

SHIRE OF CARNARVON

MINUTES

COUNCIL MEETING TUESDAY 22ND OCTOBER 2019

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on

.....
as a true and accurate record

.....
CHAIRPERSON

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.)

INDEX

0.0 SWEARING IN OF PRESIDENT AND COUNCILLORS ELECT

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

5.1 Minutes of Ordinary Meeting of Council held on 24 September 2019

6.0 PRESENTATIONS, PETITIONS AND MEMORIALS

7.0 ANNOUNCEMENTS BY THE PRESIDENT WITHOUT DISCUSSION

8.0 DEPARTMENTAL REPORTS

8.1 GOVERNANCE

- 8.1.1 Actions Performed Under Delegated Authority9
- 8.1.2 Committee Membership – Election & Appointment of Representatives..... 14

8.2 CORPORATE SERVICES

- 8.2.1 Accounts for Payment – 30 September 2019 20
- 8.2.2 Management Report – 30 September 2019 22
- 8.2.3 Investments as at 30 September 2019..... 24
- 8.2.4 Regional Price Preference Policy Adoption – Policy C035 25

8.3 DEVELOPMENT SERVICES

- 8.3.1 Expression of Interest – Lot 300 Olivia Terrace, Carnarvon 27
- 8.3.2 Coral Coast Helicopters – Proposed Hangar 33

8.4 INFRASTRUCTURE SERVICES

- 8.4.1 Fascine Entrance Dredging Trial Extension 40
- 8.4.2 Addition to Fees & Charges – Hire of Street Sweeper..... 45

8.5 COMMUNITY SERVICES

- 8.5.1 Community Growth Fund Applications 48
- 8.5.2 Gascoyne Football Association – Request for Retrospective Support..... 52

9.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

- 10.1 Shire of Carnarvon Elected Member & Staff Christmas Function 54

11.0 DATE OF NEXT MEETING

- 11.1 Next meeting of Council will be held on Tuesday 26TH November 2019 commencing at 10.30am at Coral Bay.

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

13.0 CLOSURE



**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS, STUART STREET,
CARNARVON ON TUESDAY 22ND OCTOBER 2019**

The meeting was declared open by the Chief Executive Officer at 8.32am

0.1 SWEARING IN OF SHIRE PRESIDENT, COUNCILLORS AND DEPUTY SHIRE PRESIDENT

The CEO announced that Mr Vince Catania, MLA – Member for North West would be conducting the swearing in of the Shire President and Councillors elect. Mr Vince Catania, MLA proceeded with the ‘swearing in’ of the Shire President and Councillors elect in accordance with Section 2.9 of the Local Government Act 1995.

The Declarations of Office for the Shire President and Councillors were conducted before Mr Vince Catania, MLA in accordance with Section 2.3 of the Local Government Act 1995.

The Chief Executive Officer (CEO) informed the meeting of proceedings for the election of the Deputy Shire President, pursuant to Regulation 11A of the Local Government (Constitution) Regulations 1996.

Nominations were then called for the position of Deputy Shire President with 2 nomination/s being received -
Cr Fullarton nominated himself
Cr Maslen nominated himself.

A ballot was conducted by the CEO resulting in Cr Maslen being duly elected as Deputy Shire President on a result of 7-1 votes. The Declaration of Office for the Deputy Shire President was conducted before Mr Vince Catania, MLA in accordance with Section 2.3 of the Local Government Act 1995.

The Chief Executive Officer thanked Mr Vince Catania, MLA for his participation in swearing in of the President and Councillors elect.

A ballot was then conducted for the Councillor seating arrangements for Council Chambers.

Following the formalities for the newly Elected Members, the Shire President assumed the chair from the CEO at 8.50am

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 K Simpson Councillor, Coral Bay Ward
Cr L Vandeleur..... Councillor, Town Ward
Cr K Pinner Councillor, Town Ward
Cr A Fullarton Councillor, Town Ward
Cr L SkenderCouncillor, Plantation Ward

Mr D Burton Chief Executive Officer

Mr D Nielsen	Executive Manager, Infrastructure Services
Ms J MacKellin	Executive Manager, Community Services
Mr M Werder.....	Executive Manager, Corporate Services
Mr P Lees	Executive Manager, Development Services
Mrs D Hill	Senior Executive Officer
Press	0
Observers	6
Leave of Absence	0
Apologies	0

REQUEST FOR LEAVE OF ABSENCE – CR PINNER

Cr Pinner requested that he be granted Leave of Absence for the November and December 2019 Ordinary Meetings of Council.

FC 1/10/19

COUNCIL RESOLUTION

Cr Skender/Cr Maslen

That Cr Pinner be granted Leave of Absence for the November and December 2019 Ordinary Meetings of Council.

CARRIED

F8/AO

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 8.52am

2.1 QUESTIONS TAKEN ON NOTICE FROM PREVIOUS MEETING – 24TH SEPTEMBER 2019

The following questions were submitted by Mr Shane Aylmore of the Blowholes Protection Association –

Question 1 - In accordance with section 109(2) and 107(d) and (e) of the building Act 2011 and Section 6(3) of the Criminal Investigations Act I again today reasonably request a copy of the unlawful signed warrants of entry for the blows shacks, like I did at the time of their unlawful execution (and was refused) to be produced.

Answer - We are awaiting legal advice regarding this matter.

Question 2 - Cr Youd Given your comments on Face book including “*Jim Lofts they are Illegal squatters shacks and have buildings that don’t meet building standards*” and your posts questioning Cr Smiths votes regarding the space museum and other issues. Is this a breach of the code of conduct?

Answer - Questions are to be made to the Council/Shire not individual Member’s personal considerations.

Question 3 - Can you tell me what section of the Building Act 2011 gives retrospectivity ?

Answer - Section 51; and Part 4 Sections 53-65 – Making and Dealing with Applications for Occupancy permits and building approval certificates.

Question 4 - How are they Squatters shacks given they were built on land expressly gazetted for them with the permission of the owner at the time and recognised by the state government?

Answer - State Government Policy 12.5.01.1 refers to unlawful dwellings (squatters shacks).

Question 5 - Do you Have a Caravan licence or any exemption issued under the Caravan Parks and camping grounds Act or Regs that allow you to have multiple habited caravans on site at the Space museum for gain or reward?

Answer - Questions are to be made to the Council/Shire not individual Member's personal considerations.

The following questions were submitted by Mr David Sadecky of the Blowholes Protection Association –

Question - On the 18th February 2019 the Shire of Carnarvon held a workshop at the Carnarvon Motel. I would like to see the receipts of what was the cost of the venue hire for all to attend the meeting, cost of the mediator to travel to Carnarvon, cost of accommodation and the security team that was needed.

Answer – Mr Sadecky has been advised that as he has requested copies of receipts this is not actually a question and therefore he would need to submit an FOI Application.

The following questions were submitted by Ms Glenda Sullivan of the Blowholes Protection Association -

Question – Why has your Councillor Ed Garrett breached the Shire's Code of Conduct Section 4.1.4 – Personal Behaviour, ie. (iv) Make no allegations which are improper or derogatory (unless true and in the public interest) and refrain from any form of conduct in the performance of their official or professional duties which may cause any reasonable person unwarranted offence or embarrassment'?

Answer - The Shire President has dealt with this matter accordingly.

2.2 PUBLIC QUESTION TIME

The following question has been submitted by Mr Len Paggi of Carnarvon as follows –

Question - Mr President, a draft copy of a supposed Carnarvon shire inquiry was issued by Mr. Ron Murphy of the Local Government Department, to members of council, which I would think you are a recipient.

I have read a copy of that draft report and am extremely concerned that whilst it has strongly accused some of the shire staff, it has completely ignored some member of the council who were responsible for the acceptance of the unspecified steel piles used on the Fascine project. I feel that should the draft copy continue to a final report, it would not be a proper and full report of what occurred and would exonerate some of the most culpable members.

The bottom line Mr President is that this shire has been left with millions of dollars to repair the problem caused by shonkey deals and irresponsible actions and lack of actions by senior members of the council.

I believe that we must insist on a FULL, I repeat Full investigation which the draft copy does not do, in order to make those who are responsible for visiting these huge sums to rebuild this project on us, pay for the remediation. Will you insist that a proper and FULL investigation be carried out before this inquiry becomes final?

Answer – The Shire President responded and advised that the Inquiry and Draft Report you refer to are Confidential. I, and Council, will not breach confidentiality in relation to this Inquiry. Once the Inquiry is complete and any report is made public, I am quite sure I, and Council, will consider and respond in the appropriate fashion.

Cr Fullarton asked the following –

Question – Can you advise the current state/conditions and actions being taken to address the Minilya River Crossing at Middalya?

Answer – The Executive Manager Infrastructure Services responded to Cr Fullarton advising that tenders for the crossing were called in the early year however no tenders were accepted. Armor rock has been delivered to the site and gravel material has been pushed up in preparation for the works, and tenders will be called in the near future.

Mr Alistair Brogan from Coral Bay has asked the following –

Question 1 - The 2020 budget for the Shire of Carnarvon shows an increase in rates revenue of 5.81% or \$314,747.00 above the budgeted figure for 2019. However, the rates for our two properties has increased by over 13.87% on last year. The major contributing factor to this increase is the 14% increase in the GRV rate in the dollar levied on our property by the Shire. The increase in rates levied on our property accounts for over 10% of the increase budgeted by the Shire in 2020. How is it equitable that one ratepayer can be responsible for over 10% of the rate rise for the whole community?

Answer - This year we had a revaluation of all grv properties which was last done 5 years ago. Some properties have had a significant increase in the GRV as assessed by the Valuer Generals Office while others had a decrease. In the revaluation we saw significant increases in some commercial properties and a decreases in residential properties The Shire of Carnarvon does not differential the rates for the GRV rated assessments. To allow for a 6% increase in the GRV rates in total, the rate in the dollar increased in all grv properties by 14%

Question 2 - Consultation with other commercial rate payers in Coral Bay indicate that they have also been hit with a 14% increase in the GRV rate in the dollar. What percentage of the Shire has seen a rate rise of 14% to cover the 5.81% increase in rates revenue?

Answer - All GRV Rated properties have had the 14% increase in the rate in the dollar.

Public Question Time was closed at 9.01am

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 Vandeleur (Financial Interest) – Item 8.3.2 - Coral Coast Helicopters – Proposed Hangar

Cr Maslen (Impartiality Interest) – Item 8.5.1 - Community Growth Fund Applications

Cr Pinner (Impartiality Interest) – Item 8.5.1 – Community Growth Fund Applications

4.0 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN WITHOUT DISCUSSION

Nil

5.0 CONFIRMATION OF MINUTES

5.1 ORDINARY MEETING OF COUNCIL – 24TH SEPTEMBER 2019

FC 2/10/19

COUNCIL RESOLUTION

Cr Simpson/Cr Maslen

That the minutes of the Ordinary Meeting of Council held on Tuesday 24th September 2019 be confirmed as a true record of proceedings.

CARRIED

F8/AO

NOTICE OF A MOTION TO REVOKE MOTION FC 11/9/19 – REMOVAL OF BLOWHOLES SHACKS ASSESSED AS BEING IN A DANGEROUS CONDITION.

In accordance with the Local Government (Administration) Regulations 1996 Pt.2 s.10, Crs' Fullarton, Nelson and Maslen have advised that they will be submitting a Notice of Motion at the Ordinary Meeting of Council to be held on 26th November 2019 recommending that Motion FC 11/9/19 be revoked.

A report to this effect will be prepared for Council consideration.

6.0 PRESENTATIONS, PETITIONS AND MEMORIALS

Nil

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 AUGUST/SEPTEMBER 2019

Date of Meeting:	22 nd October 2019
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 of September/October 2019.

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 September/October 2019 and are submitted to Council for information.

