructure Services prior to the commencement of this work.*
5. *Landscaping is to be undertaken in accordance with the Landscaping Concept included as part of the application.*

Advice notes:

- i. *If the development the subject of this approval is not substantially commenced within a period of two (2) years, or another period specified in the approval after the date of determination, the approval will lapse and be of no effect.*
- ii. *If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 part 14. An*

- application must be made within 28 days of the determination.
- iii. This approval does not confer approval under other relevant legislation. It is the responsibility of **the** applicant to determine any necessary approvals required and obtain such approvals prior to the commencement of development and use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire of Carnarvon Building Services on (08) 9941 0000.
- iv. Sealed surfacing includes sprayed bitumen seals, asphalt seals or concrete.

FC 21/3/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Fullarton/Cr Nelson

Pursuant to clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Shire of Carnarvon Local Planning Scheme No. 11 grant development approval for application P06/20 for the 'DEVELOPMENT OF AN UNMANNED FUEL BOWSER INCLUDING A FILL POINT, UNDERGROUND TANK, TWO CROSSOVERS, SIGNS AND RESURFACING' subject to the following conditions:

1. The development is to be generally in accordance with the plans submitted by Tomahawk Property except as otherwise varied and approved by this determination.
2. Vehicle crossovers to Monck Head Drive and Banksia Drive shall be constructed to meet the standards set out in the Shire of Carnarvon Vehicle Crossover Construction Specification P-IS001C.
3. That the applicant provides a sealed hardstand surface to all internal vehicle access and manoeuvring areas of the Stage 1 development site to the satisfaction of the Executive Manager Infrastructure Services within a 3 year timeframe.
4. The applicant is required to provide dust suppression material to the area to be cleared for the Stage 2. secure boat parking area and shall obtain the approval of the Executive Manager Infrastructure Services prior to the commencement of this work.
5. Landscaping is to be undertaken in accordance with the Landscaping Concept included as part of the application.

Advice notes:

- i. If the development the subject of this approval is not substantially commenced within a period of two (2) years, or another period specified in the approval after the date of determination, the approval will lapse and be of no effect.
- ii. If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 part 14. An application must be made within 28 days of the determination.
- iii. This approval does not confer approval under other relevant legislation. It is the responsibility of the applicant to determine any necessary approvals required and obtain such approvals prior to the commencement of development and use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire of Carnarvon Building Services on (08) 9941 0000.
- iv. Sealed surfacing includes sprayed bitumen seals, asphalt seals or concrete.

FC 22/3/20

COUNCIL RESOLUTION

Cr Nelson/Cr Fullarton

That Standing Orders Section 13 be suspended at 11.28am to discuss the development conditions further.

CARRIED
F6/AO

That Standing Orders Section 13 be resumed at 11.35am.

CARRIED

F6/AO

Motion FC 21/3/20 was put.

CARRIED

F6/AO

(Note to Minute – Council included a 3 year time frame for the provision of a sealed hardstand surface .)

8.4 INFRASTRUCTURE SERVICES

8.4.1 PERMISSION TO USE WARROORA – GNARALOO COASTAL TRACK

Date of Meeting:	24 March 2020
Location/Address:	Part Gnaraloo Road from Gnaraloo Bay to Southern Boundary of Warroora
Name of Applicant:	Variety – the Children’s Charity of WA
Name of Owner:	Shire of Carnarvon
Author/s:	David Nielsen Executive Manager Infrastructure Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	Nil

Summary of Item:

That Council approves use of the closed gazetted coastal track between Warroora and Gnaraloo Station to plan and conduct the Variety WA 4WD Adventure event.

Background

Variety WA – the Children’s Charity supports kids and families who are facing challenges through sickness, disadvantage or living with disability.

The Shire President met with event organisers late last year and a copy of the formal request to use the coastal track is provided in Schedule 8.4.1(a).

The track was formally closed by the Shire on 1 April 2019 for a period of 12 months under a Temporary Road Closure application by the Exmouth District Parks and Wildlife Service. The track has been closed on a formal and/or semi-formal basis for at least 15 years. A request to extend this closure has been received from the Parks and Wildlife Service (Refer item 8.4.2 of this agenda.)

Description of Proposal:

The 4WD Adventure event has been running for over 20 years. It offers people a supported off 4WD experience to raise funds for the charity. Last year the trip raised \$215,000 to help kids in need in WA.

The following has been requested:

- Access to the track as per the attached map on Monday 25 May 2020 to conduct the event;
- Access is required for approximately 40 cars (30 participant cars and 10 support cars) and 100 people;

- Access during April for two vehicles to conduct a survey to plan and document route details .