COMMON SEAL

Date Affixed	Agreement Details
1 October 2019	Lease – Terminal Building & Car Park Carnarvon Airport (Chalkwest) – (Budget)
8 October 2019	MOU – Carnarvon Community Mens’ Shed

DELEGATIONS

ENVIRONMENTAL HEALTH

Food

Food Act 2008

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
10-Oct-19	OCOR1920453	New food business registration (change of ownership) – Chicken Treat, 72 Robinson Street, Carnarvon	Plentyfull Pty Ltd	

On-site wastewater management

Health Act 1911, s.107

Health (Apparatus for treatment of sewage and disposal of effluent and liquid waste) Regulations 1974

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
NIL	NIL	NIL	NIL	NIL

Public Buildings

Health Act 1911, Part VI

Health (Public Buildings) Regulations 1992

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
NIL	NIL	NIL	NIL	NIL

Lodging houses

Health Act 1911, Part V, Division 2

Shire of Carnarvon Health Amendment Local Laws 2002, Part 8

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
20-Sep-19	OL197	Renewal of lodging house registration BIG4 Plantation Caravan Park 589 Robinson Street, Kingsford	BIG4 Holiday Parks of Australia Pty Ltd	
20-Sep-19	OL198	Renewal of lodging house registration Capricorn Holiday Park 1042 North West Coastal Highway, Browns Range	Menah Pty Ltd	
20-Sep-19	OL199	Renewal of lodging house registration Carnarvon Beach Canal Retreat 369 Pelican Point Road, Babbage Island	Philip Haughan	

20-Sep-19	OL1910	Renewal of lodging house registration Carnarvon Central Apartments 120 Robinson Street, Carnarvon	Rob & Phillipa Meyer	
20-Sep-19	OL1911	Renewal of lodging house registration Carnarvon Motel WA 34 David Brand Drive, Brockman	Peter Barrett Corporation Pty Ltd	
20-Sep-19	OL1912	Renewal of lodging house registration Carnarvon Seachange Apartments 73 Olivia Terrace, Carnarvon	John & Jill Dwyer	
20-Sep-19	OL1913	Renewal of lodging house registration Coral Coast Tourist Park 108 Robinson Street, Carnarvon	Liz & Jon Watts	
20-Sep-19	OL1914	Renewal of lodging house registration Gateway Motel 379 Robinson Street, East Carnarvon	Kevin & Cynthia Barrett	
20-Sep-19	OL1915	Renewal of lodging house registration Gnaraloo Homestead Gnaraloo Station, MacLeod	Portframe Enterprises Pty Ltd	
20-Sep-19	OL1916	Renewal of lodging house registration Leahy's Gascoyne Hotel 57 Olivia Terrace, Carnarvon	Gascoyne Hotel Pty Ltd ATF Gascoyne Hotel Unit Trust	
20-Sep-19	OL1917	Renewal of lodging house registration Minilya Bridge Roadhouse Lot 48 North West Coastal Highway, Minilya	Kahassy Pty Ltd	
20-Sep-19	OL1918	Renewal of lodging house registration Ningaloo Club 67 Robinson Street, Coral Bay	Bayview Coral Bay Pty Ltd	
20-Sep-19	OL1919	Renewal of lodging house registration Ningaloo Coral Bay 44 Robinson Street, Coral Bay	Coral Bay Investments Pty Ltd ATF the Coral Bay Investment Trust	
20-Sep-19	OL1920	Renewal of lodging house registration Ningaloo Reef Resort 14 Robinson St, Coral Bay	RAC Tourism Assets Pty Ltd	
20-Sep-19	OL1921	Renewal of lodging house registration Peoples Park Coral Bay 20 Robinson Street, Coral Bay	Coral Bay Investments Pty Ltd ATF the Coral Bay Investment Trust	

20-Sep-19	OL1923	Renewal of lodging house registration Warroora Station Warroora Station, Lyndon	Leonie McLeod	
20-Sep-19	OL1924	Renewal of lodging house registration Westralian Marine Group P/L 21 Binning Road, Babbage Island	Westralian Marine Group P/L	
20-Sep-19	OL1925	Renewal of lodging house registration Wintersun Caravan & Tourist Park 546 Robinson Street, Kingsford	Simon & Tiffany Moore	

PLANNING AND DEVELOPMENT

Planning and Development Act (Local Planning Schemes) Regulations 2015 Schedule 2 Clause 68 Applications to use/develop land					
File Ref:	Application Ref:	Subject Land (Incl. Scheme No)	Purpose	Applicant/Proponent	Date Granted
A1018	P24/19	Lot 1245 (HN 45) William Street, East Carnarvon	Proposed stables and the keeping of two (2) horses.	Tom Frank Van Dongen	25/09/19
A3955	P16/19	Lot 11, North West Coastal Hwy, Wooramel	Development of a manufacturing shed; security fencing; and use of the land for the intensive horticulture.	Saxon Douglas Boston	15/10/19
A3577	P29/19	Lot 13, Robinson Street, Coral Bay	Development of 2 solar carports and placement of a sea container.	Allerding & Associates	16/10/19

BUILDING

Application No.	Owners Name	Lot & Street	Type of Building Work
B19/058	MARCUS RADCLIFFE	LOT 4 (31B) WILLESEE ST MORGANTOWN	SOLAR PHOTOVOLTAIC PANEL INSTALLATION ONTO EXISTING RESIDENTIAL DWELLING
B19/059	DANIEL GAMES	LOT 107 (13) FINNERTY ST EAST CARNARVON	SOLAR PHOTOVOLTAIC PANEL INSTALLATION ONTO EXISTING RESIDENTIAL SHED
B19/060	JOHN & SIMONE PETERA	LOT 110 (9) MORGAN WAY MORGANTOWN	SOLAR PHOTOVOLTAIC PANEL INSTALLATION ONTO EXISTING RESIDENTIAL PATIO
B19/062	DWAYNE OXENHAM & KRISTINE RYAN	LOT 88 (2) FANE CR BROCKMAN	SOLAR PHOTOVOLTAIC PANEL INSTALLATION ONTO EXISTING RESIDENTIAL DWELLING
B19/075	PETRUS & JOHANNA & LEONIE RUSSON & BRENTON LEE WHITE	LOT 1060 (50) WILLIAM ST EAST CARNARVON	SOLAR PHOTOVOLTAIC PANEL INSTALLATION ONTO EXISTING STRUCTURE

B19/079	SHARON HUDSON & DAVID SKENDER	LOT 769 (26) MCLEOD ST SOUTH CARNARVON	SOLAR PHOTOVOLTAIC PANEL INSTALLATION ONTO EXISTING STRUCTURES
B19/082	DEPARTMENT FOR HOUSING	LOT 501 UNIT 1,2,3 (11) FANE CR BROCKMAN	1.8M HIGH COLORBOND POST & RAIL FENCES
B19/083	DELECIA EVANS	LOT 9 (27) GIBSON ST KINGSFORD	SOLAR PHOTOVOLTAIC PANEL INSTALLATION ONTO EXISTING RESIDENTIAL DWELLING

OFFICER'S RECOMMENDATION

That Council accept the reports outlining actions performed under delegated authority for the months September/October 2019.

FC 3/10/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Fullarton/Cr Pinner

That Council accept the reports outlining actions performed under delegated authority for the months September/October 2019.

CARRIED
F8/AO

8.1.2 COUNCIL COMMITTEES, COMMITTEE MEMBERSHIP AND NON-COUNCIL COMMITTEES AND GROUPS – ELECTION AND APPOINTMENT OF REPRESENTATIVES

Date of Meeting: 22nd October 2019
Location/Address: Shire of 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: Absolute Majority
Previous Report: 27 February 2018

Summary of Item:

The intent of this report is to provide information to assist the Council appointing representatives to its committees, technical advisory groups and to appoint representatives and delegates to various other bodies.

Description of Proposal:

Committees and groups should be reviewed within three months of an ordinary local government election to determine whether they should continue and if so, whether the Terms of Reference should be modified. The Council should then consider a report, including recommendations from the CEO in relation to the future direction of any group.

Background:

Council provides representation to two types of Committees. Firstly, there are those internal Committees established under the *Local Government Act, 1995* to provide Council with advice, or to undertake a specified function, and secondly, there is a variety of external Committees that Council provides representation on.

In addition, a number of external bodies often seek representation from the Council for specified purposes. .

Consultation:

Nil.

Statutory Environment:

The establishment of a Committee of Council is conducted under Section 5.8 of the *Local Government Act 1995*, which states:

“5.8. Establishment of committees

A local government may establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.*

** Absolute majority required.”*

At any given time each Elected Member is entitled to be a member of at least one Council Committee under Section 5.10 of the *Local Government Act, 1995* and where a staff member is to be appointed to a committee and the CEO indicates his or her wish to be a member or have a member as his representative then the local government is to appoint the CEO or the representative as the case may be.

Relevant Plans and Policy:

The selection of elected member representation aligns with the following Council policies:

- Policy E010 – Conference and Meeting Attendance by Members
- Policy E012 – Members Reimbursement of Expenses Incurred

Financial Implications:

There may be minor financial implications in that travel costs may be incurred by Members to attend various meetings held outside the Shire of Carnarvon.

Risk Assessment:

There is no risk to Council as this item refers to appointment of representatives to various Committees and Working Groups 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
5.2.1	Robust decision-making by culturally aware, well-informed and supported Councillors
5.2.6	Compliance with the Local Government Act 1995 and all other relevant legislation and regulations

Comment:

The use of Council Committees to undertake Council functions and provide advice to Council is an important means of progressing projects and issues without the need for full Council representation.

Council representation on community and industry groups is an important link for the awareness of the Council on issues that may impact upon the community or Council business. Representation on these groups helps establish and maintain strong links with the community.

Generally, Council Committees are either Management or Advisory in nature, as is Council Working Groups with an advisory purpose only.

Importantly, it should be noted the Council may at any time exercise its authority to:

- change the composition of an existing Committee or Advisory Group;
- create a new Committee or Advisory Group; or
- delete an existing Committee or Advisory Group if there is no further purpose or need to attend.

Good practice would suggest that the Council should have a policy on the establishment and operation of, and representation on, various committees and groups and that these should be reviewed after each ordinary election.

The Council's decision-making structures and processes needs to be transparent and provide for effective control and management of the system including good record keeping practices and accountability measures..

OFFICER'S RECOMMENDATION

That Council:

In accordance with Section 5.8 of the Local Government Act (1995), endorse the following Committees and Technical Advisory Groups with appointed Elected Member and staff representation, and delegates to non-Council Committees and Groups as listed in the table below:

	<i>Council Committee</i>	<i>Purpose</i>	<i>Representation</i>	<i>Member</i>
1	<i>Community Growth Fund (Delegated Authority)</i>	<i>Evaluate and determine grant applications for community funding contributions from the Shire Community Growth Fund.</i>	<i>3 x Elected Members 1 x Elected Member (Proxy) 2 x Staff Members EMCS; MCD(Obs)</i>	<i>Cr Cr Cr Cr (Proxy)</i>
2	<i>Management Review (Advisory)</i>	<i>1. To manage Council's obligations established in sections 5.36, 5.37, 5.38 and 5.39 of the Local Government Act 1995, relating to the appointment, appraisal, dismissal and contractual conditions of executive officers. 2. To recommend to Council contractual conditions for the CEO. 3. To manage the recruitment process for the position of CEO. 4. To undertake interviews and make selection recommendations to Council. 5. To undertake the annual performance appraisal of the CEO.</i>	<i>3 x Elected Members</i>	<i>Cr Cr Cr</i>
3	<i>Awards (Delegated Authority) (Advisory)</i>	<i>Nominating appropriate community members and organisations for awards and honours</i>	<i>3 x Elected Members 1 x Elected Member (Proxy) 2x Staff Members CEO or rep (Obs)</i>	<i>Cr Cr Cr Cr (Proxy)</i>

4	Audit (Delegated Authority) (Advisory)	Carrying out its (Council) functions in relation to audits under Part 7 of the Local Government Act 1995 and the Local Government (Audit) Regulations.	5 x Elected Members EMCS; Manager, Finance CEO	Cr Cr Cr Cr Cr
5	Emergency Management (LEMC) (Advisory)	Acts in accordance with the Emergency Management Act 2005 to manage the community's bush fire prevention and emergency response major events including fire, flood and cyclones.	1 x Elected Members 1 x Elected Member (proxy) 3 x Staff Members CEO, EMDS, CMM, Various Gov't and Community Emergency Management Representatives	Cr Cr (proxy)
	<i>Non-Council Committee/Group</i>	<i>Purpose</i>	<i>Representation</i>	<i>Member</i>
1	Gascoyne Zone WALGA	Comprises representatives from the 4 Gascoyne local governments and considers common issues by making representation to the WALGA State Council.	1 x Elected Member 1 x Elected Member (Proxy)	Cr Cr
2	Gascoyne Regional Road Group	Comprises representatives from the 4 Gascoyne local governments and Council's delegate provides input into roads funding allocations across the Gascoyne, including the submission of the Council's annual and supplementary road programme.	1 x Elected Member 1 x Elected Member (Proxy)	Cr Cr
3	Carnarvon Heritage Group Interpretive Working Group	To manage the Heritage Centre and One Mile Jetty precinct.	1 x Elected Member	Cr Cr (Proxy)
4	Aviation Community Consultation Group	Department of Transport Consultation Group with the purpose of ensuring the air service to Carnarvon and Shark bay is adhering to licence conditions.	1 x Elected Member 1 x staff member EMIS	Cr
5	Gascoyne Joint Development Assessment Panel	To determine development applications that meet set type and value thresholds (under legislation) in accordance with relevant planning instruments, such as the local planning scheme.	2 x Elected Members 2 x Proxies (Ministerial appointment)	Cr Cr Cr Cr
6	Ningaloo World Heritage Advisory Committee	To oversee the biological diversity and protection of marine species encompassed in the Ningaloo World Heritage Area inclusive of best practice in tropical marine, terrestrial and coast management.	1 x Elected Member (State appointed for 2-3 year term)	
7	Carnarvon Chamber of Commerce		1 x Elected Member CEO (Obs)	Cr

FC 4/10/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Simpson/Cr Pinner

That Council:

In accordance with Section 5.8 of the Local Government Act (1995), endorse the following Committees and Technical Advisory Groups with appointed Elected Member and staff representation, and delegates to non-Council Committees and Groups as listed in the table below:

	Council Committee	Purpose	Representation	Member
1	Community Growth Fund <i>(Delegated Authority)</i>	<i>Evaluate and determine grant applications for community funding contributions from the Shire Community Growth Fund.</i>	3 x Elected Members 1 x Elected Member (Proxy) 2 x Staff Members EMCS; MCD(Obs)	Cr SKENDER Cr NELSON Cr VANDELEUR Cr PINNER (p)
2	Management Review <i>(Advisory)</i>	<ol style="list-style-type: none"> 1. To manage Council's obligations established in sections 5.36, 5.37, 5.38 and 5.39 of the Local Government Act 1995, relating to the appointment, appraisal, dismissal and contractual conditions of executive officers. 2. To recommend to Council contractual conditions for the CEO. 3. To manage the recruitment process for the position of CEO. 4. To undertake interviews and make selection recommendations to Council. 5. To undertake the annual performance appraisal of the CEO. 	3 x Elected Members (ALL COUNCILLORS CAN ATTEND)	Cr SMITH Cr MASLEN Cr PINNER
3	Awards <i>(Delegated Authority)</i> <i>(Advisory)</i>	<i>Nominating appropriate community members and organisations for awards and honours</i>	3 x Elected Members 1 x Elected Member (Proxy) 2x Staff Members CEO or rep (Obs)	Cr PINNER Cr FULLARTON Cr VANDELEUR Cr SKENDER(Proxy)
4	Audit <i>(Delegated Authority)</i> <i>(Advisory)</i>	<i>Carrying out its (Council) functions in relation to audits under Part 7 of the Local Government Act 1995 and the Local Government (Audit) Regulations.</i>	5 x Elected Members EMCS; Manager, Finance CEO	Cr SMITH Cr MASLEN Cr FULLARTON Cr VANDELEUR Cr NELSON
5	Emergency Management (LEMC) <i>(Advisory)</i>	<i>Acts in accordance with the Emergency Management Act 2005 to manage the community's bush fire prevention and emergency response major events including fire, flood and cyclones.</i>	3 x Elected Members 1 x Elected Member (proxy) 3 x Staff Members CEO, EMDS, CMM, Various Gov't and Community Emergency Management Representatives	Cr SMITH Cr SKENDER CR SIMPSON CR MASLEN (proxy)
	Non-Council Committee/Group	Purpose	Representation	Member
1	Gascoyne Zone WALGA	<i>Comprises representatives from the 4 Gascoyne local governments and considers common issues by making representation to the WALGA State Council.</i>	1 x Elected Member 1 x Elected Member (Proxy)	Cr SMITH Cr FULLARTON (P)

2	Gascoyne Regional Road Group	Comprises representatives from the 4 Gascoyne local governments and Council's delegate provides input into roads funding allocations across the Gascoyne, including the submission of the Council's annual and supplementary road programme.	1 x Elected Member 1 x Elected Member (Proxy)	Cr MASLEN Cr FULLARTON (P)
3	Carnarvon Heritage Group Interpretive Working Group	To manage the Heritage Centre and One Mile Jetty precinct.	1 x Elected Member	Cr SMITH Cr (Proxy)
4	Aviation Community Consultation Group	Department of Transport Consultation Group with the purpose of ensuring the air service to Carnarvon and Shark bay is adhering to licence conditions.	2 x Elected Member 1 x staff member EMIS	Cr SMITH CR MASLEN CR FULLARTON(P)
5	Gascoyne Joint Development Assessment Panel	To determine development applications that meet set type and value thresholds (under legislation) in accordance with relevant planning instruments, such as the local planning scheme.	2 x Elected Members 2 x Proxies (Ministerial appointment)	Cr Simpson Cr Cr Skender(P) Cr Nelson(P)
6	Ningaloo World Heritage Advisory Committee	To oversee the biological diversity and protection of marine species encompassed in the Ningaloo World Heritage Area inclusive of best practice in tropical marine, terrestrial and coast management.	Planner (State appointed for 2-3 year term)	Cr Fullarton <u>The CEO to Appoint a Planner to the Committee.</u>
7	Carnarvon Chamber of Commerce		1 x Elected Member CEO (Obs)	Cr Pinner

FC 5/10/19

COUNCIL RESOLUTION

Cr Fullarton/Cr Pinner

That Standing Orders Section 13 be suspended at 9.07am to enable Councillors to discuss the meeting requirements of the various Committees.

CARRIED
F8/AO

FC 6/10/19

COUNCIL RESOLUTION

Cr Fullarton/Cr Pinner

That Standing Orders Section 13 be resumed at 9.27am.

CARRIED
F8/AO

Motion FC 4/10/19 was put
CARRIED BY ABSOLUTE MAJORITY
F8/AO

8.2 CORPORATE SERVICES

FC 7/10/19

COUNCIL RESOLUTION

Cr Maslen/Cr Pinner

That Items 8.2.1 to 8.2.3 inclusive be considered en-bloc.

CARRIED

F8/A0

FC 8/10/19

COUNCIL RESOLUTION

Cr Maslen/Cr Pinner

That Items 8.1.2 to 8.1.3 inclusive as follows, be adopted by Council -

8.2.1

ACCOUNTS FOR PAYMENT 31 AUGUST 2019

File No:	ADM0186
Date of Meeting:	22 October 2019
Location/Address:	Shire of Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	Stacy Martyn – 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 30 September 2019 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 \$1,003,936.33 as presented for the month of September 2019 incorporating;*

<i>Payment Reference from:</i>	<i>Payment Reference to:</i>	<i>Payment Type</i>	<i>Payment Amount</i>
<i>DD36950</i>	<i>DD37098</i>	<i>Bank Direct</i>	<i>\$91,746.43</i>
<i>47016</i>	<i>47028</i>	<i>Muni Cheques</i>	<i>\$70,335.10</i>
<i>7461</i>	<i>7464</i>	<i>Trust Cheques</i>	<i>\$5,798.26</i>
<i>EFT28837</i>	<i>EFT28883</i>	<i>Muni EFT</i>	<i>\$821,702.49</i>
<i>EFT28884</i>	<i>EFT28836</i>	<i>Trust EFT</i>	<i>\$14,354.05</i>

- b) *Receive the list of credit card payments, as per Schedule 8.2.1 (b), totalling \$11,258.85 as presented.*
c) *Note Sundry Creditors as at 30 September 2019 \$695,186.47.*

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

That Council

- a) *Receive the list of payments, as per Schedule 8.2.1 (a) totalling \$1,003,936.33 as presented for the month of September 2019 incorporating;*

<i>Payment Reference from:</i>	<i>Payment Reference to:</i>	<i>Payment Type</i>	<i>Payment Amount</i>
<i>DD36950</i>	<i>DD37098</i>	<i>Bank Direct</i>	<i>\$91,746.43</i>
<i>47016</i>	<i>47028</i>	<i>Muni Cheques</i>	<i>\$70,335.10</i>
<i>7461</i>	<i>7464</i>	<i>Trust Cheques</i>	<i>\$5,798.26</i>
<i>EFT28837</i>	<i>EFT28883</i>	<i>Muni EFT</i>	<i>\$821,702.49</i>
<i>EFT28884</i>	<i>EFT28836</i>	<i>Trust EFT</i>	<i>\$14,354.05</i>

- b) *Receive the list of credit card payments, as per Schedule 8.2.1 (b), totalling \$11,258.85 as presented.*
c) *Note Sundry Creditors as at 30 September 2019 \$695,186.47.*

File No:	ADM0186
Date of Meeting:	22 October 2019
Location/Address:	Shire of Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	Sa Toomalatai, 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
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 30 September 2019.

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 30 September 2019 as per Schedule 8.2.2.

COUNCIL RESOLUTION & 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 30 September 2019 as per Schedule 8.2.2.

8.2.3 INVESTMENTS AS AT 30 SEPTEMBER 2019

File No:	ADM0186
Date of Meeting:	22 October 2019
Location/Address:	Shire of Carnarvon
Name of Applicant:	Shire of Carnarvon
Name of Owner:	Shire of Carnarvon
Author/s:	Jodie Anderson, Senior Finance Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Summary of Item:

To report the Council details of surplus funds invested to 30 September 2019.

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 30 September 2019 as per Schedule 8.2.3.

COUNCIL RESOLUTION & OFFICER’S RECOMMENDATION

That Council receive the investments report, as at 30 September 2019 as per Schedule 8.2.3.

CARRIED
F8/A0

8.2.4 POLICY C035 – REGIONAL PRICE PREFERENCE POLICY ADOPTION

Date of Meeting	27 August 2019
Location/Address	Shire of Carnarvon
Name of Applicant	Shire of Carnarvon
Name of Owner	Shire of Carnarvon
Author/s	Sarah Berson, Governance Officer
Declaration of Interest	Nil
Voting Requirements	Absolute Majority
Previous Report	28 May 2019, 27 August 2019

Summary of Item

During the Ordinary Council meeting on the 28th of May 2019 Council approved notification of the proposed C035 Regional Price Preference Policy under Reg. 24F of the Local Government (Functions and General) Regulations 1996. After receiving one submission which resulted in a significant change, in August 2019, Council again approved notification of the revised policy. In order to adopt the policy, advertising has taken place with the request to provide submissions. The Council did not receive any submissions on this occasion.

Description of Proposal

For council to adopt Policy C035 – Regional Price Preference Policy.

Background

A proposed Regional Price Preference Policy was approved for notification by Council during the May 2019 council meeting. This was advertised for public submissions with Council receiving one (1) submission from the Shire of Upper Gascoyne. The submission requested the Shire to consider including the neighbouring Shires of the Gascoyne Region (Shire of Upper Gascoyne, Shire of Shark Bay and the Shire of Exmouth) within the region. The original policy stated that contractors eligible for the Regional Price Preference need to be located within the local government boundary of the Shire of Carnarvon.

Council reviewed this submission and the proposed policy at the August 2019 council meeting, which included an amendment to the description of the region to include the Gascoyne region where the other local governments have a reciprocal policy which includes the Shire of Carnarvon, refer to ***schedule 8.2.4a*** Council approved the revised proposed Regional Price Preference Policy for notification.

It is important to mention, the proposed changes in the Policy were considered to be significant. In accordance with Reg. 24E (4) of the Local Government (Functions and General) Regulations 1996, where a significant change has been made to the proposed policy the Shire is required to give Statewide public notice of the altered proposed regional price preference policy.

The public submission period ended on Thursday 10 October 2019, with no submissions received. The Regional Price Preference Policy can now be adopted.

Consultation

Consultation has taken place with the CEO – David Burton.

Statutory Environment

The Council's role in determining the Shire's policies is provided for by Section 2.7(2)(b) of the Local Government Act 1995.

Part 4a of the LG Reg. Functions & General (F&G) 1996 provides guidance regarding the Regional Price Policy and the requirements to advertise.