This is not the Variety “Bash” event which may be more recognisable to the public but is a strictly 4WD event.

Consultation:

Consultation with Variety WA has been undertaken via email and telephone.

Consultation has been undertaken with the Exmouth District Parks and Wildlife Service. Advice from the service to Variety indicated the event was not supported as outlined in their email contained in Schedule 8.4.1 (b).

Additional discussion with the Service indicated if the Shire chose to approve the request, it could only approve the request to the extent that the event was strictly limited to the gazetted road reserve which is the only area under the care and control of the Shire.

Variety has also undertaken consultation with Warroora and Gnaraloo Stations and a letter of support from the Gnaraloo Wilderness Foundation is provided in Schedule 8.4.1(c).

Variety has been requested to undertake direct consultation with traditional owners.

Statutory Environment

The process outlined in Section 3.50 of the Local Government Act 1995 in relation to temporary road closures was conducted in 2019 and the road closure came into effect on 1 April 2020 for a period of 12 months.

3.50. Closing certain thoroughfares to vehicles

(1a) A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.

(2) The order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as may be specified in the order and may contain exceptions.

[(3) deleted]

(4) Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to —

(a) give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission; and

(b) give written notice to each person who —

(i) is prescribed for the purposes of this section; or

(ii) owns land that is prescribed for the purposes of this section; and

(c) allow a reasonable time for submissions to be made and consider any submissions made.

(5) The local government is to send to the Commissioner of Main Roads appointed under the Main Roads Act 1930 a copy of the contents of the notice required by subsection (4)(a).

(6) An order under this section has effect according to its terms, but may be revoked by the local government, or by the Minister, by order of which local public notice is given.

Section 1.7 of the Local Government Act 1995 also applies.

1.7. Local public notice

(1) Where under this Act local public notice of a matter is required to be given, a notice of the matter is to be —

(a) published in a newspaper circulating generally throughout the district; and

(b) exhibited to the public on a notice board at the local government’s offices; and

(c) exhibited to the public on a notice board at every local government library in the district.

Relevant Plans and Policy:

Nil applicable.

Financial Implications:

There are no financial implications associated with the recommendation.

Risk Assessment:

Environmental Degradation Risk – uncontrolled vehicular access to this section of coast may increase risk of some or all the following:

- Erosion, in particular, coastal dune erosion;
- Disturbance of cultural heritage sites;
- Feral animal and plant incursion; and
- Rubbish and litter.

Variety WA have advised that they utilise the following mechanisms regarding route planning and event operation:

- All routes are surveyed, with route notes provided to participants, which they must follow;
- Route will be marked with signs laid out by the forward scout vehicle in the morning and collected by a sweeper vehicle at the end of the group to ensure nothing is left behind;
- All participants attend a pre briefing meeting before the trip, a briefing each night and each morning, they are also written documentation containing all trip information;
- Specific communication about this section of the journey will be widely communicated with the group so they understand the privilege they have to be going on this track; and
- There is a Code of Conduct which all participants agree to follow.

It is considered that these mechanisms and the recommended conditions of approval are enough to mitigate identified risks.

Community & Strategic Objectives:

Goal 1: Economic

A strong and growing economy, with a thriving regional centre, abundant business opportunities and jobs.

ITEM	OUTCOMES AND STRATEGIES
1.2	Thriving tourism industry within the district/region
1.2.1	Promote the district of the Shire of Carnarvon as a tourism destination within the wider Coral Coast tourism region
1.2.2	Support the development and promotion of tourism attractions in the district of the Shire of Carnarvon

Goal 2: Natural and built environment

A sustainable natural and built environment that meets current and future community needs

ITEM	OUTCOMES AND STRATEGIES
2.6	Shire assets and facilities that support services and meet community need
2.6.1	Roads are appropriately managed according to their need and use

Comment:

Variety did not indicate any issues with the conditions outlined in the recommendation and understand that Shire approval is limited to access to the road reserve only.

Variety WA advised they are open and welcoming to the group being accompanied/escorted by a guide (perhaps a member of the Shire, the Parks and Wildlife Service and traditional owners if available).

This event is an opportunity to showcase and promote the natural and cultural heritage values of the area and is a “road test” for a possible future model for this road being a guided access only style of route.