Financial Implications

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

Risk Assessment

Including all the Gascoyne Shire's within the boundaries of the Regional Price Preference policy will encourage the others to include the Shire of Carnarvon. Carnarvon, being the largest town with probably the largest number of contractors will benefit most of a collective Regional Price Preference Policy in particular when tendering for works for any of the other councils.

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

If Council resolve to adopt the proposed policy, as approved for notification in the August 2019 Council meeting, the policy C035 **Regional Price Preference Policy** will then form part of the Shire of Carnarvon Policy Manual.

In order to apply the adopted policy Statewide notice will need to be given.

OFFICER'S RECOMMENDATION

That Council in accordance with 24F (3) - Part 4A Regional Price Preference of the Local Government (Functions and General) Regulations 1996:

Adopt and approve notification of the adoption of policy under the S24F of the Local Government (Functions and General) Regulations 1996.

Policy No.	Policy
C035	Regional Price Preference Policy

FC 9/10/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Maslen/Cr Nelson

That Council in accordance with 24F (3) - Part 4A Regional Price Preference of the Local Government (Functions and General) Regulations 1996 adopt and approve notification of the adoption of policy under the S24F of the Local Government (Functions and General) Regulations 1996.

Policy No.	Policy
C035	Regional Price Preference Policy

CARRIED BY ABSOLUTE MAJORITY

F8/A0

8.3 DEVELOPMENT SERVICES

8.3.1 EXPRESSION OF INTEREST – LOT 300 (85) OLIVIA TERRACE, CARNARVON

File No:	ADM 1942
Date of Meeting:	22 October 2019
Location/Address:	Lot 300 P412840 (No. 85) Olivia Terrace, Carnarvon
Name of Applicant:	Shire of Carnarvon
Author/s:	David Burton, Chief Executive Officer Paul Lees, Executive Manager Development Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	4 April 2018 – Scheme Amendment No. 75

Summary of Item:

This report relates to the proposed disposal of Lot 300 (85) Olivia Terrace, Carnarvon by the State's Land Asset Management Unit (LAMU) through an expression of interest process. Ray White have advertised that an area of approximately 7,422m² is offered for sale through an expression of interest process that closes on 31 October 2019.

Ray White describe the site as comprising of the *“Carnarvon Justice Precinct which is superbly located on the corner of Olivia Terrace overlooking the Carnarvon Fascine and Robinson Street in the central downtown commercial precinct. A rare opportunity to acquire and develop truly the best commercial/tourism site in Carnarvon. The improvements comprise of the Old Police Station, Courthouse and 2 government residences”*.



Current advertising sign on subject land

Due to the site's prime location and its significant development potential (in the right economic environment), this report recommends that Council delegate to the CEO the authority to prepare and submit a basic expression of interest to Ray White advising that the subject land is of strategic importance to the Shire, and requesting that Shire officers be provided with the opportunity to engage with representative(s) of the relevant State department State to discuss options for the Shire to acquire the subject land, and to require the CEO to bring the matter back to Council should there be any options available for land acquisition.



View of the subject land from corner of Robinson Street and Olivia Terrace



View of the subject land from Robinson Street

Description of subject land:

The subject land is located on the corner of Olivia Terrace and Robinson Street. The site sits opposite to the Fascine Waterway, a marine environment and waterfront of social and cultural significance to the town. The northern boundary of the lot abuts the Shire of Carnarvon Visitor Centre and the 'Woolshed'. North-west of the site the land is used for residential and community/emergency services uses. Opposite the site on Robinson Street is located a range of commercial uses including shops, cafes and financial establishments.

As can be seen from the photos above, the existing buildings are institutional in design, serving the internalized civic functions of Courthouse and Police Station. Whilst it is possible that a developer may choose to purchase and retrofit other uses into the existing buildings, it is fair to say that the buildings due to their 'internalized' architecture do not maximize the overall potential of the site.



Lot 300 P412840 (No. 85) Olivia Terrace Carnarvon

Background:

The recent rezoning to ‘commercial’ provides the opportunity for the redevelopment of the site which is currently in a state of disrepair. As described in the advertising by Ray White, the site is a prime redevelopment opportunity in the heart of the town centre; it has the potential for tourism and/or commercial/mixed-use redevelopment.

The site has prominence within the Carnarvon town setting due to its proximity to the Fascine, and the important corner location which terminates the western end of Robinson Street; the site performs an important urban design element in the Carnarvon ‘main street’ as it terminates development along the north-western side of Robinson Street. The commercial zoning of the land provides the opportunity for the redeveloped of the site for a range of commercial uses including but not limited to: shops, cafés, bank facilities, offices (including professional), medical centre and consulting rooms, mixed use development (residential dwellings and commercial use), and private hotel/licensed restaurant. Such uses can activate this end of Robinson Street connecting the commercial centre with the Fascine and providing ‘permeability’ from the Robinson Street frontage into the site.

The report to Council on the now finalised Scheme amendment can be found at **Schedule 8.3.1(a)**.

Consultation:

The matter of the future redevelopment of the site has previously been to Council in 2004. The proposed “Redevelopment Plan” endorsed by Council in 2004 sought to formalize a pedestrian connection between the Shire’s Visitor Centre and the Woolshed (and axial connection from the corner of Robinson Street and Camel Lane) through to Olivia Terrace. As stated in the *Carnarvon Civic Precinct Revitalisation Plan – Outcomes Report (2015)*:

“The design relies on the clearance of all existing development with the exception of Lotteries House, the Gascoyne Hotel, Bankwest, and the Civic Centre. Since the plan was prepared, new investment has been made by private landowners, and it would be unreasonable for them to relocate to achieve this plan. The alignment proposed would therefore not be practical.”

The Council of the day endorsed the plan and directed further investigate to be carried out with stakeholders, including the various stakeholders involved in the Police and Justice complex. At the Corporate Information session level in 2015, the Council expressed an interest in this plan being the preferred basis for future designs and policy. Action: modernize the plan and turn it into implementation policy". [sic]

It should be noted that an enquiry-by-design workshop was held in 2007 with a variety of stakeholders attending with the objective of the workshop being for stakeholders to "improve and enhance the town centre". The *Carnarvon Civic Precinct Revitalisation Plan – Outcomes Report* states that a *Shire of Carnarvon Enquiry-by-Design Outcomes Report (2007)* was prepared as a result of the workshop, however there is no record of the outcomes report ever being adopted by Council and therefore no official follow-up of the concepts was prepared.

In any event, the Redevelopment Plan provides an example of good design outcomes that can be achieved through integrated planning and design; it illustrates the design principle of buildings celebrating important landmark locations and intersections as well as providing interactive frontage connectivity. The *Carnarvon Civic Precinct Revitalisation Plan – Outcomes Report* can be found at **Schedule 8.3.1(b)**.

Statutory Environment:

The Shire of Carnarvon Town Planning Scheme No. 10 provides the statutory framework for the development of land within Carnarvon. As noted above, the Scheme now zones the subject land as 'Commercial'. The range of possible (being non-fanciful) uses that could occur on the site under Local Planning Scheme No. 10 (Table 1 – Zoning) have been highlighted and can be found at **Schedule 8.3.1(c)**. These uses include commercial, residential, mixed use (commercial/residential), civic, health and community use.

Relevant Plans and Policies

The following documents are relevant to any redevelopment of the site:

- Shire of Carnarvon Town Planning Scheme No. 10
- Shire of Carnarvon Strategic Community Plan 2018 - 2028
- Shire of Carnarvon Corporate Business Plan 2018 - 2028
- Shire of Carnarvon Local Planning Strategy 2017
- Carnarvon 2020 Strategy
- Carnarvon Fascine Waterway and Environs Master Plan 2010
- Shire of Carnarvon Municipal Inventory 2015

Financial Implications:

There are no financial implications relating to the proposed recommendation as the recommendation is to merely establish a dialogue between the State and the Shire on a possible way forward for Shire acquisition of the subject land.

Risk Assessment:

There are no risks associated with the proposed recommendation. There is a risk that the land and buildings may be purchased by a developer and "land banked"; this outcome could result in the site continuing to be unoccupied and poorly maintained, thereby affecting the tourism experience of visitors and the economic reputation of the town.

Community & Strategic Implications:

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

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

Voting Requirements

Simple majority

Comment:

In summary, the recommendation if agreed to by Council and acceptable to the State, will provide the opportunity for Shire offices to enter into discussions with representatives of the State's Land Asset Management Unit (LAMU) to inform them of the strategic importance of the subject land to the orderly development of the town of Carnarvon and, if developed appropriately, to the future economic importance of the District.

OFFICER'S RECOMMENDATION

That Council resolves to:

- 1. Delegate to the CEO the authority to prepare and submit a basic expression of interest with Ray White advising that the subject land is of strategic importance to the Shire of Carnarvon and requesting that Shire officers be provided with the opportunity to engage with representative(s) of the State's Land Asset Management Unit to discuss options for the Shire to obtain the subject land.*
- 2. Require the CEO to report back to Council on the potential options available (if any) for the Shire to obtain the subject land.*

FC 10/10/19

OFFICER'S RECOMMENDATION

Cr Pinner/Cr Maslen

That Council resolves to:

- 1. Delegate to the CEO the authority to prepare and submit a basic expression of interest with Ray White advising that the subject land is of strategic importance to the Shire of Carnarvon and requesting that Shire officers be provided with the opportunity to engage with representative(s) of the State's Land Asset Management Unit to discuss options for the Shire to obtain the subject land.*
- 2. Require the CEO to report back to Council on the potential options available (if any) for the Shire to obtain the subject land.*

FC 11/10/19

COUNCIL RESOLUTION

Cr Nelson/Cr Fullarton

That Standing Orders Section 13 be suspended at 9.37am to discuss the implications of the Officer's Recommendation.

CARRIED

F7/A1

FC 12/10/19

COUNCIL RESOLUTION

Cr Nelson/Cr Fullarton

That Standing Orders Section 13 be resumed at 9.47am.

CARRIED

F8/A0

Motion FC 10/10/19 was put.

CARRIED

F7/A1

Cr Fullarton voted against the motion.

8.3.2 CONSTRUCTION OF AIRCRAFT HANGAR AT CARNARVON AIRPORT

9.50am – Cr Vandeleur declared a Financial Interest in this item as he has quoted for works associated with the proposed construction. Cr Vandeleur left the meeting and did not vote or participate in the matter.

File No:	A3053 P33/19
Date of Meeting:	22 October 2019
Location/Address:	547 Carnarvon Airport, James St
Name of Applicant:	Coral Coast Helicopters Services Pty Ltd
Name of Owner:	Shire of Carnarvon
Author/s:	Andrew Karagoglou, Planning Officer Paul Lees, Executive Manager Development Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

This item relates to a development application for the construction of an aircraft hangar at Carnarvon Airport (as Schedule 8.3.2(a)). The proposal if approved will enable Coral Coast Helicopters to properly store their helicopter fleet, and to undertake aircraft maintenance and engineering. The proposed works are within a Shire Reserve (Airport) and therefore the development application is required to be referred to Council for determination.

Description of Proposal:

As noted above the application seeks approval for the construction of a hangar to be used for aircraft storage and maintenance. The proposed location of the hangar is adjacent to the southern apron of the airport, next to the existing AirBP fuel facility (see figure 1).