OFFICER’S RECOMMENDATION

That Council approves the request from Variety WA to utilise the coastal track between Warroora and Gnaraloo Bay for the purposes of conducting their 4WD Adventure event and event planning subject to the following conditions:

- a) Access is strictly permitted to only the track within the gazetted road reserve and only on the established and well-defined track.*
- b) No parking off the established track is permitted.*
- c) Access to the track is not permitted in the event of rain on or near the event day.*
- d) A pre-event survey drive shall be conducted in conjunction with a Shire Officer and/or Parks and Wildlife Officers and their traditional owner partners to clearly define the route to be taken.*
- e) No rubbish shall be deposited or buried along the route and all rubbish shall be removed from the track and disposed of at an appropriate rubbish collection facility.*
- f) No pets or domestic animals are permitted to be taken through the track.*
- g) All care shall be taken by the event participants to cause minimal disturbance to the natural environment.*
- h) No vehicle access is permitted onto beach or coastal dune areas.*
- i) All vehicles shall be inspected to be free from weeds, seeds or soils prior to entering the track.*
- j) No camping or fires are permitted.*
- k) All gates shall be left in the condition they are found. Arrangements for the supply and return of a key for the padlocked gates at each end of the track shall be made and a refundable key deposit shall apply in accordance with the Shires Fees and Charges. (Currently \$50)*

FC 24/3/20

COUNCIL RESOLUTION & OFFICER’S RECOMMENDATION

Cr Maslen/Cr Fullarton

That Council approves the request from Variety WA to utilise the coastal track between Warroora and Gnaraloo Bay for the purposes of conducting their 4WD Adventure event and event planning subject to the following conditions:

- a) Access is strictly permitted to only the track within the gazetted road reserve and only on the established and well-defined track.*
- b) No parking off the established track is permitted.*
- c) Access to the track is not permitted in the event of rain on or near the event day.*
- d) A pre-event survey drive shall be conducted in conjunction with a Shire Officer and/or Parks and Wildlife Officers and their traditional owner partners to clearly define the route to be taken.*
- e) No rubbish shall be deposited or buried along the route and all rubbish shall be removed from the track and disposed of at an appropriate rubbish collection facility.*
- f) No pets or domestic animals are permitted to be taken through the track.*
- g) All care shall be taken by the event participants to cause minimal disturbance to the natural environment.*
- h) No vehicle access is permitted onto beach or coastal dune areas.*
- i) All vehicles shall be inspected to be free from weeds, seeds or soils prior to entering the track.*
- j) No camping or fires are permitted.*
- k) All gates shall be left in the condition they are found. Arrangements for the supply and return of a key for the padlocked gates at each end of the track shall be made and a refundable key deposit shall apply in accordance with the Shires Fees and Charges. (Currently \$50)*

CARRIED
F6/AO

Date of Meeting:	24 March 2020
Location/Address:	Part Gnaraloo Road from Gnaraloo Bay to Southern Boundary of Warroora
Name of Applicant:	Department of Biodiversity, Conservation and Attractions
Name of Owner:	Shire of Carnarvon
Author/s:	David Nielsen – Executive Manager Infrastructure Services
Declaration of Interest:	Nil
Voting Requirements:	Recommendation 1 - Simple Majority Recommendation 2 - Absolute Majority Recommendation 3 - Simple Majority
Previous Report:	Council Report 8.4.2 – January 2019

Summary of Item:

Council approval to extend a temporary closure of Gnaraloo Road from Gnaraloo Bay to the Southern Boundary of Warroora is sought. Delegated authority to the CEO is sought in the instance where nil submissions are received or no submissions objecting to the proposal are received. Direction to the CEO for strategic discussions with Parks and Wildlife regarding future outcomes for the road access is also recommended.

Description of Proposal:

An extension to the existing road closure for a further two years has been requested by the Parks and Wildlife Service (Department of Biodiversity, Conservation and Attractions). This extension of time is requested to enable the Department to further assess visitor risks and natural and cultural values to inform the future management of the area.

Background:

The Parks and Wildlife Service (Department of Biodiversity, Conservation and Attractions) have requested extension of the temporary closure of Gnaraloo Road from Gnaraloo Bay to the Southern Boundary of Warroora. Refer to Schedule 8.4.2.

An extension to the closure was granted in 2019 for a period of 1 year. That closure will expire on April 1 2020. A process of public notification and invitation for submissions was conducted for continuance of that closure. No submissions or objections were received.

Parks and Wildlife has stated in its current request that its focus is directed primarily on areas already publicly accessible in particular, the high visitor numbers accessing the Warroora coast and further north to Ningaloo. They state that *“potential for significant unmanaged tourism activity in this (closed) area would be extremely high with significant environmental impacts if left unchecked.”*

The Department completed their Nyinggulu (Ningaloo) Coastal Reserves Draft Joint Management Plan 2019 which closed for public comment in May 2019. The full draft plan is available at:

<https://www.dpaw.wa.gov.au/parks/management-plans/draft-plans-open-for-public-comment/542-nyinggulu-ningaloo-coastal-reserves-draft-joint-management-plan-2019>

Consultation:

Advertising the closure by public notice is required under the provisions of the Local Government Act 1995. Submissions will be invited from the owners of Gnaraloo and Warroora Stations. Any submissions received are required to be considered prior to determining whether to proceed with the closure.