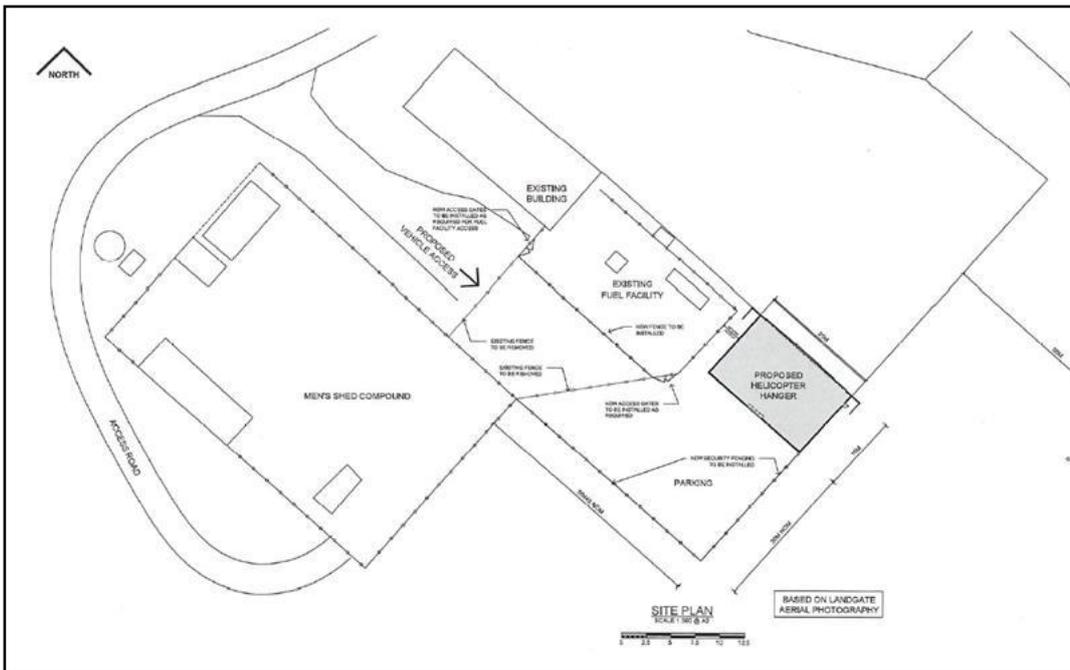


Figure 1: Site plan as lodged with application P33/19

The proposed hangar is described as follows:

- Height of 5.9m, length of 25m and width of 16m.
- Construction column of universal beam and a rafter construction will be Parallel Chord Web Truss
- Steelwork treatment is hot dip galvanised columns with Durgal trusses and cold galv painted welds.
- External will be a colourbond finish.
- CASA defined Obstacle Free Approach Surface clearance of 4.5m from the apex of the hangar is within limits.

To enable the proposal to proceed to construction (if approved), the applicant will require a building permit and will need to negotiate a lease with the Shire for the use of the land.

Background:

Coral Coast Helicopters are an aviation tourism operator based in Carnarvon Airport. The proposed hangar site is located on the edge of the apron next to the AirBP facility. As the development and associated yard has the potential to impact fuel delivery access arrangements to AirBP, consideration has been given to an acceptable access arrangement that will ensure safe and efficient access and egress for vehicles delivering to the AirBP site. The proposed changes will require some alterations to current fencing and gate arrangements.

The proposed site will also require an all-weather access and a hard stand parking and manoeuvring area. The Executive Manager Infrastructure Services has discussed the matter with the Shire’s Airport Manager, and it is proposed that the Shire will provide the hardstand material (old runway gravel) for the construction of the access road, with the responsibility for construction resting with the applicant.

The plan below shows the proposed vehicle circulation route for fuel deliveries:

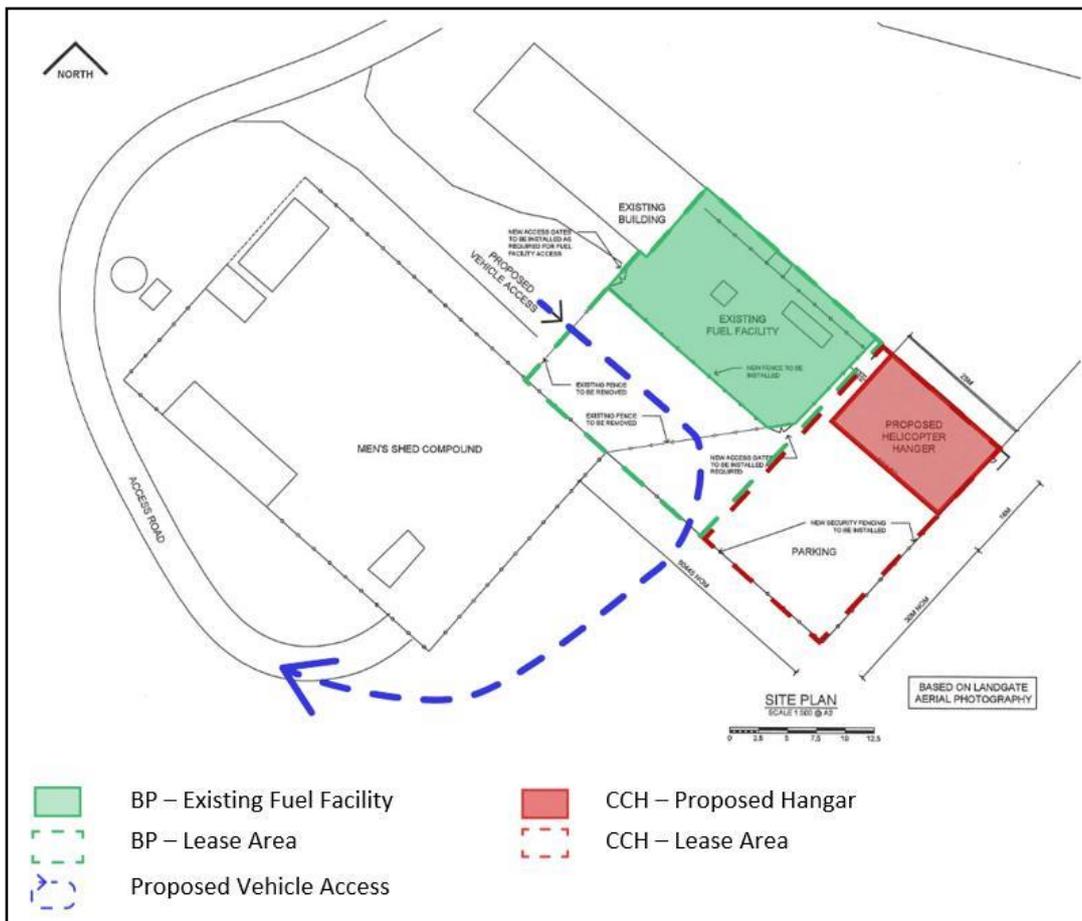


Figure 2: Proposed lease areas and the proposed vehicle circulation route for fuel deliveries

It should be noted that Coral Coast Helicopters currently leases a building at the airport from the Shire that is used as an office; this building will continue to serve the business in conjunction with the new facility. It is proposed that Coral Coast Helicopters staff will continue to use the Shire’s ablution block which is the main toilet facility for airport workers.

Consultation:

LPS 10 does not require public notification (advertising) of the proposal. The application was internally referred to the Airport Manager and was discussed at the Aerodrome Safety Committee (ASC) meeting, with consideration against the Aerodrome Safety Management System. It was also referred to the Executive Manager Infrastructure Services and Environmental Health Services. The issues raised in the ASC meeting have been addressed, through conditions provided by Executive Manager Infrastructure Services and Health Officer.

For completeness, the following matters were considered by the ASC: OLS Intrusion, Wind Sheer, Radio Shielding, Apron Congestion, Wing tip clearance and Procedures for Air Navigation Services- Aircraft Operations (PAN OPS). The ASC found that all risks associated with the proposal and associated use can be classified as ‘Low’ when correct operational procedures are followed.

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

Shire of Carnarvon Local Planning Scheme No. 10

Lot 547 James Street, Carnarvon Airport is zoned 'Reserve – Airport'.

Draft Local Planning Scheme No. 13

Lot 547 James Street, Carnarvon Airport has the proposed zoning 'Reserve – Strategic Infrastructure'. The objective of the reserve is 'To set aside land required for port or airport facilities.'

Relevant Plans and Policy:

The development proposal has been assessed against the following applicable policies:

- *Policy statement No. 4: Development control – Airport approaches.*
- *Civil Aviation Safety Authority (CASA) Civil Aviation Order 20.9 – Air service operations- precautions in refuelling, engine and ground radar operations.*
- *Civil Aviation Safety Authority (CASA) Civil Aviation Order 20.10 – Air Service Operations – Hot refuelling Helicopters.*

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
1.2	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
1.3	Transport hubs that support a thriving region
1.3.1	Provide and maintain airports at Carnarvon and Coral Bay

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
5.2	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

Comment:

The proposed works to construct the aircraft hangar are consistent with the Shire's current Airport Safety Management System. It is recommended that the application for development approval be granted 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 P33/19 for the 'CONSTRUCTION OF AN AIRCRAFT HANGAR FOR THE STORAGE, MAINTENANCE AND ENGINEERING OF AIRCRAFT' subject to the following conditions:

1. *The development is to be generally in accordance with the approved plans dated 02/09/2019 (Proposed Helicopter Hangar Site Plan and Elevations), including any amendments placed thereon by the Shire of Carnarvon and except as may be modified by the following conditions or with the prior written approval of the Shire of Carnarvon*
2. *In the event that the approval holder wishes to provide an electrical connection from the existing airport electrical service, the approval holder shall submit to the Shire's Executive Manager Infrastructure Services a report demonstrating that the Shire's electrical system has the capacity to support the proposed service requirements. Any required electrical infrastructure upgrades, or future upgrades associated with the proposal are required to be fully funded by the approval holder.*
3. *Prior to the operation of the facility the approval holder shall install a fire hose reel and industry approved fire retardant capable of servicing all areas of the proposed hangar (internal and external). All infrastructure related to the provision of water to the site is the responsibility of the approval holder.*
4. *The aircraft hangar is approved as a 'dry workshop' only as the floor is not drained. All clean-up of chemical and hydrocarbon spills shall be waterless (industry approved waterless system).*
5. *All aircraft servicing and maintenance work likely to result in spills must be undertaken solely within the hangar (other than in emergency situations). Note: The sections of flooring over which oil changes are to occur and any other areas where spills may occur should be sealed with an appropriate concrete sealant to assist with waterless clean-up.*
6. *Wastewater from the wash down of parts and equipment (including from the rinsing of degreased components) is only to occur where a stand-alone wastewater capture, treatment and disposal system has been installed and approved in accordance with relevant health or environmental requirements.*
7. *Liquid chemicals such as fuels, solvents, oils, waste oils, waste degreasing fluid etc may not be stored outside the building.*
8. *No spray-painting or abrasive blasting shall occur within the hangar workshop or within the proposed lease area.*
9. *The approval holder shall ensure that the washdown of aircraft on the airport apron does not result in chemicals entering the airports stormwater system and does not leave visible contamination on the apron; any degreasers used must be of a biodegradable type.*
10. *Prior to the operation of the facility, the applicant shall ensure that the vehicle manoeuvring and parking areas within the proposed lease area are constructed to a minimum compacted gravel pavement standard. Prior to the construction of these areas, the details of the pavement design shall be submitted to the Shire's Executive Manager Infrastructure Services for approval. All gravelled (unsealed) vehicle movement and parking areas within the lease area (development site) shall be maintained to a trafficable condition and shall not create a dust hazard. Note: For gravel pavement areas within the development site, the minimum standard acceptable would consist of 200mm thick compacted road base material mixed to optimum moisture content and compacted using a vibratory compactor.*
11. *Prior to the operation of the facility, the applicant shall provide all weather vehicle access to the site to the satisfaction of the Shire's Executive Manager Infrastructure Services. The access road shall link the*

development site to the existing constructed vehicle pathway within the airport. As a minimum the vehicle access shall consist of a compacted gravel pavement standard with suitable drainage. Prior to the construction of this access, the access design shall be prepared and submitted to the Shire's Executive Manager Infrastructure Services for approval. Note: For the gravel access road to the development site, the minimum standard acceptable would consist of a 5.0m wide roadway with a 200mm thick compacted road base material pavement mixed to optimum moisture content and compacted using a vibratory compactor. The design plan shall include proposed finish levels and shall detail drainage flows and drainage structures. The Shire can make available gravel material excavated from runway repairs for construction of this access. This access road shall become part of the airport infrastructure and will be maintained by the Shire and shall not be at the exclusive use of the applicant. The Shire will make available surplus road base from the old runway surface for use on access roads external to applicants proposed site.

12. Any changes to existing fencing arrangements must be consulted with the Airport Manager and AirBP, and shall be to the satisfaction of the Executive Manager Infrastructure Services.

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. 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 CASA Civil Aviation Order 20.9. 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. Access and facilities for people with disabilities must be provided at all times to the building and internally throughout the building in accordance with AS1428.1 2009.
- v. The development is to comply with the National Construction Code Series.
- vi. Bunded pallets or other bunding methods are recommended for the storage of liquid chemicals, including waste liquids (other than waste water, which requires an approved handling system).
- vii. Appropriate spill kits are recommended to be clearly marked and available for use within the workshop.
- viii. The Shire of Carnarvon advises that the development the subject of this planning approval must comply with the Environmental Protection Act 1986, the Environmental Protection (Unauthorised Discharge) Regulations 2004 and the Environmental Protection (Noise) Regulations 1997 in relation to discharges into the environment and noise emissions. It is noted that the noise regulations do not apply to noise emissions from aircraft but will apply to other noise sources relating to the aircraft maintenance (e.g. compressors). Further information can be obtained from the Shire of Carnarvon's Environmental Health Services on (08) 9941 0000.