Statutory Environment:

Section 3.50 of the Local Government Act 1995 applies as follows:

3.50. Closing certain thoroughfares to vehicles

(1a) A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.

(2) The order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as may be specified in the order and may contain exceptions.

[(3) deleted]

(4) Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to —

(a) give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission; and

(b) give written notice to each person who —

(i) is prescribed for the purposes of this section; or

(ii) owns land that is prescribed for the purposes of this section; and

(c) allow a reasonable time for submissions to be made and consider any submissions made.

(5) The local government is to send to the Commissioner of Main Roads appointed under the Main Roads Act 1930 a copy of the contents of the notice required by subsection (4)(a).

(6) An order under this section has effect according to its terms, but may be revoked by the local government, or by the Minister, by order of which local public notice is given.

Section 1.7 of the Local Government Act 1995 also applies.

1.7. Local public notice

(1) Where under this Act local public notice of a matter is required to be given, a notice of the matter is to be —

(a) published in a newspaper circulating generally throughout the district; and

(b) exhibited to the public on a notice board at the local government's offices; and

(c) exhibited to the public on a notice board at every local government library in the district.

Section 5.42 of the Local Government Act 1995 also applies.

5.42. Delegation of some powers and duties to CEO

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

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

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

* Absolute majority required.

Relevant Plans and Policy:

Nil applicable.

Financial Implications:

There are no financial implications associated with the recommendation.

Risk Assessment:

Environmental Degradation Risk – Uncontrolled vehicular access to this section of road may increase risk of some or all the following:

- Erosion. In particular, coastal dune erosion;
- Track proliferation;
- Disturbance of cultural heritage sites;
- Feral animal and plant incursion; and
- Rubbish and litter.

Community & Strategic Objectives:

Goal 2: Natural and built environment

A sustainable natural and built environment that meets current and future community needs

ITEM	OUTCOMES AND STRATEGIES
2.1	Valued natural environment, for use and enjoyment by current and future generations
2.1.1	Work with other government and non-government organisations to control weeds and pests, and undertake other conservation measures

Comment:

It was noted at the previous temporary road closure extension in 2019 that Council were desirous to establish and formalise the strategic direction for the track's usage with an aim to open the possibility for managed tourism in the area.

The Parks and Wildlife Service has also indicated it is desirous to finalise a strategic direction for the track rather than undertaking ongoing temporary road closures and that they would welcome a discussion with Council to jointly address the issues.

Areas accessed by the track have high conservation and cultural values. Well controlled and managed low impact access through the area may be possible to provide an additional tourist attraction feature for the region.

Compatible activities may include off road cycling, walking/hiking trail experiences and guided vehicular tours. If a development application was received for activities such as these during the closure period, there is nothing to necessarily prevent that development from being assessed and considered, regardless of the road closure being in place.

OFFICER'S RECOMMENDATION 1

That Council, pursuant to Section 3.50 of the Local Government Act (1995):

- 1. Advertises its intent to continue the temporary closure of a portion of Gnaraloo Road between Gnaraloo Bay and the Warroora Station southern boundary for a period of two years by:
 - a) Providing local public notice in accordance with Section 1.7 of the Local Government Act (1995);*
 - b) Display of a notice on the Shire of Carnarvon Website;*
 - c) Written notice sent to the affected pastoral lessees; and*
 - d) Includes in that notice advice that submissions regarding the proposed closure are to be received within a period of 21 days from the date of publication.**
- 2. Directs the CEO to prepare a report for Councils consideration if objections to the proposed closure are received.*

OFFICER'S RECOMMENDATION 2

That Council, pursuant to Section 5.42 of the Local Government Act (1995) delegates authority to the CEO to execute the temporary road closure subject to there being either nil submissions received, or nil submissions received objecting to the proposal.

(Absolute Majority Required)

OFFICER'S RECOMMENDATION 3

That Council directs the CEO to write to the Department of Biodiversity, Conservation and Attractions requesting a workshop to discuss the long term strategic aims for the road.