FC 13/10/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Maslen/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. 10 grant development approval for application P33/19 for the 'CONSTRUCTION OF AN AIRCRAFT HANGAR FOR THE STORAGE, MAINTENANCE AND ENGINEERING OF AIRCRAFT' subject to the following conditions:

1. **The development is to be generally in accordance with the approved plans dated 02/09/2019 (Proposed Helicopter Hangar Site Plan and Elevations), including any amendments placed thereon by the Shire of**

Carnarvon and except as may be modified by the following conditions or with the prior written approval of the Shire of Carnarvon

2. *In the event that the approval holder wishes to provide an electrical connection from the existing airport electrical service, the approval holder shall submit to the Shire's Executive Manager Infrastructure Services a report demonstrating that the Shire's electrical system has the capacity to support the proposed service requirements. Any required electrical infrastructure upgrades, or future upgrades associated with the proposal are required to be fully funded by the approval holder.*
3. *Prior to the operation of the facility the approval holder shall install a fire hose reel and industry approved fire retardant capable of servicing all areas of the proposed hangar (internal and external). All infrastructure related to the provision of water to the site is the responsibility of the approval holder.*
4. *The aircraft hangar is approved as a 'dry workshop' only as the floor is not drained. All clean-up of chemical and hydrocarbon spills shall be waterless (industry approved waterless system).*
5. *All aircraft servicing and maintenance work likely to result in spills must be undertaken solely within the hangar (other than in emergency situations). Note: The sections of flooring over which oil changes are to occur and any other areas where spills may occur should be sealed with an appropriate concrete sealant to assist with waterless clean-up.*
6. *Wastewater from the wash down of parts and equipment (including from the rinsing of degreased components) is only to occur where a stand-alone wastewater capture, treatment and disposal system has been installed and approved in accordance with relevant health or environmental requirements.*
7. *Liquid chemicals such as fuels, solvents, oils, waste oils, waste degreasing fluid etc may not be stored outside the building.*
8. *No spray-painting or abrasive blasting shall occur within the hangar workshop or within the proposed lease area.*
9. *The approval holder shall ensure that the washdown of aircraft on the airport apron does not result in chemicals entering the airports stormwater system and does not leave visible contamination on the apron; any degreasers used must be of a biodegradable type.*
10. *Prior to the operation of the facility, the applicant shall ensure that the vehicle manoeuvring and parking areas within the proposed lease area are constructed to a minimum compacted gravel pavement standard. Prior to the construction of these areas, the details of the pavement design shall be submitted to the Shire's Executive Manager Infrastructure Services for approval. All gravelled (unsealed) vehicle movement and parking areas within the lease area (development site) shall be maintained to a trafficable condition and shall not create a dust hazard. Note: For gravel pavement areas within the development site, the minimum standard acceptable would consist of 200mm thick compacted road base material mixed to optimum moisture content and compacted using a vibratory compactor.*
11. *Prior to the operation of the facility, the applicant shall provide all weather vehicle access to the site to the satisfaction of the Shire's Executive Manager Infrastructure Services. The access road shall link the development site to the existing constructed vehicle pathway within the airport. As a minimum the vehicle access shall consist of a compacted gravel pavement standard with suitable drainage. Prior to the construction of this access, the access design shall be prepared and submitted to the Shire's Executive Manager Infrastructure Services for approval.
*Note: For the gravel access road to the development site, the minimum standard acceptable would consist of a 5.0m wide roadway with a 200mm thick compacted road base material pavement mixed to optimum moisture content and compacted using a vibratory compactor. The design plan shall include proposed finish levels and shall detail drainage flows and drainage structures. The Shire can make available gravel material excavated from runway repairs for construction of this access. This access road shall become part of the airport infrastructure and will be maintained by the Shire and shall not be at the exclusive use of the applicant. The Shire will make available surplus road base from the old runway surface for use on access roads external to applicants proposed site.**
12. *Any changes to existing fencing arrangements must be consulted with the Airport Manager and AirBP, and shall be to the satisfaction of the Executive Manager Infrastructure Services.*

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. *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 CASA Civil Aviation Order 20.9. 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. *Access and facilities for people with disabilities must be provided at all times to the building and internally throughout the building in accordance with AS1428.1 2009.*
- v. *The development is to comply with the National Construction Code Series.*
- vi. *Bunded pallets or other bunding methods are recommended for the storage of liquid chemicals, including waste liquids (other than waste water, which requires an approved handling system).*
- vii. *Appropriate spill kits are recommended to be clearly marked and available for use within the workshop.*
- viii. *The Shire of Carnarvon advises that the development the subject of this planning approval must comply with the Environmental Protection Act 1986, the Environmental Protection (Unauthorised Discharge) Regulations 2004 and the Environmental Protection (Noise) Regulations 1997 in relation to discharges into the environment and noise emissions. It is noted that the noise regulations do not apply to noise emissions from aircraft but will apply to other noise sources relating to the aircraft maintenance (e.g. compressors). Further information can be obtained from the Shire of Carnarvon's Environmental Health Services on (08) 9941 0000.*

CARRIED
F7/AO

9.54am – Cr Vandeleur returned to the meeting and was advised of Council's decision on this matter.

8.4 INFRASTRUCTURE SERVICES

8.4.1 FASCINE DREDGING TRIAL EXTENSION

File No:	5S0304
Date of Meeting:	22 October 2019
Location/Address:	Fascine Waterway Entrance Channel
Name of Applicant:	N/A
Name of Owner:	Shire of Carnarvon
Author/s:	David Nielsen – Executive Manager Infrastructure Services
Declaration of Interest:	The author is an ordinary member of the Carnarvon Yacht Club
Voting Requirements:	Simple Majority
Previous Report:	July 2018

Summary of Item:

Council approval to fund an extension of the trial of dredging works at the Fascine entrance channel is sought.

Description of Proposal:

Trial dredging works to re-establish a navigable entrance into the Fascine waterway has been underway since August 2018. Expenditure of approved funding (including approved contingency funding) for that trial is nearing exhaustion. An additional \$25,000 of Shire funding is sought to continue the trial to allow connection of the dredge channel to Teggs Channel and for reworks of existing areas.

Background:

In July 2018, Council resolved as follows:

SFC 1/7/18

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION 1

Garrett/Pinner

That Council:

1. *Approves the Fascine entrance dredging trial detailed in the Notification of Works provided in Schedule 1.*
2. *Directs the CEO to submit the Notification of Works provided in Schedule 1 to the Department of Water and Environmental Regulation and Department of Transport without delay.*
3. *Approves engagement of the Carnarvon Yacht Club to conduct the dredging trial in accordance with the requirements of the Notification of Works provided in Schedule 1 subject to provision of a certificate of currency of dredging operations insurance.*
4. *Approves expenditure of up to \$50,000 to conduct the dredging trial to be sourced from the Fascine Dredging Reserve.*

CARRIED
F5/AO

SFC 2/7/18

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION 2

Garrett/Smith

Delegates authority the CEO to expend an additional \$10,000 from the Fascine Dredging Reserve for contingency purposes subject to endorsement from the dredging trial steering group.

CARRIED BY ABSOLUTE MAJORITY
F5/AO

The Carnarvon Yacht Club commenced the dredging trial in August 2018. The approved Shire funding has provided coverage of the out of pocket expenses incurred by the CYC predominantly fuels, lubricants, servicing and insurances.

All labour provided by the CYC has been free of charge and has been conducted by volunteers, frankly, an outstanding and extraordinary contribution from a community organisation.

The following outlines the trial progress to October 4:

- Trial commenced 6 August 2018.
- CYC Expenditure to date = \$57,200 - Note that approx. \$15,270 consisted of insurances necessary to undertake the works.
- Shire of Carnarvon in kind expenditure for landside operations = \$21,500 (predominantly wages and plant for works such as outlet pipe movements.
- Expenditure to date = \$21,500
- Total Expenditure to Date = \$78,700
- Distance covered to Date = Approx 800 metres. Note that dredge has had to go back on at least three occasions to change route. Estimate another 50 – 75 metres of dredging distance covered due to these reversals.

- Engine Hours Dredging = 1040
- Man hours dredging (all volunteer hours) = 2882
- Days active Dredging = 165
- Major breakdowns – main pump required replacement. Out of service from 2 Jan 2019 to 16 April 2019. A replacement pump was donated to the CYC and installed by mostly voluntary or donated services..
- Route taken - Refer **Schedule 8.2.1(a)** for track map. Route has had to be adjusted during works to follow “natural” watercourse.
- Approx distance remaining to daylight through to Teggs Channel = 300m
- Seashore Engineering have been recently engaged to undertake the DOT/Shire funded planning study for the Fascine entrance. They have completed onsite assessment of entrance area which included an assessment of the dredging trial. Their report is provided in **Schedule 8.4.1(b)**.
- Injuries reported = Nil
- Workplace Incidents reported = 1 Shire vehicle damaged during landside works. Log being lifted by skid steer loader hit shire utility – minor damage only.
- Environmental incidents reported = Nil
- Complaints received from public/other regarding trial works = Nil.
- Water quality issues identified through sampling = Nil

Statutory Environment:

Nil applicable to proposal.

Relevant Plans and Policy:

For goods or services valued in the range \$6,001 - \$50,000, Council’s Purchasing Policy C002 requires a procurement process as follows:

“Seek to obtain at least three (3) written quotations from suppliers based upon a brief provided to suppliers outlining specified requirements. Supplier appointment directed by best value for money principle.

Typically, procurement of goods or services in this price range would be dealt with through staff delegations. Given the high-profile nature of the proposal and level of community concern regarding the Fascine entrance, full public disclosure of Council’s decision making process is considered appropriate.

It is recommended Council waive its purchasing policy requirements in this instance as:

1. There are no known other local suppliers capable of providing dredging services;
2. Mobilisation costs alone for dredging contractors has in the past exceeded \$180,000; and
3. The CYC has agreed to carry out the work on a cost recovery basis. A commercial dredging entity is unlikely to offer their services on that basis.

Financial Implications:

An additional budget of \$25,000 is sought to continue the dredging trial. Based on progress to date this should complete a linkage to Teggs Channel and allow for some rework in areas already dredged.

Council’s 2019/20 budget at COA 2780 - Fascine Waterways Dredging has an available allocation of \$44,628. The proposed trial extension can therefore be covered by an existing budget amount..

This budget amount is unspecified. It is unlikely to be able to be utilised for any other sort of significant dredging operation.

Risk Assessment:

Ceasing the trail being so close to completion may be a reputational risk to Council. It is unlikely the CYC can sustain a fully voluntary dredging workforce over the longer term and based on the work completed to date, Council must recognise the opportunity this extraordinary contribution represents.

Community & Strategic Objectives:

Goal 2: Natural and built environment

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

2.1	Valued natural environment, for use and enjoyment by current and future generations
2.2	Open, accessible, healthy foreshore and waterways
2.2.1	Maintaining an open fascine entrance and internal channels
2.6.6	Maintain town centre, fascine and town beach for enjoyment of locals and visitors, that the community can take pride in

Comment:

It is still not possible to suggest that the proposed dredging trial extension will provide a long-term navigable Fascine entrance channel.

Indeed, areas already dredged have undergone refilling from sand and will need some rework. The entrance continues to be dynamic. Of note is the southward progression and reestablishment of the spit. This has to some extent provided a lee shelter for the dredge and recent progress has accelerated.

It is hoped that through the combination of the natural reestablishment of the spit southwards and the dredged channel now receiving most of the flow that the channel will remain established at least for the short to medium term.

Some vessels have been able to enter and exit the Fascine as a result of the trial works so the original intent of the trial has been met at least to some extent. This has predominantly been shallower draft catamarans however mono hulls have also exited on high tides.

The trial has also clearly demonstrated the CYC’s commitment, dedication and perseverance to the reopening of the entrance. It has also demonstrated their ability to conduct the works making the most of the limited resources available to them.