FC 25/3/20

COUNCIL RESOLUTION

Cr Maslen/Cr Vandeleur

That Council, pursuant to Section 3.50 of the Local Government Act (1995):

1. *Advertises its intent to continue the temporary closure of a portion of Gnaraloo Road between Gnaraloo Bay and the Warroora Station southern boundary for a period of one (1) year by:*
 - a) *Providing local public notice in accordance with Section 1.7 of the Local Government Act (1995;*
 - b) *Display of a notice on the Shire of Carnarvon Website;*
 - c) *Written notice sent to the affected pastoral lessees; and*
 - d) *Includes in that notice advice that submissions regarding the proposed closure are to be received within a period of 21 days from the date of publication.*

2. *Directs the CEO to prepare a report for Councils consideration if objections to the proposed closure are received.*

CARRIED

F5/A1

Cr Fullarton voted against the motion

(Note to Minute – Councillors agreed that 1 year only be agreed upon for the extension of the temporary Closure until such time as DBCA has decided upon a long term plan.)

FC 26/3/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION 2

Cr Maslen/Cr Vandeleur

That Council, pursuant to Section 5.42 of the Local Government Act (1995) delegates authority to the CEO to execute the temporary road closure subject to there being either nil submissions received, or nil submissions received objecting to the proposal.

CARRIED BY ABSOLUTE MAJORITY

F5/A1

Cr Fullarton voted against the motion

FC 27/3/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION 3

Cr Nelson/Cr Fullarton

That Council directs the CEO to write to the Department of Biodiversity, Conservation and Attractions requesting a workshop to discuss the long-term strategic aims for the road.

CARRIED

F6/A0

Date of Meeting:	24 March 2020
Location/Address:	Aquatic Centre
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	Carole Le Bas, Project Management Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	Nil

Summary of Item:

Council support for a Shire of Carnarvon application to the Department of Sport and Recreation (DSR) Community Sport and Recreation Facility Fund grant (CSRFF) for Aquatic Centre upgrades is recommended.

Description of Proposal:

A funding application has been prepared for upgrades to the Carnarvon Aquatic Centre. Formal Council support for an application under the CSRFF program is required as part of the application process.

Background

The Aquatic Centre provides facilities for recreational swimming and events, swim lessons, and opportunities for competitive swimming events in Carnarvon.

It comprises of an Outdoor 50m x 6 lane Olympic pool, a fully shaded toddler/learner pool and inflatable toys, a fully shaded children's playground and 2000m² of shaded lawn.

The Aquatic Centre is a social hub and important recreational facility for the community.

The Aquatic Centre entrance has no security monitoring and existing entry fencing is not to Australian Standards (AS1926-2012) for safety barriers for swimming pools as there is no gate or barrier stopping entrance into the main pool area. This can allow uncontrolled entry and exit by children particularly. This occurs regularly according to the facility manager.

A turnstile exit and controlled entry gate are proposed. The gate will allow prams, wheelchairs etc to enter and exit the facility with ease and security. An alarm system and CCTV are also proposed to improve security to the premises.

Upgrade of pool surfaces is also proposed. This will be achieved by replacing seals and preparing and repainting pool surfaces and outside edging to Australian Standards 2700, AS2610 and the Aquatic Facilities Code of Practice.

A fixed shade area between the two pools is proposed with seating to allow parents to sit whilst watching smaller children in the toddler pool. This permanent structure needs to be cyclone rated. The lap clock will be relocated onto this structure for more visibility by swimmers.

Currently there are ten sail shade areas along the sides of the pool. Upgrading to fixed louvered structures is proposed to reduce costs associated with the continual deterioration of the shade sail cloth material. It is planned to remove the existing structures and replace them with five 6m x 3m x 2.4m fixed louvre roof zinalume, cyclone rated structures. The louvred roofing will allow enough sunlight in to keep the grass growing.

Consultation:

Consultation has been undertaken with the facility manager, the Department of Sport and Recreation, and operational staff.

Applicants must discuss their project with the nearest DSR office, their Local Government Authority and the relevant State Sporting Association where appropriate/relevant.

Statutory Environment:

Nil applicable

Relevant Plans and Policy:

C030 External Grants – Procurement and Management policy applies. The grant application meets the policy principals as follows:

Principles

- (a) *Grant funding produces an outcome that is aligned with the Shire’s strategic objectives set out in the Strategic Community Plan, the Corporate Business Plan and Long-Term Financial Plan.*
- (b) *The benefits of receiving the grant should outweigh the costs to the Shire, including whole of life costs.*
- (c) *Effective administration of the grant must be able to be undertaken.*

Financial Implications:

Total project cost is estimated at \$121,537.44. The CSRFF small grant application seeks the maximum 50% funding - \$60,768.72.

If 50% funding is not approved, one third funding may be offered equal to \$40,512.48. There is support from the Regional Department of Local Government, Sport and Cultural Industries local office and the author has been advised they will support the application for 50% funding.

It is hoped that at least the 1/3 of funding will be secured as Carnarvon has had no funding from CSRFF since 2013. If successful, Council would need to make an allocation of up to \$81,024 in its 20/21 budget.

An allocation of \$80,000 is currently included in the draft 20/21 budget for pool painting and sealing and shade sail replacements.

Risk Assessment:

There is no noted risk associated with the proposal.

Community & Strategic Objectives:*Goal 3: Social**Healthy, safe and resilient community, where everyone belongs*

ITEM	OUTCOMES AND STRATEGIES
3.1	Active community
3.1.1	Provision of sport and recreation facilities
3.1.2	Support and promote opportunities for sport and recreation clubs to increase meaningful participation

Comment

One other Small Grant Community Sporting and Recreation Facilities Fund (CSRFF) was received from the Carnarvon Golf Club and this is addressed under Agenda item 8.4.4.

All applications must be lodged with the LGA irrespective of whether the LGA is contributing to the project.

Application Assessments are based on the following criteria:

- Project justification
- Planned approach
- Community input

- Management planning
- Access and opportunity
- Design
- Financial viability
- Co-ordination
- Potential to increase physical activity levels
- Sustainability

OFFICERS RECOMMENDATION

That Council supports the application from the Shire of Carnarvon to the Department of Sport and Recreation (DSR) Community Sport and Recreation Facility Fund grant (CSRFF) for aquatic centre upgrades and ranks this application one of the two applications received.

FC 28/3/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Maslen/Cr Nelson

That Council supports the application from the Shire of Carnarvon to the Department of Sport and Recreation (DSR) Community Sport and Recreation Facility Fund grant (CSRFF) for aquatic centre upgrades and ranks this application one of the two applications received.

CARRIED
F6/A0

8.4.4 COMMUNITY SPORT AND RECREATION FACILITY FUND SMALL GRANT APPLICATION – CARNARVON GOLF CLUB

Date of Meeting:	24 March 2020
Location/Address:	Carnarvon Golf Club
Name of Applicant:	Carnarvon Golf Club
Name of Owner:	Shire of Carnarvon
Author/s:	Carole Le Bas, Project Management Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	Nil

Summary

Council support for a Carnarvon Golf Club application to the Department of Sport and Recreation (DSR) Community Sport and Recreation Facility Fund grant (CSRFF) for irrigation services to the Carnarvon Golf Course.

Description of Proposal:

A funding application has been prepared by the Golf Club with the assistance of the Shire for supply of an irrigation water service to the Carnarvon Golf Club. Formal Council support for an application under the CSRFF program is required as part of the application process.

Background

The Carnarvon Golf Club (CGC) seeks to upgrade to its fairways and greens in order to improve the overall golfing experience for members and visitors.

Funding is required to add infrastructure that will install and commission bore water pipes from existing Shire owned and operated irrigation lines on Carnarvon Road to a new water tank and reticulation system for the irrigation and grassing of fairways and greens.

Consultation:

Consultation has been undertaken with the Golf Club, the Department of Sport and Recreation, and operational staff.

Applicants must discuss their project with the nearest DSR office, their Local Government Authority and the relevant State Sporting Association where appropriate/relevant.

Statutory Environment:

Nil applicable

Relevant Plans and Policy:

Nil applicable. The application is by the Carnarvon Golf Club, not the Shire of Carnarvon.

Financial Implications:

The total estimated project cost is \$140,962.17 (Ex GST). This is calculated as \$83,056.53 of materials cost and \$45,090.90 (Ex GST) of volunteer labour.

The CGC has also included a cost escalation of a 10% cost escalation of \$12,814.74 due to unknown effects of the Corona virus and supplies coming out of China. No cash contribution from the Shire of Carnarvon is sought. The club seeks an in-kind contribution from the Shire to access the Shires existing bore water line and bore water located on Carnarvon Road.

Risk Assessment:

There is no noted risk associated with the proposal.

Community & Strategic Objectives:**Goal 3: Social**

Healthy, safe and resilient community, where everyone belongs

ITEM	OUTCOMES AND STRATEGIES
3.1	Active community
3.1.1	Provision of sport and recreation facilities
3.1.2	Support and promote opportunities for sport and recreation clubs to increase meaningful participation

Comment

One Shire Small Grant Community Sporting and Recreation Facilities Fund (CSRFF) is addressed under Agenda item 8.4.3 for Aquatic Centre upgrades. All applications must be lodged with the LGA irrespective of whether the LGA is contributing to the project.