The trial has demonstrated that a locally based dredging operation can perform a key role in a long-term solution to maintain the Fascine Waterway.

On balance, it is considered reasonable, prudent and justifiable to recommend that Council proceed with an extension the trial dredging proposal to allow for the efforts so far to be taken to a reasonable point of conclusion.

OFFICER’S RECOMMENDATION 1

That Council approves expenditure of up to \$25,000 to continue the existing dredging trial to be sourced from the existing 2019/20 Fascine dredging budget allocation.

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Fullarton/Cr Nelson

That Council approves expenditure of up to \$25,000 to continue the existing dredging trial to be sourced from the existing 2019/20 Fascine dredging budget allocation.

Foreshadowed Motion

Cr Pinner/Cr Vandeleur

The expenditure of up to \$25,000 to continue the existing dredging trial be postponed until such time as a final report has been received.

FC 15/10/19

COUNCIL RESOLUTION

Cr Vandeleur/Cr Nelson

That Standing Orders Section 13 be suspended at 9.55am to discuss further the issues arising from the dredging trial.

CARRIED

F7/A1

FC 16/10/19

COUNCIL RESOLUTION

Cr Vandeleur/Cr Nelson

That Standing Orders Section 13 be resumed at 10.08am.

CARRIED

F8/A0

FC 17/10/19

COUNCIL RESOLUTION

Cr Fullarton/Cr Skender

That Standing Orders Section 13 be suspended at 10.12am to seek comment from the Carnarvon Yacht Club in relation to the dredging.

CARRIED

F8/A0

FC 18/10/19

COUNCIL RESOLUTION

Cr Fullarton/Cr Skender

That Standing Orders Section 13 be resumed at 10.15am.

CARRIED

F8/A0

Motion FC 14/10/19 was put.

CARRIED

F8/A0

File No:	ADM0002
Date of Meeting:	22 October 2019
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	Shire of Carnarvon
Author/s:	Gloria Quinn – Assets Co-ordinator David Nielsen – Executive Manager Infrastructure Services
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Previous Report:	Nil

Summary of Item:

This report seeks Council approval for an addition to the Shire Fees and Charges for private works street sweeper hire.

Description of Proposal:

From time to time the Shire is requested to undertake street sweeping in areas not under Council’s responsibility or control. Areas typically include strata title development roads and private carparks.

A \$200 per hour hire fee for sweeping services within a 20km radius of Carnarvon townsite is proposed. Outside this area a \$5 per km travelling fee is proposed. Hire is to be wet hire only i.e. hire of machine with Shire operator.

Background:

Recently, the Shire took delivery of a new leased Rosmech street sweeper replacing the previous MacDonald Johnston sweeper which the Shire had leased since May 2014.

During the latter half of the lease, the MacDonald Johnston sweeper struggled to provide an efficient or satisfactory quality sweeping service. There has been improvement in both sweeping quality and quantity of material picked up by the new machine exceeding the previous sweeper performance.

Now that the Shire can provide quality street sweeping, potential exists to offset some lease costs by making the sweeper available for private works hire.

Consultation:

Operational Staff have requested introduction of a simple hourly rate fee and travel fee to assist with private works costing administration.

They have confirmed capacity exists to carry out occasional private works sweeping.

Statutory Environment:

Sections 6.16, 6.17 and 6.19 of the Local Government Act 1995 applies as follows:

6.16. Imposition of fees and charges

(3) Fees and charges are to be imposed when adopting the annual budget but may be —

(a) imposed during a financial year; and*

(b) amended from time to time during a financial year.*

** Absolute majority required.*

6.17. Setting level of fees and charges

(1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —

(a) the cost to the local government of providing the service or goods; and

(b) the importance of the service or goods to the community; and

(c) the price at which the service or goods could be provided by an alternative provider.

(3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —

(a) under section 5.96; or

(b) under section 6.16(2)(d); or

(c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.

6.19. Local government to give notice of fees and charges If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

(a) its intention to do so; and

(b) the date from which it is proposed the fees or charges will be imposed.

Relevant Plans and Policy:

Policy IS005 – Private Works states:

1.0 Council shall avoid where possible carrying out private works where involvement in such works would place Council in competition with private supply.

There are no known private locally available suppliers offering a similar service.

Financial Implications:

The proposal puts forward opportunity to offset street sweeper lease costs by undertaking private works.

Revenue from private sweeping is not expected to be significant. The primary customer of this service is likely to be MRWA for sweeping of sites on the NWCH.

Risk Assessment:

Asset Management Risk – Nil identified. The sweeper will only be operated by trained Shire personnel and all regular maintenance requirements will be attended to as part of the usual operating procedures in place for this machine.

Financial Risk – Nil identified. Hire of the sweeper will contribute to revenue.

Reputational Risk – Nil identified. Reputation may be enhanced by the ability to offer a service not otherwise available locally.

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

ITEM	OUTCOMES AND STRATEGIES
5.2.4	The Shire will apply sustainability principles in its own operations
5.2.6	Compliance with the Local Government Act 1995 and all other relevant legislation and regulations

Comment:

The proposed hire rate has been determined by taking into consideration:

- on-costed employee operator labour rates;
- the lease rate;
- commercial rates applicable in WA metro areas; and
- discussion with the equipment supplier regarding typical commercial hire rates in other locations.

If Council approves the proposal, advertising will be undertaken in accordance with *Section 6.19 of the Local Government Act 1995* as stated in the 'Statutory Environment' section of this report.

The new fee is proposed to take effect from 1 December 2019.

OFFICER'S RECOMMENDATION

That Council, pursuant to sections 6.16, 6.17 and 6.19 of the Local Government Act 1995:

- Adopts a fee for private hire of the Shire street sweeper as described below.*
- Implements the fee effective from 1 December 2019.*
- Publicly advertises its intention to introduce the new fee and the date from which it will take effect.*

Street Sweeper Hire

Hire with Shire Operator only within 20km radius of Carnarvon Townsite - \$200/hr (incl GST)

Travel beyond 20km radius of Carnarvon Townsite - \$5/km (incl GST)

(Absolute majority required)

FC 19/10/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Maslen/Cr Pinner

That Council, pursuant to sections 6.16, 6.17 and 6.19 of the Local Government Act 1995:

- Adopts a fee for private hire of the Shire street sweeper as described below.*
- Implements the fee effective from 1 December 2019.*
- Publicly advertises its intention to introduce the new fee and the date from which it will take effect.*

Street Sweeper Hire

Hire with Shire Operator only within 20km radius of Carnarvon Townsite - \$200/hr (incl GST)

Travel beyond 20km radius of Carnarvon Townsite - \$5/km (incl GST)

CARRIED BY ABSOLUTE MAJORITY

F8/A0

8.5 COMMUNITY SERVICES

10.24am – Cr Maslen declared an Impartiality Interest in this item as he is a member of the Committee organising the Windfest. He was not required to leave the meeting and could participate and vote on the matter.

10.24am – Cr Pinner declared an Impartiality Interest in this item as he is a sponsor of the Windfest. He was not required to leave the meeting and could vote and participate on the matter.

Date of Meeting:	21 October 2019
Location/Address:	N/A
Name of Applicant:	Carnarvon Windfest Incorporated; Lions Cancer Institute; Gascoyne Early Years Network
Name of Owner:	Shire of Carnarvon
Author/s:	Jennifer MacKellin
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Summary of Item:

To consider the Community Growth Fund applications submitted by:

1. Carnarvon Windfest Incorporated
2. Lions Cancer Institute
3. Gascoyne Early Years Network

These applications have been reviewed in line with the Community Growth Funds Policy C025, endorsed by Council 26 February 2019.

Description of Proposal:

Refer to summary

Background:

1. Carnarvon Windfest Incorporated – Major and Iconic Event - \$10,000

The Carnarvon Windfest Incorporated is a newly formed group residing in Carnarvon and is requesting financial support towards running a two-day 'Windfest' event 18/19 January 2020. The event will be a first of its kind in Carnarvon and is expected to attract an increased number of tourists over the quiet season.

The Carnarvon Windfest Incorporated, in its inaugural year, will focus on creating an iconic wind tourism event, during what is historically a quiet period. The event will bring economic stimulus and increase tourism numbers. The event will be held over two days and include a range of activities and entertainment to be enjoyed by both the local Carnarvon community and visitors to the area.

The event meets the Strategic Community Plan 2018-2028 Goals:

- 1.2 Thriving tourism industry within the district/region
- 3.1 Active Community

The applicant has provided a detailed budget, which demonstrates contributions towards the event both in-kind and in cash donations from a variety of sources. Whilst Carnarvon Windfest Inc. does not currently have the funds to host this event without support, this grant will allow the promotion of the event which will in turn

increase their income. The effort to raise funds through other sources is encouraged to reduce the reliance on grant funds alone, and these efforts have been demonstrated.

The Carnarvon Windfest Incorporated will support, promote and facilitate Indigenous partnership and encourage new programs that engage the children of the families by partnering with the ABC Foundation and their "On Country" education program. The event will include a Welcome to Country by traditional custodians. This supports the Shire of Carnarvon Memorandum of Partnership with the traditional custodians.

2. Lions Cancer Institute – Community Support Grant - \$2,500

The Lions Cancer Institute provides an annual Special Children's Christmas Big Day Out to assist children who are terminally ill and are in hospital all year round. The applicant reports that there are 25 terminally ill children from the Carnarvon region in Perth Children's Hospital. There are expected to be 5,100 children attending this event across 3 venues.

The event provides children with a movie, refreshments and presents from Santa. In 2018, the Shire of Carnarvon supported this event. The review of the Community Growth Funds policy endorsed by Council in February 2019, outlined eligibility for these funds that this application is considered not to have met. These include:

- *The applicant must reside or operate within the Shire of Carnarvon, OR be able to show a direct, clear and substantial benefit to the Shire of Carnarvon community. The extent to which the application fits the outcomes and priorities listed in the Strategic Community Plan. The application is not clearly identified to meet the outcomes and priorities listed.*
- *Funding and/or contributions obtained from other sources and evidence on the part of individual applicants of efforts made to raise funds.*
- *Formal evidence of other funding contributions or support for the Community Support and Iconic Event Grants.*

The applicant resides in West Perth. This is a very large charity that receives donations from throughout W.A. No budget or financial statements for this event was provided. A search on ACNC identified this charity as receiving 94% of its income from donations, with revenue in excess of \$900k in the last financial year.

The application did not complete the 'Final Checklist' which requires provision of the Certificate of Incorporation and any letter of support or other documents that support the applications.

3. Gascoyne Early Years Network - Major and Iconic Event - \$10,000

The Gascoyne Early Years Network (GEYN) is a well-established committee that was formed in 2011. GEYN brings together a diverse range of stakeholders, including the Shire of Carnarvon, interested in early childhood development.

GEYN has up to 20 individual members who generally either work or volunteer for early years' services. The aim of the group is to build a stronger network of members, to work together as a collective with the vision that children are nurtured, supported and provided with opportunities to grow, learn and achieve their full potential.

GEYN is planning to launch an early learning program which would focus on educating, informing and motivating families to read, sing, rhyme and play with their children from birth every day. This would contribute towards providing children with the necessary tools to succeed in their early education.

The funding sought included the purchase of a 'Quality Mascot' for '\$6,500 - \$7,000'. It was the opinion of the committee that this may not represent the best 'value for money' criteria of the Community Growth Funds Policy, in consideration of the limited funds available through these grants.

GEYN have requested that, if unsuccessful in their grant application, they be considered for support from the Shire for use of the Woolshed facility owned by the Shire of Carnarvon.

Consultation:

The Community Growth Fund Committee – Delegation 3023 as adopted by Council 18 December 2018. *Council delegates its authority and power to the Community Growth Fund Committee to allocate the annual donations budget, subject to-*

- (1) *The donations granted not exceeding the allocation approved in the Adopted Budget; and*
- (2) *Compliance with any relevant Council policy.*

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

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.

Financial Implications:

In the 2019/20 budget adopted by Council in August 2019, a total of \$65,000 was allocated for Community Growth Funds. Of this, there is a total of \$20,000 committed to existing Iconic Events. There are quarterly funding rounds, with the remaining \$45,000 of funding to be spread across those rounds. This is the first funding round for the financial year.