Application Assessments are based on the following criteria:

- Project justification
- Planned approach
- Community input
- Management planning
- Access and opportunity
- Design
- Financial viability
- Co-ordination
- Potential to increase physical activity levels
- Sustainability

OFFICERS RECOMMENDATION

That Council supports the application from the Carnarvon Golf Club to the Department of Sport and Recreation (DSR) Community Sport and Recreation Facility Fund grant (CSRFF) for the provision of Golf Club irrigation services and ranks this application number two of the two applications received.

FC 29/3/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Maslen/Cr Nelson

That Council supports the application from the Carnarvon Golf Club to the Department of Sport and Recreation (DSR) Community Sport and Recreation Facility Fund grant (CSRFF) for the provision of Golf Club irrigation services and ranks this application number two of the two applications received.

CARRIED

F6/AO

8.5 COMMUNITY SERVICES

8.5.1 BLOWHOLES COMMITTEE MEETING MINUTES – MONDAY 24 FEBRUARY 2020 & THURSDAY 12 MARCH 2020

11.49am – Cr Nelson declared an Impartiality Interest in this item as Cr Nelson is a shack site holder. Cr Nelson was not required to leave the meeting and could participate and vote on the matter.

Date of Meeting:	24 th March 2020
Location/Address:	N/A
Name of Applicants:	N/A
Name of Owner:	N/A
Author/s:	Jennifer Mackellin Executive Manager, Community Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Summary of Item:

To seek Council endorsement of the Blowholes Committee Meeting held on Monday 24th February 2020 and Thursday 12 March 2020.

Description of Proposals:

As above.

Background:

The meeting of the Blowholes Committee was held on Friday 24th February and Thursday 12 March 2020 and attended by Crs' Fullarton and Nelson and representatives of the Blowholes Protection Association.

The purpose of this Committee, as per Council Resolution FC 18/11/19 states –

“ That Council establishes a Committee to address the current condition of shacks at the Blowholes and to resolve a development plan acceptable to all parties and stakeholders with the Committee to report back to the Council within 8 months of the date of this resolution being accepted by the Council.”

Consultation:

Blowholes Committee

Statutory Environment:

N/A

Relevant Plans and Policy:

Blowholes Reserves Management Plan 2014-2036

Ningaloo Coast Regional Strategy Carnarvon to Exmouth, August 2004

Shire of Carnarvon Local Planning Strategy 2017

Shire of Carnarvon Corporate Business Plan 2018 – 2022

Shire of Carnarvon Strategic Community Plan 2018 - 2028

Financial Implications:

There are no financial implications as this report is to endorse the minutes of the Committee.

Risk Assessment

There is no risk to Council as the minutes are for Council endorsement and information only.

Community & Strategic Objectives:**Objective 1: Economic***A strong and growing economy, with a thriving regional centre, abundant business opportunities and jobs.*

ITEM	Outcomes and Strategies
1.2	Thriving tourism industry within the district/region
1.2.1	Promote the district of the Shire of Carnarvon as a tourism destination within the wider Coral Coast tourism region
1.2.2	Support the development and promotion of tourism attractions in the district of the Shire of Carnarvon

Objective 2: Natural and built environment*A sustainable natural and built environment that meets current and future community needs*

ITEM	Outcomes and Strategies
2.1	Valued natural environment, for use and enjoyment by current and future generations
2.7	Regulated land use to meet the current and future needs of the community
2.7.1	Incorporate appropriate planning controls for land use planning and development
2.7.2	Adopt appropriate land use planning and building regulation practices

Objective 5: Civic*Strong and listening Council.*

ITEM	OUTCOMES AND STRATEGIES
5.1	A well engaged and informed community and a high standard of customer service
5.1.2	The community is engaged in planning for the future and other matters that affect them
5.6	The Shire advocates on behalf of its community

Comment:The minutes attached at **Schedule 8.5.1a** and **Schedule 8.5.1b** are submitted to Council for endorsement and information.

OFFICER'S RECOMMENDATION

That Council endorse the minutes of the Blowholes Committee Meeting held on Monday 24th February and Thursday 12 March 2020 and any recommendations contained therein.

FC 30/3/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Fullarton/Cr Nelson

That Council endorse the minutes of the Blowholes Committee Meeting held on Monday 24th February and Thursday 12 March 2020 and any recommendations contained therein.

CARRIED
F6/A0

8.5.2 COMMUNITY GROWTH FUND COMMITTEE MEETING MINUTES – WEDNESDAY 11 MARCH 2020

Date of Meeting:	24 th March 2020
Location/Address:	N/A
Name of Applicants:	N/A
Name of Owner:	N/A
Author/s:	Jennifer Mackellin Executive Manager, Community Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Summary of Item:

To seek Council endorsement of the Community Growth Fund Committee Meeting held on Wednesday 11th March 2020.

Description of Proposals:

As above.

Background:

The meeting of the Community Growth Fund Committee was held on Wednesday 11th March 2020 and attended by Crs' Skender and Pinner.

Consultation:

Shire staff have reviewed the applications against the eligibility criteria, to inform the committee.

Statutory Environment:

The Council has approved the allocation of up to 4% of the gross rates income for the Community Growth Fund on an annual basis. The process of approval for this funding occurs under the requirements of the Local Government Act 1995.

Relevant Plans and Policy:

Shire of Carnarvon Community Growth Fund Policy C025.
Shire of Carnarvon Corporate Business Plan 2018 – 2022
Shire of Carnarvon Strategic Community Plan 2018 - 2028

Financial Implications:

There are no financial implications as this report is to endorse the minutes of the committee.

Risk Assessment

There is no risk to Council as the minutes are for Council endorsement and information only.

Community & Strategic Objectives:

Goal 3: Social

Healthy, safe and resilient community, where everyone belongs

3.3	Caring, self-reliant community
3.3.1	Support groups to deliver community-led initiatives and activities through liaison and grants

Comment:

This is the third round of Community Growth Funding. The minutes attached at **Schedule 8.5.2** are submitted to Council for endorsement and information.

OFFICER'S RECOMMENDATION

That Council endorse the minutes of the Community Growth Fund Committee Meeting held on Wednesday the 11th March 2020 and any recommendations contained therein.

FC 31/3/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Maslen/Cr Skender

That Council endorse the minutes of the Community Growth Fund Committee Meeting held on Wednesday the 11th March 2020 and any recommendations contained therein.

CARRIED
F6/AQ

9.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

10.0 URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY A DECISION OF COUNCIL

Nil

11.0 DATE OF NEXT MEETING

11.1 The next meeting will be held on Tuesday 28th April 2020 commencing at 10.00am.

12.0 MATTERS FOR WHICH MEETING TO BE CLOSED TO MEMBERS OF THE PUBLIC

FC 32/3/20

COUNCIL RESOLUTION

Cr Fullarton/Cr Skender

That the meeting be closed to the public in accordance with Section 5.23(2)(c) as the following items 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.

CARRIED
F6/AO

12.1 CONFIDENTIAL – REGIONAL EXPRESS

Date of Meeting: 24 March 2020
Location/Address: N/A
Name of Applicant: N/A
Name of Owner: N/A
Author/s: Jennifer MacKellin – Executive Manager Community Services
Declaration of Interest: Nil
Voting Requirements: Absolute Majority

FC 33/3/20

COUNCIL RESOLUTION

Cr Vandeleur/Cr Maslen

That Standing Orders Section 13 be suspended at 11.56am to discuss the possible implications in relation to the request.

CARRIED
F6/AO

FC 34/3/20

COUNCIL RESOLUTION

Cr Maslen/Cr Vandeleur

That Standing Orders Section 13 be resumed at 12.07pm.

CARRIED
F6/AO

FC 35/3/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION 1

Cr Fullarton

- 1. Council accepts the request of REX airlines, and will terminate its Agreement with the airline effective 1 April 2020;*
- 2. Council authorises the CEO to enter into a new Agreement with REX for the period 1 April 2020 to 30 June 2020, with this Agreement providing for REX to pay 50% passenger fees plus landing fees; or*
- 3. Council authorises the CEO to enter into a new Agreement with REX for the period 1 April 2020 to 30 June 2020, with this Agreement providing for REX to pay 50% passenger fees with no landing fees.*

MOTION LAPSED FOR WANT FOR A SECONDER

FC 36/3/20

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION 2

Cr Nelson/Cr Maslen

Council declines the request of Rex, and requires the terms of the Agreement to remain until 19 June 2020, in line with the Termination Clause of the Agreement which commenced on 2 July 2018.

MOTION LOST AS REQUIRES AN ABSOLUTE MAJORITY

F4/A2

Cr Fullarton and Cr Vandeleur voted against the motion.

FC 37/3/20

COUNCIL RESOLUTION

Cr Vandeleur/Cr Fullarton

That the meeting be reopened to the public at 12.13pm

CARRIED

F6/A0

13.0 CLOSURE:

The Presiding Member declared the meeting closed at 12.14pm.