Risk Assessment

1. The Carnarvon Windfest Incorporated event has separate safety management and traffic management plans, and adequate insurances will be provided prior to the release of funds. The risk to the Shire would be low, for the event, with direct Shire involvement in this event to be risk managed separately to this application.
2. There are no identified risks for the Shire in the application by Lions Cancer Institute.
3. There are no identified risks for the Shire in the application by GEYN.

Community & Strategic Objectives:

Community Growth Funds grants are in line with the Strategic Community Plan 2018 – 2028, and the Corporate Business Plan 2018 – 2022.

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:

1. Carnarvon Windfest Incorporated – Major and Iconic Event - \$10,000

This application meets the eligibility criteria for Community Growth Funds, and provides significant benefit to the wider community. The event would support the economic growth of Carnarvon, and increase tourism.

2. Lions Cancer Institute – Community Support Grant - \$2,500

This application does not meet the eligibility criteria for Community Growth Funds in a number of areas, and does not demonstrate significant benefit to the wider community although would be of benefit to a smaller number of individuals.

3. Gascoyne Early Years Network - Major and Iconic Event - \$10,000

This application partially meets the eligibility criteria for Community Growth Funds, but does not represent value for money. This application does not demonstrate significant benefit to the wider community, but does demonstrate a benefit to the target group.

The consideration of a fee waiver for the use of Council facilities, namely the 'Woolshed', is favourable. This demonstrates support for the group, for their Children's Week event.

CGFC 1/10/19

COMMITTEE RESOLUTION & OFFICER'S RECOMMENDATION 1

That Council approve the grant application for \$10,000 submitted by Carnarvon WindFest Incorporated – (Major and Iconic Event)

COMMITTEE RESOLUTION & OFFICER'S RECOMMENDATION 2

That Council not approve the grant application for \$2,500 submitted by Lions Cancer Institute – (Community Support Grant)

COMMITTEE RESOLUTION & OFFICER'S RECOMMENDATION 3

That Council not approve the grant application for \$10,000 submitted by Gascoyne Early Years Network – (Major and Iconic Event)

COMMITTEE RESOLUTION & OFFICER'S RECOMMENDATION 4

That Council approve a fee waiver for Gascoyne Early Years Network for the use of the Woolshed to hold their event on 23 October 2019 – (Community Support Grant)

FC 20/10/19

COUNCIL RESOLUTION

Cr Nelson/Cr Maslen

That Officer/Committee Recommendations 1-4 inclusive be considered en-bloc.

CARRIED

F8/AO

FC 21/10/19

COUNCIL RESOLUTION

Cr Nelson/Cr Skender

That Committee Recommendations 1-4 inclusive be adopted as follows -

COMMITTEE RECOMMENDATION 1

That Council approve the grant application for \$10,000 submitted by Carnarvon WindFest Incorporated – (Major and Iconic Event)

COMMITTEE RECOMMENDATION 2

That Council not approve the grant application for \$2,500 submitted by Lions Cancer Institute – (Community Support Grant)

COMMITTEE RECOMMENDATION 3

That Council not approve the grant application for \$10,000 submitted by Gascoyne Early Years Network – (Major and Iconic Event)

COMMITTEE RECOMMENDATION 4

That Council approve a fee waiver for Gascoyne Early Years Network for the use of the Woolshed to hold their event on 23 October 2019 – (Community Support Grant)

CARRIED

F7/A1

Cr Fullarton voted against the motion

8.5.2 GASCOYNE FOOTBALL ASSOCIATION – REQUEST FOR RETROSPECTIVE SUPPORT

Date of Meeting:	21 October 2019
Location/Address:	N/A
Name of Applicant:	Gascoyne Football Association
Name of Owner:	N/A
Author/s:	Jennifer MacKellin
Declaration of Interest:	N/A
Voting Requirements:	Simple Majority

Summary of Item:

Gascoyne Football Association (GFA) have requested (retrospective) support in the cost of attending the WACFL BELT UP in Exmouth, by way of 'restitution of (at least) the lost gate income' to the amount of \$4,000. This was deemed by GFA to be something that the Shire would consider as the club found the preparation of the football ground to be inadequate for their season to commence on time.

Description of Proposal:

That Council consider a goodwill, retrospective, contribution to Gascoyne Football Association of \$2,000 in support of their players attendance at the WACFL BELT UP in Exmouth during May 2019.

Background:

The Shire of Carnarvon manage the Reserve known as Festival Grounds, which is hired by the GFA for their local Australian Rules football club matches held during the winter months. In the summer months these ground are hired and used for cricket. There was a request made by GFA to have a 'drop in' pitch used on the grounds, which would be removed by the Shire at the end of the cricket season. This was considered to be an expensive option, and the Shire chose to instead restore the turf surrounds to meet the needs of the GFA following the completion of the cricket season.

The solution offered was for rubber mats with a synthetic grass cover to be placed over the concrete wicket. This then gave a lip between the surface of the turf and the height of the mats. This was seen as a trip hazard for the football players and a safety issue. The initial solution offered by the Shire was to build up sand around the mats and allow the turf to grow through the sand to increase the height to that of the mats.

The GFA provided notice to the Shire that the grounds did not meet the standards that they were wanting and further work of replacing the turf surrounds was requested to be undertaken to meet their requirements. This additional work meant a delay to the commencement of their use of these particular grounds to allow the new turf to gain hold..

Cameron Perry, President of the GFA, sent a letter to the Shire dated 15 May 2019. The content of this letter is below:

The 2019 season for local Aussie Rules Football has been delayed as a result of the incomplete preparations made to cover the cricket pitch to bring the Premier Oval back to a safe playing standard for football.

As the 2019 season was to start on the 4th May the Gascoyne Football Association have had to organise an Intertown football match with Exmouth on the WACFL BELT UP Round 18th May 2019 so the local football clubs & their players do not lose interest in the sport because of the delay in being able to play locally.

We are writing to the Council in hope that they will consider helping the Gascoyne Football Association with the cost of this event as this will be a costly exercise and bring hardship to the Gascoyne Football Association as a Non For Profit association we depend on season gate takings and canteens for our season income but because of this above situation the association will lose approximately \$4000 from its 2019 income and have the added expense of having to organise Colts & Seniors to go to Exmouth to play football (\$3000 - bus hire & accommodation).

In consideration of the above we would request that the council consider making restitution of at least the lost gate income for the 4 rounds (approx \$1000 per week) of local football not able to be played on the Premier Oval.

As identified in the letter, the GFA chose to take its players to Exmouth for a match which was held two weeks after the intended season commencement. The GFA have advised that this trip came at a cost of \$3,000 to the club.

The GFA are seeking \$4,000 from the Shire of Carnarvon, which they identify as representing lost gate earnings for the delayed start to their season.

In April 2019, the Council approved the GFA to receive a Community Growth Funds grant of \$4,420 for the purchase of footballs, whistles, paint for oval marking and rule books for the 2019 football season.

Consultation:

Shire staff reviewed the current request from GFA in line with the Community Growth Funds policy, to identify if an opportunity might exist under this policy for an application to be made by GFA for further funds. It was identified that the request did not meet the criteria, and therefore is best referred back to Council for a decision.

The Executive Manager for Infrastructure was consulted to clarify what had occurred in ground preparation.

Statutory Environment:

N/A

Relevant Plans and Policy:

N/A

Financial Implications:

A current budget does have an allocation for Support for a Community Event. This request would be funded from that source.

Risk Assessment:

There is minimal risk for the Shire in this decision.

Community & Strategic Objectives:

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:

This request has been given due consideration by the Shire. The required standard of the grounds to meet the needs of the GFA do not appear to have been met, however, staff had attempted one solution of building up the turf around the mats which was deemed unsatisfactory by the GFA. Had the original fix been allowed time to cover over, it may have provided the solution in time for the opening of the season. It was also considered that GFA had been advised that the new solution would require time for the turf to settle before being used.

Council provided a significant contribution to GFA through its Community Growth Funds, and to then provide a further significant contribution may set a precedent which would not be sustainable into the future. The recommendation for a goodwill contribution is considered appropriate.

OFFICER'S RECOMMENDATION

That Council approve a goodwill contribution of \$2,000 to Gascoyne Football Association, in retrospective support of their players attendance at the WACFL BELT UP held in Exmouth on 18 May 2019.

FC 22/10/19

COUNCIL RESOLUTION & OFFICER'S RECOMMENDATION

Cr Fullarton/Cr Vandeleur

That Council approve a goodwill contribution of \$2,000 to Gascoyne Football Association, in retrospective support of their players attendance at the WACFL BELT UP held in Exmouth on 18 May 2019.

CARRIED
F8/AO

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

The Shire President advised that he has received a late item relating to the Elected Member and Staff Christmas Function. The Shire President agreed to receiving the late item for consideration.

8.1.3 SHIRE OF CARNARVON – ELECTED MEMBER AND STAFF CHRISTMAS FUNCTION

Date of Meeting: 22nd October 2019
Location/Address: Shire of Carnarvon
Name of Applicant: Shire of Carnarvon
Name of Owner: Shire of Carnarvon
Author/s: Dannielle Hill, Senior Executive Officer
Declaration of Interest: Nil
Voting Requirements: Simple Majority

Previous Report: Nil

Summary of Item:

To seek Council approval to hold a Shire Elected Member and Staff Christmas Party for the year ending 2019.

Description of Proposal:

To hold an Elected Member and Staff Christmas Party on the 29th November 2019 as an acknowledgement to the contributions of both Members and Staff over the past 12 months at a venue to be determined by Shire Officers.

Background:

In past years, the Shire Christmas Party has been held in various venues and has been well attended by both Elected Members and Staff. The Shire Christmas Party is an event where the contributions of the Members and Staff are recognised in an informal family orientated atmosphere. As per Council Policy E013, the function has been held in various venues over the past five years, and includes -

- 2014 – Carnarvon Yacht Club
- 2015 – Carnarvon Heritage Precinct
- 2016 – Premier Oval (Festival Grounds)
- 2017 – Civic Centre
- 2018 – Dalmacija Club

It is proposed that the 2019 Christmas Party be held at the Woolshed. This venue provides the facilities necessary and is also a safe environment for children to attend.

Consultation:

Nil

Statutory Environment:

Nil

Relevant Plans and Policy:

Policy E013 – Christmas Function

- “1.0 Council shall provide one annual Christmas function to cater for Elected Members, all staff and family members.*
- 2.0 The function date and venue shall be determined by a resolution of Council at least one month out from the date of the function.*
- 3.0 The format of the function shall be as determined by Council and where possible, rotated across different venues.”*

Financial Implications:

The holding of this event has been budgeted for and approved by Council with the costs to be taken from COA 101420 (Refreshments, Receptions & Civic Functions). Hire of the venue will be free of charge.

Risk Assessment:

There is no risk associated with this item.

Community & Strategic Objectives:

Nil

Comment:

The Shire and Elected Members Christmas Function is a popular event looked forward to by Councillors and staff alike. It is recommended that this year's function be held at the Woolshed on Friday 29th November 2019. This date has been determined in order that Shire Staff can utilise the Friday work day to set up the venue. This is a family orientated function and provides the opportunity for Members and Staff to gather in an informal atmosphere and enjoy the festive season.

OFFICER'S RECOMMENDATION

That a Shire of Carnarvon Elected Member and Staff Christmas Function be held at Woolshed on Friday 29th November 2019 commencing at 6.30pm with the costs associated with this function being sourced from COA 101420.

FC 23/10/19

OFFICER'S RECOMMENDATION

Cr Skender/Cr Fullarton

That a Shire of Carnarvon Elected Member and Staff Christmas Function be held at Woolshed on Friday 29th November 2019 commencing at 6.30pm with the costs associated with this function being sourced from COA 101420.

CARRIED

F8/A0

FC 24/10/19

COUNCIL RESOLUTION

Cr Maslen/Cr Nelson

That Standing Orders Section 13 be suspended at 10.30am to discuss the Blowholes Shacks and the current issues arising out of the recent rate increases.

CARRIED

F7/A1

Cr Fullarton voted against the motion

FC 25/10/19

COUNCIL RESOLUTION

Cr Maslen/Cr Nelson

That Standing Orders Section 13 be resumed at 10.55am.

CARRIED

F8/A0

11.0 DATE OF NEXT MEETING

The next meeting will be held on Tuesday 26 November 2019 commencing at 10.30am in Coral Bay.

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

Nil

13.0 CLOSURE:

The Presiding Member declared the meeting closed at 10.56am.